I. **Introduction (Purpose and Intent)**

The purpose of these procedures is to provide all undergraduate and graduate students taking courses within the University of South Florida System (USF System) an opportunity for objective review of facts and events pertinent to the cause of the academic grievance. Such review will be accomplished in a collegial, non-judicial atmosphere rather than an adversarial one, and shall allow the parties involved to participate. All parties will be expected to act in a professional and civil manner. The procedures that follow are designed to ensure objective and fair treatment of both students and instructors. These guidelines are meant to govern all colleges (exclusive of the College of Medicine which maintains its own procedures), however, as individual USF System institutions may have unique titles and limited administrative levels. Accordingly, each institution shall determine the appropriate levels and titles for review at the time a student initiates an appeal ensuring that if it is determined the matter is an academic grievance there is at least one committee level review and recommendation to an administrator to accept or reject, with an approved policy shall apply their own Policy, and System institutions or specific colleges with unique titles for administrative levels of authority shall apply this Policy with those established levels of authority, colleges or campuses may have different levels of authority or titles, each student must obtain the specific designations used by each entity for levels of authority and titles in the process with appropriate designations of authority if necessary.

In the case of Academic Integrity (USF Regulation 3.027) violations, these Student Academic Grievance Procedures (AGP) apply and include an Academic Integrity Review Process at the
College Level are used in the appeal process and specific processes are in place for those appeals as described in section III below.

II. Terms and Guidelines

An “academic grievance” is a claim that a specific academic decision or action (such as the assignment of a grade or dismissal of a student or other decision that affects a student’s academic record or status) has violated published policies and procedures, or has been applied to the grievant in a manner different from that used for other students. Grievances may relate to such decisions as the assignment of a grade seen by the student as incorrect or the dismissal or failure of a student for his or her action(s). Academic grievances will not deal with general student complaints. An academic grievance must include a reference to a violation of a specific USF policy, or an academic decision that was applied differently to the grievant than other students to be considered under this Policy.

- Only the final grades assigned in a course or final actions such as dismissals are grievable.

  Disagreement or issues with individual test grades, responses to exam questions or general disagreement with the academic discretion or professional judgment of instructors, (defined below as including all levels of academic administrators for purposes of this Policy) will not be considered grounds for an academic grievance. If a student has a concern in that regard, and would like some formal consideration, the student may submit the concern as a general complaint in writing first to the instructor. If the student and instructor cannot resolve the complaint, the student may request the instructor to forward the complaint to the instructor’s supervisor and that supervisor shall review the complaint and provide a response to both the student and instructor. If the supervisor identifies a need for a review by another office or process, the supervisor may make an additional referral.
“Instructor” shall mean any classroom instructor, thesis/dissertation/directed study supervisor, committee member or chair, or counselor/advisor or administrator who interacts with the student in an academic environment.

“Department Chair/Director” shall mean the academic head of a college department or the director of a program—or in all cases a “Department’s designee” appointed to handle academic grievances.

“Dean” shall mean a College Dean, or the Dean of Undergraduate Studies, or the Dean of the Graduate School, or the equivalent as indicated—or in all cases a “Dean’s designee” appointed to handle academic grievances for the unit.

“Time” shall mean “academic time,” that is, periods when USF System classes are in session. 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. For the purposes of this policy, each step shall be afforded three (3) weeks as a standard time limit. When a department considers a grievance according to published departmental procedures approved by the College Dean and Provost or College Dean and Regional Vice Chancellor for Academic Affairs, as pertinent, the time line specified in this academic unit’s procedures will govern the process and no additional notice of time extension is needed.

“Written communication” shall mean communication by hard copy to the recipient’s address of record or e-mail communication using assigned USF e-mail addresses.

The “burden of proof” shall be upon the student such that the student challenging the decision, action or grade assigned has the burden of supplying evidence that proves that the instructor’s decision was incorrect, in all cases except alleged violations of academic integrity.
In cases where the issue is academic integrity, the burden of proof shall be upon the instructor. In considering grievances, decisions will be based on the preponderance of the evidence. In cases involving Clinical or Professional Standard violations, a student’s violation of clinical or professional standards may be considered sufficient proof to support an academic failure or dismissal notwithstanding a student’s success in other areas of academic performance.

