

## **GRIEVANCE PROCEDURES FOR STUDENTS IN APPEALING GRADES**

The Committee on the Standing of Students and Academic Appeal (hereafter referred to as the Committee) handles appeals regarding a course final grade, academic dismissal, and withdrawal of federal financial aid due to unsatisfactory progress.

### **STUDENT STANDING APPEALS**

Students may appeal the following academic standings: academic dismissal and unsatisfactory progress (loss of federal financial aid). The Committee does not meet with individual students regarding student standing appeals. The student will file a written appeal along with an appeal form to the Financial Aid Office. The Committee will review these appeals and transmit its decision to the Vice President for Academic and Student Affairs, the Dean of Student Development Services, the Financial Aid Office, the Office of Registration Services, the Department of Learning and Student Development Services, and the student. If the appeal is successful, then the student should contact an Academic Advisor to select courses for the upcoming semester and register. **In the case of student standing appeals, the decision of the Committee is final.**

### **INDIVIDUAL FINAL GRADE APPEALS**

In order to provide a means to seek and obtain redress for grievances affecting a student individually, the following procedures should be followed. These are not intended and shall not be used to provide sanctions against faculty members.

Where an individual student alleges, with particularity, that the actions of a faculty member have resulted in serious academic injury to the student, the matter shall be presented to the Committee on the Standing of Students and Academic Appeal for adjudication in accordance with the following procedures. Serious academic injury includes, but is not necessarily limited to, the awarding of a lower course grade than that which the student has earned or suspension from a class.

In the case of a final grade received prior to the end of the semester as a result of violating a class attendance policy, the Committee will consult with the faculty member to determine if the student may be allowed to continue with the coursework until the grievance is resolved. (**Exception:** Students withdrawn from a Nursing course due to violation of the attendance policy will not be permitted to continue with the coursework as specified under this clause.)

## PROCEDURES

It is the responsibility of the student, before seeking to have a grievance adjudicated, to attempt to resolve the matter by personal conference with the faculty member concerned. If this is unsuccessful, the student must communicate with the Division Chair for consideration and adjustment by informal means. (If the Division Chair is also the instructor of the course, then the student must communicate with the Division Chair of another Instructional Division for consideration and adjustment by informal means. The Division Chair who is the instructor of the course will give the student a list of the other Division Chairs and the student will have the right to choose with whom to communicate.) The student is free to consult with any faculty or staff member if assistance is desired at any point in this process. (If a member of the Committee is interested in assisting a student or feels too close to the situation, then that Committee member will recuse himself/herself from the informal interviews and the formal hearing.) If the matter remains unresolved after five (5) academic days after referral to the Division Chair has been made, the following grievance procedures shall be employed:

1. The aggrieved student will file a written statement of the grievance to the Committee Chair, who will notify the Vice President for Academic and Student Affairs and the Division Chair involved. During vacations, the student will file the grievance with the Committee member in the Financial Aid Office. Normally, the Committee will not consider grievances after one full semester (e.g. if a grade was given in the Spring semester, the appeal should be filed prior to the end of the following Fall semester).
2. Upon notification by the Committee Chair, the Division Chair will submit his/her written findings and judgment on the student's grievance to the Committee Chair.
3. The Committee Chair will send a copy of the grievance to the faculty member together with a copy of these regulations and a letter requesting a response from the faculty member. The letter to the faculty member shall also be sent to the student and the Division chair. The faculty member will have five (5) academic days to respond to the Committee Chair.
4. If clarification is needed, the Committee shall convene separate interviews with the student and the faculty member concerned within ten (10) academic days from receipt of the response from the faculty member or from when the response was due. These interviews shall not constitute a hearing and shall be preliminary in nature. Both parties have the right to the presence of a procedural advisor and/or an advocate. The Committee may consult with any other parties who may assist in its work to effect an adjustment. The Committee Chair shall notify the student, the faculty member, the Division Chair, and the Vice President for Academic and Student Affairs of the Committee's findings. Failure of the student to attend the informal interview may result in the grievance being dismissed with no further right to appeal.
5. If the matter remains unresolved after all appropriate parties have been notified of the results of the informal interview, then either party may request a formal hearing. The appealing party shall submit to the Committee Chair a formal statement which details reasons for continuation of the appeal (new information, evidence, or

