National-Louis University
Policy on Academic Appeals, AP300

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Policy on Academic Appeals

Fairness of academic decisions shall be ensured by permitting a student to appeal an academic decision for any of the following reasons:

1. The criteria and procedures for the decision were not published.
2. The published criteria and procedures were not consistent with college, school, division, department or program policy and procedures, or violate a student's rights.
3. The published criteria and procedures were not followed in making the decision. This includes factual and calculation errors or major errors in judgment. Reasonable and customary academic judgments are specifically excluded from this review process.
4. The decision was substantially influenced by factors other than published criteria; i.e., the decision was discriminatory.

Additionally, it is the student's responsibility to furnish supporting evidence to substantiate their appeal; this is to ensure appeals are evidence-based and provide objective measures to review and reach a fair resolution for all parties involved in the academic appeal. As such, students are encouraged to include supporting evidence at every step of the academic appeal process.
The following types of disputes are covered under the academic appeals process:

- Graded assignments (ie. exams, papers, presentations, projects, and field experience)
- Final grades

Note: *Admission and re-admission decisions are specifically excluded from the Policy on Academic Appeals. Additionally, charges of academic dishonesty are excluded from the Policy on Academic Appeals and are governed by the Academic Honesty Policy. Additionally, appeals of disciplinary actions resulting from disruptive classroom behavior are governed by the Disruptive Behavior Policy.*

Introduction

A variety of academic decisions and judgments are essential to the orderly operation of an educational institution. Awarding transfer credit, course grades, admission to a specific program, and certification for graduation are examples of academic decisions that affect an individual student enrolled in the University.

Students have a right to expect that these important decisions will be made fairly by application of published policies and procedures. Individual students are entitled to a reasonable and timely review of academic decisions. At the same time, the collective good of the academic community requires the establishment and consistent application of policies, procedures, and standards. University faculty and staff also have a right to expect reasonable freedom to exercise collective and individual professional judgment within their recognized areas of expertise. This policy has been developed to ensure fairness to all parties involved in such academic decisions.

This policy is limited to the review of academic decisions that are based on the application of established policies, procedures, or standards. It does not establish any individual rights to review established policies, procedures, or standards, or limit any existing rights to individually or collectively petition individuals or groups responsible for University policy.

Definitions and Concepts

Reasonable and Customary Academic Judgment

Faculty and academic administrators are said to be exercising "reasonable and customary judgment" when they are faithfully following published criteria and procedures. Reasonable and customary judgments also include those academic decisions made within a faculty member's recognized areas of expertise.
When an academic administrator decides at Step II of this policy, that a faculty member's decision was "reasonable and customary," and thus not qualifying for appeal, the student will be so advised. A student may appeal the administrator's decision by complying with Step III of this policy. The faculty governance units at that level may sustain the Step II decision or ask the administrator to review the initial appeal.

Academic Policies and Procedures

The Undergraduate and Graduate Catalog is the primary source of published academic and admissions standards. Additionally, institutional and college generated student guides and handbooks, program/course guides (which students have access to) and faculty generated course syllabi are also sources of documented academic standards. Verifiable, in-class verbal instructions relative to grading criteria/assignments may be considered in an appeals process; however, faculty are cautioned that primary consideration will be given to documented instructions and that decisions influenced by other than published criteria are subject to review in accordance with this policy.
A policy or procedure may not be appealed; only appeals based on academic decisions under a policy and procedure may be heard. This does not prevent students from petitioning for reform of academic policies and procedures outside of the academic appeals process. In such cases, the student should be directed to the Assistant Dean of Students or designee at studentaffairs@nl.edu.

An Academic Unit

For this policy, an academic unit is defined as a division, department, program, college or other subdivision of the University.

Academic Administrators

Academic administrators include the Senior Academic Officer (Provost, Vice Provost, or Provost Designee) the college deans and the individual college department heads, program director or administrator designated by the college deans, all of whom are responsible for academic decision makers (other administrators [registrar, admissions, etc.], faculty and staff) who administer the faculty generated admissions standards and academic standards. At the college department/program level, the administrator must have responsibility for the curriculum/program in which the student (appellant) was enrolled at the time of the academic decision under appeal; this academic administrator will attempt to resolve contested academic decisions at Steps II of the appeals process.

Academic Decisions

An academic decision is a decision made by a faculty member; a faculty admissions team; a faculty governance unit; an academic administrator (as defined above); or by an academic agency staff member (i.e. registrar, admissions, assessment) acting in accordance with academic policies and procedures.

