POLICY STATEMENT 08
GENERAL APPEAL PROCEDURE AVAILABLE TO STUDENTS

POLICY DIGEST
Monitoring Unit: Office of Academic Affairs
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I. PURPOSE

To establish procedures that an individual student may use to formally question the application of any university regulation, rule, policy, requirement or procedure, unless the appeal is otherwise covered by another established procedure.

II. DEFINITIONS

Academic appeal: an appeal (as defined below) related to matters concerned with instructional activities, grading procedures, or other incidents associated with academic affairs not including academic suspension (see Appendix A).

Advisor: an individual who accompanies the student or employee directly involved in the appeal to offer advice. **Note:** *The advisor shall not represent or speak for the advisee. In all cases throughout this policy, the concerned parties are required to speak for themselves, in all oral or written aspects of the appeal.*

Appeal: A request to determine if a grievance has merit and if so to arrive at an appropriate action by the University to address the situation.

Business Day: A day in which LSU Eunice is open to conduct operations. Hours vary by department; however, generally it is Monday through Friday from 8 am to 4:30 pm.

Grievance/Complaint: a request by a student for reconsideration of an action or decision by a University employee, office, panel, or committee. This includes:

A. An action or decision on the part of an employee, faculty member, program director, or other administrator that a student perceives to be unfair or unreasonable, or

B. Application of standards different from those that were applied to other students under similar circumstances.

Hearing: a formal procedure in which a duly appointed individual or panel considers evidence, facts, and arguments of both sides of an appeal in an effort to determine the facts of the case and make recommendations for appropriate action, if warranted. (see Section IV-B: Use of University Wide Hearing Panels).

Non-Academic Appeals: appeals (as defined above) that are not related to academic matters, such as but not limited to conduct appeals, parking ticket appeals, or student employment (see Appendix A).

Written Student Complaint: A written student complaint is any report submission by a prospective, current, or former student through the University's official web-based system using the Student Grievance Form, hosted on the LSU Eunice CARES webpage at https://www.lsue.edu/lsue-cares/index.php.

Written student complaints are not meant to circumvent or replace existing LSU Eunice policies and procedures designed to address issues brought forward by students (See Appendix A).

III. GENERAL POLICY

It is University policy to provide students with an appeal procedure for questioning the application of any regulation, rule, policy, requirement, or procedure as it applies to the individual student in their capacity as a student. It is the University's basic philosophy that student appeals should be settled as quickly as practicable at the lowest possible administrative level having the authority to act definitively. Recognizing that no single appeals process can serve the wide range of possible complaints, different units within the University have developed specific appeals processes, subject to review by the Office of Academic Affairs.

A. Provisions of the General Appeal Process

1. The decision to utilize an appeal procedure shall be voluntary on the part of the individual student. All students have the right to make good faith appeals without fear of coercion, harassment, intimidation, or reprisal from the University or its employees.

2. Appeals filed about grievances in bad faith may be subject to review under the Code of Student Conduct.

3. The University recognizes the rights of all parties to impartial appeal decision-makers including the student filing an appeal, and employees against whose action the appeal is filed.

4. Students and employees involved in the appeal shall each have the right to have an advisor, but are expected to speak for themselves in all written and oral aspects of the appeal (see the Definition of Advisor in Section II above).

5. Privacy shall be maintained, where applicable, in all appeal proceedings in accordance with the provisions of the Family Educational Rights and Privacy Act of 1974 and LSU Eunice Policy Statement 34: Privacy Rights of Parents and Students.

B. The University provides specific guidelines for several different types of grievances and appeals. If a specific policy exists, the student must contact the office of primary responsibility involved with the situation in question for specific procedural guidelines which govern that appeal process (see Appendix A). However, if the area or function under question does not have specific procedures, the student should then follow the procedures outlined in this policy.

C. Appeals related to a student's role as an employee are handled in accordance with this policy. The decision maker shall consult with Human Resources before a decision is reached or a meeting is held. Policies related to student employment are governed by LSU Eunice Policy Statement 24: Student Employment).

