

**Central New Mexico Community College (CNM)
Health, Wellness and Public Safety Division (HWPS)**

**Student Removal from an Off-Campus Instructional Site,
or On-Campus Laboratory, Serving Clients/Patients
Policy**

Approved by HWPS Division Council December 2006
Updated by HWPS School Administrative Team, February 2014

I. Purpose and Rationale.

HWPS students often are engaged in experiential learning, both in the community and in on-campus sites. These sites serve clients, patients, employees and students whose safety and well-being must be protected. Additionally, CNM, HWPS and the site's policies and procedures must be strictly upheld to maintain the integrity of the site's services.

HWPS enters into a contractual agreement with each off-campus site that authorizes the off-campus Site to "dismiss any student from the Training Site premises when it is deemed in the Training Site's sole discretion that the student's health or performance is a detriment to the well-being of any Training Site patient or employee." The term "patient" is replaced with "client" or "Site student" when the Site does not serve "patients."

HWPS programs have measurable learning objectives associated with each practical, clinical, internship, externship and cooperative education course conducted at the Sites. These objectives drive HWPS decisions related to this policy.

Course syllabi include:

- a. the measurable learning objectives for the course;
- b. a notice to students that a violation of CNM, HWPS, or Site policy or failure to attain and demonstrate essential skills appropriate to the Site, may result in their removal from the Site and, possibly, the course; and
- c. a notice that removal for the duration of the course may result in a failing grade.

All HWPS students will be given an orientation to CNM, HWPS and Site policies.

II. Definitions.

A. Instructional Sites (hereinafter referred to as "Site" or "Sites").

B. Off-Campus Sites: HWPS conducts practical, clinical, internship, externship and cooperative education at off-campus community-based Sites. The Site may be a hospital, clinic, doctor's office, diagnostic or research laboratory, long-term care facility, government agency, public or private school, or another appropriate site. These Sites are also businesses that have standards and policies to ensure the safety and well-being of their clients, students and/or employees. HWPS students are expected to comply with the same standards and policies as the employees of the Site.

C. On-Campus Sites: Practical, clinical, internship, externship and/or cooperative education may also occur in On-Campus locations such as the Health Center, Fitness or Cosmetology Laboratory. The instruction in these on-campus sites is distinguished from a standard classroom or laboratory in that students work directly with clients or patients. These sites are also work sites that have standards and policies to ensure the safety and well-being of their clients, students and employees.

D. Serious Incident: An incident which compromises patient, employee, other student(s) safety or the integrity of the Site; or which violates a CNM or Site policy; or which violates a

local, state or federal law; or which constitutes a breach of an established professional code of ethics applicable to the field of study.

- E. **Session:** The period of time for which a student is given an assignment to a Site that occurs within a continuous 24-hour period of time that begins at 12:00 midnight and ends at 11:59 p.m.
- F. **Essential Skills:** Skills necessary to comply with standards and policies that ensure the safety, confidentiality and well-being of clients, students and/or employees or the integrity of the Site services.
- G. **Success Plan:** A plan that outlines individualized objectives and plans for improvement as a condition for a student reentering a clinical course or continuing their educational experience at a Site.

III. Failure to Attain and Demonstrate Essential Skills Appropriate to the Site

- A. When a student fails to attain and/or demonstrate Essential Skills appropriate to the Site, a progressive and timely **Communication System** will be used to notify the student. The **Communication System** will include:
 - 1. a verbal notice to the student.
 - 2. a written notice to the student along with the development and implementation of a Success Plan. See Section VII of this document for information about the Success Plan.
 - 3. The student meeting regularly with the program director/designee to discuss his/her progress in relation to individualized objectives and plans for improvement included in the Success Plan.
 - 4. If the student fails to meet the conditions of the Success Plan, the Program Director or designee will meet with the student to provide notice to the student that the conditions of the Success Plan are not being met. The student will be given an opportunity to respond. Failure to meet the conditions of the Success Plan may result in a failing grade or removal from the Site for the duration of the course.
- B. When a student fails to meet the conditions of the Success Plan and his/her continued attendance at the Site is reasonably likely to present a risk to patient, employee, other student's safety or welfare, or to the integrity of the Site's services, the student may be temporarily removed from the Site by the Program Director.
- C. An investigation will be conducted and a determination will be made pursuant to Section V of this Policy.

