

Name of Policy: [Academic due process and appeal of a final course grade](#)

Policy Number: 3364-82-05

Approving Officer: President

Responsible Agent: Dean of the College of Nursing

Scope: Any NURS course at UT College of Nursing Programs



Effective date: May 27, 2022

Original effective date: May 5, 2014

New policy proposal

Minor/technical revision of existing policy

Major revision of existing policy

Reaffirmation of existing policy

(A) Policy Statement

The University of Toledo College of Nursing recognizes a student's right to due process. The College of Nursing upholds the principles of fairness, integrity, and equitable application of course syllabi. These principles are upheld via College of Nursing policies and procedures for student evaluation, and the grading processes for the assignment of a final course grade.

(B) Purpose of Policy

The purpose of this policy is to recognize the student's right to due process. This policy sets forth the criteria and procedures for when a Student may challenge a final course grade if they believe that there has not been an equitable application of the course syllabus or of the College of Nursing policies and procedures for student evaluation and grading.

(C) Scope

The procedure for disputing a final course grade applies to all students enrolled in College of Nursing programs. This appeal process is used before initiating the Academic Grievance Policy 3364-71-05 (for undergraduate students). This process is also used before initiating grievances through the College of Graduate Studies. Students enrolled in courses through the College of Graduate Studies are subject to and have additional appellate rights in addition to the rights set forth in this policy. See policies 3364-77-02 and 3364-77-01.

(D) Procedure for Disputing a Final Course Grade.

1. When a Student May Dispute a Final Course Grade; Grievance Criteria. Students may dispute a final course grade when the Student believes that there has not been an equitable application of the course syllabus or College of Nursing policies and procedures for student evaluation and grading. Students may not dispute a final course grade because of dissatisfaction with an assigned grade, particular examination or grading process when course policies have been applied equitably to all students. Students may not challenge the actual grading policies themselves where applied equitably to all students.

Availability of Information. To protect the Faculty member and the Student, it is crucial that tests, papers, and other such material (which were evaluated and were considered in arriving at the final course grade but have not been returned to the Student) be available for inspection by the Student and by other persons (i.e., the departmental chair, the Dean or Faculty representatives, and members of the SGC Committee involved in the grievance procedure). The SGC is composed of 5 Faculty representatives elected by the faculty council as a whole and 2 non-voting students. Of the faculty members, all are FT faculty members, one of which is an Advance Practice Nurse. Students and faculty will recuse themselves if there is a conflict of interest. Meetings are scheduled on a bi-monthly basis, Grievance hearings are held on an as-needed basis. The committee chair, vice chair, and secretary will be elected by the committee members for a one year term. Each member is elected to serve for 3 years on a staggered schedule. A committee member may serve on no more than two consecutive terms.

2. Informal Resolution. The procedure for disputing a final course grade must first start with an attempt at informal resolution. The Student must adhere to the steps as follows:
 - a) Step 1: To the Faculty Member. Within **five (5) school days** of the posting of final course grade by the Registrar (not merely when posted by the Faculty member on Electronic Course Management System), the Student must submit to the Faculty member of the class who assigned the final course grade to the Student (hereinafter referred to as “Faculty”) a Petition of Final Course Grade form. The required Petition of Final Course Grade form is attached to this policy and must be initiated by the Student. After reviewing the petition, the Faculty may gather information from other sources, including the Clinical Instructor and Teaching Assistant, if applicable, before making a decision, but no later than **five (5) school days** after submission of a proper petition. The Faculty member must notify the Student in writing of the decision no later than **five (5) school days** of submitting the petition. If resolution is achieved, the Faculty member will forward the original Petition of Final Grade form to the Associate Dean of Academic Affairs for disposition. If resolution is not achieved, the Student may discuss the situation with the Course Leader.
 - b) Step 2: To the Course Leader. In the event the Faculty member is also the Course Leader, the student has already petitioned to the Course Leader as stated below in (3b). The student will continue to 3c. The rest of this section (3b) will not apply. If the Student wishes to further challenge the decision of the Faculty member, within **five (5) school days** of the Faculty member’s decision, the Student must forward the original written petition form to the Course Leader. After reviewing the petition, the Course Leader will meet with both the Faculty member and the Student. The Course Leader must notify the Student in writing of the decision no later than **five (5) school days** after the petition was filed with the Course Leader. If resolution is achieved, then the Course Leader will forward the original Petition of Final Grade form to the Associate Dean of Academic Affairs for disposition. If resolution is not achieved, the Student may discuss the situation with the Program Director.
 - c) Step 3: To the Program Director. If the Student wishes to further challenge the decision of the Faculty member/Course Leader, within **five (5) school days** of the Faculty member/Course Leader’s decision, the Student must forward the original written petition form to the Program Director. The Program Director may call a meeting of the involved parties, which must include the Student and the Faculty member/Course Leader who assigned the final course grade, to explore options for resolution. The resolution of this step will occur at the time of this meeting.

