

COLLEGE POLICIES AND PROCEDURES MEMORANDUM NO. 4

COMMUNITY COLLEGE OF PHILADELPHIA STUDENT APPEALS PROCEDURE FOR ACADEMIC AND DISCIPLINARY MATTERS

~~PLEASE NOTE: THIS MEMORANDUM IS STILL IN THE PROCESS OF BEING
REVIEWED BY THE STUDENT APPEALS COMMITTEE~~

~~October 2001~~

Original Number: 82
Original Date of Issue: March 20, 1973
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82B - June 9, 1987

1. Student Appeals Committee

- ~~1.~~ In the interest of due process for students, the College has established and maintains a Student Appeals Committee and an appeals process.
- a. The Student Appeals Committee shall be composed of four students appointed by the recognized Student Government or such office or committee as represents the interests of all Community College of Philadelphia students; four faculty members shall be appointed by the Faculty Federation; and four administrators shall be appointed by the President of the College.
- b. In appointing representatives to the Appeals Committee, the three appointing bodies named above will consider College-wide balance. The intention is to have a Committee ~~committed~~ dedicated to the fair administration of the appeals process, and able to grasp, collectively, a full range of academic and disciplinary appeals issues. The principle of balance may place members on the Committee from a range of disciplines and fields of study.
- c. The three appointing bodies are encouraged to appoint alternates, as well as members, to the Appeals Committee and, ~~in future,~~ draw ~~often~~ upon the pool of active alternates in appointing new members. Active alternates are those who have gained perspective and experience by attending hearings and meetings of the Committee.

~~d.~~ e. Terms of office of Student Appeals Committee members will be as follows: members will serve four-semester terms, staggered so that the term of one of the four delegated members will end each semester and, except in the case of reappointments, a new member will begin each term.

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2. Appeals Advisors

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~~e. In consultation with the Division Deans, the Student Appeals Committee will appoint, from three areas of the College community, three Appeals Advisors. The Committee will annually evaluate the work of these advisors, through review of their contact with the Committee and through questionnaires submitted by student appellants. Appeals Advisors will be assigned to assist students with the appeals process.~~

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Student Appeals Advisors will lend orientation and assistance to students wishing to make use of the ~~Community College of Philadelphia~~ appeals process. It will be the work of an Appeals Advisor to help ~~an appellant~~ the student evaluate his or her case, inform the student about preparing his or her supporting materials, and ~~act~~ as a ~~facilitator~~ advisor, but not ~~as~~ an advocate, ~~attend~~ during any hearings held for the student. The student may be accompanied ~~at~~ to a hearing by a ~~Student Appeals~~ Advisor or another consultant of his/her choice. Appeals Advisors are not permitted to participate in appeals hearings.

3. Appeals Hearings

- a. Appeals hearings will generally be held with at least five (5) school weekdays' advance notice to the parties concerned.
- b. Appeals Committee members will be given time to read written appeals materials before hearing the student and other witnesses.
- c. All documents generated in earlier stages of an appeal will be made available to the Committee.
- d. Hearings will be informal, without sworn testimony, or active participation of advisor, legal counsel or other consultant, but with full opportunity for the student and others concerned in the case to present relevant arguments and information.
- e. The Appeals Committee may schedule more than one hearing date and time if it is presented with new evidence for which the student appellant, legal counsel, or the concerned faculty members or administrators may need time to prepare an appropriate response. After long hearings If necessary, Committee deliberations may be ~~concluded~~ continued on another day.
- h. ~~Secretarial-Administrative~~ support will be given to the Student Appeals Committee as needed, for correspondence, copying and controlled distribution of documents, and maintenance of records.
- f.

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4. Appeals Procedure for Disciplinary Matters

- a. ~~The Vice President for Student Affairs is authorized to take disciplinary action when a student violates the rules which govern acceptable behavior and the proper use of College facilities. The action may take one of the following forms: (a) reprimand; (b) probation; (c) suspension; or (d) expulsion. The Vice President for Student Affairs investigates the alleged violation and informs the involved student of his/her disciplinary decision, and the reason for it. This notification is made preferably in person but also in writing; if notification is not made in person, it will be made by certified mail. At the same time, the Vice President for Student Affairs also informs the student of his/her right to appeal and provides the student with:~~

- ~~i. The Appeals Form;~~
- ~~ii. Written information about the appeals procedure to be followed;~~
- ~~iii. The names and College locations and telephone numbers of the Student Appeals Advisors and the Chairman of the Student Appeals Committee. In addition, the Vice President for Student Affairs sends the Student Appeals Committee a copy of the letter of disciplinary action sent to the student.~~

~~b.a.~~ When a student has been informed of a disciplinary decision taken in his/~~or~~ her case, the student may abide by the decision or, within five (5) school weekdays, complete and submit ~~the~~ Appeals Form A to the Student Appeals Committee, through the ~~Office of the Vice President for Student Affairs~~ Dean of Students. ~~The~~ Appeals Form A encompasses the student's appeal and the rationale for the appeal, including an attached narrative which describes in detail the circumstances that led to the disciplinary action. In filing ~~this form~~ Form A, the student also makes a commitment to attend the interview or other hearings that shall be held on the appeal.

