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Owner Faculty Organization  
Policy Area College of Nursing CNG  
Applicability MVHS

## Grievance and Appeals Policy, CNG-100.17

### PURPOSE

Defines the process to resolve grievances related to any area that the student seeks resolution. Each student has the right to due process in any matter and to be free of retribution as a result of filing a grievance. 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. For grievances related to unlawful discrimination refer to the policy Grievance and Appeals Related to Discrimination (CNG-100.26).

### SCOPE

Students, administration, faculty and staff at the College of Nursing.

### REFERENCES

Student Handbook; Student Code of Conduct; Progressive Discipline Policy (CNG 100.39); Exam/Course Assignment Policy: Students (110.10); Grading Policy (CNG 100.16)

### DEFINITIONS / ABBREVIATIONS

Arbitrary grade: grade seeming to have been made by subjective measure

Appeal: A process whereby a student requests a formal change to a College policy or administrative decision

DSFD: Dean of Students and Faculty Development

Grievance: A circumstance thought to be unjust and grounds for complaint involving academic and/or non-academic matters.

Respondent: the responsible person who initiated the academic or clinical misconduct process

SECON: St. Elizabeth College of Nursing

## PROCEDURE / DIRECTIVE

### 1. General Process for Appeal or Grievance

- A. The student is encouraged to resolve issues by informal discussion(s) with the parties involved. The issue or grievance by the student will be presented to the appropriate person within five (5) business days after the occurrence of the event.
- B. If the issue or grievance is not resolved by the informal discussion (1-A), the student must progress with a written grievance to the DSFD within five (5) business days following the informal discussion.
- C. If the issue or grievance is not resolved by 1B, the student must submit a grievance letter to the DSFD to request a formal meeting with the Grievance and Appeals Committee within five (5) business days of the discussion with the DSFD.
  1. The grievance letter shall provide details of the event, student perception for disagreement, supporting documentation (e.g. policy, procedure) and desired outcome.
  2. The DSFD will request supporting documentation from the faculty member regarding the issue/grievance.
- D. The student will be notified by the Grievance and Appeals Committee of the scheduled meeting in regards to the date/time/location within five (5) business days of the official request by the student. If the student does not respond and confirm that they will be attending this meeting within 24 hours, then the grievance will be nullified.
- E. The student will be asked if they would like student representation on the committee. If yes, the student representatives (maximum of two) will be:
  1. Freshmen (grievance from a Senior)
  2. Seniors (grievance from a Freshman)
- F. If there is a conflict of interest with a committee member, they will recuse themselves and will be replaced by another person within the same role (e.g. faculty for faculty, staff for staff).
- G. If there is a conflict of interest with the DSFD, another member of the committee will be appointed as Chair for the grievance and assume all duties of the Chair.
- H. If the student requests, a support person may accompany but not participate in the proceedings. Neither the student or support person may record the meeting. No belongings should be brought into the meeting.
- I. In addition to committee members, only faculty/staff directly involved with the grievance can attend the meeting.
- J. Faculty/staff involved in the grievance will attend the meeting, present information, and be available for questions but may not vote.
- K. The student will present their grievance in front of the committee.

- L. The Chair will excuse the student and faculty/staff involved and then will meet separately with the committee to review the grievance and make a decision.
- M. The Chair of the committee will notify the student of the committee's decision in writing within five (5) business days.
- N. The student may appeal the committee's decision but it must be in writing within five (5) business days to the President of the College.
- O. The President will review the student's grievance and the rationale for the committee's decision.
- P. The President will notify the student of their decision within five (5) business days. The decision of the President is final.
- Q. Failure to appeal the grievance within the proper time limits shall constitute a withdrawal of the grievance and no further action can be taken.
- R. Any student who files a grievance will be free of any retribution.
- S. 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., 2nd Floor, West Wing, Albany, NY 12234-1000, (518) 474-3817 [www.op.nysed.gov](http://www.op.nysed.gov)
  - 2. Middle States Commission on Higher Education: 1007 North Orange Street 4th Floor, MB #166 Wilmington, DE 19801, (267)-284-5011 [www.msche.org](http://www.msche.org)
  - 3. Accreditation Commission for Education in Nursing: 3390 Peachtree Road NE, Suite 1400, Atlanta, GA. 30325, (404) 975-5000 <http://www.acenursing.us/>

## 2. Process for Appeal of Academic and/or Clinical Misconduct

- A. A student who disagrees with a determination of misconduct, progressive discipline, or clinical support record is expected to discuss the disagreement with the respondent.
- B. If resolution is not met by 2A, the student may appeal but it must be in writing to the DSFD within five (5) business days following the informal discussion. The DSFD will contact the student and discuss the issue with them.
- C. If the issue or grievance is not resolved by 2B, the student may submit a grievance letter to the DSFD to request a formal meeting with the Grievance and Appeals Committee but it must be within five (5) business days of the discussion with the DSFD.
  - 1. The grievance letter shall provide details of the event, student perception for disagreement, supporting documentation (e.g. policy, procedure) and desired outcome.
  - 2. The DSFD will request supporting documentation from the faculty member regarding the issue/grievance.
- D. Refer to General Process steps 1-D – 1-R 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-R.

#### 4. Process for Appeal of Assignment Grade(s)

A. A student may appeal a grade below 77% if it is the student's belief that a grade or grade penalty has been assigned on an arbitrary basis (Refer to Grading Policy).

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 address concerns with the course coordinator 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 DSFD to discuss the concern of the student.

E. The DSFD may request a neutral third-party to grade the assignment.

F. The DSFD will meet with the course coordinator and faculty member who originally graded the assignment and discuss further action. Possible resolutions: e.g. 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 1C – 1R.

#### 5. Process for Appeal of a Exam Question

A. Refer to Challenged Exam Items (Section 7) located within the Exam/Course Assignment Policy: Students (CNG-100.16).

B. If a student does not agree with the outcome as outlined in the policy, the student may progress with the grievance and appeals process. Refer to steps 1-C - 1-R.

#### 6. Complaints against the program

A. When a student files a complaint against SECON with an external agency, SECON will conduct a thorough investigation of the complaint.

B. SECON will fully cooperate with the external agency by:

- providing any documents requested related to the complaint.
- providing verbal information related to the complaint.
- providing results of the internal investigation completed.

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

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

### This Document Replaces:

NSG-CNG\_100.17

### Approval Signatures

Step Description	Approver	Date
Owner	Faculty Organization	6/25/2024

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### Applicability

MVHS

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