

ACADEMIC GRIEVANCE AND STUDENT COMPLAINT PROCEDURES

I. ACADEMIC GRIEVANCE PROCEDURES

The College of Education has established specific academic grievance procedures that will be followed in the event of a grade dispute between a given student and instructor. A student must initiate the grievance procedure the semester immediately following the semester the dispute occurs. The grievance process will be utilized only after the student has conferred with the instructor and department chairperson in an effort to resolve the issue.

A student may petition a departmental decision concerning a given dispute to the College of Education Grievance Committee when a final course grade is alleged to have been given by a faculty member in a capricious, arbitrary, or discriminatory manner, or some other academic matter is disputed. The classification of the alleged academic dispute must be identified and explained by the student.

- a. “capricious” grading means not resulting from a reasonable and announced grading policy and procedure.
- b. “arbitrary” grading means without a sound academic basis or else based primarily upon personal preference or whim.
- c. “discriminatory” grading means differential treatment based upon race, religion, color, age, gender, sexual orientation, disability or national origin.
- d. “other” academic dispute classification as defined by the student.

Procedural Steps

The steps to be taken in resolving academic disputes are as follows:

1. The student must attempt as soon as is reasonably feasible after receipt of the grade in question, or the occurrence of the “other” academic dispute, communicate with the instructor(s) in an effort to resolve the issue. If no satisfactory resolution is reached from the communication with the instructor(s) or if the student fails in their attempts to communicate with the instructor(s), after reasonable effort, the student will then proceed to step 2.
2. A student whose academic dispute has not been resolved satisfactorily utilizing the directives in step 1 (stated above), should officially submit his/her grievance in writing to the chairperson of the department in which the course is offered (NOTE: Please see Appendix A – College of Education Student Application for Academic Grievance). The faculty member of the course will

in turn be required to submit a written rebuttal to the student's grievance. The chairperson will attempt to communicate directly with the instructor and the student in an effort to resolve the grievance. The chair will submit a written summary of his/her findings and submit to the COE Grievance committee along with the student's grievance application. **NOTE: (1) When the faculty member(s) with which the academic dispute lies, also serves as department chairperson, the dispute may be filed with the Associate Dean of Student Affairs in the College of Education. In such case, the Associate Dean would assume the responsibilities originally designated for the chairperson as listed above. (2) When the faculty member(s) with which the academic dispute lies, also serves on the COE Grievance Committee, the faculty member must dismiss himself/herself from the grievance process due to conflict of interest.**

3. The College of Education Grievance Committee will review each appeal, speak with both the student and faculty member and/or conduct a hearing if appropriate and necessary in an effort to resolve the academic grievance dispute. Once these procedures have been exhausted the committee will issue written findings and recommendations to the Dean of the College of Education. These findings and recommendations will be forwarded to the Dean as soon as is reasonably feasible once the committee's decisions have been made.

4. The Dean of the College of Education will review the Grievance Committee findings and recommendations in each appeal in a timely manner. As soon as is reasonably feasible thereafter, he/she will notify the parties to the appeal in writing of his/her decision and also will provide each of the parties a copy of the Grievance Committees' findings and recommendation(s). If the decision of the committee does not meet a student's satisfaction, he/she may continue the grievance process at the next level, the Office of Academic Affairs.

5. In the case a College of Education student has a credible academic dispute arising out of a course offered outside of the College of Education, he/she should contact the appropriate College or School to determine the correct procedure(s) for addressing the grievance. **The student will be required to abide by the policies and procedures outlined by the specified college or school.**

II. NON-ACADEMIC STUDENT COMPLAINT AND GRIEVANCE PROCEDURES

Student grievances related to non-academic issues and issues not listed in Section III may be addressed by the procedures as set forth below.

A. INFORMAL Non-Academic Grievance or Complaint

An informal non-academic grievance or complaint is a non-written claim by a student alleging improper, unfair, or arbitrary treatment by an administrator, faculty member, and/or staff member or an attempt to seek guidance on how to find the appropriate office or person to assist in informally resolving a complaint with an administrator, faculty member, and/or staff member. Although a student may contact the University Ombudsman at any time, it is recommended that the student first attempt to address their complaint by discussing it with the person most directly involved with their complaint. If the complaint is not resolved, the student may initiate a formal non-academic grievance as set forth

below. If the student chooses to contact the Ombudsman, the Ombudsman may redirect the student to the appropriate office for review or formal resolution.

