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In the Lynn University Comprehensive Institution-Wide Policy Manual – Volume I – Governance and Administration, section 1.3.2.2 – Article II Power of Trustee item 5 requires the addition of "and periodically evaluate" the President of the Corporation as an additional responsibility of the board of trustees.

### PREVIOUS LANGUAGE FROM PAGE 14

5. Appoint the President of the Corporation, who shall be the Chief Executive Officer of the Corporation.

### **NEW LANGUAGE**

5. Appoint and periodically evaluate the President of the Corporation, who shall be the Chief Executive Officer of the Corporation.

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In the Lynn University Comprehensive Institution-Wide Policy Manual – Volume I – Governance and Administration, section 1.6.1.3 –Article II Purview of the Council requires a clarification that faculty recommendations constitute formal approval.

### PREVIOUS LANGUAGE FROM PAGE 50

The Council, through its standing committees, shall be empowered to discuss, examine, assess and recommend, to the President or his/her designee, policies relevant to the academic life of Lynn University. Further, the Council shall be responsible for establishing those policies and procedures that ensure free exercise of the Council's authority. Such policies and procedures shall involve evaluating the operation and effectiveness of the Council, and recommending changes, as appropriate.

### NEW LANGUAGE

The Council, through its standing committees, shall be empowered to discuss, examine, assess and recommend, to the President or his/her designee, policies relevant to the academic life of Lynn University. Recommendations of the council and its standing committees constitute formal approval at their level. Further, the Council shall be responsible for establishing those policies and procedures that ensure free exercise of the Council's authority. Such policies and procedures shall involve evaluating the operation and effectiveness of the Council, and recommending changes, as appropriate.

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Members of the faculty are entitled to academic freedom within the classroom and are free from institutional censorship or discipline. Nonetheless, they should at all times be accurate, exercise appropriate restraint, and show respect for the opinions of others. With respect to teaching and research, faculty are subject to the adequate performance of their other academic duties as specified in their contract, faculty handbook or by their immediate supervisor.

The University has confidence in the educational preparation and expertise of its faculty and allows them freedom in developing course content and teaching and testing methodology within their field of study, so long as course objectives are met.

#### **NEW LANGUAGE**

The principles of academic freedom protect the freedom of inquiry and research, freedom of teaching, and freedom of expression and publication within the bounds of professional, ethical, contractual, and legal behavior. Accordingly, members of the Lynn University faculty are entitled to academic freedom within the classroom, as well as in their research and publication activities.

The University has confidence in the educational preparation and expertise of its faculty and allows them freedom in developing course content and teaching and testing methodology within their field of study, so long as course objectives are met. In exercising this freedom, the faculty member should be careful not to introduce into instructing controversial matters which have no relation to the faculty member's subject. The college teacher is a citizen, a member of a learned profession, and an employee of an educational institution. When the faculty member writes or speaks as a citizen, the faculty member should be free from institutional censorship or discipline, but the faculty member's special position in the community imposes special obligations. As an individual of learning and an educator, the faculty member should remember that the public may judge the faculty member's profession and the University by the faculty member's utterances. Hence, the faculty member should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he or she is not an institutional spokesperson.

Freedom in research is fundamental to the advancement of truth and Lynn University faculty members are entitled to full freedom of inquiry and research and in the publication of the results. Research for pecuniary return, however, should be based upon an understanding with the President of the University.

With respect to both the teaching and research aspects of academic freedom, faculty are subject to the adequate performance of their other academic duties as specified in their contract, faculty handbook or by their immediate supervisor.

Faculty members who believe their academic freedom rights have been violated should refer to the Faculty Grievance Policy for additional information.

All full-time members of the faculty may use the Faculty Grievance Policy for grievances only within the academic affairs area. A faculty grievance is a complaint by a faculty member about unfair treatment in his or her work (i.e., alleged violation of a faculty member's academic freedom, course scheduling issues, etc.) by a person exercising academic authority, such as a College Dean, the Vice President for Academic Affairs, or other academic officer. On those occasions when a faculty member believes that he or she has been treated unfairly by persons exercising authority in some other area of the University, the faculty member is encouraged to use the Employee Open Door and Shared Values Policy outlined in Volume III of the Lynn University Policy Manual.

