

College of Education

Student Appeals and Hearings for Academic Matters

The College of Education faculty and administration take issues related to academic matters seriously. We hold high standards for our students and our faculty. When concerns are raised that indicate a possibility of prejudice, capriciousness, or error, we make every effort to treat all parties with fairness and respect. The purpose of this document is to describe the appeal and hearing procedures for academic matters.

All students (undergraduate and graduate) have the right to appeal decisions related to academic matters (such as grading or removal from a course or program) as long as the appeal is limited to claims of prejudice, capricious evaluation or treatment, or error. An appeal grounded in allegations of discrimination on the basis of race, ethnicity, national origin, age, gender, disability status or veteran status will not be heard at the College level. Those issues are the purview of the EORR office, not the College of Education appeals committee.

Academic Matters and Process for Appeal

1. In a grade dispute, the student is **required** to first meet with the instructor of the course and document the outcome of that meeting.
2. When disputes cannot be settled between a student and a faculty member, the student is required to meet with the school director to present evidence of prejudicial or capricious evaluation or treatment, or error in grading. The school director will gather evidence from the instructor related to the matter, then make a determination. The decision will be communicated to the student and the instructor.
 - “Faculty member” may refer to an instructor of a course or a faculty member or a group of faculty members who have made an academic decision affecting the student.
3. If the student chooses to appeal the school director’s decision, they may bring the issue to the Associate Dean to begin the college-level appeal or hearing process.
4. The appeal to the Associate Dean must be within the term following a final grade being posted. The appeal must include: 1) the basis for the appeal (e.g. prejudice, capricious evaluation or treatment, or error); 2) a written, complete description of the problem; and 3) the steps taken to resolve the issue with the faculty member and school director. The appeal should be concise and focused, only containing information that is directly relevant to the described problem. Evidence that directly supports the appeal (e.g., email communication, graded assignments, course rubrics, syllabi may also be included).
5. The bases for appeal are limited to the following: prejudice toward the student, capricious evaluation or treatment, and error. For the purpose of student appeals, these

terms are defined as follows:

- Prejudice is an adverse, preconceived judgment about the student based on personal characteristics or group membership.
 - Capricious evaluation is the application of different standards of evaluation to others without legitimate reason. It may also involve grading assignments or assigning course grades in a manner inconsistent with the articulated standards of evaluation for the assignment or course.
 - Capricious treatment is an unpredictable or inconsistent action that affects the student in an adverse way.
 - Error occurs when the faculty member makes a mistake in evaluating the student.
6. The Associate Dean makes one of the following decisions after receiving the written appeal from the student:
 - a. The evidence for an appeal is sufficient. The Associate Dean continues the process and convenes the Student Appeals Committee for a hearing.
 - b. The evidence is insufficient for further consideration and the appeal is dismissed.
 7. If the Associate Dean determines the evidence is sufficient for an appeal process continue, the Associate Dean will provide a copy of the appeal to the faculty member. Within 10 working days of receiving the appeal, the faculty member may provide a written reply to the Associate Dean.
 8. The Associate Dean will provide a copy of faculty member's written reply to the student.
 9. The Associate Dean notifies the Appeals Committee chairperson, who will work with the Associate Dean to schedule the hearing at a time that is convenient to committee members, the student and the faculty member in accordance with the timeframes set below.

The Hearing Process for Academic Matters

Composition of the Committee: The Student Appeals Committee consists of three faculty members and two students (one undergraduate student and one graduate student). (See College of Education Bylaws for member criteria and terms.) If a committee member has a conflict of interest in a specific appeal case, the Associate Dean excuses him/her from the case and identifies a temporary alternate member.

Scheduling of the hearing: The hearing should be held within 45 working days (excluding

university holidays and summer) of the initiation date of the appeal. The Associate Dean will work with the Appeals Committee chairperson to facilitate scheduling the hearing.

Appeals hearings are typically conducted via video-conferencing.

Prior to the hearing: The Associate Dean will share the written materials from both the faculty member and the student with the members of the Appeals Committee at least five (5) working days prior to the scheduled hearing.

Both the student and faculty member must present their list of witnesses to the Associate Dean and the chair of the Appeals Committee at least five (5) working days prior to the scheduled hearing.

Any additional written evidence brought to the hearing may not be accepted by the Appeals Committee, at its sole discretion. Either party may bring up to 2 witnesses to the hearing to provide additional relevant information for the case.

Additional witnesses must be approved by the chair of the Appeals Committee. Either party may also bring one advisor to the hearing; the advisor is not a spokesperson but is present only to provide support or advice to the student or faculty member. Any advisors to accompany either party must be identified to the chair of the Appeals Committee at least five (5) working days prior to the appeal hearing.

Conducting of the hearing: Hearings are not open to the public. The hearing typically takes no more than two hours. The hearing proceeds as follows:

1. A College of Education staff member takes minutes of the hearing. The hearing is also audio-recorded. The Dean's office securely stores the official minutes and audio recordings from the hearing.
2. Both parties and advisors may be present during the entire hearing except during Committee deliberations. Either party may provide testimony in advance if unable to attend in person or by phone / video-conferencing. Witnesses similarly may provide testimony by phone / video-conferencing at the discretion of the Committee, if arrangements are made in advance of the hearing.
3. Both parties are allowed a reasonable amount of time to make their statements. The order and typical time limits are as follows:
 - Student statement (no more than 15 minutes)
 - Student witnesses (no more than 5 minutes each)
 - Faculty member statement (no more than 15 minutes)
 - Faculty member witnesses (no more than 5 minutes each)
 - Student rebuttal (no more than 10 minutes)
 - Faculty member rebuttal and final statement (no more than 10 minutes)

- Student final statement (no more than 10 minutes)
- 4. Committee members may ask questions of either party or the witnesses.
- 5. Discussion must revolve around the written documentation.
- 6. Additional information may not be presented in the meeting that is not in the written documentation.

Decision of the Appeals Committee: After the hearing is complete:

1. Immediately following the hearing, the Committee deliberates to determine its ruling. The deliberation is not audio-recorded. All Committee members, including the chair, have voting privileges.
2. The Committee Chair provides the Associate Dean with a summary of the evidence presented and a brief statement of the Committee's ruling within 10 working days of the hearing.
3. All documents and copies are collected by the Committee Chair and returned to the Dean's office at the completion of the hearing. The audio-recording is used only as necessary for the Associate Dean's review or for use by Academic Affairs.
4. The Dean or Associate Dean reviews the case and makes the final ruling about the appeal. The final ruling is provided to both parties and to the Student Appeals Committee members.
5. If the student chooses to request a further review of the case, then he/she must contact the Office of the Vice-President for Academic Affairs within 30 working days of being notified of the College's ruling. The Dean or Associate Dean forwards all documents and Committee proceedings to the Vice-President for Academic Affairs, whose decision is final and there shall be no further level of appeal.

Please Note:

When an instructor brings a possible case of academic dishonesty to the Associate Dean, the process and procedures for handling academic dishonesty allegations and charges is governed by University of Wyoming Regulation 2-114. The Chair of the Student Appeals Committee serves as the College of Education hearing officer.