

**SUBJECT: Appeal Procedures Available to Students**

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1 Appeal Procedure

2 The functions of an appeal procedure are twofold: to determine if the appeal has merit, and, if  
3 so, to arrive at appropriate action by the University to remedy the situation.

4  
5 Appeal Form

6 A printed form is provided by the University to be used by students in making appeals that reach  
7 the third step of the appeal procedure. (See Appendix to PS No. 8.)

8  
9 Hearings

10 A duly constituted hearing panel (see section on The Use of Hearing Panels) will consider  
11 evidence, facts, and arguments on both sides of an appeal in an effort to determine the facts of  
12 the case and, after determining the facts, make recommendations for appropriate action.  
13 Hearings will be conducted in a manner consistent with procedural due process standards.

14  
15 **GENERAL POLICY**

16 It is the University's policy to provide students with well established appeal procedures for  
17 questioning the validity of any regulation, rule, policy, requirement, or procedure as it applies to  
18 the individual student.

19  
20 It is recognized that student dissatisfaction resulting in an appeal may range from a simple  
21 disagreement over the interpretation and application of a department rule, to a more severe  
22 dispute over the application of a particular University regulation to the student's own situation, to  
23 a very serious charge of improper discrimination or violation of constitutionally guaranteed  
24 rights. Although recognizing the wide range of possible complaints, and varying degrees of  
25 seriousness of complaints, the University has developed a uniform appeal procedure to be  
26 followed for all appeals, except those challenging traffic or parking summons or citations and  
27 grievances growing out of student employment.

28  
29 It is the University's basic philosophy that student appeals can best be, and hence, should be,  
30 settled at the lowest possible administrative level and settled as quickly as practicable.

31  
32 General Provisions of the Appeal Program

- 33  
34 1. The decision to utilize an appeal procedure shall be voluntary on the part of the  
35 individual student. All students shall have the right to make appeals without fear of  
36 coercion, harassment, intimidation, or reprisal from the University or its employees  
37 for the act of utilizing an appeal procedure.  
38  
39 2. No University employee is to take reprisal action against a student for the act of  
40 making an appeal. However, it should be understood that capricious charges made

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- 41 by a student against a University employee may make that student liable to action  
42 through the courts.
- 43
- 44 3. The University recognizes the rights of all parties, the student filing an appeal, and  
45 employees against whose action the appeal is filed, to impartial appeal decision-  
46 makers.
- 47
- 48 4. The student shall have the right to have an advisor, or advisors, present at all  
49 discussions and hearings held as a part of an appeal; however, the advisor would  
50 not normally be used at the initial discussion between the student and the University  
51 employee, i.e., Step 1 in the General Appeal Procedure. The advisor(s) may be a  
52 friend, a parent, a faculty member, an ombudsman, an attorney, or any other person  
53 chosen by the student.
- 54
- 55 5. If an appeal alleges that the cause of the appeal grows out of an inappropriate action  
56 by a particular employee or employees of the University, the employee or employees  
57 shall also have the right to be present at all appeal meetings and/or hearings. The  
58 employee may have an advisor present at all such meetings.
- 59
- 60 6. The confidentiality in all appeal proceedings shall be maintained in accordance with  
61 the provisions of the Family Educational Rights and Privacy Act of 1974.
- 62

63 Types of Appeals

64 Consistent with the general policy statement above, the University provides the following types  
65 of appeals.

66

- 67 1. General Appeal. A student may use the general appeal procedure to formally  
68 question the validity of any University regulation, rule, policy, requirement, or  
69 procedure as it applies to the student, except as listed in 2 and 3 below.
- 70
- 71 2. Appeals of University Traffic Citations. A special procedure is established whereby a  
72 student may appeal any University traffic citation issued to a vehicle operated on  
73 campus by a student or for the benefit of a student. Such appeal must be initiated  
74 within 7 business days of the date of issuance of the citation to the Vice Chancellor  
75 for Student Affairs and Enrollment Management. Instructions for initiating challenges  
76 of traffic citations are printed on the back of each traffic citation. For this policy, a  
77 business day is defined as a day when administrative offices are open for business.
- 78
- 79 3. Grievances by Student Employees of the University. Students who are also  
80 employees of the University shall have the right of appeal when work rules and other

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81 conditions of employment result in dissatisfaction.

