



## Ascension St. Vincent College of Health Professions Grievance and Appeal Policy



It is the policy and practice of the Ascension St. Vincent College of Health Professions (“College”) to assure that enrolled students are aware of their grievance and appeal rights and uphold the rights of enrolled students to appeal to overturn any program action against a student or contend a violation, misinterpretation, or misapplication of any College or program policy, procedure or regulation has occurred.

### **Part I: General Provisions**

#### **Definitions**

An *appeal* is a claim made by a student requesting that a higher authority overturn actions taken by the College or program against the student. Students may appeal any of the following;

- Corrective actions that affect student’s enrollment status such as probations, written warnings and suspensions;
- Academic actions on any graded or non-graded performance evaluations/assessments;
- Terminal actions resulting in dismissal from the program.

Verbal warnings and counseling sessions issued to a student are not subject to the appeal process since they do not affect a student’s enrollment status or academic standing.

**Part II** herein describes the process, conditions and timeframe for filing, judging, and responding to student appeals.

A *grievance* is a claim made by the student that there has been a violation, misinterpretation, or misapplication of any College or program policy, procedure or regulation, or is a claim that College or program policy, procedure or regulation is unfair, unreasonable or harsh in some way. Grievances do not require that a specific action was taken against a student or that a situation affects the student’s academic standing.

**Part III** herein describes the process, conditions and timeframe for filing, judging, and responding to student grievances.

#### **Non-retaliation**

Retaliation because of issuing a grievance or appeal is strictly forbidden. No student will suffer retaliation from College leadership, program faculty, hospital administration, physicians, hospital staff or any other members of Ascension St. Vincent because of filing a grievance or appeal. Any suspected retaliation will be addressed forthright. However, filing a grievance or appeal does not indemnify a student from further actions because of student actions/infractions learned during the grievance or appeal process.

#### **Confidentiality**

All grievances and appeals will be kept strictly confidential. Written records of the appeal or grievance will remain electronically secured on the Ascension St. Vincent Google shared drives. A hardcopy of the appeal or grievance may also be maintained in the student’s hard-copy file as deemed necessary.

Panel members must limit all communication regarding filed appeals or grievances to only the student, College Dean, Program Director, or any other person interviewed as a part of this adjudication process



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and must make every reasonable effort to keep all information related to the student appeal strictly confidential.

### **Grievance and Appeal Panel**

A Grievance and Appeal Panel (“Panel”) is a committee of three (3) individuals whose purpose is to judge the merits of a filed grievance or appeal and render independent findings according to the procedures established herein. The Panel will consist of three members appointed by the College President for a 2-year term. The membership of the Panel may change as necessary. Individuals on the Panel must be outside the influence of the College or any College program. The Panel consists of the following individuals.

#### **Executive Member**

Mary Myers,  
Chief Nursing Officer  
[Mary.Myers@ascension.org](mailto:Mary.Myers@ascension.org)  
Term Expires: July 2023

#### **Medical Ethics Member**

Elliott Bedford  
Director Ethics Integration  
[Elliott.Bedford@ascension.org](mailto:Elliott.Bedford@ascension.org)  
Term Expires: July 2023

#### **Human Resources Member**

Kellie Harris, HR Business Partner  
[Kellie.Harris@ascension.org](mailto:Kellie.Harris@ascension.org)  
Term Expires: July 2022

### **Part II: Appeals**

#### **Procedure for Filing an Appeal**

Should a student elect to file an appeal, the student must follow the following procedure.

- The student must initiate the appeal process using the [Appeal Form](#). The form can be obtained electronically directly from the College Dean of Accreditation and Compliance (“College Dean”), Program Director, or online from the Canvas learning management system.
- The completed [Appeal Form](#) must be submitted via email to all members of the Panel. The form will direct the student as to what information and documentation should be submitted.
- College personnel are **NOT** to be sent the completed [Appeal Form](#) from the student or should **NOT** be notified by the student filing the appeal.
- A written appeal must be received by the Panel within five (5) business days (Monday through Friday excluding recognized Holidays) following the date of the College or program action taken against the student.

#### **College Communication with a Student Filing an Appeal**

Once an appeal has been filed, there can be no communication between the student filing the appeal and any College or program personnel about the contested issue. For students who remain actively enrolled during the appeal process, communication about non-related day-to-day academic, clinical, policy or procedure matters.

- Communication includes but is not limited to email, texting/messaging, in-person conversations, telephone/video conversations, social network posts, letters, handwritten notes, or any other such means of conversing.



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This non-communication period will be in effect during the entire duration of the appeal process until the Panel renders a final decision.

