

READING HOSPITAL SCHOOL OF HEALTH SCIENCES POLICY NO. 365

SUBJECT: ACADEMIC Grievance Policy

Responsibility of: RSHS Program Directors
Revised: February 2020 Reviewed:

SCOPE: Students enrolled at the Reading Hospital School of Health Sciences (RSHS).

PURPOSE: The purpose of this policy is to provide students the opportunity for objective review of facts and events pertinent to the underlying circumstances of the academic grievance with final resolution as determined by the process.

POLICY: RSHS is committed to providing a fair assessment of the academic performance of students. A student may file an academic grievance to seek an impartial opinion regarding an academic issue such as academic misconduct or final course grade appeal. Such review will be accomplished in a collegial, non-judicial atmosphere. All parties will be expected to act in a professional and civil manner.

DEFINITIONS:

Academic Grievance - An “academic grievance” is a claim that a specific academic decision or action that affects the student’s academic record or academic status has violated published policies and procedures, or has been applied to the grievant in a manner different from that used for other students. Grievances may relate to decisions such as dismissal or course failure (academic or clinical) of a student for his or her action(s) such as failure to meet requirements listed on course syllabi (example: attendance), or failure to meet any requirement listed in the course syllabus.

Another type of academic grievance is that of final course grade appeal. Academic grievances will not deal with general student complaints, grades received for individual assignments, quizzes, or examinations, disagreements concerning the correct answer to individual test questions, nor student complaints regarding faculty performance or judgements. Students may discuss the proper handling of those issues with their faculty and Program Director.

Burden of Proof - The “burden of proof” shall be upon the student such that the student challenging the decision, action or assigned grade has the burden of supplying evidence that proves the grade or decision was incorrect. In considering grievances, decisions will be based on the preponderance of the evidence.

Final Course Grade Appeal - As a general principle, the instructor has sole authority to establish standards of performance and to exercise judgments on the quality of student performance. Such assessments are conducted in a manner that reflects reasonable and

generally acceptable academic standards and best practice. Grades assigned in this fashion are final except as the instructor may wish to review them upon request by the student. No faculty member, administrator, or other individual may substitute his or her judgment of the student's performance for the reasonable judgment of the instructor.

A final course grade is subject to the RSHS appeal/grievance process **only** if the appeal meets one of the following conditions:

- There was a clerical/administrative error in the calculation and/or assignment of the grade;
- The grade assignment was based on factors other than the student's performance in the course and/or completion of course requirements; or
- The grade assignment was a result of the student being held to more demanding standards than other students in the same section of the course.

College Vendor Course - Appeal processes for all general education courses and those courses provided through a college vendor will follow the grade appeal and grievance processes of the college or university.

Grievant – the student filing a grievance

Date of triggering incident – The date that the incident occurred such as the date a grade was recorded and published for student viewing.

PROCEDURE:

The procedure that follows is designed to ensure objective and fair treatment of both students and instructors.

The authority in cases involving a grade appeal is very specific and limited to the conditions included in the above definition. The Program/School cannot tell an instructor that he/she has graded an exam too harshly; or that his/her standards are too high; or that particular assignments are unreasonable; or that other classroom practices or expectations applied to the class as a whole are unfair. These are all matters of professional judgment, which, if consistent with applicable school policies and academic standards, are entirely within the prerogative of the instructor. Concerns about such matters should be discussed with the instructor and, if necessary, the appropriate Program Director. Likewise, concerns related to the performance of faculty are not appropriate for the grievance process and should be discussed with the Program Director.

The student shall not be entitled to bring legal representation to any grievance proceeding (informal or formal) as this is an internal review of an academic decision.

If the grievance is concerning a final course grade appeal, it is the student's responsibility to prove that the final course grade is improper based on one of the criteria listed above under the definition of "final course grade appeal."

