

**THREE RIVERS COLLEGE
STUDENTS REGULATION**

Section: 2000 Students	
Sub Section: 2100 Nondiscrimination and Student Rights	
Title: SR 2140 Student Appeals	Page 1 of 17
Primary Policy: SP 2140 Student Appeals	
Associated Policies: SP 2130 Student Grievance; GAP 1320 Consumer Protection	
Associated Regulations: SR 2130 Student Grievance	
References: Title VII of the Civil Rights Act, Title IX of the Higher Education Act of 1972, section 504, of the Rehabilitation Act of 1973, as amended on the ADA Act of 1992; TRC Student Complaint Portal; National Council for State Authorization Reciprocity Agreements (NC-SARA) Complaint Process	
Addendums: A - Student Academic Appeals Procedure; B - Student Service and Financial Appeal Procedure; C - Student Appeals Intake Form	
Supersedes: NA	
Responsible Administrator: Chief Financial Officer; Chief Academic Officer; Chief Student Services Officer	
Initial Approval: 08-24-2016	Last Revision: 01-15-2020

Three Rivers College is committed to providing an educational climate conducive to the personal and professional development of each individual. The College is dedicated to providing fair and impartial resolution of student complaints. It is the practice of the College to resolve student complaints at the lowest possible level through informal action by either using the Student Complaint Portal or by contacting Student Services. When a complaint is not resolved at this level, the student will be given the option to file an appeal with the Chief Student Services Officer.

Right to Appeal

Students have the right to seek an appeal after the student has attempted to resolve the issue with the appropriate instructor or office. If the issue remains unresolved, the student may file a formal appeal with the Chief Student Services Officer.

Students must appeal in writing, using the Student Appeals Intake Form found in the Office of the Chief Student Services Officer. Each written appeal must be dated and include the student's name, ID number, signature, what is being requested and for what semester, any extenuating circumstances, and why the request should be considered. All documentation of evidence should be included with the written request. **The burden of proof falls on the student. Lack of knowledge is not grounds for a student to appeal.**

Appeal Process

Students must have completed the initial process by discussing the issue with the related office prior to submitting an appeal. Students have 20 business days after notification of the initial decision to file an appeal. The appropriate appeals form and all written documentation must be submitted. The Chief Student Services Officer shall review the written requests and documentation, and route the student appeal to the appropriate office for processing. Students

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who fail to file an appeal within the time limit may request an exception “in writing” however, the exception shall be granted only under extraordinary circumstance.

Types of Appeals

1. Academic Appeal

An academic appeal may be filed in relation to a grade or programmatic discrepancy, or other academic related issues. The college shall make every effort to resolve a student academic appeal within its authority as it relates to college and programmatic policy.

2. Financial Appeal

A financial appeal may be filed in relation to miscellaneous billing discrepancies, tuition, college fines and fees, as well as disbursement of credit balances. The college shall make every effort to resolve a student financial appeal within its authority as it relates to college, state and federal policy.

3. Student Services Appeal

A student services appeal may be filed in relation to issues regarding student advising, admissions, student suspension, transcript evaluation, placement testing, and financial aid related issues that may or may not be institutional in nature or any matter that is student service related. The college shall make every effort to resolve a student services appeal within its authority as it relates to college policy.

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Appeal Criteria

1. Medical Reasons

Documentation of an illness, accident, injury, or situation which could not be influenced, planned for, or prevented by the student and which subsequently caused a change in the class schedule. This applies to student or immediate family only. Immediate family includes spouse, children, step-children, foster children, parent, siblings, step-parent, grandparent, grandchild, step-grandparent, and any other members of the family who reside in the house of the student.

2. Institutional Error

Institutional error must be demonstrated by written documentation of substantiated circumstances involving deadlines where a student has, in good faith, relied on information provided by a named College official, or the official's interpretations of the text of a College document or publication, and was consequently misled or mistaken about its terms.

3. Job Transfer

The transfer must be to a location in which Three Rivers continued attendance would present an undue hardship. Notification of transfer and actual move must occur prior to final exams. Documentation must be provided and show date of notification to student and date of actual transfer. Documentation must also be on company letterhead and have a supervisor's signature and phone number for verification.

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4. Work Schedule Conflict

Work schedule must be in direct time conflict for class which the adjustment is being requested. Documentation from supervisor must be provided and must be on company letterhead indicating the date the change occurred and the new hours. Documentation must also include supervisor's signature and phone number for verification.

5. Military Orders

Military orders must indicate dates within the semester in question.

