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COLLEGE OF HEALTH SCIENCES GUIDELINES AND PROCEDURES  
FOR STUDENT ACADEMIC APPEALS

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### References

UW Regulation 2-121, Change of Grades  
UW Regulation 2-114, Student Academic Dishonesty  
UW Regulation 2-117, Course Syllabus Requirement

### Philosophy

Students have the right to expect thoughtful, non-capricious evaluation of their academic performance. Academic standards and approaches to grading may vary across colleges, units, and instructors. Grading policies should be clearly articulated in course syllabi as specified in University Regulation 2-117.

The College of Health Sciences encourages resolution of academic disputes at the level closest to the issue. Often these disputes can be resolved when a student and instructor engage in reflective and respectful deliberation about the academic issue. Instructors may change grades if they have made an error in calculating or reporting the grade as specified in University Regulation 2-121.

Each academic unit in the College of Health Sciences shall have written procedures for resolution of student disputes arising from decisions or actions of faculty, staff and/or administrators. Any student or group of students shall have the right to use these procedures within the appropriate unit. If the student is not satisfied with the outcome, the appeal may be forwarded to the dean/director of the appropriate unit and will proceed according to the appeals procedures outlined within the unit.

A formal appeal should be considered carefully by the student before submission to the College of Health Sciences and should be based on substantial evidence. Prior to filing a formal grade appeal, the student should exhaust all channels of relief at the level closest to the issue (e.g., division/school)

### Grounds for Appeal:

The right of student appeal at the college level is limited to allegations of prejudice, capricious or arbitrary academic evaluation or capricious or arbitrary treatment.

*Prejudice:* adverse, preconceived judgment about the student based on personal characteristics or group membership.

*Capricious evaluation:* applying different standards of evaluation to members of the same course without legitimate reason; or grading assignments or assigning course grades in a manner inconsistent with the articulated standards of evaluation for the assignment or course.

*Capricious treatment:* unpredictable or inconsistent actions that affect the student in an adverse way.

For an appeal to be successful, one of these conditions must be clearly evident to impartial committee members who are not in the field of study in the class. The burden of proof is on the student. These accusations are serious and students should consider their ability to document prejudice, capricious evaluation, or capricious treatment before proceeding. By the same token, students have the right to raise an appeal and expect that every effort will be made to resolve it in accordance with these guidelines, without prejudice or fear of reprisal

**The guidelines included in the following sections pertain to College-level appeals other than those that involve charges of academic dishonesty or allegations of discrimination based on a protected class. Policies and procedures involving cases of academic dishonesty fall under the jurisdiction of University of Wyoming Regulation 2-114. Students and faculty involved in appeals of academic dishonesty charges are directed to University Regulation 2-114 for the proper procedures to follow. Any allegations of discrimination or retaliation based on a protected class as defined in UW Regulation 4-2 will be referred to the University's Equal Opportunity Report and Response unit and will not be heard under the processes set forth in this College appeal policy.**

### Jurisdiction

When the Dean of the College of Health Sciences believes that a formal hearing panel would be useful to resolve the dispute, a College of Health Sciences Student Appeals Board (CHSSAB) will be structured as described below. The Dean of the College of Health Sciences may also elect to reconcile the problem informally or render a decision based on the record in lieu of a formal hearing. Notice of resolution or decision without Board review should be forwarded to all parties within 15 business\* days of receipt of the formal appeal.

#### College of Health Sciences Student Appeals Board

The Student Affairs Committee shall serve as the Health Sciences Student Appeals Board (HSSAB) as specified in the bylaws of the College of Health Sciences. The HSSAB is comprised of academic personnel (elected to serve three-year staggered terms) and students (appointed from each academic unit) who serve one year terms.

The Chairperson of the HSSAB shall be the current chairperson of the Student Affairs Committee. This individual will be elected by the members of the Board. Exception: When the chairperson is a faculty member of the unit where the grievance originated, another Student Affairs member not associated with the unit must chair the HSSAB.

