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Policy Area:	<i>College of Nursing CNG</i>
References:	
Applicability:	<i>MVHS</i>

## Grievance and Appeals Policy, CNG-100.17

### PURPOSE

The purpose of this policy is to define the process to resolve student issues, complaints or grievances related to any area that the student seeks resolution. This procedure does not deprive a grievant of the right to file a complaint against the program with enforcement agencies external to the College inclusive of formal complaints against the program. Each student has the right to due process in any matter, and to be free of retribution as a result of filing a grievance. For grievances related to unlawful discrimination refer to the policy Grievance and Appeals Related to Discrimination (CNG-100-26).

### SCOPE

This process involves students, faculty and staff at the College of Nursing.

### REFERENCES

Student Handbook; Student Code of Conduct; Progressive Discipline Policy; Exam/ Course assignment policy: Students

### DEFINITIONS / ABBREVIATIONS

Capricious grade assignment: assignment of a grade to a student that is based on a standard other than his/ her performance in a course, on more exacting or demanding standards than were applied to other students in the course, or on standards that depart substantially from those the faculty member previously announced for the course.

SECON: St. Elizabeth College of Nursing

SUNY POLY: State University of New York Polytechnic Institute

### PROCEDURE / DIRECTIVE

#### 1. General Process

- A. The student is encouraged to resolve issues by informal discussion(s) with the parties involved.
- B. The issue, complaints or grievance by the student should be presented to the appropriate person within five (5) business days after the occurrence of the event.

- C. If the issue, complaint or grievance is not resolved by the informal discussion (1-A), the student may progress with a written complaint or grievance to the Dean of Student and Faculty Development within five (5) business days following the informal discussion.
- D. If the issue, complaint or grievance is not resolved by the Dean of Student and Faculty Development, the learner may submit a letter to the Dean of Student and Faculty Development to request a formal meeting with the grievance and appeals committee within five business days of the discussion with the Dean of Student and Faculty Development.
- E. The student will be notified within five (5) business days of the date/time/location of the meeting with the Grievance and Appeals Committee once it is scheduled.
- F. The student will present their issue/complaint/grievance in front of the committee on the scheduled date.
- G. If the student requests, a support person can accompany the student to the proceeding but the support person may not participate.
- H. The grievance and appeals committee will meet separately to review the student's appeal and make a decision.
- I. The Chair of the Committee will notify the student of the committee's decision within five business days.
- J. The student has the option to appeal the committee's decision by putting their appeal in writing within five (5) business days to the President of the College.
- K. The President will review the student's grievance and the rationale for the committee's decision.
- L. The President will notify the student of their decision within five (5) business days.
- M. The decision of the President is final.
- N. \*Please note: Failure to appeal the issue, complaint or grievance within the proper time limits shall constitute a withdrawal of the complaint and bar further action.
- O. Prospective students and current students are encouraged to contact college representatives to resolve any complaint or concern. If the issue is not resolved at that level, students or prospective students may refer the issue to any of the accrediting agencies of SECON:
  - 1. The State Education Department, Office of the Professions: 89 Washington Ave., Albany, NY 12234-1000 (518) 474-3817 [www.op.nysed.gov](http://www.op.nysed.gov)
  - 2. Middle States Commission on Higher Education: 3624 Market St., Philadelphia, PA. 19104-2680 (267) 284-5000 <http://www.msche.org/>
  - 3. Accreditation Commission for Education in Nursing: 3343 Peachtree Road NE, Suite 850, Atlanta, GA. 30326 (404) 975-5000 <http://www.acenursing.us/>

## 2. Process for appeal of academic and/or clinical misconduct

- A. A faculty member shall assess and initiate progressive discipline for student misconduct (Refer to Student Handbook).
- B. A student who disagrees with a determination of academic misconduct or progressive discipline is expected to discuss the disagreement with the faculty member.
- C. If resolution is not sought with meeting with the faculty member, the student may appeal in writing to the Dean of Student and Faculty Development within five (5) business days of the event.
- D. The letter shall intend details of the event, student perception for disagreement, and desired outcome.

- E. The Dean of Student and Faculty Development will request supporting documentation from the faculty member regarding the issue at hand.
  - F. The Dean of Student and Faculty Development will schedule a meeting with the Grievance and Appeals committee within five (5) business days of receiving the letter.
  - G. Refer to General Process steps 1-D – 1-N as mentioned above.
3. Process for appeal of suspension or dismissal from the program
- A. An appeal of suspension or dismissal is required to be written directly to the President of the College within five (5) business days of the event
  - B. The President will schedule a meeting with the grievance and appeals committee
  - C. Please refer to General process steps 1-E – 1-N.
4. Process for appeal of assignment grade(s) (Test grades are a separate policy as stated below)
- A. A student may appeal a grade below 75% if it is the student's belief that a grade or grade penalty has been assigned on a capricious basis (Refer to Exam/Course assignment policy: students).
  - B. A student is expected to discuss concerns about a graded assignment with the faculty member who assigned the grade within five (5) business days after the grade has been received.
  - C. If the concern is not resolved by discussing with the faculty member who assigned the grade, the student is to then address concerns with the course coordinator of the enrolled course within five (5) business days of 4-B.
  - D. The faculty member who assigned the original grade and the course coordinator will collaborate with the Dean of student and faculty development to discuss the concern of the student.
  - E. The Dean of student and faculty development may request a neutral third-party to grade the assignment to assess for reader reliability.
  - F. The Dean of student and faculty development will meet with the course coordinator and faculty member who originally graded the assignment and discuss further action. This may include, but is not limited to, having the original grade remain as assigned, replacing the original grade with that assigned by the second evaluator, and/or having the student re-submit an assignment due at a date determined by the course coordinator.
  - G. If the student disagrees with the outcome of 4-F, the process would progress as steps 1D – 1N as mentioned above.
5. Process for appeal of a test question
- A. Refer to section 7 of the Challenged exam items located within the Exam/Course assignment policy
  - B. If the student does not agree with the outcome as outlined in the exam/course assignment policy, the student may progress with the grievance and appeals process. Refer to steps 1-D - 1-N listed above.
6. Complaints against the program
- A. When a student files a complaint against the program with an agency external, SECON will conduct a thorough investigation of the complaint.
  - B. SECON will cooperate fully with the external agency by:
    - supplying any documents requested related to the complaint.

- supplying verbal information related to the complaint.
- supplying results of the internal investigation completed.

C. Any student who files a complaint against the program with an external agency will be free of any retribution.

## **CONTENT EXPERT(S) / RESEARCHER(S) / CONTRIBUTOR(S):**

### **This Document Replaces:**

NSG-CNG\_100.17

### **Attachments:**

No Attachments

### **Approval Signatures**

<b>Step Description</b>	<b>Approver</b>	<b>Date</b>
Owner	Faculty Organization	12/20/2018

### **Applicability**

MVHS

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