



**NORTH CAROLINA A&T STATE UNIVERSITY**  
**CHAPTER 300 – ACADEMIC AFFAIRS**  
**UNIVERSITY POLICY 305, STUDENT COMPLAINTS**

**SECTION 305.1 POLICY STATEMENT**

North Carolina A&T State University (“University”) is committed to the fair and impartial review of academic and non-academic grievances by students against faculty and staff. Grievances or complaints involving sex discrimination, sexual harassment, sexual violence, and/or sexual misconduct should be reported immediately to the [Title IX Coordinator](#) in the Office of Legal Affairs and are not covered under this policy. This policy covers grievances that are not Title IX related, and addresses them in two categories: academic and non-academic grievances.

Students are encouraged to seek an informal resolution of the grievance directly with the instructor of record or individual(s) involved when possible. For academic grievances in which resolution directly with the involved instructor of record is not possible, the College’s formal grievance process should be utilized if available. For matters where a resolution is still not achieved within the college or school, the [Student Complaint Form](#) should be used to transmit a formal complaint to the Vice Chancellor of Student Affairs.

**SECTION 305.2 PURPOSE**

The purpose of this policy is to establish a uniform and clear procedure for academic and non-academic student grievances. This policy seeks to articulate and protect both the rights of the students for fair and impartial evaluation of their academic performance and the responsibilities of instructors of record to determine grades.

**SECTION 305.3 SCOPE**

This policy applies to all University undergraduate students. Graduate students must follow the Graduate Student Appeals Policy to appeal decisions made in academic programs or the Graduate College.

**SECTION 305.4 DEFINITIONS**

- (1) “Academic Grievance” means an allegation of unfairness or inequity in the assigning of a final grade.
- (2) “Academic Grievance Board (the Board)” means the four individuals appointed by the Provost or designee to hear and decide academic grievances. One member of the Board will be an ex-officio, non-voting member, who will serve as the Administrative Board Member (ABM).

- (3) “Instructor of Record” is an individual qualified and assigned to teach the course and who has overall responsibility for the development or implementation of the syllabus, the achievement of student learning outcomes included as part of the syllabus, and for issuing grades.
- (4) “Non-academic Grievance” means any issue alleged to arise in the relationship between a student and the University that is not governed by the Title IX reporting process or the University Police Department complaint process.
- (5) “Non-voting ex officio Board member” means the administrative member of the Board.

## **SECTION 305.5      ACADEMIC GRIEVANCES**

### **Section 305.5.1      The Academic Grievance Board**

The purpose of the Academic Grievance Board (Board) is to adjudicate and determine whether there are facts that support a student’s assertion that a final course grade was assigned unfairly or inequitably. After attempting an unsuccessful informal resolution within the undergraduate school or college, grievances filed by students contesting the assignment of a final grade will be considered by the Board.

The Board is comprised of three faculty representatives who are selected and appointed from the various schools and colleges within the University. A fourth member shall be selected from the Office of Academic Affairs. The faculty representatives are appointed by the Provost for staggered terms. A term begins on August 1 of the year of appointment and ends on July 31 of the third year. The Provost will designate one member of the Board to serve as the Chair every two years. During the 2020-2021 academic year, the representative designated as the ABM shall serve a total of five years; the representative designated as Chair shall serve four years, although all four years need not be as Chair; one representative shall serve a three-year term; and one-representative shall serve a two year term, which shall end on July 31, 2022. Beginning in 2022, a new faculty representative shall be appointed each year for staggered terms.

The Board administrator (ABM) shall initially review grievances and determine which grievances meet the grounds for academic grievances detailed in Section 305.5.2 of this policy. When a filed grievance meets the requirements in Section 305.5.2, the ABM will schedule and facilitate a hearing before the Board.

Before hearing cases, new members of the Board must undergo training on the relevant policies and procedures surrounding academic grievances. The training will be conducted or facilitated at least once each year by the Vice Provost for Undergraduate Education.

The Board will not hear any grievances that include allegations of discrimination based on age, race, disability, pregnancy, gender, national origin, religion, sexual preference, or veteran's status. Gender, sexual harassment, pregnancy, sexual preference, sexual or gender identity discrimination complaints should be submitted to the [Title IX Office](#). Any other complaints involving allegations of discrimination listed above should be submitted to the [University's Human Resources Equal Employment Opportunity Office](#), the [U.S. Department's Office of Civil Rights](#), or the [Equal Employment Opportunity Commission](#). The Academic Grievance Board will refer any such discrimination complaints it receives to the appropriate entity.