### **Panel Response to an Appeal**

- The Panel will notify the student by email within five (5) business days of receiving the appeal.
- The student notification may come from any member of the Panel, but all members of the Panel must be included in the email notification.
- The Panel will notify the student's Program Director and the College Dean within five (5) business days of receiving the appeal. Program Director and College Dean notification of the filed appeal by the Panel must occur via email.
- The notification of appeal receipt may come from any member of the Panel, but all members of the Panel must be included in the email notification.
- The Program Director and/or College Dean may elect to file a written rebuttal to the student's appeal by email directly to all members of the Panel and the College Dean within five (5) business days following receipt of the Panel notification. Should the Program Director and College Dean decline or fail to submit a rebuttal within five (5) business days, the Panel will proceed to the adjudication process.

### **Panel Adjudication of an Appeal**

It is entirely the Panel's discretion how the adjudication process is carried out. Adjudication options include, but are not limited to;

- Panel internal review and discussion of the documentation submitted by the student and college/program rebuttal if submitted;
- An in-person, live video or telephone interview with the student;
- An in-person, live video or telephone interview with the Program Director and/or College Dean;
- An in-person, live video or telephone interview with witnesses or other individuals identified in either the student's appeal or the Program Director's/Dean's rebuttal;
- Email communication with the student;
- Email communication Program Director, and/or College Dean;
- Email communication with witnesses or other individuals identified in either the student's appeal or the Program Director's rebuttal.

### **Final Decision of an Appeal**

The Panel will have twenty (20) business days from the date the appeal was filed by the student to make a final decision. A final decision of the Panel will be issued when at least two (2) members of the Panel agree on the decision.

A final appeal decision is limited to the following:

1. Rejecting the student's appeal thus upholding the college/program actions in their entirety;
2. Accept the student's appeal thus overturning the college/program actions contested in the student's appeal by reinstating the student to their status prior to the program actions against the student;
3. Accept the student's appeal thus overturning the college/program actions contested in the student's appeal by issuing a reduced action.



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The Panel will communicate their final decision by email to the College Dean, Program Director, and student filing the appeal. The appeal decision of the Panel is final. The student will have no more opportunities within Ascension St. Vincent to appeal the matter or have the college/program actions overturned.

Once the Panel has communicated their final decision to the College Dean, Program Director and student, the Panel will no longer have any role in the appealed college/program actions or follow-up actions, if necessary, to the final decision.

### **College/Program Response to Rejected Appeals**

Should the Panel render a final decision to reject the student's appeal, the college or program is not required have any further communication with the student about the appeal unless necessary based on the situation. All communication with the student regarding the rejected appeal must occur via email.

### **College/Program Response to Accepted Appeals**

Should the Panel decide to accept the student's appeal and overturn the college or program actions against the student, College Dean or Program Director must communicate with the student as necessary to return the student to their status prior to when the overturned action occurred. Such communication can occur by, but is not limited to, email, in-person meetings, phone/video conferencing, texting/instant messaging, letter, or memoranda.

A student who appealed a program termination action and the appeal was upheld by the Panel has the option of continuing in the program with their current cohort or deferring active enrollment until the same semester the next time the specific courses are offered.

For students who choose to remain actively enrolled following an appeal that was accepted by the Panel, the program will credit any time missed during the appeal process. The program, with the student's participation, will develop a schedule to make-up any course material, didactic tests, assessments, evaluations, essential clinical assignments, or any other related academic material.

For students who appeal has been accepted by the Panel and choose to defer active enrollment until the same semester the next time those specific courses are offered, the student must enroll in the beginning of that semester and must complete all course requirements as stipulated in the course syllabi without any modification. No credit will be given to exams, assessments, evaluations or any graded academic activities that occurred during the semester the appeal was filed. No tuition or fees will be charged for that semester. However, pursuant to accreditation requirements that students complete the educational program within 150% of the length of the program. This eliminates any further leaves of absence by any means except when the appeal occurred during the first semester of program enrollment.

## **Part III: Grievances**

### **Procedure for Filing a Grievance**

Should a student elect to file a grievance, the student must follow the following procedure.

- The student must initiate the grievance process using the Grievance Form. The form can be obtained electronically directly from the College Dean, Program Director, or online from the Canvas learning management system.



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- The completed Grievance Form must be submitted via email to all members of the Panel. The form will direct the student as to what information and documentation should be submitted.
- College personnel are NOT to be sent the completed Grievance Form from the student or should NOT be notified by the student filing the grievance.
- A written grievance has no specific timeframe for filing and may occur at any time during a student's enrollment when the student feels that there has been a violation, misinterpretation, or misapplication of any college or program policy, procedure or regulation.

### **College Communication with a Student Filing a Grievance**

Once a grievance has been filed, there can be no communication between the student filing the grievance and any college or program personnel about the contested issue.

- Communication includes but is not limited to email, texting/messaging, in-person conversations, telephone/video conversations, social network posts, letters, handwritten notes, or any other such means of conversing.

This non-communication period will be in effect during the entire duration of the grievance process until the Panel renders a final decision.

