

Article 9 Student Appeals

9.01 General Instructions

- (1) Students considering any appeal of performance evaluation must contact the Associate Dean for Student Affairs or designee to review the appeals process.
- (2) Students must send copies of the appeal to the Associate Dean for Student Affairs and their college advisors.
- (3) Initiating an Appeal

All appeals must be in writing and contain one or more of the following as a basis for appeal:

- (a) UNC School of Medicine educational policy interpretation
- (b) mathematical or clerical error
- (c) arbitrariness (e.g. determined by chance, whim, or impulse, and not by necessity, reason, or principle; based on or subject to individual judgment or preference)
- (d) discrimination based on race, color, gender, national origin, age, religion, creed, disability, veteran's status, sexual orientation, gender identity or gender expression
- (e) personal malice
- (f) inappropriate jurisdiction – the matter was inappropriately decided through a UNC School of Medicine forum when there were elements that should have been decided in a general university forum (e.g., UNC-Chapel Hill Honor Code violations), first. The SOM may impose additional requirements/sanctions after the university forum review has been completed.

The University's Policy on Prohibited Harassment and Discrimination (www.unc.edu/campus/policies/harassanddiscrim.pdf) prohibits discrimination or harassment on the basis of an individual's race, color, gender, national origin, age, religion, creed, disability, veteran's status, sexual orientation, gender identity or gender expression.

Students who want additional information regarding the University's process for investigating allegations of discrimination or harassment should contact the Equal Opportunity/ADA Office for assistance:

Equal Opportunity/ADA Office
The University of North Carolina at Chapel Hill
100 E. Franklin Street, Unit 110
Campus Box 9160
Chapel Hill, North Carolina 27599
Telephone: (919) 966-3576
Fax: (919) 962-2562
Email: equalopportunity@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 Equal Opportunity/ADA Office within five (5) calendar days of receiving the complaint. 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 under the direction of the Equal Opportunity/ADA Office. The school or department must await the results of the harassment or discrimination investigation before deciding the student's academic appeal.

9.02 Appeal of a Course Grade and/or Written Evaluation

(1) Initiating an Appeal

- (a) Students must submit all appeals in writing to the course director(s).
- (b) A copy of the appeal should be sent to the Associate Dean for Student Affairs and the student's college advisor.
- (c) The written appeal must clearly state the grounds for appeal from the list in 9.01(3).
- (d) Foundation Phase students must initiate an appeal within 10 working days of the notification of the grade or evaluation.
- (e) Application/Individualization Phase students must initiate an appeal within 30 working days of the notification of the grade or evaluation.
- (f) All grades are final upon graduation with the exception of grades from the final block of the Individualization Phase.

(2) Appeal to the Course or Clerkship Director(s) – Level One

- (a) The first level of appeal of a course grade and/or written evaluation is to the course director(s) with a copy to the appeal to the Associate Dean for Student Affairs and the student's college advisor.
- (b) Should the course director(s) determine that there is a reason to change the course grade or evaluation in the student's favor, the course director will send a revision to the Office of Student Affairs.
- (c) In the event that the course has a single course director, the grade should be reviewed by another person before it is changed.
- (d) If no reason for change is found, the course director will inform the student that the grade and/or evaluation stands.
- (e) In either event, the student must receive written notification of the course director's decision within 10 working days of the student's appeal. If it is not possible to meet this deadline, then within those 10 days the course director will inform the student of the date when the notification will be sent. The student should be sent notification of the course director's decision within 30 working days.

(3) Appeal to the Year-Level Curriculum Committees – Level Two

- (a) If the course director's decision is not favorable to the student, the student may appeal that decision to the curriculum committee co-chairs for that course (with a copy of the appeal to the Associate Dean for Student Affairs and the student's college advisor). The

student must initiate the appeal within 10 working days of receiving the denial of the level one appeal. Within 10 working days of receipt of the appeal, the committee co-chairs will set a date for the hearing, which should occur within 20 working days of receipt of the appeal.

(b) If one of the committee co-chairs is the course director to which the appeal is initiated or played a role in determining the student's grade, an alternate educational committee member will be appointed to review the appeal with the other committee co-chair

(c) After consultation with the course director, the committee co-chairs may uphold the decision or support the student appeal. Their decision will be delivered to the student within 10 days of the appeal hearing.