D. Note to Students and Employees: Students and employees of LSU Eunice should note that it is the student's best interest to initiate and complete the steps in the appeal process as soon as possible. This is especially important for students in a health sciences clinical program appealing an action/decision that has an impact on the student's continuation in the program.

IV. PROCEDURES

A. General Appeals Procedures

There may be up to three steps in the general appeal process (see Appendix B). In all cases, if the final decision requires changes in an official record of the University, the University employee must comply with all University regulations and procedures necessary to accomplish the change**.**

1. Step One: Informal Appeal to Employee

For Step One, the student shall meet with the employee who carried out the action or made the decision that is being appealed to discuss the appeal and attempt to arrive at a solution. For academic appeals, the employee is the faculty member. For purposes of this policy, a "meeting" can be accomplished via face-to-face meeting or through other forms of communication, such as conference calls, video/web conferences, etc. Letters and emails may provide background information; however, they do not meet the definition of a "meeting". In addition, no person may submit an appeal on behalf of the student; however, the student may contact the Office of Student Engagement at stuaff@lsue.edu if assistance is needed.

Step One is to be initiated by the student within ten (10) business days of the action or decision (see the Note to Students in Section III-D above). Appeals of final grades must be initiated by the student within 20 business days after the beginning of the next regular semester. A delay in the filing of the appeal may constitute grounds for rejection of the appeal.

If the student is unable to contact the employee, then the student should contact the office with oversight over the employee in question, and the Dean or Administrator will contact the employee. If the stated deadline cannot be met due to unavailability, then all parties are to be notified in writing by the Dean or Administrator and a mutually agreeable time should be identified.

While a written appeal does not apply during the Step One informal process, the student may wish to consider the following prior to meeting with the employee:

a. a description of the grievance (see the Definition of Grievance) including

i. the action or decision on the part of an employee that a student perceives to be unfair or unreasonable, or

ii. the application of standards different from those that were applied to other students under similar circumstances,

b. a description of the resolution sought, and

c. any other information the grievant believes to be relevant.

The meeting between the student and employee shall take place within ten (10) business days from the time the employee receives the request for a meeting. To maintain privacy, it is expected that the meeting will be held in an office or conference room to minimize others hearing the conversation. The meeting at Step One is informal; however, it is expected to be a candid discussion of items a-c above in an attempt to arrive at a solution. The student and/or the employee may each have an advisor present if either party wishes subject to the Definition of an Advisor above.

The employee may inform the student of the decision during the meeting. After meeting with the student, the employee will respond in writing within ten (10) business days of the decision to the student with a copy to the unit's Dean or Administrator. The written notification to all parties' LSU Eunice email account is required even if the decision was rendered and the student was informed at the meeting. The written notification must also include the date and time the meeting was held including whether the meeting was held face-to-face or by electronic means. If the employee and student cannot reach a resolution, the student may formally appeal the employee's decision through the formal appeals process (see Step 2). If the matter is resolved, then the appeal has been concluded.

2. Step Two: Formal Appeal to Administrator

The Step Two Formal Appeal Process may take place only after the Informal Appeal Process (detailed in Step One) has occurred per the lines of authority in the department (see Appendix B). No person may submit the appeal on behalf of the student; however, the student may contact the Office of Student Engagement at stuaff@lsue.edu if assistance is needed.

To initiate the Formal Appeal Process, the student or employee must submit the online Complaint Form, hosted at https://www.lsue.edu/lsue-cares/index.php within ten (10) business days upon receipt of the Step One employee's decision (see the Note to Students in Section III-D above).[1] A delay in the filing of the appeal may constitute grounds for rejection of the appeal.

The electronic form from https://www.lsue.edu/lsue-cares/index.php is received and reviewed by the Office of Student Engagement and is routed to the appropriate Step Two Administrator. The Step Two administrator is the unit head of the area within which the grievance was initiated. For academic appeals, the Step Two Administrator is the Academic Dean. The name and title of the Step Two Administrator can be obtained from the employee in Step One or from the Office of Student Engagement.

