

5-16-1997

SR-96-97-(80) 146 (GR)

Marshall University

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GRADUATE COMMITTEE
RECOMMENDATION

SR-96-97-(80) 146 (GR)

Recommendation to amend the academic appeals process as follows:

On page 53, subsection Q, of the Marshall University Graduate Catalog, strike "student" on line 1 and add "appellee or appellant". On line 7 strike, "student" and add "appellee or appellant".

The amendment will read as follows:

Q. Within thirty (30) days following receipt of the Hearing Panel's decision, the ~~student~~ *appellee or appellant* may file an appeal with the Senior Vice President and Provost who shall review the facts of the case and take such action as deemed appropriate under all the circumstances. The Hearing Panel's findings and sanction, if any, may be affirmed, modified, or remanded to the original Hearing Panel for further action as deemed appropriate by the Senior Vice President and Provost. A written brief stating grounds for the appeal should be presented by the ~~student~~ *appellee or appellant* to the Senior Vice President and Provost with the appeal.

The scope of review shall be limited to the following:

1. Procedural errors.
2. Evidence not available at the time of the hearing.
3. Insufficient evidence to support the findings of the Board.
4. Misinterpretation of University policies and regulations by the Board.
5. A sanction disproportionate to the offense.
6. Lack of jurisdiction.

RATIONALE: This motion allows either the appellee or appellant to file an appeal after the Appeals Board has made a decision. Formerly only students could appeal the Board's decision. The motion will give faculty members the same right.

FACULTY SENATE PRESIDENT:

APPROVED BY SENATE: Elaine Baker DATE: 5-16-97

DISAPPROVED BY SENATE: _____ DATE: _____

UNIVERSITY PRESIDENT:

APPROVED: [Signature] DATE: 5-19-97

DISAPPROVED: _____ DATE: _____

COMMENTS:
