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Academic Policy Committee Report - April 7, 2005

Graduate Council

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ACADEMIC POLICY COMMITTEE
THURSDAY, APRIL 7, 2005
P-115 CONFERENCE ROOM, ANDY HOLT TOWER

Present: Charles Feigerle (Chair), Karla Matteson, Buddy Moore, Mathew Murray, Stephanie Ohnesorg, Mary Papke, Cheryn Picquet, Kay Reed, and Belle Upadhyaya.

The meeting was called to order by Charles Feigerle, Chair, at 2:05 p.m.

1. Post Doctoral Policy.

Buddy Moore presented a proposal from an ad hoc committee assigned to draft a policy on post doctoral appointments. The policy proposal was discussed by the committee and supported by the group. The committee recommended that a broader discussion of the proposal should be undertaken so that many parts of the university may be involved. The proposal will be on the agenda for the April 21, 2005, Graduate Council meeting for discussion, but not as an action item.

2. Graduate Student Appeals Process.

Mary Papke presented a proposal for change to the Graduate Student Appeals Process (see attached). The committee approved the proposal for recommendation to the Graduate Council for change, effective Fall 2005.

The meeting adjourned at 3:25 p.m.

THE UNIVERSITY OF TENNESSEE

GRADUATE COUNCIL APPEAL PROCEDURE

General admission, continuation, and graduation requirements are established by the Graduate Council and administered and monitored by the Dean and the Associate Dean of Graduate Studies. Basic requirements of graduate education are outlined in the *Graduate Catalog*. Additional admission, continuation, and graduation requirements may be established by the department (program) and are made available through the department (program) office.

Graduate Student Rights

A graduate student is entitled (1) to be provided with a written statement of all university, college, and department requirements for continuation and graduation, and (2) to receive timely notification of the procedures and criteria for evaluation of academic performance, and the schedule and requirements for diagnostic, qualifying, comprehensive, and final examinations.

Graduate Student Responsibilities

A graduate student must abide by the Standards for Conduct outlined in *Hilltopics*. As *Hilltopics* specifies, “An essential feature of The University of Tennessee is a commitment to maintaining an atmosphere of intellectual integrity and academic honesty.” A graduate student is required to uphold these standards of integrity and honesty in all learning, teaching, and research. A graduate student can, in turn, expect the same degree of integrity and honesty from all teachers, mentors, and advisors.

Graduate Student’s Right of Appeal

A graduate student may appeal two types of academic decisions to the Graduate Council through the office of the Associate Dean of Graduate Studies. Students with grievances concerning the interpretation of and adherence to university, college, and department policies and procedures as they apply to graduate education should file a formal complaint with the Graduate Council through the office of the Associate Dean of Graduate Studies, but only after grievances have been duly processed, without resolution, through appropriate appeals procedures

at the department and college levels. An appeal of policies or procedures must be filed no later than 90 days after the incident that occasions the appeal.

Students with grievances concerning grades should file a formal complaint with the Graduate Council through the office of the Associate Dean of Graduate Studies, but only after grievances have been duly processed, without resolution, through appropriate appeals procedures at the department and college levels. Students may appeal academic performance evaluations only on the basis of one or more of the following allowable grounds: (1) A clearly unfair decision (such as lack of consideration of circumstances clearly beyond the control of the student, e.g., a death in the family, illness, or accident); (2) Unacceptable instruction/evaluation procedures (such as deviation from stated policies on grading criteria, incompletes, late paper examinations, or class attendance); (3) Inability of the instructor to deal with course responsibilities; or (4) An evaluative process in a setting or situation which makes performance extremely difficult. A grade appeal must be filed no later than 90 days after the final grade has been issued.

Students with grievances related to race, gender, religion, national origin, age, or handicap should file a formal complaint with the Office of Equity and Diversity with a copy to the appropriate academic department head.

Graduate Council Authority

The Graduate Council has authority to recommend (1) granting the appeal and suggesting instructions for resolving the grievance, (2) denying the appeal, or (3) remanding the case to the college or department. In all appeals to the Graduate Council, the decision of the Dean of Graduate Studies in consultation with the Graduate Council appeals hearing panel is final.