If a resolution is not achieved, the Petition of Final Grade form will be forwarded by the Program Director to the Student Grievance Committee (SGC) Chairperson within **two (2) school days** for Student Grievance Committee review and scheduling of a grievance hearing, if appropriate, in accordance with article E below. In the event the Program Director serves as faculty in which the course being grieved, the student will omit step 3 and petition directly to SGC Chair.

(E) Formal Resolution Process/Student Grievance Committee

Only after the Student has completed the steps of the informal process without resolution does the Student have

the right to a hearing by the College of Nursing Student Grievance Committee (SGC) and only when the Student meets the criteria for disputing a final course grade. The SGC Chair along with no less than two (2) SGC members will determine whether the request fits the criteria, as set forth in Section (D) 1 above, for petitioning for a formal hearing. If grievance criteria are met, the SGC Chair will provide all involved parties a written notice that includes: the charge(s), the date, time, and location of the Hearing; and membership composition of the SGC within **ten (10) school days before** the hearing date. The notice will include the specific protocols to be followed in the Hearing and a copy of this policy. If the SGC Chair is unavailable, the Vice Chair will serve in that role.

(F) Conduct of the SGC Hearing

The Hearing will be conducted as follows:

- 1) The SGC Chair will promptly notify the Student, respondents (Faculty involved in the informal process), Associate Dean of Academic Affairs, and the Dean of the College of Nursing of the date, time, and place of the Hearing and SGC members who will be present. The SGC Chair will appoint the members of the SGC Hearing which will be comprised of no less than: two (2) Faculty from the College of Nursing; two student in programs within the College of Nursing; and the designated Chair of the Hearing. The SGC Chair should strive to make the Hearing an odd number. The SGC Chair or Vice Chair may appoint substitute(s) unbiased Faculty or Students to fill the vacancies. An appointed SGC member who perceives a conflict or bias may withdraw from the Hearing. The Vice Chair will serve as Chair if a conflict exists with the Chair.

The Student may challenge the member composition of the Hearing **within 24 hours of the** notice by the Chair. If challenged, the Chair may appoint an acceptable replacement based on the best interests of the Student.

- 2) Confidentiality will be maintained by all persons involved in the SGC Hearing. No discussion will be entertained outside by the parties involved as to the information, testimony, or recommendations of the Hearing. Proceedings of the Hearing will be kept in a secured file at the College of Nursing for seven (7) years.

The Student may have a Support Person (SP) attend the Hearing. The role of the SP is to provide emotional support to the Student only during the Hearing. The SP may be faculty, a student, or an academic advisor. Attorneys and family members are excluded from functioning in this role. The SP cannot provide testimony during the Hearing. The Student may proceed without a SP. If the Student wishes to have a SP, the name of the SP will be submitted in advance to the SGC Chair.

The Student may have a witness to provide supporting evidence during the Hearing. If the Student wishes to have a witness, the name of the witness will be submitted in advance to the SGC Chair. The Hearing members reserve the right to restrict the testimony to those issues relevant to the grievance. The witness will be available outside the hearing room until called.

- 3) The Student and Faculty member(s) involved, including the Faculty member who assigned the final course grade and Program Director if appropriate, will be present during the Hearing, but not during the deliberations of the SGC.
- 4) The Role of the Chair during the Hearing includes:
 - Indicate the purpose and time limitations of the Hearing;
 - Introduce and identify role(s) of each person in attendance;
 - Read brief statements of Student's petition;
 - Direct the discussion;
 - Call and excuse the witnesses;
 - Allow for the making of final statements;
 - Excuse the Student, SP, Faculty involved in the assignment of the Final Course Grade and witnesses;
 - Facilitate the deliberation;
 - Call for Committee vote with the Chair being a voting member;

- Prepare the written recommendations and
 - Submit recommendations to Associate Dean of Academic Affairs
- 5) Audio recording will record the Hearing to ensure accuracy of the information and proceedings. Committee deliberation will not be part of the recording or be made a part of the record.
 - 6) Deliberations will be conducted in closed session by SGC members only. Deliberations will be limited to data and testimony collected during the Hearing. The evidence presented during the Hearing is to be weighed and conclusions of fact should be drawn and a recommendation approved by majority vote. A written recommendation will be created by the committee Chair. Any recommendation will be based exclusively on the information received at the SGC Hearing.
 - 7) The findings of fact and the written recommendation of the SGC will be delivered by the SGC Chair to the Associate Dean of Academic Affairs within **five (5) school days** of the Hearing. The written report may also contain suggestions for the College of Nursing to consider with respect to policies or procedures or improvements. The Associate Dean of Academic Affairs will make a decision regarding the Student's petition, which will be upheld or denied and the Student will be notified in writing within **five (5) school days** by personal hand delivery or by certified mail, return receipt requested, with a copy to the Dean of the College of Nursing and the SGC Chair.