6. Grading Issues that impact the Final Course Grade

Grading issues at stake must impact the final course grade. A course grade appeal may not be filed until the semester has ended and a final course grade has been assigned. The student believes the final course grade was assigned contrary to procedures as specified in the course syllabus or was based on bias, caprice, or computational or clerical error.

7. Acts of Nature (Fire, Tornado, Earthquake, Flood, Etc.)

Acts of Nature adjustment requests must be accompanied by documentation that proves a student would have had an undue hardship, had the student continued his/her current class schedule.

8. Other Criteria

Extenuating circumstances and other criteria may be considered to allow a student to be given the option to file an appeal.

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Process

Any student seeking to file an appeal must begin the process by completing the Student Appeals Form and submit to the Office of the Chief Student Services Officer as described within this regulation. Refer to the attached addendums for the appeals processes for each type of appeal and the form. Each appeal will be reviewed and considered on a case by case basis. Each appeal will be subject to the guidelines within this regulation, college rules and the respective committees' process and the timeliness of the committees' schedule. Retaliation against a person who files a complaint or persons who participate in the appeals process is prohibited.

When a complaint is not resolved at this level, the student will be given the option to file an appeal with the Chief Student Services Officer. Please refer to College regulation SR 2140 Student Appeals for details. In rare cases when all other forms of resolution have failed and the student believes their status at the College has been adversely affected by an incorrect or inappropriate decision or behavior, the student can file a grievance. Please refer to College regulation SR 2130 Student Grievance for details.

If a concern cannot be resolved to the student's satisfaction through the College's Student Appeals process or, if applicable, the College's Grievance process, the student may seek additional assistance by filing a complaint with the Missouri Department of Higher Education or the Higher Learning Commission.

Distance Education students who believe their concerns have not been sufficiently addressed through the College's appeal and/or grievance procedures and who are taking online courses through the College and reside in NC-SARA states may file with the National Council for State Authorization Reciprocity Agreements (NC-SARA) Complaint Process or the Missouri

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Department of Higher Education. Online students residing in California or Massachusetts should follow those states' complaint resolution guidelines.

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DOCUMENT HISTORY:

- 08-24-2016:** Initial approval of regulation SR2140 Student Appeals.
- 09-21-2016:** The College Board of Trustees approved the name change of the college from Three Rivers Community College to Three Rivers College.
- 01-15-2020:** Clarification of Student Complaint Process, including information regarding the NC-SARA Complaint Process.

Addendum A

Academic Appeal Procedure

Three Rivers College students have the right to seek an academic appeal after the student has attempted to resolve the issue with the appropriate instructor or office. If the issue remains unresolved, the first step is for the student to file a formal appeal with the Chief Student Services Officer in writing, using the Student Appeals Intake Form. Once the Student Appeals Intake Form has been reviewed, the student may be required to submit additional paperwork and documents to support their claim. The appropriate department(s) will then be notified of the student's appeal and the initial paperwork will be forwarded to that office for processing.

Academic Appeal

An academic appeal may be filed in relation to a grade or programmatic discrepancy, or other academic related issues. The college shall make every effort to resolve a student academic appeal within its authority as it relates to college and programmatic policy.

The Three Rivers College Student Academic Appeal Procedure is based on the following principles:

- A student has a right to appeal a grade; programmatic discrepancy, or other academic related issues that the student believes was contrary to procedures as specified in the course syllabus, programmatic discrepancy or was based on bias, caprice, or computational or clerical error.
- A student's grade should reflect the student's mastery of the subject matter of the course.
- Students are entitled to a fair and impartial evaluation of their work or program.
- Students and faculty should communicate regularly and openly about course/program requirements, assignments, tests, grading procedures, and grades.
- The college faculty is responsible for creating the curriculum and establishing the standards by which students will be evaluated in each course/program.
- Faculty members are entitled to the presumption that the grades they assign are an accurate reflection of the performance of the students in their courses.
- A course grade may only be changed by the course instructor or by the recommendation of an Academic Appeals Committee. College administrators may not change grades.

Both students and faculty members have rights and responsibilities in the grading/programmatic process:

- Students who wish to appeal a final grade or programmatic discrepancy are responsible for demonstrating that the grade they received was contrary to procedures as specified in the course syllabus/program specifics or was based on bias, caprice, or computational or clerical error.
- Faculty members have a responsibility to provide their students with syllabi and program information that clearly delineate the bases on which student grades or major will be assigned.
- Faculty members are responsible for providing their students with timely feedback on their performance on tests, papers, projects, and other graded assignments.
- Faculty members are responsible for keeping course records, final exams, and other materials on which grades are based (that have not been returned to students) for a year.
- Faculty members have a right to have the grades they assign upheld unless it is clearly demonstrated that a grade was contrary to procedures as specified in the course syllabus/program or was based on bias, caprice, or computational or clerical error.
- Both faculty members and students have a right to have grade and programmatic appeals resolved in a timely fashion (as prescribed in the timelines given herein).
- Both faculty members and students have a responsibility to attempt to resolve grade and programmatic disputes informally.

