

Policy Name: 9.09.3 Non-Grade Academic Grievance Policy**Scope**

Grievances affecting a medical student's academic standing or status fall under this policy. This policy includes academic actions or decisions that stem from student academic performance that directly affect the academic standing or status. Actions under the *Non-Grade Academic Grievance Policy* include, but are not limited to, the requirement to repeat a class or year of study, placement on academic probation, suspension from the program, or dismissal from The University of Texas at Tyler (UT Tyler) School of Medicine. Any medical student adversely affected by an academic action or decision from the Student Progress and Promotions Committee (SPPC) may follow the process below for appeal.

This policy does not apply to grade appeals for a course or clerkship. See the Grade Appeal Policy.

Policy

UT Tyler medical students are entitled to appeal SPPC decisions (adverse actions) via a Non-Grade Academic Grievance. A formal submission of the Non-Grade Academic Grievance Form is required to begin the appeal process. Within the Non-Grade Academic Grievance Form, the student must present evidence of differential treatment or procedural irregularity in the SPPC process/decision.

In order to submit a Non-Grade Academic Grievance, students should follow the process below. Adverse actions that stem solely from decisions based on academic performance will be deferred until the grievance is resolved. Adverse actions that are the result of professionalism or conduct concerns will take immediate effect and stand until resolution of the grievance.

A student who has an active Non-Grade Academic Grievance appeal under review that is based on academic performance is allowed to continue within the curriculum and is subject to upholding any academic requirements as part of the curriculum or any outstanding adverse actions (e.g., restrictions due to academic probation, performance improvement plan requirements).

Process

1. A medical student must submit a written notice of grievance via the [Non-Grade Academic Grievance Form](#) within five (5) business days from the date of initial notification documenting the adverse decision. The form is automatically routed to the Associate Dean of Students and Academic Assessment who will inform the Chair of the SPPC of the submission. Within the Non-Grade Academic Grievance Form, students are required to include a narrative that details the following: a full description of the SPPC decision being appealed and details related to the grievance, evidence as to how the SPPC decision was impacted by differential treatment or procedural irregularity, and the proposed resolution or alternative decision.

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Students can arrange a meeting with the Associate Dean of Students and Academic Assessment to review the processes and procedures for academic grievance and consult about preparation of documentation for review and consideration by the Ad-Hoc Appeals Committee.

2. The Chair of the SPPC will appoint a three-faculty-member Ad-Hoc Appeals Committee, based on the nature of the appeal, who will consider the appeal of the adverse action for the student who submitted the grievance. Members of the Ad-Hoc Appeals Committee cannot be members of the SPPC. The Ad-Hoc Appeals Committee will designate one individual to serve as the Chair. When appointed, faculty members will be informed of the student's name to allow for recusal if any conflict of interest exists. If a faculty member recuses themselves at initial appointment, a different faculty member will be appointed to ensure the committee consists of three (3) members.

A hearing date must be set by the Ad-Hoc Appeals Committee for no later than fifteen (15) business days following the receipt of a student grievance by the SPPC Chair. The Ad-Hoc Appeals Committee reserves the right to meet with any individual (i.e., faculty, staff, or other person) to understand the full context of the grievance. The student filing the grievance may meet with the committee during the hearing to make a statement and answer any questions from members. The student may also bring an advocate to the meeting; the advocate is not allowed to participate or speak during the meeting. If the advocate is an attorney, the student must notify the committee five (5) business days prior to the hearing and a lawyer representing the institution must be present. Upon completion of the hearing, the Ad-Hoc Committee will decide the outcome of the grievance.

3. The Ad-Hoc Appeals Committee Chair will render the decision in writing to the student by the end of day on the hearing date. In making a decision, the Ad-Hoc Appeals Committee will consider the following:
 1. Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear that substantially affected the decision to the detriment of the grievant?
 2. Were there procedural irregularities that substantially affected the SPPC decision?
 3. Given the facts, criteria, and procedures, was the SPPC decision one which those in the position of the decision maker might reasonably have made?

The Ad-Hoc Appeals Committee will make one of two determinations on the student's appeal.

1. Deny the appeal: A decision of "deny" results in the SPPC decision standing as rendered.
2. Approve the appeal: A decision of approve indicates that the Ad-Hoc Appeals Committee agrees that, based on the supporting evidence provided by the student and through additional information gained from

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the committee's hearing and investigation, there was substantial differential treatment or procedural irregularity in the SPPC process and/or decision. If an appeal is approved, the Ad-Hoc Appeals Committee will indicate if they agree with the student's proposed resolution or determine their own resolution; the resolution then is required to go to the SPPC for review and approval. The SPPC will have the opportunity to make adjustments if the proposed resolution is not feasible or does not align with policies and procedures.

The Ad-Hoc Appeals Committee Chair will include the SPPC Committee Chair, Associate Dean of Students and Academic Assessment, and Associate Dean of Undergraduate Medical Education on the email to the student. The Associate Dean of Students and Academic Assessment will then send the letter via DocuSign for signature acknowledgement; signing the acknowledgement does not preclude the student from pursuing a final appeal to the Dean. Failure to sign the acknowledgement may result in a professionalism violation.

If the student is not satisfied with the decision from the Ad-Hoc Appeals Committee, a written appeal via Patriots email can be made to the UT Tyler School of Medicine Dean within three (3) business days of the Ad-Hoc Appeal Committees written decision. The student must include a statement that outlines the basis for the appeal, explain the evidence of differential treatment or procedural irregularity, and include the decision letter from the Ad-Hoc Appeals Committee and all supporting documentation provided to the Ad-Hoc Appeals Committee.

Upon review of the appeal, the Dean may choose to meet with individuals (i.e., faculty, staff, or other persons) to understand the context and review any related documentation. The Dean will render a final decision within five (5) business days following receipt of the appeal and copies will be sent to the Associate Dean of Students and Academic Assessment, Associate Dean of Undergraduate Medical Education, and the Chair of the SPPC.

The decision of the Dean is final, and all actions being deferred pending a resolution will take immediate effect.

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