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POLICY STATEMENT 08 GENERAL APPEAL PROCEDURE AVAILABLE TO STUDENTS

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POLICY DIGEST

Monitoring Unit: Office of Academic Affairs

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I. PURPOSE

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

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II. DEFINITIONS

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

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

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

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

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

- 34 A. An action or decision on the part of an employee, faculty member, program director, or
35 other administrator that a student perceives to be unfair or unreasonable, or
36 B. Application of standards different from those that were applied to other students under
37 similar circumstances.

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

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

41 **Written Student Complaint:** A written student complaint is any report submission by a
42 prospective, current, or former student through the University's official web-based system using
43 the Student Grievance Form, hosted on the LSU Eunice CARES webpage at
44 <http://www.lsu.edu/care>.

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

47 **III. GENERAL POLICY**

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

55 A. Provisions of the General Appeal Process

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

60 2. Appeals filed about grievances in bad faith may be subject to review under the [Code](#)
61 [of Student Conduct](#).

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

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

68 5. Privacy shall be maintained, where applicable, in all appeal proceedings in
69 accordance with the provisions of the Family Educational Rights and Privacy Act of
70 1974 and LSU Eunice Policy Statement 34: [Privacy Rights of Parents and Students](#).

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

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

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

86 IV. PROCEDURES

87 A. General Appeals Procedures

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

92 1. Step One: Informal Appeal to Employee

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

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

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

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

114 a. a description of the grievance (see the Definition of [Grievance](#)) including

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

- 117 ii. the application of standards different from those that were applied to other
118 students under similar circumstances,
- 119 b. a description of the resolution sought, and
- 120 c. any other information the grievant believes to be relevant.

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

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

139 2. Step Two: Formal Appeal to Administrator

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

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

150 The electronic form from www.lsue.edu/care/ is received and reviewed by the Office
151 of Student Affairs and is routed to the appropriate Step Two Administrator. The Step
152 Two administrator is the unit head of the area within which the grievance was
153 initiated. For academic appeals, the Step Two Administrator is the Academic Dean.
154 The name and title of the Step Two Administrator can be obtained from the

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 https://cm.maxient.com/reportingform.php?LSUEunice&layout_id=3.

- 155 employee in Step One or from the Office of Student Affairs.
- 156 The submitted report should clearly identify the following:
- 157 a. the name of the person(s) against whom the grievance is initiated,
 - 158 b. Student's identification (name, student ID number, major, current address,
159 telephone number, and email address),
 - 160 c. a description of grievance (see the [Definition of Grievance](#)) including
 - 161 i. the action or decision on the part of an employee that a student perceives to
162 be unfair or unreasonable, or
 - 163 ii. the application of standards different from those that were applied to other
164 students under similar circumstances,
 - 165 d. date of action or decision by the person that is to be reconsidered,
 - 166 e. a description of any informal attempts at resolution along with the date and result
167 of the informal meeting from Step One,
 - 168 f. reason(s) for objections to the faculty or employee response in Step One,
 - 169 g. a description of the resolution sought,
 - 170 h. any other information the grievant believes to be relevant, and
 - 171 i. all supporting documentation (i.e. email communications, notes, etc. to support
172 the student's claim),

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

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

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

191 student and the employee may be accompanied by an advisor (see the [Definition of](#)
192 [an Advisor](#)).

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

201 3. Step Three: Appeal to the Next Level Administrator

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

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

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

- 220 a. name of the person filing the appeal,
- 221 b. role in the appeal (i.e. student or employee of LSU Eunice),
- 222 c. division and curriculum (if a student),
- 223 d. advisor (if one is used – see the [Definition of an Advisor](#); otherwise mark n/a),
- 224 e. name and title of the person who heard the Step One appeal,
- 225 f. name and title of the person who heard the Step Two appeal,
- 226 g. a description of grievance (see the [Definition of Grievance](#)); this should match
227 Step One item (a) and Step Two item (c)
- 228 h. a description of the resolution sought,

- 229 i. reasons that support the resolution sought, and
230 j. all documentation from the Steps One and Two.

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

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

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

- 242 a. reach a decision on the basis of the written appeal and the replies;
243 b. hold a formal meeting in person, by conference call, or via video/web conference
244 with all parties present and, after discussions, reach a decision; or
245 c. refer the appeal to a University Wide Hearing Panel for recommendation. If the
246 student or University employee requested a University Wide Hearing Panel, the
247 administrator shall refer the appeal to a University Wide Hearing Panel for a
248 recommendation. If either party requests a University Wide Hearing Panel, the
249 Step Three administrator shall name a University Wide Hearing Panel as
250 prescribed in [Section IV-B: Use of University Wide Hearing Panels](#).

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

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

262 B. Use of University Wide Hearing Panels

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

- 268 1. four (4) full-time faculty and/or staff members with one from the same program and
269 one from a similar program. The faculty member named in the appeal may not be
270 named to the University Wide Hearing Panel. In addition, no more than two
271 faculty/staff members from the same department/program shall be named. One of
272 which will be named as the Chair (non-voting), and
- 273 2. two (2) students appointed by the Student Government Association (SGA) President.
274 One shall be from the same program and the second shall be from a similar
275 program. In the event that a student from the same program cannot be named to the
276 University Wide Hearing Panel, the two students from a similar program shall be
277 named.

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

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

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

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

310 C. Petition for Review

311 Any party who wishes a review of the process or alleges a serious procedural error, or

312 believed that serious abuse of discretionary authority has occurred may file a petition for
313 review with the Chancellor's Office within ten (10) business days after receiving the
314 decision made at Step Three. A delay in the filing of the appeal may constitute grounds
315 for rejection of the appeal. The petition for review must be submitted in writing via email to
316 the Chancellor's Office. The email address for the Chancellor's Office can be obtained by
317 request from the Office of Student Affairs (stuaff@lsue.edu). The petition must contain the
318 following:

- 319 1. a complete statement of the alleged serious procedural error or details of examples of
320 abuses of discretionary authority being appealed,
- 321 2. the relief sought, and
- 322 3. reasons for the relief sought.

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

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

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

337 **V. Source**

338 [LSU Policy Statement 48: General Procedures for Student Grievances, Complaints, and](#)
339 [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.lsu.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.lsu.edu/policy-statements/documents/NO11.pdf>.

Financial Aid Appeals. See the Financial Aid Website at <https://www.lsu.edu/studentaffairs/finaidappeals.php> and click on the "Download a Financial Aid Appeals Form" button.

Parking & Traffic Ticket Appeals. See the Regulation of Vehicular Traffic Website at <https://www.lsu.edu/police/parking.php>. For Traffic Ticket Appeals, see <https://www.lsu.edu/police/documents/LSUE%20Parking%20Appeal%20Process.pdf>.

Sexual Misconduct. See the Title IX Website at <https://www.lsu.edu/titleix/>.

Violations of the Code of Student Conduct. See the Student Affairs Webpage at <https://www.lsu.edu/studentaffairs/index.php> or the Student Code of Conduct directly at <https://www.lsu.edu/police/documents/LSUE%20Parking%20Appeal%20Process.pdf>.

Appendix B Flowchart of Events

