STUDENT GRIEVANCE AND APPEAL PROCEDURES

I. PURPOSE. These procedures are to provide a framework and mechanism for reviewing SNRE faculty, staff, or committee actions or decisions which a student feels are discriminatory, unjust and/or in error. These procedures are also to be used to dispute disciplinary actions to be taken as a result of student misconduct, both academic and non-academic. Disputes between faculty or between faculty and the administration should be resolved under a separate faculty appeal procedure. The following set of procedures should be implemented only after all attempts at informal settlement have been exhausted.

It should be recognized that SNRE has no jurisdiction over complaints involving other University academic units, outside agencies, or persons not associated with the University. The procedures detailed below are for students enrolled in SNRE courses or programs.

II. SUBJECT MATTER. These procedures are appropriate for the review of non-employment-related student grievances including, but not limited to:

A. All aspects of the academic process including grades, evaluations, curriculum requirements, admission to candidacy, and petitions for waiver of regulations or requirements, late drops and special dispensations.

B. Allegedly unfair, discriminatory, or intimidating treatment of students, including sexual or racial harassment or intimidation; allegedly unjustified denial of access to, or misappropriation of, student data; and allegedly unprofessional conduct toward students by faculty or staff.

C. Allegedly unfair or improper rules, regulations, policies, or procedures.

III. GRIEVANCE/APPEAL PROCEDURES. Students wishing to initiate a grievance or appeal an action should follow the procedures outlined below as appropriate[1]:

SNRE Grievance/Appeal Procedure

Step 1a: Students may choose to discuss the grievance with the faculty, staff member, or committee involved in the matter on issues related to the academic process (Section II.A. above). Most disputes described in Section II.A. probably can be resolved at this level following a thorough and rational discussion of the issues by the parties involved. Initial contacts should be established within 180 calendar days of the origin of the situation resulting in the grievance (see Time Limits in Section VII).

Step 1b: If Step 1a is not elected, or if not satisfied with the outcome of the discussion from Step 1a, either party may request time to discuss the problem with the Associate Dean, who will informally attempt to mediate and resolve the disputes. This request should be made within 15 working days of the last meeting in Step 1a (see Time Limits in Section VII).

Step 2: If Step 1a and/or Step 1b fail to resolve the issue, then either party may present a "Petition to Request Review of a Grievance" to the Associate Dean to request review by an appropriate committee (e.g., Academic Affairs Committee) or by an ad hoc Grievance Committee. A petition form is attached to these procedures. Additional petition forms are available in the Office of Academic Programs, room 1024 Dana Building.

A. The Nature of a Grievance Petition.

Completed petitions should be filed promptly as soon as informal channels have been exhausted. The Associate Dean will respond to the grievant within 10 working days to acknowledge receipt and describe future action. Written grievances should include all pertinent facts and information which substantiates the grievance and detail previous actions taken to resolve the dispute. Written statements may be returned to the grievant for additional information or clarification. All written statements submitted to the Associate Dean will become part of the record for further action.

B. The Role of the Associate Dean.

Upon receipt of a "Petition to Request Review of a Grievance" in its final form, the Associate Dean will determine whether to send the grievance to an appropriate standing committee (e.g., Academic Affairs Committee) for resolution or, if deemed necessary or specifically requested, the Associate Dean will pass the grievance to an ad hoc Grievance Committee for resolution. The Associate Dean will immediately notify, in writing, all parties involved in the dispute of his/her actions.

IV. THE GRIEVANCE COMMITTEE.

A. Membership.

When a grievance is to be brought before a specially-convened body, the Associate Dean will establish a 3-person Grievance Committee (consisting of 2 faculty and 1 student). The Associate Dean will select two faculty members and will appoint one of them as committee chairperson. The Students for SNRE will also appoint one student to serve on the committee. If the grievant is an undergraduate, the student member of the committee will be an undergraduate, and if the grievant is a graduate student, the student member will be a graduate. If the grievant is a faculty or staff member, the student member should be the same rank (undergraduate or graduate) as the student involved in the dispute. The student member of a grievance committee will be considered a University official with authorization to review the files of the student involved in the dispute. All members of the Grievance Committee must be willing to be impartial and respect the confidentiality of all discussions involved with the grievance.

1. Any student or faculty member must disqualify him/herself from the committee hearing a particular grievance if s/he has a personal interest in the outcome of the case. