

## **College of Health and Human Services**

### **Disciplinary Review and Appeals Process for Violations of Professional Ethics or Conduct**

Professional ethics are at the core of the College of Health and Human Services (CHHS). The professions and schools that comprise the CHHS have an obligation to articulate the basic values, ethical principles, and ethical standards to the University Community. The CHHS has developed a [\*Code of Professional Conduct\*](#) that is relevant to all professionals as well as students who comprise the CHHS, regardless of their professional functions, the settings in which they work, or the populations they serve.

Because of the nature of the health and human services-related professions, it is virtually impossible to separate academic misconduct from professional or ethical misconduct, or to differentiate between the settings where misconduct may occur. And so with respect to this process all acts of misconduct are considered to be both academic and professional in nature. While the CHHS *Code of Professional Conduct* outlines many examples of misconduct that could lead to disciplinary procedures, that list is in no way exhaustive.

Disciplinary action and resulting sanctions imposed as a consequence of misconduct may be initiated by a faculty member or administrator at any level within the CHHS. Likewise, subsequent administrators or hearing boards within the CHHS hierarchy may recommend overturning, upholding, or adding additional sanctions. However, in order to insure that students have the benefit of due process, sanctions can be appealed as described later in this document. In the case of appeal of a sanction, the Dean's decision is final. An appeal to the Vice Chancellor for Academic Affairs may be made only on the basis of procedural errors in the process.

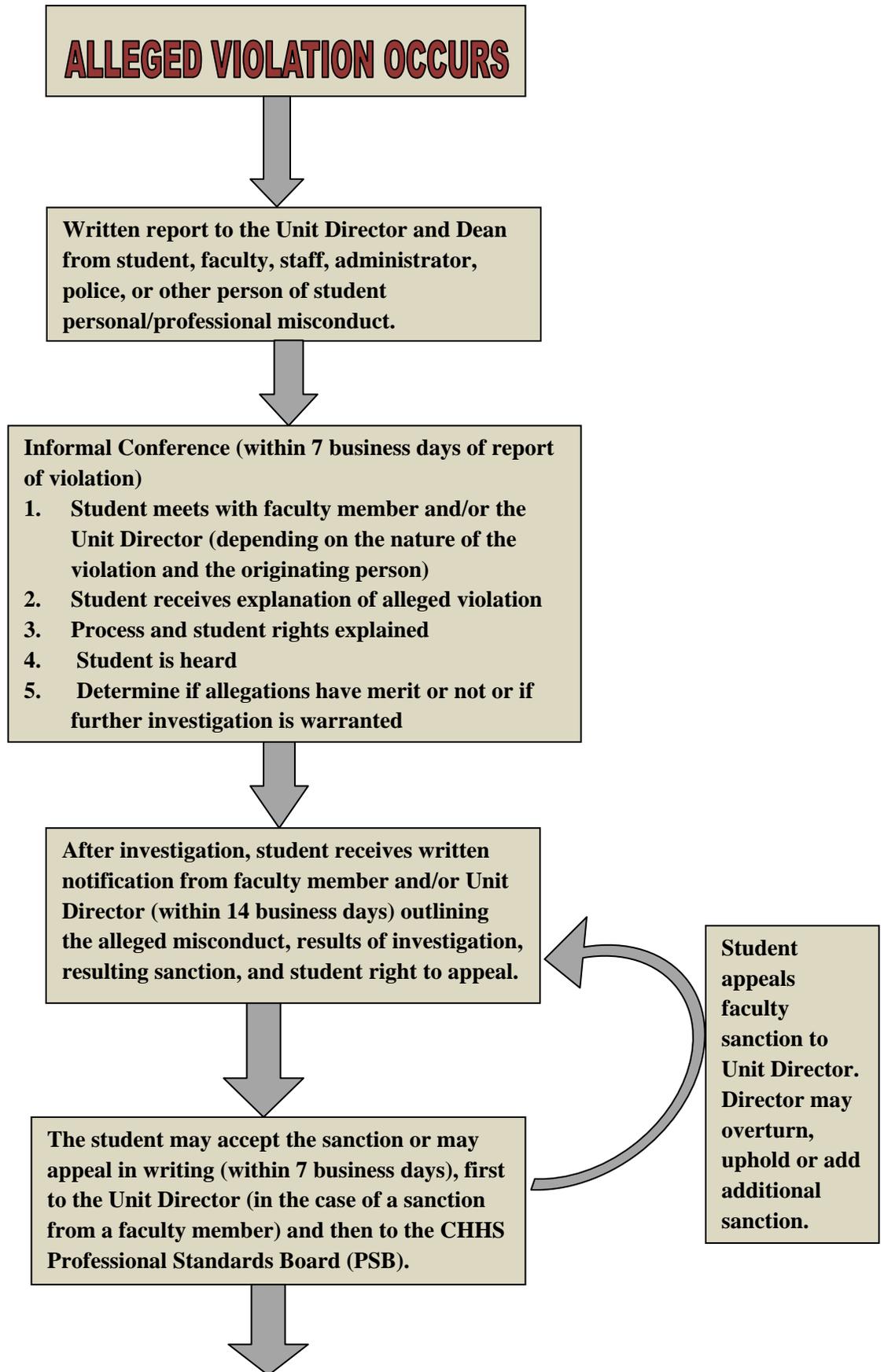
The purpose of giving students a right of appeal is to allow them to bring to the attention of another authority on campus significant factual and procedural errors that reasonably may bear on the finding of misconduct or the sanction imposed. Students should NOT appeal misconduct findings for the purpose of delaying the process or the imposition of academic sanctions, or avoiding further sanctions that may be imposed.