B. **FORMAL** Non-Academic Grievance or Complaint

A formal non-academic grievance or complaint is a written claim raised by a student alleging improper, unfair, or arbitrary action by an administrator, faculty member, and/or staff member involving the application of a Florida A&M University (or Florida Board of Governors) regulation, policy or procedure (NOTE: Please see Appendix B – College of Education Non-Academic Complaint Form). The procedure below outlines this Formal Non-Academic Grievance Process.

1. Definitions:

- a. *Time Limits*: “Time” shall mean “academic time,” that is, periods when Florida A&M University classes are in session, exclusive of weekends. The person vested with authority at the appropriate level may extend any of the time periods contained herein for good cause. Extensions must be communicated in writing to all parties. For the purposes of this Policy, each step shall be afforded two (2) weeks as a standard time limit. If the complaint or grievance is not presented within the established limits, it shall not be considered. If a complaint or grievance is not appealed to the next step within the established time limits, it shall be considered settled (on the basis of the last answer). If, after presentation at any step, an administrator, faculty member, and/or staff member does not discuss and/or answer the complaint or grievance with the student within the established time limits, the student may treat the complaint or grievance as denied at that step and may appeal the complaint or grievance to the next step.
- b. *Written Communication*: Where written communication is required, either e-mail or postal mail will be acceptable.

2. Formal Non-Academic Grievance Process Steps:

- a. The student must first attempt to address his/her complaint by discussing it with the person most directly involved with their complaint. If the complaint is not resolved, the student may elect to initiate a formal grievance in writing within the time line as defined above to the concerned administrator (e.g., department chair or immediate supervisor). The time line shall begin at the time of the first occurrence or at the time a student, using reasonable due diligence, should have obtained knowledge of the first occurrence of the event giving rise to the grievance.
- b. If possible, the administrator should respond by meeting with the student to attempt an agreement or resolution. The student is responsible for providing copies of all relevant documents including emails and previous determinations from the incident and any attempt at resolution.
- c. The administrator will review previous resolution steps, discuss the complaint with the student and other appropriate individuals, and communicate a final answer to the student in writing.

- d. If the student feels that the answer or action of the administrator has violated published policies and procedures or has been applied to the student in a manner different from other students, the student may file a written grievance to the Dean within ten (10) days of the decision rendered.
- e. The decision of the Dean of the College of Education will be final and binding. If the student feels the answer of the Dean has violated published policies and procedures or has been applied to the student in a manner different from other students, the student may file an appeal to the next appropriate administrative officer (e.g., the Vice President of Student Affairs or the Dean of the School of Graduate Studies and Research) referred to below as “Administrator” within ten (10) days of the decision rendered.
- f. At this level, the Administrator will review the material submitted by the student to see if the material constitutes a grievance.
- g. If the Administrator determines that the material does not constitute a grievance, the Administrator will communicate to the student (in writing) and the involved administrator, faculty member, and/or staff member, that the matter is not a grievance and no recommendation will be forthcoming.
- h. If the Administrator’s review produces a conclusion that the matter constitutes a grievance (the rights of the student may have been violated), this will be communicated in writing to the student. Specific remedies will be proposed and corrective action will be recommended by the Administrator. It is important to note that the Administrator can only recommend corrective action and assist in communicating that action to the parties.

III. STUDENT COMPLAINT PROCEDURES

A. CONFIDENTIAL ASSISTANCE ON PROCEDURES

The University Ombuds provides confidential, impartial, independent, and informal assistance to students, staff, and faculty in addressing academic and non-academic concerns at the University that established procedures and processes have not resolved. The University Ombuds is located at 1675 MLK Blvd, McGuinn Hall, Tallahassee, Florida 32308. The phone number for the University Ombuds is (850) 412-7907. The web address for the office of the University Ombuds is www.famu.edu/ombuds.

B. DISCRIMINATION AND HARASSMENT PROCEDURES

Florida A&M University is committed to providing an educational and work environment free from discrimination and harassment on the basis of sex, race, color, religion, national origin, disability, age, marital status, sexual orientation, gender identity, gender expression, military veteran status, as provided by law. This commitment applies to all educational and work environments affecting students, faculty, Administrative and Professional (A&P) employees, Executive Service employees, University Support Personnel System (USPS) employees, and Other Personal Services (OPS) employees and any employment conditions and practices. Vendors, independent contractors, visitors, and others who conduct business with the University or on University policy are also expected to comply with Regulation 10.103.

