

	<b>Florida Gulf Coast University</b> Policy Manual	<b>Policy: 4.006</b>  <b>Approved: 05/19/09</b>
	<b>Title:</b>  <b>Student Course &amp; Credits          Grievance Policy</b>	<b>Responsible Executive:</b> President  <b>Responsible Office:</b> Office of the Ombudsman

**POLICY STATEMENT**

Students have the right to grieve decisions related to access to courses and credit granted toward degree through the Student Ombudsman.

**REASON FOR POLICY**

This policy provides a procedure whereby students appeal decisions related to access to courses and credit granted toward a degree.

**DEFINITION OF TERMS**

**Student** – A person enrolled in a course of study at Florida Gulf Coast University (FGCU).

**Grievance** – A dispute or request for redress of a decision which adversely impacts a Grievant in relation to access to courses and credit granted toward degree.

**Grievant** – A student who files a Grievance with the Ombudsman.

**Respondent** – The FGCU faculty or staff member whose action or actions have been alleged to have adversely impacted a Grievant’s access to courses or credit granted toward degree.

**Resolution** – An action by or on the behalf of the University that is satisfactory to the Grievant.

**Day** – A calendar day, unless expressly stated otherwise. If a time limit expires on a non-business day, the limit shall be extended to 5 p.m. of the next business day.

**Student Ombudsman** – Also called Student Ombuds, or Ombuds, is the person responsible for the administration of this policy and related Student Grievances Regulation.

**President’s direct report** – A person who is not a Vice President but reports directly to the University President.

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Confidential – Meetings and communications between the Ombudsman, Students and Respondents during the administration of this policy which will not be disclosed without the consent of the parties involved, unless otherwise required by §119, 1002.22 Florida Statutes and consistent with the Family Educational Rights and Privacy Act (FERPA).

## PROCEDURES

1. Under this policy, Students are unable to grieve disciplinary actions taken under the FGCU Student Code of Conduct or grieve traffic and parking violations. In addition, the professional judgment exercised by a faculty member in assigning a grade is addressed under the Grade Appeal Policy, and not under this policy. The professional judgment of licensed practitioners in the health related professions as it is exercised regarding a student's fitness to continue in a program is also not appealable under this policy.
2. The Grievant may choose Grievance Option 1, Grievance Option 2, or both.
  - a. **Grievance Option 1 (Informal):** This Office encourages students to work directly with the Respondent to resolve the issue when appropriate. To that end, the Ombudsman Office will provide support to the parties, upon request, in the form of any or all of the following: (1) information regarding personnel and/or processes appropriate to the unit(s) under which the issue(s) fall; (2) confidential private meetings with either or both parties to help clarify the issues; and (3) a facilitator for confidential discussions between the Student and the Respondent. A Grievant desiring to follow Option 1 should submit an informal written request to this Office for support.
  - b. **Grievance Option 2 (Formal):** If option 1 is not successful or desired, the student may select option 2, which initiates a full review by the Ombudsman of the issue(s) presented by the student. The student must file a formal grievance consisting of: Names of both the Grievant and Respondent(s), date filed, the alleged action(s) or omission(s) which adversely impacted the Grievant's access to courses and/or credit toward degree; the law, regulation or policy, if any, believed to have been violated; and the time frame in which the alleged action(s) or omission(s) took place. The grievance must be mailed (postmarked) or received by

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the Ombudsman Office no later than thirty (30) days following the date on which the alleged action(s) or omissions(s) took place or no later than thirty (30) days from the date the Grievant acquired knowledge, or could be reasonably expected to have acquired knowledge of the alleged act(s) or omission(s).

Upon receipt of a formal grievance, the Ombudsman will review the grievance and determine if it meets the requirements of a Student Grievance under the Student Grievances Regulation and this policy.

3. Notification: If the Grievance is excluded from review under this policy pursuant to the regulation and policy, the Student is notified within fifteen (15) calendar days of receipt of the Grievance, and is directed to the appropriate venue for redress. (See Section 1 above.) If the Grievance is sufficient, the Student Ombudsman will submit a letter confirming acceptance of the Grievance to the Grievant, Respondent, and the appropriate Vice President or President's direct report in whose area the Respondent is employed.
4. Response: If the Grievance is accepted, either the Respondent, or Respondent's supervisor if the Respondent is not available, will submit a response to the Student and the Student Ombudsman within fifteen (15) days of receipt of the Grievance.
5. Grievant/Respondent Options: After the response is submitted, the Grievant and Respondent have two options: (1) Either party may request mediation, which will proceed if both agree, or (2) either party may request that the review go forward.
6. Determination: If mediation is unsuccessful or if either of the participants prefers to continue the review option, the Student Ombudsman will conduct an inquiry at his/her discretion. The inquiry may include but is not limited to interviewing witnesses and gathering documentation. All University community members are expected to cooperate with the Ombudsman in the inquiry. The Ombudsman will forward a recommendation and any supporting documentation to the appropriate Vice President or President's direct report or designee. The Ombudsman and the appropriate Vice President, President's direct report or designee may discuss the Grievance and recommendation as necessary. The appropriate Vice

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President, President's direct report or designee will submit a written decision to the Grievant, Respondent and Student Ombudsman within fifteen (15) days of receipt of the Ombudsman's recommendation. Any necessary action pursuant to the decision will be taken by the appropriate University official as directed by the appropriate Vice President, President's direct report or designee. The decision of the appropriate Vice President, President's direct report or designee is the final University decision.

The written decision of the Vice President, President's direct report, or designee along with a record of action taken will be provided to the Grievant, to the Respondent and the Ombudsman Office.

7. Extensions: Time limits may be extended upon mutual agreement of the parties.

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<b>POLICY AMENDMENTS</b>	None	
<b>HISTORY</b>	New: 05/19/09	
<b>APPENDICES</b>	None	
<b>APPROVED</b>	<u>s/Wilson G. Bradshaw</u> President	<u>May 19, 2009</u> Date

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