

## Academic Grievances Policy/Procedures

### Graduate Student Academic Grievance Policy

Graduate students at SIUC shall have the right to appeal for redress of grievance through established channels under the conditions stated below. Access to these channels is restricted to complaints by graduate students alleging that some member of the university community has caused the student to suffer some specific harm related to a matter within the authority of the dean of the Graduate School. Grievances which have been brought to a hearing under another campus grievance procedure shall not be brought to a hearing under this procedure.<sup>1</sup>

With respect to students' complaints alleging capricious grading, the following guidelines shall apply: Instructors are expected to evaluate student work according to sound academic standards. Equal demands should be required of all students in a class, and grades should be assigned without departing substantially from announced procedures. It is the instructor's prerogative to assign grades in accordance with his/her academic/professional judgment, and the student assumes the burden of proof in the appeals process. Grounds for appeals include: (1) the application of non-academic criteria in the grading process, as listed in the University's non-discrimination and affirmative action statements: race, color, sex, national origin, religion, age, sexual orientation, marital status, or handicap; (2) the assignment of a course grade by criteria not directly reflective of performance relative to course requirements; (3) the assignment of a course grade by standards different from those which were applied by the instructor to other students in the course.

#### GRADUATE STUDENT ACADEMIC GRIEVANCE PROCEDURE

A graduate student seeking redress through grievance must first attempt to resolve the matter informally by contacting the party against whom redress is sought (respondent). If the dispute is not resolved at this stage, the student should contact the respondent's departmental chair or another appropriate mediator, such as the university ombudsman, who will attempt to resolve the dispute.

In the event that the dispute is not resolved informally, a graduate student may ask for and receive a hearing before a departmental academic grievance committee. [Such a grievance will be governed by the procedures established by the academic unit in which the complaint arose. In the event an academic unit has not established such procedures, the procedures outlined below shall govern the grievance.]

### Departmental Grievance Procedure

#### FILING A GRIEVANCE

A graduate student desiring a hearing before a grievance committee of an academic department must submit a written request to the chair of the department no later than 30 calendar days<sup>2</sup> after the beginning of the semester following the incident in question, excluding summer term. A student may request an extension of the deadline in writing by petitioning the department chair. In the event that informal proceedings are continuing toward resolution, such a request shall normally be granted.

The request for a hearing must state the following:

1. Name of the grievant.
2. Program in which the grievant is enrolled.
3. Name of the grievant's major adviser.
4. Name and title of the person(s) against whom the grievance is being filed.
5. Current address and phone number of the grievant.
6. Statement of the grievance including descriptions of the incident(s) involved, date(s) of occurrence, what remedy is being sought, as well as any supporting documents.

#### DEPARTMENT ACTION ON GRIEVANCE

Upon receiving a written request for a hearing regarding an academic grievance, the department chair shall send the respondent a copy of the grievance, who will provide the chair with a written response within a reasonable time as stipulated by the chair. The chair shall then forward the grievance and response to the department graduate student grievance committee.<sup>3</sup>

<sup>1</sup>Cases involving academic dishonesty will be handled according to the Student Conduct Code. Separate grievance procedures exist for cases covered by the University Policy on Sexual Harassment, the Policy Accommodating Religious Observances of Students, the Policy on the Release of Student Information and Access to Student Records at Southern Illinois University, the Policy on Immunization of Enrolled Students, the Policy on the Determination of Residency Status, and the University's response to comply with *Americans with Disabilities Act*. These procedures are published in the *Undergraduate Catalog*. Graduate students employed as student workers are covered by a student worker grievance procedure, which is administered by the Financial Aid office.

<sup>2</sup>Hereafter, "day" refers to calendar day, unless defined otherwise.

<sup>3</sup>Department Graduate Student Grievance Committee: A department graduate student grievance committee will be advisory to the department chair and will submit its findings to the department chair. The committee shall consist of three members. The department chair may designate an existing department committee to serve in such a capacity (subject to the qualifications listed herein), or may appoint an ad-hoc graduate student grievance committee. The members of the committee shall be appointed wherever possible from the department/unit in the college in which the grievance arose. Of those three members, two shall be appointed from the senior graduate faculty and one shall be appointed from the graduate student body upon consultation with the leadership of the department graduate student organization. A department graduate student grievance committee shall meet and elect its chair from among its graduate faculty membership. Any faculty member involved in the dispute shall not be appointed to the grievance committee.

The department chair shall notify the parties of the identity of the individuals who have been selected to serve on the grievance committee. The participation of any committee member may be challenged for cause. If the department chair determines that the challenge is valid, she/he shall name a substitute.

The committee chair shall request of both parties copies of any documents and a list of witnesses they wish to introduce. These should be submitted without delay. The committee chair shall convene a hearing within 20 days of receipt of the substantiating documents. These documents shall be available to both parties at least five days prior to the hearing.

