

# Grievances and Appeals

## *Graduate Student Rights, Responsibilities, and Procedures Governing Grievances and Appeals*

### **I. Overview**

Historically, the university administration, faculty and graduate students have worked together toward establishing fair policies and procedures regarding graduate students' rights and responsibilities. Graduate students, faculty and administrators assume a variety of roles and responsibilities with respect to one another. Successful graduate education requires fairness and mutual trust in these various roles and responsibilities.

The following list outlines the University's efforts to address various types of problems that may be encountered in the process of graduate education:

#### **A. Discrimination on the Basis of Race, Color, National Origin, Religion, Age, Sex, Disability, Marital Status or Sexual Orientation**

If a graduate student feels that she or he has been discriminated against on the basis of any of the above, that person should refer to the Grievance Procedure for Review of Allegations of Discrimination. Contact the University Affirmative Action Office for information and documentation of these procedures.

#### **B. Requests for Waivers of Graduate School Procedures and Regulations**

Students with requests for waivers of graduate school procedures or regulations should first consult with their graduate or program director. Formal requests go to the Dean of the Graduate School, who, in turn, may refer such requests to the Subcommittee on Academic Standing and Appeals of the Graduate Council of the University Senate. Examples include requests for waivers of minimum GPA requirements, waivers of residency requirements or degree requirements, and extensions of Graduate School deadlines.

#### **C. Grievances Regarding Funding Decisions, Academic Evaluation, Assistantship Responsibilities or Departmental, Program or University Policies**

Students with grievances in these areas or related areas should refer to the Guidelines on Graduate Student Rights and Responsibilities. These Guidelines

are printed as Section II. Procedures for grievances and appeals can be found in Section IV.

**D. Allegations of Academic, Professional or Scholarly Misconduct**

A statement expressing University policy regarding academic, professional, and scholarly conduct appears in Section III.

Procedures for hearings and appeals in cases where a graduate student is accused of academic, professional, or scholarly misconduct can be found in Section IV.



***II. Guidelines on Student Rights and Responsibilities***

**A. Offers of Support**

Students are entitled to know the conditions under which offers of financial support are made, and to expect that explicit commitments of support will be honored, subject to conditions that are stated explicitly at the time of offer. Consequently, both letters of admission with support and subsequent offers of renewed support should specify:

Amount of financial support, including tuition scholarship;

Nature of support - teaching assistant, graduate assistant, graduate research assistant;

Period for which support is given; Level of support - e.g., full, three-quarters, one-half;

Explicit time and/or effort involved at level of offered support for graduate or teaching assistant, or certifiable percent of effort for graduate research assistant;

Academic and assistantship obligations corresponding to the level of support. A written description is to be provided before the obligations begin;

Conditions for renewal.

"Level" of support refers to the percentage of normal academic and assistantship obligations. "Amount" of support refers to the dollar value of stipend and tuition scholarships, as well as the period of support - academic year or calendar year. The University will establish the minimum full-time graduate student support level.

## **B. Renewal of Support**

Subject to the University's policies on the maximum time for which a student may be supported, a department's first obligation for support must be to continuing graduate students in accordance with the conditions stated in the initial letter of offer. These students must be making satisfactory academic progress, be in good academic standing, and have satisfactorily carried out their academic and assistantship responsibilities as teaching and graduate assistants. The same principles apply to graduate research assistants, recognizing also that reappointment is subject to available external funding and to applicable Research Foundation policies. Offers of continued appointment and support are to be made in writing.

Support may be terminated if a student's academic progress or performance of assistantship responsibilities is unsatisfactory. Support should not be terminated in the middle of an academic year unless student status is withdrawn, the student fails to meet the assigned responsibilities of the assistantship, or all degree requirements have been completed. In the event that external funds with which a graduate research assistant is supported terminated before the end of the period of appointment, departments should make their best efforts to identify alternative support sufficient to allow the student to complete the academic year.

It is the joint responsibility of each graduate student and his/her department or program director to expedite the progress of the student through his/her graduate career. That progress should not be delayed to meet instructional or professional needs of departments beyond those responsibilities assigned to the student.

Unless expected amounts, levels and terms of continuing support are specified in the initial letter of offer, amounts and levels beyond the first year are not to decrease below the original offer unless the reduction is requested by the student or is mutually agreed upon by the student and the department. Any such reductions below the institutional minimum will be accompanied by a corresponding reduction in the student's academic and assistantship obligations.

