

## Graduate Student Grievance Procedures

The following policy and procedures regarding non-grade grievances by graduate students can be adopted or adapted in whole or in part by programs/schools/departments or they can develop their own set of policies and procedures. There is no requirement that any program/department/school include Graduate College review in its own policies and procedures. Graduate students should examine the policies and procedures that will be used in their particular program/department/school. Graduate students should also note that the focus of any review undertaken as a result of a grievance will be on the process undertaken to arrive at a decision; decisions themselves are not reviewed by external bodies. Questions about grievance policies and procedures should be directed to the student's advisor and/or program/department/school director or chair.

The graduate student grievance procedure is designed to give the student the opportunity to correct a perceived injustice. It should be utilized only when the student contends that a the process associated with making a decision about her or him or negative treatment of her or him by university employees that has a negative impact on her or his graduate student status has been arbitrary or capricious. This procedure is not to be used for grades because a separate policy exists for course grades. Situations that would be appropriate for the present set of procedures include but are not limited to concerns about the process associated with supervisory reviews that affect grades but are not grades in and of themselves, comprehensive exam results, and thesis or dissertation issues. For the purposes of this set of procedures, "arbitrary or capricious" implies that, among other things:

- The student has been given an evaluation on the basis of something other than his or her performance in the activity regarding something that is unrelated to the standard requirement of meeting professional interpersonal standards; or
- Standards utilized in the determination of the student's progress are more exacting or demanding than those applied to other students in the program; or
- The decision is based upon standards that are significant, unannounced and unreasonable departures from those articulated in the student handbook distributed at the beginning of the student's enrollment in her or his graduate program.

The assessment of the quality of the student's academic performance is one of the major responsibilities of university faculty members and is solely and properly their responsibility. Therefore, the focus of any review associated with a grievance is on the process for making the decision, not on the decision itself. For some graduate students, other university employees may be involved in evaluations (e.g., practicum supervisors). A grievance is not appropriate when a student simply disagrees with the faculty member's/university employee's/program faculty's judgment about the quality of the student's work. A student who is uncertain about whether a decision should be appealed or who needs additional information about the grievance process can contact the Graduate College.

The burden of proof is always on the student to prove that a review of the process associated with a given decision is an appropriate action in his or her case. Students must adhere to the timelines delineated in this policy or the right to appeal may be lost (the Graduate College Dean may, under extreme circumstances, extend timelines at his or her discretion).

Filing a formal grievance is an important decision that should not be entered into lightly because it can have serious repercussions for everyone involved. A formal grievance should be filed only after all other avenues have been thoroughly investigated and exhausted. The Graduate College administration and all graduate faculty urge students to make every effort to consult with knowledgeable and trusted people and to attempt to resolve the perceived problem through an informal process.

### **Informal Grievance Resolution Process**

The student must begin the grievance process by contacting the university employee (for a concern about a particular person) or the student's Program director (for a concern about a programmatic decision) in an attempt to resolve the disagreement in an informal and cooperative atmosphere. This discussion should take place within 10 class days after the experience of concern or notification of the decision in question. The Graduate College and graduate faculty believe that this is the preferred way of resolving problems and that most issues can be addressed through an informal process of mutually respectful discussion. If the student and employee/Program director cannot reach a satisfactory resolution, the student may begin the formal grievance process.

### **Formal Grievance Resolution Process**

1. Following the failure to reach resolution through the informal grievance resolution process and not later than one month after the attempt at informal resolution failed, the student must complete the [Notice of Intent to File a Formal Grievance form](#). The form is available on the College of Graduate and Professional Studies webpage. The student initiates the process by submitting the form to the chair/director of the student's department/school, or his or her designee (or the Graduate Dean if the chair/director is part of the grievance). On the form, the student will be asked to

- verify that he or she has been unsuccessful in reaching a resolution through the informal grievance resolution process;
- precisely and specifically state the reasons for the grievance; and
- offer suggestions as to what the student would consider a fair resolution of the grievance (note that this must focus on the process associated with a decision, not the decision itself), with supporting reason(s).

After all signatures are obtained, copies of the form will be distributed to the student and the other parties involved.

2. If the grievance involves a specific person in the student's department/school or in another department/school, the university employee in question will be asked to submit a written response to her or his department chair/school director, or his or her designee (or to the Graduate Dean if the chairperson/director is part of the grievance), and to the student within five class days of the receipt of the grievance. If the grievance involves a programmatic decision, the appropriate program faculty will be asked to submit a written response to the department chair/school director, or his or her designee (or to the Graduate Dean if the chairperson/director is part of the grievance), and to the student within ten class days of the receipt of the grievance. If the grievance involves a specific person who is not a part of a department or school, the university employee in question will be asked to submit a written response to her or his supervisor and to the student within five class days of the receipt of the grievance.

