

95-06

June 5, 1995

Policies and Procedures for Resolving Graduate Student Grievances

The following academic policy statement was recommended by the Academic Senate on May 11, 1995 and received the concurrence of the President on May 31, 1995. This policy statement supersedes PS 77-09.

I. STATEMENT OF GOVERNING PRINCIPLES

A. A graduate student may only file a grievance based on an alleged violation of specific University regulations or policies or accepted principles of due process and only if another specified remedy (such as the University Grade Appeal Policy in the case of all course grades) does not exist.

B. A grievance may not be filed on the basis of a graduate student's judgment of an instructor's or administrator's competence; such judgments are solely the province of the academic department involved or of the administrator's supervisor.

C. A grievance must be initiated within one calendar year of the alleged violation.

D. Graduate programs should make every effort to obviate the possible causes of a grievance in advance by developing clearly written statements of procedures and standards governing decisions that affect graduate students, such as admission into a program, dismissal from a program, administration of comprehensive examinations, selection for field experience, et cetera. Graduate programs should also have in place a mechanism, such as an appeals committee, to provide due process review at the local level when a graduate student so requests. Due process review is an evaluation of the procedures and standards followed in arriving at a decision; it should be conducted by qualified members of the faculty who were not involved in making the original decision. The purpose is not to second-guess the original decision, but rather to make certain that the appropriate procedures and standards were applied in a manner free of arbitrary, prejudicial, or capricious behavior.

E. Final decisions affecting graduate students should be made only on substantive grounds by the personnel who are most qualified professionally, namely the faculty offering a particular graduate program. When subsequent review shows that appropriate procedures or standards have not been followed in arriving at a decision affecting a graduate student, the preferred remedy is to remand the case back to the faculty of the graduate program for their reconsideration. An error in procedure should not become grounds for reversing a substantive decision. In the event that the faculty of a graduate program persist in a failure to follow appropriate procedures or standards, the Graduate Council will consider that situation as an indication that the program should be reviewed for suspension or discontinuance.

II. INFORMAL RESOLUTION

A formal grievance may be filed by a graduate student only after the student has first sought to resolve the grievance by informal means. The graduate student should begin by contacting the chair or director of the program offering the degree, explaining the nature of the perceived problem, and requesting reconsideration of the decision. If the chair or director was directly involved in the original decision or denies the student an opportunity for due process review at the local level, then the student should seek informal resolution through the college's Associate Dean for Graduate Studies.

III. FORMAL RESOLUTION

A. If an attempt at informal resolution is unsuccessful, a graduate student may file a formal grievance with the Associate Vice President for Academic Affairs and Dean of Graduate Studies. The grievance must be filed in writing within 30 calendar days of the time when informal resolution was unsuccessful. The grievance must include a full statement of the graduate student's evidence that a University regulation or policy or an accepted principle of due process was violated, as well as an explanation of the efforts made to seek informal resolution. The Associate Vice President for Academic Affairs and Dean of Graduate Studies will verify that a good-faith effort at informal resolution was attempted by the graduate student and that no more than one year has elapsed since the alleged violation occurred.

B. If these conditions have been satisfied, the Associate Vice President for Academic Affairs and Dean of Graduate Studies will forward the grievance to the Steering Committee of the Graduate Council.

1. If a member of the Steering Committee is a faculty member of the graduate program involved in the grievance, that member of the Steering Committee shall be replaced by another member of the Graduate Council, elected for that purpose, whenever the committee considers any matter related to the grievance.

2. The Steering Committee will forward a copy of the grievance to the chair or director of the graduate program, requesting that a written response be submitted to the committee within 20 working days of receipt of the grievance.

C. When the Steering Committee receives the written response to the grievance, it will determine whether there is sufficient evidence to render a summary judgment or whether the grievance merits further review. The Steering Committee may decide:

1. That there is not sufficient evidence of a violation of a University regulation or policy or an accepted principle of due process and dismiss the grievance; such a decision shall be final, unless further review is granted by the President.

2. That there is sufficient evidence of a violation of a University regulation or policy or an accepted principle of due process to warrant immediate remanding of the grievance to the graduate program, with explicit instructions concerning the violation that must be corrected during the graduate program's reconsideration of the case.

3. That the evidence in the case is such that further review is required; in such an instance the Steering Committee shall notify both the grievant and the graduate program in writing of the additional evidence the committee wishes to see and whether that evidence should be provided in writing or in personal testimony before the committee.

D. If the Steering Committee seeks evidence by means of personal testimony, the meeting at which such testimony is presented shall be conducted in the manner of any other academic committee meeting and not as a formal hearing; both the grievant and the graduate program shall be given appropriate opportunities to present their views, but the meeting shall be conducted as an inquiry by the committee members, and not as an adversarial proceeding; there shall be no cross-examination.

E. All meetings at which the Steering Committee considers a grievance shall be closed to the public; the committee shall keep minutes of the meeting, but it need not tape-record its proceedings, nor shall a transcript be prepared.

F. When the Steering Committee is satisfied that it has obtained sufficient evidence to make a determination in the case, it shall make its decision in accordance with the provisions of Paragraph III.C.1 or III.C.2 above.

G. The Steering Committee shall report to the Graduate Council on the issues involved in the grievance and on its determination of the case, without identifying the graduate student who filed the grievance.

EFFECTIVE: Fall 1995