

Appendix I

Student Grievance and Appeal Procedures for Academic Issues

An academic grievance is defined as a problem with a course that is related to a student's program of study.

A. EXAMPLES

Examples of Academic Grievances (Problems which occur in the classroom, which are related to a student's program of study, or which relate to intellectual diversity.)

1. The assignment of the final grade in a course that the student believes to be lower than the grade earned in the course.
2. The assignment of the final grade in a course by the faculty member who did not indicate clearly the criteria upon which a grade would be earned by the student.
3. The assignment of a final grade lower than that earned by another student enrolled in the same class whose recorded academic performance (all grades for course requirements and assignments) was the same as the student receiving the lower grade.
4. The assignment of a final grade in a course by a faculty member based upon performance measure(s) other than the criteria published by the faculty member for the student's earning the final grade in that course.
5. A student believes that he was absent from a given class fewer times than the number of absences recorded by the faculty member who, based upon the number of recorded class absences, assigned a failing grade to the student as stipulated in the course syllabus.
6. A student believes that he/she received a prejudiced academic evaluation for expressing a reasoned opinion or idea different from that of the instructor.

B. INFORMAL PROCEDURE - STEP 1

A student who has a complaint is first expected to resolve the complaint informally. The student should discuss his/her problem with the faculty or staff member involved and try to reach a mutually agreeable solution within the first thirty calendar days of the academic term immediately following the term in which the grievance occurred. If the student is not comfortable talking with the faculty or staff member involved, the student may skip to the Mediation Process or the Formal Procedure as described below. Grievances submitted after that date will not be considered. Upon notification of a complaint by the student, the faculty or staff member must meet with the student to

discuss the complaint within ten (10) class days. Should the grievance not be mutually resolved, the student will have the option to seek mediation (Step 2 below) or advance to the formal grievance procedure (Step 3 below) within ten (10) class days. Should the student elect to advance to the formal grievance procedure (Step 3), he/she will waive the option to seek mediation (Step 2) related to the grievance at a later date.

C. MEDIATION STEP 2 (OPTIONAL)

- 1.** If all reasonable informal efforts to resolve the grievance fail, the student is encouraged to choose the mediation process. However, this step is optional. Mediation is an informal process that involves a neutral third party who will assist in resolving the dispute. The objective of this process is to come to an agreement that is fair and meets the needs of the parties involved. This process is confidential and private. Mediation does not waive the rights of any aggrieved party to seek resolution of his/her grievance through legal avenues. Mediation is a cost effective, voluntary, fast and efficient way to resolve grievance, thus permitting reaching a mutually acceptable resolution.
- 2.** Steps for Mediation:
 - a.** Students choose one mediator from a panel. The list of certified mediators is available from Director for Human Resources located in the Office for Human Resources.
 - b.** The mediator will set up a time for the student and faculty or staff member to meet. This meeting will take place within ten (10) class days after the mediator is chosen.
 - c.** At the time of the meeting, the mediator will assist the two parties in finding a mutually agreeable and fair solution to the conflict. The mediator may offer suggestions, but cannot impose a solution.
 - d.** If the student is not satisfied with the outcome of mediation, he or she can file a formal grievance.
 - e.** Both parties involved in the grievance would sign the statement acknowledging their understanding of what processes occurred during Step 2.
 - f.** The mediator has the option to request written materials from all parties involved in the grievance for the purpose of clarifying the issue(s).

