

COLLEGE OF ARTS AND SCIENCES
STUDENT APPEALS GUIDELINES AND PROCEDURES

Reference: Student Code of Conduct: UW Regulation 11-1
Regulation 2-110 Change of Recorded Grades

Definition: Appeals Coordinator: facilitates college-level resolution in cases of academic appeals and coordinates college-level hearings. The Appeals Coordinator is also an Associate Dean of the College.

Philosophy: The College of Arts and Sciences supports resolution of academic concerns at the level closest to the issue through thoughtful consultations among the parties involved. Instructors may change grades if they have made an error. Following an investigation and if circumstances are warranted, department heads, program directors, or the dean may change grades without the concurrence of the relevant instructor. These guidelines set forth due process for those instances when student appeal to the college level is necessary.

Jurisdiction: The Student Appeals Committee hears appeals on academic matter concerning grading in College of Arts and Sciences courses. These guidelines apply to both undergraduate and graduate students. Students may file an appeal after other channels of relief have been exhausted.

Grounds for Appeal: The following conditions are legitimate bases for appeal: prejudice toward the student (appellant), capricious evaluation, or capricious treatment. For the purposes of student appeals, these terms will be defined as follows:

Prejudice: an adverse, preconceived judgement 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, prejudice, capricious evaluation or capricious treatment must be demonstrable to reasonable committee members who are not in the field of study of the class. The burden of proof is on the student.

Prior to filing a formal grade appeal, the student should exhaust regular channels of relief. She or he should make a written request for reconsideration of the grade to the instructor and, if necessary, the department head. If the student subsequently files a formal grade appeal, documentation of these requests should be included in the appeal. Responses to these requests by the instructor and department head are discussed below and may form part of the rebuttal should the case come before a college committee.

Grades involve an unusually sensitive and complex area for students and faculty. Whereas the student has a right to expect thoughtful, non-capricious grading, varied standards and individual

approaches to grading validly exist in a university environment. Borderline grades can be especially difficult for clear-cut judgment by instructor and acceptance by the student. Appeals should be very carefully considered by the appellant before submission to the committee and should be based on substantive evidence. These accusations are serious and appellants should consider their ability to document prejudice, capricious evaluation, or capricious treatment before proceeding. Frivolous appeals are strongly discouraged, as they are time consuming for all parties involved.

Procedures: The procedures for appeal hearings will be as follows:

I. Student Filing the Appeal

1. Before the appeal comes to the committee, regular channels of relief must have been exhausted by the student. This process involves two steps.
 - a. The student must request, in writing, that the instructor reconsider the adverse academic evaluation. The student should address the grounds for reconsideration in the request.
 - b. Second, the student must request, again in writing, that the department head reconsider the grade in question. Materials including the request for reconsideration mentioned in 1.a, above, should be included.
 - c. In both cases, the student must allow adequate time for the instructor or department head to respond. Students appealing grades during the summer. Especially, must make allowances for instructors' plans and obligations (such as field research) that may delay a response. Instructors and department heads, in turn, must respond in a timely manner, keeping in mind the time limitations set forth in section VI, below.
2. If the student does not receive a positive response as indicated in I, above, and wishes to continue the appeal, the student must consult with the appeals coordinator; submit an application for appeal along with supporting documents, list of witnesses, and any other pertinent evidence. The written appeal should include:
 - a. The specific bases of the appeal. See above for legitimate grounds for appeal, which must be demonstrated by the student in the written materials. If the grounds are not stated explicitly in the written materials, the committee is directed to ascertain from the student the grounds at the beginning of the hearing.
 - b. A step-by-step description of factual matters of the case, including documentation of the student's attempts to resolve the matter through normal channels of relief.
 - c. A summary of the argument (optional).
 - d. A complete copy of the course syllabus and any amendments.
 - e. Copies of any relevant grading rubrics.

II. Selection of a Hearing Panel

1. The Appeals Coordinator will select at least two faculty members and one student to be on a specific hearing panel. The Appeals Coordinator will ascertain whether the selected members have any prior connection to either the student or the instructor,

which would be cause for recusal. The appellant and the appellee may object to any member selected by demonstrating that the person has potential bias toward one side or the other. Being a faculty member or student does not represent potential bias. The Appeals Coordinator serves as an ex-officio member of the hearing panel to facilitate its work

III. Notification of the Hearing

1. The Appeals Coordinator transmits a copy of the formal appeal to the appellee. The appellee responds in writing after receipt of the appeal. The appellant will be provided a copy of the response.
2. The Appeals Coordinator will schedule a hearing and inform all parties and the hearing panel of the date, time, and place.
3. The appeal, the response of the appellee, lists of witnesses, and any supporting documents of either party constitute the written evidence of the case. All evidence will be transmitted to both parties and the hearing panel members.