[1] After landing on LSUE Cares website, please scroll down to the Student Complaint section and click on Submit a Report. The direct link to the form used to file a complaint is Direct link to the student complaint form..

The submitted report should clearly identify the following:

a. the name of the person(s) against whom the grievance is initiated,

b. Student's identification (name, student ID number, major, current address, telephone number, and email address),

c. a description of grievance (see the Definition of Grievance) including

   i. the action or decision on the part of an employee that a student perceives to be unfair or unreasonable, or

   ii. the application of standards different from those that were applied to other students under similar circumstances,

d. date of action or decision by the person that is to be reconsidered,

e. a description of any informal attempts at resolution along with the date and result of the informal meeting from Step One,

f. reason(s) for objections to the faculty or employee response in Step One,

g. a description of the resolution sought,

h. any other information the grievant believes to be relevant, and

i. all supporting documentation (i.e. email communications, notes, etc. to support the student's claim),

Upon receipt of the form submission with all required information, the Step Two Administrator shall make a reasonable effort to arrange for a meeting within 10 business days from the date that the report is received. For students in a health sciences clinical program appealing an action/decision that has an impact on the student's continuation in the program, the Dean shall try to arrange for a meeting sooner, if possible.

The Administrator shall investigate the situation and gather all documents from the parties involved. During the investigation, the Dean may hold discussions or request additional information to clarify issues with the student, Program Director, Department Chair, and/or the employee from Step One. The Administrator will impartially consider all information related to the issue and case.

The meeting may be held in person or through other forms of communication, such as conference calls or video/web conference. If the stated deadline cannot be met, then all parties are to be notified in writing and a mutually agreeable time identified. The meeting is formal, with a thorough and candid discussion of the grievance in an attempt to arrive at a solution. Meetings typically include the student, faculty member, and the Dean; however, additional University employees with information related to the appeal may be asked to attend at the discretion of the Dean. Both the student and the employee may be accompanied by an advisor (see the Definition of an Advisor).

The Step Two Administrator may render an oral decision at the close of the meeting, or may take the matter under consideration. All parties shall be informed of the decision in writing within 10 business days of the meeting through their LSU Eunice email accounts. For students in a health sciences clinical program appealing an action/decision that has an impact on the student's continuation in the program, the Administrator (Dean) shall try to notify the student sooner, if possible. If a resolution is not reached, the student may appeal the decision to the next level administrator (see Appendix B). If the matter is resolved, then the appeal has been concluded.

3. Step Three: Appeal to the Next Level Administrator

A Step Three Appeal may only occur after the Step Two Appeal has occurred per the lines of authority (see Appendix B). If the student or employee wishes to appeal the outcome of Step Two, either may appeal to the administrator at the next level in the administrative structure of the University within ten (10) business days from the date of the written decision made after Step Two (see the Note to Students in Section III-D above). A delay in the filing of the appeal may constitute grounds for rejection of the appeal. No person may submit the appeal on behalf of the student; however, the students should contact the Office of Student Engagement at stuaff@lsue.edu if assistance is needed.

The name and title of the Step Three Administrator can be obtained from the employee in Step Two or from the Office of Student Engagement. For academic appeals, the Step Three Administrator is the Vice Chancellor for Academic Engagement and Provost.

A link to the Step Three form for submitting an appeal of the outcome of Step Two is located on the Policy Statement Number 8 webpage at: https://www.lsue.edu/policy-statements/index.php. Alternately, the direct link is: https://www.lsue.edu/policy-statements/documents/NO08-Form.pdf. The student or employee's appeal must be in writing using the electronic form and shall include the following:

a. name of the person filing the appeal,

b. role in the appeal (i.e. student or employee of LSU Eunice),

c. division and curriculum (if a student),

d. advisor (if one is used – see the Definition of an Advisor; otherwise mark n/a),

e. name and title of the person who heard the Step One appeal,

f. name and title of the person who heard the Step Two appeal,

g. a description of grievance (see the Definition of Grievance); this should match Step One item (a) and Step Two item (c)

h. a description of the resolution sought,

i. reasons that support the resolution sought, and

j. all documentation from the Steps One and Two.

