TITLE OF POLICY
Appeal of Student Progress Committee Action

PURPOSE AND SCOPE
The purpose of this policy is to define the grounds for appealing a Student Progress Committee (SPC) action and the levels of appeals available to a student.

RESPONSIBLE PARTY AND REVIEW CYCLE
The Education Committee will review and approve the policy in odd-numbered years or as needed.

LCME REFERENCE(S)
LCME 9.9: Student Advancement and Appeal Process

HISTORY OF APPROVALS AND UPDATES
Approved by Education Committee February 18, 2019
Approved by Education Committee February 20, 2017
Revised and approved by the Curriculum Committee July 18, 2011

DEFINITION(S)
NA

POLICY AND PROCEDURES

Grounds for an Appeal

Appeals (described below) must be in writing and contain one or more of the following as the basis for appeal:

- Mathematical or clerical error
- Procedural error by the School of Medicine (SOM) (i.e., improper notice)
- Arbitrariness (i.e., decisions that are made by chance, whim, or impulse, and not by reason or principle);
- Discrimination based on age, color, disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, or veteran status;
- Personal malice; or
- Inappropriate jurisdiction (i.e., the matter was inappropriately decided through a SOM forum when there were elements that should have first been decided in a general University forum
(e.g., UNC-Chapel Hill Honor Code violations). The SOM may impose additional requirements/sanctions after the University forum review has been completed, consistent with the Student Advancement Policy.

The University’s Policy on Prohibited Discrimination, Harassment, and Related Misconduct prohibits discrimination or harassment on the basis of an individual’s age, color, disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, or veteran status.

Students who want additional information regarding the University’s process for responding to allegations of discrimination or harassment should contact the Equal Opportunity and Compliance (EOC) Office for assistance:

Equal Opportunity and Compliance Office
The University of North Carolina at Chapel Hill
Chapel Hill, North Carolina 27599
Telephone: (919) 966-3576
eoc@unc.edu
https://eoc.unc.edu/

Any administrator or supervisor, including a department chair, associate dean or other administrator, who receives a student’s complaint about prohibited harassment or discrimination, must notify the EOC Office. If a student raises a claim of prohibited harassment or discrimination during an academic appeal, an investigation of the student’s claim must be performed by the EOC Office. The SOM must await the results of the harassment or discrimination investigation before deciding the student’s academic appeal.

Appeal to the Executive Vice Dean or Designee

A student must submit all appeals in writing within 10 business days of receiving notification of the SPC action to the Dean for Education or designee. The written appeal must clearly state the grounds for appeal (see list above) and also be submitted to the:

1. Associate Dean for Student Affairs;
2. Chair of the SPC; and
3. Student’s college advisor.

Following review of the written appeal, the Executive Vice Dean or designee will take one of two actions:

1. Determine that the appeal lacks the merit to warrant a hearing and uphold the sanction of the SPC. In this instance, the student will receive written notice of the decision within 10 business days. If it is not possible to meet this deadline, then within those 10 business days, the Dean for Education or designee will inform the student of the date when the notification will be sent.
2. Schedule a hearing within 10 business days, convening an ad hoc committee consisting of three faculty members selected by the Dean for Education or designee who serve on the school-wide Education Committee. If it is not possible to meet this deadline, then within those 10 business days, the Dean for Education or designee will inform the student of the date when the notification will be sent. The individuals serving on the ad hoc committee may not be individuals who either have been involved in assessing the student or have been the student’s health care provider. The SPC will submit a timeline for SPC actions and brief rationale for their decision to the Ad Hoc Committee. The student will receive notice of the ad hoc committee hearing and an invitation to attend. The student may bring his/her advisor, or another SOM faculty advocate of choice, to the hearing. The student may not bring a lawyer to the hearing. During the hearing, the student will have an opportunity to discuss the rationale for appeal.

The ad hoc committee will make a determination based on the information reviewed and discussed at the hearing and make a recommendation to the Executive Vice Dean or designee. The Dean for Education or designee will either accept or reject the recommendation of the ad hoc committee. The student will be notified of the decision within 10 business days of the appeal hearing. If it is not possible to meet this deadline, then within those 10 business days, the Dean for Education or designee will inform the student of the date when the notification will be sent.

The decision of the Executive Vice Dean or designee and the ad hoc committee is final, and no further appeals are available to the student unless the appeal involves dismissal from the SOM. If the student is appealing dismissal and is dissatisfied with the decision of the Level 1 appeal process, then the student may proceed to Level 2 appeal.

**Appeal of Dismissal to the Dean of the School of Medicine**

If the student is dissatisfied with the decision of the SPC and the ad hoc committee regarding dismissal, the student may file an appeal to the Dean of the SOM. The appeal must be submitted in writing within 10 business days of receiving written notification of the decision of the Dean for Education or designee. The written appeal must clearly state the grounds for appeal (see list above) and also must be submitted to the:

1. Dean of the SOM;
2. Executive Vice Dean or designee;
3. Associate Dean for Student Affairs; and
4. College advisor.

Within 10 business days, the Dean of the SOM or designee, will review the appeal and any additional materials submitted by the SPC and the student. Based on this review, the Dean of the SOM may overturn or concur with the dismissal decision. The decision of the Dean of the SOM will be delivered to the student within 10 business days of completion of the review of the record. If it is not possible to meet this deadline, the Dean will inform the student of the date when notification will be sent. The decision of the Dean is final, and no further appeals are available to the student.