IV. Temporary Removal for a Serious Incident

- A. As soon as possible after the incident, the instructor will meet privately with the student to explain why he/she may be temporarily removed from the Site.
- B. The student will be given an opportunity to respond.
- C. After the meeting with the student and consideration of the student's response, the instructor may decide to immediately and temporarily remove the student from a Site.
- D. If the decision of the instructor is to temporarily remove the student from the Site, the student shall be informed verbally that they must leave the Site for the remainder of the session and that they will receive further instructions from the Program Director/designee. The instructor shall obtain current contact information from the student and shall provide that information to the Program Director/designee.
- E. The instructor will notify the Program Director/designee as soon as possible after the incident.

- F. The instructor will document the incident and the student response and provide the documentation and any related evidence to the Program Director/designee within 24 hours of the incident. The documentation shall be signed and dated.

V. Investigation, Evaluation and Determination.

- A. After a student has been temporarily removed from the Site or a recommendation for temporary removal has been made, the Program Director will conduct an investigation which may include, but shall not be limited to, discussions with instructors or supervisors directly involved with the student, preceptors or other Site employees, and other students having knowledge of the student. If the student has already been removed from the Site, the student should be told that during the investigation and determination process, he/she should not attend scheduled sessions at the Site unless otherwise directed by the Dean, Associate Dean or Program Director.
- B. The Program Director shall meet with the student to discuss the events that led to the temporary removal. The student will be given an opportunity to respond.
- C. After conducting an investigation and meeting with the student, the Program Director will present the evidence to the HWPS Dean or Associate Dean.
- D. The HWPS Dean or Associate Dean shall review the evidence and meet with the student to present the results of the investigation. The student will be given an opportunity to respond to the evidence relating to the removal.
- E. The HWPS Dean or Associate Dean shall determine whether to return the student to the Site, whether to transfer the student to another appropriate and available Site, or whether to remove the student from the Site for the duration of the course.
- F. The determination of whether and when the student may return to the Site or an alternative Site shall be made within 10 business days, and, if possible, prior to the next Site session for which the student is scheduled.

VI. Removal for the Duration of the Course

- A. If, after investigation and consultation with the program director, the student and other relevant personnel, the HWPS Dean or Associate Dean determines that the student is reasonably likely to present an ongoing risk to patient, employee, other student's safety or welfare, or to the integrity of the Site's services, the student may be removed from the Site for the duration of the course. This may result in failure of the course.
- B. The HWPS Dean or Associate Dean shall inform the student verbally and in writing of the determination. The student shall have the right to appeal the decision to remove him/her for the duration of the course and shall be so informed in writing. All such appeals are processed through the HWPS Division pursuant to the Appeal Policy found in HWPS Division Office and Support Center, CNM Main Campus, Jeannette Stromberg Hall, Room 310. A copy of the Appeal Policy shall be provided with the determination memo.
- C. Removal from a course pursuant to this Policy shall not affect the student's other courses or, standing alone, be cause for removal from an HWPS program. Students may be required to withdraw from co-requisite program courses. Students removed from a course pursuant to this policy may re-enroll in the course at the next enrollment opportunity, subject to space availability and subject to any HWPS limitations on the number of times a student may repeat courses. (See the program handbook for program-specific information regarding course repetition.) Students re-enrolling in a clinical, internship or cooperative education course at a Site after prior removal pursuant to this Policy must develop a Success Plan prior to re-commencing the course.

VII. Success Plan.

Students who fail to attain and demonstrate Essential Skills appropriate to the Site, who are allowed to return to the Site or who are transferred to another Site pursuant to this Policy, may be required to develop a Success Plan which outlines individualized objectives and plans for improvement as a condition of continuing their educational experience at the Site. Students planning to re-enroll in a course after removal pursuant to this Policy are required to develop a Success Plan prior to re-enrolling. The Success Plan will be developed in collaboration with the Program Director/designee, the student and the HWPS Achievement Coach. The Program Director/designee must approve, sign and date the Success Plan. The student will sign and date the Success Plan and will be given a copy of the signed documents. Students who are subject to a Success Plan shall meet at least once per week with the program director/designee to review the student's status and progress.

VIII. Confidentiality.

The details and all communication related to any removal pursuant to this policy shall be kept confidential, subject to the contractual requirements of individual Sites. If an incident involves more than one student, each student's case shall be investigated, evaluated and decided individually.

