

ACADEMIC APPEALS
SECTION V.G. – NOTICE AND COMMENT

The Board of Trustees approved Section V.G. Academic Appeals of the Lone Star College Policy Manual on **February 2, 2017**. The notice and comment period for the policy was open to the public from **October 18, 2016** through **November 17, 2016**. The procedures were last updated on **January 17, 2019**. The notice and comment period for the procedures was open to the public from **September 18, 2018** to **October 18, 2018**. The policy and procedures were posted for public comment at <http://www.lonestar.edu/proposed-policies.htm>. Commenters could anonymously submit comments to LSC-PolicyFeedback@lonestar.edu. We received one policy comment and eight procedure comments.

Comment 1: A policy commenter felt the word “unfair” as a possibility for appeal was problematic. The commenter suggested the term “disparate treatment” instead.

Response 1: The Office of the General Counsel agrees with the commenter and, following the notice and comment period, changed the term to “disparate treatment.”

Comment 2: A procedure commenter requested clarification on who is the College’s registrar.

Response 2: The Office of the General Counsel defers to the Executive Director for Student Records & Enrollment Services in the College’s Office of Student Success & Completion as the College’s Registrar.

Comment 3: A procedure commenter appreciated that the grade appeal time frame was clearly stated.

Response 3: The Office of the General Counsel thanks the commenter for taking the time to read, review, and comment on the posted procedures.

Comment 4: A procedure commenter suggested starting the appeal process with the Department Chair, then proceeding to the Dean. The commenter alternatively suggested clarifying the Department Chair’s role.

Response 4: The Office of the General Counsel notes that instructors of record retain the primary responsibility for their classes. Thus, the initial Final Grade Dispute is appropriately submitted to him or her. The appropriate instructional dean is the instructor’s direct and organizational supervisor; therefore, the appeal and attempted resolution is appropriately submitted to him or her if unresolved with the instructor of record. The Office of the General Counsel cannot comment on the Department Chair’s role as that will be defined by each college.

Comment 5: A procedure commenter agreed with these procedures.

Response 5: The Office of the General Counsel thanks the commenter for taking the time to read, review, and comment on the posted procedures.

Comment 6: A procedure commenter acknowledged these procedures.

Response 6: The Office of the General Counsel thanks the commenter for taking the time to read, review, and comment on the posted procedures.

Comment 7: A procedure commenter felt that 12 months was too long of a time period for appeal. This commenter also requested clarification if a student could appeal to the committee should the CAO determine there was insufficient basis. This commenter also expressed concerns that faculty members should have the opportunity to appeal should a student accuse them of disparate treatment.

Response 7: The Office of the General Counsel notes that the Academic Appeals policy, posted for notice and comment from October 18, 2016 through November 17, 2016, states that “[s]tudents have 12 calendar months from the date the grade was posted by the registrar to submit an academic appeal.” Board Policy controls over Chancellor’s Procedures, thus, the 12-month timeframe may only be changed by the Board. The Office of the General Counsel notes that the Chancellor’s Procedures state that the Chief Academic Officer’s sufficient basis determination is final. The Office of the General Counsel finally notes that student accusations of disparate treatment are allegations, not conclusory facts. The review and hearing process provides both sides an opportunity to explain the circumstances so that the appeals committee may make a determination.

Comment 8: A procedure commenter acknowledged these procedures.

Response 8: The Office of the General Counsel thanks the commenter for taking the time to read, review, and comment on the posted procedures.

Comment 9: A procedure commenter offered several suggestions to the procedures including: (1) attempted resolution with instructional dean and final appeal with Chief Academic Officer; (2) 10 working days for the instructional dean to issue his or her decision; (3) 10 working days for the Chief Academic Officer to issue his or her decision regarding sufficient basis and that decision being final; (4) 10 working days from when the Chief Academic Officer receives the appeal to notify the student of the Academic Appeals Committee meeting date; (5) the Academic Appeals Committee’s structure and that deliberations are confidential; (6) the Academic Appeals Committee meet within 30 working days after the appeal was received by the Chief Academic Officer; and (7) a majority of the Academic Appeals Committee must agree to reach a decision.

Response 9: The Office of the General Counsel agrees with the commenter’s suggestions and notes that most of the suggestions were included in the posted procedures.