

FLORIDA GATEWAY COLLEGE

POLICY

TITLE: Academic Appeals

NUMBER: 6Hx12:09-39

AUTHORITY: District Board of Trustees

PAGE: 1

RESPONSIBILITY: Appropriate Academic Vice President or designee

OTHER: Florida Statute 1001.64; 1001.65;
State Board of Education Rule: 6A14.0261

DATE: See History Below

It is the policy of the District Board of Trustees to expeditiously consider and resolve any Academic Appeals not involving Discrimination and Harassment (6Hx12:6-23), Formal Grievances (6Hx 12:6-10), General Student Complaints (6Hx12:09-38) and/or Misconduct as defined by (6Hx12:6-45).

History: 04/08/14

Adopted: 04/08/14

Effective: 04/08/14

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PROCEDURE

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RESPONSIBILITY: Appropriate Academic Vice President or designee

NUMBER OF BOARD RELATED POLICY: 6Hx12:09-39

Florida Gateway College students are responsible for achieving and maintaining the standards of academic performance and excellence established by their Faculty Members and for complying with all relevant policies, standards, rules, and requirements which are formulated by the College. At the same time, students have protection, through orderly procedures, against arbitrary or capricious actions or decisions by their Faculty Members. Students also have protection against similar actions or decisions by academic offices.

No individual shall be penalized or retaliated against in any way by the College for his or her participation in this Academic Appeals procedure.

This procedure outlines the process for a student who has an academic complaint. Academic complaints are defined as:

1. A claim by the student that an assigned grade is the result of arbitrary and capricious application of otherwise valid standards of academic evaluation; or
2. A claim by the student that the standards for evaluation are arbitrary or capricious; or
3. A claim by the student that the Faculty Member has taken an arbitrary or capricious action which adversely affects the student's academic progress.

This procedure shall not apply to decisions of agencies other than Florida Gateway College, such as clinical facilities or employers of students and other businesses allowing job-site training of students. The College has no authority over those decisions. This Academic Appeal procedure is the exclusive remedy to address academic complaints.

A student wishing to pursue an Academic Appeal must follow this procedure once the student is on notice of an action or decision which gives rise to an Academic Appeal. The emphasis of the

procedure is on informal resolution of the complaint. Academic Complaints which call for a meeting with the Campus Appeals Board should be rare.

II. Time Limit

The student must submit a completed Academic Appeals form to their Faculty Member no later than thirty (30) days from notice of an action or decision upon which the complaint is based. Absent exceptional circumstances, untimely appeals will not be processed.

III. Student Rights

All students are guaranteed the following rights throughout all steps in the Academic Appeals process:

1. The right to prompt appeals meetings.
2. The right to have an advisor of choice attend any Appeals meetings, provided that advisor is not an attorney, or the student may rely upon the Florida Gateway College Ombudsman as a mediator. The advisor may serve only in an advisory capacity to the student, and may not participate in the meetings directly.

IV. Academic Appeals Procedure

Students should read the procedure carefully and are expected to follow the process and procedures set forth below:

STEP ONE: Students with an academic complaint are required to submit an "Academic Appeals Package" to the College with the following items:

1. A fully completed Academic Appeals Form. This Form can be found on the website under Current Students or in any College academic office.
2. A detailed written statement setting forth the student's complaint and any relevant information needed to review and assess the complaint (this can be the information provided on the Academic Appeals form or a separate document).
3. All supporting documentation relevant to the student's complaint.

The Appeal Package should be submitted (by email or hand-delivery) to the Faculty Member with whom they have the complaint. The student should maintain a copy of the Appeal Package for their own records. The Appeal Package may not be supplemented throughout the appeal process unless the student obtains relevant information during the process that was unavailable or unknown to the student at the time the original Appeal Package was submitted

to the Faculty Member.