This Regulation is designed to comply with multiple laws prohibiting discrimination including: Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; the Americans with Disabilities Act Amendments Act; the Rehabilitation Act of 1973; the Age Discrimination in Employment Act of 1967; Title IX of the Education Amendments Act of 1972; the Pregnancy Discrimination Act of 1978; the Uniformed Services Employment and Re-employment Act; the Veteran's Readjustment Act of 1974; and the Genetic Information Non-discrimination Act of 2008.

Student complaints or grievances related to sexual harassment/sexual misconduct are also governed by Regulation 10.103. Examples of sexual harassment include such acts as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or educational career; submission to or rejection of such conduct is used as a basis for educational or employment decisions affecting the individual; or such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working or educational environment. Examples of sexual misconduct include sexual assault, sexual violence, inducing incapacitation for sexual purposes, sexual exploitation, relationship or domestic violence, or stalking.

All questions or concerns about this Regulation or conduct that may violate this Regulation should be directed to: Mrs. Carrie Gavin, Director of Equal Employment Opportunity Programs/ Title IX Coordinator, Florida A&M University, 674 Gamble Street Tallahassee, Florida 32307, (850) 599-3076, carrie.gavin@famu.edu. The web address for the office of Equal Opportunity/Title IX Programs is <http://www.famu.edu/index.cfm?EOP&TITLEIX>.

C. SPECIFIC STUDENT CONCERNS

1. Student Conduct and Conflict Resolution

The Office of Student Conduct and Conflict Resolution is designed to provide all community members with fair and accurate information and services regarding the Student Code of Conduct. The Office of Student Conduct and Conflict Resolution is responsible for all student disciplinary matters. Additionally, the Office of Student Conduct and Conflict Resolution is dedicated to providing every Florida A&M University community member with a fundamentally fair and just process for resolving alleged violations of the standards set forth by the University. The office is located at 101 H. Manning Efferson Student Union Building. The phone number for the office is (850) 599-3541. The web address for the Office of Student Conduct and Conflict Resolution is <http://www.famu.edu/index.cfm?officeofstudentconduct&Welcome>.

2. Academic Dishonesty Violations

1. *Cheating* may be defined as using, attempting to use or giving unauthorized information or material in any academic endeavor. Cheating includes, but is not limited to, unauthorized possession and/or use of an examination, course related materials, cheat sheets, study aids or other information in an academic exercise; communication to another through written, visual, electronic or oral means; submitting the same academic work for credit more than once without the express written permission of the instructor; use of any materials or resources a faculty member has notified the student or class are prohibited.

2. *Plagiarism* may be specifically defined for the purposes of any course by the school, institute, or college involved. Unless otherwise defined, plagiarism shall include, but is not limited to,: failure of the student to use another’s work without any indication of the source and in so doing, conveying or attempting to convey that the work is the student’s own; submitting a document or assignment in whole or in part that is identical or substantially identical to a document or assignment not written by the student; allowing another person to compose or rewrite an assignment or document.
3. A student who assists in any of the academic dishonesty violations mentioned above shall be considered equally as responsible as the student who accepts such assistance.
4. When the University’s schools, colleges or institutes choose to internally address academic dishonesty violations, students should consult with the academic dean, director or program coordinator in the respective school, college, or institute for procedural information.
5. The penalties for academic dishonesty violations may include: reprimand, reduction of grade; denial of academic credit; invalidation of university credit or of the degree based upon such credit; probation; suspension; or expulsion. In addition to any other penalties that may be imposed, the individual or student may be denied admission or further registration, and the University may invalidate academic credit for work done by a student and may invalidate or revoke the degree based upon such credit if it is determined that the student has made false, fraudulent, or incomplete statements in the application, residence affidavit, or accompanying documents or statements in connection with, or supplemental to, the application for admission to or graduation from the University.

3. Student Code of Conduct

The Student Code of Conduct (“Code”) applies the principles and freedoms found in University Regulation 2.013, Due Process, Other Rights, and Responsibilities, by promoting responsible freedom for all students. This Code seeks to apply the principle of responsible freedom as it guides the conduct of Florida A&M University (“University”) students. The responsibility to know and abide by the Code ultimately lies with the student. The Student Code of Conduct supersedes all other means of disciplining or removing students for behaviors prohibited by the University.

