**Appendix I L 3 a University Student Guidebook Sections on Grade Appeals and Ombudsman**

**<http://studentservices.fgcu.edu/StudentConduct/appeals.html>**

## Student Grade Appeals

 **SCOPE**This rule shall apply to all student appeals of:

* 1. Grades or other academic action taken by an instructor.
	2. Grades resulting from an instructor’s:
		1. Alleged deviation from established and announced grading policy;
		2. Alleged errors in application of grading procedures;
		3. Alleged lowering of grades for non-academic reasons.

NOTE: The professional judgment exercised by an instructor in assigning a grade or in conducting a class are excluded from the provisions of this rule except as noted in (1), (2) a, b and c above.

1. **GENERAL POLICY – THE FOLLOWING ASSUMPTIONS ARE ADOPTED.**
	1. Students are entitled to a fair, prompt, and open resolution of complaints.
	2. Faculty members are entitled to a fair, prompt, and open forum in defense of their action.
	3. Students have access to published materials and student government representatives to help them become familiar with and understand procedures for handling complaints.
	4. Faculty members have access to published materials and the university staff to help them know and understand procedures through which charges against them will be addressed.
	5. Resolution of student appeals should be made as speedily and informally as possible.
	6. The university as an institution and its faculty are entitled to procedures which ensure the maintenance of academic standards.
	7. The appropriate forum for discussion or alteration of academic matters is the unit responsible for these matters.
2. **ACADEMIC GRADE: APPEALS COMMITTEE**
	1. Each college shall establish an Academic Grade Appeals Committee whenever required for the purposes of this rule.
	2. This Committee shall be made up of at least three and no more than five faculty members and two students.
	3. Student members shall be selected by the Dean of Students from a list of ten (10) students furnished by the President of Student Government.
	4. Any member may be challenged for cause by either party. The validity of such challenges shall be decided by the Vice President of Academic Affairs. If a challenge is upheld by the VPAA, the College Dean shall appoint a replacement from the college’s faculty and for the Student Panel.
	5. The instructor and the student may each exercise peremptory challenge of one member of the initial committee.
3. **RESOLUTION OF STUDENT APPEALS: DEPARTMENT LEVEL**
	1. A. All student grade appeals or allegations of specific wrongful academic action(s) by an instructor shall first be brought to the attention of the instructor of the course. This action must be initiated within one semester of the alleged wrongful action or grade, or as soon thereafter as the student becomes aware of such action. The parties should attempt to resolve the problem in as speedy and satisfactory manner as possible. If dissatisfied with the instructor’s decision, or if the instructor is not available, the student may continue to pursue an informal solution with the Chair/Team Leader of the department in which the course is housed.
	2. The Chair/Team Leader and instructor should make every effort with the student to solve the problem at the informal level. This resolution shall take place within ten (10) school days of the complaint being brought to the Department Chair/Team Leader. At the time the Chair/Team Leader notifies the student of this decision, he/she should also inform the student of the formal procedure for appeal. The Chair/Team Leader’s decision must be in writing.
	3. When the instructor is not available to discuss the problem, if at all possible, the resolution should wait until such time as the instructor can return to the campus, but not longer than one semester. If the Department Chair/Team Leader determines that an emergency exists requiring that the problem must be solved prior to the availability of the instructor (e.g. in a case of probable delayed graduation), the Department Chair/Team Leader shall make every reasonable effort to apprise the instructor of the situation. The instructor may elect to submit a written statement and to designate a faculty replacement to aid in solving the problem. If the instructor cannot be reached or does not elect to designate a replacement and the complaint must be dealt with promptly, then the Chair/Team Leader shall act on behalf of the instructor.
	4. If the appeal or allegation is made against the Chair/Team Leader in the role of instructor, then the student shall treat the initial appeal as the appeal to the Chair/Team Leader of the department and proceed accordingly.
