

COLLEGE POLICIES

STUDENT COMPLAINTS, HEARINGS, AND APPEALS

To protect the interests of both the College and its students, Santa Monica College has an established “due process” through which its disciplinary and removal powers are exercised. As a further safeguard of student rights, an appeal procedure exists for these policies, as well as for appeals of grades, matriculation, and academic or progress disqualification.

College Ombudsperson

Students with complaints, grievances, and personal concerns about Santa Monica College or any of its policies are encouraged to discuss them with the College Ombudsperson. The Ombudsperson provides support and encouragement to students, and attempts to present options and solutions. Complaints are handled with complete confidentiality on a case-by-case basis. *Students with complaints about a grade resulting from instructor mistake, bad faith, incompetence, or fraud must meet with the College Ombudsperson to attempt to resolve the grading dispute. Students are urged to meet with the Ombudsperson no later than October 15 for spring semester grades, November 15 for summer session grades, April 15 for fall semester grades, and May 15 for winter session grades.*

For further information, students should visit the Ombudsperson's webpage (smc.edu/ombuds), send email to ombuds@smc.edu, or call 310-434-3986. The office of the Ombudsperson is located in Room 124 of the Letters and Science building. Office hours are posted on the door and available on the Ombudsperson's webpage. If the times are inconvenient, a special appointment can be arranged by leaving a voicemail message or sending email to the Ombudsperson.

Student Judicial Affairs

Santa Monica College students and faculty can turn to the Office of Student Judicial Affairs for due process in having problems solved, working out agreements, refuting false allegations, and resolving disputes fairly. The College Disciplinarian, counselors, and administrative support take a positive, comprehensive, and proactive approach to resolving problems, and provide a place for students and faculty to go for information and training in the areas of student conduct, academic honesty, behavior/anger management, and conflict resolution.

It is crucial for students to feel that their concerns are being addressed in a timely manner, before those concerns become disciplinary problems. It is just as crucial for members of the faculty to feel that they have support in dealing with extremely challenging and often disruptive students. The Office of Student Judicial Affairs works to strike a balance between the College's community standards and individual behavior. When appropriate, the Office of Student Judicial Affairs provides referrals to other programs on the SMC campus.

The Office of Student Judicial Affairs interviews all parties named in police and referral reports. The College Disciplinarian — who has initial authority to suspend students for violations of the Student Conduct Code — conducts interviews, reviews all interview notes and information available, and makes final decisions regarding the outcome of disciplinary cases.

To find out more about the services and resources the Office of Student Judicial Affairs provides, see our website at smc.edu/disciplinarian or call 310-434-4220.

Matriculation Complaints

Students may file formal written complaints about the matriculation process with the Vice President, Enrollment Development. The complaints will remain on file for at least three years after they have been resolved and are subject to review by the Chancellor's Office as part of the statewide evaluation required under California Code of Regulations Title 5 §5512.

Grade Appeals – Contesting a Grade

Informal Resolution: Students questioning a final grade received in a class must always contact the instructor and department chair to discuss their concerns. If the instructor or chairperson is not responsive, the student's next step is to contact the College Ombudsperson. The Ombudsperson acts as a source of information, assistance, and referral; encourages informal conciliation between students and instructors; and seeks to resolve the grading dispute informally. If the grade dispute is not resolved to the student's satisfaction, the Ombudsperson will advise the student on how to request a formal grade appeal.

Formal Grade Appeal Reasons: According to State law, a formal grade appeal can only be pursued in cases where the final grade was issued because of instructor fraud, bad faith, incompetency, or a mistake. Before filing a formal grade appeal petition with the Dean of Enrollment Services, a student must first discuss the situation with the College Ombudsperson. The student bears the burden of proof in substantiating their allegation. Instructors are expected to cooperate with the Ombudsperson.

