

COLLEGE OF EDUCATION

ACADEMIC PROBATION, DISMISSAL AND APPEAL POLICY AND PROCEDURES

A. Introduction

1. **Purpose.** This College of Education policy supplements Seattle University's Academic Probation, Dismissal and Appeal Policy and Procedures for Graduate Students. The purpose of this policy is to clarify how probation and dismissal decisions are determined in the College of Education and to clarify the timeline and procedures to be followed for the appeal.
2. **Applicability.** This policy only applies to students enrolled in graduate degree programs at the College of Education.
3. **Dean's Designee.** The College of Education's dean's designee and primary administrator for matters relating to academic probation and dismissal is the Associate Dean for Academic and Student Services. The dean's designee is authorized to extend appeal timelines as necessary.
4. **Policy Overview.** Each quarter, the Associate Dean for Academic and Student Services shall conduct a preliminary review of student academic records to identify students who meet the requirements for probation or dismissal. For those students, the associate dean shall obtain a written recommendation from the program to help inform whether probation or dismissal is appropriate. Determinations of probation shall be decided by the associate dean and any probation appeals shall be decided by the dean. Determinations of dismissal shall be decided by the department chair (except in cases where the student is from the chair's own academic program) and any dismissal appeals shall be decided by a panel comprised of three faculty members within the same department. For dismissal, there is a final limited appeal to the dean for procedural issues.

B. Determination of Academic Probation or Dismissal

1. **Review of Records.** The Associate Dean for Academic and Student Services shall conduct a preliminary review of the status of students' records for an academic quarter or the intersession to make decisions about probation or dismissal no later than two weeks after the first day of the immediately following quarter or intersession.
2. **Program Recommendation.** For all students who have met the requirements for academic probation or dismissal, the associate dean will request a written recommendation from the student's program director. The program advisor will also receive notification of the request. Because recommendations are meant to inform a final decision, recommendations shall include considerations that provide a reasonably comprehensive assessment of the student's current academic standing and ability to meet program requirements. If there is no agreement across program faculty members, the program director will summarize the faculty recommendations and forward them to the associate dean. The program director, program advisor, program

- faculty, and the student may be contacted for more information or clarification of issues.
3. **Determinations.** The associate dean shall determine whether probation is appropriate and if necessary, any relevant conditions. The department chair shall determine whether dismissal is appropriate.
 4. **Conflict of Interest.** In cases where the associate dean or department chair has an instructional relationship with the student, the dean shall appoint a designee to decide whether probation or dismissal is appropriate.

C. Probation Appeals

1. Consistent with university policy, a student placed on academic probation may not appeal the decision unless the student is able to produce specific documentation demonstrating an error in the data underlying the probation decision. Also consistent with university policy, the dean has the final decision regarding the appeal.

D. Dismissal Appeals

1. **Standard of Review and Burden of Proof.** A student subject to dismissal has the burden of proving by clear, cogent and convincing evidence one or both of two grounds: (1) the determining party failed to exercise reasonable professional judgment in making the determination or (2) the determining party failed to consider substantive information that could not have been presented or discovered prior to the time of the decision to dismiss and which would have substantially affected the decision or changed the outcome had it been known at the time of the decision.
2. **Content of Appeal.** A written appeal should include the following:
 - a. Identification of the decision that the student wants to appeal;
 - b. The specific ground(s) for the appeal and an explanation of why, based on these grounds, the decision should be changed, including all supporting documents and materials the student wishes the appeal panel to consider; and
 - c. A statement authorizing the appeal committee to communicate with those persons who were involved in the decision-making process or who may have relevant information concerning the decision. (If the student refuses to sign such an authorization, the appeal process is thereby terminated and the decision to dismiss will be implemented).
3. **Dismissal Appeal Hearing Procedure**
 - a. **Step 1: Notification to the Dean.** After receiving the appeal, the dean will send the department chair a copy of the appeal.
 - b. **Step 2: Composition of Appeal Panel.** Within ten business days of receipt of the appeal, the dean shall appoint the chair of the appeal panel (this may be the dean's designee) and three faculty members. The chair of the appeal panel nor any of the faculty members may be a member of the student's program. The chair is not a voting member of the panel.
 - c. **Step 3: Challenges for Bias.** The chair of the appeal panel will send both the department chair and the student a list of the proposed panel members by email. The department chair and the student each may challenge members of the appeal panel for bias within two business days. Such challenges must be in writing and must identify the reasons why they feel the proposed panel member cannot render an objective, unbiased decision. The chair of the appeal

panel will rule on the challenges, and, if appropriate, will request that the dean or dean's designee appoint new members to the panel.

- d. **Step 4: Scheduling the Hearing.** The chair of the appeal panel will schedule the appeal hearing to be held within 10 business days of receiving the student's written appeal. As a general rule, the hearing should be scheduled so that both the student and the department chair have at least five business days to prepare for the hearing. The chair of the appeal panel does, however, have the right to extend these time limits to accommodate the schedules of the student, the department chair, and the panel members who will hear the appeal. The chair of the appeal panel oversees the distribution of the written documentation to the panel, the student, and the department chair in sufficient time to insure a careful advance review of the materials. If the student or department chair elects to invite a support person, that information should be provided to the dean's designee at least two business days in advance of the hearing.
- e. **Step 5: Conducting the Hearing.** The chair of the appeal panel will preside over the hearing. Neither the student nor the department chair may bring legal representation to the hearing. However, both the student and the department chair may bring to the hearing a support person of their choice from within the university community. The support person is not permitted to speak, question, or otherwise participate in the hearing process. As a general process, the hearing will be conducted as follows:
 1. The chair of the appeal panel will open the hearing by introducing the student, the department chair, and the panel members who will hear the appeal.
 2. The chair of the appeal panel will ask the student to present their reasons for overturning the dismissal. The student has the burden of proving by clear, cogent and convincing evidence the grounds for challenging the dismissal.
 3. The chair of the appeal panel will ask the department chair to respond to the student's evidence and to explain the evidence and the process leading to the decision.
 4. The chair of the appeal panel will provide the student with an opportunity to respond to the department chair's statements and evidence.
 5. The chair of the appeal panel will give the panel members an opportunity to ask both the student and department chair questions.
 6. The chair of the appeal panel will end the hearing by asking if the student and department chair have any final statements and by telling the student and department chair that the panel members, but not the chair of the appeal panel, will meet in a closed session to decide the merits of the appeal. The student and department chair are each allowed, but are not required to make a final statement summarizing their respective positions. They and the chair of the appeal panel will then leave the hearing.

7. The appeal panel will then meet (or set a meeting time) to conduct their deliberations.
 - f. **Step 6: Deciding the Appeal.** A simple majority vote of the panel members is required to change the decision being appealed.
 - g. **Step 7: Preparing the Written Opinion.** Within five business days of the conclusion of the hearing, the appeal panel will issue a written decision and send by email copies of the decision to the chair of the appeal panel, the student, the department chair, and the dean's designee or dean. The dean's designee or dean will send by certified mail the signed original copy of the report to the student.
4. **Limited Appeal to the Dean.** If the student or department chair believes that the appeal process failed to follow the appropriate procedures and that the procedural violation materially affected the appeal decision, either may file a limited written appeal to the dean within five business days of notification of the outcome of the appeal. In this limited appeal the student or department chair should set out the procedure that they believe was not followed, any information they have to support the claim and a statement explaining how that alleged procedural error affected the appeal decision. The dean will review the written material submitted, conduct any investigation they believe is necessary, and make a decision within five business days as to whether material procedural error occurred. This decision is final and not subject to further appeal. If the dean finds that a material procedural error occurred, then the matter shall be remanded to the appeal panel to remedy the material procedural error and reexamine its original decision and make such changes as are deemed appropriate. The decision of the appeal panel on remand is final and not subject to further appeal.