SENATE ACTION FORM

No. 1076

Subject: Academic Appeal Procedure-Amend 2-1-204(4)

Reference to Senate Minutes dated: May 5, 2014

Senate Action:

MOTION: The Academic Policies Committee recommends approval of the highlighted language addition to the Board Policy Manual-Part 2 Academic Appeal Procedure-to clarify the procedure for appeals that require a hearing during non-contractual periods (e.g. summer months). (see attachment).

Response requested:

_____ approval for placement in University Catalog

_____ approval for placement in University Regulations

_____ X recommendation to Board for placement in Board Policy Manual

_____ none (sent as information item)

_____ other action requested/comments:

Dr. Mary J. Schuttlin

Faculty Senate Chair

May 6, 2014

Date

Administrative review of Senate action (unnecessary for information items):

_____ reviewed by VPAA/Provost. Check ______ if comments attached

_____ reviewed by General Counsel. Check ______ if comments attached

Presidential action:

_____ approve; _____ reject; _____ return to Senate for discussion/modification (comments attached)

President/Designated Administrative Officer

Date

Date of Board approval (if applicable):

PLEASE RETURN SIGNED ORIGINAL AND ATTACHMENT TO THE FACULTY SENATE OFFICE, BOX 75.
2-1-204(4) Request for Academic Appeals Board ("AAB") Hearing. If the student is not satisfied with the decision rendered by the Dean, the student may file a request to the Chair of the AAB for a formal hearing. The request for a hearing before the AAB must be submitted within seven (7) days of receipt of the Dean’s decision.

(a) Academic Appeals Board Membership. The AAB shall be composed of

(I) five (5) faculty members appointed by the Faculty Senate;

(II) five (5) members of the Graduate Faculty appointed by the Graduate Council, at least 2 of whom shall have doctoral research endorsement status.

(III) five (5) undergraduate students appointed by the Student Senate; and

(IV) five (5) graduate students appointed by the Graduate Student Association (GSA);

(V) a Chair, who shall be appointed by the CAO and approved by majority votes of the Faculty Senate and Student Senate.

AAB members shall serve one-year terms and may be reappointed. The Chair shall serve a two-year term and may be reappointed. In appointing members to the AAB, the Faculty Senate, Graduate Council, Student Senate, and Graduate Student Association shall strive for maximum diversity in terms of college representation and, in the case of faculty, rank. Appointments must be made by November 1st of each year. If the Faculty or Student Senates fail to make appointments in a timely manner, the CAO will make temporary faculty or undergraduate student appointments as appropriate, and the Dean of the Graduate School will temporarily appoint graduate students to the AAB if the GSA does not provide appointments in a timely manner.

(b) Within fourteen (14) working days of receipt of the student’s request for formal hearing, the Hearing Panel will be established by the Chair. In case of an appeal from an undergraduate student, the Hearing Panel shall consist of the five (5) undergraduate students appointed by the Student Senate, as well as the five (5) faculty members chosen by the Faculty Senate. In the case of an appeal from a graduate student, the Hearing Panel will consist of five (5) graduate students appointed by the Graduate Student Association (GSA), as well as the five (5) members of the Graduate Faculty chosen by the Graduate Council, to hear the case. The ten (10) members selected, as well as the Chair, shall constitute the Hearing Panel for the case. All eleven (11) members of the Hearing Panel shall retain a vote. The Chair shall forward the names of those selected to the student and the student’s College Dean.

(c) In the event of the Chair’s recusal or incapacity, the CAO may select an alternate Chair from the membership of the AAB.

(d) Within seven (7) working days of notification of the membership of the Hearing Panel, either party may object to the selection of any Hearing Panel member in writing to the Chair to the selection of any Hearing Panel member. Objections may be made only on the basis of perceived conflicts of interest. Within seven (7) working days of receipt of any objections, the Chair shall either replace the member(s) objected to, or retain the member(s) and refer the question of conflict of interest to the CAO. The CAO may uphold the Chair’s selection or require replacement(s) for the member(s) objected to. The CAO’s decision is final.

(e) In the event that the Chair must find a replacement for any member objected to, or due to a member’s recusal or incapacity, the Chair shall request that a replacement be chosen by the group who appointed the recused or incapacitated member.

(f) Procedure for Appeals Brought During a Non-Contractual Period. The Assistant Vice President for Undergraduate Studies or the Dean of the Graduate School will be the sole determiner as to whether the appeal will be heard during the non-contractual period. If it is determined that the hearing should not take place during the non-contractual period, the appeal will be heard during the next semester. Otherwise, the Assistant Vice President for Undergraduate Studies or the Dean of the Graduate School will appoint an ad hoc chair of the appeals board who will establish the Hearing Panel in accordance with section 2-1-204(4) (b). The faculty members of the Panel must be approved by the Executive Committee of the Faculty Senate. The student members of the Panel must be approved by the Student Body President or GSA President. The appeal will be heard within seven working days. Should the Chair be unable to establish a Hearing Panel, the appeal will be heard at the beginning of the next semester.