

NOTICE OF NEW REGULATION

Date: July 9, 2009

REGULATION TITLE:
Student Academic Appeals

REGULATION NO.:
UCF-5.016

SUMMARY OF REGULATION: This new regulation replaces in part the material previously contained in Regulation 6C7-5.00431. This regulation sets forth the conditions and procedures for student academic appeals.

AUTHORITY: BOG Resolution dated January 7, 2003

NAME OF PERSON WHO INITIATED REGULATION:

Dr. Alison Morrison-Shetlar, Dean, Office of Undergraduate Studies
Dr. Max Poole, Sr. Associate Dean, College of Graduate Studies

COMMENTS CONCERNING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS:

Regulations Administrator
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FULL TEXT OF THE PROPOSED REGULATION:

UCF-5.016 Student Academic Appeals

- (1) Scope. This regulation shall apply to:
 - (a) Undergraduate and graduate student appeals of grades (typically limited to final grades) resulting from an instructor's:
 - i. Alleged deviation from established and announced grading policy;
 - ii. Alleged errors in application of grading procedures; and

iii. Alleged lowering of grades for non-academic reasons, including discrimination.

(b) The professional judgment exercised by an instructor in assigning a specific grade or in conducting a class is excluded from the provisions of this rule except as noted above.

(c) Actions taken by an instructor pursuant to the Student Academic Behavior provisions (see Regulation UCF-5.015).

(d) Appeals of graduate programs actions or decisions by a faculty member, program, or college, including termination from an academic program, are discussed in the following section.

(2) General Policy. The following assumptions are adopted:

(a) Students are entitled to a fair, timely, and open resolution of academic appeals.

(b) Faculty members and administrators are entitled to a fair, timely, and open forum in defense of their action.

(c) Students have access to published materials and student government representatives to help them become familiar with and understand procedures for handling academic appeals.

(d) Faculty members and administrators have access to published materials and University staff to help them be aware of and understand procedures to address academic appeals.

(e) Resolution of student academic appeals should be made as informally as possible.

(f) The University as an institution and its faculty are entitled to procedures that ensure the maintenance of academic standards.

(g) The appropriate forum for discussion or alteration of academic matters is the academic unit responsible for these matters.

(3) Resolution of Student Appeals at Informal Level

(a) Step 1: All student academic appeals of allegedly wrongful academic action(s) by an instructor or administrator shall first be brought to the attention of the person whose action is being appealed. (The instructor of the course or administrator whose action is being appealed will be referred to in this regulation as the Responding Party.) This action must be initiated within one semester of the alleged wrongful action or grade. The parties should attempt to resolve the problem in a timely and satisfactory manner. If dissatisfied with the decision of the Responding Party, or if that person is not available, the student must first continue to pursue an informal solution with the unit head, usually the chair or director of the unit.

(b) Step 2: The unit head or supervisor, in consultation with the Responding Party, should make every effort to communicate with the student and resolve the problem. When classes are in session, this communication shall normally take place within 10 school days of the complaint being brought to the unit head or supervisor. Between semesters and during the summer term, this communication may be extended ten days into the new semester. The unit head or supervisor will provide the student with a written decision that includes reference to student academic appeals procedures.

1. When the Responding Party is not available to discuss the problem, if at all possible, the resolution should wait until such time as the Responding Party can return to the campus, but not more than six months.

2. If the unit head or college dean or designee determines that an emergency exists requiring that the problem be solved prior to the availability of the Responding Party (e.g. in a case of probable delayed graduation), the unit head or dean or designee shall make every reasonable effort to inform the Responding Party of the situation. The Responding Party may elect to submit a written statement and/or to designate a replacement to aid in solving the problem.

3. If the Responding Party cannot be reached or does not designate a replacement, and the complaint must be dealt with promptly, then the unit head or dean or designee shall act on behalf of the Responding Party.