Discriminatory Practices

In order for an academic decision to be appealed on discriminatory grounds, the student must contend in writing that the decision was influenced by factor(s) that relate to any of the parties involved being a member of a protected class. Protected classes are defined in federal and state laws and regulations or in University policies. For more information about protected classes, please visit https://www.eeoc.gov/discrimination-type.
Any student with questions, complaints or concerns about discrimination or harassment on the basis of any classification other than gender is encouraged to. contact the Assistant Dean of Students or designee at studentaffairs@nl.edu

Procedure

Step I. Informal Review by the Individual Responsible for the Decision (Instructor Review)

Students must initiate the appeal process within 15 business days following formal (documented) notification of the decision by completing and submitting an academic appeals form (https://nl.edu/legal/let-us-know/) AND contacting the individual responsible for the decision (i.e., the instructor who assigned a grade or the administrator who informed the person of the decision) to attempt informal resolution of the disagreement. The student may also consult with an academic advisor, program director, department chair, or student services professional to obtain informal assistance. (Such consultation does not initiate the appeal process.)
When a student requests that an academic decision covered by this policy be reviewed, the individual responsible for the decision is required to:

1. Attempt informal resolution of the disagreement.

2. Identify for the student the department head or administrator responsible for the academic unit involved in the appeal. An academic unit is defined as a division, department, program or other subdivision of a college.
3. Inform the student about the academic appeal process including any review procedures/options that exist within the academic unit.
4. Document in writing the initiation of the review process and the terms of any agreement reached. Agreements reached during the informal review process are not to be placed in the official University record of either party, but shall be retained in the administrative files of the department or program. Both individuals shall retain a signed copy of the agreement.

The instructor who assigned the grade or administrator who informed the student of the decision should resolve this matter within 10 business days of the date of original appeal. If the individual responsible for the decision is unavailable or unresponsive within 15 business days of the date of the original appeal, the administrator responsible for the unit shall initiate Step II.

Step II. Academic Program Administrator (Program Chair/Director) Review
If a reasonable effort by the student and the individual who made the contested decision does not result in informal resolution of the complaint, the student may escalate their appeal, following the instructions provided in the Step I response, by submitting a written request for review to the responsible academic unit department head or administrator within 10 business days of the Step I decision.
The request for review must state:

1. The decision that is being appealed.
2. The name(s) of the individual(s) responsible for the decision.
3. The date of notification.
4. The basis for appeal in relation to the criteria stated above.

The department head (program chair/director) or administrator responsible for the unit shall review the written appeal and:

1. Determine that the appeal is within the scope of this process.
2. Meet informally with the student and others involved in the decision to identify possible solutions and promote informal resolution.
3. Serve as a mediator as part of the unit's informal review process.
4. Or, determine that further informal review by the unit is not likely to resolve the disagreement and refer the appeal to the college unit responsible for hearing student appeals.

The department head may authorize the implementation of any informal agreement that is reached with the individual (Step I), or decide the appeal on its merits.
When deciding an appeal on its merits, there is an expectation that academic administrators at the college department or program level will review and make decisions regarding student appeals of faculty and staff decisions within their departments. Appeals that may require exceptions to customary practice (i.e., situations that are unique or uncommon) must be forwarded to Step III for review by the appropriate faculty governance unit.

If an agreement is not reached within the academic unit, the academic unit administrator will refer the appeal to the college governance unit responsible for hearing student appeals within 10 business days of the date of the Step II decision.

Step III. College Appeals Review
If a reasonable effort by the student and the department head or administrator does not result in a resolution of the complaint, the student may escalate their appeal, following the instructions provided in the Step II response, by submitting a written request for review to the college governance unit responsible for hearing student appeals within 10 business days of the date of the Step II decision.
The college governance units are:

- Accelerate U - Vice President of Workforce Pathways
- College of Psychology and Behavioral Sciences - Academic Standards and Admissions Council
- Kendall College of Culinary Arts and Hospitality Management – Dean or Associate Dean of Kendall College
- National College of Education - The Academic Policies Committee
- Graduate School of Business and Leadership - Academic Standards Committee
- Undergraduate College - Curriculum & Instruction Committee
- University Library - Undergraduate College's Curriculum & Instruction Committee

Note: Nursing and PACE student academic appeals will be governed under the Undergraduate College

There is an expectation that the faculty governance unit will review and make determinations regarding student appeals of academic administrators, faculty, and staff decisions within their college within 10 business days following receipt of the written appeal. When a decision is reached regarding the appeal, the decision shall be forwarded to the appropriate college dean (or dean designee) or appropriate academic unit leader for review. The dean (or dean designee) or academic unit leader, acting as an officer of the University may, when warranted, alter or reverse a decision of the faculty governance unit, if in their judgement, it is in the best interest of the institution (e.g., due process issues, financial and/or legal considerations). However, a dean (or dean designee) or academic unit leader will not reverse a decision of a faculty governance committee without first attempting to get a consensus of the committee as to an appropriate resolution of the issue. Each college governance unit may develop a specific procedure for implementing its decision-making process.
The appellant will have the right and option to go on to Step IV - University Level Review, when dissatisfied with a Step III decision.