~~e.b.~~ In cases involving a reprimand or probation, the Student Appeals Committee will arrange and hold a hearing not later than ten (10) school weekdays after receiving the student's written appeal. When the College's disciplinary action involves suspension or expulsion, the Student Appeals Committee will arrange and hold a hearing for the student not later than five (5) school weekdays after receiving the student's written appeal, with the following exceptions:

- i. If the Vice President for Student Affairs chooses to allow a suspended student to attend classes pending the outcome of an appeal, the hearing will be held within ten (10) school weekdays after the Student Appeals Committee receives the student's written appeal.
- ii. If the student intends to submit additional supportive documentation so extensive that Student Appeals Committee members could not fairly ~~digest-evaluate~~ it during a hearing, the student may expect a hearing to be scheduled as much as three (3) ~~working-school~~ weekdays later than the day such documentation is received by the Committee.

~~c.~~ The Student Appeals Committee, in conducting a hearing, will consider all such information ~~as submitted by~~ the student appellant, the College, and ~~the~~ relevant witnesses, ~~may submit~~, and will inform the student and the ~~Vice President for Student Affairs~~ Judicial Affairs Officer of its decision promptly and informally, as well as in writing ~~(within five (5) school weekdays)~~ in writing.

~~d.~~ ~~The decision of the Student Appeals Committee in disciplinary actions shall be final. However, If the student disputes the decision of the Student Appeals Committee,~~ the student may, within ten (10) school weekdays after a decision has been rendered, petition the President of the College for a review of that decision. ~~by the President or by an appropriate committee of the Board of Trustees. The decision of the President shall be final.~~

~~d.~~

~~3.5.~~ **Appeals Procedures for Final Grades or Faculty Recommendations for Administrative Withdrawal Alleged to hHave bBeen Conferred in a Prejudiced or Capricious Manner.**

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A student may appeal a final grade if he or she believes the grade has been conferred in a prejudiced or capricious manner. The responsibility of the burden of proof rests with the student, including producing any documentation used for calculating the final grade. In situations where the instructor has maintained possession of documentation relating to a final grade, the instructor will be responsible for producing this documentation.

A student may also appeal a recommendation by the faculty in a specific curriculum for an administrative withdrawal from a course/curriculum on the basis of a claim that the faculty's withdrawal recommendation was capricious or prejudiced.

See Students Rights section of the College's Student Code of Conduct, the "Appeal Rights."

The student must then follow all steps for an appeal in these categories. The procedure shall be as follows: or a recommendation by the faculty in a specific curriculum for an administrative withdrawal from a course/curriculum, only on the basis of a claim that his/her teacher's assignment of a final grade or the faculty's withdrawal recommendation was capricious or prejudiced. The procedure for such an appeal shall be as follows:

- a. The student may lodge a complaint initiate an appeal of a final grade or administrative withdrawal no later than one (1) semester (not counting summer sessions) beyond the completion of the course for which a disputed grade/faculty recommendation was given. If the student meets the time frame for initiating an appeal, the student must
- b.a. As a first step, the student seeks to discuss the case with the instructor or recommending faculty in an attempt to resolve the dispute.
- e.b. If the student and the instructor or recommending faculty are is not able to resolve the question with the instructor or recommending faculty matter, the student may consult with an Appeals Advisor at this point and throughout the appeals process. This step is strongly endorsed by the Appeals Committee, but is not required.
- e.c. If the student is dissatisfied with the outcome of his/her discussion with the instructor or recommending faculty and wishes to further the appeal, the student should must submit write a letter to the Department Head requesting an interview and attach it to an Appeal Form (available in the Division Offices). The student must contact the Department Head will reply in writing confirming the appointment. w Within ten (10) school weekdays of the meeting/discussion with the instructor or recommending faculty. The Department Head will reply in writing confirming an appointment. receiving the student's letter, Within ten (10) school weekdays of receiving the student's letter and Appeal Form, the Department Head will hear the student's complaint; investigate the claims and attempt to resolve the matter with the instructor or recommending faculty; and send a concluding letter to the student with copies to the instructor or recommending faculty, and the Division Dean.
- e.d. If the matter remains unresolved and the student is still unsatisfied after discussing the matter with the instructor or recommending faculty and the Department Head, and after the Department Head's action wishes to further the appeal, the student should write must submit a letter to the Division Dean,

