

SOM OP: 30.09, **Educational Record and Grade Appeal Policy**

PURPOSE: The purpose of this School of Medicine (SOM) policy is to define a process for medical students to challenge the content of their educational records, grades, or other institutionally held information.

REVIEW: This SOM Policy and Procedure shall be reviewed within each even-numbered fiscal year by the Educational Policy Committee. Revisions will be forwarded to the Office of the Dean for approval and publication

POLICY/PROCEDURE:

1. **General.** Students have the ability to challenge the content of educational records, grades, and other institutionally held information which is directly related to them.
2. **Informal Resolution of Educational Record or Grade Challenge.** An informal resolution process is available for all records and grades with the exception of the clinical assessment and OSCE components of clerkship grades in the Phase 2 curriculum. These component grades must be appealed using an online portal system.
 - a. Student requests an initial, informal meeting with the recognized custodian (e.g., Course or Clerkship Director, home campus Dean for Student or Academic Affairs) who has responsibility for the challenged record(s), grade, or institutionally held information.
 - b. Student must initiate a request to meet with the responsible record custodian within ten (10) business days following notification to the student and/or awareness of the existence of the record, grade, or information being challenged. If greater than ten (10) business days have passed before the request to meet has been initiated, the student must present a reason for the delay to their home campus Dean for Student or Academic Affairs who will decide if the record, grade, or institutionally held information may still be challenged.
3. **Formal Educational Record or Grade Appeal.** If the challenge to the educational record, course grade, or institutionally held information cannot be informally resolved between the recognized custodian and the student, a student may proceed to formal appeal.
 - a. A formal appeal must be submitted in writing and specifically identify the item/issue being appealed and the basis for the appeal. The record custodian responsible for the challenged educational record, grade, or institutionally held information must respond in writing to the student within ten (10) business days and forward a copy of the appeal and response to the student's home campus Dean for Student Affairs (educational record on institutionally held information challenges) or the Dean for Academic Affairs (grade appeals).
 - b. If a regional campus Dean is the recognized custodian of the challenged educational record, grade, or institutionally held information, the written response to the formal appeal will be sent to the Lubbock Associate Dean for Student Affairs. If

the Associate Dean for Student Affairs is the recognized custodian of the challenged educational record, grade, or institutionally held information, the written response to the formal appeal will be sent to the Associate Dean for Academic Affairs. If the recognized custodian of educational record, grade, or institutionally held information is the Associate Dean for Academic Affairs, the written response to the formal appeal will be sent to the Associate Dean for Student Affairs.

- c. If the written response is unsatisfactory to the student, he/she can request a formal hearing in accordance with the following procedures:
 - 1) A hearing will be conducted within ten (10) working days following receipt of the written request for the hearing.
 - 2) The hearing will be conducted by an institutional official or other party (Hearing Officer) who does not have a direct interest in the outcome of the hearing. The appointment of the official or other party will be made (as appropriate) by the home campus Dean for Student or Academic Affairs, or, if a conflict of interest exists, the Lubbock Associate Dean for Student or Academic Affairs.
 - 3) The student will be afforded the opportunity to present evidence relevant to challenging the content of the educational record, grade, or institutionally held information. The hearing provides an opportunity for correction or deletion of any inaccurate, misleading or otherwise inappropriate data contained in the educational record, and/or the insertion into the record of a written explanation from the student regarding the content of the challenged record, grade, or institutionally held information.
 - 4) The Hearing Officer is expected to confer with the responsible custodian of the educational record, grade, or institutionally held information prior to rendering a decision. The Hearing Officer may call other witnesses or seek additional information as warranted.
 - 5) The decision of the Hearing Officer will be submitted in writing to all involved parties within ten (10) business days after the conclusion of the hearing.
 - 6) The decision of the Hearing Officer is final. Appeal to the School of Medicine Dean will be based on due process issues only.