(4) Resolution of Student Academic Appeals at the College Level

(a) Step 3: If not satisfied with the resolution of the complaint proposed by the unit head or supervisor, the student should consult with Student Government Association's Judicial Advisor or designee, who shall furnish advice to the student's rights and responsibilities with respect to this policy.

(b) Step 4: Within 10 school days of receipt of the unit head's or supervisor's decision, if the student wishes to file a formal appeal, the student must contact the dean's office of the college in which the action occurred and schedule an appointment with the dean or a designee. That individual will informally review the student's concerns, counsel the student on his/her options, and explain the formal Student Academic Appeals process.

(c) Step 5: If the student is not satisfied with the outcome of the consultation with the administrator, within 10 days of their meeting or conversation, the student may appeal in writing

to the Student Academic Appeals Committee. This committee will determine the legitimacy of the awarded grade and if appropriate, suggest a resolution. The student's written appeal shall include the basis of the original complaint, the dates when the instructor, unit head, administrator, or supervisor, discussed the problem with the student, and the suggested resolution at that time.

(5) Composition of the Student Academic Appeals Committee

(a) Each college shall establish a Student Academic Appeals Committee whenever required.

(b) The committee shall be made up of at least three and no more than five tenure-earning or tenured faculty members and an equal number of students.

(c) Student members shall be selected by the dean of the college or designee from a panel of no less than thirty (30) students. This panel shall be appointed by the Vice President of Student Development and Enrollment Services from a list recommended for this purpose by the Student Body President.

(d) Any member may be challenged for cause by either party. The validity of such challenges shall be decided by the Office of Student Rights and Responsibilities. If a challenge is upheld, the college dean or designee shall appoint a replacement from the college's tenured and tenure-earning faculty or the student panel.

(e) The college dean or designee shall assemble the Student Academic Appeals Committee to conduct a formal review of the student academic appeal.

(6) Formal Review of a Student Academic Appeal

(a) In conducting a formal review, the Student Academic 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 committee shall not be officially convened to review the appeal until the Responding Party, or substitute/replacement, has received a copy of the appeal and has had at least 5 school days to submit, if desired, a response or additional information. The student will be provided with a copy of any material submitted by the Responding Party at least 5 school days before the committee meets to review the case.

3. The committee should make every reasonable effort to meet for review of the case within 20 school days after receipt of the student's written appeal and any information provided by the Responding Party and/or unit head.

4. 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 Responding Party. Such information shall include the student's written appeal, written and/or oral information provided by the Responding Party, statements made by both parties before the committee, and any other information the committee may deem relevant.

5. The college dean or designee will convene the committee, establish procedural rules for conducting the meeting, serve as its chair, and will vote in the case of a tie. The meeting is not covered by Sunshine laws, and is thus closed to outside parties.

6. The student and Responding Party shall be invited to meet with the committee. Each shall be allowed adequate time to respond to the appeal and material as submitted, to answer any questions from committee members, and to present additional information needed to clarify the issues involved.

7. After meeting with both parties, the committee shall vote on the validity of the student's appeal and if appropriate, develop its recommendations. The committee chair will ensure that the committee's majority opinion is recorded and forwarded to the college dean.

(b) The college dean shall render a decision within 10 school days of the conclusion of the committee hearing. Copies of the committee's recommendations and the dean's decision shall be made available to both parties concerned, to the provost, and all other involved parties and departments.

(7) Final Appeal

(a) Step 6: If dissatisfied with the college dean's decision, the student may, within 10 school days, file a written request for review with the dean of undergraduate studies or the dean of graduate studies (depending upon the classification of the student), stating the basis for review and the resolution sought by the student.

(b) Acting as the University President's representative, the dean of undergraduate studies or the dean of graduate studies shall make a final decision on the matter within 10 school days of receipt of the student's request for review. Copies of the dean's written decision shall be

sent to the student, the college dean, the chair, the Director of OSRR, the Responding Party, and other involved parties.

Authority: Florida Board of Governors Resolution dated January 7, 2003. History— Formerly 6C7-5.00431, Amended _____-09.