



## SUNY Erie Community College

### Student Grievance of Academic Decision

#### Procedures for Student Grievance of Academic Decisions

Students who perceive that their rights were violated through an inappropriate interpretation, application or enforcement of a policy must engage in the informal grievance process before engaging in the formal grievance process. Title IX complaints are not subject to this requirement and must be documented and then submitted to the Office of Equity and Diversity according to the Title IX procedure. Employees of SUNY Erie are obligated to report any knowledge of complaints that are perceived to be discriminatory based on race, ethnicity or gender, harassing, disability or sexually violent as these complaints are Title IX and should be immediately referred to the Office of Equity and Diversity. For an expanded definitions and or the procedure to inform or file a Title IX complaint visit <https://www.ecc.edu/equity-diversity/>.

All faculty and staff of SUNY Erie must document knowledge of student complaints for reporting purposes and to provide background if the grievance escalates. This includes logging of Title IX complaints. Additionally, SUNY Erie has an obligation under federal law 34 CFR 602.16(a)(1)(ix) to track student complaints to maintain quality of service.

The Procedures for Student Grievance of Academic Decisions offer both complainant and respondent the opportunity for mediation and resolution by following a systematic process.

#### Informal Grievance Process:

1. The first step in the Informal Grievance Process involving complaints related to a grade on a (test, paper, quiz, exam or another assignment) requires the student to first attempt resolution with the instructor of the course. If the concern pertains to a grade received in a course, the request for review must be made no later than three weeks after the final grade for the course is submitted.
2. If a resolution is not reached with the instructor, the student must next attempt resolution with the Department Chair or Head of the department involved.
3. If a resolution cannot be reached with the Department Chair or Head, the student may then contact the Dean of Academics over the department, or Vice Provost if a Health Sciences program, to consider the student's request and attempt to negotiate an equitable resolution between the student and instructor.
4. At this point, if the student is not satisfied with the resolution, the student may then file a formal grievance that will be presented to a committee for adjudication. The steps of the formal grievance process are below.

All faculty and staff that are informed of the students' complaint during the informal complaint process are required to log the complaint in compliance with SUNY Erie, State University of New York (SUNY), New York State Education and Federal requirements. The record of the complaint must identify the student, the nature of the complaint and individuals involved, the individual reporting the complaint, and the steps used to resolve the complaint. The complaints can be tracked on the SUNY Erie Academic Affairs Online Praise, Complaint – Log of Submissions.

### **Formal Grievance Process:**

The Formal Grievance Process is invoked when a student is unable to achieve resolution through the Informal Grievance Process.

1. Students who wish to progress into the Formal Grievance Procedure must submit their grievance and their recollection of all interactions during the Informal Grievance Process to the Dean of Academics or Vice Provost over the department that was involved in the Informal Grievance Process. The Dean of Academics or Vice Provost must record the escalation of the grievance. The escalation can be documented with the SUNY Erie Academic Affairs Online Praise, Complaint, Suggestion - Log of Submissions.
2. Students may opt to involve another staff or faculty member as a Staff Advocate to advocate on their behalf and to help them navigate as the issue is investigated with the goal of achieving a fair and equitable outcome. The Dean of Students' office can be contacted for more information on the role of Student Advocates.
3. The student's grievance will be reviewed by the Adjudicating Committee. The committee will be convened when the Dean of Academics notifies the Provost's office of the formal grievance.
4. The Adjudicating Committee will be comprised of members of the academic team, representatives of Student Affairs and faculty members, minimally. At least one member of this adjudicating body will be trained on SUNY policies, educational law and the adjudication process.
5. The Adjudicating Committee will review the grievance and any accompanying documentation submitted from the faculty member(s) involved in the grievance, the complainant and any witnesses. The Adjudicating Committee may question any of the parties involved in the process.
6. The Adjudicating Committee's written recommendation will be submitted to the Provost and Executive Vice President who oversees Academic Affairs and Student Services. The Adjudicating Committee will address any questions of the Provost and the Provost will provide a written decision to all persons involved. The final decision rests with the Provost. New information is the only factor that can be considered for revisiting the case.
7. The official decision will be sent within thirty days to the student via email, certified mail return receipt and regular mail and the Provost's decision will be final unless new evidence, or a

new information that would impact the decision is presented. Student should maintain current contact information at the college.

8. Notification of a request to reexamine a case based on new evidence must be submitted in writing to the Office of the Provost. The Provost will notify the student within 30 days of receipt of request as to how to proceed.

9. The adjudication committee and the Provost's decision are required to log the complaint in compliance with SUNY Erie, the State University of New York (SUNY), New York State Education and Federal requirements.