#### Basic Authority and Responsibilities

1. The HSSAB shall have the final authority in procedural matters.
2. The HSSAB may recommend affirmation or reversal of the decision being appealed, and may make such recommendations for further actions as it may deem appropriate.
3. The HSSAB will forward its recommendation(s), including detailed facts and findings, to the Dean of the College of Health Sciences, along with a record of the hearing proceedings within five (5) business\* days of the hearing but may be extended on a case-by-case basis by the University in its discretion and depending upon the circumstances of the appeal.

### Procedures

#### 1. Initiating the Appeal (Timeframe)

- a. The appeal must be submitted by the student to the Dean of the College of Health Sciences or designee no later than fifteen (15) business\* days after the student receives the decision of the School's/Division's Appeals Committee from the Director/Dean or designee. If the decision is received on a date that will not allow for a timely appeal in the current academic term, the timeline may be extended by the Dean of the College of Health Sciences or designee to the following academic term.
- b. If no settlement can be reached at the division/school level, the student may elect to follow the formal appeals process.
  - i. For appeals of final grades, the written appeal must be submitted to the Dean of the

College of Health Sciences, no later than fifteen (15) business\* days after the first day of classes of the semester following that in which the action being appealed occurred. If the action being appealed occurred during the spring semester, the student has the option of appealing in either the summer session or the following fall semester.

- ii. For appeals of grades given during a semester, the written appeal must be submitted to the Dean of the College of Health Sciences, no later than fifteen (15) business\* days after receipt of the grade.
- c. Within fifteen (15) business\* days of the receipt of a written appeal, the Dean of the College of Health Sciences, along with the Associate Dean for Student Affairs, shall determine whether the appeal is within the jurisdiction of the Board.
- i. If the appeal does not fall within the jurisdiction of the board, the Associate Dean for Student Affairs shall notify the student that the board will not hear the matter due to a lack of jurisdiction.
  - ii. If the appeal is within the jurisdiction of the HSSAB, the Associate Dean for Student Affairs shall notify the student and the appellee\*\* (instructor, school/division) and include a notice of the time and place of the hearing.

## 2. Filing the Appeal

A written appeal shall consist of a letter to the Dean of the College of Health Sciences, presenting the action being appealed, the basis of the appeal, and any supporting documents. The written appeal must include the following:

- a. Evidence that all normal channels of relief in the School/Division for adjustment of the action being appealed have been exhausted,
- b. A copy of the decision rendered by the School's/Division's Appeals Committee with the date of such decision and the date that the student received notification of the decision must be included in the appeal.
- c. The specific bases of the appeal. (See above for legitimate grounds for appeal which must be demonstrated by the student in the written materials.)
- d. A step-by-step description of the factual matters of the case, including documentation of the student's attempts to resolve the matter through normal channels of relief at the School/Division level.
- e. Relevant course materials (e.g., a complete copy of the course syllabus plus any amendments, grading rubrics, etc.)
- f. A list of any witnesses (if any) student intends to call at the hearing.

## 3. Notification of the Hearing

The Associate Dean for Student Affairs will provide the appellee with a copy of the written appeal, any supporting documents, and a list of student's proposed witnesses. The appellee may make a written reply to the HSSAB. The appellee must also notify the HSSAB of any witnesses' the appellee intends to call at the hearing. The appellee's written reply will be presented to the Board along with the student's written appeal at least three (3) business\* days before the meeting. The Dean or designee will provide a copy of the reply to the student along with names of witnesses for the appellee.

## 4. Hearing

The Associate Dean for Student Affairs will schedule a hearing and inform all parties and the HSSAB of the date, time, and place.

## 5. Disqualification of Members

Any member of the HSSAB may recuse him or herself or request any other member be disqualified for just cause, by notifying the Associate Dean for Student Affairs at least two (2) business\* days before the hearing. Either student or appellee may request that a member be disqualified for just cause by providing a written request to the Associate Dean for Student Affairs at least five (5) business days before the scheduled meeting. The decision to disqualify is made by the Dean of the College of Health Sciences.

## 6. Recorder

The Associate Dean for Student Affairs is assigned to compile and disseminate all applications and materials for board members to review. The Associate Dean for Student Affairs will record the hearings and its outcome and provide a copy of the recording to the student if requested. The recordings and related materials which comprise the case file will be forwarded to the Dean of the College of Health Sciences within five (5) business\* days.