### **C. Academic Evaluation**

While graduate students are expected and encouraged to work in a progressively independent manner, they are entitled to periodic assessment of their progress in a manner that contributes to their academic and professional growth. This is particularly necessary for students whose continued financial support depends on maintaining satisfactory academic progress under conditions where formal courses are no longer required. To facilitate this process, each department or program is to establish, with graduate student participation, clear criteria in writing for evaluating graduate student progress. The appropriate Dean is to ensure that the criteria are established and put into effect. Because the criteria will vary among programs and will change as students' advance toward their degrees, the relationship of these criteria to academic and professional achievement at each stage of development should be clear.

With criteria in place, the academic progress of all students, beyond formal course work, is to be evaluated at least once during each academic year. To optimize the benefits of the process, a written report is to be prepared. The report is to be signed by both the evaluator(s) and the student to acknowledge that both have reviewed the report. A student who has failed to achieve reasonable progress is to be notified in writing in a timely manner of specific deficiencies, acceptable remedies, and the consequences of not remedying the deficiencies. The student may submit a formal response that will be attached to the evaluation. A copy of the signed report is to be given to the student and the original placed in the student's departmental file.

### **D. Evaluations of Assistantship Responsibilities**

The appropriate academic and assistantship obligations of teaching and graduate assistants as they relate to levels of support are defined by the departments and, in the case of graduate research assistants, faculty advisors. For reasons analogous to those given for the need for academic evaluations (section C above), graduate students are entitled to periodic assessment of their performance in their assistantship roles. Departments are to make the criteria for assessing assigned responsibilities available in writing to students in these positions (teaching assistants, graduate assistants, and graduate research assistants). To optimize the benefits of the process a written report is to be prepared for each student. The report is to be signed by both the evaluator(s) and the student to acknowledge that both have reviewed the report. A student

who has inadequately fulfilled assistantship responsibilities is to be notified in writing in a timely manner of specific deficiencies, acceptable remedies, and the consequence of not remedying the deficiencies. The student may submit a formal response that will be attached to the evaluation. A copy of the signed report is to be given to the student and the original placed in the student's departmental file.

The absence of a report will be construed as a positive evaluation.

#### **E. Support Beyond University Minimum Levels**

Support may be increased beyond the minimum level offered provided the increase does not derive from decreases in the amount of support already committed to other students below the institutional minimum. Any conditions, restrictions or limitations on increases above the University minimum are to be stated explicitly in the letter of offer or renewal.

#### **Monitoring of Guidelines**

The Dean of the Graduate School will ensure that the guidelines are put into effect in a timely manner, and that they are followed by departments and programs.

#### **Modification of Guidelines**

Recognizing that circumstances may require changes in these guidelines in order to achieve their objectives more effectively, the Graduate Council is to designate a committee to review proposals for changes. The committee will consist of an equal number of faculty members appointed by the Graduate Council and graduate students appointed by the Graduate Student Organization. Graduate students, faculty, Deans, the Dean of the Graduate School, the Provost or the President may submit to the committee proposals for modification of guidelines in effect for consideration during the academic year. The committee's recommendations will be submitted to the Graduate Council and the Dean of the Graduate School for review and action.



### ***III. Academic, Professional, and Scholarly Conduct***

Graduate students must strictly observe professional standards, academic honesty, and proper scholarly conduct in coursework, examinations, research, written reports and in proper professional treatment of laboratory animals, research subjects, clients, or patients encountered in the process of graduate education. While scholarly and academic misconduct can be hard to distinguish, a useful distinction is that plagiarism for an article or a grant would be considered scholarly misconduct, plagiarism for a grade would be considered academic misconduct. Allegations of scholarly and scientific misconduct in the context of research will be reviewed and considered in accordance with the University's Scholarly Misconduct Policy (copy available at the Office of the Vice President for Research).

Penalties for misconduct may vary according to the circumstances of each particular case. Penalties may range in severity from verbal warning to expulsion from the University with the reason recorded on the student's permanent transcript.

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*Revised by Associate Council February 24, 1999*

*Revised by Graduate Council 11/8/99 removal of Section II, C last sentence*



### ***IV. Grievances, Hearings and Appeals***

#### **A. Grievances and Appeals**

Several appeals and grievance procedures are available in the University (outlined above in Section I). These complement other means to address and resolve concerns of graduate students, such as the Graduate Student Organization, GSEU, the graduate student advocate, and, for graduate research assistants, the Research Foundation.