4. **RESOLUTION OF STUDENT APPEALS: COLLEGE LEVEL**
	1. If not satisfied with the resolution of the complaint proposed by the Chair/Team Leader, the student may proceed within ten (10) school days of receipt of the Chair/Team Leader’s decision to file a written appeal with the Office of the Dean of the College in which the course is housed. The written appeal to be introduced at the college level only after informal resolution has failed must clearly specify the action which the student perceives as wrong. The purpose of any subsequent hearing at the college level is to determine whether a broader segment of the campus represented by the committee also judges the action as wrong. If so, they are to suggest a resolution for the action. Before filing the complaint, the student should consult with the Dean of Students, or designee, who shall furnish advice as to the student’s rights and responsibilities with respect to this rule. The written appeal shall include the basis of the original complaint, the dates when the instructor and/or Chair/Team Leader met with the student to discuss the problem, and the suggested resolution at that time.
	2. The College Dean shall call the Academic Grade Appeals Committee together and ascertain the availability of the instructor or instructor’s replacement (see paragraph (4) (c) above).
	3. In conducting a formal review, the Academic Grade Appeals Committee shall adhere to the following guidelines:
		1. The time limits specified in the following review procedure may be extended by mutual agreement of the parties.
		2. The student and the instructor or instructor’s replacement shall be permitted to have a representative to appear with them before the committee if they so choose. If the student has legal counsel, the university shall provide legal counsel for the faculty member, without charge, at the discretion of the faculty member.
		3. The committee shall not be officially convened to review the appeal until the faculty member involved, or replacement, has received a copy of the appeal or complaint and had had at least five (5) school days to submit, if desired, any information. The student will be provided with a copy of any material submitted by the instructor at least five (5) school days before the committee meets to review the case.
		4. The committee should make every reasonable effort to meet for review of the case within 15 school days after receipt of the student’s written appeal and any information provided by the faculty member and/or Chair/Team Leader.
		5. The committee will function as an objective, fact finding body when examining all available and relevant information concerning the student’s appeal of academic action by the instructor. Such information shall include the student’s written appeal, written and/or oral information provided by the instructor, statements made by both parties before the committee, and any other information the committee may deem relevant.
		6. The student and faculty member shall be invited to meet with the committee. Each shall be allowed adequate time to respond to the appeal (and material) as submitted as well as any questions from committee members. Additionally, each shall be able to present information needed to clarify the issues involved.
		7. After meeting with both parties, the committee shall develop its recommendations by majority vote. The committee chair shall designate a member to record the committee’s recommendations. These recommendations concerning the disposition of the case shall be submitted to the College Dean.
		8. The College Dean shall render a decision within ten school days of the conclusion of the committee hearing. Copies of the committee’s recommendation and the Dean’s decision shall be made available to both parties concerned, to the Provost, and all other involved parties and departments.
5. **FINAL APPEAL**
	1. If dissatisfied with the College Dean’s decision, the student may, within ten (10) school days, file a written request for review with the Provost stating the basis for review and the resolution sought by the student.
	2. Acting as the University President’s representative, the Provost shall make final decision on the matter within ten (10) school days of receipt of the student’s request for review. Copies of the Provost’s written decision and the basis therefore shall be sent to the student, the College Dean, the chair, the Dean of Students, the instructor involved, and other involved parties.