### **Panel Response to a Grievance**

- The Panel will notify the student by email within five (5) business days of receiving the grievance. The notification may come from any member of the Panel, but all members of the Panel must be included in the email notification.
- The Panel will notify the student's Program Director and the College Dean within five (5) business days of receiving the grievance. Program Director and College Dean notification of the filed grievance by the Panel must occur via email. This notification may come from any member of the Panel, but all members of the Panel must be included in the email notification.
- The Program Director and/or College Dean may elect to file a written rebuttal to via email the student's filed grievance. The rebuttal must be sent directly to all members of the Panel within five (5) business days following receipt of the Panel notification. Should the Program Director and/or College Dean decline or fail to submit a rebuttal within five (5) business days, the Panel must proceed to the adjudication process.

### **Panel Adjudication of a Grievance**

It is entirely the Panel's discretion how the grievance adjudication process is carried out. Adjudication options include, but is not limited to;

- Panel internal review and discussion of the documentation submitted by the student and rebuttal if submitted by the Program Director and/or College Dean;
- An in-person, live video or telephone interview with the student;
- An in-person, live video or telephone interview with the Program Director and/or College Dean;
- An in-person, live video or telephone interview with witnesses or other individuals identified in either the student's grievance or the Program Director's/College Dean's rebuttal;
- Email communication with the student;
- Email communication Program Director, and/or College Dean;
- Email communication with witnesses or other individuals identified in either the student's grievance or the Program Director's/College Dean's rebuttal.



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### **Final Decision of a Grievance**

The Panel will have twenty (20) business days from the date the grievance was filed by the student to make a final decision. A final decision of the Panel will be issued when at least two (2) members of the Panel agree on the decision.

A final grievance decision is limited to the following:

1. Rejecting the student's grievance by determining no violation, misinterpretation, or misapplication of any College or program policy, procedure or regulation occurred;
2. Accepting the student's grievance by determining the College or program did violate, misinterpret, or misapply any College or program policy, procedure or regulation as written.
3. Accepting the student's grievance by determining that a College or program policy(ies), procedure(s) or regulation(s) is/are unduly harsh, unfair or unreasonable in some way. In such cases, the Panel will make recommendation(s) and/or advisement(s) including, but not limited to:
  - Revising the College or program policy(ies), procedure(s) or regulation(s) to be less harsh, fair or more reasonable, and/or;
  - Advising the College Dean and Program Director to seek expert advice from resources external to the college to address the harsh, unfair or unreasonable aspect(s) of College or program policy(ies), procedure(s) or regulation(s) addressed in the Panel's final decision.

Once the Panel has communicated their final decision to the College Dean, Program Director and student, the Panel will no longer have any role in the file grievance or college/program follow-up actions, if necessary, to the final decision.

### **College/Program Response to Final Grievance Decisions**

The college and its programs are not necessarily required to follow the Panel's recommendations or advisements. However, the College Dean and/or Program Director must respond as follows.

1. For a Panel's final decision that determined the College or program did violate, misinterpret, or misapply any college or program policy, procedure or regulation, the Program Director or College Dean must do the following;
  - a. Take action to address the immediate violation, misinterpretation or misapplication of college or program policy, procedure or regulation;
  - b. Notify via email all enrolled students in all programs who were affected by the College or program violation, misinterpretation, or misapplication of college or program policy, procedure or regulation as identified in the Panel's final decision.
  - c. Document how the college and/or program will correct the issue going forward to avoid further violation, misinterpretation, or misapplication of any college or program policy(ies), procedure(s) or regulation(s).
  - d. Document the communication if revised college or program policy(ies), procedure(s) or regulation(s) to all students in all programs affected by the revisions. Notification will occur via email of the revisions and will include a copy of or electronic access to the revised college or program policy(ies), procedure(s) or regulation(s). Notified students will be required to sign an acknowledgement of having received the revised college or program policy(ies), procedure(s) or regulation(s).



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- Should the College and program leadership decide to NOT follow the Panel’s recommendations that a college or program policy, procedure or regulation be revised or elect to NOT use guidance from resources external to the college regarding the policy(ies), procedure(s) or regulation(s) identified in the Panel’s final decision, the College Dean and/or Program Director must document a rationale why the Panel’s recommendations and advisements were rejected.

### **College/Program Communication with Student following Final Grievance Decision**

Should the Panel render a final decision to reject the student’s grievance, the college/program is not required have further communication with the student about the rejected grievance unless necessary based on the situation.

Should the Panel decide to accept the student’s grievance, the College Dean and/or Program Director must communicate with the student as necessary to document how the college or program is addressing the violation, misinterpretation, or misapplication of relevant the college or program policy(ies), procedure(s) or regulation(s) as identified in the Panel’s final decision. All such communication with the student regarding the rejected grievance must occur via email. The College or program must likewise communicate with students any affected by revision(s) to College or program policy(ies), procedure(s) or regulation(s).

There is no timeframe for post-final decision communication with the student(s).

Revised: April 2019, June 2020, May 2021

Approved Signature / Date:

5/11/2021

Jeffrey Rothenberg, MD, MS  
College President / Chief medical Officer  
Ascension St. Vincent