

Graduate Student Academic Grievance Policy

Despite the well-meaning efforts of students and faculty, there may be occasions when a graduate student feels that his or her work has been unfairly or inadequately evaluated. Usually such differences can be amicably resolved between the student and faculty member. The following procedures are designed to encourage satisfactory resolution of academic grievances with a minimum of formal procedure.

The grievance must be initiated by the graduate student no later than one year from the last day of the examination period of the semester in which the alleged unfair or inadequate evaluation occurred.

The graduate student should initially address the grievance to the involved faculty member for review and resolution. If for any reason the faculty member is unavailable or the student believes the matter will not be fairly dealt with or may result in retribution, the student may direct the grievance to the department chair. If there is no department chair, the grievance shall be directed to the graduate coordinator or other person designated by the dean of the college to consider such matters (hereinafter referred to as the department chair). The faculty member or department chair shall have the right to consult others regarding the matter as reasonable, with due regard for the graduate student's right to privacy under the *Family Educational Rights and Privacy Act*.

If the grievance is originated with the faculty member and is not resolved satisfactorily, the student may submit a written request for review to the department chair. Decisions of the department chair, including matters originated with the department chair, shall be given in writing to both the student and the faculty member within 45 days of the student's written request for review. If no further request for review is taken, as described in the following paragraph, the decision of the department chair will be implemented.

If the matter is not resolved to the student's satisfaction by the department chair, the student may submit a written request for review to the dean of the college or school, outlining the grievance, explaining its disposition, and setting forth facts supporting the student's request. The request for review must be made within 45 days of the date of the written disposition by the department chair. The college dean will conduct a review and will communicate his/her decision in writing to the student and to the department chair within 30 days of receipt of the graduate student's request for review.

If the matter is not resolved to the graduate student's satisfaction by the college dean, and it involves terminating the student from the graduate program, the student may submit a written request for review to the Dean of Graduate Studies. The written request for review should contain an outline of the grievance and its disposition and should set forth facts supporting the student's request for review. The request for review must be made within 45 days of the date of the written disposition by the college dean.

The Dean of Graduate Studies will convene a formal administrative review of matters that have not been resolved at the department or college level if terminating a graduate student from his/her graduate program is involved. Following the proceeding, which takes place under "Administrative Proceeding Format" as described below, the review panel will deliberate in a closed session and make a formal recommendation to the Dean of Graduate Studies,

whose decision is final and cannot be appealed. A member of the Graduate Council chairs the administrative review and may ask questions but is not a voting member of the three-person review panel. Review panel members will consist of two graduate faculty members and one graduate student from departments outside that of the graduate student requesting the review. Review panel members will be appointed by the Dean of Graduate Studies.

Administrative Proceeding Format

The format for an administrative proceeding is as follows:

1. Chair's introduction, summary of issues, and process overview
2. Graduate student's presentation of issues (15 minutes maximum)
3. Department representative's presentation of issues (15 minutes maximum)
4. Optional presentation by witnesses (limited to three per side and a maximum of 15 minutes per side)
5. Graduate student's (grievant's) rebuttal (limited to 10 minutes)
6. Questions by panel members
7. Opportunity for the department representative and the grievant to make a final statement (limited to 5 minutes), grievant following the department representatives
8. Dismissal of presenters and witnesses
9. Deliberation by panel members
10. Written recommendations to the Dean of Graduate Studies (within 30 calendar days, unless extended by the panel by written notification to the Dean of Graduate Studies and to the grievant and the department)
11. Written decision by the Dean of Graduate Studies (within 30 days of receipt of the written recommendation of the panel, unless extended by the Dean of Graduate Studies with written notice of the extension to all parties)

Preparation for the Administrative Proceeding

All materials, including a list of witnesses with a short summary of the content of their presentations and a short statement (not to exceed two pages) of the issues and facts to be considered by the review panel, must be submitted to Graduate Studies at least two weeks (14 days) in advance of the administrative review. Materials will then be distributed to the grievant(s), to the chair of the department against which the grievance has been filed, and to the members of the review panel. Thereafter, if any of the parties wishes to have additional materials or witnesses considered by members of the review panel, such materials or witness names must be received by Graduate Studies no later than one week in advance of the administrative review, at which time all materials will be distributed to the parties as well as to the members of the review panel.

Graduate Studies will pay for reasonable reproduction costs, but the cost of reproducing packets in excess of 50 pages will be charged to the submitting party (graduate student or department). No audio/visual equipment will be allowed at the administrative review unless a written request for equipment is received by Graduate Studies at least one week before the scheduled date of the administrative review. The requesting party is responsible for providing the requested audio/visual equipment.

The chair of the review panel may, at his or her discretion, convene a planning meeting with the department representative and the grievant to discuss the material and witnesses submitted, in order to expedite the review by eliminating redundant and irrelevant information and by defining the precise issues that will be considered by the panel.

Presentation of the issues should be concise and relevant. The chair of the review panel shall be responsible for conducting the administrative review and making decisions regarding applicable procedures. The points of dispute may be summarized or illustrated by anecdote. Experience suggests that the best approach is to carefully tailor the formal presentation to the pertinent issues and to allow the panel members time for questions.

Attendance at the Administrative Proceeding

Attorneys are not allowed to attend at any point in the review process. The grievant, however, may bring one or two additional persons to the administrative review for support and counsel. The grievant will be solely responsible for his or her presentation. The review panel described in this document operates as part of an academic administrative review, not a judicial proceeding. The graduate student must notify Graduate Studies, in writing, at least two weeks before the scheduled date of the administrative review if he/she wishes to have one or two additional persons present. The presence of these additional person(s) does not change the proceeding, as they will not be able to examine witnesses, ask questions, advocate, or otherwise take part.

Honor Code Violations

Honor Code violations are handled through the Honor Code Office and are not subject to the same procedures as academic grievances. For more information regarding Honor Code policies and procedures, contact the Honor Code Office at hco@byu.edu or 2-2847.