Grading and Programmatic Disputes during a Semester

Faculty members and students should communicate regularly and openly about all grading and/or programmatic issues. A student who is dissatisfied with an instructor's grading decision during a semester should discuss the issue with the instructor and attempt to resolve the matter informally. A student who believes that a grading issue has not been satisfactorily resolved should speak with the instructor's department chair about the matter. The department chair should work with both the student and the instructor to address any academic issue.

Students may not file a formal academic appeal during the semester. Grading or programmatic issues that remain unresolved during the semester may become the basis for a formal academic appeal once the semester has ended and a final course grade has been assigned. The formal process may be used only for grading or programmatic issues that impact the final course grade or programmatic outcome. For example, if a student disagrees with a grade given on a particular assignment but changing the grade on that particular assignment will not affect the student's final course grade, then the issue is not appropriate for a formal appeal. In this situation, the student may lodge a verbal or written complaint about the instructor's grading practices with the department chair but may not file a formal academic appeal.

Disputes over Final Course Grades and Programmatic Discrepancies

Disputes over final course grades and programmatic discrepancies may reflect disagreements that have carried over from the semester or new issues that have arisen as the result of a late-semester project, test, final exam, or a discrepancy within the designated program. A student who is dissatisfied with a grading decision should attempt to resolve the matter by contacting the instructor. The student may wish to contact the department chair to facilitate communication between the student and the instructor and to mediate the dispute.

Grounds for a Formal Academic Appeal

A student may file a formal appeal regarding course grade or programmatic discrepancy if the following conditions are met:

- The student has attempted to resolve the dispute informally.
- The grading issues at stake impact the final course grade. (A course grade appeal may not be filed until the semester has ended and a final course grade has been assigned.)
- The student believes that his or her final course grade was assigned contrary to procedures as specified in the course syllabus or was based on bias, caprice, or computational or clerical error.
- Students unhappy with their instructor's grading system, grade assignment practices, or program may complain verbally or in writing to the department chair even if the issue does not qualify for a formal academic appeal.

Filing the Formal Academic Appeal

A student may file a formal academic appeal by completing the Student Appeals Intake Form and submitting it to the appropriate department chair. The form asks the student to provide a written statement that clearly and specifically states the grounds on which the grade appeal is based. The student must explain why he or she believes that the assigned grade or program decision was contrary to procedures as specified in the course syllabus, or college catalog or was based on bias, caprice, or computational or clerical error. The student should attach supporting documentation to the form (that may include the Student Appeals Intake Form, such as the following:

- A copy of the course syllabus or program specific information from the college catalogue
- A copy of the graded assignment or applicable program guide on which the formal academic appeal is centered if it is available.
- A portfolio of the student's program and other graded work from the course, including papers, projects, homework, tests, and other assignments, if these materials are available.

- Any other documents the student believes are relevant to the resolution of the academic appeal.
- Students must have completed the initial process by discussing the issue with the related office prior to submitting an appeal. Students have 20 business days after notification of the initial decision to file an appeal. Students who fail to file an appeal within the time limit may request an exception “in writing” however, the exception shall be granted only under extraordinary circumstance.

Informal Resolution

Upon receipt of a Student Appeals Intake Form, the department chair should contact both the student and the instructor involved to attempt to resolve the dispute informally. The faculty member shall act in good faith and keep in mind that the goal is to resolve the grading dispute fairly. The instructor may agree to resolve the dispute informally if he or she believes it is appropriate. For example, if the dispute involves a computational or clerical error and the faculty member or program manager agrees with the student, he or she may simply complete the appropriate change form to change the grade or programmatic circumstance rather than force a the Faculty Academic Appeal Panel to resolve the issue.

If the faculty member or program manager is no longer with the college or is unavailable, the department chair shall appoint another instructor to represent faculty interests in the appeal. In such cases, no informal resolution is allowed and the issue shall be presented to the Academic Appeal Panel.