### **Section 305.5.2      Grounds for Academic Grievances**

The Academic Grievance Board will conduct hearings in cases where:

- (1) The method used for arriving at a student's final grade was in clear violation of the method described in the instructor's course syllabus; or
- (2) The method used for arriving at a student's final grade was in clear violation of departmental, college, or university policy.

The Board shall not substitute its judgment for an instructor's on such matters as the quality of the instructor's teaching, student's work, or course content.

Only the final course grade may be appealed. The grade assigned by the instructor of record is assumed to be correct. The student bears the burden of proving, through clear and convincing evidence, that an error was made that justifies the need for a change of the assigned grade. Student disagreement with the final grade alone does not constitute a basis for review.

### **Section 305.5.3      Formal Academic Grievances Rules and Procedures**

- (1) Any student filing a grievance is encouraged to first attempt to resolve it informally by consulting with the involved instructor of record.
  - (a) In the event that the student and instructor of record cannot arrive at a resolution, the student shall consult with the instructor of record's department chair and the dean of the college where the instructor of record is located.
  - (b) The department chair and dean shall make every effort to help the parties arrive at an informal resolution to the problem. This may include any informal or formal resolution process within the college where the instructor of record is located.
  - (c) If the instructor of record is not available for the Academic Grievance process, the department chair or another designee may act in lieu of the instructor of record.
- (2) If the academic grievance remains unresolved, the student may submit a formal University grievance governed by this policy by completing the [Student](#)

[Complaint Form](#) online. Grievances submitted are handled in a confidential manner.

- (3) Academic grievances must be submitted within the first 30 calendar days following that term in which the student alleges to have been aggrieved. Students who fail to file a grievance within the 30-day period will cause to forfeit their right to file a grievance unless there is good cause or a compelling reason for a late filing. Whether a late filing was for good cause or a compelling reason will be determined by the ABM.
- (4) Academic grievances will be routed to the ABM for initial review. The ABM will determine whether the grievance meets the grounds for academic grievances detailed in Section 305.5.2 of this policy. If the grievance does not meet the grounds for academic grievances, the ABM will issue a written notice to the parties. The student may resubmit the grievance with the required information if the student is still within the 30-day period for filing a grievance. If the student is outside the 30-day period for filing a grievance, the ABM and Board will take no further action on the grievance. If the grievance contains the grounds for academic grievances, it will be scheduled for a hearing before the Board. The ABM will send written notice of the hearing to the parties on behalf of the Board.
- (5) Hearing Notice. The hearing notice shall contain:
  - (a) The date, time, and location of the hearing;
  - (b) The deadlines for additional submission of evidence for the hearing to the ABM (no later than 2 business days before the hearing); and
  - (c) The contact information of the ABM for any procedural questions the parties may have prior to the hearing.
  - (d) The ABM will make a good faith effort to inform the parties to the grievance of the decision to take no action on the grievance, or to schedule a hearing at least 10 business days after the grievance is submitted unless there are extenuating circumstances that prevent review of the grievance within that time. These extenuating circumstances include acts beyond reasonable control including, without limitation, acts of God, natural disasters, acts of war or terrorism, civil or military disturbances, riots, governmental actions, sabotage, epidemics, or pandemics.
  - (e) The parties will receive notice of the hearing at least 10 business days prior to the hearing.
- (6) The Hearing. Grievance hearings will be informal and closed to the public. The Vice Provost for Undergraduate Education, assisted by the Dean of Students, will act as facilitator and take whatever action is necessary to ensure an equitable, orderly, and expeditious hearing. The student and the instructor of record are required to attend the hearing. Both will be given an opportunity to be heard with a time limit of one hour for each party.
  - (a) Each party is allowed one guest to attend the hearing with them. The guest

may not actively participate in the proceedings. Parties have the right to assistance of counsel of their own choice. Counsel may be present for the proceedings and consult with their client, but may not actively participate in the proceedings. If a party has counsel present, the counsel is the party's guest.

