

Academic Appeals Board

Revised 11/8/2004

A. Functions

The Academic Appeals Board (the Board) shall hear student appeals of faculty decisions affecting grades and charges of academic dishonesty referred to it by the Associate Provost.

The Board shall not consider whether an instructor's *overall* grading policy is too strict or whether the amount of work required of a student for a course is too great. The Board may consider whether a particular student has been graded more severely than others in a class, or whether more work has been required of a particular student than of others in the class.

In its deliberations, the Board shall assume the professional competency of the instructor concerned and the burden of showing an inequity has occurred shall be upon the student filing the appeal.

B. Membership

The Academic Appeals Board shall be composed of two students and an alternate selected annually by the Student Senate and two faculty members and an alternate elected by the General Faculty. The faculty members' terms shall be for two years; the members' terms shall be staggered such that one faculty member shall be elected each year and an alternate *every* two years. The non-voting chair of the Board shall be the University Registrar. A quorum shall consist of two faculty and two student representatives -- members or alternates. Any representative on the Board who is a party (student, instructor, department chairperson) involved in the matter to be heard by the Board shall excuse her/himself from participation on the Board for the duration of the hearing on said matter.

C. Procedures

The student is required to first attempt to resolve the dispute with the instructor, and then with the instructor and the department chairperson, before appealing to the Academic Appeals Board. Only in very limited instances will the Board waive this requirement. The Board must give appropriate advance notice of any such waiver to the instructor and the department chairperson before proceeding with a hearing on the matter.

1. With respect to grades, only final course grades may be appealed. A student may initiate a formal appeal by filing a written complaint with the University Registrar. The appeal must be filed within one semester of the student's receiving the disputed grade.

2. After receiving the written appeal, the Registrar shall set a date for the hearing and give written notice to the parties involved (the student, the instructor and the department chairperson) at least 48 hours before the time set for the hearing.
3. The student must appear at the time and place set for the hearing or give notice to the University Registrar of valid cause for not doing so. If the student fails to do so, the appeal will be automatically dismissed.
4. A student shall present his/her own case before the Board. Any relevant evidence may be admitted. Witnesses may testify.
5. Faculty members involved shall have the opportunity to appear and to respond to the appeal.
6. The proceedings and decisions of the Board shall be held in strict confidence.

D. Decisions

1. Decisions of the Board shall be by majority vote of the representatives. If the vote is a tie, the appeal shall be dismissed. The chairperson is not a voting member.
2. Decisions of the Board shall be final. Notice of said decisions shall be sent promptly to the parties involved (student, instructor, department chairperson) by the Associate Provost after his/her review. The Associate Provost, in her/his sole discretion, may request the Board to reconsider its decision before sending any such notice.
3. In the case of grade appeals, the Board may either dismiss the appeal or change the disputed grade (and so instruct the Registrar).
4. In cases of academic dishonesty, the Board may order separation from the University.

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Hearing Procedures

The following procedures shall govern the conduct of a hearing before the Academic Appeals Board.

- The University Registrar, as chair of the Board, shall have the power *to* convene, recess, reconvene and adjourn a meeting or hearing of the Board.
- The chair shall have the power to take any steps necessary to maintain order, including the power to have removed any persons/he deems disruptive of the proceedings.
- The Board shall not be bound by strict rules of evidence as may be found in civil or criminal court proceedings, but rather may admit any testimony or evidence which the Board, in its sole discretion, determines may be of probative value in determining the issues before it.
- The chair shall have the power to limit the presentation of any party which s/he deems redundant, irrelevant, immaterial or dilatory. S/he may be overruled by a majority vote of the Board on any such matter.
- The Board, in its sole discretion, shall determine who may be present at any and all meetings and hearings of the Board.
- The Board may seek such University or independent legal counsel as it deems necessary.
- Any person who serves as advisor to any of the parties involved gives implied consent to abide by the conditions, policies, and procedures as determined by the Academic Appeals Board.
- Any person who serves as advisor to any of the parties involved may advise their respective parties discreetly during the proceedings. S/he will not be permitted to ask or answer questions for the parties or witnesses nor may s/he participate in any way in the proceedings of the Board.
- Any member of the Board may, at any time during the proceedings, question witnesses or involved parties.
- The chair may adjourn the hearing at any time if s/he feels it is in the best interest of any party to do so.

- All witnesses shall affirm the truthfulness of their testimony to the best of their knowledge.
 - **The foregoing and the following enumerated rules or procedures are not intended to restrict, nor shall they restrict, the Board's general powers to take such actions as it deems appropriate to ensure a fair hearing.**
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1. Call to order; statement of the procedures.
2. Identify the case to be heard.
3. The chair shall remind the participants of the confidential nature of all aspects of the hearing -- testimony, evidence, etc. -- and note that the final decision of the Board will be reported to the involved parties by the Associate Provost.
4. The instructor shall present his/her case first-- opening statement, examination of witnesses, cross-examination of witnesses by the student, re-direct questioning by the instructor, introduction of other evidence.
5. The student shall next present her/his case-- opening statement, examination of witnesses, cross-examination of witnesses by the instructor, re-direct questioning by the student, introduction of other evidence.
6. The student shall then have the opportunity to make a statement to the Board without the instructor or department chair present.
7. The instructor shall then have the opportunity to make a statement to the Board without the student present.
8. The student may then make a closing statement.
9. The instructor may then make a closing statement.
10. The Board will then move into closed session to deliberate on the matter before it; all other parties are excused.
11. The chair shall transmit in writing the determination of the Board to the Associate Provost.

Notice of said decisions shall be sent promptly to the parties involved (student, instructor, department chairperson) by the Associate Provost after his/her review. The Associate Provost, in her/his sole discretion, may request the Board to reconsider its decision before sending any such notice.

All members of the Board shall return to the University Registrar all documents related to the case at its conclusion.