Instructor Response

If the dispute is not resolved informally, the department chair shall give the faculty member a copy of the appropriate Student Appeals Intake Form submitted by the student and request a written response to the appeal. The instructor’s response should include the following:

- A copy of the course syllabus or programmatic reference.
- A copy of any relevant graded assignments that had not been returned to the student.
- A written statement responding to the issues raised by the student.
- A statement indicating whether the instructor or program manager wishes to appear in person before the Faculty Academic Appeal Panel.
- Any other documents the instructor or program manager believes are relevant to the resolution of the appeal.

The department chair should continue to pursue a formal resolution to the dispute if he or she believes that a resolution is possible. The department chair may share the instructor’s response with the student in hopes of finding common ground between the two. If appropriate, the chair may wish to give the student the opportunity to address issues raised in the instructor’s response that the student has not previously addressed.

The Academic Appeal Panel

If attempts at informal resolution of the grading dispute fail, the Chief Academic Officer shall appoint a Faculty Academic Appeal Panel to consider the appeal. The panel shall consist of at least three full-time faculty members. The instructor or program manager involved in the dispute is not eligible to serve on the panel. The Chief Academic Officer will appoint one of the members of the panel to serve as its chair.

The chair of the Faculty Academic Appeal Panel is responsible for ensuring that the appeal process is completed in a timely fashion. Unless there are exceptional circumstances (as determined by the Chief Academic Officer), the appeal process must be completed before the end of the semester in which it is filed. The chair is also responsible for ensuring that the instructor has at least a week to prepare a response to the academic appeal and that both the student and the instructor have at least a week's advance notice of the time and location for appearing before the Faculty Appeal Panel in person if they have requested an appearance.

Panel Review

The Faculty Academic Appeal Panel is responsible for determining the facts in the dispute and making a judgment on the merits of the appeal. The panel shall review the materials submitted both by the student and the instructor/program manager. The panel may request any other information it deems necessary, including additional instructor records and input from third parties.

Both the student the program manager and the faculty member have the right to appear in person before the Faculty Academic Appeal Panel if they request the opportunity. If both parties appear before the panel, they should be heard separately. If neither party requests to appear in person, the panel should complete its review based on the written materials supplied by the parties and whatever other information the panel may request.

The panel's deliberations, including hearing testimony from the parties involved and third parties, shall take place in private. Neither the student, program manager nor the faculty may be accompanied by an advisor.

The student has the burden of proof. The student must present clear evidence that a grade or program discrepancy was contrary to procedures as specified in the course syllabus, program or was based on bias, caprice, or computational or clerical error. The instructor's grade stands unless the Faculty Academic Appeal Panel determines by the preponderance of the evidence that the grade or program was contrary to procedures as specified in the course syllabus, program requirement, or was based on bias, caprice, or computational or clerical error.

Once the members of the Faculty Academic Appeal Panel have determined that they have sufficient information to make a decision, they will vote either to grant or reject the appeal. A simple majority is sufficient to decide the issue. If the panel grants the appeal, it determines the appropriate course grade or program change for the student. The panel chair shall prepare a

written report stating the panel's decision and the justification for that decision. Copies of the report must be conveyed to the student, the instructor, the department chair, and the Chief Academic Officer. If the panel determines that the student's grade shall be changed, the chair of the Faculty Academic Appeal Panel will prepare the appropriate change form and submit it to the Chief Academic Officer for processing with the panel report attached. The stated reason for the change of grade will be "the recommendation of a Faculty Academic Appeal Panel." The chair of the Faculty Academic Appeal Panel will sign the form instead of the course instructor or program manager.

Sometimes an Academic appeal raises issues that go beyond the resolution of grading or programmatic issues. These issues could include questions about compliance with ADA guidelines, concerns about an instructor's following departmental or programmatic requirements, or questions of a student's academic integrity. At its discretion, the Faculty Academic Appeal Panel may prepare a supplementary report addressing those issues and present it to the Chief Academic Officer.

Appealing the Panel's Decision

There is a limited right to appeal the decision of the Faculty Academic Appeal Panel. The appeal may be based only on procedural rather than substantive grounds. If a party believes that the appeals process was not properly followed and as a result he or she was treated unfairly, then he or she may file a written appeal with the Chief Academic Officer. The appeal may only be based on procedural errors that compromised the fundamental fairness of the process. Minor procedural errors that do not materially affect the outcome of the process are not grounds for appeal.

The Chief Academic Officer will review the appeal and conduct whatever investigation he or she deems appropriate. If the Chief Academic Officer determines that the academic appeal process was not properly followed and that the failure to follow proper procedures biased the result of the appeal, then the Chief Academic Officer will vacate the judgment of the faculty academic appeal panel and direct that the process be repeated with a different panel. If the Chief Academic Officer rejects the appeal, the decision of the Faculty Academic Appeal Panel is final.