- (b) The Chair may request any further documentation that may be needed for the Board to make a final determination.
- (c) When the instructor of record is not able to be present at the hearing, the respective department chair should attend the hearing.
- (d) Upon conclusion of the hearing, the Board will be excused to deliberate and shall reach, by majority vote, a decision for resolving the grievance. The Board shall provide a written justification for its decision in the form of a written report to the Senior Vice Provost or designee. The Senior Vice Provost or designee shall inform the student and the instructor of record of the Board's decision and provide both parties with a copy of the written report.
- (e) The written report shall include the reasons for the decision, indicate the remedial actions to be taken if any, and shall inform the student of the right to seek an appeal to the Vice Provost for Undergraduate Education .
- (f) In the case of a change of grade, if the instructor of record or the designee does not implement the change of grade decided upon by the Board within 10 calendar days after learning of the decision, the dean shall implement the change of grade as determined by the Board on the student's official transcript through the change of grade procedure.

#### **Section 305.5.4      Appealing the Academic Grievance Board's Decision**

An academic grievance decision may be appealed to the Vice Provost for Undergraduate Education . A student may appeal either a grievance that is declined to be heard by the ABM or the Board's decision on a grievance. Appeals must be filed within 10 business days of the date that the Board's report is transmitted to the parties.

The Vice Provost for Undergraduate Education will review the Board's written report and any evidence submitted by the parties for the appeal. The Vice Provost for Undergraduate Education may reverse a decision of the ABM or the Board if the Vice Provost for Undergraduate Education finds that there were material errors made in their decisions.

The Vice Provost for Undergraduate Education will issue a written decision and the reasons for it to the ABM or the Board, as well as the parties to the grievance.

## **SECTION 305.6 NON-ACADEMIC GRIEVANCE**

### **Section 305.6.1 Non-Academic Grievance Rules and Procedures**

Before submitting a non-academic grievance, students are encouraged to first attempt resolution of the issue with the department responsible for the action or decision being grieved. If the grievance remains unresolved, students may submit their grievance in the online [Student Complaint Form](#) managed by the Vice Chancellor of Student Affairs.

Non-academic grievances are routed to the appropriate unit leader. The unit leader will conduct an informal investigation as warranted to resolve any factual disputes. The unit leader must respond to the student's grievance within 10 business days of the receipt of the grievance unless there are extenuating circumstances that prevent review of the grievance within that time. These extenuating circumstances include acts beyond reasonable control including, without limitation, acts of God, natural disasters, acts of war or terrorism, civil or military disturbances, riots, governmental actions, sabotage, epidemics, or pandemics. Additional time may be requested for further investigation within the response.

The unit leader will issue a written decision to the Vice Chancellor of Student Affairs before supplying the student with the written decision. The written decision shall include the reasons for the decision and indicate the remedial actions to be taken, if any. This is the last step in the non-academic grievance process, unless another policy or procedure provides for additional appeals.

All formal complaints and resolutions are logged and maintained in the Office of the Vice Chancellor for Student Affairs.

### **Section 305.6.2 Exhaustion of N.C. A&T Complaint Resolution Process**

If a complaint cannot be resolved after exhausting N.C. A&T's grievance process, the student may file a complaint with the [North Carolina Post-Secondary Education Complaints](#) in accordance with its [Student Complaint Process](#).

If the complaint is not resolved by North Carolina Post-Secondary Education Complaints, the student may attempt resolution in accordance with the [Southern Association of Colleges and Schools \(SACSCOC\) Complaint Policy](#).

## **POLICY HISTORY**

Eff. February 19, 2010

Revised Eff. September 14, 2020; December 3, 2020

**AUTHORITY:** Board of Trustees

**POLICY OWNER:** Provost and Executive Vice Chancellor for Academic Affairs

**RESPONSIBLE OFFICE:** Office of Strategic Planning and Institutional Effectiveness

## **RESOURCES:**

- [Student Complaint Form](#)
- Graduate Student Appeals Policy
- [Family Educational Rights and Privacy Act of 1974 \(FERPA\)](#)
- University Policy 207, Sexual Harassment, Discrimination, and Misconduct
- [Undergraduate Student Handbook](#)
- North Carolina Post-Secondary Education Complaints
- [SACSCOC](#) Complaint Policy