

COLLEGE OF EDUCATION AND HUMAN SERVICES STUDENT APPEAL PROCEDURES

Recognizing that evaluation of student performance and programmatic decisions are based on the professional judgments of faculty and staff, decisions which may be appealed by students are limited to Type One Grievances (grade decisions made by an individual instructor related to a specific course) and/or Type Two Grievances (decisions made by faculty and staff related to the Professional Education Program).

Type One Grievances are based upon one or more of the following criteria:

- a. an error made in grade computation;
- b. the grade is based upon factors contrary to those stated in the course syllabus or a reasonable interpretation of it;
- c. the grade reflects in whole or part some penalty for actions involving the freedom of written or spoken classroom expression;
- d. the grade involves some breach of federal or state constitutional protections, federal laws, state statutes, Regent's rules or UW Oshkosh policies.

It should be noted that an instructor's decision regarding individual student product evaluation is not subject to appeal except as it relates to the previously identified four criteria. Type One Grievances must follow procedures as outlined in Part One of the COEHS Student Appeal Procedures.

Type Two Grievances are limited to the following programmatic decisions: program admission, transitional decisions (i.e., Admission II), exit decisions, program requirements, field experience placements and curricular/program modifications. Type Two Grievances must follow procedures as outlined in Part Two of the COEHS Student Appeal Procedures.

Part One: Type One Grievances Student Appeal Procedures

Informal Procedures

1. Any student initiating an informal resolution of a grievance will be provided with a copy of the COEHS Student Appeal policy. The student must attempt an informal resolution of the grievance with the faculty/academic staff member or administrator involved no later than ten working days after the beginning of the next regular semester.
2. If the informal resolution attempt is unsuccessful, the student shall request an informal meeting with the faculty/academic staff member involved and the department chair.

Formal Procedures

1. If the student is dissatisfied with the outcome of the informal resolution attempt, the student may file a written Request for Reconsideration with the relevant department chair or administrator. The faculty member/academic staff person involved in the grievance will be immediately informed of the student Request for Reconsideration. The Request for Reconsideration shall be in writing and filed within five working days after the adverse decision in the informal resolution phase. The Request for Reconsideration shall include:
 - a. a description of the nature of the grievance (The student must clearly indicate and justify why this is an appealable issue as specified in the Appeal Policy section of this document);
 - b. a summary of the results of the informal resolution phase;
 - c. the desired outcome the student is seeking; and,
 - d. a copy of all supporting evidence.
1. The relevant department chair/administrator, within five working days of receipt of the Request for Reconsideration, shall appoint a Department Student Appeal Committee of three faculty members (excluding the affected faculty member) who will render a decision within ten working days of their appointment. The Department Student Appeal Committee will review all relevant information from the affected parties. The Department Student Appeal Committee shall render a written decision, which clearly informs the affected parties of the decision reached and the rationale for said decision and inform the student of the next step permitted in the appeal process.
2. If the student is dissatisfied with the outcome from this Phase 2 grievance process, the student may file a written appeal request on forms available from the Associate Dean's office.
4. This appeal must be filed within ten working days of the student's receipt of the written decision of the Phase 2 Department Student Appeal Committee. The following process for a student appeal to the COEHS Student Appeal Committee will be adhered to:
 - a. the concerned student will obtain an appeal form from the COEHS Associate Dean's office.
 - b. the completed appeal form will be submitted to the COEHS Associate Dean's office within ten working days of the student's receipt of the Department Student Appeal Committee written decision.

