

Changes to the University Handbook, Appendix V: Student Grievance Procedures
Approved by Faculty Affairs Committee on May 19, 2009
Approved by Faculty Senate on June 9, 2009

Rationale for Revising Appendix V

The Faculty Affairs Committee is proposing to remove Part B, Graduate Student Grievance Procedure from Appendix V of the University Handbook.

The Undergraduate Grievance Policy will remain in Appendix V.

Currently, there are conflicting grievance policies published in the online Graduate Handbook and the University Handbook. The Graduate School has a more recent grievance policy posted on its Webpage and it is different from the policy posted in Appendix V. By removing the policy posted in Appendix V, the University will have the most recent graduate student grievance policy posted on the Graduate School Webpage.

University Handbook

Appendix V: Student Grievance Procedures

Student Grievance Procedures (FSM 2/10/2004; moved from Appendix F)

STUDENT GRIEVANCE PROCEDURES

~~A.~~ A. Undergraduate Student Grievance Procedures (FSM 2-15-94; 9-11-00)

The following procedures will be employed to deal with grade appeals and academic grievances other than matters of academic dishonesty brought by students against faculty members or faculty members against students. These procedures will serve three functions: (1) to safeguard the rights and academic freedom of both students and faculty, (2) to assure due process, and (3) to provide for consistency in handling undergraduate academic grievances throughout the University.

1. Procedures

1.1 Grievances against faculty or administrators.

Unethical actions by faculty or administrators should be reported as soon as possible so that appropriate action can be taken. The grievance must be made within six months of the alleged unethical action(s). Students should begin by contacting the office of their dean. The dean, or a representative of the dean, will describe the procedure to be followed and will aid the student in procedural matters. Further, the dean or representative will appoint a faculty member as an advocate for the student if the situation seems to warrant an advocate or if the student requests an advocate. If a faculty advocate is appointed, the student will participate in the selection of, and must agree to the appointment of, the person selected. The advocate need not be in the same college as the student.

1.2 Grievances involving student academic dishonesty.

The procedures for handling charges of cheating or other academic dishonesty are given in the policy on academic dishonesty (section II above).

1.3 Grievances involving change of grade (but not academic dishonesty).

- a. All efforts will be made by the student and instructor involved in any grievance to settle all disputes that may arise. Grade appeals must be initiated within six months following the issue date of the grade in question.
- b. If a grade-change grievance is not resolved by the student and instructor, the student may appeal in writing to the department head concerned, who will act as a mediator in the dispute. This appeal should be made within two weeks of the date of the decision of the instructor. At this time, the student may petition the dean of his college for an ombudsperson. The duties of the ombudsperson are to arrange meetings of all concerned parties and report actions taken at each level to the appropriate persons or groups. The role of the ombudsperson is to expedite the process and to ensure a fair hearing.
- c. If the grievance has not been settled to the student's satisfaction at the department level, written appeal may be made to the dean of the college in which the course is taken. This appeal should be made within two weeks of the date of decision of the department head.
- d. If the student does not feel that an adequate solution has been reached in the grade appeal dispute, he or she may appeal in writing to the Undergraduate Grievance Board which will arbitrate the dispute. This appeal should be made within two weeks of the date of decision of the dean. Appeals received during the summer will be heard the following fall term. Appeals should be addressed to the Undergraduate Grievance Board, c/o Chair (whose name is listed under Committee 3030 at <http://www.ksu.edu/academicpersonnel/univcomm/>).
- e. The two-week time limits given in the sections above are intended to move the grievance process along at a reasonable rate. The limits may be modified for reasons such as illness, scheduled academic holidays, or mutual consent of both parties.

2. The Undergraduate Grievance Board

2.1 Notice of hearings

- a. Notice of the time and place of the hearing shall be given to all individuals involved with the complaint not less than two weeks prior to the hearing.
- b. The notice shall include a written statement of the complaint and the requested action.
- c. The notice shall be accompanied by a copy of the rules describing procedures to be used at a hearing. The notice shall state that the

individual shall be permitted to inspect any written evidence which has been submitted to the board by other parties.

