

## **Appendix 6: Process for Student Appeals**

### **School of Nursing Appeal of Academic Penalties or Sanctions**

#### **General Information about the Student Appeals Process**

The primary purpose of the appeal procedure is to allow review of a penalty or sanction in cases in which a student believes that due process was not followed or that the penalty or sanction was imposed unfairly or inconsistently with regard to course requirements and policies or with program and university standards and regulations. Students have the right to appeal a final grade, charge of academic dishonesty, or academic penalty that they believe reflects a capricious, arbitrary, or prejudiced academic evaluation or reflects discrimination based on race, gender, age, handicap, veteran status, religion or creed, sexual orientation, color, or national origin. Additional grounds for appeal may include: unreasonable severity of the penalty, demonstrable prejudice in the decision-making process, a belief that the evidence does not support the finding of responsibility (in the case of academic dishonesty) or the choice of penalty, or additional evidence or new information that was not considered in determining the penalty.

If a student does not appeal an academic penalty or fails to follow the appeal procedures described below, the academic penalty will be upheld. Penalties imposed for academic dishonesty must be reported on the WVU online academic dishonesty form. The complete policy and general procedures concerning academic standards and appeals is available in both the Undergraduate and Graduate/Professional Catalogs (<http://catalog.wvu.edu/>).

#### **Student Appeals Procedure**

Provided below are separate descriptions of the procedures for appeals of a final grade, appeals involving a charge of academic dishonesty, and appeals of other academic penalties (such as program suspension or dismissal).

#### **Appeal of a Final Grade**

- Students are informed of final grades for courses at the end of each academic term through the [WVU Portal](#).
- Prior to filing an appeal, students are strongly encouraged (but not required) to contact the individual who reported the final grade to express their concerns and attempt to resolve the issue.

#### **Level 1 Appeal**

- The student may begin an appeal by submitting a written appeal via WVU e-mail to the School of Nursing Associate Dean of Academics within 10 class days\* of the receipt of the grade. The student's appeal must include the documentation and evidence forming the basis of his or her appeal.
- The course instructor/coordinator must provide all relevant documentation and criteria for determining the student's final grade to the School of Nursing Associate Dean of Academics upon his or her request.
- The School of Nursing Associate Dean of Academics assesses the available evidence and makes a decision about the appeal based on that evidence. Within 10 class days, the School of Nursing Associate Dean of Academics communicates the decision in writing via WVU e-mail to the student and the course instructor/coordinator.
- Depending on the outcome of the appeal, the School of Nursing Associate Dean of Academics submits a grade modification.
- If the student accepts the Level 1 appeal decision, the appeal is concluded.

### Level 2 Appeal

- If the student does not accept the Level 1 appeal decision, the student may submit a written appeal via WVU e-mail to the School of Nursing Dean within 10 class days after the decision at Level 1.
- The School of Nursing Associate Dean of Academics forwards all materials included in the appeal to the School of Nursing Dean. Both the student and the course instructor/coordinator may provide additional information if they wish.
- The School of Nursing Dean assesses the available evidence and makes a decision about the appeal based on that evidence. Within 10 class days, the School of Nursing Dean communicates the decision in writing via WVU e-mail to the student, the course instructor/coordinator, and the School of Nursing Program Director.
- Depending on the outcome of the appeal, the Dean submits a grade modification.
- The appeal is concluded.

### **Appeal of a Charge and/or Penalty Based on Academic Dishonesty**

- The individual or committee making a charge of academic dishonesty must notify the student in writing via WVU e-mail of the charge and/or penalty within 10 class days of discovering the infraction. If the student does not appeal the charge of academic dishonesty as outlined below, the individual or committee making the charge submits the Academic Dishonesty Form.
- Prior to filing an appeal, students are strongly encouraged (but not required) to contact the individual or committee that made the charge and/or imposed the penalty to express their concerns and attempt to resolve the issue.
- Students may appeal the charge, the penalty, or both.