VII. Other Policies.

- A. **CNM Policies:** Incidents that occur in a standard CNM Campus classroom or laboratory shall be considered under appropriate CNM policies which include but are not limited to the Student Code of Conduct, Academic Dishonesty, Information Technology Use, Substance Abuse, and Sexual Harassment policies. The administrative official for the respective policy will be notified if an alleged violation occurs.
- B. **Suspected Impairment:** Students suspected of impairment shall be subject to the HWPS Suspected Impairment Policy.
- C. **Attendance in courses conducted at an off-campus Site or at an on-campus laboratory serving clients/patients.** Attendance requirements and consequences for not meeting them for shall be clearly stated in the course syllabi and/or program handbooks. Students may be removed from the Site or withdrawn from the course by the Program Director/designee for not complying with stated program attendance requirements. A progressive and timely **System of Communication**, to include a verbal and written notice to the student, will be used to notify students of attendance issues that could compromise their enrollment status in the course. Students who have received an attendance notice are strongly encouraged to develop a Success Plan with the HWPS Achievement Coach, Instructor and/or Program Director. Students removed from the Site for attendance reasons may submit an appeal to the program. See the Program Director for more information.

Appeal of Student Removal from an Off-Campus Instructional Site or On-Campus Laboratory that Serves Clients/Patients

Health, Wellness, & Public Safety (HWPS) Division has a “Student Removal from an Off-Campus Instructional Site or On-Campus Laboratory that Serves Clients/Patients Policy.” Students removed **for the duration of a course** pursuant to aforementioned policy have the right to appeal the decision as described in this Policy.

- I. Student Appeal Request
 - A. The student initiates the appeal in writing by using the “Appeal Request Form.”
 - B. The Appeal Request Form must be submitted to HWPS Office within two business days of receipt of the written notice of removal. The form must be signed by the student and be accompanied by written justification to support the appeal.
 - C. All documentation to be considered during the appeal hearing must be submitted **by 12:00 noon, one business day** prior to the appeal hearing. The documentation will be time stamped showing the time of submission. The person submitting the documentation will be required to initial the time stamp.
 - D. Upon receipt of the Appeal Request Form and at the earliest possible convenience, the HWPS Dean or Associate Dean will review the appeal request with the student and discuss the appeal process.

- II. Appeal Hearing Panel and Documentation
 - A. Within five business days of the receipt of the Appeal Request Form, the HWPS Division will appoint a three member panel to conduct the appeal hearing and schedule the appeal hearing. The panel will be composed of two HWPS faculty members and one HWPS student. One of the faculty members will serve as the chair. The chair cannot be a faculty member in the program from which the student has been removed.
 - B. The appeal hearing will be scheduled by the HWPS Office (JS 310, 224-4111), and all parties will be notified of the date, time and location of the hearing.
 - C. Each party must submit all documentation and a list of witnesses who will provide testimony at the hearing no later than 12:00 noon, one business day prior to the appeal hearing. The documentation will be time stamped showing the time of submission. The person submitting the documentation will be required to initial the time stamp.
 - D. Witnesses must have first-hand knowledge that relates directly to the reason(s) leading to the student’s removal.
 - E. All documentation will be available after 12:00 noon one business day prior to the hearing for review by the program director/designee, instructor, and student associated with the removal.
 - F. Members of the appeal panel will NOT be allowed to review the documentation submitted for the hearing until one hour prior to the scheduled hearing.
 - G. Members of the appeal panel will maintain confidentiality prior to and following the appeal hearing.

- III. Appeal Hearing
 - A. The hearing will be tape recorded.
 - B. The student will be allowed to have one guest present during the hearing; however, the guest may not participate in the hearing. The guest will be required to sign a “Guest Agreement Form.”
 - C. The student and a program representative, in that order, will be given an opportunity to make opening statements.
 - D. The appeal panel chair will call the witnesses to provide testimony relating to their first hand knowledge of the reason(s) leading to the student’s removal. One witness at a time will be called into the hearing room by the panel chair. Witnesses may only be present in the hearing room for the duration of their testimony. Each witness will be asked to give a brief statement. Any appeal panel member may ask questions of the witness.
 - E. After all of the evidence/testimony has been presented, the appeal panel will deliberate in a closed session, and a majority decision will be made to uphold or overturn the removal. The deliberation will not be tape recorded.
 - F. The appeal panel chair will call the student and the program director into the hearing room to communicate the panel’s decision. The Appeal Request Form will be completed by the panel chair and signed by the panel members and the student. The student will be given a copy of the Appeal Request Form.
 - G. If the removal is overturned, the student will be referred to the program director to discuss the process to return class. If the removal is upheld, the student will be advised to meet with the program director to discuss next steps.
 - H. The appeal panel chair will deliver the documentation, signed Appeal Request Form and the recording of the session to the HWPS Office.
 - I. If requested, the panel chair will meet with the Dean or Dean’s designee to discuss the proceeding.