2.2 Hearings

- a. At the hearing, each party may be accompanied by (1) a representative, who is not an attorney, to serve as an advocate and/or assist in the presentation, and/or (2) an attorney, who may advise but not participate in the hearing.
- b. All hearings shall be closed except for parties to the grievance, their advisors, and witnesses. However, upon request of the person against whom the grievance is lodged, the board may open the hearing with the restriction that the number of observers may not exceed that which the hearing room will comfortably accommodate. The chair may exclude from the hearing any person whose conduct disrupts, disturbs, or delays the proceedings. If the person charged fails to appear at the hearing or engages in conduct which makes a fair hearing impossible, the board may complete the hearing without the presence of the person charged.
- c. The evidence against the student or faculty member shall be presented at the hearing. The person presenting the case shall have the opportunity to question all witnesses and to present witnesses and evidence in support of the charge specified in the notice of hearing. The person charged is not required to testify.
- d. The student or faculty charged, or advisor, shall have the opportunity to question all witnesses, to present witnesses, and to present any other evidence. Formal rules of evidence shall not apply, and any evidence relevant to a fair determination of the charges may be admitted, except that a previous statement shall be admissible only if the person who made the statement is present.
- e. All members of the University community shall be obligated to cooperate with the board, and failure to appear pursuant to a reasonable request of the board, or intimidation or improper influencing of witnesses shall be grounds for disciplinary action by the board under separate action.

3. Composition of the Board.

3.1 Two faculty members will be appointed by the Committee on Academic Affairs of the Faculty Senate. The terms are to be two years, with one of the two original appointees serving for a one-year term.

3.2 Two students will be appointed yearly by a committee consisting of the president of the student body, the chair of the student senate, and the vice chair of the student senate.

3.3 A faculty member will be appointed by the provost to serve as chair for a two-year term.

3.4 A quorum is defined as full board membership present and participating in any hearing.

3.5 The board will appoint an appropriate alternate member to serve at any hearing in which a regular board member has disqualified himself or herself for any reason whatsoever.

4. Jurisdiction

The Undergraduate Grievance Board shall have final jurisdiction in all cases properly appealed to it and in all cases requiring dismissal or suspension. The execution of its decisions shall be supervised by the provost.

5. Powers

5.1 The board will have the power to summon members of the university community to present pertinent information and to supply expert counsel concerning any case presented to the board.

5.2 The board will have the power to dispose of grievances by one or more of the following actions:

- a. Dismiss for want of jurisdiction or lack of substantial evidence. As in courts of law, the board will not entertain complaints of a trivial nature.
- b. Issue a warning. A warning shall consist of a written or oral statement to the faculty member and/or student.
- c. Censure. Censure shall consist of a written statement to the faculty member and/or student. In addition, copies of the statement will be sent to the head of the department and the dean of the college in which the course is offered or the faculty member is employed or the student is majoring, as appropriate, and to the provost.
- d. Change of grade. In the case the board decides a grade should be changed, the board may consult appropriate faculty for a suggested grade. The student, the faculty member, and the dean of the college in which the course was offered will be notified that the board is ordering a change of grade through the Office of the Registrar.
- e. Suspension. Students may be suspended for a specified period of time.

- f. Dismissal. Students may be dismissed from the university for an indefinite period of time.
- g. Other equitable action. In any case involving academic dishonesty, the board may take other equitable action in addition to any of the penalties provided by the academic dishonesty policy or any of the above actions.

