

Department of Educational Leadership & Policy Studies Student Grievance Policy

The College of Education and University have established procedures beginning at the department level for settling academic grievances. The Department of Educational Leadership & Policy Studies (ELPS) defines a legitimate grievance as a circumstance that can be substantiated and is regarded by the student as a just cause for complaint. A grievance can be relevant to any incident involving a classroom instructor, faculty advisor, internship supervisor, administrator or faculty member in ELPS. A grievance is a claim that an academic action or decision involved alleged unfair or irresponsible behavior including violations of Department, College or University policies.

Because assigning a grade or evaluating a student's work performance involves the faculty's professional judgment and is an integral part of the faculty's teaching responsibilities, disagreement with an instructor concerning a grade or evaluation is not a justifiable grievance to be considered under this policy unless other legitimate grievances, such as arithmetic errors or bias, are believed to have affected that grade or evaluation.

Graduate Student Grievance Policies and Procedures

Procedures Used to Initiate Grievance:

Step 1: Informal Processes

The Department encourages students to make every effort to resolve their problems and concerns directly and informally with the faculty members or other involved parties. The student must request, in an email, a meeting with the party(ies) involved within 30 class days (class days do not include official University-approved holidays) of the point of time when the grievant has knowledge or should have had knowledge of the problem being grieved. The meeting should take place within 10 class days from the receipt of the student's email. If appropriate or necessary the Department Chair shall participate in the informal effort to resolve the grievance. In some cases the student may wish to discuss the problem initially with the Associate Dean of Graduate Studies; however, contacting the Associate Dean does not serve as a substitute for meeting with the party(ies) involved within 30 class days. If appropriate, the Associate Dean will initiate an informal discussion among all involved parties to attempt resolution at the informal stage.

Step 2: Formal Procedures at the Department Level

If informal discussions do not result in a resolution of the problem, the student may initiate the formal grievance procedure by submitting a written complaint appropriate to the nature of the complaint. A formal complaint must be filed using the [College of Education Student Grievance Form](#) and must be submitted within 10 class days after the decision is made that the grievance cannot be settled informally. Should the Department Chair be named in the grievance, the Associate Dean for Graduate Studies will appoint a faculty member in the Department to conduct the departmental grievance process. The student may also initiate the grievance procedure by submitting the [College of Education Student Grievance Form](#) to the College instead of the Department. A decision will be made by the Associate Dean for Graduate Studies within 10 class days whether to refer the problem to the Department Chair for resolution or to proceed with the grievance process at the higher level.

1. Within 2 class days of the complaint being submitted to the Department of Educational Leadership & Policy Studies, the Department Chair shall provide a copy of the complaint, with accompanying documents, to the respondent(s). The respondent must verify receipt of the complaint within 2 class days of receiving notification.
2. The respondent shall submit a written response to the Department within 2 class days of receiving the complaint verification. The response shall contain the respondent's statement of the facts underlying the dispute as well as any other defenses to the allegations in the complaint. The response shall also identify the witnesses or other evidence relied on by the respondent and shall include copies of any documents relevant to the response.
3. The Department Chair shall provide a complete copy of the response to the complaining party within 5 class days from the original complaint.
4. The Department Chair should contact other hearing bodies within the University to determine whether a grievance or complaint involving the underlying occurrence or events is currently pending before or has been decided by any other hearing body. If not, the process continues.
5. Upon receiving the complaint and response, or if the respondent fails to respond within the designated time period, the Chair of the Department shall appoint a three-person Departmental Grievance Committee (i.e., two faculty; and, one graduate student member) selected from the Department to consider the complaint. The committee members shall be disinterested parties who have not had previous involvement in the specific situation forming the basis of the complaint.
6. After an initial review of the complaint, if the Departmental Grievance Committee determines that any of the following grounds exist, a recommendation may be made to the Department Chair that the complaint be dismissed without further proceedings. The grounds, include but are not limited to, for such a dismissal are:
 - (a) the grievance or another grievance involving substantially the same underlying occurrence or events already has been, or is being, adjudicated by the College or University;
 - (b) the grievance has not been filed in a timely fashion;
 - (c) the Department Chairperson lacks jurisdiction over the subject matter or any of the parties;
 - (d) the grievance fails to allege a violation of a Department, College, or University rule; or,
 - (e) the party filing the grievance lacks standing because he or she has not suffered a distinct injury.
7. After an initial review of the complaint, if Departmental Grievance Committee determines that a grievance on its face properly should be heard by another body, a recommendation that the Department Chair send the grievance to the College or the University hearing body without further proceedings in the Department of Educational Leadership & Policy Studies.

