

COLLEGE OF EDUCATION & HUMAN SERVICES STUDENT APPEAL POLICY AND PROCEDURES

The *COEHS Student Appeal Policy* applies to all academic departments and divisions and both undergraduate and graduate programs of the college. Recognizing that evaluation of student performance and programmatic decisions are based on the professional judgments of faculty and staff, decisions that may be appealed by students are limited to the following two types of appeals. At the same time, this policy acknowledges that there are appeal options to students in addition to this policy as established by UW System and/or the State of Wisconsin.

General Conditions

Type One Appeals are specific to grade decisions made by an individual instructor related to a specific course. An instructor's decision regarding individual student product evaluation (i.e. a single assignment within a course) is not subject to appeal except as it relates to one of the following four criteria:

1. An error was made in grade computation.
2. The grade was based on factors contrary to those stated in the course syllabus or a reasonable interpretation of said syllabus.
3. The grade reflects, in whole or part, some penalty for actions involving the freedom of written or spoken classroom expression.
4. The grade involves a breach of federal or state constitutional protections, federal laws, state statutes, Regent's rules or UW Oshkosh policies.

Type Two Appeals are specific to program related decisions made by COEHS Department Chairs, Graduate Program Coordinators and Division Directors [see list in Appendix A]. These appeals are limited to the following programmatic decisions:

1. Program admission to the COEHS and/or a program, major or licensure.
2. Transitional decisions (i.e. Admission to student teaching, Admission to Professional Counseling).
3. Exit and/or decisions associated with the graduation process.
4. Program requirements within licensure programs which are available on the COEHS web site, the department web site and/or in UARC's website for undergraduate concerns.
5. Field experience placements in PEP, Professional Counseling, and HSL, site arrangements, processes and procedures within the divisions.
6. Curricular/program modifications

Type Two Appeals may only appeal decisions made at department and /or division level if they meet one of the following criteria:

- a. The decision was made in error.
- b. The decision was based on factors contrary to those published and/or publicly announced.
- c. The decision was made as a penalty for unrelated factors.
- d. The decision was made in an arbitrary, capricious manner.
- e. The decision was made in violation of federal, state, Regent's, and/or University protections.
- f. While the decision was appropriately made, there exist strong compelling and unique

reasons why the standing policy should be set aside totally or be limited to just this instance.

Each appeal process has its own process that is detailed in the subsequent pages.

Process for Type One Appeals: Grades

Type One Appeals relate only to grades. The process for Type One Appeals consists of two levels – the informal and the formal. The informal process attempts resolution of the issue at the most local level, meaning with the involved instructor, student and department chair or division director. The formal process extends the resolution attempt to initially the appropriate departmental Grade Appeal Committee and then to the COEHS Student Appeals Committee.

Appeals deriving from divisions would go from Step Two to Step Four.

The parties involved in the formal process may also include the COEHS Associate/Assistant Dean. The Dean is generally considered to be a level of appeal, not a member of a prior level committee or group. No portion of this policy is intended to limit student appeals to the Provost, Chancellor or other appeals level defined by System regulation.

The process is laid out in five steps that are followed in the sequence below.

Step One: Attempt at resolution through an *informal process* with involved faculty:

1. Students must attempt a resolution through an *informal process* with the involved instructor no later than the tenth (10th) working day of the next regular semester (Fall or Spring).
 - a. The instructor must be available, however if s/he is not, then the student may elect to extend the time period of appeal while waiting on the availability of the instructor, however no later than the 10th working day of the following semester.
 - b. Alternatively, the student may elect to move to Step Two and meet with the chair alone.
 - c. Lastly, in the absence of the instructor and after waiting the 10 working days, the student may elect to move to Step Three.
2. Should resolution at this level be unsuccessful, the process may move to Step Two.

Step Two: Attempt at resolution through an *informal process* with involved faculty *and* department chair.

