

Jacksonville State University Academic Grievance Process

An "academic grievance" is a claim by an enrolled student receiving academic credit for a course that a specific academic decision or action, such as a grade in a course, has violated published policies and procedures, or has been applied to the student in a manner different from that used for other students.

Students wishing to appeal a grade or reverse an academic decision should always begin by meeting with the instructor initiating the grade or decision. Oftentimes, this meeting will result in a satisfactory outcome for the student and instructor. If the student and instructor are unable to resolve the issue, the student should follow the academic grievance process set forth below. In the event that the process is not initiated or continued following the timelines mentioned below, the decision becomes final.

Basis for Academic Grievance

A student may appeal an assigned grade, or a similar decision related to academic performance if the student has evidence or reason to believe a grade was assigned or a decision was made in a malicious, (intentionally harmful; spiteful) capricious, (subject to, led by, or indicative of a sudden, odd notion or unpredictable change; erratic) erroneous, (containing error; mistaken; incorrect; wrong) or arbitrary (based on whim or personal preference, without reason or pattern; random) manner. The burden of proof and preponderance of evidence shall be upon the student such that the student challenging the decision, action or final grade assigned has the burden of supplying evidence that proves that the instructor's decision was incorrect.

In cases where the academic decision is based on a deficiency in or a violation of a clinical or professional standard, the deficiency or violation may be considered sufficient proof to support an academic failure or dismissal notwithstanding a student's success in other areas of academic performance.

For the grievance to be valid, the student must follow the steps outlined below in the order indicated and within the given timelines. Furthermore, the grievance at each additional step in the process must be in writing, utilizing the form located on the Academic Affairs webpage. Documents submitted for the purpose of the grievance will become the property of Jacksonville State University and will be used solely for the purpose of investigating the grievance.

The following steps provide a guideline for the grievance process.

For purposes of this process, business days are considered to be any day Jacksonville State University is open for business.

Steps in the Grievance Resolution Process

1. Informal Appeal to the Faculty Member for Review

To initiate the grievance resolution process, the student must discuss, or request a meeting to discuss, the academic grievance with the faculty member within **5 business days** of the grade posting or academic performance decision. If it is found that the grade or decision is incorrect in the judgment of the faculty member, the faculty member will initiate the appropriate grade change process or decision reversal process and the matter is concluded. If the faculty member is not available or is no longer with the university, the student will proceed directly to the next step (Appeal to the Department Head).

2. Informal Appeal to the Department Head for Review

If the grievance cannot be resolved between the student and the faculty member, the student may appeal in writing, utilizing the form located on the Academic Affairs webpage, to the department head of the department in which the course was taught or the academic decision was made. The appeal must be submitted **within 5 business days** of the decision made by the faculty member.

If the department head determines the decision made was inappropriate, the department head will recommend to the faculty member the decision be reversed. The faculty member may or may not concur with the department head's recommendation.

The department head will notify the student in writing within two weeks after receiving the appeal, whether or not the decision was reversed to the student's satisfaction. If the decision will not be reversed, the student has the right to appeal to the Dean of the College within 5 business days.

3. Formal Appeal to the Dean for Review

If the academic decision is not resolved at the department level, the student may appeal in writing, utilizing the form located on the Academic Affairs webpage, to the dean of the College. The appeal to the dean must be made **within 5 business days** of receipt of the notice from the department head that the faculty member will not reverse the decision.

If the appeal does not meet a defined basis for a grievance, it will be denied by the dean of the college. If there is a legitimate basis for a grievance, the dean will determine if the case will be reviewed through an administrative hearing or a panel hearing.

Administrative Hearings

Administrative hearings are coordinated and held by the Dean, or designee, who act as hearing officers.

Hearing Officer. Hearing Officers determine whether a student has a basis for an academic grievance and if a decision will be sustained or amended. Hearing Officers make their determination based upon a preponderance of the information standard.

An Administrative Hearing is generally conducted in the presence of the Hearing Officer. Students will have an opportunity to hear the evidence being offered against them and present witnesses and relevant evidence. In addition, students may be accompanied by an advisor or their choice.