### Level 1 Appeal

- The student may begin an appeal by submitting a written appeal via WVU e-mail to the School of Nursing Committee on Academic and Professional Standards within 10 class days of notification of the charge and/or penalty. The student's appeal must include the documentation and evidence forming the basis of his or her appeal.
- The individual or committee that made the charge and/or imposed the penalty must provide all relevant documentation concerning the charge and/or penalty to the School of Nursing Committee on Academic and Professional Standards upon their request.
- The School of Nursing Committee on Academic and Professional Standards assesses the available evidence and makes a decision about the appeal based on that evidence. Within 10 class days, the School of Nursing Committee on Academic and Professional Standards communicates the decision in writing via WVU e-mail to the student and the individual or committee that made the charge and/or imposed the penalty.
- If the charge and/or penalty are upheld, the School of Nursing Committee on Academic and Professional Standards completes and submits the Academic Dishonesty Form.
- If the student accepts the Level 1 appeal decision, the appeal is concluded.

### Level 2 Appeal

- If the student does not accept the Level 1 appeal decision, the student may submit a written appeal via WVU e-mail to the School of Nursing Dean within 10 class days.
- The School of Nursing Committee on Academic and Professional Standards forwards all materials included in the appeal to the School of Nursing Dean. Both the student and the individual or committee that made the charge and/or imposed the penalty may provide additional information if they wish.
- The School of Nursing Dean assesses the available evidence and makes a decision about the appeal based on that evidence. Within 10 class days, the School of Nursing Dean

communicates the decision in writing via WVU e-mail to the student, the individual or committee that made the charge and/or imposed the penalty, and the School of Nursing Committee on Academic and Professional Standards.

- If the charge and/or penalty is upheld, the School of Nursing Dean completes and submits the Academic Dishonesty Form.
- If the student accepts the Level 2 appeal decision, or the penalty does not include program suspension or dismissal, the appeal is concluded.

### Level 3 Appeal

- If the penalty is suspension or dismissal from a program, the student may continue his or her appeal by submitting a written appeal via WVU e-mail to the Associate Provost for Undergraduate Academic Affairs (for undergraduate students) or the Associate Provost for Graduate Academic Affairs (for graduate students) within 10 class days.
- The School of Nursing Dean forwards all materials included in the appeal to the Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs upon request. Both the student and the individual or committee that made the charge and/or imposed the penalty may provide additional information if they wish.
- The Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs may appoint and convene a Student Academic Hearing Committee (SAHC) to hear the case and review the appeal. SAHC procedures follow.
  - Members are appointed to the SAHC at the discretion of the Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs and shall comprise at least three faculty members. At least one SAHC member should be from the program offering the course or the student's program; at least one should be from outside the program offering the course or the student's program.
  - The SAHC holds a joint hearing with the student and any individuals involved in making the academic dishonesty charge or imposing the academic penalty and may also convene additional individual meetings or request additional materials to collect further evidence. The hearing is set outside of the student's scheduled classes; should the student choose not to appear, the meeting will proceed as scheduled.
  - The student may be accompanied to the hearing or meetings or be advised by a person of his or her choice from the institution. Likewise, the faculty member, academic officer, or committee recommending academic suspension (for academic dishonesty) or dismissal may have an advisor from the institution. Such advisors may consult with but may not speak on behalf of their advisees or otherwise participate directly in the proceedings unless they are given specific permission to do so by the individual or committee conducting the appeal.
  - The student may be accompanied to the hearing or meetings by an attorney, who may question witnesses and make arguments on behalf of the student.
  - Witnesses may be called by any of the parties involved.
  - A record of the SAHC hearing shall be prepared in the form of summary minutes and relevant attachments and will be provided to the student upon request.
- The Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs assesses the available evidence, including the recommendation of the Student Academic Hearing Committee, and makes a decision about the appeal. The typical 10 class-day response period may be extended at the discretion of the Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs. The Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs communicates the decision in writing via WVU e-mail to the student, and other individuals or committees that have been involved in the charge, penalty, or appeal to that point, including the School of Nursing Committee on Academic and Professional Standards and the School of Nursing Dean.

- Regardless of the outcome of the appeal, the Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs completes and submits the Academic Dishonesty Form.
- The appeal is concluded.