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Determination or content of a policy, procedure, rule or regulation appropriately promulgated by the University or the University governance system may not be the object of a grievance. Nor may normal actions taken or recommendations made by University officials or committee members acting in an official capacity in the grievance process be grieved. Finally, the failure to satisfy the grievant after the grievance process has been completed is not grievable.

#### **Procedures**

All grievances must be pursued by using the existing lines of authority. The first step is for the grievant to take the matter to the faculty member's College Dean, who shall in turn inform Employee Services of the grievance, within fifteen days of the action(s) serving as a basis for the grievance. The faculty member's College Dean shall review the matter and offer a proposed resolution within fifteen days of receipt of the grievance. If no resolution occurs at this level, the grievant next takes the matter, within fifteen days of receipt of the College Dean's decision, to the Vice President for Academic Affairs. If the Vice President for Academic Affairs is the subject of the grievance, the President may designate an appropriate individual to attempt resolution of the grievance.

The Vice President for Academic Affairs shall review the record and respond within fifteen days. If the Vice President for Academic Affairs is unable to resolve the matter to the satisfaction of the grievant, the grievant next takes the matter to the President of the University. The appeal to the President must be filed by the grievant within fifteen days of receipt of the Vice President for Academic Affairs' proposed resolution.

The President of the University shall review the record and respond within fifteen days as to the final disposition of the grievance within the University. At the discretion of the President, an ad hoc hearing committee may be established to hear the matter and offer a recommendation to the President. The decision of the President of the University is final, except as provided below.

### President as Party to the Action

If the President of the University is a direct party to the grievance in the first instance, the grievant(s) may file an appeal, beyond that provided above, within fifteen calendar days of the receipt of the President of the University's decision. Such an appeal is filed with the Chair of the Board of Trustees. The Executive Committee of the Board of Trustees will then review the record of the case at its next meeting and will render a final decision on the grievance within fifteen days of that meeting to all parties. In case of any discussion over Presidential involvement, the Executive Committee of the Board of Trustees shall be the sole judge of such involvement. The decision of the Executive Committee of the Board of Trustees is final.

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Student complaint policies and grievance procedures were previously dispersed throughout the academic catalog, student handbook, student-athlete handbook and in several volumes of the university policy manuals and presented a somewhat fractured approach to redressing student issues. To address this concern, the university has consolidated its student complaint and grievance procedures into a single policy addressing academic, non-academic, and student athlete-related complaints and grievance procedures. The newly adopted policies include timelines for resolution of student complaints.

### PREVIOUS LANGUAGE

Lynn University Comprehensive Institution-Wide Policy Manual – Volume V – section 5.9.1 – Grade Review Grievance

Lynn University Comprehensive Institution-Wide Policy Manual – Volume V – section 5.9.2 – Classroom Procedures and Other Academic Grievances

Lynn University Comprehensive Institution-Wide Policy Manual-Volume VI-section 6.8.2 – Non Academic Student Grievances

#### **NEW LANGUAGE**

6.8 Student Complaints and Grievances

6.8.1 Lynn University Open Door Policy

Students are invited to express their viewpoints in an appropriate manner to any University official. For formal action to occur, however, the student should submit a formal written complaint in accordance with the appropriate grievance procedures below.

#### 6.8.2 Grade Review Process

A student's request for review of a final course grade may be submitted during the first three weeks of the following term only on the basis of clerical, computational, or other documented error. The process is as follows:

- 1. The student is to request a meeting with the instructor who determined the grade and present the evidence of the error. The instructor may change the grade if deemed appropriate or reaffirm the original grade.
- 2. If the student wishes to pursue an additional review, a written request with all supporting documents may be submitted to the College Dean. If an agreement cannot be reached, the student and/or the instructor may appeal to the Academic Dean, who will inform the parties of the resolution of the appeal. Student will receive a resolution from the College Dean within 15 working days.

For a disputed grade, other than the final grade, the student is to first meet with his/her instructor. Then should the student want to continue in the appeal process, he/she is to meet with the College Dean by submitting a written statement within seven working days from the date of the student's notification of the grade. Student will receive a resolution from the College Dean within 15 working days.