IV. Other Policies

Violations of CNM's Academic Dishonesty Policy or Student Code of Conduct are subject to the appeal processes set forth within those policies. Final grade appeals are governed by the "Grade Appeal" process. See current CNM Catalog for more information about the CNM policies.

Signature of Student

I, (print or type student name) _____

hereby appeal my removal and understand that the appeal panel may consider my program history to include:

- Clinical evaluations throughout the program;
- Prior written notices for failure to attain and demonstrate essential skills or for a serious incident;
- Documented violations of CNM, HWPS or Site policies;
- Documented notices for attendance;
- Documented course removals.

Student's Signature: _____ Date and Time: _____

Appeal Received by: _____ Date: _____ Time: _____

FOR OFFICE USE ONLY

APPEAL HEARING

Date: _____ Time: _____ Location: _____

APPEAL PANEL MEMBERS:

Member (chair): _____ / _____
Printed Name *Signature*

Member (faculty): _____ / _____
Printed Name *Signature*

Member (student): _____ / _____
Printed Name *Signature*

DECISION:

- Removal OVERTURNED (conditions may be attached).
- Removal UPHELD (rationale given below)
- Other (attach extra pages if needed):

Rationale for decision:

Decisions made by the Appeal Panel are not subject to further appeal within the School of HWPS.

Student's Signature _____ Date: _____

Dean/Designee Signature _____ Date: _____

Distribution: Original to HWPS file; copy to student; copy to Program Director

**CENTRAL NEW MEXICO COMMUNITY COLLEGE
HEALTH, WELLNESS & PUBLIC SAFETY DIVISION
APPEAL HEARING AVAILABILITY FORM**

To: HWPS Administrative Coordinator (Deliver to JS 310, Phone 224-4111)

From: _____ (student's name)

Date _____

Re: STUDENT AVAILABILITY FOR APPEAL HEARING

I am requesting to appeal my Student Removal from a Course. The dates and times I am available for an appeal hearing are given below (these cannot conflict with scheduled class or lab time). I understand that all supporting documentation must be submitted no later than 12:00 noon, one business day prior to the hearing.

	Date	Time
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____

I understand that a mutually acceptable time is necessary for the program representatives as well as members of the appeal panel. I also understand that I will NOT be given another opportunity to appeal my removal.

Student Signature _____ *Date*

Student e-mail address _____ *Phone #*

Program and Course Information

HEALTH, WELLNESS, & PUBLIC SAFETY DIVISION OFFICE USE ONLY

Date & Time Received: _____ Received by: _____

If hearing not scheduled at one of the above times, please explain: _____

**CENTRAL NEW MEXICO COMMUNITY COLLEGE
HEALTH, WELLNESS, & PUBLIC SAFETY DIVISION**

APPEAL HEARING GUEST AGREEMENT FORM

The student may have one guest present during the appeal hearing. The guest may not participate in the appeal hearing. The student must submit this form to the HWPS Office in JS 310, no later **than 12:00 noon, one business day** prior to the hearing.

Please print clearly.

STUDENT'S NAME: _____

GUEST'S NAME: _____

To be Completed by the Guest:

I understand that I may NOT participate in the hearing. I also understand that if I do not comply with this policy, I will be asked to leave the hearing room and the proceedings will be suspended until I leave the room. No warnings will be given.

I agree to will comply with this policy.

Guest Signature

Date

CENTRAL NEW MEXICO COMMUNITY COLLEGE
HEALTH, WELLNESS, & PUBLIC SAFETY DIVISION
Student Removal for the Duration of a Course/Appeal

Instructor of the Course Checklist and Information Guide

Only the HWPS Dean or Associate Dean has the authority to remove a student for the duration of the course.