The Department Chair will send a copy of the referral to both the complainant(s) and any responding parties.

8. After an initial review of the complaint, if Departmental Grievance Committee determines that a grievance on its face properly should be heard at the department level, the Grievance Committee will schedule a hearing no later than 10 school days from the written submission of the complaint. The hearing will be closed – and the process and supporting information deemed confidential – unless all parties agree that it shall be public.
9. Each party may represent himself or herself or be represented by an advisor or non-legal counsel of his or her choice. And, each party has the right to introduce all relevant testimony and documents if the documents have been provided with the complaint or response.
10. Each party shall be entitled to question the other party's witnesses. The Committee may question all witnesses. Nonetheless, all witnesses – other than the complainant and the respondent – shall leave the hearing room when they are not testifying.
11. The Departmental Grievance Committee shall have the right to place reasonable time limits on each party's presentation. And, shall have the authority and responsibility to keep order, rule on questions of evidence and relevance, and shall possess other reasonable powers necessary for a fair and orderly hearing.
12. The hearing shall not be governed by the rules of evidence, but the Committee may exclude information he or she deems irrelevant, unnecessary, or duplicative. The Committee will make an audiotape of the hearing but not of the deliberations of the Committee. Upon written request, and at a cost, the audiotape or a transcript will be available to the individual parties or their authorized representatives.
13. After the presentation of evidence and arguments, the Committee will excuse the parties and deliberate. The Committee shall base its recommendations solely upon the information presented at the hearing. The Committee's decision will be a written recommendation (i.e. *Departmental Student Grievance Report*) to the Department Chair as soon as possible and no later than 3 calendar days after the end of the hearing.
14. Within 2 class days, the Department Chair will notify the parties of the acceptance, modification, or rejection of the recommendation. This final decision will be rendered no later than 15 class days from the filing of the written complaint. As part of the Department Chair notification, an advisement to all parties of the appeals process will be included. A copy of the *Departmental Student Grievance Report* will be filed in the Department.
15. If the student's problem is not resolved, the student has a right to file a grievance at the College level within 15 class days following the decision rendered by the Department Chairperson. The College of Education Grievance Policy is located on the COE website. A

copy of the *Departmental Student Grievance Report* will be forwarded to the College if the decision is appealed to the level.

Undergraduate Student Grievance Policies and Procedures

Procedures Used to Initiate Grievance:

Step 1: Informal Processes

The Department encourages students to make every effort to resolve their problems and concerns directly and informally with the faculty members or other involved parties. The student must request, in an email, a meeting with the party(ies) involved within 30 class days (class days do not include official University-approved holidays) of the point of time when the grievant has knowledge or should have had knowledge of the problem being grieved. The meeting should take place within 10 class days from the reception of the student's email. If appropriate or necessary the Department Chair shall participate in the informal effort to resolve the grievance. In some cases the student may wish to discuss the problem initially with the Associate Dean of Undergraduate Studies; however, contacting the Associate Dean does not serve as a substitute for meeting with the party(ies) involved within 30 class days. If appropriate, the Associate Dean will initiate an informal discussion among the involved parties to attempt resolution at the informal stage.

Step 2: Formal Procedures at the Department Level

If informal discussions do not result in a resolution of the problem, the student may initiate the formal grievance procedure by submitting a written complaint appropriate to the nature of the complaint. A formal complaint must be filed using the College of Education Student Grievance Form and must be submitted within 10 class days after the decision is made that the grievance cannot be settled informally. Should the Department Chair be named in the grievance, the Associate Dean for Undergraduate Studies will appoint a faculty member in the Department to conduct the departmental grievance process. The student may also initiate the grievance procedure by submitting the College of Education Student Grievance Form to the College instead of the Department. A decision will be made by the Associate Dean for Undergraduate Studies whether to refer the problem to the Department for resolution or to proceed with the grievance process at the higher level.

