

Student Academic Appeal Policy and Procedures

College of Health Professions Virginia Commonwealth University

Purpose

The purpose of this document is to present the academic appeal policies of the College of Health Professions (CHP); to set forth procedural guidelines for student academic appeals within the CHP; to ensure fair interpretation and application of academic policies; and to supplement related University policies.

Scope

This document is applicable to students enrolled in programs and/or courses offered by the CHP and to faculty of the CHP. The policies and procedures presented in this document are to be followed by students initiating an academic appeal and by faculty, program directors and administrators processing student appeals.

Related Policies

In addition to complying with the policies and procedures presented in this CHP document, students and faculty of the CHP must also comply with related University policies. These policies are available in the University's student resource guide, the ***VCU Insider*** (<http://www.students.vcu.edu/rg/docs/Insider>). **These policies take precedent and will be applied when appropriate.**

Designated Responsibilities

It is the policy of the CHP that departments and programs shall endeavor to:

- Establish high standards of quality in both teaching and student performance.
- Provide fair and reasonable academic policies and practices.
- Apply academic policies uniformly, provide due process to all students, and comply with this policy as well as related University policies.
- Inform students of academic and non-academic performance expectations.

In institutions of higher education, certain powers are delegated to and reserved by the faculty. These powers include:

- The right to design program curricula.
- The right to decide the standards for admission to a program.
- The right to set standards of performance for students in a program.
- The right to evaluate student performance and to take correction action if student performance does not meet established standards.
- The right to dismiss students who do not meet standards of performance.

Along with these delegated powers comes a duty that faculty use these powers appropriately.

Accordingly, it is the policy of the CHP that faculty shall:

- Apply all established policies and practices fairly and without discrimination.
- Clearly state in their course outlines the learning objectives of the course, specific performance expectations and the criteria that will be used in evaluating student performance, in assigning the final course grade, and appraising the expected standards of performance.
- Apply fairly to all enrolled students the performance criteria and standards established for each course.
- Initiate academic disciplinary actions through the department chair or program director when students fail to meet course performance standards. The action is initiated after a thorough review of this policy and the related University policies discussed herein.

Further, the CHP requires that individual students:

- Fulfill the academic, professional development, and professional conduct requirements prescribed by the department/program and/or the College of Health Professions.
- Become familiar with and comply with the provisions of this policy, the policies of their department or program, and the related University policies.
- Assume the responsibility for identifying the grounds for an appeal of a grade or appeal of other actions such as suspension or dismissal.
- Exhaust all avenues of individual faculty, program and departmental review of their concerns prior to initiating an academic appeal to the Dean, College of Health Professions.

Academic Appeal

An academic appeal may be submitted when there is a reasonable belief that there exists grounds for an appeal. Grounds for an appeal include:

- That performance criteria and standards were not made known to the student.
- That academic policies were not made known to the student.
- That an academic policy is discriminatory or unfair on its face or that the application of the policy was unfair or discriminatory.
- That the student was denied due process.
- That the faculty member or members acted in an unfair or capricious manner.
- That the faculty acted based upon errors of fact.
- That the faculty's judgment was in error based upon improper interpretation of policy.

The Dean will not accept academic appeals for which students have not exhausted all avenues of departmental review and/or are not based on the grounds set above.

Any student who has a good faith belief that a decision relative to his or her academic standing has been unfairly made may consider filing an academic appeal. When appropriate, the University's Grade Review

Procedure must be used. The required appeal process must be initiated and completed within the department/program.

Appeal Submission

Students who appeal a faculty decision or action affecting academic standing shall be entitled to and must follow the departmental review process before an appeal is forwarded to the Dean:

1. A review, explanation and discussion of the matter or concern should be held with the individual member of the faculty involved.
2. Should the matter remain unresolved, a review by the program director, department chair, and/or by a faculty committee appointed by the department chair or program director, should be conducted.

Upon completion of the departmental review, the department chair must notify the student and the Dean of the School in writing of the decision and rationale for the decision. Notification must be made within five work days.

Students who do not feel the issue has been resolved by the process at the program or department level may file a written appeal with the Dean of the College within five work days of being notified of the final department or program decision.

1. The student must review this policy and determine the grounds for the appeal.
2. Appeals to the Dean of the CHP must be submitted in writing, clearly stating the grounds for the appeal, a brief statement which supports the student's belief there exists a ground for the appeal and any supporting evidence.

