

Student Academic Grievance Procedures

Purpose

The purpose of these procedures is to provide all undergraduate and graduate students taking courses at USF St. Petersburg an opportunity for objective review of facts and events pertinent to the cause of the academic grievance. Such review will be accomplished in a collegial, non-judicial atmosphere rather than an adversarial one, and the review shall allow the parties involved to participate. All parties will be expected to act in a professional and civil manner. The procedures that follow are designed to ensure objective and fair treatment of both students and instructors.

In the case of grade appeals, USF St. Petersburg reserves the right to change a student's grade if it is determined at the conclusion of the grievance process that the grade given was "capricious and arbitrary." In such circumstances, the Dean or the Associate Vice President for Academic Affairs may file an administrative grade change. "Capricious and arbitrary" means that the assigned grade (1) was based on something other than performance in the course; (2) was based on more exacting or demanding standards than were applied to other students in that course; (3) was the result of substantial departure from the instructor's previously announced standards; or (4) was based upon an illegal or unconstitutional act.

In the case of all other academic grievances, USF St. Petersburg reserves the right to determine the final outcome based on the procedures detailed herein.

Definitions

The term "*academic grievance*" shall be considered to mean any student complaint regarding instruction, grading, or academic advising activity that adversely affects the student's record, academic performance, or participation in courses or academic programs.

The term "*instructor*" shall be considered to mean any classroom instructor, thesis/dissertation/directed study supervisor, committee member or chair, or counselor/advisor that interacts with the student in an academic environment.

Resolution at the Informal Level

[Note: All time limits in these procedures reflect "academic time," that is, exclusive of breaks and holidays, and may be extended if agreed to in writing by all parties.]

- A. The student shall first make a reasonable effort to resolve his or her grievance with the instructor concerned ***within four (4) weeks of the incident precipitating the grievance***, unless the instructor is unavailable, in which case the Dean or Associate Vice President for Academic Affairs may extend the deadline (an extension must be in writing to the student).

- B. If the situation cannot be satisfactorily resolved, the student shall file or the instructor may file, in writing, a concise statement of particulars with the College Dean ***within two (2) weeks of failure to resolve the incident with the instructor***.

- C. The Dean shall discuss the statement with the student and the instructor to determine if the grievance can be resolved satisfactorily to all concerned. If the grievance cannot be resolved at the informal level, the Dean shall notify the student and the instructor in writing that the student has the right to file for formal resolution at the college level. The student has ***two weeks from the date of the Dean's formal notification*** to request resolution on the college level.

Resolution at the College Level

If the situation cannot be resolved to the satisfaction of those directly concerned, or in the absence of a grade change, in those cases involving grade grievances, these procedures will be followed:

- A. The student shall file a formal written request with the Dean ***within two (2) weeks of receipt of the Dean's notification to the student that resolution on the informal level is impossible***. This letter must include information pertaining to how, in the student's opinion, USF St. Petersburg policies or procedures were violated and/or how an injustice occurred.

- B. The Dean (or designee) will send the student's letter to the instructor, with a copy to the Associate Vice President for Academic Affairs, ***within one (1) week of its receipt requesting a written response from the instructor***.

- C. The instructor will provide a written response to the Dean (or designee) ***within one (1) week of receipt of the request*** with a copy to the Associate Vice President for Academic Affairs and to the student.
- D. After the student receives a copy of the instructor's response, the student has ***one (1) week to request a committee hearing*** at the college level. If no such request is received in a timely manner, then it is presumed that the matter has been resolved to the student's satisfaction.
- E. ***Within two (2) weeks of receipt of the student's request for a committee hearing***, the Dean (or designee) shall establish an Academic Grievance Committee to consider the student's grievance and make recommendations to the Dean (or designee) based on these considerations. The membership of the Committee shall be constituted as follows:
- i. Three (3) faculty members and two (2) students (undergraduate or graduate as appropriate to the case) shall be selected by the Dean (or designee).
 - ii. The Committee shall neither include members of the faculty nor students of the department directly involved with the grievance, nor faculty nor students of the student's major department. However, this does not prevent faculty or students from the department involved with the grievance or from the student's major department from providing testimony in the proceedings.
- F. The Committee will operate in the following manner:
- i. The Committee Chair will be a faculty member appointed by the Dean (or designee).
 - ii. The Chair shall be responsible for scheduling meetings, overseeing the deliberations of the committee and ensuring that full and fair

consideration is provided to all parties. The Chair *shall not vote* except to break a tie during committee deliberations.

