

Academic Grade Appeal Hearing and Procedural Guidelines

Effective: 2/26/2024

Revised: 2/26/2024

The hearing process is a structured process guided by University and College policies and procedures.

An aggrieved student (generally, a student requesting a hearing) may, at their sole expense, choose to have personal legal counsel or other adviser to the student attend a grade appeal hearing. Should the aggrieved decide to be represented or advised by legal counsel, the respondent (generally, the student's teacher) shall have the same option.

The hearing process warrants that all parties, whether the aggrieved, respondent, or their witnesses, are protected from restraint, coercion, discrimination, or retaliation for requesting or participating in mediation or a hearing. Participants alleging a violation of these guidelines may file a grievance by referring to The Office of University Rights and Responsibilities (<https://urr.asu.edu/>).

Grade Appeal Hearing Procedural Guidelines

Grade appeal hearings are conducted by the Edson College of Nursing and Health Innovation Grade Appeal Committee (*the Committee*) and are guided by the following procedures:

1. The Committee Chair will digitally record the hearing. Deliberations are not part of the hearing and are not recorded. The digitally recorded hearing is not transcribed. The digital recording file will be confidentially maintained by the Edson College of Nursing and Health Innovation for ten years after the hearing.
2. Unless overriding reasons are given to the aggrieved, respondent, and other appropriate parties, all parties shall have access to all information that is presented to the hearing body at no expense to them, with the exception of the cost of obtaining a transcript of the hearing.
3. Past grade appeals, grievances or information unrelated to the grade appeal under review will not be presented or reviewed.
4. The parties may have witnesses to support their testimony to the Committee. Witnesses shall be excluded from the hearing except while testifying. Generally, the Committee will allow witnesses to testify and documents to be presented which are related to the complaint or the response to the complaint, as determined by the Chair of the Committee.
5. The parties will provide a written list of witnesses and a description of documents or other evidence they intend to use at the hearing to the Committee Chair at least 5 business days before the hearing.
6. The parties may seek the advice of personal legal counsel or personal non-attorney advisory counsel (hereafter referred to as "personal counsel") prior to the hearing. The Chair will be notified if personal counsel will be attending the hearing at least 5 business days before the hearing.
7. For the presentation to the hearing committee, the aggrieved may elect one of two options. The respondent must use the same or a lesser level of personal non-attorney advisory counsel selected by the aggrieved:
 - a. The aggrieved may proceed without personal counsel at the hearing.
 - b. The aggrieved may be accompanied by personal counsel. The aggrieved will be responsible for presenting the case (witnesses, exhibits, and statements). Personal counsel will not be allowed to present any testimony during the hearing nor participate in Committee discussions.

Regardless of which option the aggrieved elects, the Committee has the right to speak to the parties and witnesses during the hearing, including the right to question and to receive responses from the parties and witnesses directly.

8. Members of the Committee shall not participate in hearings when they have a conflict of interest, whether it may be an actual conflict, a potential conflict, or a perceived conflict. A conflict of interest arises when an individual's personal interest – family, friendships, financial or social factors could compromise the impartiality of his or her judgment, decisions, or actions in the hearing of an aggrieved student's final course grade appeal. Examples of conflicts include, but are not limited to, if a Committee member had another grade appeal with the student; they are the student's mentor; or they are the teacher of record or teaching in the class in which the aggrieved is appealing.
9. It is expected that any member of the University community called to give testimony shall testify.
10. The aggrieved and respondent shall hear all testimony.
11. Upon request of either party and with reasonable cause shown, the Chair may continue the proceedings to another time.
12. Recommended hearing presentation guidelines:
 - a. Each party may present an opening statement of his or her position (**5 minutes each – 10 minutes total**).
 - b. Generally, the aggrieved will then present all of his or her witnesses and documents (**10 minutes**). The Committee members may question the witnesses and ask questions about documents presented.
 - c. The respondent may question the aggrieved and/or offer a rebuttal statement (**5 minutes**).
 - d. The respondent shall then have an opportunity to present his or her witnesses and documents (**10 minutes**), and the Committee members may question the witnesses and ask questions about documents presented.
 - e. The aggrieved may question the respondent and/or offer a rebuttal statement (**5 minutes**).
 - f. Each party may present a summary concluding statement beginning with the aggrieved (**3 minutes each – 6 minutes total**).
 - g. The respondent may make closing remarks (**1 minute**).
 - h. The aggrieved may make closing remarks (**1 minute**).
 - i. The members of the Committee may question the parties throughout the hearing.
13. The Chair (or Committee delegate) will use the *Academic Hearing -Time Keeping Record Form* found at the conclusion of these guidelines.
14. The Committee will deliberate immediately following the conclusion of the hearing proceedings or the next business day if deliberations cannot be completed on the hearing date within business hours.
15. Within 10 business days after the completion of the hearing deliberations, the committee chair shall submit a report to the Dean and the Associate Dean of the Academic Enterprise (Dean's designee), which will include its findings, conclusions, and recommendations.
16. Within 10 business days of receipt of the committee report, the Dean shall decide the matter and forward a written statement to the Associate Dean of the Academic Enterprise (Dean's designee). The Associate Dean will provide the Dean's decision to the aggrieved, the respondent, and the Chair of the Committee. If the Dean cannot issue a decision within the 10-day period, the Dean will notify the Associate Dean within the 10-day period of a delay in the issuing of the decision and the date on which the decision can be expected. The Dean's decision is final.

Academic Hearing - Time Keeping Record Form

Party	Description	Time Allotted	Time
Committee Chair	Makes an introductory statement, "We have assembled here today to conduct an academic grade appeal hearing as part of the Edson College of Nursing and Health Innovation's formal academic grade appeal procedure." Committee chair: <ul style="list-style-type: none"> • Outlines hearing rules • Introduces the aggrieved and respondent • Reads the Statement of Appeal • Ask the aggrieved to accept or reject • Ask the aggrieved to make their opening statement 		
Aggrieved (Student)	Makes opening statements of their position	5 minutes	
Respondent	Makes opening statement of their position	5 minutes	
Aggrieved (Student)	Present all of their documents and witnesses* <ul style="list-style-type: none"> • Committee members may question witnesses and ask questions about documents presented 	10 minutes	
Respondent	May ask the aggrieved questions and/or offer a rebuttal statement	5 minutes	
Respondent	Presents all of his or her documents and witnesses* <ul style="list-style-type: none"> • Committee members may question witnesses and ask questions about documents presented 	10 minutes	
Aggrieved (Student)	May ask respondent questions and/or offer a rebuttal statement	5 minutes	
Aggrieved (Student)	Presents summary concluding statement	3 minutes	
Respondent	Presents summary concluding statement	3 minutes	
Respondent	May make closing remarks	1 minute	
Aggrieved (Student)	May make closing remarks	1 minute	
Chair	Thanks everyone for attending and dismisses all but committee members		
Committee Chair	Deliberates		
Committee Chair	Submits a report to the Dean which will include its findings, conclusions, and recommendations within 10 days of the hearing		
Dean	The Dean shall decide the matter and forward a written statement to the Associate Dean of the Academic Enterprise (Dean's designee). The Associate Dean will provide the Dean's decision to the aggrieved, the respondent, and the chair of the hearing committee within 10 days of receipt of the committee report.		
Dean	If the Dean cannot issue a decision within the 10-day period, the Dean will notify the Associate Dean within the 10-day period of a delay in the issuing of the decision and the date on which the decision can be expected. The Dean's decision is final.		

**Committee members may ask questions of the aggrieved, respondent, or witnesses at any time for the purpose of clarification.*