Request to Remain in Classes During the Grievance Process

A student desiring to remain enrolled in classes during the resolution or appeal process, is required to make that request in writing to the Program Director. Once notified in writing by the student, the Program Director shall make necessary arrangements to permit the student to continue in the Program until the Committee has reached an opinion. This permission is granted only when there are no concerns related to the safety or well-being of patients, students, faculty, or staff of the School. These concerns may be, but are not limited to, threatening, intimidating, or disruptive behaviors, or breach of confidentiality related to the grievance such as discussion of the grievance outside of the above stated format. If the student's clinical competency or patient safety is in question (as determined by the Program Director), the student will be permitted to remain in the classroom, but shall be removed from clinical practice areas until resolution of the grievance. Classroom and/or clinical absences occurring as a direct result of the grievance process shall not be subject to any penalties or consequences, but must be made up by the student according to the Program policies.

Note: A student continuing in the program during an appeal process is financially responsible to make payments according to school policy and is subject to following all financial obligations and policies including limitations on tuition refunds after drop/add week. Requests for exceptions to this process may be requested in writing to the RHSHS Director.

Resolution at the Faculty/Course Level (Informal Level)

- A. The student shall first make a reasonable effort to resolve his or her concern with the involved instructor.
- B. The instructor shall accommodate a reasonable request to discuss and attempt to resolve the issue at this level.
- C. If unresolved after discussing the concern with the faculty, the student may request to meet with course coordinator(s) if the involved program uses a Course Coordinator model.
- D. The Course Coordinator (if applicable) shall accommodate a reasonable request to discuss and attempt to resolve the issue at this level.

Resolution at the Program Level (Informal Level)

- A. If the situation cannot be resolved at the faculty/course level, the student shall file a signed notification letter within two weeks (14 calendar days) of the triggering incident to the Program Director. This letter shall contain a concise written statement of the particulars of the situation, and must include detailed information pertaining to how, in the student's opinion, school policies or procedures were violated.
 - a. If the concern/issue directly relates to actions by the Program Director, the student must state these particulars in the letter and request to bypass the Program Level process and proceed directly to a Grievance Committee. The Program Director in consultation with the RHSHS Director will determine if this request will be granted.
 - b. A final course grade appeal must contain information in the signed notification letter as to how the appeal meets one of the three acceptable reasons for grade appeal (see definition above).

- B. The Program Director shall provide a copy of the student's written grievance statement to the involved instructor(s).
- C. The instructor(s) may file a written response to the student's petition.
- E. The Program Director shall discuss the statement individually and/or jointly with the student and instructor to determine if the issue can be resolved to the satisfaction of all parties at the Program Level. The Program Director shall attempt to resolve the issue at this level.
- D. If the issue can be resolved, the Program Director shall write a summary statement of the issue and agreement/outcome, which is to be signed by both the student and faculty and filed in the student's file. This agreement is the final outcome, and the grievance process ends at this point.
- E. If the issue cannot be resolved at this level, the Program Director shall notify the student of his/her right to file an additional written request to the Program Director within two weeks to advance the issue to a Grievance Committee.
 - a. Upon receipt of the student's request to move the process to a Grievance Committee, the Program Director shall immediately notify the RHSHS Director of the grievance, providing copies of all documents including the student's initiating letter, the instructor's written response to the issue, documentation regarding prior interventions and attempts at resolution, and the written request from the student to have the process advanced to a Grievance Committee.
 - b. Should the student not file a written request to move the issue to a Grievance Committee within the prescribed two week timeframe, the grievance will end at this point.

Resolution via Grievance Committee (Formal Grievance Level)

- A. Upon receipt of the grievance, RHSHS Director shall determine if the concern meets the defined criteria of an academic grievance.
 - 1. If it is determined that the matter is not an academic grievance, the RHSHS Director may dismiss the issue, and will communicate such to the student and Program Director. The RHSHS Director will assist the student to find the proper channel for resolution of the concern if possible.
 - 2. If it is determined that the matter fits the definition of an academic grievance, the RHSHS Director will attempt to establish an Academic Grievance Committee within two weeks following the RHSHS Director's receipt of the grievance.

