

# APPEALS PROCESS

---

Student appeals<sup>1</sup> are reviewed as part of an informal proceeding. Rules of civil procedure and evidence will not apply. Appeals must be presented in writing for consideration. All procedures and actions are aimed to safeguard and preserve the educational and developmental mission of the College of Osteopathic Medicine.

Written appeals of an academic, dismissal or disciplinary decision rendered by the Dean must fall into one or more of the following categories:

- The student has new evidence that was not available prior to the original hearing.
- The prescribed process was not adhered to during the student's hearing.
- The decision communicated by the Dean is disproportional to the student's academic or disciplinary inefficiencies.

## Appeals Request Process

If a student doctor appeals an academic, disciplinary or dismissal decision made by the Dean, the appeal must be submitted in writing within 72 hours upon receipt of the Dean's decision.

Written appeals must be submitted to the Office of the Dean for distribution to the Faculty Council Chair. The Faculty Council Chair is responsible for convening an ad hoc committee for the purpose of reviewing the written appeal.

Any appeals not submitted in writing to the Office of the Dean will not be considered. The written appeal must contain a concise, written statement of all relevant facts applicable under the categories listed above and include the result sought.

## Review Board

Written appeals shall be reviewed by an ad hoc appeals committee, chaired by the Faculty Council Chair. The Faculty Council Chair is elected each academic year by the Faculty. Appeals shall be received from the Office of the Dean.

The Appeals Committee, as an ad hoc committee, will be comprised of, at minimum, three (3) voting members with one (1) non-voting, representative from the Student Progress Committee (SPC). The Chair of the Faculty Council Committee will chair the appeals committee and will be responsible for convening the committee upon receipt of a written appeal.

Summary of notes will be taken.

## Appeals Procedures

The appeals committee must convene and render a decision within seven (7) business days upon receipt of written appeal from the Office of the Dean.

The student will be notified as to the date of the committee's review and may continue to attend classes and take all examinations pending the results of the appeal. It is the student's responsibility while waiting on an appeal decision to be reached to communicate with the Office of the Registrar and the Office of Financial Aid to understand his/her financial and academic obligations to the COM.

The ad hoc appeals committee will review the written request to appeal the decision of the Dean. The Chair of the ad hoc committee is responsible to distribute the written appeal to committee members. All requests must provide written justification of at least one of the categories listed above for appealing a Dean's decision on academic, disciplinary or dismissal action.

The ad hoc committee will render a decision based on the student's written appeal by majority vote of the voting committee members in attendance. The committee may render a decision of yes the appeal has merit, no the appeal does not have merit, or request additional information.

If the appeal is found to have merit, the ad hoc committee will move to reopen the case. The committee will then submit their written recommendation to the Dean.

Appeals found to have no merit will be dismissed. The Dean's original decision will stand. Student will be notified in writing by the Chair of the appeals committee.

The ad hoc committee may request additional information if it deems necessary in order to render a decision. Students must supply requested additional information within 72 hours of the committee's request. Upon obtaining additional information, the committee will decide if the appeal has merit to reopen and submit a recommendation to the Dean or if the appeal has no merit and will be dismissed.

Once a decision is reached by majority vote, a written recommendation will be sent to the Dean for consideration.

The committee's written recommendation will be submitted to the Dean, and the Dean's subsequent decision will be final.

## Notification of the Dean's Decision

An appeals decision determined to have merit to consider will be forwarded in writing to the Dean by the Chair of the ad hoc appeals committee with the committee's written recommendation. The Dean will render a final decision in writing within a time period not to exceed ten (10) business days.

The Office of the Dean will forward it to the student by certified mail to the student's last official address or hand deliver with receipt.

All decisions of the Dean will be final and binding.

---

<sup>1</sup> 1.4 Governance & Program Policies, 9.2 Academic Standards