

NOTICE OF PROPOSED REGULATION

Date: February 20, 2013

REGULATION TITLE:
Student Grievance Procedure

REGULATION NO.:
4.012

SUMMARY: The changes to this regulation clarify and update student grievance procedures, including the delineation of the university offices involved in assisting with potential resolutions as well as those involved in the formal grievance process.

AUTHORITY: BOG Regulation 1.001.

COMMENTS CONCERNING THE PROPOSED REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION IS: Rebecca J. Holt, Administrative Assistant, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION: Dave Kratzer, Vice President for Student Affairs

THE FULL TEXT OF THE PROPOSED REGULATION IS ATTACHED TO THIS NOTICE.

REGULATIONS~~RULES~~ OF THE

UNIVERSITY OF FLORIDA

~~6C1~~-4.012 Student Affairs: Student Grievance Procedure.

(1) The University of Florida is committed to a policy of treating all members of the University community fairly in regard to their personal and professional concerns. The procedures outlined below are designed and intended to provide students with a fair and expeditious resolution of their disputes with University of Florida faculty and/or staff.

(a) A grievance is defined as dissatisfaction occurring when a student believes that any decision, act or condition affecting him or her is illegal, unjust, or creates unnecessary hardship. Such grievances may concern, but are not limited to, the following: academic problems (excluding grades, except when there is an allegation of illegal discrimination or where a grade penalty has been imposed without proper authority), mistreatment by any University employee, wrongful assessment of fees, records and registration errors, student employment, and violation of University of Florida Regulation Rule 6C1-1.006, F.A.C.

(b) Prior to invoking the formal grievance procedures described below, the student is strongly encouraged to discuss his or her grievance with personnel in the University Ombuds or Dean of Students office. The University Ombuds office assists students in resolving problems and conflicts that arise in the course of interacting with University of Florida personnel or other students. The Dean of Students office assists students with complaints about these and other aspects of University life.

(2) Generally, the student will begin the grievance process by discussing his or her grievance with the person(s) alleged to have caused the grievance. The discussion should be held

~~as soon as the student first becomes aware of the act or condition that is the basis of the grievance.~~ Additionally, or in the alternative, the student may wish to present his or her grievance in writing to the person(s) alleged to have caused the grievance. In either case, the person alleged to have caused the grievance must respond to the student either orally or in writing.

(3) The discussion with the person alleged to have caused the grievance or, if the student elects not to have such a discussion, the filing of a written grievance with the appropriate supervisor should be held or filed by the aggrieved student as soon as the student first becomes aware of the act or condition that is the basis of the grievance. A student who has a discussion first should file a written grievance with the appropriate supervisor, if he or she intends to do so, promptly after the discussion.

(42) Initial Review.

(a) If a student decides not to present his or her grievance to the person alleged to have caused the grievance or if the student is not satisfied with the response, he or she may present the grievance in writing to the next level supervisor. The next level supervisor should conduct an informal investigation as warranted to resolve any factual disputes. Upon the student's request, the supervisor ~~may shall~~ appoint a fact-finding panel of no more than three (3) persons to conduct an investigation. The supervisor must state the terms and conditions of the investigation in a memorandum appointing the fact-finding panel. A fact-finding panel appointed hereunder shall have no authority to make recommendations or impose final action. The panel shall be limited to determining and presenting facts to the supervisor. If no fact-finding panel is formed, the supervisor shall be responsible for fact finding as well as otherwise disposing of the grievance.

(b) The supervisor's disposition of the grievance shall be reported to the student in writing and shall inform the student of the right to seek review by the appropriate Vice President or Dean of the Graduate School as indicated in subsection (43). The supervisor's response should be transmitted to the student within ten (10) business days from the date the written grievance was received if practicable. If the disposition extends beyond ten (10) business days the supervisor should inform the student of the delay and the expected response date.

(53) Appeal.

(a) Any student who is not satisfied with the response after the initial review may present the grievance in writing, together with the supervisor's written response to the grievance within five (5) business days of receipt thereof to the appropriate Vice President or Dean of the Graduate School as indicated below:

Vice President	Nature of Grievance
Academic Affairs	Academic Problems Library Academic Records <u>and</u> Progress Registrar's Office
Dean of Graduate School	Graduate Academic Problems Graduate Academic Records and Progress
Research	Research Matters
<u>Chief Financial Officer</u>	<u>Payment & Assessment of Fees</u>
<u>Business Affairs</u> Finance and Administration	Payment & Assessment of Fees University Police Department Transportation <u>Traffic and</u> Parking Campus Dining
Health Affairs	Student Health <u>Care Center</u> Services
Student Affairs	Housing

<u>Enrollment Management</u>	<u>Student Employment</u> <u>Student Financial Aid</u> <u>Registrar's Office</u>
<u>Human Resource Services</u>	Violation of <u>Regulation Rule 6C1-1.006, F.A.C.</u>
<u>Vice President designated by the Vice President of Student Affairs (who may be him or herself)</u>	<u>Other</u>

(b) The Vice President's or Dean of the Graduate School's action will be limited to a review of the appropriateness and adequacy of the basis for the supervisor's disposition based on all relevant facts and circumstances, and will not involve a de novo factual investigation. Notwithstanding the above, the Vice President or Dean of the Graduate School may, but is not required to, direct that further facts be gathered or questions answered prior to making a decision on the appeal or that additional remedial action be taken. The Vice President's or Dean of the Graduate School's action shall constitute final University of Florida agency action.

Specific Authority: BOG Regulation 1.001-1001.74(4), 1006.52 FS.

Law Implemented: 1000.05, 1001.74(10), 1002.22(3)(e) FS.

History--New 9-29-75, Amended 8-4-80, Formerly 6C1-4.12, Amended 4-17-90, 7-11-94, 6-28-98, 5-30-04, Formerly 6C1-4.012, Amended _____.