To facilitate the process by which graduate students may air grievances regarding implementation of these guidelines, each graduate program, with active graduate student participation, will establish a grievance and appeals committee that consists of faculty and graduate students in equal numbers as needed.

Grievances that cannot be resolved at the level of the program may be brought to the Dean of the Graduate School.

The Dean will consult as needed with the Graduate Council Appeals Committee. This committee will consist of an equal numbers of graduate students and faculty. Faculty will be appointed by the Graduate Council and graduate students will be appointed by the Graduate Student Organization. Graduate students, individually or as a group, may present appeals or grievances. The Committee will attempt to resolve the grievance together in any of a variety of manners, which may include discussion with the department or explicit recommendations to the Dean of the Graduate School. Grievances that involve allegations of scholarly misconduct against a graduate student must be adjudicated by the Office of the Vice President for Research (see Section IVC).

The Graduate Council's recommendations for the constitution and operation of program grievance committees can be found in Appendix A. Procedures for the Graduate Council Appeals Committee can be found in Appendix B.

## **B. Hearings and Appeals in Cases Involving Alleged Academic or Professional Misconduct**

Allegations of academic or professional misconduct brought by or against a graduate student will be adjudicated in the following manner:

### **1. Hearing.**

A resolution of the alleged violation should be sought through a conference among the accused, the accuser, and the graduate program director. If it is inappropriate or impossible to contact the program director, this responsibility will be assumed by the departmental chair. If the matter cannot be resolved, then the graduate program director or departmental chair will convene a hearing of the program's grievance committee. The program's grievance committee (see section IV. A.) will receive written documentation of the alleged violation. The accused will be given the opportunity to respond to the alleged violation in writing and in person. After a thorough investigation, the committee's decision on the disposition of the case will be sent to the accused party and to the program director or departmental chair. The committee can also make recommendations concerning penalties for violations, but is not required to do so. The department chair or program director will accept the disposition of the case rendered by the committee, and will determine and implement penalties in cases so decided.

## 2. Appeal.

If a graduate student wishes to appeal either the disposition or penalties in a case of alleged academic or professional misconduct, a written must:

2. be presented to the Dean of the Graduate School within two weeks. The Dean's disposition of the case will be forwarded to the student, and to
3. the program director or departmental chair. The Dean of the Graduate School will determine and implement penalties for academic or
4. professional misconduct.

## C. **Hearings and Appeals in Cases Involving Alleged Scholarly Misconduct**

The Vice President for Research must be notified in writing of allegations of scholarly misconduct brought by or against a graduate student. Such cases will be reviewed according to the published policy of the Office of the Vice President for Research and should not be discussed with or reviewed by any other persons prior to notification of the Vice President for Research.

Scholarly misconduct is defined as 1) fabrication, falsification, plagiarism, or other serious deviation from accepted practices in proposing, carrying out, or reporting results of scholarly activities; and 2) retaliation of any kind against a person who reported or provided information about suspected or alleged misconduct and who has not acted in bad faith. This definition is not meant to include actions involving honest error or honest difference in interpretation or judgments of data. If applicability of this definition to a given case is in question, then the Vice President for Research must be consulted to determine proper jurisdiction for review of the charges.

When review of the charges of scholarly misconduct against a student is completed, the Vice President for Research or a designee will provide the Graduate Director of the student's program with written notification of the final disposition of the case.

If an individual is accused of professional or academic wrongdoing in addition to scholarly misconduct, the allegations pertaining to scholarly misconduct must first be reviewed by the Office of the Vice President for Research. In cases brought against graduate students, the notification to the student's graduate director after review of the case is completed will also include a description of the outstanding charges of academic or professional misconduct. These charges will be referred to the student's departmental/program grievance

committee for adjudication according to the procedures specified in Section IVB above.



# *Appendix A*

## *Program Grievance Committees*

### **I. Definition**

#### A. Membership

1. Equal proportion of graduate students and faculty.
2. Faculty chosen in any way that accords with general policy of the program, but may not include faculty named in an individual grievance case or party to it in some compromising way.
3. Student members chosen by the students in the program without faculty interference, but may not include students named in the grievance case or party to it in some compromising way.

#### B. Further on Structure

1. The committee may be of any reasonable size, but not fewer than four members.
2. Typically, such a committee will be
  - a. an ad hoc committee, distinct from Graduate Studies Committee, or
  - b. a standing sub-committee of the Graduate Studies Committee.
3. Initial meeting of the committee shall be convened by the graduate program director or the departmental chair.