REMOVAL POLICY (excerpt):

III. Failure to Attain and Demonstrate Essential Skills Appropriate to the Site

- A. When a student fails to attain and/or demonstrate Essential Skills appropriate to the Site, a progressive and timely **Communication System** will be used to notify the student. The **Communication System** will include:
 - 5. a verbal notice to the student.
 - 6. a written notice to the student along with the development and implementation of a Success Plan. See Section VII of this document for information about the Success Plan.
 - 7. The student meeting regularly with the program director/designee to discuss his/her progress in relation to individualized objectives and plans for improvement included in the Success Plan.
 - 8. If the student fails to meet the conditions of the Success Plan, the Program Director or designee will meet with the student to provide notice to the student that the conditions of the Success Plan are not being met. The student will be given an opportunity to respond. Failure to meet the conditions of the Success Plan may result in a failing grade or removal from the Site for the duration of the course.
- D. When a student fails to meet the conditions of the Success Plan and his/her continued attendance at the Site is reasonably likely to present a risk to patient, employee, other student's safety or welfare, or to the integrity of the Site's services, the student may be temporarily removed from the Site by the Program Director.
- E. An investigation will be conducted and a determination will be made pursuant to Section V of this Policy.

IV. Temporary Removal for a Serious Incident

- G. As soon as possible after the incident, the instructor will meet privately with the student to explain why he/she may be temporarily removed from the Site.
- H. The student will be given an opportunity to respond.
- I. After the meeting with the student and consideration of the student's response, the instructor may decide to immediately and temporarily remove the student from the Site for the session.
- J. If the decision of the instructor is to temporarily remove the student from the Site, the student shall be informed verbally that they must leave the Site for the remainder of the session and to not attend any subsequent sessions until they receive further instructions from the Program Director/designee. The instructor shall obtain current contact information from the student and shall provide that information to the Program Director/designee.
- K. The instructor will notify the Program Director/designee as soon as possible after the incident.
- L. The instructor will document the incident and the student response and provide the documentation and any related evidence to the Program Director/designee within 24 hours of the incident.

INSTRUCTOR CHECKLIST

- Meet privately with the student and explain in detail why you are considering temporarily removing him/her from the Site for a serious incident.
- Give the student an opportunity to respond.** After considering the student's response, you may determine that the student should be temporarily removed from the Site for the session. Inform the student that he/she should leave the Site. Tell the student you will be reporting the matter to the program director/designee and inform the student to not attend any subsequent Site sessions until he/she receives additional instructions from the program director/designee.
- Immediately notify the program director of the temporary removal of the student for the session. This can be done verbally. If you cannot reach the program director/designee, contact the HWPS Office at 224-4111. If the program director is the instructor, report the matter to the Dean or Associate Dean.
- Develop written documentation and all evidence that provides a detailed rationale for the removal.
- Within one business day (no more than 24 hours following the removal), present all documentation and evidence to program director or Dean/Associate Dean. The documentation must be signed and dated. Be available to discuss the matter with the program director, Dean or Associate Dean.

Only the HWPS Dean or Associate Dean has the authority to remove a student for the duration of the course.

If, after investigation and consultation with the program director, the student and other relevant personnel, the HWPS Dean or Associate Dean determines that the student is reasonably likely to present an ongoing risk to patient, employee, student safety or welfare, or the integrity of the Site's services, the student may be removed from the Site for the duration of the course. This may result in failure of the course.

If the student chooses to appeal the removal for the duration of the course:

- You will receive notice of the appeal from the HWPS office (Dean, Associate Dean or administrative coordinator). You will be asked to provide dates and times of your availability for a hearing. Once the hearing has been scheduled, you will be notified of the date, time and location of the hearing.
- Provide all additional written documentation to HWPS Administrative Coordinator/designee by 12:00 noon, one business day prior to appeal date. (Examples of documentation: notices given to the student, anecdotal notes, etc.). You should coordinate with the program director so this effort is not duplicated.
- After 12:00 noon, one business day prior to hearing, the program director/designee, instructor and student may review all documentation that has been submitted for the hearing. This documentation will be in the possession of the administrative coordinator/designee in the HWPS office, JS 310.
- If you will be testifying or representing the program at the hearing, arrive on time for the hearing and be prepared to summarize the events leading to the removal and respond to questions from the appeal panel. Appeals generally take a minimum of approximately 90 minutes, so you will need to be available during this time.

**CENTRAL NEW MEXICO COMMUNITY COLLEGE
HEALTH, WELLNESS, & PUBLIC SAFETY DIVISION**
Student Removal for the Duration of a Course/Appeal

PROGRAM DIRECTOR CHECKLIST

- Discuss the removal with the instructor. Tell the instructor that written documentation containing justification for the removal must be submitted to you within 24 hours of the removal.
 - Meet with the student to discuss the reason for the removal and **give the student an opportunity to respond**. Document the meeting.
-

If you determine that the student may return to the site without further action:

- Communicate the decision to the instructor(s) and the student.
- Determine if the student will return to the same site or another appropriate site.
- Determine if student must have a Success Plan. If you determine that the student does need a Success Plan, notify the HWPS achievement coach. Schedule a meeting with the student, the HWPS achievement coach and yourself to develop a Success Plan.
- Meet with the student to discuss the decision and next steps. The instructor may be included in this meeting.