Note: If a student feels unfairly treated or with bias by an instructor, the student should report the matter to the College Dean in a timely manner in accordance with the Academic Grievance procedures outlined in Subsection 6.8.3 below.

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#### 6.8.3 Classroom Procedures and Other Academic Grievances

These procedures should be used to appeal or resolve disputes concerning other academic related decisions considered by a student to be arbitrary or contrary to University policy, including but not limited to, classroom issues (i.e., attendance, failure to adhere to the Course Syllabus, etc.) or issues pertaining to academic freedom rights. Appeals pertaining to academic dishonesty and satisfactory academic progress follow separate procedures as outlined in the Lynn University's Academic Honesty and Minimum Academic Requirements policies, respectively.

Students wishing to pursue an appeals or resolve disputes under this section should meet with the faculty member(s) whose action is believed to have violated University policy to discuss the appeal or grievance within 7 working days of the incident giving rise to the dispute. It is expected that all of the parties involved at each step of the appeals/grievance process will make a good faith effort to resolve the issues.

In the event that a student feels he/she has not received adequate satisfaction from his discussion with the faculty member involved, the student may submit a written request within 7 working days following the conclusion of the meeting with the faculty member with all supporting documents to the College Dean. The College Dean will review the materials and make a decision within 15 working days.

If an agreement satisfactory to the student and/or instructor cannot be reached as a result of the appeal to the College Dean, the student and/or the instructor may appeal the matter in writing within 7 working days of the College Dean's decision to the Academic Dean, who will render a final decision within 15 working days.

#### 6.8.4 Non-Academic Student Grievances

The Lynn University Student Non-Academic Grievance procedures ensure that students have the opportunity to present non-academic grievances to the University regarding a certain action or inaction by a member of the Lynn community and that the University has a consistent way of resolving those grievances in a fair and just manner.

An action or decision is grievable only if it involves a misapplication or misinterpretation of Lynn University policy, regulation, or rule, or a violation of state or federal law. Grievances may not be used to challenge policies or procedures of general applicability.

In addition, this procedure may not be used to grieve:

- 1. Claims based on purchases or contracts;
- 2. Claims against a Lynn University employee on matters that are unrelated to the employee's job or role at the University;
- 3. Student Conduct Review decisions, since there is a separate procedure for them (see Section 6.6);
- 4. Claims where another Lynn University policy or procedure could have been used for the matter being grieved (i.e., academic grievances, FERPA appeals, etc.).

Upon request from any student, the Assistant Dean of Students will provide guidance about the appropriate system for redress of a particular complaint.

The procedures set forth below may be used by grievants who are enrolled as Lynn University students or who are participating in a University-sponsored event at the time of the incident being grieved. The person

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filing the grievance must be the alleged victim of unfair treatment; a grievance cannot be filed on behalf of another person. The existence of this procedure does not bar grievants from also filing claims in other forums to the extent permitted by state or federal law or applicable accrediting agencies.

The formal resolution process described below must be initiated within 60 working days of the decision, action, or events giving rise to the grievance. The Assistant Dean of Students may extend this time limit if the grievant makes the request for extension within the 60-day period, for good cause shown (e.g., an active effort at informal resolution at the departmental level).

#### Informal Resolution

Prior to invoking the formal resolution procedures described below, the student shall discuss the grievance with the person alleged to have caused the grievance. This is not required in cases where the grievant believes that efforts at informal resolution may result in retaliation or other unfair treatment. The discussion shall be held as soon as the student first becomes aware of the act or condition that is the basis of the grievance. The person alleged to have caused the grievance must respond to the student promptly, either orally or in writing.

#### Formal Resolution

### Step One

If informal resolution is not successful, the student may file a grievance by sending a request for hearing along with the following information to the Assistant Dean of Students.

The grievance must:

- 1. Be in writing;
- 2. State how the decision or action is unfair and harmful to the grievant and list the Lynn University policy or state or federal laws that have been violated, if known;
- 3. Name the respondent parties (the person(s) against whom the grievance is filed);
- 4. State how the respondents are responsible for the action or decision;
- 5. State the requested remedy; and
- 6. State whether the grievant will bring a support person to the hearing.