## II. Procedures and Function

- A. The committee shall select a chair at its first meeting.
- B. The committee shall undertake investigation of a case upon submission of a written grievance to the graduate program director, or any member of the committee. Once a written grievance has been submitted, the committee must convene within 14 days. All grievances must be considered by the committee. Hearings, however, are at the discretion of the committee. Failure to receive a hearing may be appealed to the Dean of the Graduate School, who will either make a ruling or refer the case to the Graduate Council's Appeals Committee.
- C. The committee will consider cases on a wide range of issues on academic matters and matters relating to assistantship rights and responsibilities.
- D. A grievance shall be considered by the committee belonging to the program against which the grievance is brought. If the grievance is not against a particular program (e.g. a grievance brought by a GA in an administrative office), it should be presented to the Dean of the Graduate School.
- E. All parties directly involved in the grievance being heard have the right to address the committee in person and present relevant evidence and witnesses. The committee may solicit testimony from individuals directly or indirectly involved in the grievance. This must be done in a manner that protects the confidentiality of the proceedings.
- F. The committee's responsibility involves a two-stage process. The first stage involves fact-finding. At the second stage, attempts are made to reach solutions to the problems posed by the grievance.
- G. The committee issues a written report with its findings and recommendations, making every effort to complete it in a timely manner. The report should present the rationale for its decision(s) and must include the substance of any dissent. All grievance committee members must sign the report, which will be sent to the graduate program director or departmental chair and to the party who filed the grievance. The program director or chair is

obliged to pursue every means to implement the committee's recommendations. In the event that he/she is unable to do so, the circumstances, along with a plan to address the issues, will be conveyed to the Dean of the Graduate School.

*Approved by the Graduate Council on October 10, 1988*  
*Revised by the Graduate Council 9/02, Section II G.*

## *Appendix B*

### *Graduate Council's Appeals Committee*

#### **I. Lines of Appeal**

Grievances should be considered first at the program level. Appeal of a program's ruling on a case should be made to the Dean of the Graduate School. When warranted, the Dean will pass the matter on to the Graduate Council's Appeals Committee (GCAC). The Dean is responsible for assuring implementation of the final decision. Any appeals of decisions made by the Dean of the Graduate School must be presented in writing to the President of the University within two weeks.

#### **II. Goals and Tasks**

The goal of the GCAC is to resolve and/or adjudicate grievances and appeals as fairly and expeditiously as possible. The GCAC may consider appeals either on technical issues of procedure or substantive conclusions of the program's grievance committee and may suggest other resolutions of the problem. In addition to addressing specific appeals brought to it by the Dean of the Graduate School, the GCAC may recommend changes in policies of the program or University.

The GCAC will consider all appeals addressed to it unless the committee unanimously denies standing. It is the accused party's responsibility to state clearly and concisely the nature of the grievance and the cause for request of an appeals hearing. Criteria for assessing the initial standing of an appeal include those matters addressed in the "Guidelines on Graduate Student Rights and Responsibilities."

#### **III. Procedure**

Upon receiving a written appeal, the chair of the GCAC will convene a meeting of the full committee within two weeks. All GCAC members will have equal access to all documents and information. The Graduate School will appoint a faculty/staff member to assist the GCAC in obtaining, reproducing and disseminating the relevant information.

The committee should be aware that the Graduate School has a file on every graduate student which may contain information pertaining to the grievance and have previous communications from the student regarding the grievance, and that the Graduate Student Advocate is likely to be advising the student in the grievance/appeals process and may be consulted.

Since information concerning an appeal may be of sensitive, highly personal and confidential nature, such information must not be disseminated outside the committee, except as necessary to the Graduate Student Advocate. The person who is filing the appeal must communicate with the GCAC only through its chair, and all such communications must be written. The GCAC will arrange for an interpreter or similar assistance if it deems that such aid would be useful.

The GCAC should attempt to reach a consensus on all issues. Upon reaching a decision, the GCAC will issue a written report to the Dean of the Graduate School, who will make recommendations on all points raised in the formal appeal that the committee has agreed to consider. The report should present the rationale for its decision(s). The substance of any dissent must be included in the text of the report. All GCAC members must sign this report, which will be forwarded to the party who filed the appeal, the program director or departmental chair, and the Dean of the Graduate School. The GCAC will also present to the Graduate Council and the Graduate Student Organization an annual report documenting its activities but not disclosing the substance of the appeals.

*Approved by the Graduate Council on April 11, 1988 Effective Immediately  
Revised by the Graduate Council 9/02, availability of information pertaining to  
grievance.*