**Ombuds**

<http://studentservices.fgcu.edu/StudentConduct/ombuds.html>

 The Office of the Ombudsman was established by the Florida Legislature to assist students in resolving problems and conflicts. The Ombudsman reports directly to the President and provides a prompt, impartial, and confidential means of facilitating dialogue between parties on campus. That Office also provides a means of resolving differences, apart from formal complaint procedures.

Once a problem is reported, the Ombudsman works with the student to identify alternative responses to strategically address the matter. A plan is developed which seeks to achieve a mutually satisfactory solution. The Office is firmly committed to maintaining the confidentiality of those who use its services. To the extent possible, the discussions, issues, concerns, or problems presented to the Ombudsman remain in strict confidence.

For more information contact Dr. Helen Mamarchev, University Ombuds/Assistant to the President, phone: (239) 590-1022 begin\_of\_the\_skype\_highlighting FREE (239) 590-1022 end\_of\_the\_skype\_highlighting email:hmamarchev@fgcu.edu

<http://www.fgcu.edu/ombuds/>

**Academic Behavior Standards**[**http://studentservices.fgcu.edu/StudentConduct/behavior.html**](http://studentservices.fgcu.edu/StudentConduct/behavior.html)

1. **ACADEMIC BEHAVIOR STANDARDS**
FGCU is committed to a policy of honesty in academic affairs.  Conduct that comprises a breach of this policy shall result in academic and/or disciplinary action.  Academic action affects student assignments, examinations, or grades.  Disciplinary action affects student enrollment status.

Violations of student academic behavior standards include:
	1. Cheating whereby non-permissible written, visual, or oral assistance including that obtained from another student is utilized on examinations, course assignments, or projects.  The unauthorized possession or use of examination or course-related material shall also constitute cheating.
	2. Plagiarism whereby another’s work is deliberately used or appropriated without any indication of the source, thereby attempting to convey the impression that such work is the student’s own.  Any student failing to properly credit ideas or materials taken from another has plagiarized.

	NOTE:  *A student who has assisted another in any of the afore-mentioned breach of standards shall be considered equally culpable.*
2. **ACADEMIC AND/OR DISCIPLINARY ACTION**
	1. Action by Instructor
		1. When a violation of student academic behavior standards becomes known, the instructor shall take appropriate measures ranging from counseling, to an academic action (loss of credit for a specific assignment, examination or project, or removal of the offender from the course with a grade of "F") to recommendation of disciplinary action to the Dean of Students.
		2. Before initiating any academic action, the instructor shall inform the student of the alleged violation, citing the information on which the allegation is based.  The instructor shall give the student the opportunity to respond in defense, including the hearing from other persons with knowledge of the situation involving the student’s alleged behavior.  Subsequently, the instructor shall duly inform the student in writing of the academic action being taken and all the reasons for such action.  Reports of the initial and final academic action shall be sent to the Dean of Students.
		3. Should an alleged violation of the academic behavior standards arise before the withdrawal deadline in a term, the instructor shall notify the registrar that the student shall not be withdrawn from the course in question.  Only a written release from the instructor or the authorized party deciding a student appeal will allow withdrawal. However, if the student appeals the academic action and desires to withdraw, the process shall be initiated by the student immediately in the normal university manner.  Such withdrawal requests will be held in abeyance until a ruling on an appeal is obtained.  If resolved in favor of the student, the withdrawal request will be processed at that time.  The individual empowered to rule on the student appeal shall appropriately notify both the Registrar and the Dean of Students of the outcome.
		4. The instructor’s recommendation for disciplinary action (subject to probation, suspension, or expulsion) shall be submitted through the College Dean to the Dean of Students for processing under "The Student Disciplinary Process".
		5. Student appeals of academic action shall be made under the "Student Grade Appeals."
3. **COORDINATION OF ACADEMIC AND DISCIPLINARY ACTION**
	1. When an instructor initiates academic action as the result of the student’s alleged violation of academic behavior standards, the academic action will be processed first.  At the time of the final academic action report, the instructor can recommend, through the College Dean, that disciplinary action should also be pursued through the Office of the Vice President of Student Affairs.
	2. When information concerning an alleged violation of academic standards is received by the Dean of Students from other than instructional sources (e.g. other students, university police, etc.), the Dean of Students shall inform the Dean of the College in which the violation allegedly took place before proceeding with the disciplinary process.  The College Dean shall inform any affected instructor.
	3. In case it is not clear initially whether the reported action is best pursued through academic action or disciplinary action procedures, the Dean of Students and the Dean of the College in consultation with any affected instructor(s), will confer and decide which procedure to employ in pursuing the case.
	4. In the case of multiple or aggravated violations of academic behavior standards, the Dean of Students shall initiate disciplinary action based on information contained in university records upon recommendation from the Dean of the College.