As members of the University community, students enjoy the rights and privileges that accrue to such membership including, but not limited to, academic freedom and participation in the decision-making processes of the University. Additionally, students are subject to the obligations and duties that accompany this membership and are responsible for compliance with the requirements of law and University regulations, policies, and procedures. It is incumbent upon members of the University community to notify the appropriate judicial body or officials of a violation of this Regulation, to encourage all to comply with them, and assist in their enforcement by testifying as witnesses when called upon to do so. Accordingly, all alleged violations of the Code shall be referred to the University Judicial Officer (Director of Judicial Affairs). Students, faculty, and staff, stakeholders, or other individuals with knowledge, may report violations of the Code, in writing, to the Office of Judicial Affairs.

The University has zero tolerance for violation of any provisions of the Code as well as the Anti-Hazing Regulation 2.028 and Alcoholic Beverages Regulation 3.021. “Zero tolerance” means that given the factual circumstances of the alleged violation the charged student may be removed from University Housing and receive a penalty up to suspension or expulsion from the University.

Due process protections in accordance with University Regulation 2.013 will be appropriately accorded the charged student.

If the Judicial Officer or his/her designee believe after a review of the allegations that the allegations have merit, the student will be issued, in writing, an Administrative Request to Appear at an information briefing before the Judicial Officer or his/her designee. At the information briefing, the Judicial Officer or his /her designee will explain to the student the elements of due process that will be afforded.

(a) University disciplinary proceedings may be instituted against a student charged with a violation of the law that is also a violation of the Code. The University reserves the right to proceed under the Code with a hearing and the possible imposition of a sanction prior to, concurrent with, or subsequent to civil litigation, criminal arrest, and/or criminal prosecution.

(b) Normally, the University will proceed with an alleged violation of the Code prior to any final disposition of the Courts.

(c) Determinations made or sanctions imposed under the Code shall not be subject to change because criminal or civil charges arising out of the same facts giving rise to violation of University rules and regulations were dismissed, reduced, or resolved in favor of or against the charged student.

(d) Any admission of guilt, responsibility or statement against the student's interest made by a student at off-campus proceedings shall be conclusive for University purposes.

(e) A verdict of guilty, a plea of guilty, a plea of no contest (nolo contendere) or similar plea in a court of law by a charged student will operate as a conclusive finding that the student is "Responsible" for the purpose of student conduct proceedings.

(f) Prior to the issuance of the outcome letter, the University may amend its violation(s) based on information obtained through an outside proceeding when that information is relevant to activity adversely affecting the University community.

(g) The University will cooperate fully with law enforcement agencies in any criminal prosecutions to the extent permitted by law.

Discipline may be imposed for offenses against the Code occurring at any of the following locations or activities:

(a) University campus;

(b) University owned or controlled property;

(c) University premises, including, but not limited to, fraternities, sororities, and organizations property;

(d) Activities sponsored by the University wherever they may occur;

(e) Activities officially approved by the University that are conducted by University certified organizations wherever they may occur; or

(f) Activities occurring off campus, including non-university related activities.

4. Hazing

Florida Agricultural and Mechanical University (“University”) strictly prohibits any student(s), group(s) of students, or student organization(s) affiliated with the University from engaging in any form(s) of hazing activities. Moreover, the University has zero tolerance for violation of any provisions of the Anti-hazing Regulation 2.028. “Zero tolerance” means that given the factual circumstances of the alleged violation, the charged student may be removed from University Housing and receive a penalty up to suspension or expulsion from the University.

(a) Due process protections in accordance with University Regulation 2.013 will be appropriately accorded the charged student.

(b) “Student” is given the same meaning herein as it is defined in the Student Code of Conduct, Regulation 2.012.

(c) “Engaging” is defined herein and prohibited by this Regulation as anyone who (i) perpetrates hazing activities by planning and/or executing the hazing activities; (ii) is the object of or consents to hazing activities; or (iii) observes or has knowledge of hazing activities and fails to report the incident within twenty-four (24) hours as required.

(d) This Regulation is incorporated into University Regulation 2.012.

The term hazing shall include, but not be limited to, pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as striking in any manner, whipping, beating, branding, exposure to the elements, forced consumption of food, liquor, drugs, or other substances, or other forced physical activities that would adversely affect the health or safety of the student and also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contacts, forced conduct that would be demeaning or results in extreme embarrassment or any other forced activity that could adversely affect the mental health or dignity of the student. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective. For purposes of this section, any activity as described above, or any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes, including, but not limited to, initiation or admission into or affiliation with a University sanctioned organization, shall be presumed to be hazing and a “forced activity.”