30.09A Appendix: Online Grade Appeals in Clerkships

A. Clinical Assessments

1. All appeals must be submitted via an online Grade Appeals Portal
2. Students must initiate an appeal within five (5) business days following completion/ notification to the student of the existence of the record, grade, or information being challenged.
3. A formal appeal must be submitted in writing and specifically identify the item/issue being appealed and the basis of the appeal. The formal appeal must be merit-based- (i.e., mistaken identity, etc.).
4. The home campus Co/Clerkship Director will submit a written response to the student's appeal committee via the Grade Appeals Portal within fifteen business days (15).
5. An Appeals Board consisting of a minimum of three Co/Clerkship Directors in the respective discipline from all campuses shall convene and render a decision on the appeal. The goal will be to complete this process within 15 business days. The Appeals Board will review the information provided by the student online, the response of the Co/Clerkship Director and ANY evaluations performed during the Clerkship Period (or Prior Clerkship Periods). The Appeals Board will submit a written decision via the Grade Appeals Portal, citing reasons for either approving or denying the appeal. This decision will be communicated to the student with copies to all administrators Associate Dean of Student Affairs, Senior Associate Dean for Academic Affairs, Associate Dean for Clinical Affairs, Senior Educational administrator, and home campus clerkship director) involved in the grading process.
6. If the decision of the Appeals Board is unsatisfactory to the student, they may request a Formal Appeals Hearing within five (5) business days. If no choice is elected by the student, the committee's decision will stand automatically.

Formal Appeals Hearing procedures are as follows:

- a. The Final Appeals Hearing Committee shall be comprised of a minimum of three Clerkship Directors of different disciplines who shall review the appeal. A fourth member shall be an ex-officio institutional member chosen by the senior educational administrator for that home campus. A fifth non-voting member may be any Assistant or Associate Dean across any campus.
 - b. A hearing will be conducted within twenty (20) business days following receipt of the written request for the hearing.
 - c. The student will be allowed to present evidence relevant to challenging the content of the educational record, grade, or institutionally held information. The hearing provides an opportunity for correction or deletion of any inaccurate, misleading, or otherwise inappropriate data contained in the educational record, and/or the insertion into the documents of a written explanation from the student regarding the content of the challenged record, grade, or institutionally held information.
 - d. The decision of the Hearing Committee is final. Appeal to the School of Medicine Dean will be based on due process concerns only.
7. Honor Code during Clerkships and Appeals
 - a. Any student on clerkships and/or submitting an appeal is expected to maintain professionalism at all times towards Co/Clerkship Directors, Faculty, and/or residents. If it is determined a student has engaged in unprofessional behavior, this will be considered a breach of professional conduct and the student will be subject

to review and disciplinary action by the Student Promotions and Professional Conduct Committee (SPPCC).

B. Objective Structured Clinical Examinations

1. All appeals must be submitted via an online Grade Appeals Portal
2. Students must initiate an appeal within five (5) business days following completion/ notification to the student of the existence of the record, grade, or information being challenged.
3. A formal appeal must specifically identify the item/issue being appealed and the basis of the appeal.
4. Acceptable topics for an appeal include inconsistency between raters, inaccuracies in rating (eg credit was not assigned for documented information, an SP failed to give credit for a communication item that was completed) and inaccuracies in final score calculations.
5. For any appeal that refers to the video recording of the encounter, the student should identify the specific time within the video relevant to the challenge.
6. For any appeal that refers to the content of encounter documentation, the student should arrange to review the note (with a member of the Office of Academic Affairs) and refer specifically to the relevant content in their appeal.
7. Appeals will be reviewed and decision rendered within 15 business days and grade changes, if any, will be completed by the Office of Academic Affairs.

C. National Board of Medical Examiners Subject Exam

1. Appeals of the outcome of NBME exams must be submitted by the student through the Appeals portal within five (5) business days of receiving notification. Appeals are submitted by the school through the NBME website, using procedures developed by the NBME.
2. The cost of the recheck will be the responsibility of the student.
3. The timeline for completion of the recheck is set by the NBME and is not under the control of the school.