If it is clear on the face of the written grievance that the grievance has not been filed within the time limit, or pertains to a matter not grievable under this procedure, or is from a person without grievance rights under this grievance, the Assistant Dean of Students shall so indicate in a letter to the grievant and the grievance shall be dismissed.

If the grievance is not dismissed, however, the Assistant Dean of Students will review the information, request any meetings, and formulate a decision within 20 working days of receipt of the formal written grievance. If the respondent is the Assistant Dean of Students, the Vice President for Student Life will appoint another University administrator to issue a decision. Once determined, the Assistant Dean of Student's decision will be recorded for the University record. A letter to the student who filed the grievance explaining the decision and pertinent information will also be provided and recorded.

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Step Two

If the resolution provided by the Assistant Dean of Students is not satisfactory to the student filing the complaint, the student may file a request for reconsideration. Such a request must be submitted in writing within a 5-working day period from the date of the initial grievance decision. A request for reconsideration shall be submitted to the Vice President for Student Life. The Assistant Dean of Students shall forward all appropriate details and documentation to the Vice President for Student Life for review in a timely manner. If the respondent is the Vice President for Student Life, the President will appoint another University administrator to issue a decision.

The Vice President for Student Life shall review the information provided concerning the grievance, the request for reconsideration, and details regarding the grievant's desired remedy and issue a final decision with 20 working days of receiving the request for reconsideration. The Vice President for Student Life decision may include one of the following options:

- 1. To support the initial grievance resolution provided by the Assistant Dean of Students, designating that resolution to be fair and appropriate, based on the information reviewed; or
- 2. Determine that an alternate decision is appropriate based on his/her review of the grievance case information. This shall supersede any previously made decisions; or

The Vice President for Student Life shall provide the decision in writing and document his/her final decision for the University record. The decision of the Vice President for Student Life shall be considered final.

#### 6.8.5 Student-Athlete Grievances

One of the goals of the athletic department is that all student-athletes have a positive experience that fosters development personally, academically and athletically. Recognizing that not all experiences are positive, the department has created a means whereby student-athletes are encouraged to bring areas of concern regarding the athletic department (i.e., disciplinary actions by coaches, requests to transfer, or reduction or cancellation of athletics aid) to the attention of the department. Any grievances or appeals regarding a certain action or inaction by a member of the Lynn community not involving the athletic department should follow the applicable procedures set forth in Section 6.8.2, 6.8.3, or 6.8.4 as appropriate.

All student-athletes are encouraged to bring any concerns that may negatively affect their ability to progress through their student-athlete experience by utilizing the following steps:

- 1. The student-athlete should feel free to contact their team captains, coaches or any administrator to express an area of concern.
- 2. Any of the above mentioned people shall notify the Director of Student-Athlete Services/Senior Women's Administrator (SWA) of areas of concern that warrant further action.
- 3. At the discretion of the Director of Student-Athlete Services/SWA, the student-athlete shall be contacted about filling out the "Student-Athlete Grievance" form.
- 4. All completed "Student-Athlete Grievance" forms shall be submitted to the Assistant Athletic Director. Once a formal Student Athlete Grievance form is submitted, a decision regarding the case must be rendered within 30 working days.

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- 5. The Assistant Athletic Director will be responsible for contacting the appropriate individuals and working to resolve the grievance issue by utilizing all available resources.
- 6. If a student-athlete is unhappy with the resolution, the student-athlete should forward the grievance to the Athletic Director. All decisions by the Athletic Director shall be considered final by the athletic department. It is important to note that anyone feeling as though someone who may need assistance is encouraged to come forward and seek the assistance this policy is intended to provide. If a student-athlete or other is uncomfortable reporting an issue to the athletic department, the Dean of Students can be reached at 561-237-7245 or the counseling center may be reached at 561-237-7468.

The Director of Student-Athlete Services/SWA shall be responsible for keeping an anonymous list of grievances and report them at weekly administrative meetings as necessary. The administration shall consider all grievances and seek to find ways to accommodate student athletes to foster their growth personally, academically and athletically.