

College of Health Sciences and Human Services Notification of MSU Appeals Processes

This packet is to inform College of Health Sciences and Human Services Students of Midwestern State University's appeals policies. The last page of the packet is a signature page attesting to the receipt and explanation of this information that must be left with the Assistant to the Dean.

Within the College of Health Sciences and Human Services there are two policies that may apply. First, is the Appeal of Course Grade. This policy applies when the student wishes to appeal a course grade. There are ONLY two bases on which a student may appeal a course grade:

1. The student has not been evaluated according to the same criteria as his or her classmates, OR
2. An error has been made in grading and/or posting.

A copy of this policy is included in this packet and may be found on pages 75-76 of the 2010-2012 catalog or pages 78-79 of the 2012-2014 catalog.

The second policy that may apply is Student Conduct Appeal. This policy applies when a student wishes to appeal decisions related to: Student conduct in a clinical experience, internship, or other work-related environment that negatively impacts the student's academic progress or student removal from a program because of a) professional conduct issues or b) failure to maintain academic standards required specifically by the program*

*Students who have been removed from the nursing program, the Health Care Administration Program or the Public Administration Program because of academic performance must first appeal to the appropriate program review committee.

A copy of this policy is included in this packet and may be found on the College of Health Sciences and Human Services website at: <http://hs2.mwsu.edu/pdf/COHSHS-Student-Appeals-Committee.pdf?LL=809>

APPEAL OF COURSE GRADE

It is the responsibility and the prerogative of every faculty member to determine grades in those courses to which he or she is assigned. Except in accordance with stated university policies, no other individuals or group can make these decisions.

The only two bases on which a student can legitimately appeal a course grade and/or suspension from an academic program are:

1. The student has not been evaluated according to the same criteria as his or her classmates, OR
2. An error has been made in grading and/or posting.

The procedure for requesting a course grade change and/or retention in an academic program is as follows:

1. The student must consult with the appropriate instructor, unless the instructor is no longer on staff.
2. If this does not resolve the problem, the student should present a formal written appeal to the dean of the college in which the course was taught. This must be done no later than thirty (30) calendar days from the first day of the next long semester. In cases where the student was terminated from a program, the student should submit his or her petition for reinstatement to the dean of the college in which the program is located. The dean should immediately request a written response to the student's complaint from the faculty member.
3. Within ten working days from receipt of the appeal, the dean of the college should respond to the student in writing as to his or her disposition of this appeal.
4. Should the appeal not be disposed of by the dean of the college in a manner satisfactory to the appellant, the appeal may be presented to the university's Academic Appeals Committee. In such cases the following procedures should be followed:
 - a. The student should obtain from the Office of the Provost a REQUEST FOR HEARING form and a copy of this policy. The student should fill out the form carefully and submit it, along with all other information pertinent to the student's position, to the Provost. These materials will constitute the student's formal written appeal and will then be forwarded by the Provost to the chair of the Academic Appeals Committee.
 - b. Upon receipt of the appeal, the chair of the Academic Appeals Committee will at once distribute a copy to each member of the Academic Appeals Committee. Within five working days from receipt of the appeal, each committee member will inform the chair of the Academic Appeals Committee in writing whether or not he or she believes the appeal has established, on its face, at least one of the bases for appeal as noted above.
 - c. If a simple majority of committee members finds no basis for the appeal, a hearing before the Academic Appeals Committee shall be denied, and the chair of the committee will at once inform the Provost of this decision in writing. The Provost should then inform the student by letter that the appeal has been denied because it did not meet either of the stated bases for appeal.

- d. If, however, a simple majority of the Academic Appeals Committee finds that the appeal appears to have a basis, then the chair will as soon as possible inform the student, the faculty member, and the dean of the college that a legitimate appeal has been filed and of specific procedures to be followed. The chair will also provide copies of the appeal to the faculty member and the dean of the college and by the same letter will inform the faculty member (or in certain situations noted as follows, the dean of the college) that he or she has ten working days in which to respond in writing to the Academic Appeals Committee. Both the student petitioning for a hearing by the Academic Appeals Committee and the faculty member involved have the right to challenge one member of the committee. This is a peremptory challenge, and the chair will choose a replacement from among the alternate members of the committee. The initial correspondence between the chair of the committee and the principals should specify this right and request prompt written response. In cases where the appeal concerns the performance of a teaching assistant or part-time faculty member, the dean of the college or other full-time faculty member directly responsible will represent the university before the Academic Appeals Committee. A teaching assistant or part-time faculty member may appear before the Academic Appeals Committee. In cases where the faculty member responsible is not available, the dean of the college involved will represent the university.
- e. Upon receipt of the faculty member's written response, the chair will provide copies to all members of the Academic Appeals Committee and to the appellant and will schedule a meeting of the Academic Appeals Committee.
- f. The first meetings of the committee should be within ten working days from receipt of the faculty member's response. At the written request of the student, the committee may consider the case based on the student's written appeal without an appearance by the student before the committee.
- g. The number of meetings necessary to reach a decision will be dictated by each individual case. However, general guidelines are provided:
 - i. Both parties involved reserve the right to bring information considered pertinent before the committee. This may include, but is not limited to written documents as well as orally presented information from designated individuals. Although these hearings are considered informal, reasonableness and fairness should prevail in this area.
 - ii. No representation of the student by legal counsel, parent, or other representative or of the faculty member by legal counsel or other representative except the dean of the college, where warranted, is entertained by the committee.
 - iii. Testimony from the parties involved should be taken independently, thereby avoiding any open confrontation which could be detrimental to the proceedings.
 - iv. In its deliberations, the committee should seek to focus only on the issue of the grade appeal or retention in the program in question.
 - v. Likewise, the committee's final recommendation should deal only with these issues.

