

Grade Appeal Process Grade Appeal Process - BSMCON
Policy Name:
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Approved by: RHEI Leadership Team
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I. Policy

It is the policy of the Bon Secours Memorial College of Nursing (“College” or “BSMCON”) that appropriate processes and procedures be followed in all matters pertaining to the rights of students.

II. Purpose

The process described below is applicable to student grade appeals.

III. Scope

This policy applies to all students and faculty at Bon Secours Memorial College of Nursing.

IV. Definitions

Grade appeal: a formal process through which a student can appeal through his/her course instructor and the college’s administrative leadership the student’s final grade in a course. A final course grade appeal must be based on at least one of the following claims:

- Capricious action on the part of the faculty member that affects the student’s final grade; a capricious action is defined as one made on a whim or without justifiable reasons.
- Prejudicial treatment of the student by the faculty member with respect to the application of the course syllabus, thereby affecting the student’s final grade; prejudicial treatment is defined as treating the student lodging the final grade appeal differently from other students in the course with respect to the instructor’s application of the course syllabus.
- Erroneous judgment of the faculty with regard to the correct answer for exam item(s). A claim of erroneous judgment means that the student is able to produce evidence (from textbooks, class notes provided directly from the faculty, or other valid materials) to substantiate that a different answer other than that keyed is a correct response.
- A documented error in calculating the student’s final grade.

- Extenuating circumstance(s) that significantly impacted the student’s performance and grade in a course.

Student: any person who is officially registered at the College during the specific academic semester or term in which the grade complaint arises.

V. Policy Details

Initiation of a Grade Appeal:

Grade appeals may be submitted electronically by email.

A grade appeal must be initiated at the end of the semester, no later than two (2) business days after the day final grades are due as published in the academic calendar. Students are encouraged to contact their Advisor if assistance is needed in understanding this policy. In addition, the Advisor will assist students in determining the appropriate person with whom a student must file an appeal, and providing that person’s contact information.

Grade appeals must be submitted according to the following order:

Level I	Level II	Level III
Faculty (copied to Program Chair)	Program Chair (copied to Dean of Academic Affairs)	Dean of Academic Affairs

VI. Procedures:

Level I

Student

1. The student with a grade complaint must provide in writing a formal letter/email to the faculty member, with a copy to the Program Chair including the following:
 - a. Description of the grade the student is appealing
 - b. Supporting information for the appeal
 - c. Description of the desired resolution
 - d. Request to meet with the faculty member
2. Silent observer: Prior to the meeting, the student may request to have a silent observer in the meeting. Both the student and faculty member must agree to the student’s silent observer. No attorneys or other advisors/counselors are allowed to be present to represent either party. No audio taping or other recording will be permitted during the meeting, but both parties are encouraged to make notes as they feel appropriate.

3. At the meeting, the student must clearly present their case regarding the relevant grade and the resolution that they would like to occur. Every reasonable effort should be made by both parties to resolve the matter at this level.
4. If the student is not satisfied with the disposition of their grade appeal at Level I, they may continue to Level II.

Faculty Member

1. The faculty member has a maximum of five (5) business days from the date the appeal is provided by the student to schedule a meeting with the student. The meeting may be conducted in person, virtually or by phone.
2. Silent observer: The faculty member may have a silent observer in attendance at the meeting. No attorneys or other advisors/counselors are allowed to be present to represent either party. No audio taping or other recording will be permitted during the meeting, but both parties are encouraged to make notes as they feel appropriate.
3. Within two (2) business days after meeting with the student, if an agreement regarding the appeal is reached, the faculty member sends a copy of the agreement and other appropriate documentation, including the original appeal letter, to the student and the Program Chair.
4. If the faculty member and student do not reach an agreement, a copy of the original appeal letter and reason for the faculty decision is sent to the student and Program Chair. The student should be directed to their advisor for next steps related to curriculum planning and/or advancement to Level II.

