

## GRIEVANCES INVOLVING ACADEMIC RIGHTS OF STUDENTS

### Introduction

Students may file appeals when they believe a violation of their academic rights has occurred. The scope of a grievance does not include matters a student simply does not like or disagrees with, unless the matter represents a violation of the student's academic rights. Students have the academic right to:

- timely receive information about course content and grading criteria
- hold and express a contrary opinion
- fair and impartial academic evaluation
- confidentiality of academic records
- informed evaluation of student character and ability

More information about student academic rights may be found in the Student Bill of Rights, particularly #1, 4, 5, 9, 10, 11, 13, and 14 (shown below).

1. Learn, study, grow, and develop without fear of threats, harassment, bullying, or discrimination on the basis of race, ethnicity, color, nationality, age, religion, gender, gender identity, gender presentation, sexual orientation, or military service.
4. Hold and express divergent viewpoints with respect and civility toward others.
5. Participate in a community devoted to scholarship, inquiry, debate, thought, and expression within a community of scholars, including the right to express agreement and dissent.
9. Have clear and comprehensible course objectives and requirements, degree and graduation requirements, transfer policies, and grading policies, and to know with accuracy and clarity information that assists them in successfully meeting the established academic standards in their classes.
10. Receive grades based only on fair and just evaluations of performance as measured by standards presented in the first or second class section or in the introductory materials for a distance learning course.
11. Have access to reasonable accommodations as required under U.S. and state laws related to the establishment of an equal opportunity to succeed.
13. Have knowledge of allegations against the student, the right to express a proper defense, the right to know the findings of any proceeding against the student, and a right to an appeal in accordance with reasonable and proper policies and procedures.
14. Be free of penalty for violating regulations, rules, or policies imposed after-the-fact.

The entire list of Student Rights can be found on the ECTC website or at the following address: <https://elizabethtown.kctcs.edu/about/media/pdfs/college-at-a-glance/policies-procedures/student-bill-of-rights.pdf>

Lying, misrepresenting, or omitting relevant facts otherwise known at the time may subject students, faculty, or staff to disciplinary action, possibly up to and including dismissal or termination.

## Procedure

### Step 1: Informal Resolution

The student should first speak with the instructor and try to resolve the issue. All interactions must reflect civility and mutual respect, even where the parties' views or positions differ.

If a satisfactory resolution is not achieved, the student should proceed to Step 2 below.

### Step 2: Formal Grievance

To file a formal grievance, the student must submit a clear, succinct written appeal specifying each alleged violation, along with supporting facts and relevant dates to the appropriate division chair/dean within thirty (30) business days of the alleged violation or posting of grade. Untimely appeals will be barred, dismissed, and not further considered. The written complaint should contain the following:

1. A complete description of the complaint including all relevant facts and the reason for the appeal (explaining which academic right violation occurred);
2. any supporting documents; and
3. the redress (desired outcome) sought.

#### Division Chairs:

|                       |  |  |             |                  |
|-----------------------|--|--|-------------|------------------|
| Jacqueline Hawkins    | Arts & Humanities Division                 | <a href="mailto:Jhawkins0045@kctcs.edu">Jhawkins0045@kctcs.edu</a>               | 117B<br>JSO | 270-706-<br>8538 |
| Mike Hazzard          | Technical Division                         | <a href="mailto:Mikew.hazzard@kctcs.edu">Mikew.hazzard@kctcs.edu</a>             | 107F<br>OTB | 270-706-<br>8686 |
| Ramona Barrow         | Social & Behavioral Sciences Division      | <a href="mailto:rbarrows0001@kctcs.edu">rbarrows0001@kctcs.edu</a>               | 103C<br>ATB | 270-706-<br>8486 |
| Dr. Shawn Kellie      | Mathematics and Physical Sciences Division | <a href="mailto:shawn.kellie@kctcs.edu">shawn.kellie@kctcs.edu</a>               | 213<br>SCI  | 270-706-<br>8549 |
| Lois Chandler-Cousins | Biological Sciences Division               | <a href="mailto:lchandlercousin0001@kctcs.edu">lchandlercousin0001@kctcs.edu</a> | 322<br>RPC  | 270-706-<br>8567 |

The division chair will resolve the issue within fifteen (15) business days.

### Step 3: Formal Appeal

If no resolution is reached at Step 2 within 15 business days, or if the student does not accept the decision of the division chair, the student may within fifteen (15) business days appeal the division chair's decision to the Provost, Dr. Tiffany Evans: 200E RPC, 270-706-8406, [tevans0138@kctcs.edu](mailto:tevans0138@kctcs.edu). Such appeal must be in writing and shall contain the following:

1. A complete description of the complaint including all relevant facts and the reason for the appeal (explaining which academic right violation occurred);
2. any supporting documents;
3. why the appeal should be granted; and
4. the redress (desired outcome) sought.

**No new matter may be appealed which was not included in the student's original appeal to the division chair.**

The Provost will consider the appeal and issue a written decision within 15 business days.

#### **Step 4: CAB Hearing**

If no decision is rendered by the Provost at Step 3 within 15 business days or if the student does not accept the decision of the Provost, the student has fifteen (15) business days to submit a written request for a hearing before the College Appeals Board. Such appeal must be in writing and shall contain the following:

1. A complete description of the complaint including all relevant facts and the reason for the appeal (explaining which academic right violation occurred);
2. any supporting documents;
3. why the appeal should be granted;
4. the belief as to why the Provost's decision was wrong; and
5. the redress (desired outcome) sought.

**No new matter may be appealed which was not included in the student's original appeal to the division chair.** The CAB shall consider all matters and render its decision in accordance with the process below or as soon thereafter as practicable.

#### **CAB Review Process**

- a. Within five (5) business days of receipt of a request for hearing the CAB will meet to determine if the issue on appeal is properly before the hearing panel. If the CAB decides that the request for a hearing is not properly before the body, the Chair of the CAB will notify the student and the appropriate college officials in writing within five (5) business days, including the reasons for the CAB's decision not to hear the matter.
- b. If the CAB determines that it is proper to consider the appeal, within five (5) business days the Chair will request statements related to the appeal from the appropriate college officials. Those statements are due for submission to the CAB within five (5) business days. The CAB then has five (5) business days to review the appeal and associated statements and decide by majority vote whether to grant a hearing or to make a decision based on the record provided by each party.

- c. The CAB's decision as to the hearing will be communicated in writing within five (5) business days of the decision to the student and the appropriate college officials. If the CAB does not grant a hearing, the student has no further right to appeal within the system except in cases of suspension or expulsion, which may be appealed to the Board of Regents.
- d. If the CAB decides to hear the case, it will establish procedures (including a schedule) and notify the student and the appropriate college officials. All parties shall have the reasonable opportunity to appear at the hearing and to present oral and written evidence in support of their positions. The CAB may call for further evidence as it deems appropriate. CAB hearings are not legal processes and do not follow the rules applicable to court or outside administrative proceedings. Students do not have a right to have counsel represent them, but may bring any one person they desire as an advisor at the hearing. The advisor will not address the hearing or "represent" the student. The hearing shall be held, and a final decision made by the CAB within 15 business days after the decision to hear the case. The decision of the CAB is final and the student has no further right to appeal within the system except in cases of suspension or expulsion of a student.

**Student Rights during the Appeals Process (Academic Rights/Academic Offenses):**

In cases of academic rights and academic offenses, the student shall have the right of class attendance and participation during the consideration of any appeal except that such attendance and participation may be limited when:

- a. outside agencies are used as a part of the student's educational experience, in which case precedence will be given to the terms of any agreement(s), which have been negotiated between the college and the agency; or
- b. patient/client contact is involved in the student's educational experience, in which case only patient/client contact may be limited or excluded at the discretion of program faculty.

If the appeal is decided in the student's favor, the college must provide an opportunity for the student to complete any essential experiences missed due to the appeals process. An appeal of a grade after the class has been completed, a grade change by the CAB will only be for a P grade or a W grade.

To view the entire KCTCS Code of Student Conduct, go to the following web address:  
<https://elizabethtown.kctcs.edu/about/media/pdfs/college-at-a-glance/policies-procedures/code-of-student-conduct.pdf>