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## COLLEGE OF LIBERAL ARTS ACADEMIC GRIEVANCE POLICY

Undergraduate students at Southern Illinois University at Carbondale shall have the right to appeal for redress of grievances through established channels under the conditions stated below. Access to these channels is restricted to complaints by students alleging that some member of the College of Liberal Arts community has caused the student to suffer some specific harm related to a matter within the authority of the Dean of the College of Liberal Arts. 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 appeal include: (1) the application of non-academic criteria in the grading process, as listed in the University's nondiscrimination 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; and (3) the assignment of a course grade by standards different from those which were applied by the instructor to other students in the course.

### ACADEMIC GRIEVANCE PROCEDURE

An undergraduate student seeking redress through grievance (appellant) 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 unit chair/director, who will attempt to resolve the dispute.

In the event that the dispute is not resolved informally, a student may ask for and receive a hearing at the unit level. If a final grade has been assigned, the grade must be changed to an "incomplete" until the grievance process has been completed. [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.]

<sup>1</sup>Cases involving academic dishonesty will be handled according to the Student Conduct Code. Matters involving graduate students will be handled according to the Academic Grievances Procedures in the *Graduate Catalog*. Separate grievance procedures exist for cases covered by the University Policy on Sexual Harassment, the Policy Accommodating Religious Observances of Students, the Policy on 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*. Undergraduate students employed as student workers are covered by a student worker grievance procedure, which is administered by the Financial Aid Office.

## Unit Grievance Procedure

### FILING A GRIEVANCE

An undergraduate student desiring a hearing at the unit level must submit a written request to the unit chair/director no later than twenty days<sup>2</sup> after the beginning of the semester following the incident in question. If the incident occurs during the spring semester and the student will not be in residence for the summer semester, she/he may request an extension of the deadline to the fall semester following by petitioning the unit chair/director in writing. Such a request shall normally be granted as long as the petition is received before the first day of classes of the summer term following; however, the final decision is that of the unit chair/director.

The request for a hearing must state the following:

1. Name of the grievant.
2. Program in which the grievant is enrolled.
3. Name and title of the person(s) against whom the grievance is being filed.
4. Current address and phone number of the grievant.
5. 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.

### UNIT ACTION ON GRIEVANCE

Upon receiving a written request for a hearing regarding an academic grievance, the unit chair/director shall send the respondent a copy of the grievance, who will provide the unit chair/director with a written response within ten days. The unit chair/director shall then consider the grievance and response, or forward the grievance and response to the unit's grievance committee for consideration.

If the matter will be heard by a grievance committee, the unit chair/director 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 unit chair/director determines that the challenge is valid, she/he shall name a substitute.

The unit chair/director or committee chair shall request of both parties copies of any documents and a list of witnesses they wish to introduce. These must be submitted within ten days. The unit chair/director or committee chair shall convene a hearing within fifteen 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 unit chair/director or by the committee according to the hearing procedures which are outlined in the Appendix.

In the absence of compelling circumstance, the unit chair/director shall render a decision within ten days, or the grievance committee shall make its recommendation on the grievance to the unit chair/director within ten days after the conclusion of the hearing.

<sup>2</sup>hereinafter 'day' refers to all days when classes are in session.

Upon receipt of the committee's recommendation, the unit chair/director shall decide to accept or reject the committee's recommendation and render a decision on the grievance within five days. The decision and the reasons for it shall be submitted to the parties, to the committee members, if any, and to the Dean of the College of Liberal Arts at the same time.

The unit chair/director shall advise the parties of their right to appeal to the Dean<sup>3</sup> of the College of Liberal Arts. 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 unit level was in error.