Program Chair

1. The Program Chair ensures the Level I meeting between faculty member and student is held.
2. In the event the faculty member is unavailable, the Program Chair has the discretion to move the appeal to Level II or postpone the meeting until the faculty member is available, but in no event shall the meeting take place more than ten (10) business days after the appeal is provided by the student .
3. The Program Chair will communicate their decision to move the Level I meeting to a Level II meeting, or to postpone the meeting to the student and faculty member.

Level II

Student

1. The student may file a written appeal of the Level I appeal decision with the respective Program Chair within five (5) business days after the written decision from the Level I meeting has been communicated.

2. The written statement provided for Level I describing the grade being appealed must be part of the student's written request for the Level II meeting.
3. Silent observer: If the Program Chair convenes a meeting to discuss the appeal, prior to the meeting, the student may request to have a silent observer in the meeting. Both the student and faculty member must agree to the student's silent observer. No attorneys or other advisors/counselors are allowed to be present to represent either party. No audio taping or other recording will be permitted during the conference, but both parties are encouraged to make notes as they feel appropriate.
4. At the meeting, the student must clearly present their case regarding the relevant grade and the resolution that he/she would like to occur. Every reasonable effort should be made by both parties to resolve the matter at this level.
5. If the student is not satisfied with the disposition of their appeal at Level II, they may continue to Level III.

Faculty Member

1. Faculty member provides information to the Program Chair as requested for the investigation.
2. Silent observer: If a meeting is called, the faculty member may have a silent observer in attendance at the meeting. No attorneys or other advisors/counselors are allowed to be present to represent either party. No audio taping or other recording will be permitted during the meeting, but both parties are encouraged to make notes as they feel appropriate.

Program Chair

1. Within five (5) business days of receipt of the Level II written appeal, the Program Chair will fully investigate the appeal.
2. This investigation may include review of material submitted by both parties, and the scheduling of a meeting with the parties if needed, to resolve the appeal (the actual meeting may occur after the five (5) business days, but its date should be established within this time frame and the Program Chair should make every effort to complete the meeting within ten (10) business days of receipt of the appeal). The meeting may be held in person, virtually or by phone.
3. If a meeting is called, the role of the Program Chair is to chair the meeting, facilitate the discussion, seek to mediate a resolution between the parties, determine whether any college policies have been violated, and render a decision concerning the matter.
4. Silent observers: Prior to the meeting, the student may request to have a silent observer in the meeting. Both the student and faculty member must agree to the student's silent observer. The faculty member may also have a silent observer in the meeting. No attorneys or other advisors/counselors are allowed to be present to represent either party. No audio taping or other recording will be permitted during the conference, but both parties are encouraged to make notes as they feel appropriate.

5. Within two (2) business days after investigation of the appeal, or completion of the meeting if called, the Program Chair shall prepare a report of the disposition of the matter, providing copies to the student and the faculty member.
6. The Program Chair will forward a copy of the report and any official appeal letter(s) (Level I and Level II) to the Dean of Academic Affairs.

Level III

Student

1. If the student is not satisfied with the disposition at Level II, within five (5) business days from the communication of the disposition from the Program Chair, the student may file a Level III written appeal to the Dean of Academic Affairs.
2. The written appeal describing the relevant grade and reasons for the appeal must be part of the student's written request for the Level III hearing.
3. Silent observers: Prior to the meeting, the student may request to have a silent observer in the meeting. Both the student and faculty/staff member must agree to the student's silent observer. No attorneys or other advisors/counselors are allowed to be present to represent either party. No audio taping or other recording will be permitted during the meeting.