Note: Because final course grade appeals generally occur over semester breaks, the actual Grievance Committee meeting may need to be postponed until two weeks after the start of the next semester when faculty and students are available to serve on the Grievance Committee. A student who has not yet done so and who desires to remain enrolled in classes during the grievance process, is required to make that request in writing to the Program Director (see details above).

- B. The membership of the Grievance Committee shall be constituted as follows:
 - 1. Three (3) faculty members and two (2) students shall be selected from the School by RHSHS Director.
 - 2. Whenever practical, the Committee shall include neither members of the faculty nor students from the same program as the grievant.

3. Whenever practical, committee members should have no prior knowledge or direct involvement with the situation underlying the grievance.
- C. The Committee will operate in the following manner:
1. The Committee Chairperson will be appointed by RHSHS Director from among the three faculty members appointed to the committee.
 2. The Committee Chairperson shall be responsible for scheduling meetings, overseeing the deliberations of the committee and ensuring that full and fair consideration is provided to all parties. The Committee Chairperson shall vote on committee decisions only when required to break a tie.
 3. All deliberations shall be in private and held confidential by all members of the Committee and those involved in the proceedings including the grievant. Only those individuals directly involved in the grievance process are permitted to attend the Committee meetings. Committee proceedings are not open to the public, including family or acquaintances of the grievant. The student may not be represented by legal counsel at the grievance committee meeting. The student has the right to request a school representative or advisor of his/her choice at all meetings for support.
 4. Audio and/or video recording of Committee proceedings is prohibited.
 5. Process for Conducting an Academic Grievance Committee Meeting
 - i. The Academic Committee Meeting will be conducted in an orderly manner allowing opportunity for all parties to be heard.
 - ii. Each party has the right to present written or oral statements.
 - iii. The involved parties will be interviewed separately and will not be present when the other party is being interviewed.
 - iv. The following process is a guideline for the Academic Grievance Committee Chairperson to utilize when conducting a meeting:
 1. Introduction by Chairperson to Committee Members
 2. Confirmation of no conflict of interest by Grievance Committee Members and Statement of confidentiality (See Appendix)
 3. Presentation of the grievance by the student
 - a. Grievant's signature obtained on confidentiality form.
 - b. The student presenting the grievance will be permitted a maximum 10 minutes to state his/ her view point. Additional time may be granted at the discretion of the Committee Chairperson.
 4. Questioning of the student by Academic Grievance Committee
 5. Presentation of statement by involved party (parties)/involved faculty
 - a. Signature of participants obtained on confidentiality form
 6. Questioning of involved party by Academic Grievance Committee
 7. If requested by the program, committee, or participants, other individuals such as faculty and students from the program directly involved with the grievance may serve as witnesses and provide expert or other relevant information in the proceedings.
 8. Committee discussion and review of information presented during meeting (involved parties are not present).

9. Opinion rendered by Academic Grievance Committee. Chairperson reports findings to RHSHS Director.
 10. Within two weeks following the Grievance Committee meeting, the Committee Chairperson shall deliver a report in writing to the grievant, involved faculty, Program Director, and the RHSHS Director. The letter will contain the Committee's findings and a recommended resolution.
- D. RHSHS Director has the authority to terminate the grievance process at any point in the process for failure of the student to comply with the grievance policy.

Resolution at RHSHS Director Level

- A. In the event that either the grievant, involved party/faculty, or Program Director desire to move the grievance to the Level of the Director of RHSHS, a petition in writing shall be submitted to the RHSHS Program Director within two weeks following notification of the Grievance Committee's findings.
- B. The RHSHS Director shall review the entire process and findings.
- C. Within two weeks following the request, the RHSHS Director shall deliver a report in writing to the grievant, involved faculty, and Program Director.
- D. The decision of the RHSHS Director is the final step in the grievance process.

EDUCATION AND TRAINING: NA

REFERENCES: NA

COMMITTEE AND COUNCIL APPROVALS: RHSHS Directors Meeting, February 2020

CANCELLATION: Reading Hospital or Tower Health policies directly related to this topic shall supersede this RHSHS policy. This policy supersedes all previous policies, memoranda, and/or other communications pertaining to this policy.

