

West Virginia Northern Community College Institutional Regulation

Title: Student Academic Rights and Responsibilities – Academic Sanctions and Appeals

Legal Foundation: State College System Board of Directors Procedural Rule 60
Effective: July 25, 1989

Regulation: This policy authorizes the imposition of sanctions upon students who violate the academic rules and regulations of the Institution. It also authorizes an appellate process, through which the student (by due process) can appeal a decision of academic sanctions to a duly constituted Academic Appeals Committee. The Vice President for Academic Affairs is responsible for the implementation and maintenance of the student academic rights and responsibilities and the imposition of academic sanctions set forth in this policy. The Vice President for Academic Affairs, or designee, is responsible for the academic appeals process. Student violations of College rules and regulations which will not affect the student's grade or standing in a course or program will be considered infractions of the Code of Conduct and will be referred to the Vice President for Academic Affairs for disposition. (See State College System Board of Directors Interpretive Rule 57.)

Rationale: This policy ensures the students of West Virginia Northern Community College of the academic rights promulgated by the State College System Board of Directors Procedural Rule 60. It also establishes the responsibilities that students must accept in their pursuit of academic goals at the College.

Procedure: Student Academic Rights

In correspondence with the academic rights and responsibilities specified in Section 3 of BOD Rule 60, each student at West Virginia Northern Community College shall:

- a. Have access to a copy of the College Catalog or program brochure in which current academic program requirements are described (e.g., required courses, total credit requirements, time in residence requirements, special program requirements, minimum grade point average, probation standards, professional standards, etc.)
- b. Have the right to receive from the instructor written descriptions of content and requirements for any course in which he/she is enrolled (e.g., attendance, expectations, special requirements, laboratory requirements including time, fieldtrips and costs, grading standards and procedures, professional standards, etc.)
- c. Shall be graded or have his/her performance evaluated solely upon performance in the coursework as measured against academic standards. The student shall not be evaluated prejudicially, capriciously, or arbitrarily. The student shall not be graded nor shall his/her performance be evaluated on the basis of his/her race, color, creed, sex, or national origin; and
- d. Have the right to have any academic penalty, as set out in this policy, reviewed.

Reasons for Academic Action

Reasons for academic action include, but are not limited to, the following:

- a. Violations of Institutional academic standards, rules, regulations (e.g., required grade point averages, etc.) as stated in the College Catalog;
- b. Academic dishonesty (e.g., plagiarism, cheating, falsifying records, etc.)
Plagiarism includes using someone else's ideas without identifying that person in an appropriate citation in required assignments. It also includes using someone else's words without placing them within quotation marks and/or without identifying that person in an appropriate citation, in required student assignments;
Cheating includes such things as receiving test answers from or giving test answers to another student, submitting another student's work as one's own work (unless permitted to do so as a result of group activities), stealing tests or test items from faculty files or duplicating offices, etc.
- c. Behavior in the academic setting which interferes with the right of other students to learn;
and
- d. Appeal of final grade or of other academic sanctions.

Imposable Sanctions

A student, who fails to meet the academic requirements or standards, including those for academic dishonesty, may be subject to one or more of the following penalties:

- a. A faculty member may lower a grade, award a failing grade, or administratively withdraw a student;
- b. The College may place the student on program probation;
- c. The College may suspend the student;
- d. The College may dismiss the student from a program or the College. Dismissal from a program allows a student to enroll in courses in other programs while dismissal from the College removes the student's eligibility to enroll in other courses or programs at the College;
- e. A faculty member may exclude a student from participation in a class period or from a particular course if, in the judgment of the faculty member, the student's behavior interferes with the right of the other students to learn. The faculty member may exclude a student from a class period when that student continues disruptive behavior after having been warned by the faculty member to cease the behavior. The faculty member may request expulsion of a student from a particular course by following the provisions of BOD Rule 57 only after having excluded the student from a previous class period and the disruptive behavior continues.

Appeals: A student may appeal any academic penalty imposed by a faculty member or the College.

Academic Appeals Committee

The Academic Appeals Committee shall be made up of five persons: three faculty from the College and two students from the campus of the appeal. The Committee shall select its own faculty chairperson who will have voting privileges only in the case of a deadlock decision. In a grade appeal, one faculty member must be from the discipline of the course grade in question or from a related discipline. In a program dismissal appeal, one faculty member must be from the faculty of that program.