(G) Appeal Process

1. A written request for appeal may be made by the Student to the Dean of the College of Nursing ("Dean") and **must be received within five (5) school days** following the date of receipt of the written decision of the Associate Dean of Academic Affairs by the Student, or any further right to appeal is waived.
2. The Dean may review all applicable evidence presented in the Hearing.
3. After completing such review, the Dean will ask for a meeting with the Student.
4. The Dean will meet with the Student to consider the appeal only after the Student is provided with **at least five (5) school days'** notice of the date, time, place of the appeal, and who will be present. The Student may have a GSP attend the appeal and assist the Student. The GSP is to remain quiet during the appeal, and may only address the Dean if requested by the Dean.
5. The Dean will review the information and may choose to uphold, reverse, or return findings and decisions to the SGC Hearing Committee or the Associate Dean for Academic Affairs for reconsideration of some or all of their findings or decisions. The Dean will provide the decision to the Student within **ten (10) school days** of the filing of the appeal, unless circumstances warrant additional time, with sufficient notice provided to the Student.

(H) Pendency of Action

Implementation of dismissal of a Student from the College of Nursing will be deferred until the due process hearing and time for appeals have been exhausted. However, the Dean or the Associate Dean for Academic Affairs of the College of Nursing may impose immediate restrictions or dismissal of the Student if the alleged academic conduct in any way concerns patient or public safety (including faculty and other students).

Signature block to follow

<p>Approved by:</p> <p><u>/s/</u> Gregory C. Postel, M.D. President</p> <p><u>May 27, 2022</u> Date</p> <p><i>Review/Revision Completed by: College of Nursing, Senior Leadership Team</i></p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none">• None <p>Initial effective date: May 1, 2009</p> <p>Review/revision date: May 5, 2014, May 27, 2022</p> <p>Next review date: May 27, 2025</p>
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PETITION OF A FINAL COURSE GRADE FORM	
COLLEGE OF NURSING Health Science Campus MS1026, 3000 Arlington Avenue, Toledo, Ohio 43614-2598	

1. Background Information

Student name: _____ Date: ____ / ____ / ____

Course Name & No.: _____ Faculty of Record: _____

Course Term: ____ Fall ____ Spring ____ Summer ____ Year

Final Course Grade _____

2. Nature of Concern: Students may dispute a final course grade when the student believes **there has** not been equitable application from the course syllabus or of the College of Nursing policies and procedures for student evaluation and grading.

Student may attach copies of any important documents along with a description of the elements that may be important in determining whether this petition will be heard or dismissed by the Grievance Committee. Please number pages.

If you contacted any other faculty member, advisor or any other person about your concern, please have them write a brief description that includes the date, who, why and outcome of the discussion. Please attach documentation and have them sign below.

Print Name & Title	Signature	Date
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Student Desired Outcome:

Student signature: _____ Date: _____

3. Petition form received by: _____ Date: _____

4.Actions taken

Outcome of attempt to resolve this matter through discussion with the Faculty member: (If no meeting occurred, explain why.) (To be completed by the Faculty Member.)

Faculty Member (Print Name)	Signature	Date
Outcome of attempt to resolve this matter with the Course Leader: (If no meeting occurred, explain why) (To be completed by the Course Leader.)		

Course Leader (Print Name)	Signature	Date
Attempt to resolve this matter through a discussion with the Program Director What was the outcome of your meeting(s) with the Program Director? (If no meeting occurred, explain why.) (To be completed by the Program Director.)		

Program Director (Print Name)	Signature	Date
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If resolution is achieved, the Associate Dean of Academic Affairs is notified.

5. If the issue is not resolved to the Student’s satisfaction, it will be forwarded to the Student Grievance Committee Chairperson by the Program Director.

5.1 Review of Petition/Exhaustion of Informal Process

After review of the materials submitted, it was determined that a basis for the grievance:

Does not exist and the petition is dismissed.

___ May exist and a hearing will be scheduled. Student wants witness present: ___ Yes ___ No

Grievance Chairperson (Print Name)	Signature	Date
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5.2 Result of Grievance Hearing

Date of hearing: _____

Outcome of hearing:

____ The grievance was resolved.

_____ The grievance was not resolved.

Recommendation of Associate Dean of Academic Affairs

Date

Outcome:

7

Appeal to the Dean

Decision: (if grievance was not resolved through a grievance conference)

___ The grievance is not supported by the evidence presented.

___ The grievance is supported by the evidence presented.

Outcome: _____

Signature of Dean: _____

Date: _____

**A copy of this form should be kept in the Student's file and the original should be provided to the Student.
(Form Rev 5/18/2020)**