1. Student shall request an informal meeting with the instructor and the appropriate department chair no later than five working days following the meeting with the instructor. The request should be made in writing or email to the chair or the departmental assistant.
2. In the absence of the instructor, the student may elect to meet with the chair alone OR move to Step Three
3. Should resolution at this level be unsuccessful, process may move to Step Three.

Step Three: Attempt at resolution through a *formal process* with the Departmental Student Appeal Committee.

1. If the student is dissatisfied with the outcome of the informal resolution attempt in Step Two above, a written Request for Reconsideration must be filed within five working days.

2. The student should submit the Request to the appropriate department office. At that point, the chair is responsible for providing the student with a written copy of the COEHS Student Appeal Policy.
3. The Request for Reconsideration must be after the meeting that occurred in Step Two. The Request for Reconsideration written by the student must include:
 - a. A description of the nature of the Appeal that clearly states how, and justifies why, this issue qualifies for appeal as a Type One Appeal under one or more of the following criteria:
 - i. An error made in grade computation.
 - ii. Grade is based upon factors contrary to those stated in the course syllabus or a reasonable interpretation of it.
 - iii. Grade reflects, in whole or part, some penalty for actions involving the freedom of written or spoken classroom expression.
 - iv. The grade involves some breach of federal or state constitutional protections, federal laws, state statutes, Regent's rules or UW Oshkosh policies.
 - b. A summary of the results of the Step One and Step Two attempt at resolution through informal procedure with the instructor and department chair
 - c. A statement and brief rationale of the desired outcome sought by the student.
 - d. A copy of all supporting evidence and/or documentation student wishes to bring to the attention of the committee.
4. The Department Chair shall, upon receipt of the Request for Reconsideration, immediately inform the instructor named in the Request. The instructor has five working days to provide a written response to the chair.
5. The Department Chair, within five working days of receipt of the Request for Reconsideration and instructor's response, shall appoint a Department Appeal Committee of three faculty members (not to include the instructor named in the Request) and provide the committee with the student's Request for Reconsideration and the instructor's written response. All materials provided by the chair to the committee must be in writing and the committee's review is limited to the documents provided by the instructor and the student.
6. The Committee will review all the documents provided by the chair and within ten working days of appointment, the Committee will render to all affected a formal, written decision that states a clear decision with supporting rational.

Step Four: Attempt at resolution through *formal process* with the COEHS Student Appeal Committee.

1. If the student decides to appeal the decision from Step 3 of this process, written appeal request may be filed with the COEHS Student Appeal Committee.
 - a. This appeal must be filed with the Associate/Assistant Dean within ten working days of the date of the written decision from the Department Student Appeal Committee.
 - b. Appeal forms are available from the COEHS Associate/Assistant Dean office.
 - c. Student may, at their discretion, meet with the Associate/Assistant Dean for clarification of the form(s) and/or process.
 - d. Completed form and any supporting documentation must be submitted to the Associate/Assistant Dean within ten working days of the date of the written decision from the Department Student Appeal Committee.

2. Upon receipt of the appeal form, the Associate/Assistant Dean will contact the COEHS Student Appeal Committee chairperson to advise of the appeal and transfer the student's materials.
3. The Committee will hold a hearing within ten working days of the receipt of the appeal form by the Associate/Assistant Dean. Both the student and the instructor may elect to be present at the hearing. If at the committee's meeting, it fails to achieve a quorum (simple majority), the default decision is in favor of the student. No further action is available to any party and the decision shall be communicated to all parties, including the Associate/Assistant Dean.
4. Within five working days of the hearing, the COEHS Student Appeal Committee shall render a written decision to the student and instructor stating a clear decision with supporting rationale and advising the student of any subsequent appeal opportunities. Copies will be sent to the COEHS Associate/Assistant Dean, or delegate, and the department chair.