Step IV. University Level Review
If a student is not satisfied with the resolution/remedy of the complaint as determined at the college level, the student may escalate their appeal, following the instructions provided in the Step III response, by submitting a formal written appeal to the Senior Academic Officer or designee within 10 business days from the date of the Step III decision. The formal written appeal must include:

1. The decision that is being appealed;
2. The name(s) of the individual(s) responsible for the decision;
3. The date of notification;

4. The basis for the appeal in relation to the criteria stated above;
5. A summary of the evidence supporting the claim, including written documents and the names of individuals who have first-hand information relating to the appeal;
6. A summary of attempts to reach formal/informal resolution under Steps I, II, and III; and,
7. Any proposed settlements that were rejected by either party.

The Senior Academic Officer shall, within 10 business days following receipt of the written appeal, review the document to determine if:

1. The student has made a reasonable attempt at resolution at the college level following published procedures and timelines (the appeal may be remanded to the college if warranted); and,
2. There is reasonable preliminary evidence that the appeal is based on one (or more) of the reasons stated in the introduction to this policy.

If these conditions are met, the Senior Academic Officer may sustain, mitigate or reverse the action/remedy taken at the college level; or, submit the appeal to a formal hearing. The Senior Academic Officer and/or the appointed hearing committee will not reverse a decision of a college faculty governance unit without consulting with that unit and considering the rationale for the college-level decision. In the event of a formal hearing, the Senior Academic Officer will:

1. Forward a copy of the petition to the individual whose decision is being appealed.
2. Appoint a hearing officer to conduct a formal hearing. The hearing officer shall be a full-time employee of the institution with appropriate experience in the type of decision under review, but not directly involved in the specific decision.
3. Request that the chair of the Student Academic Support Committee (SASC) appoint two faculty members who were not directly involved in the original decision to serve with the hearing officer as members of the hearing committee.
4. The hearing committee procedures are as follows:
    i. Within 5 business days following appointment, the hearing officer shall schedule a hearing and notify the involved parties of the procedures to be followed.
    ii. The hearing officer shall make a good faith effort to schedule the hearing at a time and place that is mutually agreeable to all persons involved.
    iii. The members of the hearing committee shall determine the number of meetings, as it deems necessary.
    iv. Any and all written materials which a party wishes to submit to the hearing committee shall be submitted at least three (3) business days prior to the first hearing date. Any additional materials will be accepted at the discretion of the hearing committee. Within three (3) business days prior to the first hearing date, each party shall also provide the hearing committee with a list of anticipated witnesses.
    v. Each party may be accompanied at the hearing by an advocate of his/her choice. Within three (3) business days prior to the hearing, each party shall provide the hearing committee with the name and relationship of any such advocate.
    vi. No verbatim transcript or tape recording will be made of the hearing or the hearing committee's deliberations.
    vii. The hearing committee may deliberate in closed session at any time in its discretion.

viii. Should the hearing committee independently gather any documents, witness statements or depositions, the parties shall be informed that the committee has done so, and the parties shall be allowed to review and comment on the same before the hearing committee concludes its deliberations.

ix. The parties shall respond to any request of the hearing committee within three (3) business days. The hearing committee may extend the response period upon the request of a party for good cause shown.

x. The hearing officer shall preside over the hearing. No formal rules of evidence or parliamentary rules shall apply. All persons concerned shall strive to conduct themselves in a spirit of collegiality.

xi. After the evidence has been presented, the hearing committee shall deliberate in private and determine by majority vote if the original decision should be sustained or overturned, and if overturned or mitigated, what remedy should be recommended.

xii. The hearing committee shall make a good faith effort to provide a final written report within 10 business days of the first hearing date. The recommendation of the hearing committee shall be forwarded to the Senior Academic Officer for review/implementation.

xiii. Within 5 business days following notification of the decision of the hearing committee, either party may appeal to the Senior Academic Officer for final administrative review. The Senior Academic Officer will render a final decision within 10 business days. The involved parties shall be informed in writing of the final decision.