82  
83 **OPERATING PROCEDURES**

84 Steps to be Followed in Making an Appeal

85 Appeals of traffic citations, appeals relative to student conduct, and grievances growing out of  
86 student employment, should be made in accordance with the special procedures established for  
87 these appeals. All other appeals should be made in accordance with the following step-by-step  
88 process.

89  
90 Step One - The student should meet with the University employee whose action caused the  
91 student's dissatisfaction to discuss the problem and to attempt to arrive at a solution. Although  
92 the student and the University employee may each have an advisor present, it is believed that  
93 under most circumstances, the meeting will be more productive if only the student and the  
94 employee are present. With the exception of grade appeals, no specific time limit is set for  
95 making an appeal; however, it is recommended that appeals be made as soon as possible after  
96 the occurrence of the action which resulted in the appeal. The University employee must inform  
97 the student of his/her decision within 7 business days after the meeting. Appeals of final grades  
98 must be initiated by the student within 20 business days after the beginning of the next regular  
99 semester. If the decision reached in this step requires changes in an official record of the  
100 University, e.g., a grade change, or the release of the student from a specific obligation, the  
101 University employee must comply with all University regulations and procedures necessary to  
102 accomplish the change.

103  
104 Step Two - If the matter is not resolved between the student and the employee in Step One, and  
105 the student wishes to pursue the appeal, the student shall make a written request to the head of  
106 the department asking for a meeting between the head of the department, the employee who  
107 heard the appeal at Step One, and the student. The name and exact title of the person to whom  
108 the request should be addressed can be obtained from the employee in Step One. The written  
109 request should state that the purpose of the meeting is to consider an appeal and should  
110 indicate the name of the employee involved in Step One; however, it need not go into detail as  
111 to the justification for the appeal. For grade appeals, this request must be submitted within 30  
112 business\_days after the first day of classes of the next regular semester. Upon receipt of a  
113 written request, the head of the department shall arrange for such a meeting within 10 business  
114 days from the date that the request is received. The meeting should be an informal but  
115 thorough and candid discussion of the problem in the hope of arriving at a solution. The student  
116 and the employee may be accompanied by an advisor. The head of the department shall make  
117 the decision at the close of the meeting, or within 5 business days thereafter, if the department  
118 head wishes to take the matter under advisement. If a decision is made at the close of the  
119 meeting, it is to be given orally to all present. If the matter is taken under advisement, the head  
120 of the department shall inform all parties of his/her decision in writing. If the decision reached in

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121 this step requires changes in an official record of the University, the University employee must  
122 comply with all University regulations and procedures necessary to accomplish the change.  
123

124 Step Three - If either the student or the University employee is not satisfied with the decision  
125 reached in Step Two, an appeal may be made to the next level in the administrative structure of  
126 the University, e.g., grade appeals and other academic appeals to the Vice Chancellor for  
127 Academic Affairs, and all other appeals to the administrator to whom the employee who heard  
128 the appeal in Step Two reports. The name and title of the person to whom the Step Three  
129 appeal is to be made can be obtained from the administrator handling Step Two. The appeal  
130 must be in writing on the form provided for this purpose in the Appendix to this policy by the  
131 University and must be submitted within 10 business days after notification of the results of Step  
132 Two. The form must contain the following: a statement of the action(s) complained of; the  
133 relief requested (i.e. resolution); and a specific statement of the reasons supporting the relief  
134 sought. The student or University employee may also request that a hearing panel be  
135 established to assist in making the Step Three decision. In the case of a student's appeal, the  
136 Step Three administrator must promptly forward a copy of the written appeal to the two  
137 employees involved in Step Two. They, in turn, must promptly reply with individual written  
138 statements supporting the action(s) taken in Step Two. Either of these employees may request  
139 that a hearing panel be used in Step Three. Copies of their replies must be forwarded to the  
140 student. Upon receipt of a written appeal, and appropriate replies from Step Two employees,  
141 and unless a hearing panel has been requested, the Step Three administrator may take one of  
142 the following actions:

- 143
- 144 1. Reach a decision on the basis of the written appeal and the replies.
- 145
- 146 2. Hold a meeting with all parties present, and after discussion, reach a decision.
- 147
- 148 3. Refer the appeal to a hearing panel for their recommendations. If the student or an  
149 employee requests the use of a hearing panel, the administrator must refer the  
150 appeal to a hearing panel for a recommendation. Additional information about the  
151 use of a hearing panel is presented under the heading The Use of Hearing Panels.
- 152

153 If options 2 or 3 above are used, the student and employee may be accompanied by an advisor.  
154 Though advisors may communicate freely to individuals they accompany, they will not be  
155 permitted to speak on behalf of an individual, directly question other parties, engage in  
156 statements or summations, or in any other way insert themselves directly into the hearing  
157 process. Regardless of the method used, the Step Three administrator must make a decision  
158 within 20 business days from the date of receipt of the student's appeal. The decision must be  
159 in writing with the reasons supporting the decision, and copies must be given to all of the  
160 parties. If the decision reached in this step requires changes in an official record of the

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161 University, the University employee must comply with all University regulations and procedures  
162 necessary to accomplish the change.

163  
164 The decision of the administrator in Step Three concludes the appellate process; however, if  
165 any party, student or employee, believes that a serious procedural error was committed in Step  
166 Three, or that there was an abuse of discretionary authority in reaching a decision in Step  
167 Three, a written request may be made to the Chancellor for further relief. This written request  
168 shall take the form of a petition for review.

169  
170 Petition for Review

171 The petition for review must be addressed to the Chancellor. It must be filed within 10 business  
172 days after receiving the decision made on the appeal at Step Three. The petition for review  
173 must contain a complete statement of the alleged serious procedural error, or examples of  
174 abuses of discretionary authority complained of, and also must contain reasons for the relief  
175 sought. The petition must also be accompanied by all documents produced at Step Three.

176  
177 The Chancellor shall decide within 10 business days whether further action should be taken,  
178 and in reaching this decision, may ask the other parties to make a written reply to the petition for  
179 review, or these parties, on their own, may make a written statement. If the decision is reached  
180 that a review is not justified, the student and all other parties will be so notified. If the  
181 Chancellor decides to respond favorably to the petition for review, he/she will hold a formal  
182 meeting with the parties and reach a decision on the basis of this meeting and all written  
183 materials furnished. The Chancellor will notify all parties once a decision is reached.

184  
185 Maximum and Minimum Steps in Appeal Procedure

186 The maximum number of steps in the student appeal procedure is three, and the minimum is  
187 one. Initially, the appeal should be made to the employee who took the action which resulted in  
188 the appeal. The place of the employee receiving the appeal in the University's table of  
189 organization will determine if all three steps of the appeal procedure are necessary. Most  
190 appeals, however, unless settled at an early step, will go through all three steps.

191  
192 Because of the uniformity of the administrative structure of the academic divisions of the  
193 University, the administrator charged with the responsibility for reaching Step Three decisions  
194 for all grade appeals will be the Vice Chancellor for Academic Affairs, except in cases in which  
195 the Vice Chancellor is also the instructor who gave the grade being appealed. In such cases,  
196 the Chancellor (or Chancellor's designee) will preside.

197  
198 In the interest of consistency and fairness to the student, and to give assurance that the person  
199 responsible for Step Three has the necessary delegated authority required to make the  
200 decision, Step Three appeals in all divisions of the University will be the responsibility of an

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201 appropriate administrator in the table of organization who reports directly to the Chancellor.