It is not necessary to complete the remaining items.

If you determine that the situation requires more investigation:

- Communicate this determination to the instructor and to the student.
 - Conduct an investigation which shall include a discussion with any relevant personnel and the student. The investigation may also include, but shall not be limited to, discussions with instructors or supervisors directly involved with the student, preceptors or other Site employees, and other students having knowledge of the reason the student has been temporarily removed from the Site. All conversations and interviews must be documented.
 - If the investigation results in a decision to return the student to the site, see section above.
 - If the investigation results in evidence to support the possible removal for the duration of the course, submit all documentation and evidence from the investigation to the HWPS Dean or Associate Dean.
 - Communicate the decision to the instructor(s) and the student.
-

If the HWPS Dean or Associate Dean's decision is to **remove the student for the duration of the course and the student chooses to appeal the decision**:

- Prepare documentation from the student's program history for consideration at the appeal hearing. This documentation must be submitted to the HWPS Office no later than 12:00 noon, one business day prior to the appeal hearing. Be prepared to meet with the Associate Dean or Dean to discuss the documentation.
 - Submit all documentation and a list of witnesses who will be called to provide testimony at the hearing no later than 12:00 noon, one business day prior to the appeal hearing. The documentation will be time stamped showing the time of submission. The person submitting the documentation will be required to initial the time stamp. All documentation will be available after 12:00 noon one business day prior to the hearing for review by any party directly involved with the appeal hearing.
 - Upon request from the Administrative Coordinator/designee, identify a student and, when possible, three program faculty members to participate on the appeal panel (only one will actually serve on the panel).
 - Be available to provide a summary statement and testimony at the appeal hearing. Appeals generally take a minimum of approximately 90 minutes, so you will need to be available during this time.
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After the appeal hearing:

- Regardless of the outcome of the appeal, be available to meet with the student to discuss and implement the next steps.

CENTRAL NEW MEXICO COMMUNITY COLLEGE
HEALTH, WELLNESS, & PUBLIC SAFETY DIVISION
Student Removal for the Duration of a Course/Appeal

DEAN OR ASSOCIATE DEAN CHECKLIST

- Discuss the removal with the program director.
- If, after an investigation and consultation with the program director, other relevant personnel and the student is completed, the HWPS Dean or Associate Dean will make a determination. The determination may be that the student should return to the Site or another appropriate Site or the student is reasonably likely to present an ongoing risk to patient, employee, student safety or welfare, or the integrity of the Site's services, the student may be removed from the Site for the duration of the course.
- Meet with the student and inform him/her verbally and in writing of the determination. If the determination is to remove the student for the duration of the course, inform the student of their right to appeal, explain the process and provide the student with the required forms and instructions.

If the student chooses to Appeal the determination:

- Meet with the student and review the student's Appeal Request Form and written justification. The student **MUST** provide written justification for the appeal.
- Explain the appeal process to the student.
 - Explain process of having witnesses testify at the hearing. If the student wants to use an employee from the Site as a witness, ask student to provide the name(s) of the employee(s) and the questions that the student would like addressed. (A HWPS representative should contact the employee for their statement. Students should be told that they are NOT to go to the Site and solicit statements or ask the employees to testify on their behalf).
 - Tell the student that that all documentation and a list of witnesses must be submitted by 12 noon, one business day prior to the appeal hearing.
 - Refer the student to the Administrative Coordinator/designee to complete the "Availability for Appeal Hearing" memo.
 - Remind the student that they are responsible to check their phone messages or e-mail daily, so they can be notified of the hearing date, time and location.
 - Remind the student that if they have not heard from the Administrative Coordinator/designee within **two** days, they are to call the Administrative Coordinator 224-4111 to inquire about the date, time and location of the appeal hearing.
 - Explain that the student may have one guest present during the hearing. The guest may not participate in the hearing and must sign a guest agreement form. Give the student a copy of the "Guest Agreement Form" and tell them that this form must be submitted along with other documentation by 12 noon, one business day prior to the appeal hearing.
- Deliver appeal documentation to the Administrative Coordinator/designee, who, in consultation with you, will identify the appeal panel members and set up the hearing.
- Be available during the time of the appeal hearing if consultation is needed by the appeal panel.
- Debrief with the panel chair after the appeal hearing.

