

College of Law Grade Appeal Policy & Procedures

Grade Appeals

- A. Purpose: This policy sets forth the grounds and procedures by which a student may appeal the grade received in a University of Wyoming College of Law course.
- B. Grounds for Appeal and Burden of Proof: The exclusive grounds for a grade appeal are 1) arbitrariness; 2) capriciousness, or 3) prejudice. At all times the burden of proving one of those three grounds rests with the student seeking to appeal the grade (appellant) and must be established by clear and convincing evidence.
- C. Review Committee: Grade appeals shall be reviewed by a committee of three tenured faculty members (the "Review Committee"). In the event a hearing is necessary to render a decision on the appeal, the Review Committee shall conduct the hearing according to the below procedures. The committee members shall be selected by lot from all tenured faculty members of the College of Law not on leave including the Dean and Associate Dean, if tenured, and shall not include the faculty member whose grade is being appealed. The Dean shall be responsible for assembling the committee unless the grade from which an appeal is being taken was received in a course which was taught by the Dean. In such case, the Associate Dean shall be responsible for assembling the committee when a grade by the Dean is contested.
- D. Procedures:
 - 1. An appeal shall be initiated only after the student has requested reconsideration of the grade by the instructor involved. At the request of the student, the Dean may intercede and contact the instructor on behalf of the student. The request for reconsideration must be made:
 - (a) within two weeks after the beginning of the semester following the semester in which the grade was received, or,
 - (b) in the case of the student who has graduated or has left school, within three months after the student has received the grade.
 - 2. The faculty member, whose grade is begin challenged, shall respond to the student's request for reconsideration within one week of when the request for reconsideration is made.
 - 3. An appeal shall be initiated in writing with the Dean of the College of Law. If the Dean is the person whose grade is challenged, the appeal shall be initiated with the Associate Dean. An appeal must be initiated within 30 calendar days after the student has received a response from the instructor regarding the request for reconsideration. The written appeal shall be signed and shall contain:
 - (a) A statement that the student has requested reconsideration of the grade. The statement shall specify the date that the request for reconsideration was made.

- (b) A short plain statement of the student's claim showing the student is entitled to relief based on one of the grounds specified. The committee shall give a copy of the appeal promptly to the faculty member whose grade is challenged.
4. The faculty member whose grade is appealed may file a signed written response with the Dean within 30 calendar days after receiving a copy of the appeal. The Dean shall promptly forward the response to the Review Committee and provide the appealing student with a copy of the answer.
 5. The Review Committee shall meet as promptly as possible to review both the written appeal and the faculty response if provided. If the facts of the situation are undisputed and the Review Committee determines that it has enough information on the basis of the written documentation to render a decision, the Review Committee shall render its decision based on majority vote. In such circumstances, the decision shall be rendered in writing and include a brief statement containing the reasons for its decision. Both parties shall be promptly informed of the decision.
 6. In the event the facts are contested, or the Review Committee determines by majority vote that it does not have enough information to render its decision solely on the basis of the written appeal and answer, the Review Committee shall schedule a hearing on the appeal as promptly as possible. The Review Committee may request additional information from the parties if it determines additional information is necessary to aid in its decision. Any such additional requests for information must be reasonable and shall not be unduly burdensome. The hearing shall be closed and all records of the grade appeal shall be kept in confidence in accord with FERPA, UW Rules and Regulations, and other applicable laws. The hearing shall be recorded and the recording shall be the official record of the hearing. The Review Committee shall meet in closed session following the hearing and shall determine its decision by majority vote.
 7. A written decision, including a brief statement containing the reasons for the decision, shall be rendered. Both parties shall be promptly informed of the decision. This shall be the final college level decision of the grade appeal.
 8. In the event the Review Committee determines that a student's grade appeal has merit, the Review Committee shall propose an appropriate remedy. The final decision on appropriate remedy rests with the Dean of the College of Law or the Associate Dean if so designated by the Dean.
 9. A student who does not agree with the college level decision may appeal that decision to the University Office of Academic Affairs pursuant to UW Regulation 2-121.
 10. A file of the case, containing the record of the hearing when applicable, all pleadings and evidence presented in the appeal, and the written decision shall be maintained by the Dean until the time for an appeal to the University Office of Academic Affairs has passed.