- iii. All deliberations shall be in private and held confidential by all members of the Committee and those involved in the review. The paper products of the committee may or may not be protected from public view based on case specific interpretation by the Office of the General Counsel. The recommendation of the Committee shall be based on the factual evidence presented during the hearing.
- iv. The Chair of the Academic Grievance Committee shall deliver in writing to the student, instructor, Dean, and the Associate Vice President for Academic Affairs a report of the findings and a recommended resolution. This report shall be provided *within four (4) weeks of the Committee's appointment*. After review, the Dean may consult with the Chair of the College Grievance Committee for clarification on any aspect of the grievance.

G. The Dean will decide the case based on all available evidence and taking into consideration the recommendations of the Academic Grievance Committee and will notify all parties as well as the Associate Vice President for Academic Affairs in a timely fashion.

H. In the case of a grade appeal, if the Dean's (or designee's) decision is that a grade change is merited, the Dean (or designee) shall initiate the grade change on the authority of the Associate Vice President for Academic Affairs and so inform all parties.

Appeal Process

The student or the instructor may appeal the decision of the Dean *only* if one or both of the following occur:

- i. The decision of the Dean is contrary to the recommendation of the committee.
- ii. The party appealing establishes prima-facie evidence of a procedural violation.

The appeal must proceed in the following manner:

A. The party appealing the decision must file an appeal *within two (2) weeks of receipt of the decision* of the decision of the Dean.

- B. An appeal filed by either a student or an instructor shall specify in detail the basis for the appeal and shall attach copies of all previous considerations and actions. The appeals file will be submitted to the Associate Vice President for Academic Affairs (or designee) as appropriate with copies provided (without attachments) to the other parties involved and to the College Dean.

- C. Upon receipt of an appeal from a student or instructor, the Associate Vice President for Academic Affairs shall first review the file and determine if the appeal meets the standard(s) specified for appeals. The Associate Vice President for Academic Affairs shall make this decision ***within one (1) week of receipt of an appeal.***

- D. If the Associate Vice President for Academic Affairs (or designee) finds that the appeal does not meet the standard(s) specified for appeals, the process ceases and the previous finding of the College Dean shall prevail. If the Associate Vice President for Academic Affairs finds that the standard(s) is met, the appeal process continues. The Associate Vice President for Academic Affairs' (or designee's) finding in this regard is final. The Associate Vice President for Academic Affairs (or designee) shall then notify all parties of the decision to proceed or not proceed with the appeal.

Once the appeal has been certified to proceed, the following process will take place:

- A. ***Within two (2) weeks of receipt of the decision to proceed with an appeal,*** the Associate Vice President for Academic Affairs (or designee) shall establish a Grievance Appeal Committee to consider the student's grievance and make recommendations based on these considerations.

- B. The membership of the Committee shall be constituted as follows:
 - iii. Three (3) faculty members and two (2) students (undergraduate or graduate as appropriate to the case) shall

be selected by the Associate Vice President for Academic Affairs (or designee).

- iv. The Committee shall neither include members of the faculty nor students of the department directly involved with the grievance, nor faculty nor students of the student's major department. However, this does not prevent faculty or students from the department involved with the grievance or from the student's major department from providing testimony in the proceedings.

C. The Committee will operate in the following manner:

- i. The Committee Chair will be a faculty member appointed by the Associate Vice President for Academic Affairs (or designee).
- ii. The Chair shall be responsible for scheduling meetings, overseeing the deliberations of the committee and ensuring that full and fair consideration is provided to all parties. The Chair *shall not vote* except to break a tie during committee deliberations.
- iii. All deliberations shall be in private and held confidential by all members of the Committee and those involved in the review. The paper products of the committee may or may not be protected from public view based on case specific interpretation by the Office of the General Counsel. The recommendation of the Committee shall be based on the factual evidence presented during the hearing.
- iv. The Chair of the Grievance Appeal Committee shall deliver in writing to the student, instructor, Dean, and Associate Vice President for Academic Affairs a report of the findings and a recommended resolution. This report shall be provided *within four (4) weeks of the Committee's appointment*. After review, the Associate Vice President for Academic Affairs may consult with the Chair of the Grievance Appeal Committee for clarification on any aspect of the grievance.

D. The decision of the Associate Vice President for Academic Affairs shall be provided in writing to the student, the instructor and the College Dean,

with copies to the members of the Committee, ***within two (2) weeks of receipt of the Committee's report.***

- E. In all academic grievance appeals at USF St. Petersburg, the decision of the Associate Vice President for Academic Affairs is final and not subject to further appeal within the University.