If applicable, an appeal may be heard by a University Wide Hearing Panel if requested by the student or employee (see Section IV-B: Use of University Wide Hearing Panels).

Upon receipt of this appeal submission, the Step Three Administrator shall forward a copy of the written appeal to the employee and administrator involved in Step Two. Each party in turn has the opportunity to reply with individual written statements supporting the action(s) taken in Step Two. Copies of their replies, if submitted, must be forwarded to all parties**.**

Upon receipt of replies from the Step Two parties, unless a University Wide Hearing Panel has been requested, the Step Three administrator may take one of the following actions:

a. reach a decision on the basis of the written appeal and the replies;

b. hold a formal meeting in person, by conference call, or via video/web conference with all parties present and, after discussions, reach a decision; or

c. refer the appeal to a University Wide Hearing Panel for recommendation. If the student or University employee requested a University Wide Hearing Panel, the administrator shall refer the appeal to a University Wide Hearing Panel for a recommendation. If either party requests a University Wide Hearing Panel, the Step Three administrator shall name a University Wide Hearing Panel as prescribed in Section IV-B: Use of University Wide Hearing Panels.

In all cases, the student and employee may be accompanied by an advisor (see the Definition of an Advisor). Regardless of the method used, the Step Three administrator will make every reasonable effort to decide within 10 business days from the date of receipt of the student's written appeal. For students in a health sciences clinical program appealing an action/decision that has an impact on the student's continuation in the program, the Administrator shall try to notify the student sooner, if possible. If the stated deadline cannot be met, then all parties are to be notified in writing and a mutually agreeable time identified. The decision of the Step Three administrator shall be in writing, with reasons supporting the decision, and copies shall be given to all parties through LSU Eunice email.

The decision of the administrator in Step Three concludes the appellate process.

B. Use of University Wide Hearing Panels

Step Three of the appeal procedure provides for the use of an impartial University Wide Hearing Panel upon request by any of the parties, or at the discretion of the administrator hearing Step Three. A University Wide Hearing Panel to hear appeals applicable to this policy will be appointed by the Step Three Administrator and shall be composed of

1. four (4) full-time faculty and/or staff members with one from the same program and one from a similar program. The faculty member named in the appeal may not be

named to the University Wide Hearing Panel. In addition, no more than two faculty/staff members from the same department/program shall be named. One of which will be named as the Chair (non-voting), and

2. two (2) students appointed by the Student Government Association (SGA) President. One shall be from the same program and the second shall be from a similar program. In the event that a student from the same program cannot be named to the University Wide Hearing Panel, the two students from a similar program shall be named.

Under the direction of the Chair, the University Wide Hearing Panel will perform its due diligence and may hold meetings prior to the formal hearing to discuss the facts of the case, with or without the affected parties. The University Wide Hearing Panel may also request additional information in writing from the affected parties or speak with witnesses, if necessary. The University Wide Hearing Panel may also contact the Step Three Administrator for clarification on LSU Eunice Policies or Procedures as required.

Ultimately, the Chair shall coordinate a time and place to hold the formal hearing with the Step Two Administrator, the employee, and the student in attendance, all of whom may be accompanied by an advisor (see the Definition of an Advisor) within ten (10) business day from the day the Step Three Administrator received the notification. The Chair conducts the hearing reviewing the facts of the case and, if necessary, will ask those involved to testify if any of the facts are unclear. Meeting minutes will be taken.

After the hearing, the University Wide Hearing Panel will deliberate the facts of the case in private and conduct a vote to determine the outcome. Based on the outcome, the Chair will draft the University Wide Hearing Panel's recommendations and upon confirmation of the University Wide Hearing Panel will file the decision with the Step Three Administrator using the University's email within three (3) days. Copies of these recommendations along with the Hearing minutes and the final decision of the Step Three Administrator shall be given to all of the parties and the Chancellor for final disposition.

