

## **Student Complaints**

The Chief Student Affairs Officer ("CSAO") provides undergraduate students with assistance in resolving disagreements with University employees. The CSAO will provide impartial guidance to students to assist in identifying whether the nature of the disagreement concerns an academic appeal or an administrative appeal, and the appropriate University policy or procedure that can be used to resolve it. The academic appeals and administrative appeals policies do not apply to student complaints about unlawful discrimination or sexual harassment. The CSAO can advise the student about other University policies and procedures used to address student complaints about unlawful discrimination and sexual harassment.

## **Student Academic Appeals Policy**

Public institutions of higher education function for the common good, not to further the interest of either the individual faculty member or the institution as a whole. The common good depends upon the free search for truth and its free expression. Academic freedom is essential for protection of the rights of the teacher in teaching, and the rights of the student to freedom in learning. Teachers must be accorded freedom of speech under the First Amendment of the U.S. Constitution, and are entitled to freedom in the classroom in discussing their subjects. Controversy lies at the heart of free academic inquiry, and provocative teaching techniques are often effective. Rights carry corresponding duties; both faculty and students should exercise this freedom in a responsible manner.

A fundamental premise of academic freedom is that decisions concerning the quality of faculty scholarship, teaching, and service are best made by reference to standards of the academic profession, as interpreted and applied by the community of scholars who are qualified by academic expertise and professional training to establish them. Possible violations of professional standards are most appropriately remedied through supervision of faculty peers. This occurs during regular performance appraisals of faculty, in which adequate consideration of student teaching evaluations is required.

Academic appeals generally involve such matters as appeal of grades granted by individual members of the faculty, or instances of perceived unfair treatment which a student believes may have negatively impacted his or her grade. To be considered, an appeal of a grade must be initiated within 30 days after a final grade is posted.

In order to guarantee fair and equitable consideration of student academic appeals, a student must first reduce an appeal to writing and discuss it with the faculty member whose actions gave rise to the appeal, in a good faith attempt to resolve any misunderstanding. If, after such discussion, the student is not satisfied with the result, he or she may appeal to the department chair.

After receiving an academic appeal of a grade, the department chair shall interview the student, the faculty member, and any witnesses; review the course syllabus and all graded assignments; and ascertain the facts of each case. Because the faculty member who issued the grade is in the best position to evaluate the performance of students enrolled in a course, the academic judgment used to determine the merits of the grade awarded shall not be reviewable. A department chair may request a faculty member reconsider a student's grade. A faculty member may decline to reconsider a student's grade; reconsider a grade and change it; or reconsider a grade and decide not to change it. There must be compelling evidence of unfair treatment for a department chair to change a grade, and this may be done only after a vote supporting that decision by faculty peers within the department.

The department chair shall issue a decision in writing to the student and the faculty member within a reasonable period of time, normally not to exceed 14 days. Either the student or the faculty member may appeal that decision to the dean of the school or college and, if not satisfied with the result, to the vice president for Academic Affairs. Responses to these appeals shall be made in writing to the student and the faculty member within a reasonable period of time, normally not to exceed 14 days.

The individual receiving an academic appeal of a grade shall review the record compiled by the department chair and evaluate the manner in which the appeal was decided. Because faculty peers within the department are in the best position to evaluate teaching within their scholarly expertise, there must be compelling evidence of unfair treatment or violation of the academic appeals procedure for a grade to be changed. The individual receiving an academic appeal shall issue a decision in writing to the student, with copies to the faculty member and the department chair. A decision by the vice president for Academic Affairs shall be final and not subject to further review.

#### **Student Administrative Appeals Policy**

Appeals of administrative decisions generally involve all matters affecting a student while at USM other than matters affecting grades. **An administrative decision is any final decision made in an official capacity by any employee or group of employees of the University, including academic matters other than those affecting grades governed by the Student Academic Appeals Policy and violations of the Student Conduct Code. Decisions by a departmental, college or University faculty group making or changing policies are not final administrative decisions.** Grading matters are appealed through the Student Academic Appeals Policy described above. To be considered, an administrative appeal must be initiated within 30 days after the decision is made.

In order to guarantee fair and equitable consideration of student administrative appeals, a student must first reduce an appeal to writing and meet and discuss it with the University employee whose actions gave rise to the appeal, in a good faith attempt to resolve any misunderstanding. If, after such a meeting, the student is not satisfied with the result, he or she may appeal to the head of the academic department or administrative supervisor of the employee.

The head of the academic department or administrative supervisor of the University employee receiving an administrative appeal shall interview the student, the employee, and any witnesses;

review relevant written materials; and ascertain the facts of each case. For the individual receiving an administrative appeal to change a decision there must be compelling evidence the University employee exceeded his or her authority or engaged in an arbitrary and capricious abuse of discretion unsupported by the record.

The individual deciding an administrative appeal shall issue a decision in writing to the student and the University employee within a reasonable period of time, normally not to exceed 14 days. Either the student or the University employee may appeal that decision to the head of the appropriate administrative division and, if not satisfied with the result, to the vice president for Academic Affairs or the appropriate vice president for the area involved. A decision by the vice president for Academic Affairs or the appropriate vice president for the area involved shall be final and not subject to further review.

No person shall present to any individual receiving a student academic appeal or student administrative appeal any oral or written communication not on the record relevant to the appeal. The substance of any prohibited communication shall be disregarded by the person receiving an appeal when making any official decision on that appeal.