Addendum B

Student Service and Financial Appeal Procedure

Students have the right to seek an appeal after the student has attempted to resolve the issue with the appropriate office. If the issue remains unresolved, the first step is for the student to file a formal appeal with the Chief Student Services Officer in writing, using the **Student Appeals Intake Form**. Once the **Student Appeals Intake Form** has been reviewed, the student may be required to submit additional paperwork and documents to support their claim.

Through the Student Service and Financial Appeal Procedure, a student may appeal an advising, admissions, student suspension, transcript evaluation, placement testing, financial aid, billing or other decisions is an option available to applicants. All appeal requests will be reviewed thoroughly.

Students must have completed the initial process by discussing the issue with the related office prior to submitting an appeal. Students have 20 business days after notification of the initial decision to file an appeal. Students who fail to file an appeal within the time limit may request an exception "in writing" however, the exception shall be granted only under extraordinary circumstance.

General Appeal Information

Appeals must be in written form, submitted according to the requirements and within the time frame delineated in this process.

- The physical presence on campus of the prospective student (or enrolled student) or advocates of the prospective student (or enrolled student) will not influence the outcome of the appeal.
- Knowingly providing false information will result in the denial of the appeal.
- The requirements of this appeals process will be rigorously applied.
- The applicant presenting an appeal has the full burden of satisfying the standards and criteria set forth in this document.

An appeal is submitted by completing the **Student Appeals Intake Form**.

Student:

1. The form can be obtained from the Office of Student Services, the Welcome Center, external location offices, and is available online at trcc.edu/academics/forms.
2. Include the reason(s) for the appeal and a short written statement supporting the request for reconsideration.
3. The form and any documentation can be submitted to the Office of Student Services via email studentservices@trcc.edu or in person.

4. The student will be notified of their appeal date and time a minimum of 48 hours prior to the appeal hearing.
5. Students are not required to attend the appeal but may attend if desired. Any questions may be directed to the Office of Student Services.
6. Notification of appeal decisions will be sent to the student in writing within 10 business days of the appeal review.
7. Appeal Committee decision is final.

Committee:

1. An Ad-hoc appeal committee shall be appointed by the Chief Student Services Officer which will consist of at least one faculty, one staff and one student.
2. The college shall make every effort to convene a committee within 10 business days from receipt of Student Appeal Intake Form.
3. Office(s) involved shall be interviewed by the committee during the appeal meeting.
4. The student has the option to be present and to be interviewed by the committee. The student advisor can attend meeting but will not be able to make comments during the interview.
5. Notification of appeal decisions will be sent to the student in writing within 10 business days of the appeal review.
6. Appeal Committee decision is final.



Student Appeals Intake Form

Date: ____/____/____

Student ID#: _____

Print Name: _____

Phone Number: (____) ____ - _____

Year Appealing: _____

Select Semester Appealing: Fall Winter Spring Summer

REQUEST: PLEASE PRINT YOUR EXACT REQUEST IN THIS BOX. INCLUDE THE COURSE TITLE, NUMBER, AND WHAT ACTIONS YOU WISH TO TAKE PLACE WITH THIS COURSE.

APPEAL: PLEASE ATTACH A STATEMENT OR USE THE SPACE BELOW TO DESCRIBE THE REASON YOU ARE REQUESTING AN APPEAL OR WHY YOU FEEL AN APPEAL SHOULD BE GRANTED. INCLUDE ANY EXTENUATING CIRCUMSTANCES AND SUPPORTING DOCUMENTATION.

DESCRIBE THE ATTEMPTS YOU HAVE MADE TO RESOLVE THIS MATTER: (Attach documentation of attempt)

Signature: _____ Date: _____

Three Rivers College is an equal opportunity institution that commits itself to the policy that there will be no unlawful discrimination against any person because of race, color, gender, sexual orientation, religion, age, disability, or national origin.



Student Appeals Intake Form

Type of Appeal: Academics Admissions Advising Billing

Financial Aid Other: _____

OFFICE USE ONLY

APPEAL INVESTIGATION: INCLUDE INFORMATION RELATED TO ISSUE.

OFFICE USE ONLY

APPEAL CONCLUSION:

Notify Student Send conclusion to Dean of Student Services

Signature: _____ Signature: _____
Chief Student Services Officer Chief Academic Officer

Signature: _____ Signature: _____
Chief Financial Officer (if required) President (if required)