- vi. Prior to the proceedings, copies of all written or recorded evidence to be considered must be made available to all parties involved (student, instructor, and dean of the college). Additionally, any party specifically mentioned in a written document will be provided access to that document or the portion thereof relating to that party.
- h. Once the committee has reached a decision, a letter communicating this decision should be delivered to the Provost within ten working days. In addition, a summary of the proceedings outlining all pertinent points and reasons for the decision should be attached as well as the original petition from the student and the faculty member's response. Any minority opinions from the committee should also be attached.
- i. If the committee has rendered a decision favoring the faculty member, the Provost should communicate this by letter to the appellant with a copy to the faculty member. If the decision rendered recommends a grade change, the Provost should write a letter to the faculty member with a copy to the dean of the college requesting the faculty member's intended action.

Midwestern State University
College of Health Sciences and Human Services
Student Conduct Appeals

RATIONALE

When enrolled in the College of Health Sciences and Human Services (COHSHS), students are often assigned to community agencies, such as health care facilities, social service agencies, or athletic environments, as part of their academic process. During these experiences, the student is expected to behave in a manner required of professionals working in these environments. COHSHS students may also be required to successfully complete a licensing/certification process following graduation. As a result, students in these programs are often held to a different academic and/or behavioral standard than students in other MSU programs. For example, in many COHSHS programs, students may not be permitted to progress in a program if they have been unsuccessful (D or F) in a certain number of courses in the major. In these circumstances, COHSHS faculty and administration, all of whom have had similar professional experience, may make decisions which negatively impact students' programmatic progress.

RIGHTS OF PROCEDURAL REVIEW

COHSHS students have a right to a review of decisions made by the program faculty, that prevent an individual from progressing in the program. However, those who participate in the review must understand the context of the professions involved. Therefore, issues concerning the professional conduct of students in the COHSHS will NOT be brought to the University Grade Committee, but to the COHSHS Student Conduct Appeals Committee. Specifically, the COHSHS Student Conduct Appeals Committee will review faculty decisions related to:

- Student conduct in a clinical experience, internship, or other work-related environment that negatively impacts the student's academic progress. This conduct may include behavior which is prohibited by licensing and/or professional standards or college or departmental policy.
- Student removal from a program because of a) professional conduct issues or b) failure to maintain academic standards required specifically by the program*

*Students who have been removed from the nursing program, the Health Care Administration Program or the Public Administration Program because of academic performance must first appeal to the appropriate program review committee.

Membership in the COHSHS Student Conduct Appeals Committee will include:

One faculty representative, chosen by the Program Chair, from each of the 7 departments within the COHSHS

One undergraduate student representative chosen by the Dean, COHSHS

One graduate student representative chosen by the Dean, COHSHS

One faculty member from another professional college at MSU

One professional from the community

The Committee chair will be appointed by the Dean, COHSHS. At least five faculty members must be present in order to establish a quorum.

COHSHS STUDENT CONDUCT APPEALS COMMITTEE PROCEDURE:

1. Student receives an unfavorable decision from the program. Within 10 working days, the student will discuss the issue with the Program Chair. If the issue can not be resolved, the student has 10 days to notify the Program Chair of his/her decision to appeal.
2. The Program Chair will notify the Dean's office of the appeal request and ask the student and relevant faculty to submit a written report of the incident under consideration, as well as relevant documentation, to the Dean's Office.
3. Within 10 working days, the Dean will submit the information to the Chair of the Student Conduct Appeals Committee. This information will include the names of students, faculty, and administrators who must be present at the hearing, as well as the documents required.
4. Within 10 working days, the Student Conduct Appeals Committee will convene to review the case.
5. The number of meetings necessary to reach a decision will be determined on a case-by-case basis. However, general guidelines include:
 - a. Both parties involved reserve the right to bring evidence considered pertinent before the committee. This includes, but is not limited to written, oral and electronic documents from designated individuals. Although these hearings are considered informal, reasonableness, fairness, and due process should prevail.
 - b. No representation of the student by legal counsel, parent, spouse, or other representative, or of the faculty member by legal counsel or other representative, except the dean of the college, where warranted, is permitted.
 - c. Testimony from the parties involved should be taken independently, thereby avoiding potential confrontation which could be detrimental to the proceedings.
 - d. In its deliberations, the committee should seek to focus only on the issue of student conduct and/or academic performance which has resulted in an unfavorable decision from the program.
 - e. Likewise, the committee's final recommendation should deal only with those issues.
 - f. Prior to the proceedings, copies of all written and/or recorded evidence to be considered must be disclosed to all parties involved (student,

instructor, and chair of the program). Additionally, any party specifically mentioned in written evidence will be provided access to that document or the portion thereof relating to that party.

g. No meeting will be held unless the relevant student and faculty/administrator documents have been received and reviewed by all committee members.

h. Only one student case shall be heard at any one committee meeting.

6. Once the committee has reached a decision, a letter communicating this decision shall be delivered to the Dean within 10 working days. In addition, a summary of the proceedings outlining all pertinent points and reasons for the decision should be attached as well as the original petition from the student and the faculty member's response. Any minority opinions from the committee should also be attached.

7. If the committee has rendered a decision favoring the program decision, the Dean should communicate this by letter to the appellant with a copy to the Chair of the program. If the decision rendered recommends a grade change, the Dean shall send a letter to the Chair, so stating.

The decision of the COHSHS Student Appeals Committee is final.

By my signature below I attest to receiving copies of policies for Appeal of Course Grade and Student Conduct Appeal and being made aware of the deadlines and my obligations in the processes.

Student Signature

Date

Student Printed Name