(4) Appeal to the Vice Dean for Education – Level Three

(a) If the student is dissatisfied with the decision of the curriculum committee co-chairs, the student may submit, within 10 working days of receiving the denial of the level two appeal, a written appeal to the Vice Dean for Education with a copy of the appeal to the Associate Dean for Student Affairs and the student's college advisor.

(b) The written appeal must state grounds for appeal. These grounds are the same as those in 9.01(3).

(c) The Vice Dean for Education will then either

i. Rule that the appeal lacks the merit to warrant a hearing and will uphold the decision of the curriculum committee co-chairs or

ii. Rule that the appeal has the necessary merit for a hearing and will schedule a hearing on the appeal.

(d) The Vice Dean for Education's decision is the final decision for course grade or written evaluation appeals.

9.03 Appeal of Non-dismissal Sanctions of the Student Progress Committee

(1) The student must submit a written appeal to the Vice Dean for Education with a copy to the Associate Dean for Student Affairs, the Chair of the Student Progress Committee, and the student's college advisor within 10 working decisions of the decision.

(a) The basis for appeal is set forth in article 9.01(3). The basis for appeal must be explicitly stated in the letter with supporting information.

(2) The Vice Dean for Education will then either

(a) Rule that the appeal lacks the merit to warrant a hearing and will uphold the decision of the Student Progress Committee or

(b) Rule that the appeal has the necessary merit for a hearing and will schedule a hearing on the appeal.

(3) If the Vice Dean for Education schedules a hearing for the appeal, s/he may support the decision of the Student Progress Committee or rule in favor of the student.

(4) The Vice Dean for Education's decision is the final decision for appeals of Student Progress Committee sanctions that do not involve dismissal from the School of Medicine.

9.04 Appeal of Dismissal Sanctions of the Student Progress Committee

(1) Appeal to the Vice Dean for Education – Level One

(a) Within 10 working days of receiving notification of a dismissal, the student may submit a written appeal of a Student Progress Committee dismissal sanction directly to the Vice Dean for Education. A copy of this appeal should be sent to the Associate Dean for Student Affairs and the student's college advisor.

(b) The written appeal must state grounds for appeal. The permissible grounds are listed in 9.01(3).

(c) The Vice Dean for Education will schedule a hearing on the appeal by an ad hoc committee selected by the Vice Dean for Education, consisting of 3 faculty members of the School of Medicine who serve on the school-wide Education Committee

(d) If the Vice Dean for Education schedules a hearing for the appeal, s/he may support the decision of the Student Progress Committee or rule in favor of the student.

(2) Appeal to the Dean of the School of Medicine – Level Two

(a) The Dean of the School of Medicine reviews all dismissal decisions.

(b) A student may appeal a dismissal decision to the Dean of the School of Medicine within 14 calendar days of receiving written notification of the decision of the Vice Dean for Education.

(a) The Dean of the School of Medicine may overturn or concur with the dismissal decision through the normal review or appeal process.

(3) Students who are dissatisfied with the decision of the Dean of the School of Medicine may continue appeals through any route available under the policies of the University (Level Three).

Approved by CMPC February 24, 2005

Approved by Dean Golden March 8, 2005

Updated by CMPC September 2008

Updated and approved by Vice Dean Warren Newton July 2010. This policy is effective immediately.

Revised and approved by the Curriculum Committee July 18, 2011

Revised and approved by the Education Committee January 9, 2012

Approved by Education Committee July, 2015

Approved by Education Committee October 17, 2016

Notes and Procedures

9.01(3)(f) For example, a student who is alleged to have cheated on a medical school exam should be given a grade of NG and the incident should be referred to the UNC-Chapel Hill Honor Court system for investigation. Assigning a failing grade for cheating is not allowed under the current Instrument of Student Judicial Governance until the student has passed through the UNC-Chapel Hill Honor Court system. If the student is given a grade of F because of an allegation of cheating, and the case has not been referred to the UNC-Chapel Honor Court system, the student may appeal the grade. This ground for appeal was previously expressed as appealing based on “student conduct cognizable under the Instrument of Student Judicial Governance.” (See Article 8)

Revised and approved by the Curriculum Committee July 18, 2011

9.03 and 9.04 It is important that students be well supported when appealing decisions of the Student Progress Committee. Students will have access to a faculty member of their choice to serve as an advocate throughout this process. The student’s advisor may serve in this role, or the student may choose another faculty member. Faculty support is critical, and faculty advocates should hold all participants in the process accountable to timelines and procedures as dictated by the policies.