

Student Complaint

Appeals Process and Form

STUDENT COMPLAINT APPEALS PROCEDURES

If either the student or the faculty member is not satisfied with the report of the fact finder, either party may file a written appeal to the chief academic officer (provost) within 10 calendar days of receiving the report. The chief academic officer shall convene and serve as the chairperson of an Appeals Committee. The committee consists of five (5) members which include: the provost, the vice president of student development, two faculty members (elected by the Faculty Senate members), and one student (elected by the Student Senate members).

The Appeals Committee's responsibility shall be to review the findings and recommendations of the report with particular focus on whether the conduct in question is protected by academic freedom. The Appeals Committee shall **not** conduct a new factual investigation or overturn any factual findings contained in the report unless they are clearly erroneous. If the Appeals Committee decides to reverse the fact finder in a case where there has not been an investigation because the fact finder erroneously found that the alleged conduct was protected by academic freedom, it may remand to the fact finder for further investigation. The committee shall issue a written decision within 20 calendar days of receiving the appeal. A copy of the decision shall be sent to the student, the faculty member, department chairperson, legal designee and the president.

Following the completion of the process, the appropriate college official shall decide the appropriate action, if any, to take. Any action taken by a college must comply with the bylaws of the University and the collective bargaining agreement between the University and the Professional Staff Congress.

To view the entire policy and procedure, go to the CUNY portal or York College CPLA website.

Attached is a copy of the appeals form.