(a) It shall not be a defense that the consent of the victim to participate was obtained, the conduct or activity was not part of an official University organizational event or was not otherwise sanctioned or approved by the University organization, or the conduct or activity was not done as a condition of membership to a University organization.

Any student found in violation of this Regulation from conduct occurring on-campus or off-campus will be subject to appropriate sanctions by the University, which may include but is not limited to: the imposition of fines; withholding of grade(s), transcripts and/or diplomas pending payment of fines or compliance with the Student Code of Conduct, Regulation 2.012; the imposition of counseling, probation, suspension, or expulsion of said person(s) or organization(s), the rescission of certification for the University organization(s); and/or removal from University Housing.

All penalties imposed by the University do not absolve the student(s), group(s) of students, or student organization(s) from any penalty imposed for violation of the criminal laws of the State of Florida, including but not limited to such criminal penalties prescribed in section 1006.63, Florida Statutes, for penalties imposed in civil proceedings or for violation of any other University Regulation(s) to which the charged student(s) may be subject.

All University certified organizations are required to include in their by-laws an anti-hazing section fully incorporating this Regulation. A copy of the by-laws shall be kept on file in the Office of Student Activities. Advisors and each member of a University certified organization must attend one Fall semester and one Spring semester hazing workshop each academic year.

Any person, including trustees, administrators, faculty, staff, students, members of direct support organizations, vendors, guests and volunteers having knowledge of or receiving information regarding any activity which may constitute hazing or a violation of this regulation must contact the FAMU Department of Public Safety at (850) 599-3256 or www.stophazingatfamu.com within twenty-four (24) hours of gaining such knowledge or receiving information. Any person who fails to report any activity of hazing shall be in direct violation of this regulation.

It shall be expressly prohibited for any person, including trustees, administrators, faculty, staff, students, members of direct support organizations, vendors, guests and volunteers, to retaliate against a person because that person has been a victim of hazing, reported hazing, refused to participate in hazing, assisted in the investigation of hazing, or participated in the prosecution of any alleged hazing.

Any person who has experienced retaliation for reporting any activity, which may constitute hazing or a violation of this regulation, shall have the right to file a retaliation complaint with the Division of Audit and Compliance within twenty-four (24) hours of becoming aware of the act of retaliation at (866) 445-4968.

5. Disability Accommodations

The Center for Disability Access and Resources (CeDAR) at Florida A&M University provides unique and comprehensive services and accommodations for students with learning, physical, and mental disabilities who desire to pursue college level studies. The Center identifies participants' level of abilities and provides services that include assessment, prescriptive plans of study, academic advisement, and individualized counseling. The office is located at 667 Ardelia Court, Tallahassee, Florida 32307. The phone number for the office is (850) 599-3180. The web address for the Center for Disability Access and Resources is <http://www.famu.edu/index.cfm?cedar&ABOUTCeDAR>.

6. Financial Aid and Financial Services

The primary goal of the Office of Student Financial Aid is to provide financial assistance to students and parents in a timely, effective, and customer-friendly environment. The office is located in Room 101, Foote-Hilyer Administration Center, Tallahassee, FL 32307. The phone number for the office is (850) 599-3730.

The Office of Student Financial Services is responsible for all monies collected by the University. This includes student's tuition & fees, as well as the delivery and collection of loans (e.g., Perkins, Short-Term Loans) that are awarded to students by the Office of Student Financial Aid. The Office of Student

Financial Services is located in Room G-7, Foote-Hilyer Administration Center, Tallahassee, FL 32301. The web address for the office is <http://www.famu.edu/index.cfm?FinancialAid>. The phone numbers are:

- Loans & Collections: (850) 561-2949
- Student Refunds/Net Checks: (850) 561-2949
- University Cashier: (850) 561-2949
- Student Accounts: (850) 561-2949

7. Campus Safety and Security

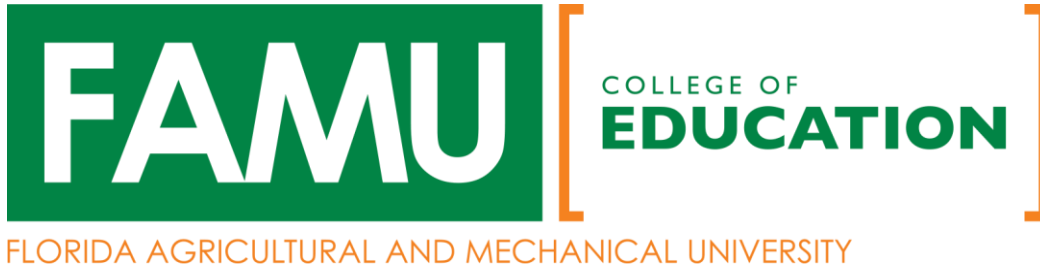
The Florida A&M University Department of Campus Safety and Security (commonly known as FAMU Police) is at the forefront in providing a safe and secure environment to proactively enhance the spirit and ambiance of the campus community. Services/Programs offered by the Department of Campus Safety and Security include, but are not limited to:

- 24/7 patrols of the campus reporting life, safety, and security issues
- Traffic and parking enforcement
- Parking decals/permits issuance
- Safety awareness programs, workshops/seminars, etc.