The department chair/school director, or his or her designee (or the Graduate Dean if the chairperson/director is part of the grievance or the employee is not part of a department/school), will attempt to resolve the appeal within ten additional class days through conferencing with the employee/program faculty and student. If not resolved within ten class days, the department chair/school director, or his or her designee, or the Graduate Dean will request in writing to the department's/school's Graduate Student Grievance Committee or other designated Departmental committee that the Committee consider the grievance. If a department/school does not have a Committee charged with handling graduate student grievances that do not fall under the grade policy, the grievance will be directed to the Graduate College Grievance Committee.

If the process moves to the Department/School level (i.e., does not go directly to the Graduate College), the procedure within the Department/School will be followed and only if the Department/School Committee's decision is appealed will the Graduate College Committee become involved.

The Graduate College Student Grievance Committee is constituted from the University's graduate faculty. Criteria for creation of the Committee are that there be no fewer than five faculty members, and that the members are selected at the beginning of the academic year, to hear formal appeals from fall, spring, and summer semesters. At least three of the Committee members must be from departments/schools where students work with people (typically referred to as "clients" or "students" or "patients") under the supervision of faculty or other professionals (e.g., communication sciences and disorders, counselor education, criminal justice, nursing, psychology, social work). One or more alternates must be chosen at the beginning of the year to replace members of the Committee who might be unavailable to hear a case in a timely manner or who might have a conflict of interest. In addition, the student may choose to include one voting graduate student who will be appointed by the Graduate Dean. If the student chooses to include a peer, that student must be in good academic and disciplinary standing. The Committee shall select the chair. A quorum for decisions of the Committee is three-fifths or more of the assigned members. For each appeal, the Dean shall appoint to the committee one additional graduate faculty member knowledgeable in the academic area of the grievance.

3. The student appellant and the employee/program faculty involved may submit additional brief written summaries of the evidence regarding the process that was followed in making the decision to the chair of the Graduate College Student Grievance Committee within ten class days after the chair notifies the Committee that a formal appeal has been filed. The student has the right to consult with a Radford University faculty member of the student's choice. The faculty member may also attend the appeal hearing if one is conducted. Based upon the evidence presented and any additional evidence requested by the Committee, the Committee will meet to decide if there are grounds for a hearing regarding the process that was followed. Minutes of the meeting must be kept and copies of any evidence presented shall become part of the record.

- If the Graduate College Student Grievance Committee decides by a majority vote at a meeting at which a quorum is present that there are grounds for a hearing, a formal hearing will be scheduled not sooner than ten and not later than twenty class days after the notice of a hearing is given to the employee/program faculty and the student.
- If the Graduate College Student Grievance Committee decides by a majority vote at a meeting at which a quorum is present that there are no grounds for a hearing, the grievance goes to step 5 of the process, and, if certified, the grievance process ends.

In either case, the student and the employee/program faculty shall be notified in writing within two class days of the Committee's decision. Copies of the minutes of the Graduate College Student Grievance Committee meeting shall accompany the notification of the decision. Should a hearing be necessary, the Committee chair will notify in writing the student and the employee/program faculty at least five class days prior to the hearing date. The Graduate College Student Grievance Committee cannot find in favor of the student without a full hearing as described in the next step.

4. If a hearing is to be held, the Graduate College Student Grievance Committee will conduct the hearing at which both the student and the involved employee/program faculty must be present. The student may also elect to have present a faculty advisor, who may privately counsel the student but may not address the Committee or question witnesses. Neither party may be represented by legal counsel at these proceedings. In the event that either the student or the employee/majority of the program faculty is absent at the time of the appeal as a result of illness, resignation, or any other reason found valid by the Graduate College Student Grievance Committee, the Committee may delay the hearing until a more appropriate time. If the Committee determines that the reason is not valid, the Committee may proceed with the hearing and notify the absent party(ies) that a full hearing was held in his/her/their absence. The employee/program faculty and student shall place all available pertinent evidence regarding the process that was followed in the hands of the Graduate College Student Grievance Committee. Access to work/experience of other students must protect the privacy rights of the students either by requiring permission of the students or through having their names redacted. Members of the

Committee must be present at the hearing in order to be eligible to vote. Minutes of the hearing must be kept. The hearing should proceed as follows:

- The Chair of the Graduate College Student Grievance Committee calls the hearing to order. All those present for the hearing introduce themselves and indicate their roles in the hearing. The Chair points out that one member of the Committee will be taking notes. The Chair reminds all present that all participants are bound by the Radford University Honor Code and asks for the verbal assurance of each that he or she will uphold the honor code. The Chair then states the purpose of the hearing, emphasizing that the focus is on the decision-making process, not the decision itself, and briefly explains the procedure.
- Any witnesses present are dismissed from the hearing room. They are asked to remain available outside the room, to be called upon as needed.
- As is usual in academic debate, the individual bringing the grievance has the opportunity to speak first and last. Because the student maintains the burden of proof to demonstrate that a change is justified, he or she will give the initial opening statement and the final closing statement.
- The student makes a statement about the reason(s) for the grievance. This statement should be limited to the reason(s) included on the "Intent to File a Formal Grievance" form, emphasizing the concerns about the process followed.
- The employee/program director makes a statement stating his or her position as to why the process associated with the interaction/decision was appropriate.
- Members of the Committee may direct questions, first to the student and then to the employee/program faculty regarding the process used. The employee/program faculty has the opportunity to ask questions of the student, and the student may ask questions of the employee/program faculty.
- The student may call upon his or her witnesses, one at a time. Witnesses are questioned by the Committee regarding the process used. The employee/program faculty may also ask questions of the witnesses if he/she/they wishes to do so. Each witness is thanked and dismissed.
- The employee/program faculty may call upon his/her/their witnesses, one at a time. Witnesses are questioned by the Committee regarding the process used. The student may also ask questions of the witnesses if he or she chooses to do so. Each witness is thanked and dismissed.
- The employee/program faculty is given the opportunity to make a brief final statement that summarizes his/her/their position that the original process associated with the interaction/decision was appropriate.
- The student is given the opportunity to make a brief final statement that summarizes his or her position that the grievance is warranted because of the concerns about the process that was followed..
- The Chair asks everyone to leave the hearing room except the members of the Graduate College Student Grievance Committee. The student and the employee/program faculty are informed that they will be notified in writing within five days of the Committee's decision. They are also informed that the Committee's decision is final and may not be appealed, except on procedural grounds.
- The Committee deliberates and reaches a decision. The Chair dismisses the hearing.

One of three outcomes may result from the hearing:

- If three-fifths or more of the members of the Graduate College Student Grievance Committee present and voting (excluding abstentions) vote in favor of the student's position regarding the process followed, the chair of the Graduate College Student Grievance Committee shall so inform the employee/program faculty by written memorandum, with copies to the student and the department chairperson/school director, or his or her designee, and refer the issue back to the Departmental (or other

appropriate) committee to review the process associated with the position/decision, taking in to account what was discussed by the Graduate College Student Grievance Committee, beginning at Step 2 of the process outlined in these procedures. This re-review should begin within 5 class days of receipt of the notice by the Graduate College Student Grievance Committee.

- If the majority but less than three-fifths of the members of the Graduate College Student Grievance Committee present and voting (excluding abstentions) vote in favor of the student, the chair of the Graduate College Student Grievance Committee shall so inform the employee/program faculty by written memorandum, recommending that the process associated with the position/decision be reviewed, with copies to the student and the department chair/school director, or his or her designee. If the employee/program faculty chooses to re-review the position/decision, such a process must begin within 5 class days. If the employee/program faculty chooses not to review the position/decision, no review shall be mandated.
- If less than a majority of the Graduate College Student Grievance Committee members vote in favor of the student's position regarding the process followed, no recommendation regarding conducting a review will be given.

The Chair of the Committee shall inform the appellant of its decision by written memorandum, with copies to the employee/program faculty, the department chairperson/school director, or his or her designee, and the Graduate Dean. The written memorandum shall be transmitted within five class days of the hearing and shall include a description of the process followed from informal appeals through the hearing decision, copies of all materials presented, and a copy of the minutes of the hearing.

5. The Graduate Dean or appointed impartial representatives shall review the process, all related materials, and hearing minutes within five class days of the receipt of all materials.

- If the Graduate Dean or appointed impartial representatives certifies that the procedures were followed, the grievance is completed. If indicated by the Graduate College Student Grievance Committee in its findings, changes are initiated as indicated in step 6.
- If the Graduate Dean or appointed impartial representatives finds substantive errors in the process that the Graduate Dean or appointed impartial representatives believes could have reasonably altered the decision reached, reconsideration by a Graduate College Student Grievance Committee made up of different members shall be initiated by the Graduate Dean. The reconsideration shall begin at step 4 of this process. The Graduate Dean shall advise all parties of the outcome of the process review. The Graduate Dean cannot reverse the decision of the Graduate College Student Grievance Committee but can only send it to a second committee based upon procedural errors.

6. Changes of decisions shall be initiated as follows:

- If the Graduate College Student Grievance Committee rules in favor of a change, the Graduate Dean shall recommend that the employee/program faculty review the process associated with the position/decision within five class days after the Graduate Dean's certification of the process.

Decisions reached through this process are final and may not be appealed.

Approved by AP&P 4/08