The hearing shall be conducted by the committee according to the hearing procedures which are outlined in the Appendix.

In the absence of compelling circumstance, the committee shall make its recommendation on the grievance to the department chair within 10 working days after the conclusion of the hearing.

The department chair shall decide to accept or reject the committee's recommendations and render a decision on the grievance promptly. The decision and the reasons for it shall be submitted to the parties, the committee members, and the collegiate dean at the same time.

The department chair shall advise the parties of their right to appeal to the dean of the Graduate School. Hearings of appeals will not be automatically granted. Dissatisfaction with the decision shall not be sufficient grounds for appeal. The appellant must demonstrate that the decision at the department level was in error.

### **Appeals of Department Decisions to the Graduate School**

#### **FILING AN APPEAL**

If a graduate student wishes to appeal a decision of the department she/he must file a written appeal with the dean of the Graduate School within 30 calendar days of receipt of the department decision. The appeal must state the following:

1. Name of the appellant.
2. Program in which the appellant is enrolled.
3. Name of the appellant's major adviser.
4. Name and title of the person(s) against whom the original grievance was filed.
5. Current address and phone number of the appellant.
6. Copies of the original statement of grievance, the response by the person against whom it was filed, supporting documents, as well as a statement of what remedy is being sought.
7. Summary of grievance proceedings held at the department level and the decision(s) rendered at that time.
8. Statement of why the previous decision may be in error.

The dean will promptly forward the material to the coordinator of the Student Appeals Committee of the Graduate School (SAC)<sup>4</sup>. The SAC coordinator will solicit a reply to the appeal from the respondent. The coordinator will then promptly forward all materials to the committee members and will convene the committee at the earliest opportunity. The committee will decide by simple majority whether or not a hearing should be held. If a hearing is not granted, the coordinator shall forward all materials to the dean of the Graduate School and inform both parties of the reasons for the denial. If a hearing is granted the SAC coordinator shall request from the Graduate Council a list of graduate faculty members and from the Graduate and Professional Student Council a list of graduate students available to serve as hearing panel members. These persons may not be members of the same college as the parties to the grievance. The coordinator shall appoint a panel of three graduate faculty members and two graduate students and so notify the parties to the grievance. Panel members may be challenged for cause and, if the coordinator determines the challenge to be valid, she/he will name substitute(s) from the lists. The panel selects its own chair.

### **Procedures of the Student Grievance Committee of the Graduate School**

Upon formation of the hearing panel, the SAC coordinator shall forward all materials to the hearing panel chair. The chair shall convene a hearing within 30 days.

The hearing shall be conducted by the hearing panel according to the procedures listed in the Appendix, with the exception that new evidence and testimony may be introduced only at the discretion of the panel. The hearing at this level will be limited to the bases of the appeal itself. New evidence will not normally be permissible.

The committee shall make its recommendation on the appeal to the dean within 10 working days after the conclusion of the hearing. The dean of the Graduate School shall decide to accept or reject the committee's recommendations and render a decision on the grievance promptly. The decision and the reasons for it shall be submitted to the parties, the hearing panel members, and the department chair.

All records of the appeal and hearing shall be deposited with the Graduate School upon completion of the hearing panel's work.

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<sup>4</sup>Student Appeals Committee of the Graduate School: The Vice-Chair of the Graduate Council shall be the Coordinator of the SAC who will select three members of the Graduate Council (two faculty members, one student) to form a SAC as needed.

**Appendix A**

## HEARING PROCEDURES

1. The principal parties to the grievance shall have the right to be accompanied by an adviser of their choice. The advisers may speak on behalf of their clients only with the approval of the committee.
2. All hearings shall be open unless either of the parties requests that the hearings be closed. If the hearing is closed, only the parties, their adviser, and the committee shall be present during the taking of evidence. Witnesses for either party shall be present only while giving testimony if the hearing is closed.
3. All hearings shall be tape recorded. The tape recording will be deposited in the office of the department chair at the conclusion of the hearing.
4. Each party may call witnesses to present evidence. Each party shall have the right to examine any witness called by the opposing party. If a witness is unable to appear the committee may allow written statements. If the presence of a witness is required to ensure fairness to all parties, the hearing may be continued until such witness is physically able to attend the hearing.
5. The committee will decide all matters, procedural and substantive, by simple majority vote.
6. Each party may make an opening and a closing statement.
7. Decisions by the panel will be based on a preponderance of the evidence.

**Graduate School Procedures for Charges of Academic Dishonesty Leading to Possible Rescission of Degree**

## INTRODUCTION

Charges against a former student relating to acts of academic dishonesty in the submission of graduate degree requirements shall be handled to the extent feasible under the SIUC Student Conduct Code procedures applicable to charges relating to academic dishonesty. The dean of the Graduate School has the responsibility for the formal resolution of charges involving academic dishonesty in Graduate School programs. Since the Student Conduct Code procedures are not in all respects applicable to charges involving an individual no longer enrolled in the University, the following supplemental procedures will be followed for adjudicating such charges.