“Jurisdiction” Where the course (not the student’s registration status) is housed determines the appropriate forum (institution, college or department) where the grievance will be conducted. In the case where there is a joint program or it is unclear where jurisdiction shall fall, the Provost may be consulted and the Provost may identify the appropriate forum. However, if a student is dismissed from a course, program, college of institution, that forum may make an additional recommendation for a more comprehensive sanction across the System directly to the Provost and if a System level sanction is imposed, the student may request a System level appeal using the University level appeal guidelines.

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.

III. Outcomes

The final outcome will vary on an individual case basis. In the case of grade appeals, the USF System reserves the right to change a student’s grade if it is determined at the conclusion of the grievance process that the grade given was incorrect. The term “incorrect” means the assigned grade was based on something other than performance in the course, or that the assignment of the grade was not consistent with the criteria for awarding of grades as described in the course syllabus or other materials distributed to the student. In such
circumstances, the Dean or Provost/ Executive Vice President for Academic Affairs, the Regional Vice-Chancellor for Academic Affairs, or the Sr. Vice President, USF Health may file an administrative grade change. In the case of all other academic grievances, the USF System reserves the right to determine the final outcome based on the procedures detailed herein.

IV. Statement of Policy

A. Resolution at the Course and Department Level

1. The student shall first make a reasonable effort to resolve his or her grievance with the instructor concerned, with the date of the incident triggering the start of the process (i.e. the issuance of a grade; the receipt of an assignment) and if the instructor determines it is feasible and may be productive, the instructor shall accommodate a reasonable request to discuss and attempt to resolve this issue.

2. If the situation cannot be resolved or a meeting with the instructor is not feasible, the student shall file a notification letter within three weeks of the triggering incident to the department Chairperson/Director. This shall be a concise written statement of particulars and must include specific reference to the (a) USF Policy or procedure and the manner in which it was allegedly violated or (b) a description of the objective manner in which the student was treated differently than other students. Information pertaining to how, in the student’s opinion specific USF System policies or procedures were violated.

Doc #46863 (1-2-13)
3. The department Chairperson/Director must determine if the matter is an Academic Grievance (a specific policy violated or a student treated differently than others) or if the matter is a complaint regarding the course or instructor.

4. a. If the Chairperson/Director determines that the matter is not an Academic Grievance, the Chairperson/Director will discuss the complaint with the student and/or the faculty member and must advise the Dean of the complaint and the recommended resolution if any. The Dean will then review the recommendation and advise the student and faculty member in writing of the Dean’s decision which may be to do one or more of the following:

   1) Implement the recommendation of the Chairperson/Director.
   2) Reject the recommendation and move the matter forward as an academic grievance.
   3) Make appropriate referrals to Human Resources for intervention and/or to appropriate USF offices (such as DEO).

(b) If the Chairperson/Director determines the matter is an Academic Grievance, the Chairperson shall provide a copy of this statement to the instructor. The instructor may file a written response to the grievance and the Process will continue.

35. The department Chairperson/Director shall discuss the statement jointly or individually with the student and the instructor to see if the grievance can be resolved. If the department maintains its own grievance procedure,* it should be applied at this point. If the grievance can be resolved, the Chairperson/Director
shall provide a statement to that effect to the student and the instructor with a copy to the College Dean.

46. If the grievance cannot be resolved, the department Chair/Director shall notify both the student and the instructor, informing the student of his/her right to file a written request directed back to the Chair/Director within three weeks to advance the grievance to the College Level. Upon receipt of the student’s request to move the process to the College Level and the instructor’s response to the grievance (if provided), the Chairperson/Director shall immediately notify the College Dean of the grievance, providing copies of the student’s initiating grievance statement, any instructor’s written response to the grievance, and the written request from the student to have the process advanced to the College Level. Should the student not file a written request to move the grievance to the College Level within the prescribed time, the grievance will end.

If the grievance concerns the Chairperson/Director or other officials of the department, the student has a right to bypass the departmental process and proceed directly to the College Level.

