

The University of Tennessee Graduate Council Appeal Procedure

(Effective Fall 2021)

Approved by Graduate Council: 2005

Revised and approved: 2009; October 2017; Spring 2021

General admission, continuation, and graduation requirements are established by the Graduate Council and administered and monitored by the Dean of the Graduate School. Basic requirements of graduate education are outlined in the Graduate Catalog. With approval of the Graduate Council, additional admission, continuation, and graduation requirements may be established by academic programs. These requirements and expectations may be found in the Graduate Catalog and other departmental and/or college documents (e.g., departmental graduate student handbooks).

Graduate Student Rights

All graduate students are entitled (1) to be provided with a published statement of all university, college, and department requirements for continuation and graduation, and (2) to have access to 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 the published student handbook called *Hilltopics*. *Hilltopics* and the *Graduate Catalog* present the Honor statement for students concerning academic honesty. All graduate students are required to acknowledge these standards of integrity and honesty in all of their learning, teaching, and research. A graduate student can, in turn, expect the same degree of integrity and honesty from all teachers, mentors, and advisors. Students with grievances concerning the interpretation of and adherence to university, college, and department policies and procedures, grades, or academic penalties can file a formal appeal. Appeal procedures in regard to

allegations of misconduct or academic dishonesty are presented in *Hilltopics* under [Student Code of Conduct](#).

Graduate Student's Right of Appeal

A graduate student may appeal three types of academic decisions to the Graduate Council through the Graduate Council Appeals Committee: (1) grievances concerning the interpretation of and adherence to university, college, and department policies and procedures; (2) grievances concerning grades; and (3) grievances concerning academic penalties imposed for academic and/or research misconduct.

1. Students with grievances concerning the interpretation of and adherence to university, college, and department policies and procedures as they apply to graduate education may file a formal complaint with the Graduate Council through the Assistant Dean of the Graduate School, but only after grievances have been duly processed, without resolution, through appropriate appeals procedures at the department and college levels. The initial appeal must be at the lowest level (i.e., at the department or college where the policy or procedure exists) and must be filed no later than 10 business days after the incident that occasions the appeal. If the department head or dean of college does not respond within 10 business days of receiving the student's written appeal, the student has the right take the appeal to the next level.
2. Students with grievances concerning grades may file a formal complaint with the Graduate Council through the Graduate Council Appeals Committee, but only after grievances have been duly processed, without resolution, through appropriate appeals procedures at the instructor, department and college levels. Students may appeal grades 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 exam setting which makes concentration extremely difficult. The initial grade appeal must be filed no later than 10 business days after the after the final grade has been issued.
3. Academic penalties may result from academic or research misconduct. These penalties can be appealed to the Graduate Council Appeals Committee. Students with grievances concerning such academic penalties may file a formal complaint with the Graduate Council through the Graduate Council

Appeals Committee. The Graduate Council Appeals Committee cannot reverse the outcome of a research misconduct process, a student conduct process, or any disciplinary sanctions that result from those processes; thus students may not use the Graduate Council Appeals Committee to appeal these decisions. The initial appeal of the academic penalty must be filed no later than 10 business days after the conclusion of the student conduct process and the issuance of the academic penalty.

Students with grievances related to race, sex, color, religion, national origin, age, disability or veteran status have the right to file a formal complaint with the [Office of Equity and Diversity](#), 1840 Melrose Avenue. These types of complaints are not addressed by the Graduate Council Appeals Committee.

The Appeals Procedure

A student wishing to initiate an appeal should contact the Graduate School's Assistant Dean and Director of Student Services at gradschool@utk.edu. The Assistant Dean will guide the student through the process and coordinate with the Graduate Council Appeals Committee to ensure the appeal is heard.

A student with a grievance concerning policies or procedures, grades, or academic penalties must abide by the following three step procedure in order for an appeal to be considered.

1. Before appealing to the Graduate Council Appeals Committee, the student must first follow and exhaust the appeal procedures at the department and college level. For grade appeals, the student must confer with the faculty member who issued the grade and if no resolution is achieved appeal to the department head. For appeals related to departmental policy, the student must appeal to the director of graduate studies for the program and if no resolution is achieved appeal to the department head.
2. If the issue remains unresolved with the department head, the appeal is denied, or the issue is determined to be outside the purview of the department, the student may appeal in writing to the dean of the college within 10 business days of the department head's decision. In cases when a student is appealing the interpretation of a college policy or procedure, the student may begin by appealing directly to the dean of the college.
3. If the student wishes to appeal the decision of the college, the student may file a formal appeal with the Graduate Council Appeals Committee through the Assistant Dean of the Graduate School within 10 business days of the college dean's decision.