The Appeals Procedure

The student with a grievance to be appealed concerning grades, policies, or procedures must first follow the existing departmental procedure. At a minimum, the student must confer with the appropriate faculty member, advisor and/or major professor, the Graduate Liaison, and then, if the issue remains unresolved, with the department head. If the appeal is denied or is determined to be outside the purview of the department, the student may appeal in writing to the dean of the college within 30 days of the departmental decision. If the student wishes to appeal

the decision of the college, he or she may file a formal appeal with the Associate Dean of Graduate Studies within 30 days of the college decision. The formal appeal to the Associate Dean of Graduate Studies must include the following:

1. Name of student filing the appeal.
2. Program in which the student is enrolled.
3. Name of student's major advisor.
4. Current contact information for the student.
5. Name and position (title and relationship to student) of the person(s) to whom the original appeal was made.
6. Copies of the original statement of appeal, supporting documents clearly stating the reasons on which the appeal is based, and a statement of what remedy is being sought.
7. Copies of all official statements concerning the grievance proceedings held at the departmental and college levels and the decisions rendered in these earlier appeals, including the response by the person(s) to whom the appeal was first made.
8. Statement of why the previous decisions are in error.

It is the student's responsibility to make the case for the appeal. That is, the student should clearly indicate in the matter of a grade appeal one or more of the allowable reasons for appeal listed above and in the matter of an appeal of policies and procedures one or more indications of how proper policy or procedure was not followed.

To initiate the formal appeals procedure at the Graduate Council level, the student must submit a letter of appeal containing all the above information to the Associate Dean of Graduate Studies with copies to the department head and dean of the student's college. The Associate Dean will promptly forward the material to the Chair of Appeals of the Graduate Council. The Chair of Appeals will then appoint two other members of the Graduate Council to serve on an appeals panel, will distribute all materials to these members of the Appeals panel, and will convene the members at the earliest opportunity. The Appeals panel will at this meeting record by majority vote whether or not a hearing concerning the appeal should be held and immediately notify the Associate Dean of Graduate Studies of its decision. The Associate Dean will review the appeal documents and notify the Dean of Graduate Studies whether or not a hearing is

mandated.

Composition of Appeals Hearing Panel

The Dean of Graduate Studies appoints for each mandated hearing a hearing panel of five members, four of whom are elected members of the Graduate Council and the fifth the graduate student representative to the Council or her/his designee. Each panel is comprised of members not of the same college as the student filing the appeal. The Dean will send a specific charge to the hearing panel, defining the subject matter of the appeal, that may indicate the need for a de novo review of the merits of the grievance. The Chair of Appeals of the Graduate Council will facilitate the meeting of the hearing panel but will not vote on the matter.

The Appeals Hearing

The Chair of Appeals will schedule a hearing normally within 30 days of the Dean's appointment of a hearing panel and will distribute material to all members of the panel. The parties involved in the appeal are entitled to the following procedural rights: (1) a written notice of the time and place of hearing, and (2) the opportunity to present all pertinent evidence, including witnesses. The student involved in the appeal may be assisted at the hearing by a member of the faculty or a student representative of choice.

The hearing panel may require the student and appropriate university officials to provide, in advance of the hearing, further written statements, records, reports, and other documentation bearing on the issue under consideration.

The hearing panel will (1) conduct a hearing in closed session, (2) prepare a summarized record of the entire hearing to be forwarded to the Dean and presented to the Graduate Council, (3) make findings of facts and a recommendation concerning disposition of the appeal to the Dean and the Graduate Council, and (4) maintain a recording of the entire hearing.

At the next appropriate meeting of the Graduate Council, the Chair of Appeals will review the summarized record of the hearing together with findings and recommendations of the hearing panel as an information item.

The hearing panel will make its recommendation on the appeal, forwarding all supporting documents, to the Dean of Graduate Studies within 10 working days of the hearing. The Dean will review all documents with the Associate Dean of Graduate Studies and either accept or

reject the panel's recommendation. The Dean's decision and reasons for it, as well as any action that should be taken, will be sent to all involved parties within 10 working days of the Dean's receiving the recommendation. The Dean's decision is final.

**UNIVERSITY OF TENNESSEE
CHAIR OF APPEALS**

**OF
THE GRADUATE COUNCIL**

BY-LAWS AND OPERATING PROCEDURES

Dated 22 February 2005

FUNCTION

The Chair of Appeals serves as a representative of the Graduate Council in the consideration of appeals from graduate students concerning a grievance that has been unresolved at the department and college levels. Appeals may involve the interpretation of and adherence to university, college, and department policies and procedures as they apply to graduate education and the issuance of grades based on specific allowable reasons stipulated in the Graduate Council Appeal Procedure. The Chair does not consider grievances related to race, gender, religion, national origin, age or handicap; such grievances are handled by the Office of Equity and Diversity.

CHAIR

The Chair of the Graduate Council appoints the Chair of Appeals from the Graduate Council membership. The Chair of Appeals has the responsibility of appointing appeals panel members to review appeals to determine whether or not an appeals hearing is mandated. The Chair of Appeals also facilitates all meetings of hearing panels but does not vote in those hearings.

SELECTION OF MEMBERS OF APPEALS PANELS

The Chair of Appeals selects two elected members of the Graduate Council to serve on each appeal panel to determine whether or not a full hearing should be mandated. The Chair has the right of vote in each appeal panel meeting.

MEETINGS

The Chair of Appeals convenes a meeting of each appeal panel at the earliest opportunity. The Chair of Appeals will also convene an appeals hearing at the earliest opportunity after receiving a specific charge concerning the appeal from the Dean of Graduate Studies.

PROCEDURES TO HANDLE APPEALS

The chair will follow the Graduate Council Appeal Procedure, as established by Graduate Council on xxxxxxx. This procedure is published and distributed by the Office of Graduate Student Services and is available at <http://xxxxxxx>. Following an appeals hearing, the Chair of Appeals reviews the summarized record of the hearing together with findings and recommendations of the hearing panel and presents these to the Dean. The Dean of Graduate Studies after consideration of the appeals hearing recommendation makes the final decision regarding an appeal and notifies the student, the Dean of the College, and the Department Head, in writing, of that decision. The Chair of Appeals will present a summary of actions as an information item at the next appropriate meeting of the Graduate Council after the decision has been transmitted to all involved parties.

REPORTS

Reports of appeals decisions are maintained in the Office of Graduate Student Services in the records of the Graduate Council.

The Graduate Council Appeal Procedure can be obtained at the Office of Graduate Student Services or at <http://xxxxxxxxxxx>. Normally, grievances should be handled first at the department level through the student's academic advisor, the graduate liaison, or the department or program head. Further appeal may be made to the dean of the respective college, the Graduate Council through the Associate Dean of Graduate Studies, and ultimately to the Dean of Graduate Studies.

Appeals may involve the interpretation of and adherence to university, college, and department policies and procedures as they apply to graduate education and the issuance of grades based on specific allowable reasons stipulated in the Graduate Council Appeal Procedure.

Appeal procedures in regard to allegations of misconduct or academic dishonesty are presented in *Hilltopics* under "Disciplinary Regulations and Procedures." Students with grievances related to race, sex, color, religion, national origin, age, disability or veteran status should file a formal complaint with the Office of Equity and Diversity.

Rationale for proposed changes in the Graduate Council Appeals Procedure

- 1) Currently, graduate students cannot appeal grade decisions of any sort to the Graduate Council but only through department appeals. The revised procedure offers the same right of appeal on grade decisions as that offered to undergraduate students. Grade appeals are limited to very specific circumstances and do not include the evaluation of course work or examinations.
- 2) The current policy has no provision for consideration of the validity or timeliness of an appeal—that is, whether the student has attempted resolution of the problem on the departmental and then the college levels as well as whether the appeal is the type adjudicated by the Graduate Council rather than the Office of Equity and Diversity or the Office of Student Affairs.
- 3) Currently, because of the unclear route of appeal, graduate students seeking redress commonly appeal directly to the Dean of Graduate Students first, thus drawing the Dean into the appeal procedure at too early a stage. The Dean should be kept in the appellate position and so remain neutral on the appeal in question until the Graduate Council verifies that an appeal should be heard and then sends forward a recommendation of action.
- 4) The proposed procedure outlines a clear route of appeal and directions on making an appeal to the Graduate Council through the office of the Associate Dean of Graduate Studies. This new procedure is patterned on those of other major research institutions and protects both the rights of students and faculty by stipulating more clearly what sort of problems may be appealed and how that appeal should be made.
- 5) The proposed procedure frees up members of the Graduate Council to work on other committees, rather than serving on a standing committee of appeals, and allows the Chair of Appeals and the Dean to appoint appeal panels and hearing panels without conflicts of interest.

Respectfully submitted,

Associate Dean Mary E. Papke