During the hearing, Hearing Officer will have an opportunity to question the student and any participating witnesses. The Hearing Officer may add or amend the violation based on information uncovered during the Administrative Hearing. The Hearing Officer may also elect to refer the matter to a Panel Hearing based on uncovered information.

At the conclusion of the hearing, the Hearing Officer may make a determination. Based on the totality of the circumstances, available evidence, and the preponderance of information, the Hearing Officer will either sustain or amend the academic decision.

The Hearing Officer has the discretion to interpret, vary, and adjust procedural requirements in order to promote a fair and just decision. Where a student fails to attend an Administrative Hearing, the Hearing Officer retains the right to rule in absentia.

The Hearing Officer will generally provide a written decision letter to the student **within 5 business days of the conclusion of the hearing.** Under certain circumstances, the Hearing Officer may need additional time to review the presented evidence before making a determination. As such, the Hearing Officer may provide a response outside of this timeframe.

Panel Hearing

The panel shall be composed of three members, one student and two faculty/staff members, one of whom will act as the chairperson.

Hearing Officer. The dean of the college or designee shall serve as the Hearing Officer. The Hearing Officer should attend and advise the Hearing Board at all hearings. The Hearing Officer may ask questions as appropriate.

The hearing officer or board shall have discretion to interpret, vary, and adjust procedural requirements in order to promote a fair and just decision.

The primary responsibility for maintaining order lies with the hearing officer, hearing board advisor, or hearing board chairperson. However, all members of the hearing board have a duty to assure an orderly and fair proceeding. It is the duty of the hearing officer or hearing chairperson to make sure that presentations to the board are relevant and that issues raised by complaint, appeal, petition are reasonably developed and addressed.

It is also the duty of the hearing officer or board advisor to manage the logistics of the hearing; to coordinate schedules, paperwork, and reports with the dean; to speak for the body in all exchanges with counsel, parties, and others (except when the bodies are engaged in general conference with their advisor present); to control the proceedings and maintain order; to instruct persons before the body on the appropriate procedures of that hearing body; to declare the rulings and orders of the hearing body; to ensure proper completion and filing of all papers; and to perform other duties as necessary.

A conduct system can be effective only to the extent that the cooperation of all participants assures an orderly and fair exchange of information. All parties appearing before the various hearing bodies are expected to show consideration for one another so that the fact finding, and analysis may proceed in a reasoned and reliable way. The hearing chairperson or administrative hearing officer shall have the authority to remove any participant (including advisors and witnesses) from the hearing or to inform any disorderly and disruptive person(s) that if their behavior does not subside, such acts may result in disciplinary action against the offenders.

Findings. A simple majority vote by the Hearing Board will determine the findings. Based on the totality of the circumstances, available evidence, and the preponderance of information, the Hearing Board may find the sustain or overturn the academic decision. The Hearing Officer will generally provide a written decision letter to the student **within 5 business days of the hearing.** Under certain circumstances, the Hearing Officer may need additional time to review the presented evidence before making a determination. As such, the Hearing Officer may provide a response outside of this timeframe.

Confidentiality. In cases resolved by a hearing board, confidence is placed in the character and judgement of the board members, and they should hear, examine, and consider all information relevant to the specific issues before the body. Members should feel free to require counsel of the board advisor, the University, the complainant, or the respondent to explain information presented. Members are expected to commit themselves diligently and in good faith to the business of the board and to disqualify themselves, if necessary. Finally, members are reminded that all matters before the hearing board concerning identifiable individuals are strictly private and cannot be revealed.

4. Reversing a Decision

If at any point during the appeals process a decision is made to reverse the initial academic decision, the entity will notify the Dean of the College who will then notify the University Registrar to make any necessary changes the record of the student. The individual responsible for notifying the student of a decision will also inform the faculty member, the department head, and the applicable appeals committee.

**Students seeking an academic grievance review must complete this process prior to requesting readmittance to their academic program if deemed ineligible.*