Appeal Review

1. The Dean or Dean's designee will review the appeal documents, and determine whether or not to consider the appeal based on the stated grounds. Pending the final decision of the Dean, the student who appeals shall be permitted to continue to participate in the course or courses in which enrolled unless the department or program can substantiate to the satisfaction of the Dean a reason for the student not continuing.
2. Should it be determined that sufficient grounds for the appeal have not been presented, the student and the department chair will be notified, and no further action at the College level will be taken.
3. Upon acceptance of a written student appeal which presents reasonable grounds for the appeal, the Dean or her designee shall appoint within five work days an Appeal Committee, designate a Chair of this Committee, and notify involved parties. Size and composition of this Committee shall be as follows:
 - Five members including the Chair of the Committee.
 - Three faculty members. One shall be from the program or department in which the student appealing is enrolled who has not been involved in the department review process. Other faculty members will be selected from those elected by the faculty to serve as members of the CHP Student Academic Appeal Committee.
 - A practitioner from the discipline in which the student is enrolled.
 - A student enrolled in a program offered by the CHP.

- A balanced representation of the School's community with regard to sex and race should be achieved insofar as possible.

Either party may, for cause, challenge one or more members of the Appeal Committee. The challenge must be submitted to the Dean in writing and must include a full explanation of the cause of the challenge. The Dean or her designee shall determine if there is sufficient cause to remove the challenged member. The decision of the Dean or her designee is final. In the event a member is removed for cause, the Dean or her designee will immediately appoint a replacement acceptable to both parties.

4. Upon appointment, the Chair of the Appeal Committee shall immediately request that both parties submit relevant information in writing within five work days. Requests for time extensions must be submitted to the Dean or her designee. Information submitted by each party shall also be provided to the other party and to members of the Committee. Members of the Committee shall hold these as confidential information.
5. Upon receipt of the relevant information, the Chair shall conduct a meeting of the Appeal Committee. Following their initial review, the Appeals Committee must decide and recommend to the Dean or her designee one of the following:
 - Dismissal of the appeal as unsubstantiated.
 - Settlement of the issue informally through mediation with the student and with consent of the department chair/program director; or,
 - A formal hearing.

Appeal Hearing

If the appeal is not dismissed or resolved through mediation, then the Appeal Committee Chair will schedule a formal hearing as soon as possible and notify all parties. Rules for the appeal hearing are:

1. The appeal hearing will be closed unless the Dean or her designee finds reason to declare it an open hearing.
2. Witnesses other than the appealing student and the department or program representative shall be excluded from the hearing except when being questioned.
3. The appealing student and department or program representative remain present throughout the hearing until the Chair of the Committee calls for a closed executive session. At that point all parties but the members of the Committee will leave the hearing.
4. Each party may have a non-participating advisor of his or her choice. If any of the parties are to be accompanied by legal advisors, the Dean or her designee, the Chair of the Committee, and the department chair or program director shall be notified at least twenty-four hours in advance of the hearing by the student.
5. The appeal hearing will consist of the following phases:
 - Opening statement by the department chair, program director or duly designated representative stating what academic disciplinary action was taken and why the action was taken (written evidence may be presented). Opening statement by the student which states the grounds upon which the appeal is based (written evidence may be presented).

- Questioning of the department or program representative by the Committee as considered necessary.
 - Questioning of the student by the Committee as necessary.
 - Questioning of other individuals, identified by the parties or by the Committee, as may be necessary. Either party may ask questions or request clarification of statement made by the individual/s called by the Committee.
 - Closing summary statements may be made by both parties.
6. In executive session after the hearing, the Committee decides to recommend one of the following to the Dean or her designee:
- The decision/action of the department or program should be sustained.
 - That the decision/action of the department or program should be overturned.
 - That the decision/action of the department or program should be modified as recommended by the Committee.

Appeal Disposition

The Committee Chair will submit the Appeal Committee's report to the Dean or her designee within five work days of the executive session. The report must include recommendations, the rationale for the recommendations and supporting materials.

The Dean of the College of Health Professions shall have final decision making authority in the matter and shall inform the appealing student and department chair or program director of his decision in writing. The notice must be delivered in person or be mailed by certified U.S. mail within five work days of receipt of the report of the Appeal Committee. All documents shall be held in a confidential file by the Dean for one year.

Graduate School Review for Appeals Resulting in Termination

Graduate students may appeal termination from their graduate program to the Dean of the Graduate School once all program/department and school appeals have been exhausted. Review guidelines are available on the VCU Graduate School website or by accessing VCU graduate bulletin:

<http://www.pubapps.vcu.edu/bulletins/graduate/?uid=10045&iid=30618>.

Approved by the Executive Committee of the College of Health Professions on 7/20/09.