Procedure for Initiating Grievance Complaints: This procedure has been established to provide a method to resolve undergraduate student grievances at the lowest administrative level in a fair and expeditious manner. For the purpose of this procedure, grievances are limited to alleged violations of university policy or procedures by NMSU/DACC or its employees, disputes with faculty and/or alleged unfair treatment. Usually this method is used to appeal a grade the student feels was not justified. Under no condition should these policies be used when the student has allegedly violated the University Code of Conduct or a contractual agreement, and at no hearing should either party have a lawyer. Any student who believes that he/she has been unjustly treated within the academic process may proceed as far as necessary in the steps detailed below. Should the alleged grievance not involve a faculty member or course, the student is to appeal directly to the department chair/program director or division dean in whose area the alleged grievance occurred.

1. Appeal to the faculty member: The student is to submit a written appeal to the faculty member within 30 days after the start of the grading period following the grading period in which the alleged grievance occurred. If the alleged grievance occurs during a summer grading period, the student is to submit an appeal no later than 30 days into the fall grading period following the summer grading period in which the alleged grievance occurred. The faculty member and the student are to discuss the problem. The faculty member will submit a written report outlining his or her decision to the student and division dean within ten working days of receipt of the student’s written appeal.

2. Appeal to the department chair or program director: If a decision satisfactory to the student cannot be reached, the student may submit a written appeal to the department chair/program director in which the course in question was taught. This is to be done within ten days of the receipt of the faculty member’s written decision. The faculty member, the department chair/program director, and the student are to meet to discuss the problem. The department chair/program director will send a written response outlining his or her decision to the student and faculty member within ten days of this meeting.

3. Appeals to the division dean: If a satisfactory decision cannot be reached among the department chair/program director, the faculty member, and the student, the student or the faculty member may submit a written statement of appeal to the division dean. This is to be done within ten working days after the receipt of the written decision by the department chair/program director. The division dean may request a written recommendation from the College Academic Appeals Board. Should this be the case, the College Academic Appeals Board will conduct a hearing with the student and faculty member (not necessarily at the same time) to review the merits of the appeal. They may also ask for supporting evidence for or against the decision of the department chair/program director within five working days following the conclusion of their review process. The division dean may meet with the student, faculty member, and department chair/program director to discuss the appeal (not necessarily at the same time). The division dean will submit a written response outlining his or her decision to the student, faculty member, department chair/program director, and Vice-President for Academic Affairs within ten days of the last meeting.

4. Appeals to the Vice-President for Academic Affairs: The Vice-President for Academic Affairs may, at his or her discretion, review the appeal upon the written request of the student or faculty member and render a final decision. An appeal to the Vice-President for Academic Affairs is the last step in the appeals process and the Vice-President for Academic Affairs decision cannot be appealed further. Should the Vice-President for Academic Affairs not choose to review the appeal, the decision of the division dean is final.

5. Exceptions to the time involved: The division dean may waive the normal time frame for appeals for compelling reasons. Regardless of circumstances, academic appeals must be initiated with the course instructor within two years of the conclusion of the grading period in which the course was taken.

6. Enrollment: A student need not be enrolled at NMSU/DACC to initiate an appeal.

College Academic Appeals Board: The College Academic Appeals Board will be appointed by the Vice President for Academic Affairs to hear student appeals. The appeals board will consist of three faculty members and two students.

Maintenance of records: Instructors and/or departments shall keep records used to compute individual grades for two years after the completion of a course. If a grade has been appealed, these records shall be kept for at least two years after completion of the appeal. Academic divisions or Departments may require that records be kept for longer periods.

Student Non-Academic Grievance Policy

Any student, who believes that he/she has been treated unjustly in a non-academic area, not involving a contractual agreement, can file a grievance as long as the Code of Conduct has not been violated. The purpose of this policy is to allow the parties to resolve grievances at the lowest administrative level in a fair and expeditious manner without the involvement of lawyers. A grievance must be filed no later than thirty (30) days following the time the alleged problem occurred. Failure of NMSU/DACC personnel to respond within ten (10) days, at any level in the procedure, will allow the student to proceed to the next step. The channel of appeal for non-academic grievances shall be:

1. The aggrieved student must first confer with the staff member involved in an attempt to resolve the problem.

2. Unresolved grievances shall be filed in writing by the student with the appropriate supervisor. The supervisor will conduct an inquiry and attempt to resolve the matter impartially and as quickly as possible. This step must be concluded within ten (10) days of the date the grievance was received.

3. If the grievance is not resolved at Step 2, the student may forward a copy of the grievance and all relevant correspondence to the appropriate campus officer. The campus officer (or his/her designee) will conduct an investigation and attempt to resolve the issue. This process shall be concluded within ten (10) days of the date the grievance was received.

4. If the issue is not resolved in Step 3, the student may appeal to the President of DACC. If warranted, the President will appoint a hearing panel consisting of a student, a faculty member, and a staff person from departments or colleges not involved in the grievance. If a hearing panel is appointed, the parties involved in the grievance will be allowed to submit written documentation concerning the
problem, may be present at all hearing sessions, and will be given the opportunity to provide additional oral information on their behalf.

Upon completion of the hearing(s), the panel will forward a written recommendation to the President or his/her designee. This document should include findings of fact and the basis for the recommendation. The decision of the President or his/her designee is final.