1. Within 2 class days of the complaint being submitted to the Department of Educational Leadership & Policy Studies, the Department Chair shall provide a copy of the complaint, with accompanying documents, to the respondent(s). The respondent must verify receipt of the complaint within 2 class days of receiving notification.
2. The respondent shall submit a written response to the Department within 2 class days of receiving the complaint verification. The response shall contain the respondent's statement of the facts underlying the dispute as well as any other defenses to the allegations in the complaint. The response shall also identify the witnesses or other evidence relied on by the respondent and shall include copies of any documents relevant to the response.
3. The Department Chair shall provide a complete copy of the response to the complaining party within 5 class days from the original complaint.

4. The Department Chair should contact other hearing bodies within the University to determine whether a grievance or complaint involving the underlying occurrence or events is currently pending before or has been decided by any other hearing body. If not, the process continues.
5. Upon receiving the complaint and response, or if the respondent fails to respond within the designated time period, the Chair of the Department shall appoint a three-person Departmental Grievance Committee (i.e., two faculty; and, one undergraduate student member) selected from the Department to consider the complaint. The committee members shall be disinterested parties who have not had previous involvement in the specific situation forming the basis of the complaint.
6. After an initial review of the complaint, if the Departmental Grievance Committee determines that any of the following grounds exist, a recommendation may be made to the Department Chair that the complaint be dismissed without further proceedings. The grounds, include but are not limited to, for such a dismissal are:
 - (a) the grievance or another grievance involving substantially the same underlying occurrence or events already has been, or is being, adjudicated by the College or University;
 - (b) the grievance has not been filed in a timely fashion;
 - (c) the Department Chairperson lacks jurisdiction over the subject matter or any of the parties;
 - (d) the grievance fails to allege a violation of a Department, College, or University rule; or,
 - (e) the party filing the grievance lacks standing because he or she has not suffered a distinct injury.
7. After an initial review of the complaint, if Departmental Grievance Committee determines that a grievance on its face properly should be heard by another body, a recommendation that the Department Chair send the grievance to the College or the University hearing body without further proceedings in the Department of Educational Leadership & Policy Studies. The Department Chair will send a copy of the referral to both the complainant(s) and any responding parties.
8. After an initial review of the complaint, if Departmental Grievance Committee determines that a grievance on its face properly should be heard at the department level, the grievance Committee will schedule a hearing no later than 10 school days from the written submission of the complaint. The hearing will be closed – and the process and supporting information deemed confidential – unless all parties agree that it shall be public.
9. Each party may represent himself or herself or be represented by an advisor or non-legal counsel of his or her choice. And, each party has the right to introduce all relevant testimony and documents if the documents have been provided with the complaint or response.

- 10. Each party shall be entitled to question the other party's witnesses. The Committee may question all witnesses. Nonetheless, all witnesses – other than the complainant and the respondent – shall leave the hearing room when they are not testifying.
- 11. The Departmental Grievance Committee shall have the right to place reasonable time limits on each party's presentation. And, shall have the authority and responsibility to keep order, rule on questions of evidence and relevance, and shall possess other reasonable powers necessary for a fair and orderly hearing.
- 12. The hearing shall not be governed by the rules of evidence, but the Committee may exclude information he or she deems irrelevant, unnecessary, or duplicative. The Committee will make an audiotape of the hearing but not of the deliberations of the Committee. Upon written request, and at a cost, the audiotape or a transcript will be available to the individual parties or their authorized representatives.
- 13. After the presentation of evidence and arguments, the Committee will excuse the parties and deliberate. The Committee shall base its recommendations solely upon the information presented at the hearing. The Committee's decision will be a written recommendation (i.e. *Departmental Student Grievance Report*) to the Department Chair as soon as possible and no later than 3 calendar days after the end of the hearing.
- 14. Within 2 class days, the Department Chair will notify the parties of the acceptance, modification, or rejection of the recommendation. This final decision will be rendered no later than 15 class days from the filing of the written complaint. As part of the Department Chair notification, an advisement to all parties of the appeals process will be included. A copy of the *Departmental Student Grievance Report* will be filed in the Department.
- 15. If the student's problem is not resolved, the student has a right to file a grievance at the College level within 15 class days following the decision rendered by the Department Chairperson. The College of Education Grievance Policy is located on the COE website. A copy of the *Departmental Student Grievance Report* will be forwarded to the College if the decision is appealed to that level.

1. Revision Log

Revision Title	Inserted Revision	Date and Recorded Vote of Faculty Approval