**Appeal of an Academic Penalty (Other Than a Final Grade and Not Based on Academic Dishonesty)**

- The individual or chair of the committee who imposed an academic penalty must notify the student in writing via WVU e-mail of the academic penalty.
- Prior to filing an appeal, students are strongly encouraged (but not required) to contact the individual or committee that imposed the penalty to express their concerns and attempt to resolve the issue.

**Level 1 Appeal**

- The student may begin an appeal by submitting a written appeal via WVU e-mail to the School of Nursing Committee on Academic and Professional Standards within 10 class days. The student's appeal must include the documentation and evidence forming the basis of his or her appeal.
- The individual or committee that imposed the penalty must provide all relevant documentation concerning the penalty to the School of Nursing Committee on Academic and Professional Standards upon their request.
- The School of Nursing Committee on Academic and Professional Standards assesses the available evidence and makes a decision about the appeal. Within 10 class days, the School of Nursing Committee on Academic and Professional Standards communicates the decision in writing via WVU e-mail to the student and the individual or committee that imposed the penalty. The School of Nursing Committee on Academic and Professional Standards reports the outcome of the appeal via the University Academic Penalty and Appeal Repository.
- If the student accepts the Level 1 appeal decision, the appeal is concluded.

**Level 2 Appeal**

- If the student does not accept the Level 1 appeal decision, the student may continue his or her appeal by submitting a written appeal via WVU e-mail to the School of Nursing Dean within 10 class days.
- The School of Nursing Committee on Academic and Professional Standards forwards all materials included in the appeal to the School of Nursing Dean on request. Both the student and the individual or committee that imposed the penalty may provide additional information if they wish.
- The School of Nursing Dean assesses the available evidence and makes a decision about the appeal based on that evidence. Within 10 class days, the School of Nursing Dean communicates the decision in writing via WVU e-mail to the student, the individual or committee that imposed the penalty, and the School of Nursing Committee on Academic and Professional Standards. The School of Nursing Dean reports the outcome of the appeal via the University Academic Penalty and Appeal Repository.
- If the student accepts the Level 2 appeal decision, or the penalty is not program dismissal or suspension, the appeal is concluded.

**Level 3 Appeal**

- If the penalty is suspension or dismissal from a program, the student may continue his or her appeal by submitting a written appeal via WVU e-mail to the Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs within 10 class days.

- The School of Nursing Dean forwards all materials included in the appeal to the Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs on request. Both the student and the individual or committee that imposed the penalty may provide additional information if they wish.
- The Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs may appoint and convene a Student Academic Hearing Committee (SAHC) to hear the case and review the appeal. SAHC procedures follow.
  - Members are appointed to the SAHC at the discretion of the Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs and shall comprise at least three faculty members. At least one SAHC member should be from the program offering the course or the student's program; at least one should be from outside the program offering the course or the student's program.
  - The SAHC holds a joint hearing with the student and any individuals involved in making the academic dishonesty charge or imposing the academic penalty and may also convene additional individual meetings or request additional materials to collect further evidence. The hearing is set outside of the student's scheduled classes; should the student choose not to appear, the meeting will proceed as scheduled.
  - The student may be accompanied to the hearing or meetings or be advised by a person of his or her choice from the institution. Likewise, the faculty member, academic officer, or committee recommending academic suspension (for academic dishonesty) or dismissal may have an advisor from the institution. Such advisors may consult with but may not speak on behalf of their advisees or otherwise participate directly in the proceedings unless they are given specific permission to do so by the individual or committee conducting the appeal.
  - Witnesses may be called by any of the parties involved.
  - A record of the SAHC hearing shall be prepared in the form of summary minutes and relevant attachments and will be provided to the student upon request.
- The Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs assesses the available evidence, including the recommendation of the Student Academic Hearing Committee, when available, and makes a decision about the appeal. The typical 10-day response period may be extended at the discretion of the Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs. The Associate Provost for Undergraduate Academic Affairs or the Associate Provost for Graduate Academic Affairs communicates the decision in writing via WVU e-mail to the student, and other individuals or committees that have been involved in the charge, penalty, or appeal to that point, including the School of Nursing Committee on Academic and Professional Standards and the School of Nursing Dean.
- The appeal is concluded.

\*Class days are defined as days during which the University is open and classes are officially in session. If classes are canceled for the University as a whole for part or most of a day, the day will not be deemed a class day.