

DEPARTMENTAL APPEAL AND GRIEVANCE PROCEDURES

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The following procedures apply to Student initiated grievance procedures concerning undergraduate or graduate academic instruction. The Departmental Chair shall distribute these procedures to all Departmental Faculty and Instructional Staff. It is also the Chair's responsibility to provide a copy of these procedures to any Student who brings a complaint or grievance before the Department.*

1. The Department expects the Student to attempt to resolve academic disputes through discussion with the Instructor. Within one month of receiving the grade or other cause of the complaint, the Student should make an informal attempt to resolve the complaint through such discussion. Complaints received by the Department Chair or Instructor after this one-month period will not be considered. If the Instructor cannot be reached due to summer vacation or other circumstances, contact should be made as soon as possible or within two weeks of the beginning of the following semester. Requests for extensions should be submitted to the Department Chair until the grievance committee is formed. At that point, requests for extensions should be submitted to the grievance committee Chair.
2. Although the Student and Instructor may seek legal advice, they may not be represented by counsel or others at Departmental mediation or subsequent Departmental hearings. Nor should there be communication regarding the grievance between their legal counsel and grievance committee members or other full-time faculty members of the Department. Such communication might compromise any Departmental review and be grounds for its immediate termination by the Department Chair. If the Departmental review is terminated, the Student may consult with her/his dean.
3. If the Student and the Instructor cannot arrive at a mutually satisfactory solution within seven working days, the Student should immediately refer the complaint, to the Departmental Chair.* The Chair is responsible for the prompt notification of the Instructor of the grievance.
4. If informal discussion with the Instructor has failed, the Department expects the Student to attempt to resolve the issue through informal mediation by the Departmental Chair. If the Student refuses to participate in mediation without giving a specific reason, no formal grievance can be filed with the Department and no hearing will be convened. If the Instructor refuses mediation or there is no satisfactory resolution within seven working days, the Department Chair shall inform the Student of the right to submit a formal grievance in writing, including all supporting materials and names of cognizant individuals with supporting information. This must be submitted to the Department Chair within seven working days of the Department Chair's determination that there is no satisfactory agreement. If a teaching assistant is involved, the Department Chair shall make no contact with the teaching assistant before the complaint has been discussed with the supervising Instructor.

5. Within one working day after receiving a formal grievance, the Department Chair shall submit a copy of the grievance and supporting materials to the Instructor involved and shall request a formal response in writing. This response shall be submitted to the Department Chair within five working days after receipt of notification from the Department Chair. Instructors against whom grievances are filed shall submit all relevant materials (for example, tests, procedures for grading, grade records, etc).
6. Within two working days of receipt of the Student's written grievance, the Departmental Chair shall select a grievance committee for the case. The grievance committee shall be comprised of five voting members including at least two from the Departmental Advisory Committee and up to three other full-time faculty members chosen by the Departmental Chair. Within two working days of being named, the committee shall meet to choose a Chair.
7. The Department Chair shall inform the Student and Instructor of the membership of the grievance committee within two working days. At this time requests to remove a faculty member for cause will be granted only when it is clearly justified, in the sole discretion of the grievance committee Chair. If bias is alleged on the part of the committee Chair, the Department Chair will decide on the request to remove the committee Chair. Faculty members may excuse themselves for acknowledged bias.
8. Within one working day of receipt of the Instructor's written response to the formal grievance or the final composition of the committee, whichever is later, the Department Chair shall submit both written documents to the Chair of the grievance committee. If the Instructor does not submit the requested written response within the allowed time period, the Department Chair shall submit the Student's formal grievance to the Chair of the grievance committee and notify the Instructor of this submission. The grievance committee will then proceed.
9. Within seven working days the grievance committee shall meet to review and discuss the grievance. The Student and Instructor will be invited to appear at a meeting. Other cognizant parties may be invited by the committee to appear. Such invitations shall be conveyed at least 48 hours prior to the meeting to which they are invited. The grievance committee shall take cognizance of classroom scheduling that may affect the appearance of the person invited and shall set the date and time accordingly.
10. The Student and the Instructor may invite relevant parties, usually identified in the formal grievance and response, to make an oral statement to the committee. The Student or Instructor shall provide the names of invited cognizant parties to the Chair of the grievance committee at least 24 hours prior to the meeting. No parties shall be represented by legal counsel or representatives at the grievance committee meeting.
11. The Student, Instructor, and other relevant parties appearing before the committee do so voluntarily and will not be under oath. Each person will appear individually before the committee and will be subject to the questions of the committee, not those of the other parties.

12. Committee recommendations shall be made by majority vote. The committee shall render a recommendation and shall submit to the Department Chair a written report within three working days of the conclusion of the final grievance committee meeting. The report shall include a summary statement of the recommendation and the grounds on which the recommendation was reached. Explanations of any extensions of deadlines must be appended to the committee report. The committee shall consider the implications of the recommendation for other Students in the class who have not filed a grievance. The Department Chair shall send the report to the Student, Instructor, and the Student's dean. Committee records shall contain not only the recommendation but an explanation of the grounds upon which the recommendation was reached.
13. No tape recordings of testimony or grievance committee deliberations may be made by involved parties or the committee. Materials submitted by the Instructor shall be copied and returned. The committee report, committee records, and copies of materials submitted by the Instructor shall be maintained for six months in a confidential file by the Department Chair. They shall then be destroyed unless an appeal is filed within that time period.
14. If the Student is dissatisfied with the committee recommendation, the Student may appeal within three working days to his/her dean.
15. If the Instructor is dissatisfied with the committee recommendation, the Instructor may appeal in accordance with procedures approved by the University Senate.

*If the instructor is the Department Chair, the Associate Chair will assume the duties normally performed by the Chair.

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