

3359-24-02 Grievance procedure for graduate students.

(A) Purpose.

The procedures set forth in this document are intended to provide graduate students with a formal channel of appeal and redress of grievances arising out of their academic and/or employment relationship with the university.

(B) Procedures.

- (1) Any graduate student who believes that he or she has valid grounds for a complaint shall attempt to resolve the problem through a conference with the faculty member involved, the department head, and/or the graduate advisor. Following that, the student may attempt to resolve the problem with the assistance of the academic dean. A graduate student presenting a case to the academic dean must provide a full written statement of the grievance, together with all appropriate supporting material. When or if the problem has not been adequately solved at that level or the student wishes to appeal that decision, the student shall prepare a written statement of the complaint setting forth clearly and specifically the allegations and shall hand deliver the written complaint to the dean of the graduate school. The dean of the graduate school shall notify the complainant confirming the receipt of the complaint and shall request all materials from the dean of the complainant's college.
- (2) Within one week of receipt of the complaint, the dean of the graduate school shall communicate with all parties in an attempt to informally resolve the problem. The result of this process will be a recommendation by the dean of the graduate school which will be communicated in writing to all parties, including the senior vice president and provost.
- (3) The complaint shall become a grievance to be filed with the senior vice president and provost if: a) the dean of the graduate school wishes to have a hearing committee render a recommendation on the grievance; or b) the student wishes to appeal the recommendation of the dean of the graduate school. The student must notify the senior vice president and provost in writing within one week of notification of the dean of the graduate school's decision on the complaint.
- (4) Upon receipt of the grievance, the senior vice president and provost shall notify in writing the president of graduate student government that a hearing committee should be constituted. The hearing committee shall be organized in no more than two weeks.
- (5) When the grievance has been filed with the chairperson of the hearing committee, it shall be the responsibility of that chairperson to notify in writing all parties involved in the grievance within two working days. This notification shall include the

following information: that a grievance has been filed; the nature of the grievance; and the parties involved.

- (6) If the charged party in that grievance admits the validity of the grievance, the chairperson of the hearing committee shall waive the hearing and shall direct an appropriate resolution in consultation with the hearing committee.
- (7) If the party charged in the grievance denies the validity of the grievance, the hearing committee shall conduct the hearing.

(C) Hearing committee.

A hearing committee shall be established as follows:

- (1) Chairperson. The chairperson shall be a member of the graduate faculty with full membership, but not from a department involved in the proceedings. This chairperson shall be selected by the senior vice president and provost and shall serve for only one grievance proceeding. The chairperson shall conduct the hearing and shall vote only in the case of a tie.
- (2) Members: four members shall be selected as follows:
 - (a) From the complainant's department - graduate student not directly involved, selected jointly by the department head and the president of the graduate student government. If the grievance is filed against the department head, the academic dean shall substitute for the department head. If the grievance is filed against the department, the senior vice president and provost shall substitute for the department head.
 - (b) From the complainant's department - a faculty member not directly involved, selected jointly by the department head and the president of the graduate student government. If the grievance is filed against the department head, the academic dean shall substitute for the department head. If the grievance is filed against the department, the senior vice president and provost shall substitute for the department head.
 - (c) A graduate student not involved with the complainant and not from the complainant's department, selected by the vice chairperson of the graduate council.
 - (d) A member of the graduate faculty with full membership not involved in the complaint nor from the complainant's department, selected by the senior vice president and provost.
- (3) A hearing committee shall be organized anew each and every time a grievance is brought forth. A hearing committee shall serve through the adjudication and

resolution of the complaint.

(D) Hearing procedure.

- (1) The hearing must take place within two weeks of the hearing committee's formation.
- (2) At least three working days prior to the hearing, the hearing committee chairperson shall provide the hearing committee and the parties involved with:
 - (a) The student's written statement of the grievance.
 - (b) Written notification of when and where the hearing committee shall meet.
 - (c) A copy of grievance procedures for graduate and all relevant documents.
- (3) Each party shall be required to appear in person before the hearing committee to present his/her case. Each party may have an advisory/colleague present to protect his/her rights if so desired. However, the parties shall speak and act on their own behalf. Witnesses may be called to present evidence on behalf of the complainant or the charged person. The use of tape recorders is prohibited, except as may be required to accommodate persons with disabilities.
- (4) All parties shall be entitled to an expeditious hearing. In urgent cases in which it is alleged that a regulation, administration decision, or action threatens immediate and irreparable harm to any of the parties involved, the hearing committee shall expedite the hearing and disposition of the case. The hearing committee is empowered to recommend to the dean of the graduate school that an individual, department, or college discontinue or postpone any action which threatens to cause irreparable harm, pending the final disposition of the case.
- (5) The burden of proof shall be on the complainant and the standards of justice and fair play shall prevail in the adjudication of violations and grievances.
- (6) If necessary, the hearing committee may consult with the university's office of general counsel for advice at any time throughout this process.

(E) Decisions and actions.

- (1) The hearing committee shall decide as follows: there has been a violation of the complainant's rights, or there has been no violation of the complainant's rights.
- (2) Should the hearing committee determine that a violation of the complainant's rights occurred, the committee shall, if practical, recommend a resolution to the senior vice president and provost.
- (3) The senior vice president and provost, exercising his/her judgment, shall act on the implementation of the resolution recommended by the hearing committee.

(F) Record keeping.

The chairperson of the hearing committee shall be responsible for keeping a summarized, written record of all the proceedings.

- (1) Records of all proceedings shall be prepared by the secretarial personnel of the graduate school. Copies of all proceedings shall be distributed as follows:
 - (a) To all parties involved in the proceedings.
 - (b) To the hearing committee members.
 - (c) To the president of the graduate student government.
 - (d) To the dean of the graduate school.
 - (e) To the senior vice president and provost.
- (2) A copy of all proceedings shall be kept in the office of the dean of the graduate school pursuant to the university's record retention proposal.

(G) Appeal.

An appeal may be made to the president of the university after all of the above procedures have been followed. The president of the university shall assess each case on an individual basis and his/her decision shall be considered final.

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