

Policy Name: 9.09.3 Non-Grade Academic Grievance Policy

Scope

This policy includes adverse actions or decisions made by the Student Progress and Promotion Committee (SPPC), stemming from student academic performance or professional behavior, that directly affect the student's academic standing or status. SPPC determined adverse actions that are subject to the *Non-Grade Academic Grievance Policy* include, but are not limited to, the requirement to repeat a course or year/phase of study, placement on academic probation, suspension from the program, or dismissal from The University of Texas at Tyler (UT Tyler) School of Medicine.

Students are given the opportunity to meet with the SPPC during the scheduled meeting at which their situation is reviewed prior to the SPPC making any adverse action determinations. After meeting with the student, the SPPC votes on an adverse action, and the student is informed of the decision via email from the SPPC Chair(s).

After the SPPC decision has been sent to the student, the student has the opportunity to meet with the Assistant Dean of Student Affairs to discuss the SPPC decision; during this meeting, and upon receipt of the formal letter outlining the SPPC decision, the student is informed of their right to pursue a Non-Grade Academic Grievance. Any medical student adversely affected by an adverse academic action or decision from the SPPC may follow the process below for appeal.

A Non-Grade Academic Grievance may only be pursued after the SPPC has formalized their decision. 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 (i.e., 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.

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).

Non-Grade Academic Grievance Steps

1. A medical student must submit a written notice of their non-grade academic 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 Assistant Dean of Student Affairs who will inform the Appeals sub-committee Chair 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

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alternative decision. Students can arrange a meeting with the Assistant Dean of Student Affairs to review the processes and procedures for a non-grade academic grievance and consult about preparation of documentation for review and consideration by the Appeals sub-committee.

- a. The Appeals sub-committee consisting of five faculty and staff members. Members of the Appeals sub-committee cannot be members of the SPPC and must sign an attestation to affirm independent, impartial, and fair decision-making. When a Non-Grade Academic Grievance is received by the Appeals sub-committee chair, members of the committee will be informed of the student's name to allow for recusal if any conflict of interest exists. If a member recuses themselves, the Dean will select an alternate member for the case.
 - b. Students are made aware of the Appeals sub-committee membership by the Chair upon received of the Non-Grade Academic Grievance. The student has two (2) business days from receipt of the committee membership list to share concerns about any perceived conflict of interests. The student should email the Chair the name of the individual and a detailed explanation outlining their perceived conflict. The Appeals sub-committee Chair, Associate Dean of Student Experience, and Assistant Dean of Student Affairs will review the student's request to determine whether a conflict exists and, if so, will have the member recuse themselves. The recused member will be replaced with an alternate that is selected by the Dean.
2. A hearing date is set by the Appeals sub-committee Chair for no later than fifteen (15) business days following their receipt of the Non-Grade Academic Grievance form. The Appeals sub-committee reserves the right to meet with any individual (e.g., faculty, staff, or other person) to understand the full context of the submission. The student filing the grievance should attend the meeting on the hearing date to meet with the committee. During the hearing, the student has the opportunity to make a statement and answer questions from Appeals sub-committee 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 Chair and Assistant Dean of Student Affairs at least five (5) business days prior to the hearing and a lawyer representing the institution must be present.
 3. The Appeals sub-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 Appeals sub-committee will consider the following:
 - a. 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?
 - b. Were there procedural irregularities that substantially affected the SPPC decision?
 - c. 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 Appeals sub-committee will make one of two determinations on the student's Non-grade Academic Grievance.
 - a. Deny the non-grade academic grievance: A decision of "deny" results in the SPPC decision standing as rendered.

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Due Process for Student Appeals