## 7. Hearing Procedures

- a. The HSSAB shall have the final authority in procedural matters. Unless otherwise noted, the order for the proceedings will be:
  1. Student opening statement justifying the appeal (15 minutes maximum, 5 minute warning)
  2. Appellee opening statement (15 minutes maximum, 5 minute warning)
  3. Student response (10 minute maximum, 2 minute warning)
  4. Appellee response (10 minute maximum, 2 minute warning)
  5. Questions by HSSAB
  6. Final response by student (2 minute maximum)
  7. Final response by appellee (2 minute maximum)
- b. Hearsay is permissible with relevancy and credibility as determined by the HSSAB.
- c. Any party wishing to submit additional evidence or materials not previously submitted must make the request on the day of the hearing and the HSSAB in its sole discretion will rule on whether the late evidence is accepted.
- d. The student shall have the burden of proof by “substantial evidence” (evidence that a reasonable mind might accept as adequate to support a conclusion) that the decision or action was based on prejudice, capricious or arbitrary academic evaluation or capricious or arbitrary treatment.
- e. The parties may have a representative present, but this representative shall not speak on behalf of the party. *Both parties must notify the Associate Dean for Student Affairs if a representative will be present at least one (2) business\* days before the hearing.*
- f. Within the order of the proceedings, all parties may present witnesses at times they consider most appropriate. Witnesses will be permitted to testify for a period not to exceed 5 minutes, although the HSSAB may waive this time restriction. Written statements by witnesses may also be admissible as determined by the Associate Dean for Student Affairs. *Witnesses will be present during the hearing only when they are giving statement and answering questions.*
- g. In the course of any hearing, the HSSAB is authorized to request the appearance of any student, faculty, staff member, or other employee of the University as a witness or request additional evidence or materials it deems relevant to its decision.
- h. If the student or the appellee does not appear at the hearing, the written statements will be the entire presentation by that person and the HSSAB’s recommendation will be made accordingly based on the hearing and records before it.
- i. Hearings will not be adversarial in tone or fact. Rather, they will be conducted in a way that provides the HSSAB and all parties an opportunity to ensure that all pertinent information is heard.

- j. Immediately following the hearing, the HSSAB will take the matter under submission and retire to vote. This period of deliberation will not be recorded. A majority vote is required to reach a recommendation. The HSSAB will record its decision on the record but in no case will be required to record individual votes.
- k. The HSSAB's recommendation and summary of findings, along with supporting materials, will be submitted to the Dean of the College of Health Sciences within five (5) business\* days after the recommendation is reached.

#### 8. Implementation of Decision

- a. The Dean of the College of Health Sciences will review the materials and written record of the hearing along with the recommendation of the HSSAB.
- b. The Dean of the College of Health Sciences will make a decision regarding the case and will notify the parties of the decision in writing within ten (10) business\* days of receipt of the record and recommendation by the HSSAB.
- c. The Dean of the College of Health Sciences shall be responsible for implementing his/her decision.

#### 9. Further Appeal

If the student desires to appeal the College of Health Sciences decision, he/she must file an appeal with the Office of Academic Affairs within 10 business\* days of the receipt of the Dean of the College of Health Sciences notification of the decision. If an appeal is initiated by the student, the HSSAB findings report, including decision and all relevant materials, will be forwarded to the Office of Academic Affairs within 10 business\* days.

#### 10. Maintenance of the Appeals Record

A file of the appeal, consisting of the written evidence, a brief statement of the HSSAB decision, audio recording of hearing proceedings, and the Dean's decision will be compiled and retained in a secured location in the Office of the Dean of the College for 7 years from the date of the incident except in cases of suspension (10 years) and dismissal (permanent retention). All other copies of the written evidence shall be destroyed immediately following the hearing.

\* Business days refer to the academic calendar for the university and does not include University holidays or periods of closure.

\*\* Appellee is the party against whom an appeal is filed. In a grade appeal the appellee is typically the instructor or supervisor.

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