Academic Grievances Policy/Procedures

Graduate Student Academic Grievance Policy
Graduate students at SIU 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 (i.e. matters pertaining to academic progress of a student). Grievances which have been brought to a hearing under another campus grievance procedure shall not be brought to a hearing under this procedure.

With respect to student’s 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 judgement, 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 PROCEDURES
The steps for dealing with a graduate student academic grievance are detailed in subsequent sections and may include:
1. an attempt at an informal resolution;
2. a hearing before an academic grievance committee of a department/school;
3. a decision by the department chair/school director;
4. an appeal to the Graduate School’s Student Appeals Committee;
5. a hearing before the Graduate School’s Student Grievance Committee; and
6. a decision by the dean of the Graduate School.

Informal Resolution
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/school director or another appropriate mediator, such as the university ombudsman, if any, who shall attempt to resolve the dispute.

Departmental/School Grievance Procedure - Academic Grievance Committee
In the event that the dispute is not resolved informally, a graduate student may ask for and receive a hearing before a departmental/school academic grievance committee. Such a grievance shall 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.

FILING A GRIEVANCE
A graduate student desiring a hearing before a grievance committee of an academic department/school must submit a written request to the chair/director of the department/school no later than twenty-one (21) working days 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/school director. 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/SCHOOL ACTION ON GRIEVANCE
Upon receiving a written request for a hearing regarding an academic grievance, the department chair/school director shall send the respondent a copy within five (5) working days, who shall provide the chair/director with a written response within ten (10) working days. The chair/director shall then forward the grievance and response to the department/school graduate academic grievance committee within five (5) working days.

A department/school graduate academic grievance committee shall be advisory to the department chair/school director and shall submit its findings to the department chair/school director. The committee shall consist of three members. The department chair/school director may designate and existing department/school committee to serve in such a capacity (subject to the qualifications listed herein), or may appoint an ad-hoc grievance committee. The members of the committee shall be appointed wherever possible from the department/school 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/school graduate student organization. A department/school 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/school 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 department chair/school director 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 fifteen (15) working days of receipt of the substantiating documents. These documents shall be available to both parties at least five (5) working 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/school director within 10 working days after the conclusion of the hearing. The department chair/school director 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/school director shall advise the parties of their right to appeal to the dean of the Graduate School. Hearings of appeals shall 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/school level was in error.

If the Department procedures and this Policy/Procedure conflict, the Department procedure will govern the notification.

Appeals of Department/School Decisions to the Graduate School

FILING AN APPEAL

If a graduate student wishes to appeal a decision of the department/school she/he must file a written appeal, on the form designated by the University, with the dean or designee of the Graduate School within twenty-one (21) working days of receipt of the department/school decision. Once timely filed, the processing of all grievances filed under this Policy/Procedure shall be stopped between May 15 and August 15. 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.

Graduate School Student Appeals Committee

The dean shall promptly forward the material to the coordinator of the Student Appeals Committee of the Graduate School (SAC). 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 the SAC.

The SAC coordinator shall solicit a reply to the appeal from the respondent, who shall have ten (10) working days from the coordinator’s request to provide a written response. The coordinator shall then promptly forward all materials to the SAC members and shall convene the committee at the earliest opportunity.

The coordinator is welcome to attend the beginning of the SAC meeting, but once the SAC begins deliberations, the coordinator cannot be present.

The SAC shall decide by simple majority whether a hearing should be held. The SAC shall determine whether there is sufficient evidence provided by the appellant and not sufficiently rebutted by the respondent to indicate that the decision might have been made in error. If so, a hearing should be held.

The SAC shall designate one of its members to inform the coordinator of the SAC’s decision within three (3) working days of the decision. 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. The grievant shall have no further appeals.

Graduate School Student Grievance Committee

If the SAC grants the appellant’s hearing request, then a Student Grievance Committee of the Graduate School shall be convened. 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 members of the Student Grievance Committee. These persons may not be members of the same college as the parties to the grievance. It is permissible for these persons to have previously served on the SAC in the same matter. The coordinator shall appoint three graduate faculty members and two graduate students and so notify the parties to the grievance. Committee members may be challenged for cause and, if the coordinator determines the challenge to be valid, she/he shall name substitute(s) from the lists. The committee shall select its own chair.

Upon formation of the Student Grievance Committee, the SAC coordinator shall forward all materials to the committee chair. The chair shall convene a hearing within twenty-one (21) working days of the formation of the Student Grievance Committee.

The hearing shall be conducted by the committee according to the procedures listed in the Appendix, with the exception that new evidence and witness testimony may be introduced only at the discretion of the committee. The hearing at this level shall be limited to the issues raised to the academic grievance committee of the department/school and/or to the Student Appeals Committee of the Graduate School. New evidence shall not normally be permitted.

The committee shall make its recommendation on the appeal to the dean of the Graduate School within ten (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 Student Grievance Committee members, and the department chair/school director. All records of the appeal and hearing shall be deposited with the Graduate School upon completion of the Student Grievance Committee’s work.

Appendix A

HEARING PROCEDURES
1. The principal parties to the grievance shall have the right to be accompanied by an advisor of their choice. The advisors may speak on behalf of their clients only with the approval of the committee. At the sole discretion of the committee, the committee may allow a party to appear via appropriate electronic means.
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 advisor, 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 audio or video recorded, except that the deliberations of the committee members, after completion of the witnesses testimony and/or party presentations, shall not be recorded. The recording shall be deposited in the Graduate School or department/school, as applicable, at the conclusion of the hearing.
4. Witnesses:
   a. In the hearing of the academic grievance committee within a department/school, 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 attend in person then the committee, in its sole discretion, may allow the witness to appear before the committee via appropriate electronic means and/or to submit 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 able to attend the hearing.
   b. In the hearing of the Graduate School’s Student Grievance Committee, witnesses shall not typically be permitted and may be presented only at the discretion of the committee. If witnesses are allowed, the provisions of paragraph 4.a above shall apply.
5. Each party may make an opening and closing statement.
6. The committee shall decide all matters, procedural and substantive, by simple majority vote.
7. Decisions by the committee shall be based upon a preponderance of the evidence (i.e., the evidence taken as a whole makes a party’s claim more likely than not).

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 SIU 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 fewer 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 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 advisor 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 five 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 on 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 10 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 10 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.