## NOTIFICATION OF CHARGES

Charges against a former student involving allegations of academic dishonesty in the completion of graduate degree requirements shall be initiated by the dean of the Graduate School by letter to the individual, sent certified mail/return receipt requested, stating the specific charges, and the date, time, and place for the hearing, and enclosing a copy of the Student Conduct Code and these procedures. The charge letter shall be mailed no less than 20 business days in advance of the date of the hearing.

## HEARING AGENT

Charges shall be heard by a five-member hearing committee, the members of which shall be appointed from those colleges/schools having graduate programs. Of the five members, three shall be appointed from the graduate faculty and two shall be appointed from the graduate student body. The dean will seek nominations for a committee hearing a case from the Graduate and Professional Student Council for the graduate student members, and from the Graduate Council for the graduate faculty members. The committee will be demographically representative of the University insofar as possible. The academic unit from which the charge arose will not have a member appointed to the hearing committee. Once a hearing committee is constituted it shall meet and elect its own chair from among its graduate faculty membership. The individual charged shall have the right to challenge membership of the hearing committee as provided in the Student Conduct Code.

## HEARING PROCEDURES

Hearings shall be conducted in accordance with the formal disciplinary procedures set forth in the Student Conduct Code. In addition, the following procedures shall govern the conduct of the hearing.

1. The individual charged shall have the right to be accompanied by an adviser of his/her choice. An adviser will be permitted to advise the individual in the hearing, and to speak on behalf of the individual and cross-examine witnesses with the consent of the hearing committee.
2. The dean of the Graduate School and the individual charged shall provide to the hearing committee a list of witnesses to be called and copies of any documents which they seek to introduce into evidence at the hearing. The committee chair will furnish copies of these to the other party. Such witness list and documents shall be provided to the hearing committee not less than 10 business days prior to the date scheduled for the hearing, and to the parties not less than 5 business days before the date of the scheduled hearing.
3. All hearings shall be closed unless the individual charged requests that it be open. If the hearing is closed, only the parties, their adviser, and the committee members shall be present during the taking of evidence. Witnesses for either party shall be present only while giving testimony.
4. All hearings shall be tape-recorded. The tape-recording will be submitted along with the entire case record and the committee's findings and recommendations to the dean of the Graduate School following conclusion of the hearing.
5. Each party may make an opening statement before the presentation of any evidence and a closing argument following the conclusion of all evidence.

6. The charges against the individual and witnesses testifying in support thereof shall be presented first. The individual charged shall have the right to respond to the charges and present witnesses and evidence in his/her own behalf.
7. Each party shall have the right to ask questions of any witness called by the other party. Members of the committee may also question witnesses.
8. Written statements in lieu of personal testimony may be used only with permission of the committee and only in the event a witness is physically unable to attend the hearing. The opposing party shall be given notice at least three days prior to the commencement of the hearing of the fact that an individual will not be physically present to give testimony and so that objection may be made to the use of written statements. If the committee determines that the actual presence of the witness is required to insure fairness to all parties, the hearing may be continued until such witness is physically able to attend the hearing.
9. The hearing committee will decide all matters, procedural and substantive, by simple majority vote.
10. In the absence of compelling circumstances, the committee shall make findings and recommendations on the charges to the dean of the Graduate School within 15 business days after the conclusion of the hearing. The dean of the Graduate School shall render a decision, absent compelling circumstances, within ten business days after receipt of the committee's findings and recommendations. The decision and the reasons therefore shall be submitted to the individual charged by certified mail, return receipt requested, and to the committee chair. If the dean determines that additional evidence is necessary to decide the matter(s), the dean may remand the matter to the committee for the taking of further evidence, and in doing so, may limit the issues on which additional evidence may be taken. When a matter is remanded to the committee, the committee shall follow the procedures set forth above.

#### SANCTIONS

Sanctions which may be imposed include the completion of any additional academic requirements deemed necessary for continued holding of the degree, or, if it is found that the degree was improperly awarded because of academic dishonesty on the part of the former student in the submission of degree requirements, a recommendation that the degree be rescinded. A recommendation that a degree be rescinded will be made to the chancellor through the vice chancellor for Academic Affairs and Provost, and will require final action by the Board of Trustees of Southern Illinois University.

#### APPEAL

If the individual is not satisfied with the decision of the dean, a written argument stating the reasons for such dissatisfaction may be submitted to the vice president for Academic Affairs and provost within ten business days after the date that delivery of the decision was tendered by the U.S. Postal Service to the individual. Such written argument shall be attached to the dean's decision and remain therewith throughout the remainder of the process.