



## University of the Virgin Islands School of Medicine

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| Policy Name and Section:<br><b><i>Policy for Appeal Process Regarding Committee on Student Progress Action</i></b> | Effective Date:   | UVISOM Policy Number:<br><b><i>015</i></b>  |
| Responsible Authority:<br><b><i>Associate Dean for Faculty and Academic Affairs</i></b>                            | UVISOM Document where Policy is Available:<br><b><i>UVISOM Student Handbook</i></b> | Approval Body and Date:<br><b><i>Executive Council, Self-Study Committee, Curriculum Committee March 2016</i></b> |

A student may appeal a Committee on Student Progress recommendation if the student feels that the recommendation was not made in accordance with the advancement policy specified for the program or other requirements for continued enrollment or professionalism. The student may be advised by the Associate Dean for Student Affairs and Admissions and UVISOM Registrar regarding official policies relative to an appeal.

Within 15 business days following the student's receipt of written notification of the recommendation, a written request for an appeal must be directed initially to the Chair of the Committee on Student Progress for resolution by the Committee and must be received by the Chair of the Committee via e-mail, with a copy submitted to the Associate Dean for Admissions and Student Affairs. The initial appeal is a procedure dealing with evidence of a student's performance and/or professional behavior and those factors applying directly to the student's ability to perform.

If student is not satisfied with the committee's resolution, he/she may submit a written appeal to the Associate Dean for Faculty and Academic Affairs. The Associate Dean for Faculty and Academic Affairs may investigate the matter without interviewing either party, may interview both parties in the case separately, or may interview the student and the faculty member in the presence of each other, or may call an appeal hearing. If no hearing is granted for the student, the Associate Dean must inform the Dean of that decision.

An appeal hearing may be granted to review the case (within 15 business days from the date of the request) before a committee comprised by the Associate Dean for Student Affairs and Admissions, two medical students and two medical faculty members. The medical students and faculty who sit on this committee will be appointed by the Associate Dean of Student Affairs and Admissions at the beginning of each school year, during student and faculty orientations, respectively, to serve one year terms as a Grievance Panel. Two alternate faculty and students will also be selected in the event that a student or

faculty from the Grievance Panel is directly involved in issues scheduled to appear before the Grievance Panel. Note: this Grievance Panel also hears other cases wherein the services of the Grievance Panel are deemed necessary.

A student has the right to present his/her case during the appeal hearing, but may not be present for any discussions or deliberation by the committee. In any appearance before the committee, an advisor of the student's choice may assist the student if the student has informed the Associate Dean for Faculty and Academic Affairs of the advisor at least 24 hours before the hearing. The advisor may not act as the student's attorney or otherwise participate directly in the proceeding. The advisor may be present at an appeal hearing only while the student is present, and may not be present for any appeal hearing discussion and decision. The student will be given reasonable notice of the time and place of the hearing. In all cases the student shall be advised that the burden is upon him/her to show by the weight of the evidence that the evaluation of the Committee on Student Progress, of which he/she complains, was the result of prejudice, or caprice, or was otherwise improper.

The Associate Dean for Faculty and Academic Affairs shall direct the questioning of witnesses and determine the order of presentation of any testimony or other evidence. The Associate Dean for Faculty and Academic Affairs shall insure that the student, the faculty member involved, and all other witnesses are treated fairly and that no witness is intimidated or harassed. The Associate Dean for Faculty and Academic Affairs shall have the authority to recess the proceedings from time to time in the interest of convenience and justice.

At the conclusion of the hearing, the committee shall vote on a recommended action, by secret ballot. Within fifteen days of the committee meeting, the committee shall submit its report and conclusions to the Associate Dean for Faculty and Academic Affairs. The Associate Dean will take the recommended committee action and communicate the decision to the student involved within 5 business days of the committee meeting. If the Associate Dean for Faculty and Academic Affairs disagrees with the committee's recommendation and chooses to take a different action, the Associate Dean shall be required to discuss the committee's report and findings, as well as the Associate Dean's suggested action, with the Dean before issuing a decision. In this case, the student will still be notified of the decision within 5 business days of the committee meeting. If the student's appeal is granted, the grade or evaluation shall be changed by order of the Associate Dean and the matter shall be concluded.

In the event student progression is delayed, a student will be assigned to the present or adjusted year as is deemed appropriate by the present Committee on Student Progress.

### **Final Appeal**

If the grievant is not satisfied with the outcome of the above described appeal procedure, he/she may file a Final appeal in writing to the Dean of the School of Medicine within 5 business days of receiving the decision. The Dean shall make a final decision on the matter within 30 business days of receipt of the student's written request for review. The Dean may act on the appeal directly or choose to have the appeal heard by a special ad hoc committee appointed by the Dean. The decision of the Dean is final and not subject to appeal.