

# STUDENT ACADEMIC GRIEVANCE PROCEDURES

The procedures that follow pertain to alleged violations or misapplication of college and/or course policies. They are also directed at a student grievance alleging that the student has been treated unfairly, in violation of established academic policy or practice. These procedures reflect the college's commitment to a fair and prompt resolution of student academic grievances. These procedures begin with an informal process but include a formal process that centers on hearings and recommended resolution of the grievance in a way that maximizes the opportunity for a full and impartial solution. Request to waive or otherwise alter college academic policies shall continue to be the province of the Academic Appeals Committee. (See Waiver of Academic Regulations (<http://ecatalog.buffalostate.edu/graduate/academic-policies/student-complaints-grievances-appeals/academic-appeals-waiver-academic-regulations/>).

The procedures below do not deal with grievances that are based on issues of sexual harassment or discrimination. Such grievances are handled through the Equity and Diversity Office (<https://equity.buffalostate.edu>). Similarly, complaints that deal with other nonacademic issues are administered by the Dean of Students Office (<https://deanofstudents.buffalostate.edu>) (see previous section).

For academic grievances, students are advised to retain all documentation from the course, including (but not limited to) the syllabus, tests, quizzes, papers, and any graded evaluations. These materials are required to substantiate any grievance.

## 1. Jurisdiction

A grievance shall include, but not be restricted to, a complaint by a student

- a. that college regulations and/or policies have been violated or misapplied to him or her, or
- b. that he or she has been treated unfairly, defined in terms of established academic policy or practice governing or affecting students at the college.

## 2. Time Limit

- a. At the informal level before the fifth week of the following semester, or
- b. at the formal level before the 10th week of the following semester.

## 3. Grievance Resolution Process

The process includes the possibility of hearings at two levels: the department and the faculty.

- a. At the department level, a student with a complaint should attempt to resolve the complaint informally with the faculty or staff member involved. The assistance of the chair may be sought to resolve the dispute to the satisfaction of both parties. A student must

initiate the process no later than five weeks into the following semester. The student who is not able to achieve resolution with the instructor may initiate a formal grievance or grade appeal process no later than 10 weeks into the following semester by preparing a written statement, which includes the following:

- i. a statement of the case in detail,
- ii. all information about the conference with the instructor,
- iii. a statement of the reasons the student believes he or she is aggrieved or, in the case of a grade, why it should be reconsidered,
- iv. all relevant supporting materials, which should be identified and listed in an index.

The student shall submit complete copies of the written statement and attachments to the chair of the department and the faculty member identified in the grievance. The chair shall carefully review the statement, confer with the student and instructor, and attempt to reach a resolution of the dispute. The chair may ask members of the department to serve as a committee to review the materials and assist him or her in reaching a decision. The chair's response must be made within 10 academic days of the date of the student's request.

In conformance with state regulations, the department shall maintain adequate documentation about each formal complaint and its disposition for at least six years after final disposition of the complaint. If the department chair is the party against whom the grievance is brought, the student should initiate a review at the dean's level, which follows:

- b. If the matter is not resolved to the student's satisfaction at the departmental level, he or she may request a hearing at the faculty level by writing to the dean of the faculty and forwarding the documentation to that office. The request must be made within 10 academic days of the receipt of the recommendation of the department chair. The dean or designee shall convene a three-person committee drawn from a panel of available faculty within 10 academic days. Such committee shall include one faculty member from the department in which the faculty member resides. Furthermore, after the committee is constituted, the faculty member and the student have the right to review the committee membership and request alternative members in the

event it is believed a member of the committee is not neutral. The committee shall meet and review the materials presented and solicit a response from the instructor to each count of the student's case. In the case of a grade appeal, the committee will familiarize itself with the standards and objectives of the course and evaluative material presented. Concerns shall be limited to consideration of the fairness of the application of the standards and objectives, and whether the standards and objectives were made known to the student in a reasonable manner. The difficulty of the standards shall not be an issue.

The burden of proof shall be on the student, who may be asked to appear before the committee.

In the case of a grade appeal, if the majority of the committee feels no case can be made, the original grade will remain. If it finds that the standards and objectives were not reasonably known to the student or were unfairly applied, it may recommend a different grade and give its reasons for so recommending. The committee shall report its findings in writing to the student, the instructor, and the dean.

If the panel recommends a different grade, the instructor shall have 10 academic days from receipt of the panel's report to inform the dean of the faculty of the intent to change the grade. If necessary, the dean may direct that the grade be changed. A change of grade shall not be interpreted as an admission of unfairness in grading.

In the case of a grievance, if the majority of the committee members adjudge the grievance to be without foundation, written notification of their findings will be forwarded to the student, the instructor, and the dean of the faculty. If, in the judgment of the committee, there is a basis for the grievance, a written report will be forwarded to the dean of the faculty with specific recommendations for redress. Copies shall be forwarded to the student and the instructor.

The dean of the faculty will notify all parties of his or her final decision regarding the grievance within 10 academic days of receipt of the committee's findings and recommendations.

In conformance with state regulations, the dean's office shall maintain adequate documentation about each formal complaint and its disposition for at least six years after the final disposition of the complaint.

#### 4. Committees

Committee members shall be drawn from a list of faculty nominated by departments. In naming the committee to hear a grievance, the dean shall take care to ensure that no member has an interest in the case being heard.

#### 5. Confidentiality

Once the grievance committee has been convened to hear a complaint, principals and committee members shall

have the obligation to maintain the confidentiality of the proceedings and of all materials presented.

#### 6. Review

This procedure must be reviewed after two years. The review process should identify any irregularities in grade changes. To facilitate this review, a copy of all documentation/findings at the formal level shall be retained in the department office.