### **Appeals of Unit Decision to the College of Liberal Arts**

#### **FILING AN APPEAL**

If an undergraduate student wishes to appeal a decision of the unit, she/he must file a written appeal with the Dean within fifteen days of receipt of the unit decision. The appeal must state the following:

1. Name of the appellant.
2. Program in which the appellant is enrolled.
3. Name and title of the person(s) against whom the original grievance was filed.
4. Current address and phone number of the appellant.
5. 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.
6. Summary of grievance proceedings held at the unit level and the decision(s) rendered at that time.
7. Statement of why the previous decision may be in error.
8. Request, if desired, for either an administrative or grievance panel hearing.<sup>4</sup>

Upon receiving a written appeal, the Dean shall send the respondent a copy of the appeal, who will provide the Dean with a written response within five days of receiving the copy. Within five days of receiving the respondent's statement, the Dean shall determine whether or not the appeal has merit (sufficient grounds) and should move forward. If so, the Dean will at the same time, determine whether the hearing agent will be administrative or grievance panel. If it is determined that the appeal does not have merit, the Dean will inform both parties in writing of the reason(s) for denial within five days.

### **Procedures for an Administrative Hearing in the College of Liberal Arts**

For an administrative hearing, the Dean shall convene a hearing within ten days of her/his decision to hear the appeal, and notify the parties in writing of the hearing date.

<sup>3</sup>hereinafter, 'Dean' always refers to the Dean of the College of Liberal Arts or her/his designate.

<sup>4</sup>the choice of hearing agent is entirely at the discretion of the Dean.

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

The Dean shall render a decision on the grievance within five days after the completion of the hearing. The decision and the reasons for it shall be submitted to the parties and the unit chair/director.

All records of the appeal and hearing shall be deposited with the Dean's office upon completion of the hearing. These records shall be stored for five years after which time they will be destroyed.

### **Procedures for a Grievance Panel Hearing in the College of Liberal Arts**

Following the decision to hear the appeal, the Dean immediately shall forward all materials to the chair of the College of Liberal Arts Committee on Grievances. The chair of the Committee on Grievances will form a grievance panel and shall forward all materials to the grievance panel chair. The grievance panel shall convene a hearing within fifteen days of the Dean's decision to hear the appeal, and notify the parties in writing of the hearing date.

For a grievance panel hearing, the chair of the Committee on Grievances shall have established from among members of the College of Liberal Arts Council, a list of members available to serve as grievance panel members. These persons may not be members of the same academic unit(s) as the parties to the grievance. The chair of the Committee on Grievances shall appoint a panel of three faculty members<sup>5</sup> and two undergraduate students and so notify the parties to the grievance. Panel members may be challenged for cause and, if the chair of the Committee on Grievances determines the challenge to be valid, she/he will name substitute(s) from the list. The grievance panel selects its own chair.

The hearing shall be conducted by the grievance 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 normally will not be permissible.

The panel shall make its recommendation on the appeal to the Dean within five days after the conclusion of the hearing. The Dean shall decide to accept or reject the panels' recommendations and render a decision on the grievance within five days. The decision and the reasons for it shall be submitted to the parties, the grievance panel members, and the unit chair/director.

All records of the appeal and hearing shall be deposited with the Dean's office upon completion of the grievance panel's work. These records shall be stored for five years after which time they will be destroyed.

<sup>5</sup>If the respondent is a graduate assistant, one graduate assistant must be appointed to the panel (in place of a faculty member).

## APPENDIX

### 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 unit chair/director, the Dean, or the grievance panel.
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 advisers, and either the unit chair/director or the Dean or the grievance panel 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 audio recorded. Depending on the level of the hearing, the recording will be deposited in either the office of the unit chair/director or the office of the Dean at the conclusion of the hearing. These recordings shall be stored for five years after which time they will be destroyed.
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 or panel may allow depositions. If the presence of a witness is required to ensure fairness to all parties and the witness is physically unable to attend, the hearing will not be postponed. But rather, testimony of such witnesses by video tape or by video conference will be allowed. While testimony of such witnesses by audio recording, by telephone conference, by letter, by facsimile, or by e-mail is considered less viable, it may be allowed.
5. The unit chair/director, the Dean or, by simple majority vote, the grievance panel will decide all matters, procedural and substantive.
6. Each party may make an opening and a closing statement.
7. Decisions by the unit chair/director, the Dean, or the grievance panel will be based on a preponderance of the evidence.

### 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 Chancellor for Academic Affairs and Provost within ten 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.