IV. Hearing Procedure

1. The parties to the appeal have a right to be present during the entire hearing except when the panel is involved in deliberations. Each party may have one advisor to accompany them. The advisor is not a spokesperson but provides advice and support. For the instructor, the advisor normally is the department head or program director. If an advisor /counsel is to be present, the Appeals Coordinator must be informed at least 24 hours prior to the hearing.
2. All parties will be allowed a reasonable time to make their statements. The order for the proceedings is as follows: Appellant's statement justifying the appeal; the Appellee's response; Appellant's rebuttal; Appellee's rebuttal; and the Appellant's final summary.
3. Within the order of proceedings, all parties may present witnesses at times they consider most appropriate. Witnesses will be permitted to testify for a period of time not to exceed five minutes, although the Hearing Panel may waive this time restriction. Hearing panel members may ask questions of the parties and witnesses at any time during the proceedings. Witnesses may be present in the hearing only while they give their own statements and answer questions.
4. Any additional evidence brought to the hearing is subject to acceptance or rejection by the hearing panel without the presence of the major parties. If accepted, copies of additional evidence will be provided to all parties and adequate time given to review the material.
5. Hearings will not be adversarial in tone or fact; rather, they will be conducted in a way that provides the hearing panel and major parties an opportunity to ensure that all pertinent information is heard.
6. Immediately following the hearing, the hearing panel will meet to deliberate and, by majority vote (using a secret ballot if any member requests), render a decision. The hearing panel may decide in favor of the appellant, in favor of the appellee, or may craft a compromise position. The written decision will be sent to the dean with a summary of the hearing panel's findings. The summary may include the majority and minority positions of the panel.

V. Implementation of the decision

1. The dean of the College of Arts and Sciences will approve or deny the decision of the hearing panel.
2. The dean will inform the parties to the appeal, in writing, of the hearing panel's decision and remedies to be implemented if he/she concurs with the decision, or inform the student of his/her denial of the decision.
3. In the case of an adverse decision for the appellant by the hearing panel with the dean's concurrence or by the dean, the dean will inform the appellant that the decision can be appealed to Academic Affairs (associate vice president) within 14 calendar days. If an appeal is initiated by the student, the college hearing panel decisions and findings report and all relevant materials will be forwarded to Academic Affairs within 14 calendar days.

VI. Time limitations in the appeals process

Appeal of a final semester grade must follow the rules in UW regulation 2-110, Change of Recorded Grade.

1. Appeal of a final semester grade from a course on the Laramie or Casper Center campus:
 - a. The student's appeal in writing (there is not a university form) must be received by the responsible instructor by the 10th class day of the fall or spring semester immediately following the term in which the grade was assigned. The instructor must either respond to the student in writing within 30 calendar days from the beginning of the semester with an explanation of why the grade will not be changed, or complete a Change of Grade form and return it to the registrar within 30 calendar days from the beginning of the semester. If the final grade was issued at the end of spring semester, by agreement with the student and the instructor, every effort will be made to accommodate a hearing in the summer.
2. Appeal of a final semester grade from a Flexible Enrollment course or Outreach course:
 - a. The student's appeal in writing (there is not a university form) must be received by the responsible instructor within 25 calendar days after the student received notification of the grade. The instructor must either respond to the student in writing with an explanation of why the grade will not be changed or complete a Change of Grade form and return it to the registrar within 75 calendar days after the grade was recorded by the registrar.
3. If communication with the responsible instructor is demonstrably impractical, the head of the department or director of the program concerned shall investigate the case and act upon the change of grade in the instructor's place. The same limitations in time shall apply. An appeal to the college must be filed with the Appeals Coordinator within 10 class days after receiving the head's or director's response.
4. Appeal of a grade received during a semester (not a final grade) should be discussed with the instructor and, if appropriate, the department head or program director promptly. An appeal to the college must be filed by the Appeals

Coordinator within 10 class days of the date that the student was notified about the grade.

5. The hearing panel will usually hold a hearing of the case within 30 calendar days of the receipt of the appeal by the Appeals Coordinator. In the case of special circumstances, the panel will hold a hearing as soon as feasible and ordinarily not later than 6 weeks after all parties have received the evidence.
6. If the appellant desires to appeal the college decision, he/she must file an appeal with Academic Affairs with 14 calendar days of the receipt of the dean's notification of the decision.

VIII. Maintenance of the Appeals Record

1. A file of the appeal, consisting of the written evidence, a brief statement of the hearing panel's decision, and the dean's decision will be compiled and retained in a locked vault in the Office of the Dean of the College of Arts and Sciences for two years. All other copies of the written evidence shall be destroyed immediately following the hearing.

February 2014