STEP TWO: At the time the student submits the Appeal Package to the Faculty Member, they should then schedule a meeting with the Faculty Member to discuss the complaint. These Faculty Member meetings should occur no later than two weeks following the submission of a complete Academic Appeal Package unless both the student and the Faculty Member agree otherwise or the Faculty Member deems the appeal untimely. If the student has endeavored in good faith to schedule a meeting with the Faculty Member and the Faculty Member has not timely responded and/or failed to schedule such a meeting, the student should contact the Faculty Member's supervisor for assistance. If the student disagrees with a timeliness determination by the Faculty Member, they may bring the matter directly to the relevant academic Vice President whose determination on timeliness will be final and binding.

STEP THREE: If the student and Faculty Member are unable to informally resolve the student's complaint, the student should then schedule an appointment with the Faculty Member's supervisor(s) to seek resolution until the student has met with all supervisory levels (coordinator, director and executive). The student should contact the supervisor to schedule the meeting no later than ten (10) days following the previous complaint meeting with the Faculty Member and/or supervisory personnel.

STEP FOUR: If the student and the supervisory personnel are unable to informally resolve the student's complaint, the student should schedule an appointment with the appropriate academic Vice President to seek resolution. No later than two (2) weeks following the complaint meeting with the academic Vice President, the student shall be provided a written response regarding the Vice President's decision on the academic complaint.

STEP FIVE: If the student wishes to appeal decision of the academic Vice President, s/he must notify the Vice President in writing (email or other written notification) no later than five (5) business days following the receipt of the decision. The matter will then be referred to the Campus Appeals Board.

1. The student will receive written notification of the Campus Appeals Board meeting where their Academic Appeal will be heard no less than three (3) days before the meeting date.
2. In the event the student fails to appear and participate in the Campus Appeals Board meeting, without prior written notification and consent from the Chair of the Campus Appeals Board, the meeting will take place as scheduled. The Campus Appeals Board will review the case and reach a recommendation based upon available information submitted in the Academic Appeal Package and the Vice President's decision.
3. If the Chair of the Campus Appeals Board receives prior notification and justification that the student is unable to attend the Campus Appeals Board

meeting, the meeting will be rescheduled. Failure on the part of the student to attend the rescheduled meeting will result in the Campus Appeals Board reviewing the case and reaching a decision based upon available information.

4. The sole issue before the Campus Appeals Board will be the student's complaint as set forth on the Academic Appeals Form. Any issues regarding other students will not be discussed unless directly relevant to the student's complaint.
5. The decision of the Campus Appeals Board is final and binding. The Board's decision will be provided to the student and appropriate academic Vice President no later than three (3) business days after the meeting.



**Florida Gateway College
Academic Appeals Form**

College Policy and Procedure 6Hx12:39 (attached)

Student Name _____ Student ID # _____

FGC e-mail _____

Address _____ City _____ State ____ Zip _____

Cell Phone () _____ Home Phone () _____

Please check the basis for your Academic Appeal (you may check more than one):

- I have received a grade that is the result of arbitrary and capricious application of otherwise valid standards of academic evaluation:
Class: _____ Faculty Member: _____
- The standards used by a Faculty Member for evaluation are arbitrary or capricious:
Class: _____ Faculty Member: _____
- A Faculty Member has taken an arbitrary or capricious action which adversely affects the my academic progress:
Class: _____ Faculty Member: _____

Please provide a detailed written statement setting forth the facts of your complaint and any relevant information needed to review and assess the complaint (you may attach additional paper or refer to a separate statement that is attached):

What action do you request? (must be completed) _____

If appropriate, have you conferred with Faculty Member? **YES**____ **NO** ____

Faculty name _____

If no, please state why not: _____

Please follow appropriate steps and deadlines outlined in attached policy and procedure 6Hx12:09-39. If you are complaining about discrimination or harassment, see Policy and Procedure 6Hx12:6-23. Complaints related to Misconduct, Including Sexual Misconduct, Assault, Battery, and Sexual Battery, see 6Hx12:6-45.

I certify that all information recorded above is correct to the best of my knowledge.

_____ Date _____
Student Signature