



CHAPTER EIGHT: DISCIPLINE AND DUE PROCESS PROCEDURES

DISCIPLINARY ACTIONS

Disciplinary actions normally occur in response to a violation of a school or hospital rule or policy. The general administration of the disciplinary program is the responsibility of the Admissions, Promotions, and Academic Standards (APAS) committee of the Faculty Organization. This committee oversees the disciplinary process for academic and non-academic matters.

Actions taken as a result of a specific situation are determined by:

- ◆ the details of the situation
- ◆ the seriousness of the violation, and
- ◆ the academic status and prior disciplinary history of the individual student or students involved.

The APAS committee may use *any* action(s) it considers appropriate in response to a violation. This non-inclusive list is for illustration only; other actions may be implemented by the APAS committee. The list does not represent a step process (i.e., there is no obligation to begin with a written warning and proceed step-by-step through the actions in order); however the list is in relative order of seriousness in terms of potential impact on the student:

1. WRITTEN WARNING

Written warning is to notify a student that his/her behavior is unacceptable. Normally results from report of violation by school or hospital personnel.

2. SUSPENSION OF PRIVILEGES

Suspension of Privileges is the removal of specific privileges for a specific period of time, usually in response to an abuse of that privilege (i.e. termination of housing agreement, loss of visitation privileges for a resident student who had an unauthorized visitor).

3. DISCIPLINARY PROBATION

Student is placed on Disciplinary Probation because his/her behavior is unacceptable. Probation is for a specific length of time - up to the remainder of academic enrollment. Probation may include additional loss of privileges and is designed to eliminate continued violations.

4. SUSPENSION FROM THE PROGRAM

Student is suspended for conduct or behavior that results in unethical, immoral, illegal or unsafe actions or violations of any school policy. Student can apply for readmission; however, appearance before the APAS Committee is required as part of the readmissions process.

5. DISMISSAL FROM THE PROGRAM

Dismissal from the program is the removal from enrollment for a serious violation or continued failure to comply with school policies. Student is not eligible to apply for readmission.



DUE PROCESS

Due Process Rights and Appeals Procedure provide a fair method to resolve conflicts between parties and protect students from arbitrary, discriminatory, or unreasonable enforcement of school policies or actions.

DUE PROCESS RIGHTS

The following listed rights are to insure that administrative proceedings, which involve disciplinary actions and/or grievances, are conducted in a fair and consistent manner. Each student involved in a disciplinary situation or who has a grievance has the right to:

1. File a written grievance or appeal. The written grievance or appeal must be attached to a properly completed Appeal Form (see the last page of LSN Student Handbook, Chapter 8).
2. Receive a written statement of charges and their basis, when applicable.
3. Know the nature of evidence/information being considered.
4. Present supporting evidence on his/her own behalf.
5. Request a personal appearance before the person or group.
6. Receive a timely response to the appeal or grievance.

GRIEVANCE PROCESS

A grievance is any dissatisfaction, complaint or alleged injustice, that results from an academic or non-academic experience with administrators, faculty/staff members, students, or student organizations.

Written grievances must be submitted in person **within five working days** of the occurrence/decision to be considered. The student must initiate a meeting with the person(s) (student, committee or faculty/staff) directly involved in the occurrence or decision giving rise to the grievance and must attempt to resolve the problem with such person(s).

APPEAL PROCESS

PROCESS FOR MAKING AN APPEAL

It is the responsibility of the person making the appeal to demonstrate the validity of his/her reason for the appeal. A student has the right to appeal any action, based on one of the situations listed below:

1. Action taken is more severe than warranted based on the original situation.
2. New information not available at the original decision.
3. Improper procedures, which altered the original decision.
4. Provable bias on the part of the decision-maker.

At each step of the appeals process, the *written appeal* (attached to the Appeal Form – see Appendix C of LSN Student Handbook) will provide the basis for investigation of the appeal. However, as part of deliberation or investigation, the appearance of some or all of the individuals involved may be requested. A written response to appeals at each level will be provided to the person appealing the decision. The possible results of an appeal are that the original decision will be:

1. Upheld without change.
2. Increased in severity.



3. Modified in some way.
4. Completely rescinded.

Each of the following steps should be completed in the order listed:

STEP ONE

For Non-Academic or Personal Issues

The student must submit a written appeal within three (3) working days to the Associate Director of Student Development. This must be based on the outcome of the grievance decision, follow the process outlined above, and be attached to the properly completed Appeal Form (see Appendix C of LSN Student Handbook).

For Academic or Disciplinary Issues

The student must submit a written appeal, attached to the properly completed Appeal Form (see Appendix C of LSN Student Handbook), within three (3) working days to the chairperson of the Admissions, Promotions and Academic Standards Committee. This must be based on the outcome of the grievance decision.

STEP TWO

After receiving the results of Step One, if there are sufficient grounds based on the process for making an appeal, the student must submit a written appeal, attached to the properly completed Appeal Form (see Appendix C of LSN Student Handbook), **within three (3) working days** to the Director of Nursing Education.

STEP THREE

After receiving the results of Step Two, if there are sufficient grounds based on the process for making an appeal, the student must submit a written appeal, attached to the properly completed Appeal Form (see Appendix C of LSN Student Handbook), **within three working days** to the Chief Nursing Officer of St. Alexius Hospital, or the current supervisor of the Director of Nursing Education.

This is the FINAL STEP IN APPEAL/GRIEVANCE PROCESS. At this point, this decision is final.

COURSE AUDIT DURING APPEAL PROCESS

While awaiting the outcome of the appeal process, a student has the opportunity to request to audit the currently enrolled course OR the next consecutive course if appeal occurs at the conclusion of the course. Auditing the course refers to attending lecture only. The student cannot participate in clinical experience or take examinations/quizzes for theory. Request to audit the course must be approved by the Director of Nursing Education. All clinical hours and tests must be made up if the resolution of the appeal is to continue in the program.

NON-DISCRIMINATION STATEMENT

A separate process governs situations where an individual feels he/she has been discriminated against on the basis of race, color, religion, age, sex, marital status, national or ethnic origin, or disability in the administration of the school's educational policies, scholarship and loan program, and athletic or other school-administered programs. If an individual believes that he/she has been subjected to such discrimination, he/she should **contact the Director of Human Resources** who is the Title IX and Section 504 Coordinator of St. Alexius Hospital at (314) 865-7000.