In the event that a substitution of faculty is necessary, the Committee will determine which of its faculty will be replaced; the Vice President for Academic Affairs will select the replacement. The Academic Appeals Committee may utilize consultants, but such persons may not take part in the Committee's deliberations or in its decisions.

Any student shall have the right to view his or her academic sanction.

A. Final Grade Challenges- Challenges of a final course grade may be initiated by a student if it is believed that the grade represents an arbitrary or prejudiced evaluation or discriminates on the basis of race, color, creed, sex, or national origin. Such challenges are to be reviewed first by the faculty member who awarded the grade, then by the division chairperson, and then by the Vice President of Academic Affairs. If not reconciled at these levels, appeal may be made to the Academic Appeals Committee. There are two schedules for appealing grades as follows:

Appeal Schedule I

In academic appeal cases not involving program probation or dismissal, within seven (7) calendar days after the start of the semester following the one for which the grade was awarded (or ten (10) calendar days after notice was sent from the Records Office to the student of his/her final course grade), the student must inform, in writing, the faculty member or division chairperson of intent to challenge the grade. If informal efforts do not result in the resolution of the matter, it may be appealed to the Academic Appeals Committee within twenty-one (21) calendar days after the first day of the succeeding semester (or twenty-one (21) calendar days after notice was sent by the Records Office of the final grade).

In cases of an appeal to the Academic Appeals Committee, the student will submit a written statement of the specific basis for the appeal to the faculty member, division chairperson, and Vice President for Academic Affairs. Upon receipt of a written student appeal, the Vice President of Academic Affairs will direct the faculty member of record to give written notice to the student "of her/his failure to meet or maintain an academic standard, of the methods, if any, by which the student may correct the failure, and the penalty which may be imposed." (BOD Rule 60) The Vice President for Academic Affairs shall notify the student, faculty member, the Division Chairperson, and the chairperson of the Academic Appeals Committee of the date, time, and place of the hearing which will take place within fourteen (14) days of receipt of the written appeal.

Within five (5) calendar days of the hearing, the Academic Appeals Committee must make a recommendation to the Vice President for Academic Affairs, who must, within seven (7) calendar days, accept, reject, or modify it and respond to the student. Within seven (7) calendar days of the Vice President for Academic Affairs' decision, the student may appeal to the President of the College, whose decision is final. The President must respond in writing within ten (10) calendar days of the student's final appeal.

Appeal Schedule II

In final grade challenges which affect program probation or dismissal, the student should begin the process by talking with the instructor immediately upon receiving knowledge of the grade. If

the matter is not resolved satisfactorily with the instructor, appeal should be made to the Division Chairperson and the Vice President for Academic Affairs. In addition, the student must begin a formal appeals process, which will follow the timetable outlined below:

1. At least five (5) calendar days prior to the beginning of the next semester, the student must appeal to the Academic Appeals Committee by submitting a brief written statement of the basis of the appeal to the faculty member, the Division Chairperson, and the Vice President for Academic Affairs. Upon receipt of a written student appeal, the Vice President for Academic Affairs will direct the faculty member of record to give a written notice to the student "of her/his failure to meet or maintain an academic standard, of the methods, if any, by which the student may correct the failure, and the penalty which may be imposed." (BOD Rule 60);
2. At least three (3) calendar days prior to the beginning of the next semester, the Academic Appeals Committee will make a recommendation to the Vice President for Academic Affairs who must, within one (1) calendar day accept, reject, or modify it and respond to the student; and
3. Within one (1) calendar day, the student may appeal to the President of the College, whose decision is final. By the first day of classes of the subsequent semester, the President, or his/her designee, must respond to the student in writing.

B. Program Probation- A student may be placed on program probation (e.g., in a Health Science program under Retention and Promotion of Health Sciences Students). The student may be required to satisfactorily make up the deficiency before continuing in the normal program sequence. Program probation may affect a student's right to continue in the program in that unsatisfactory grades may be used in program dismissal.

Program probation results from unsatisfactory academic progress. Therefore, an appeal of program probation is, in effect, a grade challenge. The procedure to be followed is Steps 3-5 of program dismissal procedures.