Step Five: Final resolution through *formal process* with the COEHS Dean

1. If the student is dissatisfied with the decision of the COEHS Student Appeal Committee, the student may file a written request for review of the Appeal process to the Dean of the College. This request must be filed within ten working days of the date of the written decision from the COEHS Student Appeal Committee.
2. The Dean shall review all documents in the case, and in particular the findings, recommendations, and the rationale for the decision made at each prior level of review.
3. The Dean shall render a written decision within ten working days of receipt of the appeal. This written decision shall be sent to the student, the instructor, the department chair/administrator, the COEHS Associate/Assistant Dean and the COEHS Student Appeal Committee.
4. The Dean's decision will be considered final with no further appeal possible except as provided in UW System or campus policy and state law.

Process for Type Two Appeals: Programmatic Decisions

Type Two Appeals are specific to program related decisions made by COEHS Department Chairs, Graduate Program Coordinators and Division Directors [see list in Appendix A]. These appeals are limited to the following programmatic decisions:

1. Program admission to the COEHS and/or a program, major or licensure.
2. Transitional decisions (i.e. Admission to student teaching, Admission to Professional Counseling).
3. Exit and/or decisions associated with the graduation process.
4. Program requirements within licensure programs which are available on the COEHS web site, the department web site and/or in UARC's website for undergraduate concerns.
5. Field experience placements in PEP, Professional Counseling, and HSL, site arrangements, processes and procedures within the divisions.
6. Curricular/program modifications

The process for type two appeals consists of both preliminary and formal procedures. The preliminary procedure attempts informal resolution of the issue at the most local level with the appropriate department chair, program coordinator, or division director. The formal procedure is a

subsequent review by the COEHS Appeals Committee and may include review by the Dean.

Preliminary Procedure

1. The student shall request an informal meeting with the appropriate department chair, program coordinator, or division director no later than the 10th day of the semester (Fall, Spring, Summer I) following the semester in which the decision/action under appeal occurred.
2. The department chair, program coordinator, or division director is responsible for assuring that the student is provided a copy of the COEHS Student Appeal Policy at the meeting.
3. Within five working days of the meeting with the student, the department chair, program coordinator, or division director will forward to the student and other individuals directly involved, if any, a document that states a clear decision on the issue with supporting rationale. The document will also be emailed to the student to delivery date is definite.

Formal Procedure

1. In the event that the student is not satisfied with the outcome of the preliminary procedures, the student must schedule a meeting with the Associate/Assistant Dean within ten working days of the informal decision being delivered to the student. At that meeting, the COEHS Student Appeals Committee hearing procedure will be discussed with the student, as well as what the student will need to prepare and file for a formal appeal. Forms will be dispersed and instructions for filing out those forms will be provided.
2. If the Student decides to file a formal appeal, a written appeal including all supporting materials must be filed with the COEHS Associate/Assistant Dean within ten working days from the meeting with the Associate/Assistant Dean. All formal appeals and supporting materials must be in writing and must be complete when presented. All of the applicable following items must be included in the appeal documentation:
 - a. A cover letter introducing the student, a brief narrative stating the nature and context of the specific appeal, and student contact information.
 - b. The specific programmatic decision under appeal
 - i. Program admission to the COEHS and/or a program, major or licensure.
 - ii. Transitional decisions (i.e. Admission to student teaching, Admission to Professional Counseling).
 - iii. Exit and/or decisions associated with the graduation process.
 - iv. Program requirements within licensure programs which are available on the COEHS web site, the department web site and/or in UARC's website for undergraduate concerns.
 - v. Field experience placements in PEP, Professional Counseling, and HSL, site arrangements, processes and procedures within the divisions.
 - vi. Curricular/program modifications
 - c. The rationale(s) for reconsideration of the decision
 - i. The decision was made in error.
 - ii. The rationale for the decision was vague, contradictory or unclear.
 - iii. The decision was based on factors contrary to those published and/or publicly announced.
 - iv. The decision was made as a penalty for unrelated factors. (d)

