

Northern Arizona University
Graduate College
Academic Appeal Process
Revision Approved 10/26/00

This appeal process is to be used by graduate students in the case of appeal of an academic matter other than a grade appeal. Examples of matters that would be appropriate for this type of appeal would be appeal of a decision on preliminary or comprehensive exams, or matters related to non-graded lab work or academic research.

1. The graduate student who has a specific problem or grievance shall first discuss the problem or grievance with the instructor(s) in whose class or under whose supervision the problem originated. (If the appeal is of a decision on comprehensive exams, begin with step 3.) The faculty member(s) must be prepared to defend the decision or action on the basis of University policy or sound academic policy. The student must begin this process by the end of the next regular semester after the incident occurred.
2. If the conference with the instructor does not resolve the issue, or if the matter concerned department policy, the student shall request a conference with the department chair (of the department where the class is offered) and the instructor. If the instructor is the department chair, skip this step and go to step 3. The department chair shall send a letter to the student and the instructor documenting that the meeting occurred and confirming the decision that was made.
3. If the student believes that step 2 did not resolve the problem, the student shall request a conference with the dean (or the dean's designee) of the college in which the course was taught. The dean (or designee) will issue a written reply to the student within 20 calendar days of the conference.
4. If the student is not satisfied with the results of the required conferences, the student may file a written request for an appeal with the Associate Dean of the Graduate College. The request must be submitted within 14 days of the date of the written reply from the dean of the college or within 14 days of determination that mediation was not successful.

The written request for an appeal must contain 1) the identification of the instructor or academic department involved; 2) a description of the action or actions the student considers arbitrary, capricious, or contrary to university policy; and 3) a copy of the written response. Upon completion of the investigation of the grievance, the Associate Dean of the Graduate College shall determine whether or not the grievance addresses an action that may be considered arbitrary, capricious, or contrary to University policy. Within 14 days, the Associate Dean shall render a decision in writing with a justification for and reasons for the decision. Copies of the written decision shall be provided to the student and others who have been involved in the appeal process to this stage.

5. The student may appeal the Associate Graduate Dean's decision to the University Graduate Committee Hearing Panel, a subcommittee of the University Graduate Committee. The hearing panel is a five member panel drawn from members of the University Graduate Committee. The graduate student member of the University Graduate Committee shall be a member of the hearing panel. The panel is chaired by the faculty chair of the University Graduate Committee. The chairperson, in consultation with the Graduate Dean, shall identify the members of the hearing panel, as needed, ensuring impartiality for all parties involved in an appeal.

The hearing panel will review the written decisions and any written responses to prior decisions to determine whether the action(s) being appealed were arbitrary, capricious, or contrary to university policy. Based on review of those materials, they shall determine whether a formal hearing is appropriate. An affirmative vote by at least three members of the panel will be required to hear the appeal. The hearing panel has twenty-one (21) calendar days after receipt of the request to review the materials. (See Hearing Guidelines). If a hearing is held, the hearing panel has fourteen (14) calendar days to arrange for a hearing. A final recommendation will be made

no less than two (2) days following the conclusion of the hearing. This recommendation shall be in writing and shall be transmitted to the Graduate Dean, whose decision shall be final.

7. If an extension of time is needed during any phase of the process, the party requesting an extension shall petition the Graduate Dean, and present reasons why the deadline cannot be met. The Graduate Dean may grant or deny the request for an extension with the goal of ensuring fairness to all parties involved and a timely resolution of the problem.

9/28/94, updated 9/98, 10/99, 2/00, 10/00, 9/03

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Hearing Guidelines**

1. The chairperson of the hearing panel will prepare and send a written notice to the student and faculty member no less than seven (7) days prior to the date set for the hearing. The notice shall include:
 - a) A statement of the date, time, location and nature of the hearing;
 - b) A written statement of the purpose of the hearing;
 - c) A copy of the Graduate College Academic Appeal Process and these hearing guidelines;
 - d) A list of the names of all hearing panel members and the university address of the chairperson.
2. Conduct of the Hearing.
 - a) The purpose of the hearing is to determine whether prior actions in the appeal process were arbitrary, capricious or contrary to university policy.
 - b) In order to reserve the confidential nature of the appeal process, and to protect the privacy of the student and faculty member, the hearing conducted by the hearing panel shall be closed.
 - c) The chairperson of the hearing panel shall preside at the hearing and shall rule upon all procedural matters. The formal rules of evidence shall not apply, although objections to the introduction of specific statements or documents may be considered by the chairperson. Irrelevant, immaterial or unduly repetitious information shall be excluded.
 - d) The student and faculty member may each select an adviser to assist him/her during the hearing. The adviser may be a faculty or staff member, student, or other representative of the student. The adviser shall be limited to advising the student and shall not participate directly in the hearing. The adviser may not appear in lieu of a student or speak on behalf of the student. The adviser shall not serve as an attorney.
 - e) Minutes of the hearing shall be made and kept in the office of the Graduate College. Both parties, faculty and student, will be sent copies of the minutes and given an opportunity to propose corrections to the minutes. Both parties should agree that the minutes are an accurate representation of what they said. In case of a disagreement, the decision of the chair of the hearing panel is final.
 - f) The student who has requested the hearing shall present statements or written information in his/her own behalf. A student who fails to appear at the hearing will be deemed to have abandoned his/her request, unless the student can demonstrate that an extraordinary circumstance prevented his/her appearance.
 - g) The order of presentation shall be as follows:
 - 1) The chair of the hearing panel shall present an opening statement summarizing the events to date and outlining the order of the proceedings.
 - 2) The student makes an opening statement and presents his/her case. The student may be questioned by members of the hearing panel at the conclusion of his/her presentation.

- 3) The faculty member makes an opening statement and presents his/her case. The faculty member may be questioned by members of the hearing panel at the conclusion of his/her presentation.
 - 4) Throughout the proceeding, the parties may introduce written documents as evidence. All such documents which are admitted shall be marked as exhibits and may be considered by the Hearing Panel in reaching its decision.
 - 5) Following the presentations and questions, the parties will be allowed to present closing statements which summarize the evidence that has been presented. The student presents his/her closing statement first, followed by the faculty member.
3. Hearing Panel Deliberations and Recommendation
- 1) Following the presentation of evidence and closing statements, the members of the hearing panel shall discuss the evidence that has been presented and the reasonable inferences to be drawn from the evidence prior to reaching its decision. Only the members of the hearing panel may be present during the deliberations.
 - 2) Based upon the evidence presented during the hearing, the Hearing Panel will formulate a recommendation to the Graduate Dean. At least three votes are necessary to make any recommendation.
 - 3) The hearing panel shall render its recommendation following the hearing, and shall communicate the recommendation to the student, faculty member and Graduate Dean in writing no later than two (2) days following the conclusion of the hearing. The written recommendation shall include findings of fact and a statement of the reasons for the recommendation, and shall be signed by the chairperson.
4. Review and Decision by Graduate Dean

Following a review of the Hearing Panel's recommendation, the Graduate Dean shall render a decision which either affirms, denies or modifies the recommendation of the Hearing Panel. This decision shall be transmitted to the student, faculty member and members of the Hearing Panel, in writing, and shall be final.