C. Program Dismissal – Program dismissal results from unsatisfactory academic progress. Therefore, an appeal of program dismissal is, in effect, a grade challenge. The Academic Appeals Committee may only review the last final course grade which caused the program dismissal action. Prior unsatisfactory final course grades must have been appealed and reviewed earlier.

Program dismissal for reasons other than unsatisfactory academic progress will be considered an infraction of the Code of Conduct and will be referred to the Dean of Student Services for disposition. (See BOD Rule 57.)

Dismissal from a program (e.g., from a Health Sciences program under the Retention and Promotion of Health Sciences Students Policy) is initially a counseling procedure. A student must be counseled by a designated representative or by a program committee on two separate occasions before a formal review can occur. The student should be counseled as soon as is reasonable after the discovery of the problem or, in the case of a previously enrolled student, at official enrollment in the program. Written records of counseling sessions will be maintained. A formal review will be conducted by a program committee:

1. To decide whether or not the student is to be dismissed from the program; and
2. To decide what counseling or remediation may be required of the student as a condition for remaining in the program.

A program dismissal action may be appealed to the Academic Appeals Committee. During the hearing, the student may be advised by a person of the student's choice. Normally an advisor may not participate directly in the proceedings. However, the Academic Appeals Committee recommendation for dismissal from a program must be reviewed by the Vice President for Academic Affairs who may confirm it or remand the case to the Committee with specific conditions for review. The student may appeal to the President of the College, whose decision is final.

In program dismissal cases, the following procedures will apply:

1. A divisional representative or program committee will counsel the student on two separate occasions before the end of the semester which puts the student in danger of program dismissal;
2. At least seven (7) calendar days prior to the beginning of the next semester, the program committee will notify the student of its recommendation;
3. At least five (5) calendar days prior to the beginning of the next semester, the student must appeal to the Academic Appeals Committee by submitting a brief written statement of the basis for the appeal to the Vice President of Academic Affairs. Upon receipt of a written student appeal, the Vice President for Academic Affairs will direct the faculty member of record to give a written notice to the student "of her/his failure to meet or maintain an academic standard, of the methods, if any, by which the student may correct the failure, and the penalty which may be imposed." (BOD Rule 60);
4. At least three (3) calendar days prior to the beginning of the next semester, the Academic Appeals Committee will make a recommendation to the Vice President for Academic Affairs who must, within one (1) calendar day accept, reject, or modify it and respond to the student; and
5. Within one (1) calendar day, the student may appeal to the President of the College, whose decision is final. By the first day of classes of the subsequent semester, the President, or his/her designee, must respond to the student in writing.

D. Administrative Withdrawal – Appeal of an administrative withdrawal from a course will follow the final grade challenge procedures. The student may initiate the appeal no later than seventeen (17) calendar days from the date of the administrative withdrawal letter. The "W" grade may be challenged after the end of the semester in the same manner as any other final grade. The only acceptable remedy is the changing of a "W" grade to an "I" grade.

E. Academic Dishonesty (e.g., plagiarism, cheating, falsifying records, etc.) – Before filing formal charges, informal attempts to resolve the issue should be made with the appropriate faculty member and

Division Chair. Charges of academic dishonesty against a student may be filed by any member of the academic community. Such formal charges must be in writing, signed by the person making the charges, and are to be reviewed first by the involved faculty, then the Division Chairperson, and the accused student. If the student admits that the charges are true, a maximum penalty of an "F" in the course may be imposed.

If the student denies the charges or the Division Chairperson feels that the proposed penalty is inappropriate, the Division Chair shall forward the case within ten (10) calendar days of the filing of the formal charge to the Vice President for Academic Affairs. The Vice President for Academic Affairs must resolve the appeal or convene a hearing within fourteen (14) calendar days of receipt of the appeal. The Vice President for Academic Affairs shall notify the student and the person making the accusation of the date, time, and place of the hearing and provide them with a written copy of the charges and of the facts and evidence to support them. Within five (5) calendar days of the hearing, the Academic Appeals Committee must make a recommendation to the Vice President for Academic Affairs, whose decision is final. The Vice President for Academic Affairs may accept, reject, or modify the Committee's recommendation and must so inform the student of the final decision in writing within five (5) calendar days of receiving the recommendation. The Committee may recommend that the imposition of sanctions be held in abeyance, where appropriate.