The appeals process is laid out in Appendix A. Assumptions are:

- The disciplinary and appeals process is not a legal proceeding. Accordingly, students may not be represented by legal counsel in these proceedings. Students may be accompanied by an advisor; however, the advisor may not speak for the student. A student's failure or refusal to speak on his or her own behalf at a hearing shall not be considered an admission of responsibility.
- No sanctions shall become effective until after opportunities for appeal have been exhausted; **however**, when a student is found to have engaged in unprofessional or unsafe behavior at a clinical or internship site, or when a student poses serious threat of harm to self, others or property, then the student may be removed from the university or off-campus site immediately.
- A business day does not include weekends, official University holidays, or breaks. For instance, the days between the last day of final examinations of one term and the first day of classes of the following term are not considered business days.

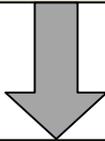
- Notification of a decision “in writing” can include electronic (email) correspondence. Email correspondence with students will be through their official IU Northwest email account only.
- All allegations of or sanctions for misconduct will be reported to the program director, the Dean, and the Chair of the Professional Standards Board (all of whom may impose additional sanctions, whether or not the student appeals the original finding or sanction). The PSB will maintain a file in the central administrative area for tracking purposes.
- Sanctions that may be imposed as a result of a finding of misconduct can include one or more of the following:
  1. A lower or failing grade for any assignment(s) in which misconduct occurred
  2. A lower or failing grade for the course; the penalty for a serious act of academic misconduct ordinarily should involve the recording of a failing grade for the course
  3. Repeating the assignment(s) in which misconduct occurred
  4. Completing additional assignment(s)
  5. Required withdrawal from the course, with a grade of either “F” or “W” at the faculty member’s discretion, regardless of when during the semester the student withdraws from the course.
- Additional sanctions that may be imposed at any level above the level of the course faculty include:
  1. Disciplinary probation for a specified period of time;
  2. Suspension or deferred suspension from the program for a specified period of time; or
  3. Dismissal from the program and/or CHHS.
- The CHHS hearing board for appeals is called the Professional Standards Board.
  1. The dean may maintain a standing Professional Standards Board or appoint a new board to hear each particular appeal. In either case, the members of the Board shall be chosen from a list of the School’s continuing full-time faculty, who are willing to serve and a list of students, who are willing to serve. Any members who are initially appointed and become unable to serve on the Board should be replaced by the dean by others from these lists.
  2. The Professional Standards Board will consist of six members (one from each academic unit represented in CHHS; units may select their representative by whatever means they deem appropriate) and one student. Only continuing full-time faculty are eligible to serve on the Board.
  3. The presiding officer of the board is appointed by the dean and must be a member of the faculty.
  4. During the appeal process for academic or personal misconduct cases and grievances, the hearing will always remain under the control of the presiding officer.
- The Vice Chancellors of Student Services Administration and Academic Affairs will be notified of the imposition of sanctions for misconduct, and the results of any appeals.
- Change of grade requests after the conclusion of a course are not covered by this process. That process is found [here](#).
- A dispute of a performance-based grade unrelated to misconduct is not covered by this process. Those cases are appealed up the normal administrative chain.

**Appendix A: CHHS Disciplinary Review and Appeals process**

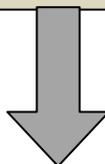


### **Appeal to CHHS Professional Standards Board**

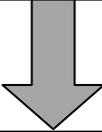
- A. Student appeals earlier finding/sanction and requests hearing in writing within 7 business days to Dean of CHHS**
- B. Dean notifies PSB Chair of student request for hearing**
- C. Within 21 business days of receiving the request, the PSB Chair establishes a date for the hearing (the hearing should take place as quickly as possible)**
- D. Student is notified of the date of the hearing no later than 7 business days before the established date. Student is required to attend. If the student fails to attend, the appeal is automatically denied.**
- E. The person who has established the sanction may attend the hearing at their discretion. The student may ask for witnesses to appear before the board if they have pertinent information. No later than 5 business days before the hearing, the student must notify the PSB Chair of the name of witnesses, and the nature of their information. The PSB Chair will determine whether or not the witnesses are appropriate and will notify the student before the hearing as to their determination. It is the student's responsibility to notify their witnesses of the date, time, and place of the meeting. Failure of witnesses to appear will not prevent a hearing from taking place. The PSB Chair may also request that witnesses appear.**
- F. The PSB Chair will notify the student within 14 business days of their recommendation to the Dean.**



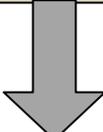
**The PSB Chair makes the committee's recommendation to the Dean. The committee may recommend that the Dean uphold the original sanction, overturn the sanction, or add additional sanction.**



**Student may appeal to the Dean. Appeal should be in writing within 7 days of receiving notification of the recommendation of the PSB. Dean decision is final; Dean may overturn, uphold, or add additional sanction. Student notified in writing within 14 business days.**



**VCAA and VCSA notified of outcome. Student may appeal within 7 business days (in writing) to the VCAA only on the basis of procedural errors. The student's letter must clearly state the perceived nature of the procedural error. If VCAA determines it is warranted, the VCAA will meet with the student to hear evidence of procedural error. The VCAA will notify the student and Dean in writing of the decision.**



**Should the VCAA determine procedural errors, the student will be directed back to the level of the error and the process will continue from that point.**