



## ANA G MENDEZ UNIVERSITY STUDENT CONSUMER INFORMATION Appeal of University Decisions Policy

### Introduction / Purpose

Ana G. Mendez University (“AGMU” or the “University”) allows Students and Student Organizations the opportunity to appeal final University Decision in a timely manner without retaliation. The purpose of this policy is to outline the relevant appeal process.

This policy does *not* apply to the Student Code of Conduct, AGMU academic policies (including grade grievances) or AGMU discrimination policies (including allegations related to Title IX). Such complaints or grievances will be resolved under other applicable University policies. The resolution of student complaints is outlined in the AGMU Academic Catalog in the *Student Complaints & Grievance Resolution Chart*.

### Definitions

For purposes of this policy:

1. **Retaliation** means as adverse action taken against a student or Student Organization for appealing a University Decision.
2. **Student** means an individual that is either registered for, enrolled in, or attending a university course on campus or online;
3. **Student Organization** means a student group currently recognized by the University.
4. **University Decision** means the final decision of a university department regarding a student or Student Organization. Examples of university departments include the financial aid or student accounts department. A University Decision does not include decision made with respect to the Student Code of Conduct, AGMU academic policies or AGMU discrimination policies.

### University Decision Appeal Process

1. Students and Student Organizations may appeal a University Decision *only* after all relevant campus-based administrative channels have been exhausted. These administrative channels are outlined in the AGMU Academic Catalog in the *Student Complaints & Grievance Resolution Chart*.
2. A Student or Student Organization may appeal a University Decision on the following limited grounds:
  - a. Procedural irregularity that materially affected the decision-making process (i.e., failure to follow the University's own published procedures);
  - b. The outcome of the University Decision is disproportionate to the violation(s) of university policy or standard alleged; or
  - c. New evidence that was not reasonably available or known to exist during the decision-making process.
3. Students and Student Organizations must follow the process outlined below to file an appeal:
  - A. The written appeal shall be a plain, concise, and complete statement which contains at least the following:
    - Documentation that all campus-based administrative channels were exhausted prior to this appeal.
    - A description of the specific University Decision that is being appealed.
    - A statement outlining the background of the case and the basis for the appeal including all pertinent facts and documentation that the student wishes to be considered.
    - An explanation of the grounds for the appeal; and
    - An explanation of the resolution being sought by the Student or Student Organization.
  - B. Written appeals must be made to the Vice Chancellor of Student Affairs within ten (10) business days of the receipt of a final University Decision. Depending on the nature of the grievance, the Vice Chancellor of Academic Affairs may hear the appeal and serve as Appellate Officer or designate the Vice Chancellor of Operations (PR) or the Vice Chancellor of Campus Operations to hear the appeal and serve as Appellate Officer.
  - C. The Appellate Officer shall review the written appeal and may, but is not required to, hold a virtual or in-person informational meeting with the Student or Student Organization pursuing the appeal.
  - D. The Appellate Officer will review the evidence presented and based on a preponderance of evidence, make a determination regarding the appeal. The Appellate Officer may accept, modify, or reject the University Decision, or return the matter to the relevant University department for reconsideration. The decision of the Appellate Officer is final, and no further appeals can be made.
  - E. The Appellate Officer will prepare a written determination letter. The Student or Student Organization pursuing the appeal shall be provided the written determination letter. The Appellate Officer shall strive to provide the written determination letter to the Student or Student Organization within thirty (30) calendar days' notice of receipt of the written appeal.
  - F. The Appellate Officer may seek legal advice at any point in the appeal process.
  - G. Should the Student or Student Organization fail to comply with process outlined in this policy, the Appellate Officer may dismiss the appeal and uphold the University Decision.
  - H. All documentation shall be retained in accordance with university policy and applicable law.

- I. Retaliation against a Student or Student Organization for appealing a University Decision is strictly prohibited.