B. Resolution at the College Level

1. Upon receipt of the grievance, the College Dean shall either determine will review that matter to confirm that it is an academic grievance. If the Dean determines the matter is not an Academic Grievance, the Dean may dismiss it (which is a final University Decision) or if the Dean determines that it is an Academic Grievance,
within three weeks the Dean shall establish an Academic Grievance Committee. The membership of the Committee shall be constituted as follows:

a. Three (3) faculty members and two (2) students (undergraduate or graduate as appropriate to the case) shall be selected from the college by the Dean.

b. Wherever practical, the Committee shall not include members of the faculty or students of the department directly involved with the grievance, or faculty or students of the student’s major department. However, for cases involving Clinical or Professional Standard violations, the Committee shall include when feasible at least one member assigned to oversee, or with expertise, in a clinical area and . In addition, deficiency in, or violations of, clinical or professional standards may be sufficient to support academic failure or dismissal notwithstanding success in other areas of the academic record.

c. The student or instructor faculty may request to attend a Committee meeting to present a final statement to the committee. The Chairperson will designate which meeting the student or instructor may attend to present any final statement to the Committee. In addition, only the Committee may invite additional parties such as faculty or students from the department involved with the grievance or from the student’s major department or other outside party to provide expert or other relevant testimony in the proceedings. The student or instructor may be present during the other’s final statement and may hear the additional information provided, however, neither may be present during the Committee’s deliberations.

The meeting time and place is to be set by the Committee. Failure or an inability
of the student or instructor to attend a meeting will not force the meeting to be rescheduled or cancelled.

d. The student or instructor may bring an advisor (not to act as legal counsel or to participate in the meetings) if the student or instructor attends the meeting. The advisors may be required to sign a confidentiality agreement if they are not school officials.

e. Students may not initiate contact to any member of the Committee outside of this established process before, during or after the Committee review process and any such contact may be considered a violation of the Student Code of Conduct.

2. The Committee will operate in the following manner:

a. The Committee Chairperson will be appointed by the College Dean from among the three faculty members appointed to the Committee. The Committee Chairperson shall be responsible for scheduling meetings, overseeing the deliberations of the committee and ensuring that full and fair consideration is provided to all parties. The Committee Chairperson shall vote on committee decisions only when required to break a tie.

b. In Committee reviews involving Academic Integrity, the following Academic Integrity Review Process shall be followed in addition to the other Departmental procedures, if applicable:
1) The Committee Chairperson shall notify the student and instructor of the date and time of the meeting.

2) The student and instructor may submit a list of questions to the Committee Chairperson to be answered by the student and instructor. If submitted, the questions will be disseminated by the Committee Chairperson and the Committee Chairperson will ensure that the questions are answered in writing and submitted for review by the Committee, student, and instructor before the initial meeting.

3) Students shall be permitted to remain in the course or program during the Academic Integrity Review Process. However, if the student is in a clinical or internship setting, the student may be removed from such setting until the issue of Academic Integrity is resolved. In such cases, the program will attempt to identify an alternative educational option to the clinical or internship to enable the student to continue progressing in the program.

d. All deliberations shall be in private and held confidential by all members of the Committee. The recommendation of the Committee shall be based on the factual evidence presented to it.

e. Within three weeks of the Committee appointment, the Committee Chairperson shall deliver in writing to the College Dean a report of the findings and a recommended resolution.

f. Within three weeks of receipt of the Committee recommendation, the College Dean shall provide a decision in writing to all parties (the student, the instructor
and the department Chair/Program Director. The Dean’s decision shall indicate whether the decision was consistent with the committee recommendation.

g. The student or College Dean’s decision is a final decision and appealable by the instructor may appeal the decision of the College Dean or student to the University level only if in the event (1) the decision of the College Dean is contrary to the recommendation of the Committee (which will be indicated in the Dean’s decision) or (2) if there is a specific and identified substantive procedural violation of these Student Academic Grievance Procedures. Such an appeal must be made in writing to the Dean of Undergraduate Studies or Graduate School (as appropriate) within three weeks of receipt of the decision from the College Dean. Otherwise, the College Dean’s decision is final and not subject to further appeal within the USF System, except as provided in C. below.