CENTRAL NEW MEXICO COMMUNITY COLLEGE
HEALTH, WELLNESS, & PUBLIC SAFETY DIVISION
Student Appeal of Removal for the Duration of a Course

STUDENT CHECKLIST

- Receive notice of removal in writing from the HWPS Dean or Associate Dean.
- Discuss options with Dean/Associate Dean. One option is to appeal the removal.
- If you choose to appeal the removal for the duration of the course, make an appointment to meet with the Dean or Associate Dean to submit and discuss the Appeal Request Form.

Appealing the Removal for the Duration of the Course

- You must request an appeal within **two business days of receiving the written notice of removal**. The request must be submitted on the HWPS Appeal Request Form to the HWPS Office, JS 310, 224-4111. You must include written justification when you submit the Appeal Request Form. You may FAX the Appeal Request Form and written justification to 224-4120. Fax the form to the attention of the “HWPS Administrative Coordinator.” When you submit your appeal request, schedule a meeting with the Associate Dean to discuss your request and the written justification.
- Prepare your appeal documentation **PRIOR** to meeting with the Dean or Associate Dean.
- After meeting with the Dean or Associate Dean, see the Administrative Coordinator/designee in JS 310 to complete the “Student Availability for Appeal Hearing” memo, which requests four dates and times that you are available for the appeal hearing. Hearings will not be scheduled during classroom or laboratory class times. Provide a phone number and an email address where you can be reached. You will be contacted by the Administrative Coordinator/designee with detailed information concerning the date, time and location of the hearing. If you have not heard from the Administrative Coordinator/designee within two business days, call 224-4111 for updates.
- You may have witnesses to testify on your behalf during the appeal hearing. Witnesses must have first-hand knowledge that relates directly to the reason(s) leading to your removal. Character witness will not be allowed to testify at the hearing. If you want an **employee from the Site** to provide testimony or a statement, please provide the name of the employee and the specific questions you want to ask. A HWPS Division representative will contact the employee at the site on your behalf. Students are NOT to go to the instructional Site and solicit written statements or ask the Site employees to testify.
- Submit all documentation and a list of witnesses who will be called to provide testimony at the hearing no later than **12:00 noon, one business** day prior to the appeal hearing. The documentation will be time stamped showing the time of submission. The person submitting the documentation will be required to initial the time stamp. All documentation will be available after 12:00 noon one business day prior to the hearing for review by any party directly involved with the appeal hearing.

Appeal Hearing

- Hearings last approximately 90 minutes, and you must be available during this entire time.
- After **12:00 noon, one business day** prior to hearing, the student may review all documentation that has been submitted for the hearing. This documentation will be in the possession of the Administrative Coordinator/designee in the HWPS office, JS 310.
- Appear at the hearing at the designated time and be prepared to provide a brief statement in support of your position and answer questions from the panel members. Any member of the appeal panel may ask questions. **If you do not attend the hearing as scheduled, you forfeit your right to an appeal and the removal will be upheld.**
- Meet with the program director to discuss next steps.

CENTRAL NEW MEXICO COMMUNITY COLLEGE
HEALTH, WELLNESS, & PUBLIC SAFETY DIVISION
Student Appeal of Removal for the Duration of a Course

ADMINISTRATIVE COORDINATOR/DESIGNEE CHECKLIST

- Obtain a copy of the Appeal Request Form and appeal justification from the HWPS Dean or Associate Dean.
- Create and maintain a file for the documentation related to the hearing. All documents received must be time stamped and be given a tracking number. All documentation must be submitted no later than **12:00 noon, one business day** prior to appeal hearing. All documentation must be available for review by the program director/designee, instructor and student. Prepare 3 folders (one original and 2 copies) to include all documentation, a copy of the CNM Student Code of Conduct, a current copy of the program handbook, and copies of any relevant HWPS policies. Folders are not to be removed from the HWPS Division office except for during the appeal hearing. The folders and all contents must be returned to the HWPS Division Office at the conclusion of the hearing by the chair.
- Consult with the Dean or Associate Dean to identify a faculty chair for the appeal panel. The chair will be selected from a list of trained chairs (based on availability).
- Have the student complete the "STUDENT AVAILABILITY FOR APPEAL HEARING" memo. Make sure that you get current contact information for the student and remind the student to be checking messages often for information related to the appeal.
- Identify the panel members and schedule the hearing. Contact the program director to get the names of faculty and a student to be members of the appeal panel. (Ideally, the program director can give you the names of 3 faculty from program to allow for scheduling – only one will actually be on the appeal panel.)
- Reserve a room for the appeal hearing allowing at least 3 hours for the proceedings. The panel will need to use the room for at least 30 minutes prior to the hearing to review all of the documentation and evidence. Choose a room with appropriate privacy, space and preferably with an appropriate waiting area for the witnesses.
- Reserve tape recorder from IMR. Provide a blank tape for the hearing.
- Notify all parties of the date, time and location of the hearing. Remind the members of panel that they will meet 30 minutes prior to the hearing.