~~B. Graduate Student Grievance Procedures~~

~~1. If a graduate student feels he or she has been unjustly treated in some aspect of academic work and has been unable to secure a remedy through the normal channels (e.g. consultation with the professor(s) involved, with the supervisory committee, and thereafter with the head of the department or chair of the program), it is the student's prerogative to take the matter to the dean of the graduate school.~~

~~2. Should the dean be unable to arrive at a mutually acceptable solution with the persons concerned, at the student's request, an ad hoc committee shall be appointed by the dean to investigate the case and make recommendations.~~

~~This committee shall consist of five members of the graduate faculty (one of whom shall be named as chair by the dean), none of whom shall have had previous connection with the case. The committee shall also have three nonvoting members who shall enjoy all other privileges of participation: There shall be one non-voting member appointed by the dean of the graduate school to represent the graduate program or department involved in the complaint, and two graduate students shall be chosen by the Graduate Student Council to serve as non-voting members.~~

~~3. The hearings conducted by the committee shall include presentation of a written complaint by the student with additional oral comments if so desired, testimony by all faculty members directly involved, and whatever written records are pertinent.~~

~~Unless special conditions necessitate delays (e.g., for correspondence), the committee shall complete its inquiry and submit its recommendations within one working month from the date on which it is appointed.~~

~~4. Procedures for the grievance hearings:~~

~~a. The grievance committee may meet a few minutes before hearing the complaint to get acquainted and to clarify procedures.~~

~~b. The dean or associate dean of the graduate school will assist the chair in organizing the hearing and may be present at the hearing for the purpose of orienting the committee, and otherwise facilitating the work of the~~

~~committee.~~

~~The chairman of the ad hoc committee (see B.2.) shall be responsible for tape recording the proceeding. The tapes shall be kept in the office of the dean of the graduate school. In the presence of the dean of the graduate school or his designee, the following persons shall have access to the tape recordings: the litigants involved, members of the ad hoc committee (see B.2.), the dean and associate dean of the graduate school, and, in case procedure B.6. would be followed, members of the graduate council.~~

- ~~c. The complainant will make a presentation stating the problem and the desired remedy, and make additional comments as appropriate. At this time the committee shall hear from those persons that the complainant has indicated in advance to the chair will be there to provide supporting information.~~
- ~~d. The person(s) being charged will then respond to the accusations, and make additional comments as appropriate. At this time the committee shall hear from those people whom the person(s) being charged have indicated in advance to the chair will be there to provide supporting information.~~
- ~~e. The committee shall permit each party one self-initiated response to clarify issues.~~
- ~~f. Throughout the entire hearing, there will be no cross-examination, nor will parties be allowed to question one another. Questions may be asked only by members of the committee and no one may comment unless asked to do so by the committee.~~

~~Attorneys or other advisors, if present, may advise but are not otherwise to participate in the proceedings, unless permission is given by the committee.~~
- ~~g. In so far as the committee's authority pertains only to academic matters, no testimony or discussion will be permitted that concerns issues extraneous to its authority.~~
- ~~h. The meeting(s) will be closed with only the committee, the complainant, and the person(s) being charged present.~~
- ~~i. The committee may permit each party to present a brief closing statement.~~
- ~~j. The committee will meet in executive session to discuss the case and come to a conclusion.~~

~~5. The written recommendation of the majority of the committee shall be delivered to the dean for transmission to the student and faculty member(s).~~

~~If the judgment is against the student, there is no further recourse within the university system.~~

~~If the judgment is in the student's favor, the faculty member(s) shall either act within ten days to redress the grievance or appeal the recommendation to the graduate council. Should the faculty member(s) do neither, then the dean shall report the case to the graduate council for action.~~

~~6. Should a case ever go to the graduate council, it shall be the responsibility of the graduate council to hear a summation by the chair of the ad hoc committee and a statement by or on behalf of the faculty member(s) and student(s) concerned.~~

~~If the graduate council is satisfied with the committee's recommendation, it shall authorize the dean to make the changes recommended by the committee.~~

~~If the graduate council is dissatisfied with the committee's recommendation, it will conduct its own hearing before reaching a final decision. It will notify the dean and the parties involved of that decision, and authorize the dean to make the changes recommended by the graduate council.~~

~~The case is then closed. (GCM 11/10/87)~~

~~C.~~ B. Veterinary Medicine Academic Grievance Procedures

The following procedures will be employed to resolve all grade appeals, academic dishonesty appeals, and other academic grievances brought by all veterinary students.

