

Student Appeals

The Student Appeals process was approved by the Curriculum and Academic Affairs Committee in February 2009.

Introduction

To maintain an environment that promotes teaching and learning, Lee College has developed policies that outline instructional and behavioral expectations in individual course syllabi/outlines and policy regarding student conduct, academic honesty, and sexual harassment.

Appeals procedures provide students with a means to challenge classroom activity, disciplinary action, and administrative policies and/or behaviors that they feel are arbitrary or unfair while protecting the academic freedom of instructors and the safety and security of the campus community.

To learn more about the appeals process, students may meet with an advisor, counselor, or instructional or student services administrator.

General principles

The appeals process applies to both the informal and formal procedures. It can be waived, or an addendum may be added to the formal appeal if all parties to the appeal and corresponding college personnel charged with resolving it agree to do so.

All meetings called by college personnel to resolve appeals are confidential and are closed to the public.

Deadlines may be extended due to extenuating circumstances, illness, or college events such as registration or final exams.

Students who initiate appeals should not be subject to retaliation and should report any incidents immediately to a counselor or administrator.

Items that can be appealed through this process

Instructional issues include the classroom, laboratories, and related activities supervised by instructors and/or instructional divisions. Examples include but are not limited to laboratory safety, classroom/field trip behavior, academic honesty, grades, absences, or withdrawals.

Non-instructional and disciplinary issues include but are not limited to student conduct, expulsion, threats, injury, trespassing, vandalism, theft of textbooks or personal possessions, destruction of property, forgery of documents, and other actions that may threaten the safety and security of an individual and/or the campus community.

Resolution of policy governed by state and federal regulations

Policies and procedures based on state and federal laws are resolved within specific departments. Please see Chapter 3 of the Lee College Catalog for appeals regarding residence, financial aid, transfer credit, or sexual harassment.

Level 1

Informal resolution

The informal resolution attempts to resolve issues regarding college policies, procedures, or personnel as they occur. Throughout the informal process, students should record dates and times of meetings with individuals, keep a brief account of the meetings, and collect any written documents that they may receive. Within 10 working days of an incident, students should meet with individuals with whom they have a concern or complaint to seek resolution. If the situation is unresolved, students should speak with relevant supervisors and/or administrators, who may investigate the incident further to seek information to resolve the concern.

Level 2

Formal appeal

Students who are not satisfied with the outcome produced by informal resolution may initiate a formal appeal, which begins when a student submits a written statement, outlining the event to the appropriate administrator. Students must file an appeal within 30 working days of the incident.

Written statement

All issues related to a single incident should be included in one appeal. Students must include dates of meetings with college personnel that were held during the informal resolution process. Evidence and copies of supporting documentation should be submitted with the written statement. These may include but are not limited to e-mails, letters, syllabi, or grade sheets. In cases where absences are part of the consideration, written verification by medical personnel, peace officers, or others in authority should be included. Statements by witnesses may be submitted either in writing or on video. Students may suggest a resolution or remedy. Students should keep copies of all materials submitted for consideration.

Instructional Appeal: (1) Students will submit the written statement and supporting materials to the Division Chair. In the event that the instructor is a Division Chair, the process will begin with the appropriate instructional administrator. (2) Copies of the appeal will be forwarded by the Division Chair (if applicable the appropriate instructional administrator) to those named in the appeal.

If students are not satisfied with the decision made by the Division Chair, within 10 working days they need to contact the appropriate instructional administrator. All materials presented to the Division Chair, along with his/her decision and any additional information collected, should be forwarded. If an instructional administrator has served in place of the Division Chair and students are not satisfied with the decision, students may continue the process at Level 3.

Non-instructional Appeal: (1) Students will submit the written statement and supporting materials to the appropriate student services administrator. In the event that this individual is named in the appeal, the president will appoint an administrator to hear the appeal. (2) Copies of the appeal will be forwarded by the administrator to those named in the appeal.

If students are not satisfied with the decision made by the administrator, within 10 working days students may continue the process at Level 3.

Appeal Response and Decision

At the discretion of the appropriate administrator, further investigation may take place, meetings may be held, or a decision may be based on the written appeal and/or information acquired during the informal resolution. The administrator may request additional information in writing or documentation from the individuals involved. Instructional issues that are capricious or threaten to undermine the principles of academic freedom will be dismissed. Within 10 working days of receipt of the formal appeal, the appropriate administrator will respond in writing to the student and copy those named in the appeal.

An addendum may be made to an appeal with the approval of parties named in the appeal and the presiding administrator. If new witnesses or evidence is produced during the course of an appeal, an extension of up to 10 working days will be granted to allow individuals to respond.

Acceptance of decision

Students have 10 working days to accept or reject in writing the presiding administrator's decision. Students will prepare a written memo/letter with their signature, as well as send an e-mail. If there is no response, it is assumed that the students have accepted the decision.

Level 3

Appeals committee

The student services administrator will create an Appeals Committee consisting of two faculty members and two students who are not associated with the grievance. The administrator serves as chairperson of the Appeals Committee and votes only in the event of a tie. If the complaint is against the student services administrator, another administrator will serve as chairperson of the committee.

If a committee member is challenged, the chairperson of the Appeals Committee will consider the challenge and either dismiss it or appoint a new member to the committee.

Appeals Meetings

Appeals meetings are held the second week of the month.

Evidence: Students will have the opportunity to explain their position that was submitted in the written appeals statement that included supporting evidence and to respond to or ask questions. The burden of proof is on the student to show that a capricious, arbitrary, or prejudicial decision has been made.

Formal rules of evidence will not apply, and the committee may request additional information or evidence.

Adviser: Students and Lee College employees may choose to have one adviser present who is not a witness. Although advisers may not participate in the proceeding, students and employees may confer with their advisers during the proceedings. Lee College employees may not have an attorney for their adviser; however, if students choose an attorney for an adviser, the college may elect to have an attorney present. Five working days prior to the appeals meeting, students must notify the Appeals Committee chairperson in writing by the end of the business day if an attorney will serve as an adviser to the student.

Transcription: If students or employees want to have the meeting videotaped or recorded and transcribed, it is their responsibility to make arrangements for such documentation. Five working days prior to the appeals meeting, the Appeals Committee chairperson must be notified in writing by the end of the business day if transcription will occur.

Absence from proceedings: Students or employees may waive their right to be present at the appeals meeting by notifying the Appeals Committee chairperson in writing. Without written notice, if students do not attend the appeals meeting, the appeal process will end and the last decision regarding the appeal will be in effect. If a Lee College employee does not attend, the appeals meeting will continue, using information presented in written statements.

Meeting Protocol:

- The appeals meeting is not an open public meeting.
- The Appeals Committee chairperson is responsible for establishing the purpose of the meeting and maintaining order.
- The committee may set a time limit for presentations.
- Students will present their appeal and corresponding evidence (oral, written, tape) to support the written appeal statement.
- Members of the committee may ask questions or seek clarification from students and/or Lee College employees.
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- Students may present an oral summary to the committee.
- Members of the committee may request additional information, documents, or witnesses during the meeting. They may seek additional information or request additional meetings with students and/or Lee College employees.

Response to the Appeal

Within 10 working days of the Appeals Committee's decision, the chairperson of the Appeals Committee will respond in writing to the student and copy those named in the appeal.

Appeal Ends

There is no further appeal after Level 3.