FAMU Department of Campus Safety & Security Headquarters is located in the Plant Operations Building at 2400 Wahnish Way, Tallahassee, FL 32307. To place a call for service, or to report criminal activity, individuals should call (850) 599-3256.

APPENDIX A:

College of Education Student Application for Academic Grievance



**Academic Grievance Committee
Student Application for Academic Grievance**

Name of Student _____

Student ID# _____ Major _____

Address (Local) _____

(Permanent) _____

(E-mail) _____

Telephone number (Local or Cell) _____ (Permanent) _____

Classification (please check appropriate box):

Freshman { } Sophomore { } Junior { } Senior { } Graduate { }

Nature of Grievance (please check appropriate box(es):

Capricious Grading { }

Arbitrary grading { }

Discriminatory grading { }

Other academic dispute (please identify) _____

Course from which dispute arises:

Course Prefix & Number: _____

Course Title: _____

Instructor: _____

Term & Year: _____

Grade Awarded: _____

Please briefly state the facts of the dispute. Attach additional sheets if needed. Provide the following information as supporting documentation.

- 1. The course syllabus that was provided by the professor to the class.**
- 2. Any assignments, including graded exams, quizzes, homework, etc.**
- 3. Any official university and/or Dean's excuses that you have in your possession.**
- 4. Additional supporting documentation necessary to support the grievance.**

I certify that: (1) I have read and understand the "Grievance Procedures" of the College of Education; (2) I have attempted to resolve this dispute by communicating with the instructor of the course; (3) I have informed the chairperson of the department in which the course is taught and solicited his/her assistance in resolving this dispute; (4) the attempts mentioned above in 2 and 3 proved unsuccessful, thus the dispute has not been resolved to my satisfaction; and (5) this grievance is official and the information that I have provided, including all relevant documentation, is correct and truthful to the best of my knowledge.

Student Signature

Date

The signatures below verify that the instructor and the department chairperson have communicated with the above named student in an effort to resolve the dispute contained within this application according to the College of Education Grievance Procedures.

Instructor Signature

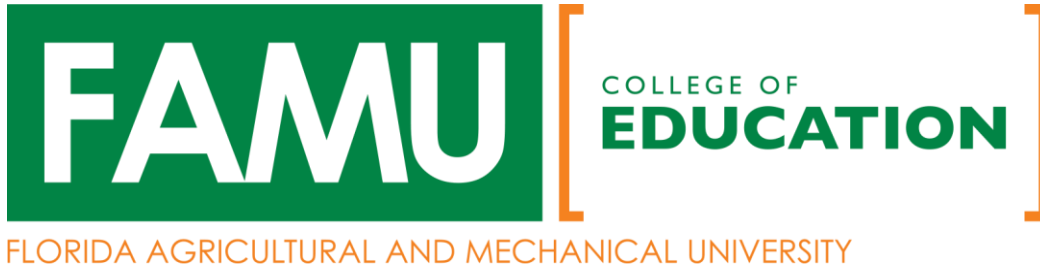
Date

Department Chairperson Signature

Date

APPENDIX B:

College of Education Non-Academic Complaint Form



Non-Academic Complaint Form

Name of Student _____

Student ID# _____ Major _____

Address (Local) _____

(Permanent) _____

(E-mail) _____

Telephone number (Local or Cell) _____ (Permanent) _____

Classification (please check appropriate box):

Freshman { } Sophomore { } Junior { } Senior { } Graduate { }

Individual Related to Complaint is (please check appropriate box):

- Faculty
- Staff
- Student

Date and Time of Occurrence _____

Location of Occurrence _____

Please describe your complaint in as much detail as possible and offer any remedy request (if known).

By signing below, I certify that all the information provided on this form is accurate and correct.

Signature

Date

NOTE: Please attach any additional supporting documentation to support your complaint.