1. All grievances should be initiated promptly during the semester or summer session in which the grievance arises, and, in any event, before the start of either the next semester or summer session, whichever comes first.
2. Students who feel they have been given an unfair grade or treated unjustly in some aspect of academic work should first consult with the faculty member(s) involved to resolve the matter.
3. For matters that have not been satisfactorily resolved with the faculty member, a student may file a written grievance with the appropriate department head. The department head will promptly arrange one or more meetings with the student and the faculty member to attempt to resolve the matter. At the meeting(s) both the student and the faculty member will have a full opportunity to state their views regarding the grievance and an opportunity to present any relevant written documentation concerning the grievance. On the basis of the information presented, the department head will attempt to arrive at a resolution that is agreeable to both parties. The department head will normally complete this

process within 10 days of the date on which the written grievance is received. The department head will transmit to the dean's office a copy of the written grievance and a statement that the attempt to resolve the grievance has been concluded at the department level. A copy of the statement will also be sent to the student and the faculty member.

4. A student who is not satisfied with the resolution at the department level may file the written grievance with the dean's office. The dean will appoint a five-member faculty committee to hear the appeal. One of the five faculty members will be designated as chair of the committee. One of the five members will be appointed from outside the College of Veterinary Medicine. A member of the Student Board of Ethical Behavior will also be appointed as a non-voting member of the committee. All committee members will be persons with no previous involvement with the grievance.
5. The committee will conduct an administrative hearing designed to consider the facts it deems necessary to arrive at a fair decision. The hearing will include presentation of the written complaint by the student, with additional oral statements, if so desired; testimony by all students, faculty members, administrators, or other persons called as witnesses; and all pertinent written records. The committee will afford both the student and the faculty member full opportunity to express their views on relevant matters. Each party will have an opportunity to present witnesses and to cross-examine the other party and their witnesses. Questions may also be asked by members of the committee. The chair will have the responsibility of assuring that only relevant information is brought before the committee.
6. The chair of the committee will be responsible for notification of parties and witnesses of the time and place of the hearing, for an exchange of written documents and witness lists, and for overall administration of the proceedings in a timely and orderly fashion.
7. A grievant may be accompanied at the hearing by an attorney or advisor who may advise, but who may not otherwise participate in the proceedings, except with the permission of the chair of the committee. A grievant who intends to be advised by an attorney at the hearing should so inform the chair of the committee at least 48 hours prior to the hearing, so that the faculty member may also have an attorney present.
8. Unless the student requests an open hearing, the hearing will be closed with only those associated with the hearing present. At the end of the hearing, the committee will meet in executive session to discuss the grievance and draw up its report. The hearing, but not the deliberations of the committee, will be tape recorded.

9. The written report of the committee will be transmitted to the dean. The report will include (a) the factual findings of the committee; (b) a recommendation to the dean; and (c) the reasons for its recommendation. Normally the committee will transmit its recommendation to the dean within no more than twenty (20) days of the date of its appointment.

10. The dean will make a final decision based upon the written advice of the hearing committee. The decision of the dean along with the copy of the report of the hearing committee will be transmitted to both the student and the faculty member with copies to the department head. Should the dean's decision differ from the recommendation of the hearing committee, he will include a written explanation of the basis for his decision. Normally, the dean will transmit his decision within ten (10) days of receipt of the committee report. The dean's decision will be final within the university.

11. All records and tapes of the grievance procedure will be maintained in a separate confidential file in the dean's office (FSM 6/13/89)