- c. upon receipt of the appeal form the Associate Dean will contact the COEHS Student Appeal Committee to arrange for a meeting time and place.
5. If the Committee's decision is to grant a formal appeal hearing or if the COEHS Associate Dean concurs with the student's petition, the student and the affected department will be notified as to the date, time and location of the hearing. The following conditions will apply.
 - a. the hearing will be held within ten working days of the decision to grant the formal appeal hearing.
 - b. both the student and the faculty/academic staff member involved may elect to be present at the hearing.
6. If the student is dissatisfied with the COEHS Student Appeal Committee decision, the student may file a final written appeal to the Dean on appeal forms available from the Dean's office (Phase 4). The appeal must be filed within ten working days of the student's receipt of the written decision of the COEHS Student Appeal Committee. The Dean shall review the documents in the case, and in particular the findings, recommendations, and the rationale for the decision made at each prior level of review. The Dean shall render a final written decision within ten working days of receipt of the appeal, which shall be sent to the student, the faculty/academic staff member involved, the department chair/administrator, and the COEHS Student Appeal Committee.
7. The COEHS Student Appeal Committee for each case is constituted as follows:
 - a. One faculty member from each of the departments (except for the affected department); the affected department's representative may be present at the COEHS Student Appeal Committee meeting to answer questions but may not participate as a voting member. Representatives will be elected by departments during the first week of the fall term and will serve for one year.
 - b. One student: During the first week of the fall term each department will recommend, as appropriate, one graduate and/or one undergraduate student to serve on the COEHS Student Appeal Committee for one year. From this student pool, one graduate student will be selected to serve on each graduate appeal and one undergraduate student will be selected to serve on each undergraduate appeal. Students will be selected on a rotational basis--alphabetically by student for each appeal session.
 - c. the Associate Dean will chair the Committee until a chairperson is elected.
 - d. the COEHS Student Appeal Committee will examine information submitted by the student, by the affected faculty/academic staff member, and by the affected department. On the basis of this evidence, its decision will be to: (1) grant the student a formal appeal hearing; (2) support the appeal without a formal hearing; or, (3) deny the appeal without a formal hearing.
 - e. the COEHS Associate Dean will inform the student of the COEHS Student Appeal Committee decision within ten working days of receipt of the appeal form.
 - f. if the appeal is denied without a formal hearing, the student may petition the COEHS Associate Dean for a formal hearing. This petition must be filed by the student within five working days of receipt of the COEHS Student Appeal Committee decision.

Part Two: Type Two Grievances Student Appeals Procedures

Informal Procedures

1. Any student initiating an informal appeal will be provided with a copy of the COEHS Student Appeal policy. The student must attempt an informal appeal of the program decision with the appropriate program coordinator and/or faculty member involved no later than ten working days after the beginning of the semester following the semester in which the decision/action under appeal occurred.
2. A program representative must provide, in writing, the decision, the reasons for the decision, notify the student of the right to appeal, the right to due process, and to whom the appeal should be made. A specific date for the decision must be reasonable, e.g. 10 working days.

Formal Procedures

1. If the student is dissatisfied with the outcome of the informal resolution attempt, the student may file a written appeal with the COEHS Associate Dean within ten working days. The appeal shall include:
 - a. a description of the nature of the program;
 - b. a summary of the results of the informal resolution phase;
 - c. the desired outcome the student is seeking; and,
 - d. a copy of all supporting evidence.
2. The Associate Dean will meet with the student by: 1) discussing the Student Appeals Committee hearing procedures, (2) assisting the student in filing the appropriate forms, (3) attending the hearing to ensure that procedure is followed.
3. The hearing will be scheduled within ten working days. Adequate time and notice must be given to the student and a program representative. At the request of the student, more time can be given, but not more than thirty days total.

4. Any committee member with a vested interest in the case must recuse him/herself. The Student Appeals Committee chair will serve as chair for the appeals hearing. The chair will be responsible for conducting the hearing and the writing of the final decision. If the Student Appeals Committee Chair has to recuse him/herself from the case, an alternative chair will be selected by the remaining committee members.
5. The meeting must be posted as a closed meeting under Sec 19.84(5), Wis. Stats. The student however is allowed to request the meeting be open.
6. The Student Appeals Committee accepts written information concerning the appeal. The Committee listens to oral arguments and facilitates discussion. Minutes of the hearing must be kept. The Committee must provide a written decision within ten working days of the hearing. The decision must be made only on the basis of the written or spoken testimony at the hearing, No other information can be considered. The committee members' votes are recorded.
7. Default decision goes to the student if the program representative fails to attend the hearing. The student is not required to attend but is strongly encouraged to do so.
8. The student may appeal the Student Appeals Committee's decision only on the grounds that due process was not followed. In this case, the student may appeal to the COEHS Dean for reconsideration. Otherwise, the Student Appeals Committee's decision is final.