Grade Appeal Deadline: A student who wishes to appeal a grade must file a formal grade appeal petition no later than October 30 for spring semester grades, November 30 for summer session grades, April 30 for fall semester grades, and May 30 for winter session grades. However, students must meet with the College Ombudsperson at least 15 days before the deadline to discuss the grade appeal procedure and attempt to resolve the grade dispute informally.

Continuing a Grade Appeal: After discussing a grade appeal with the College Ombudsperson, if there is no informal resolution satisfactory to the student and the student wishes to continue the appeal, the Ombudsperson will outline the procedure to be followed. The student's grade appeal petition must include a statement describing how the grade that was awarded was the result of instructor mistake, bad faith, incompetency, or fraud; no other reason is recognized. The Dean of Enrollment Services, who supervises the grade appeal process, may stop a grade appeal when there is no evidence of instructor mistake, fraud, incompetence, or bad faith. Unsubstantiated claims will be dismissed. Students and faculty are expected to provide a true and accurate account of the grade dispute. The Grade Appeal Committee may initiate disciplinary proceedings when in its judgment the information presented to the Committee was deemed to be fraudulent or fabricated. See smc.edu/ombuds for further information. The grade appeal process is lengthy and can frequently take from 4-8 months to resolve.

To schedule an appointment with the Ombudsperson, please send email to ombuds@smc.edu or call 310-434-3986.

Details about the grade appeal process can be found at smc.edu/grade-appeals.

Appeal of Academic and Progress Dismissal

Students who wish to be reinstated at Santa Monica College after being dismissed from attending the College because of substandard academic performance or unsatisfactory progress may make an appointment in General Counseling & Transfer Services to discuss their

situation with a counselor, review the mitigating circumstances that may have led to their dismissal, determine whether reinstatement at SMC is possible, and find out about the steps they must take to be reinstated. For details on reinstatement procedures, see the Academic and Progress Notice and Dismissal Policies section of this catalog. To make an appointment to meet with a counselor, visit General Counseling & Transfer Services or call 310-434-4210.

Academic Conduct Appeals

A Santa Monica College student who has been accused of violating the SMC Honor Code has the right to appeal the action taken by the faculty member through the appeal procedures established by the College. Once notified of the alleged violation, the accused student has ten (10) business days to appeal the action to the Honor Council.

The student will be provided the opportunity for a conference with the College Disciplinarian in an effort to resolve the issue informally. The Disciplinarian (or designee) may confer with the faculty member, and if necessary, the department chair (or designee).

If no resolution is reached after an informal conference, the student may proceed with a formal appeal to the Honor Council. The petition (and any supportive documentation) must be filed with the Office of Student Judicial Affairs (or designee).

All instances of alleged SMC Honor Code violations are subject to review by the SMC Honor Council (SMC AR 4412). For details on the procedure for disputing a grade — for alleged instructor mistake, bad faith, fraud, or incompetence — see 'Grade Appeals – Contesting a Grade,' above. Please note: The Grade Appeals Committee does not handle appeals pertaining to accusations of academic dishonesty.

Disciplinary Hearings and Appeals

Before any disciplinary probation, removal from extracurricular activities or programs, or suspension is imposed on a student, the student has the right to pursue the Hearing and Appeal Process, unless an immediate suspension is required to protect lives or property, or to ensure the maintenance of order pending a hearing.

Details concerning hearings and appeals will be provided by Student Judicial Affairs to students undergoing discipline referrals. Students should see smc.edu/judicialaffairs for more information.

Program Removal Appeals

Due process procedures exist to assist faculty and departments in removing a student from a program in which the student is unable to profit and/or a program in which the student's behavior is determined to be unsafe. In general, the overall process for determining whether a student meets the specific standards of a particular program may include up to three levels of intervention: the instructor level, the program or department level, and the College level (joint administration-faculty committee).

Any student who wishes to appeal dismissal from a program may file the appeal with the Chair of the Program Standards Appeals Committee. The student will be able to present his or her case within ten (10) school days of filing. The committee hearings will be closed to the public.