Dean of Academic Affairs

1. Within ten (10) business days of receipt of this appeal, the Dean of Academic Affairs will fully investigate the appeal and schedule a meeting with the student, Program Chair and faculty member, either together or separately. The meeting(s) may take place after the ten (10) business days but their date(s) must be established in this time frame. The Dean of Academic Affairs should make every effort to complete the meetings within fifteen (15) business days of receipt of the appeal. The meeting(s) may be held in person, virtually, or by phone.
2. The role of the Dean of Academic Affairs is to chair the meeting, facilitate the discussion, seek to mediate a resolution between the parties, determine whether any college policies have been violated, and render a decision concerning the matter.
3. Silent observers: Prior to the meeting, the student may request to have a silent observer in the meeting. Both the student and faculty/staff member must agree to the student's silent observer. The faculty member may also have a silent observer in attendance at the meeting. No attorneys or other advisors/counselors are allowed to be present to represent either party. No audio taping or other recording will be permitted during the meeting, but both parties are encouraged to make notes as they feel appropriate.
4. Within five (5) business days after the meeting, the Dean of Academic Affairs shall prepare a report of the disposition of the matter, immediately providing copies to the student and the instructor.
5. Level III outcome decisions are final.

Note:

All appeals of Honor Review outcomes (See ADM 3.13, Honor Code System) are automatically classified as a Level III proceeding and are subject to Level III Procedures as detailed in ADM 1.05 Student Grievance Process.

In the event that a course grade results in academic dismissal and the student is requesting to not be dismissed due to extenuating circumstances the appeal will be automatically classified as Level III.

Students who appeal a failing grade may be permitted to progress to the next course/term/semester pending a final decision in their case or may be permitted to go on a standard period of non-enrollment. **Those who progress to the next course/term/semester are responsible for any tuition and fees associated with such progression and may be at risk of financial loss should their appeal be unsuccessful. A period of non-enrollment will impact the student's anticipated date of graduation, even if successful on appeal.**

Final Disposition of Records

All materials and decisions related to the appeal will remain confidential and will be retained by the Dean of Academic Affairs for three years from the date of final decision, and not before the affected student graduates, at which time all materials will be destroyed, unless the Dean of Academic Affairs directs otherwise.

External Complaints

In the event of a complaint about the College, as a last resort, students may contact the Accrediting Bureau of Health Education Schools, American Association of Colleges of Nursing Commission on Collegiate Nursing Education, State Council of Higher Education in Virginia, or the Virginia Board of Nursing or the appropriate agency from other states as listed below. Addresses of these agencies are listed below.

In the event of a written complaint to one of these agencies or a "Standards" non-compliance issue, and subsequent notification to the College, immediate priority will be given to resolution of the deficiency in order to maintain accreditation. The Campus Director and Dean of Academic Affairs is expected to respond to the agency in the time frame provided outlining the resolution/plan for resolution of the issue addressed.

Accrediting Bureau of Health Education Schools (ABHES)

7777 Leesburg Pike, Suite 314 North
Falls Church, Virginia 22043

(703) 917-9503

Commission on Collegiate Nursing Education (CCNE)

655 K Street, NW, Suite 750
Washington, DC 20001
P: (202) 887-6791
F: (202) 887-8476

State Council of Higher Education in Virginia (SCHEV)

101 N. 14th Street
Richmond, VA 23219
(804) 225-2600

Virginia Board of Nursing

9960 Mayland Drive, #300
Henrico, VA 23233
(804) 367-4400

Students residing or located outside of Virginia may alternatively choose to contact their state's education agency or board of nursing.

VII. Attachments

VIII. Related Policies

ADM 1.05 Student Grievance Process
ADM 4.07 Establishing Principles of Excellence - Military

IX. Disclaimers

- a. Nothing in this policy creates a contractual relationship between Bon Secours Memorial College of Nursing (BSMCON) and any party. BSMCON, in its sole discretions, reserves the right to amend, terminate or discontinue this policy at any time, with or without advance notice.
- b. Non-retaliation – Students will not be subjected to adverse actions by any school officials as a result of initiating or participating in the investigation of a complaint.
- c. Decision Standard - Decisions made in appeal cases are determined on a preponderance of the evidence. A preponderance of the evidence is evidence that as a whole shows that the fact sought to be proved is more probable than not.

X. Version Control

Version	Date	Description	Prepared by
1.0	5/27/2020	Revisions and new template	Dean of Academic Affairs
2.0	5/11/22	Process refinements, title updates, D&I language updates	Dean of Academic Affairs