202

203 The Use of Hearing Panels

204 Step Three of the appeal procedure provides for the use of hearing panels upon request by any  
205 of the parties, or at the discretion of the administrator hearing Step Three.

206

207 Such hearing panels to hear grade appeals will be appointed by the Vice Chancellor for  
208 Academic Affairs, and shall be composed of three faculty members selected by the Vice  
209 Chancellor, with no more than two from the same department, and two students appointed by  
210 the SGA president. The Vice Chancellor will designate a committee chair. The panel shall hold  
211 a hearing with the head of the department, the teacher, and the student, all of whom may be  
212 accompanied by an advisor. After deliberation, the committee will make its recommendations to  
213 the Vice Chancellor for Academic Affairs. Copies of these recommendations and the final  
214 decision of the Vice Chancellor must be given to all of the parties and the Chancellor for final  
215 disposition.

216

217 Some federal laws and administrative guidelines issued by the executive branch of the Federal  
218 Government for the administration of these laws require the use of hearing panels as a part of  
219 the student's appeal procedure. These laws include: Title VI and Title VII of the Civil Rights Act  
220 of 1964; Title IX of the Educational Amendments of 1972; Section 503 and 504 of the  
221 Rehabilitation Act of 1973; and the Family Educational Rights and Privacy Act of 1974 (The  
222 Buckley Amendment). In all student appeals which allege a violation of these laws or guidelines  
223 issued to implement these laws, a hearing panel will always be used at Step Three. This  
224 hearing panel will be appointed by the Step Three administrator or, at his/her discretion, the  
225 administrator may request the Chancellor to appoint the hearing panel. The membership of the  
226 hearing panel will be not less than three nor more than seven. The person appointing the  
227 committee will designate one member to serve as chair.

228

229 References

230 The following were used in preparing PS No. 8: The Constitution of the United States; Title VI  
231 of the Civil Rights Act of 1964 and regulations and guidelines issued by the Department of  
232 Health, Education and Welfare; Title IX of the Educational Amendments of 1972 and regulations  
233 and guidelines issued by the Department of Health, Education and Welfare; The Family  
234 Educational Rights and Privacy Act of 1974 (The Buckley Amendment) and regulations and  
235 guidelines interpreting and implementing this act issued by the Department of Health, Education  
236 and Welfare; Section 504 of the Rehabilitation Act of 1973 and regulations and guidelines  
237 issued by the Department of Health, Education and Welfare; General Order on Judicial  
238 Standards of Procedure and Substance in Review of Student Discipline in Tax Supported  
239 Institutions in Higher Education issued by the United States District Court for the Western  
240 District of Missouri, sitting en banc - this general order outlines the requirements for due process

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241 in the student-university relationship; Title IX Grievance Procedures Introductory Manual -  
242 issued by the Department of Health, Education and Welfare.

Appendix  
LSU Eunice  
STUDENT APPEAL FORM\*

Name \_\_\_\_\_ Student No. \_\_\_\_\_

Division \_\_\_\_\_ Curriculum \_\_\_\_\_

Advisor (See Item 4 under General Provisions of the Appeal Program, P. 2 of 11):

Name \_\_\_\_\_

Title or Relationship \_\_\_\_\_

List name and title of the University employee to whom the appeal was made at Step One and Step Two:

Step One: Name \_\_\_\_\_

Title \_\_\_\_\_

Step Two: Name \_\_\_\_\_

Title \_\_\_\_\_

Name/title of person to whom the Step Three appeal is being filed:

Name \_\_\_\_\_

Title \_\_\_\_\_

Statement of Appeal\*\*  
(Action complained of)

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Relief (Resolution) Requested

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Reasons Supporting Relief Requested

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Student Signature \_\_\_\_\_ Date \_\_\_\_\_

\*This form should be used only for Step Three appeals.  
\*\*If sufficient space is not provided, write "see attached" and attach your appeal statement written on 8 1/2 x 11 paper in accordance with the provisions of Step Three of the appeal procedure.