D. FORMAL PROCEDURE STEP 3

- 1.** A formal grievance must be filed within ten (10) class days from the time of the conclusion of the Informal Procedure (Step 1), if Mediation (Step 2) is not pursued, or the conclusion of Mediation (Step 2). Waiver of time limits (or extension) may be approved by mutual consent.
- 2.** The student must submit the grievance in writing to the appropriate Department Chair. If there is not a Department Chair, then the grievance should be directed to the respective Dean of the School (See Step 4).
- 3.** The Department Chair will investigate the grievance and may interview the student for further clarification. After the investigation, he or she may either grant or deny the redress sought or provide remedies. The written decision of the Department Chair will be issued no later than ten (10) class days following receipt of the written grievance.
- 4.** If the Department Chair's decision is not satisfactory to the student, the student has ten (10) class days to appeal the decision in writing to the Dean of the appropriate School. Upon receipt of the appeal, the Dean will review the facts of the grievance and may conduct further inquiry. The Dean has ten (10) class days after receipt of the grievance, to notify the student of his/her decision.
- 5.** If the Dean does not render a decision satisfactory to the student, the student may file a written appeal to the Vice President for Academic Affairs within ten (10) class days of the Dean's decision. The Vice President will review the facts of the grievance and may conduct a further inquiry. The Vice President has ten (10) class days after receipt of the grievance to notify the student in writing of his/her decision.
- 6.** When all previous efforts have failed (informal, mediation, and formal), the student must file a written appeal with the President of the University within ten (10) class days of the decision of the Vice President for Academic Affairs, stating the allegations and providing available documentary evidence.
- 7.** The President, upon receipt of the formal appeal, will submit the grievance to the Committee on Academic Grievance within ten (10) class days, for consideration.
- 8.** The following rules will apply:
 - a.** The committee shall hear the case and forward its recommendations to the President.
 - b.** The hearing will be conducted by the Committee on Academic Grievance in an informal and expeditious manner.

- c.** The Committee will be provided with all prior relevant documents from both sides and may request additional information and/or seek further witnesses.
 - d.** Only committee members, parties to the action and their advisors (drawn from among the student, faculty, and staff of the University) and witnesses testifying before the Committee shall be permitted in the hearing.
 - e.** At the hearing, the complainant, the defendant, and witnesses for each party may testify, and may be questioned by committee members and the student's advisor.
 - f.** The Committee is empowered to rule on procedural matters and relevance of witnesses and/or evidence.
 - g.** All hearings will begin within ten (10) class days from the time the Committee receives the grievance from the President.
 - h.** A tape recording or other record of the hearing shall be preserved for reference and review until the case has been finally resolved.
- 9.** The Committee shall arrive at a decision after all evidence has been heard and the parties have been dismissed. Only committee members who have been present for the entire hearing may vote on the case.
- 10.** A majority vote of qualified members shall constitute a judgment.
- 11.** Upon receipt of the Committee's recommendations, the President of the University shall render a final decision within ten (10) class days, and may amend a grievance according to his/her best judgment.
- 12.** The student, on receiving an unfavorable decision, may submit an appeal to the Board of Regents.

E. TIME LINE FOR FILING GRIEVANCES

(A student may terminate the grievance at any time during the process.)

<u>Step</u>	<u>Maximum Time Line</u>
Initiation of Grievance Procedure	Must be filed within 30 class days into next Term
Informal Procedure (Step 1)	10 class days, faculty/staff member to meet with student
Mediation (Step 2-if optioned)	10 class days after completion of Step 1
Formal Procedure (Step 3)	10 class days after completion of Step 1 or Step 2
A. Written grievance submitted to Department Chair/Head (if optioned) If there is no Department Chair, submit grievance directly to the Academic Dean of the School (Step C)	10 class days after completion of Step 1 or Step 2
B. Written response to the grievance from Department Chair/Head	10 class days after completion of Step A
C. Written grievance submitted to Academic Dean (Academic grievance only)	10 class days after completion of Step B
D. Written response to the grievance from Academic Dean (Academic grievance only)	10 class days after completion of Step C
E. Written grievance submitted to Vice President for Academic Affairs or Vice President for Student Affairs	10 class days after completion of Step D
F. Written response to the grievance from Vice President of Academic Affairs or Vice President for Student Affairs	10 class days after completion of Step E
G. Written grievance submitted to	10 class days after completion of Step F

the President of the University

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| H. Grievance referred to the appropriate Grievance Committee | 10 class days after completion of Step G |
| I. Committee to begin hearing after the receipt of the grievance from the President of the University | 10 class days after completion of Step H |
| J. Written response to the grievance from the Grievance Committee will be forwarded to the President of the University | 30 class days after completion of Step I |
| K. Written response to the grievance from the President of the University to the student | 10 class days after completion of Step J |