



Student Academic Grievance #340.340

INITIAL EFFECTIVE DATE:	LAST REVISION DATE:	RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT
May 1, 2010	TBD	Office of the Provost

POLICY STATEMENT

Quality education is most likely to occur in academic environments that include the following elements: effective student mentoring, informal and accessible student-faculty relations, mutual respect and collegiality, cooperation, as well as open communication and transparency.

Often grievances grow out of misunderstandings or misperceptions between faculty and students regarding expectations for performance or behavior. Faculty have an obligation to ensure that students are aware of academic and professional expectations. Students have a concomitant obligation to pursue diligently and to satisfy those standards. They are bound to observe and respect the policies, rules and regulations of the University, their respective departments, and their instructors. Many grievances related to student-faculty relations may be settled informally, via open and transparent processes of communication.

When all means of informal resolution have been exhausted, the parties involved must have an impartial and transparent forum in which to seek review and resolution of the academic grievance.

SCOPE

This policy and associated procedures address grievances by students in which the complaint or controversy alleges one or more of the following:

- (a) arbitrary and capricious awarding of grades;
- (b) unprofessional conduct by an instructor that affects adversely either the student’s ability to satisfy academic expectations, whether in the classroom, a field setting, a laboratory or other setting, or the student’s actual performance;
- (c) inappropriate or inadequate advising by a faculty mentor concerning requirements not published in official University documents;
- (d) arbitrary dismissal from a course or program except as described below; and/or
- (e) irregularities in the implementation of policies or procedures in grievance hearings at the college or school level.

This policy does not address:



- (a) Issues related to sexual harassment, or discrimination based on age, sex, sexual orientation, religion, race, marital status, national origin or disability. The Office of Civil Rights Compliance and Accessibility (OCRCA) is responsible for handling such issues. If an academic grievance alleges harassment or discrimination in addition to one or more of the above (a-e) of the defined scope of this policy, the grievance will first be referred to OCRCA for resolution of sexual harassment or discrimination;
- (b) Issues related to research misconduct (i.e., unauthorized utilization of materials). The Office of Research and Economic Development handles such issues according to the University Research Misconduct policy;
- (c) Issues related to professional standards. If the student is dismissed from a course or program due to violation of defined professional standards, those decisions are addressed at the school or college level; and
- (d) Issues related to grading, except arbitrary and capricious awarding of grades. Other grade appeals should be conducted at the department level. The student should discuss the appeal first with the instructor. The student may request further discussion with the department chair. The department chair issues a written response within five (5) business days from the date of the discussion and delivers it to the student and the instructor involved. The student shall not proceed beyond the department chair’s decision except when the department chair is the subject of the complaint in which case the appeal continues to the college or school dean.

REASON FOR POLICY

The purpose of this policy and procedure is to provide a means for students to seek investigation and possible resolution of academic grievances, as defined below.

DEFINITIONS

TERM	DEFINITIONS
Academic Grievance	See scope above.
Arbitrary and Capricious Awarding of Grades	Arbitrary and capricious awarding of grades can be considered as a final course grade assigned on: (1) Some basis other than performance in the course, (2) By resorting to unreasonable standards different from those that were applied to other students in that course, or (3) By a substantial, unreasonable, and/or unannounced departure from the instructor’s previously articulated standards.
Burden of Proof	The student challenging the decision, action or final grade assigned has the burden of supplying evidence that supports the position that the decision was incorrect.



Business Day	A day when administrative offices are open. The person vested with authority at the appropriate level may extend any of the time periods contained herein for good cause. Any extensions must be communicated in writing to all parties.
Dean	College Dean, or the Dean of the Office of Graduate School, or the equivalent as indicated – or in all cases a “Dean’s designee” appointed to handle academic grievances for the unit.
Department Chair/Program Director	Academic head of a college department or the director of a program, or in all cases a “Department’s/Program’s designee” appointed to handle academic grievances.
Instructor	Classroom instructor, thesis/dissertation/directed study supervisor, or the Dean or supervisor who imposes the final academic decision.
Jurisdiction	Where the course (not the student’s registration status) is housed based on the faculty member’s primary academic appointment determines the appropriate forum (college or department/school) where the grievance proceeding will be conducted.
Legal Representation	Neither party shall be entitled to bring “legal representation “to any actual grievance proceeding as this is an internal review of an academic decision.
Written Communication	Communication by email to the recipient’s FIU official email address of record or e-mail communication using assigned FIU e-mail addresses.

ROLES AND RESPONSIBILITIES

Refer to Student Academic Grievance #340.340a procedure statement for information on roles and responsibilities of the student, instructor, program administrator, college/school administrators, or other positions named in this policy.

RELATED RESOURCES

[Florida International University Student Handbook](#)



CONTACTS

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HISTORY

Initial Effective Date: March 29, 2010.

Review Dates (*review performed, no updates*): N/A

Revision Dates (*updates made to document*): May 1, 2010, May 24, 2016; TBD.