- The decision was made in an arbitrary, capricious manner.
 - v. The decision was made in violation of specific federal, state, Regent's, and/or University laws and/or regulations.
 - vi. While the decision was appropriately made, there exist strong compelling and unique reasons why the standing policy should be set aside.
 - d. Summary of results of the preliminary procedure process
 - e. Desired outcome sought
 - f. Supporting evidence and/or documentation
- 3. The COEHS Associate/Assistant Dean will notify the Chair of the COEHS Student Appeals Committee of the receipt of appeal documents from the student and deliver same.
- 4. The Committee will convene to hear the appeal within ten days of the receipt of the appeal documents from the Associate/Assistant dean.
 - a. The Chair of COEHS Student Appeals Committee shall inform both student and program representative in writing and/or email of the date/time of the meeting allowing a period of notice of no less than four working days.
 - b. The Chair will advise the Student that s/he is strongly encouraged to attend.
 - c. Department chair, program coordinator, division director or a designated representative should attend as a default decision goes to the student if the program representative fails to attend.
 - d. Meeting must be posted as a closed meeting under Sec 19.84(5), WI Statutes unless the student requests in writing that the meeting be open.
 - e. Any Committee member with a vested interest in the case must recuse her/himself. If Committee Chair recuses her/himself, an alternate chair will be selected by remaining committee members.
- 5. During and following the meeting, the committee shall
 - a. Review all written information submitted by the student as part of the appeal.
 - b. Listen to oral arguments and pose questions and/or facilitate discussion among attendees. All witnesses are to be present during any and all testimony. They may be dismissed for committee deliberation.
 - c. Assure that only the written and/or oral testimony of those present serves as the basis for any decision; "testimony" or "statements" alleged to have been made by persons not at the meeting cannot be introduced or considered.
 - d. Keep minutes of the meeting including a record of votes.
- 6. Within five working days of the hearing, the COEHS Student Appeal Committee shall deliver a written decision to the student stating a clear decision on the appeal with rationale supporting that decision. Copies will be sent to the COEHS Associate/Assistant Dean and the Department Chair, program coordinator, division director or a designated representative of any who was in attendance at the meeting in their stead.
- 7. Student may appeal the COEHS Student Appeal Committee decision if s/he believes that the process and/or decision was in some substantive manner unfair. In that event, the student may file a written request for reconsideration with the COEHS Dean. This request must be filed within ten working days of the date of the written decision from the Committee.
- 8. After a review of all documents, findings, recommendations, supporting rational and process related to the decision, the Dean shall render a written decision within ten working days of receipt of the request for reconsideration. This written decision shall be sent to the student,

the department chair/administrator, the COEHS Associate/Assistant Dean and the COEHS Student Appeal Committee.

5. The Dean's decision will be considered final with no further appeal possible except as provided in UW System or campus policy and state law.

Conditions, Limitations & Waivers

1. The term "working days" shall refer to those days when classes are actually scheduled.
2. All steps of either appeal process must be followed sequentially and all appeal petitions must be individually filed.
3. All decisions from department chairs, committee chairs, associate dean and dean shall be written as formal letters or memoranda. These items will generally be sent through the postal system. However, in the interest of timeliness, they may *also* be attached to an email sent to the student's authorized University of Wisconsin Oshkosh email address.
4. Waiver of the policy in any individual occurrence does not void or supplant the entire or rest of this Appeal Policy.
5. No policy and/or procedure in this college policy is intended nor will act to contravene any university, UW System or State of Wisconsin policy or process.

APPENDIX A

List of COEHS Departments & Divisions (as of May 2016)

Departments

Educational Leadership and Policy
Human Kinetics and Health Education
Human Services Leadership
Literacy and Language
Professional Counseling
Special and Early Childhood Education
Teaching and Learning

Divisions

act!
Add-On Licensure
HSL Rural Outreach
Office of Field Experience (PEP)
Office of Field Experience (HSL)
Project Success
Reading Study Center