II. The Day Prior to the Hearing

- Prepare folders containing all appeal documents and evidence and ensure that they are available for review by those personnel directly involved in the appeal hearing.
- Make arrangements to have chilled water bottles in the hearing room for the hearing.

III. Day of Hearing

- Deliver the folders containing all of the appeal documentation and evidence and a blank audiotape to the appeal chair approximately one (1) hour prior to the appeal hearing time.
- Check on the meeting room and waiting area to make sure they are ready for the hearing (i.e. tape recorder, tables, chairs, chilled water, etc.)
- After the hearing, all documentation and the audiotape will be returned to the HWPS Division office and filed.
- Enter appeal hearing information into the division database for appeal hearings.

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CHAIR OF THE APPEAL PANEL CHECKLIST

The Chair of the Appeal Panel has the responsibility to provide a professional environment for the appeal hearing and ensure that all parties have equal opportunity to present their side of the matter.

The Day of the Appeal Hearing (Prior to the Hearing):

- One hour prior to the hearing, get copies of the appeal folders containing all appeal documentation/evidence from the Administrative Coordinator/designee and verify the location of the appeal hearing. The room should be free from distractions and allow for appropriate privacy.
- At least 30 minutes prior to the hearing, Meet with appeal panel to explain the protocol for the hearing and review the contents of the appeal folders.

Appeal Hearing

- Confidentiality must be maintained at all times.
- Ask the student, the student's guest (if a Guest Agreement has been completed and submitted along with the other appeal documentation) and program representative into the room. Witnesses should be asked to wait outside the room.
- Remind the guest that they may not address the panel nor can they speak on behalf of the student. The guest may speak briefly and quietly directly to the student during the hearing. The guest must have read and signed a statement prior to the hearing verifying that they understand the guest policy and agree to follow it. Guests who do not abide by the policy will be asked to leave the hearing. If a student brings a guest without submitting the required "Guest Agreement Form," the chair may use his/her discretion about allowing the guest to stay with the student. If allowed to stay they must complete the Guest Agreement Form to be allowed to stay.
- Explain that the hearing will be tape recorded.
- Turn on the tape recorder.
- Describe the appeal hearing procedure and protocol.
- Introduce yourself and ask others present to do the same.
- The Chair states on the record that the panel has reviewed the written documentation and evidence and briefly summarizes the reason for the hearing.
- The chair asks the student and then the program representative to each give a brief summary.
- The chair then calls the witnesses one at a time into the hearing room. Witness will be given an opportunity to make a brief statement. Then any member of the appeal panel can address questions to the witnesses. Witnesses should be excused from the hearing room once their testimony is finished.
- The Chair asks everyone but the panel members to leave the room while the panel meets in closed session. The student and program representative are asked to stay near the hearing room. They will be asked back into the room when the panel has reached a decision.
- The tape recorder is turned off. The panel members discuss the information presented in the documentation and during the hearing. The value of the student member of the panel is explained and the student is encouraged to speak first. After everyone has had a chance to express their views, the panel members are asked to vote to either uphold or overturn the removal. The decision is determined by a majority vote. All panel members are asked to sign and date the appeal form.

- The program representative and student are asked to come back into the room. When everyone has returned, the tape recorder is turned on. The panel's decision and rationale are relayed by the chair. The chair should ask the student if he/she has any questions. The student is asked to sign the appeal document and is given a copy. The student is then referred to the program director and/or the Associate Dean. The meeting is concluded, and the tape recorder is turned off.

Post Hearing

- A debriefing is given to the program director and/or instructor directly following the hearing. In addition, a debriefing is given to the Dean/designee within two (2) business days.
- All events, including the debriefing, are to be documented and filed in the HWPS Division Office. Submit all documents to the Administrative Coordinator.