Student Academic Grievance #340.340a

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PROCEDURE STATEMENT

A. Informal Academic Grievance Procedure

1. Students must attempt to informally resolve an academic grievance. A student must initiate informal resolution procedures by contacting the faculty member (instructor of record or program administrator) responsible for the academic decision no later than ten (10) business days after classes begin in the semester following that in which the complaint arose or the grievance will be deemed untimely.
2. The student must first attempt to resolve the academic grievance through an informal meeting with the instructor/ program administrator. If the student's grievance is against a committee, the student must meet with the committee chairperson.
3. If the matter cannot be resolved, or if the instructor/program administrator/committee chairperson cannot be reached, the student must meet next with the department chair.
4. The informal grievance process is terminated at the department level except when the department chair is the subject of the complaint in which case the grievance continues to the college or school dean.
5. The department chair or dean will review the grievance and discuss the complaint with the student and/or faculty member. A mutually agreeable resolution shall be formalized through written communication to all parties involved. The decision of the department chairperson ends the informal process.
6. If a mutually agreeable resolution cannot be reached, the student may elect to file a formal academic grievance.

B. Formal Academic Grievance Procedure

1. To initiate a formal academic grievance, the student must submit the Academic Grievance Form and supporting documentation to the Faculty Fellow for Academic Integrity. The Academic Grievance Form and the instructions for submission are available online: <https://dasa.fiu.edu/all-departments/academic-grievances/index.html> .
2. The burden of proof is on the student and, as such, the student must include a concise written statement and all supporting documentation of each claim in the grievance. The student must clearly state the reason for the grievance, the efforts the student made to resolve the issue, and the resolution sought by the student

with the submission.

3. The complaint must be filed within fifteen (15) business days of the date the informal resolution process ends, or within twenty (20) business days after classes begin in the semester following that in which the complaint arose--whichever is later. Often additional materials are requested to proceed with the grievance. Failure to submit all required materials in the manner requested within 10 days business days of notification may result in a delay or dismissal of the grievance.
4. Upon receipt of all required documentation, the Faculty Fellow for Academic Integrity or designee commences the review process timeline which requires action within 45 business days.
5. In consultation with the chairperson of the Undergraduate or Graduate Education Grievance Committee, the Faculty Fellow will review the grievance form and supporting documentation to determine if grounds exist for the grievance.
 - a. If there is not a basis for the grievance, the grievance will be dismissed, and the Faculty Fellow will inform the student of the reason for the dismissal in writing.
 - b. If there is a basis for the grievance, the Faculty Fellow may make a final attempt to address the grievance with the student and the academic unit to arrive at a fair resolution. Otherwise, the Faculty Fellow shall establish a grievance committee and the process will continue.

A. Student Academic Grievance Committees

Where a complaint falls within the scope of this policy, the Faculty Fellow for Academic Integrity or designee will refer the matter to the appropriate Student Academic Grievance Committee. The grievance committee will be composed of five members, two of whom should be students selected by the Faculty Fellow for Academic Integrity or designee and approved by the Student Government Association (SGA).. The other members of the committee shall be three full-time faculty who have experience with undergraduate/graduate programs. Wherever practical, the committee shall not include members of the faculty or students of the department/unit directly involved with the grievance, or faculty or students of the student's major department/unit. The chairperson of the committee will be selected by the Faculty Fellow for Academic Integrity or designee and approved by the chairperson of the Faculty Senate. The FFAI will provide the Academic Grievance Policy and Procedure to all committee members in advance of the hearing along with all documentation relevant to the grievance. The committee is responsible for conducting formal grievance hearings in accordance with the procedure outlined below.

B. Hearing Procedure

A hearing shall be scheduled as soon as possible but no later than 45 business days after receipt of all requested materials. If the committee cannot meet within the 45



business days, the Faculty Fellow will inform the parties of the need for additional time. The grieving party and the instructor shall be notified by the Faculty Fellow for Academic Integrity or designee, via written communication, of the date and time in which to appear for the formal hearing. The student and instructor shall be invited to meet with the committee. Participating individuals in the grievance may appear through virtual (electronic) means at the hearing. The student and instructor shall be allowed adequate time to respond to the grievance and the documentation as submitted, to answer any questions from committee members, and to present additional information needed to clarify the issues involved. Should either the student or instructor fail to attend the scheduled hearing, the hearing may be held in the individual's absence with the understanding that the proposed outcomes and resolutions will be made using the information available at the time of the hearing. The hearing shall be recorded and conducted in accordance with the Formal Academic Grievance protocol provided by the Faculty Fellow. At the conclusion of the hearing, the members of the committee shall have the opportunity to deliberate outside the presence of the involved parties, in a closed unrecorded session. A written report including findings of facts, conclusions and recommendations of the committee shall be prepared and forwarded to the Faculty Fellow for Academic Integrity or designee within ten (10) business days. The Faculty Fellow for Academic Integrity or designee shall issue a written decision via University email to both the student and instructor within fifteen (15) business days of receipt of the committee report.

C. Appeals

Any decision of the Faculty Fellow for Academic Integrity may be appealed by either the grieving student or the instructor where there is evidence of procedural impropriety in the review process. The appeal must be submitted in writing, specify in detail the alleged procedural impropriety, and must be filed in the Office of the Provost within ten (10) business days, of the date of receipt of the Fellow's decision. The Provost or a designee shall review the appeal and the record of the formal hearing and issue a decision within twenty (20) business days. The decision of the Office of the Provost represents final agency action.