

## **Student Grievance Policy**

### **Purpose**

The purpose of these Student Grievance Policy is to provide equitable and orderly processes to resolve grievances brought by students.

### **Procedures**

#### Definitions

For the purpose of these procedures, a “grievance” is a formal complaint (exceptions detailed below) by a student alleging that the university or any of its employees violated university policy or made a decision that was arbitrary, capricious, or unequal in application and had an adverse impact on the student involved.

For the purpose of these procedures, “student” means any person registered or enrolled in a university academic course or program, and any person admitted to the university who is on university premises for any purpose related to the person’s registration or enrollment, or any person who participates in university programs that require student status. “Student” also includes any person who was a student in the previous term and is eligible for registration, as well as student employees.

This policy does not alter any external deadlines or requirements.

#### Grievable Actions

These procedures apply to student grievances, as defined above, for which there exists no separate university or unit-level review process with an appeal option. Matters *not covered* by these Student Grievance Procedures include (see “Related” section below for further information):

- Academic petitions that are reviewed by the Scholastic Review Committee, including petitions for reinstatement, cancellation of academic probation or disqualification, retroactive withdrawal, and retroactive change in grading option;
- Academic petitions that are reviewed by the Academic Requirements Committee, including petitions for exceptions to the academic requirements for baccalaureate degrees;
- Student conduct matters, which are evaluated under the Student Conduct Code, Policy III.01.01;
- Discrimination and retaliation complaints, which are evaluated under the Policy on Prohibited Discrimination and Retaliation, Policy V.11.020;
- Financial aid eligibility decisions, which are evaluated pursuant to the Student Financial Aid Appeal Procedures;
- Accessible Education Center concerns and Housing concerns, which are evaluated pursuant to unit-level procedures; and
- Grievances filed by represented employees on matters pertaining to their employment, which follow procedures specified in the relevant collective bargaining agreements.

#### Informal Resolution

Before filing a formal grievance, students are encouraged to make at least one attempt to resolve the issue informally, if possible, with the person who made the grievable decision, or the academic program, unit or college representatives who are designated to help resolve such issues. Students may seek assistance with informal resolution from the Student Advocacy Program, the Office of the Dean of Students, the Division of Graduate Studies, or, for confidential and informal assistance, from the Ombuds Program. The use of informal processes does not prevent the filing of a formal grievance so long as the formal grievance is filed within the applicable time limits.

#### Filing a Formal Grievance

Unless otherwise specified, students must file formal grievances no later than forty-five (45) calendar days from when the student knew or reasonably should have known about the incident or problem giving rise to the grievance.

The formal grievance must be in writing, and should describe all relevant facts, including the policy or practice that was allegedly violated and/or the decision or action that was deemed to be arbitrary, capricious, or unequal in application, the date and person(s) involved, the previous informal attempts to resolve the situation (if applicable, not required), and the desired outcome for resolution.

The grievance must be sent by email or other writing to the supervisor of the person being grieved against or, if unknown, to the head of that unit or department. When students are actively engaged in finding an informal resolution to the grievable matter, the supervisor or unit head may grant an extension of time to file the grievance for good cause to allow the attempt at informal resolution to run its course. Students with questions about whether a decision is grievable, or to whom to submit the formal grievance, should consult the Student Advocacy Program, the Office of the Dean of Students, or the Ombuds Office, or for graduate student grievances, the Division of Graduate Studies.

#### Review of the Formal Grievance

Step 1 (INITIAL GRIEVANCE): The Step 1 Decision Maker (typically the supervisor of the person whose action or decision is being grieved) shall review the formal written grievance and shall meet with the grievant and with such other persons as they deem appropriate for the purpose of ascertaining the facts and attempting to resolve the grievance. The Step 1 Decision Maker will send a decision in writing to the student within thirty (30) calendar days from the submission of the grievance or the conclusion of the meeting with the grievant, if a meeting is requested. If the university fails to observe the time limits established for any step, the grievance is considered denied at that level and the student may submit the grievance to the next step within the designated time limits of that next step.

Step 2 (APPEAL): If the student is not satisfied with the decision at Step 1, the student may appeal by sending a written Step 2 grievance to the dean or vice president of the unit or college where the issue arose. In general, the Step 2 grievance will be based on the record at Step 1, and any new information must be supported by a finding of good cause for why the information could not have been known or presented by the student at the Step 1 stage. The Step 2 Decision Maker (typically the dean or vice president, or their designee) decides based on the record of the Step 1 grievance and any additional argument and will send a decision in writing to the student within thirty (30) calendar days from the submission of the Step 2 grievance. The Step 2 decision is final.

### Confidentiality

To the extent possible, the university will protect the privacy of grievants, witnesses and accused parties and will share information only with other university employees who have a legitimate need to know and/or as permitted by university policy and applicable laws. However, it is important to understand that: (1) in order to investigate the matter and provide the other party with notice of the underlying allegations and an opportunity to respond, the university may need to reveal the identity of the grievant and relevant witnesses; and (2) students/student employees have rights under federal or state law or pursuant to applicable bargaining agreements to review and inspect records relating to an investigation.

For purposes of public records requests and to the extent allowed by law, the university will treat all materials submitted during an investigation as the student's education record under the Family Educational Rights and Privacy Act (FERPA), which is protected from public disclosure.

### Non-retaliation

The university's Prohibited Discrimination and Retaliation Policy prohibits retaliation against any person because they filed a grievance or otherwise participated in the grievance process. Individuals who believe they are experiencing retaliation relating to the grievance process should notify the Office of Investigations and Civil Rights Compliance (OICRC).

### Support Persons

Students must submit grievances on their own behalf but may designate a single support person to assist them in the grievance process. All parties shall be responsible for the costs, if any, of their support persons. Support persons may be available at no cost to the student via the Student Advocacy Program. Support persons may attend meetings, be copied on formal communications, and ask the Decision Maker reasonable clarifying questions regarding the process. Support persons are not permitted to act or speak on behalf of the grievant, serve as a witness in the same matter, or disrupt any meetings. The Decision Maker may require a support person to leave a meeting or further constrict their role if the support person engages in unreasonable, disruptive, harassing, or retaliatory behavior.

### Withdrawal

Students may choose to withdraw their grievance at any time by submitting a written notice to the Decision Maker who currently is considering the grievance.

### Extensions of Time

Time limits within these procedures may be extended by the Decision Maker when doing so will ensure the integrity of the process. All parties will be notified in writing if there is to be an extension of the established time limits.

If a student fails to observe the time limits established for any step, or to appeal a grievance decision within the specified time, the grievance will be considered resolved. If the university fails to observe the time limits established for any step including extensions, the student may submit the grievance to the next step within the designated time limits of that next step.

**Related Policies and Procedures**

Academic Grievance Process for Graduate Students

Academic Requirements Committee

Accessible Education Center Concerns and Grievances

Financial Aid Appeals Process

Graduate Employment-Related Grievances

Office of Investigations and Civil Rights Compliance

Scholastic Review Committee

Student Conduct Code and Standard Operating Procedure

**Related Contact Information and Supportive Resources**

Division of Graduate Studies

Office of the Dean of Students [Care and Advocacy Program]

Office of the Vice President for Research and Innovation Integrity and Compliance

Ombuds Program

Student Advocacy Program

Student Conflict Resolution Center