C. Resolution at the University Level

The Provost/Executive Sr.-Vice President for Academic Affairs or the Sr. Vice President, USF Health has delegated authority to the Dean of Undergraduate Studies to act in place of the Provost/Executive Sr.-Vice President in all academic grievance appeals involving undergraduate and graduate students unless the grievance occurred in a program within Undergraduate Studies or Graduate Studies, wherein it will go back to the Provost to redelegate. The Dean of Graduate School will act in place of the Provost/ Executive Sr. Vice President in all academic grievance appeals involving graduate students. The Regional Vice Chancellor for Academic Affairs at USF St. Petersburg or USF Sarasota.
Manatee may delegate authority to a designated academic administrator at those institutions USF St. Petersburg to hear the appeal at the University Level.

1. The student or the instructor may appeal at the University Level within three weeks of the receipt of a decision made at the College Level, when (1) the decision by a College Dean is contrary to the recommendation of a college Grievance Committee. (2) either party identifies a specific substantive procedural violation in the application of these (AGP) that may have occurred and that is confirmed as possible by the designated authority at the University level. Within three weeks of receipt of the appeal to the decision, the Undergraduate/Graduate Dean (“Dean”) shall determine that the appeal is merited (there is a recommendation by the Dean contrary to the committee or the designated authority concurs that there is cause to believe a substantive procedural violation in application of the AGP process may have occurred). If the Dean determines the appeal is not merited, the Dean shall advise the student accordingly and that notice shall be a final University Decision. If the appeal is determined to be merited, the Dean (who may consult in consultation with the Faculty Senate and Student Senate) shall appoint an Appeals Committee consisting of three faculty members drawn from the USF System Undergraduate Council or Graduate Council (as appropriate), and two students, undergraduate or graduate (as appropriate).

2. The structure, functions and operating procedures of the Appeals Committee will be the same as those of the College Committee (i.e. chaired by one of the appointed faculty members appointed by the Undergraduate/Graduate Dean who will not vote except in the case of a tie, having no representation from either party’s respective
departments, developing a recommendation to the Undergraduate/Graduate Dean, etc.).

3. Within three weeks of the appointment, the Committee Chairperson shall deliver in writing to the Undergraduate/Graduate Dean a report of the findings of the Committee and a recommended resolution.

4. Within three weeks of receipt of the Committee recommendation, the Undergraduate/Graduate Dean shall provide a decision in writing to all parties.

5. If the Undergraduate/Graduate Dean’s decision is that a grade change is merited, the Undergraduate/Graduate Dean shall initiate the grade change on the authority of the Provost and so inform all parties. In all academic grievance appeals, the Undergraduate/Graduate Dean’s decision is final and not subject to further appeal within the USF System.

6. In those cases where the final University decision constitutes a dismissal or permanent separation from the University, a student may seek judicial review pursuant to Florida Rule of Appellate Procedure 9.190(b)(3) by filing a petition for certiorari review with the appropriate circuit court within thirty (30) days of the final University decision. If a person seeks review with the court, a copy of the petition must also be provided to the University of South Florida Office of the General Counsel at University of South Florida, CGS 301, 4202 E. Fowler Avenue, Tampa, Florida 33620-4301.

These procedures shall take effect commencing (February 10, 2009) and shall supersede all other academic grievance procedures currently in effect, with the exception of the procedures of the College of Medicine.
Departments may develop their own formal procedures for considering grievances. Such procedures must be considered and approved by the College Dean and the Provost, and published on the Department's web site. When such procedures exist, the Department's examination of the grievance will unfold as specified in the procedures, however, those procedures must adhere to the three (3) week time line (with a notice to the student in writing of any need for an extension). If the Departmental process upholds the student's grievance, the Department Chair will work with the College, the student and the instructor to remedy the situation. If the Department does not uphold the grievance, the Chair will report the fact to the Dean. The student may, in such cases, request the College Level review as outlined in these USF System procedures.

Ralph Wilcox, Provost and Executive Sr.-Vice President

Judy Genshaft, President