Some federal laws and administrative guidelines issued by the executive branch of the Federal Government for the administration of these laws require the use of hearing panels as a part of the student's appeal procedure. These laws include: Title VI and Title VII of the Civil Rights Act of 1964; Title IX of the Educational Amendments of 1972; Section 503 and Section 504 of the Rehabilitation Act of 1973; and the Family Educational Rights and Privacy Act of 1974 (The Buckley Amendment). In all student appeals which allege a violation of these laws or guidelines issued to implement these laws, a University Wide Hearing Panel will always be used at Step Three. The University Wide Hearing Panel will be appointed by the Step Three administrator or, at their discretion, the administrator may request the Chancellor to appoint the University Wide Hearing Panel. The person appointing the University Wide Hearing Panel will designate one member to serve as chair.

C. Petition for Review

Any party who wishes a review of the process or alleges a serious procedural error or believed that serious abuse of discretionary authority has occurred may file a petition for review with the Chancellor's Office within ten (10) business days after receiving the

decision made at Step Three. A delay in the filing of the appeal may constitute grounds for rejection of the appeal. The petition for review must be submitted in writing via email to the Chancellor's Office. The email address for the Chancellor's Office can be obtained by request from the Office of Student Engagement (stuaff@lsue.edu). The petition must contain the following:

1. a complete statement of the alleged serious procedural error or details of examples of abuses of discretionary authority being appealed,

2. the relief sought, and

3. reasons for the relief sought.

The petition must be accompanied by all documents produced at Step Three.

The Chancellor's Office shall make every reasonable effort to decide within ten (10) business days whether further action should be taken, and in reaching this decision the Chancellor may ask the other parties to make a written reply to the request for a review--or these parties, on their own, may make a written reply. If the stated deadline cannot be met, then all parties are to be notified in writing and a mutually agreeable time identified.

If the decision is that a review is not justified, the student and all other parties will be so notified through LSU Eunice email. If the decision is favorable to the petition for review, the Chancellor's Office will hold a formal meeting with the parties and reach a decision on the basis of this meeting and on all written materials furnished. The meeting may be held in person, by conference call, or via video/web conference with all parties present. All parties will be notified of the final decision in writing within ten (10) business days through LSU Eunice email. The decision by the Chancellor's Office shall conclude the matter.

V. Source

LSU Policy Statement 48: General Procedures for Student Grievances, Complaints, and Appeals

Appendix A

The following are examples of established student appeal procedures, accompanied by sources of information on appeals procedures:

I. Academic Appeals

Academic Suspension Appeals. See the Registrar's Office Website at https://www.lsue.edu/registrar/index.php and click the "Academic Appeals Form" under the "Academic Forms" block.

II. Non-academic appeals

Equal Opportunity. See LSU Eunice Policy Statement 11: Equal Opportunity available at https://www.lsue.edu/policy-statements/documents/NO11.pdf.

Financial Aid Appeals. See the Financial Aid Website at https://www.lsue.edu/financialaid/index.php. Financial Aid Appeals are filed through WorkDay. See the Financial Aid Appeal Website at https://www.lsue.edu/studentengagement/finaidappeals.php.

Parking & Traffic Ticket Appeals. See the Regulation of Vehicular Traffic Website at https://www.lsue.edu/police/regulation-vehicular-traffic.php. See the Parking Website for information on parking and parking permits at https://www.lsue.edu/police/parking.php. Citations may be appealed at https://lsue.t2hosted.com/Account/Portal.

Sexual Misconduct. See the Title IX Website at https://www.lsue.edu/titleix/.

Violations of the Code of Student Conduct. See the Student Engagement Webpage at https://www.lsue.edu/studentengagement/index.php for links to the Student Handbook, Academic Integrity, Code of Student Conduct, and Freedom of Speech and Expression. The Code of Student Conduct may be accessed directly at Direct link to the Code of Student Conduct..

Appendix B
Flowchart of Events