- documentation not provided at the informal interview, for example). This statement, along with the new evidence or documentation, must be received by the Committee Chair by the end of the fifth (5<sup>th</sup>) academic day after notification of the results of the informal interview. If the Committee grants the request for a formal hearing, then the Committee Chair shall advise the Vice President for Academic and Student Affairs that the formal hearing procedure must be initiated. The formal hearing shall be scheduled within ten (10) academic days of receipt of the statement from the appealing party. If the Committee denies the request for a formal hearing, then the appealing party may appeal to the Vice President for Academic and Student Affairs as outlined in step 8.
6. The formal hearing should provide a fair inquiry into the matter appealed. The faculty member and the student each may offer information, ask questions, and present witnesses. Both parties have the right to the presence of a procedural advisor and/or an advocate. Failure of the student to attend the formal hearing may result in the grievance being dismissed with no further right to appeal. An audio recording shall be made of the formal proceedings, exclusive of deliberations to arrive at a decision.
  7. The Committee's decision, which shall be written, will include a determination by majority vote, whether the charges have been proved by a preponderance of evidence, together with those facts the Committee believes are important. The decision shall state the particular corrective action to be taken, if any. The Committee Chair shall notify the student, the faculty member, the Division Chair, and the Vice President for Academic and Student Affairs of the Committee's decision.
  8. If the matter remains unresolved after all appropriate parties have been notified of the Committee's decision, then either party may appeal to the Vice President for Academic and Student Affairs. The appealing party shall submit to the Vice President a formal statement which details reasons for continuation of the appeal. This statement must be received by the Office of the Vice President by the end of the fifth (5<sup>th</sup>) academic day after notification of the Committee's decision. The Vice President will make an independent review of the hearing proceedings. After careful consideration of the Committee's decision, the Vice President can agree with that decision, reduce the extent of remedial action to be taken, or dismiss the charges. If the Vice President believes remedial action may infringe upon the exercise of academic freedom, then the Vice President will seek an advisory opinion from Academic Council before issuing a decision. The decision of the Vice President shall be in writing, may set forth any new findings of fact or remedies, and shall explain the reasons underlying his/her decision. This decision shall be transmitted to the Committee Chair.
  9. The Vice President for Academic and Student Affairs shall then transmit to the Committee Chair, the faculty member, the Division Chair, and the student copies of all actions affecting the student taken by the Committee and the Vice President. Suitable records shall be maintained as confidential and retained in the office of the Vice President. **The decision of the Vice President in regard to student grade appeals is final.**

During vacations when involved persons may not be available, the Committee may gather information in written or electronic form. This information will be made available to both parties. If the Committee believes sufficient information has been received, they may issue a decision at the informal stage. Otherwise, the matter may be deferred to the beginning of a regular semester.

## REMEDIAL ACTION

Remedies in a student's behalf should usually be those agreed to willingly by the faculty member. Other remedial actions to benefit a student may be authorized by the Vice President for Academic and Student Affairs only upon recommendation of the Committee. These actions are limited to: allowing a student to repeat an examination, allowing a student to be evaluated for work that would otherwise be too late to be considered, directing that additional opportunities be afforded for consultation or instruction, elimination of a grade that had been assigned by a faculty member from the transcript, changing of a passing letter or numerical grade to a "pass" or "satisfactory" grade so as not to adversely affect a student's grade average, or allowing a student to repeat a course without penalty, schedule and program permitting.

If some action is contemplated that might be deemed to infringe upon the academic freedom of the faculty member, the Vice President will seek an advisory opinion from Academic Council. In such cases, the Vice President may identify other acceptable remedies or render such advice as may be appropriate in the particular situation.

No action detrimental to the faculty member will be taken, except as in strict accordance with established College procedures. An adjustment hereunder in the student's behalf shall not be deemed a determination that the faculty member was in any way negligent or derelict.

## TIMELINESS

It is the responsibility of all parties, including administrative officers, to take prompt action in order that grievances may be resolved quickly and fairly. While no explicit time limit could apply to all cases, failure to use diligence in seeking redress may constitute grounds for denial of a hearing or other relief, especially if prejudice results.

Amended March 28, 2017