The Graduate Council Appeals Committee does not meet during the summer months. When an appeal is filed during the summer, the chair of the Graduate Council Appeals Committee will form a panel and convene the membership within three weeks of the start of fall semester.

An appeal to the Graduate Council Appeals Committee must include the following documentation:

- Name and current contact information of student filing the appeal.
- Program in which the student is enrolled.
- Name of student's major advisor.
- Brief statement of the decision being appealed and the grounds for the appeal.
- Copies of the original statement of appeal to the department and/or college, supporting documents clearly stating the reasons on which the appeal is based, and a statement of what remedy is being sought.
- Name and position (title and relationship to student) of the person(s) to whom the original appeal was made and date of the original appeal.
- 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.
- In cases where the department and/or college has denied the appeal, the student should include a statement of why the previous decisions are considered to be in error.
- Release signed by the student allowing appeal documents to be shared with members of the Graduate Council Appeals Committee.

It is the student's responsibility to make the case for the appeal. For example, in the case of an appeal of policies and procedures the student should provide one or more indications of how proper policy or procedure was not followed; when a grade is appealed the student should clearly indicate one or more of the allowable reasons for appeal (allowable reason listed above); and in the case of an academic penalty the student must provide a rationale for the inappropriateness of the academic penalty.

Steps in the Appeals Process

The following steps are followed in the appeals process:

1. Student initiates the appeal with the Graduate School.
2. Graduate School Appeals Committee Chair appoints an appeals panel to consider the case.
3. Appeals panel recommends to the Graduate School Dean whether or not to move the appeal forward.
4. If the appeals panel recommends that the appeal move forward, a Hearing Committee is convened.
5. Hearing Committee makes recommendation to the Graduate School Dean.
6. Graduate School Dean issues a decision.

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 Assistant Dean of the Graduate School. The Assistant Dean notifies the department and college that an appeal has been filed and shares the student's appeal documents. The Assistant Dean will promptly forward the material to the Chair of the Graduate Council Appeals Committee. The Chair will then appoint two other members of the Graduate Council Appeals Committee to serve on an appeals panel along with a graduate student member. The Assistant Dean will distribute all materials to these members of the appeals panel, and will convene the members within 10 business days. The appeals panel will determine whether the appeal meets the standards outlined in this procedure and will record by majority vote whether or not a full hearing concerning the appeal should be held or if the appeal should be denied. The Chair of the Appeals Committee will notify the Graduate School Dean of the appeals panel's decision within 5 business days of the vote.

Composition of Hearing Committee

In those cases when the appeals panel recommends a full hearing of the appeal, the Graduate School Dean appoints a hearing committee of five members, four of whom are elected members of the Graduate Council and the fifth member being the graduate student representative to the Council or student designee. The hearing committee is comprised of members free of conflicts of interest and not of the same college as the student filing the appeal. The Graduate School Dean will send a specific charge to the hearing committee providing all materials reviewed through the review process and any other documentation needed for the committee to

determine the merits of the grievance. The Chair of Graduate Council Appeals Committee will facilitate the meeting of the hearing committee but will not vote on the matter.

The Appeals Hearing

The Chair of the Graduate Council Appeals Committee will schedule a hearing within 30 days of the Graduate School Dean's appointment of a hearing committee and will distribute material to all members of the hearing committee. The parties involved in the appeal are entitled to the following procedural rights:

- a written notice of the time and place of hearing
- 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 committee 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 committee will:

1. conduct a hearing in closed session,
2. prepare a summarized record of the hearing to be forwarded to the Graduate School Dean,
3. make findings of facts and a recommendation concerning disposition of the appeal to the Graduate School Dean, and
4. report a summary on the activities without identifying student or department information to the Graduate Council at the next scheduled meeting.

The Graduate School Dean will review all documents provided to the hearing committee and either accept or reject the hearing committee's recommendation. The Dean's decision and reasons for it, as well as any action that should be taken, will be sent to the student, the Chair of the Graduate Council Appeals Committee, and the Graduate School's Assistant Dean for inclusion in the student's electronic file.

Students may appeal the decision of the Graduate School Dean to the Provost and then the Chancellor. Appeals to the Provost must be made in writing within 10 business days of the Graduate School Dean's decision. Appeals to the Chancellor must be made in writing within 10 business days of the Provost's decision.