requesting an interview. The student must contact the Division Dean within ten (10) school weekdays of the previous decision. The Division Dean will reply in writing confirming ~~the an~~ appointment. In attempting to resolve the matter, the Division Dean will hear the complaint, will seek information from the instructor or recommending faculty, Appeals Advisor, and Department Head, and may arrange a conference with the student, the Department Head, and the instructor or recommending faculty. The Division Dean will send a concluding letter to the student, with copies to concerned parties. ~~Step E should~~ This step must be completed within fifteen (15) school weekdays of the student's request to the Division Dean.

f.e. If the ~~issue matter~~ remains unresolved and the student wishes to further appeal, ~~then, at the student's written request, a meeting with the Vice President for Academic Affairs will be arranged, and acknowledged in writing, the student must submit a letter to the Vice President for Academic Affairs.~~ The student must contact the Vice President for Academic Affairs within ten (10) school weekdays of the previous decision. The Vice President for Academic Affairs will request the presence of the involved parties; seek and be given full information from them about the claim, evidence, and proposed solutions generated in previous steps of the process; and attempt to resolve the matter. The Vice President for Academic Affairs will ~~report his/her resolution of the matter,~~ send a concluding letter to the student, ~~in writing,~~ with copies to concerned parties. ~~Step F should~~ This step must be completed within fifteen (15) school weekdays of the student's request to the Vice President for Academic Affairs.

g.f. If the ~~student is still unsatisfied with the resolution of the matter, he/she may~~ matter remains unresolved and the student wishes to further the appeal, the student must petition the Student Appeals Committee to hear the case and resolve it. The student must contact the Appeals Committee within ten (10) school weekdays of the previous decision. A petition form can be obtained from an Appeals Advisor, ~~or from the office of the Vice President for Academic Affairs.~~ In filing this petition, the student makes a commitment to attend the interview and/or other hearing that shall be held on the appeal.

h.g. The Appeals Committee must arrange a hearing no later than ten (10) school weekdays from the date of receiving the petition. A copy of the petition will be given to the instructor or recommending faculty, ~~and to~~ the Department Head, the Division Dean, and the Vice President for Academic Affairs by the Chairperson of the Appeals Committee at least three (3) school weekdays prior to the Appeals hearing.

i.h. The Appeals Committee will request a ~~nd will~~ review of all written materials from all previous steps and hearings in the appeals process, prior to the scheduled hearing, and will listen to the student's arguments and to relevant witnesses, seeking to ascertain whether there is clear evidence that the instructor or recommending faculty assigned the challenged grade/recommendation for withdrawal capriciously or with prejudice. If there is no such evidence, the Appeals Committee will deny the appeal, and the decision with respect to the grade/recommendation made at the previous steps will be considered final.

If the Appeals Committee decides that the student has been subjected to a capricious or prejudiced faculty decision, the Committee will recommend that the instructor ~~or~~-recommending faculty re_evaluate the student's performance/record without caprice or prejudice. The Appeals Committee will convey its decision to the student in writing within five (5) school weekdays of the date the decision is reached, with copies ~~going to the other~~ concerned parties.

j.i. The instructor or recommending faculty will respond to ~~the recommendation of~~ the Appeals Committee within (5) school weekdays, advising the student in writing of the decision either to hold ~~to~~ the original grade/ recommendation, or to change the grade/recommendation. The instructor or recommending faculty will also inform the Department Head of his/her/their decision in writing, attaching a copy of the correspondence to the student. The Department Head will inform the Division Dean, the Vice President for Academic Affairs, and the Student Appeals Committee.

k.j. If still ~~dis~~satisfied, the student may, if he/she acts within five (5) school weekdays after receipt of the instructor's or recommending faculty's letter regarding his/her/their decision, ~~re-petition and again appeal to~~ the Appeals Committee. The Appeals Committee, within ten (10) school weekdays, and working through the Department Head, will select and charge faculty members in the department within the appropriate discipline as a committee to develop criteria and procedures to re_evaluate the student's academic performance.

k. Within five (5) school weekdays, the Departmental Committee described above will either:

i. ~~(a)~~ re_evaluate the student's performance, make a decision, and assign the appropriate grade for the course; or

ii. ~~re-evaluate the student's performance and (b)~~ recommend, but not ~~capriciously~~ require, that the student ~~do complete~~ additional academic work within a mutually agreed time span, at the end of which the reevaluation shall take place and then make a decision and assign the appropriate grade for the course.

l. After receiving the evaluation and the grade conferred by the Departmental Committee, the student may, if he/she files a request within five (5) school weekdays, indicate his/her dissatisfaction with the grade and request that the Appeals Committee authorize the Director of Records and Registration to remove the course and the grade from the student's record.

m. Upon receipt of such a request from the student, the Appeals Committee will meet and decide whether to direct the Director of Records and Registration to delete the course and grade from the student's record. The decision of the Appeals Committee shall be final.

n.

4.6. Appeals Procedure for Matters in the Classroom

The purpose of the following procedure is to resolve as fairly, and as ~~soon~~ quickly as possible, any matter in which a student claims that his/her freedom-academic rights in the classroom have yes been violated. (Students whose claims might more appropriately be pursued with the Affirmative Action Officer or other agencies will be so advised.)

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- a. The student who wishes to lodge a complaint under this ~~section procedure~~ should do so ~~promptly in order to ensure~~, ~~so~~ that if the complaint is valid, a practical remedy will be available. In any case, such ~~a~~ complaints may be lodged no later than one (1) semester beyond the completion of the course in which the student alleges a violation of his/her academic ~~freedom rights has~~ occurred.
- b. As a first step, the student ~~must~~ seeks to discuss the case with the instructor and to resolve the dispute.
- c. If the student is not able to resolve the matter with the instructor, the student may consult with an Appeals Advisor. This step is strongly endorsed by the Appeals Committee, ~~but is not required~~.
- d. If the matter remains unresolved ~~and the student wishes to further the appeal~~, the student ~~may write~~ must write a letter to the Department Head requesting an interview ~~within ten (10) school days of the previous decision~~. The Department Head will reply in writing ~~to confirm~~ing the appointment. Within ten (10) school weekdays of receiving the student's letter, the Department Head will hear the student's complaint; investigate the claims ~~and~~, attempt to resolve the matter with the instructor; and send a concluding letter to the student with copies to the instructor and Division Dean.
- e. If the ~~student is still unsatisfied~~ matter remains unresolved ~~and the student wishes to further the appeal~~, he/she ~~may~~ must write to schedule an appointment to discuss his/her grievance with the Division Dean ~~within ten (10) school days of the previous decision~~. The Division Dean will reply in writing ~~to confirm~~ing the appointment. The Division Dean will hear the complaint; will seek information from the instructor, Appeals Advisor; and Department Head; may arrange a conference with the student, the Department Head and the instructor; and will attempt to resolve the matter. The Division Dean will send a concluding letter to the student, with copies to concerned parties. Step E should be completed within fifteen (15) school weekdays of the student's request to the Division Dean.
- f. If the issue remains unresolved ~~and the student wishes to further the appeal~~, then, at the student's written request ~~within ten (10) school days of the previous decision~~, a meeting with the Vice President for Academic Affairs will be arranged. In attempting to resolve the matter, the Vice President for Academic Affairs will request the presence of the involved parties; and seek information from them about the claim, evidence; and proposed solutions generated in previous steps of the process. The Vice President for Academic Affairs will report his/her resolution of the matter to the student in writing, with copies to concerned parties. Step F should be completed within fifteen (15) school weekdays of the student's request to the Vice President for Academic Affairs.
- g. If the ~~student is still unsatisfied with the resolution of the matter~~ matter remains unresolved ~~and the student wishes to further the appeal~~, he/she may petition the Student Appeals Committee to hear the case and resolve it. A petition form can be obtained from an Appeals Advisor or from the office of the Vice President for Academic Affairs.
- h. The Appeals Committee must arrange a hearing no later than ten (10) school weekdays from the date of receiving the petition. A copy of the petition will be

given to the instructor, Department Head, Division Dean, and Vice President for Academic Affairs by the Chairperson of the Appeals Committee.

- i. The Appeals Committee will be supplied with and will ~~review~~receive all written materials from all previous steps and hearings in the ~~A~~appeals process, prior to the scheduled hearing, and will listen to the student's arguments and to relevant witnesses, seeking to ascertain whether there is clear evidence that the student's ~~freedom~~academic rights in the classroom was violated.

~~j.~~ The Appeals Committee shall convey its decision to the student in writing within five (5) school weekdays of the date the hearing is held and a conclusion reached. Copies ~~shall~~should be sent to concerned parties. The decision of the Appeals Committee shall be final unless the student appeals. ~~T~~However, the student may, within ten (10) school weekdays after ~~thea~~ decision has been rendered, petition the President for a review of that decision ~~or by an appropriate committee of the Board of Trustees~~.

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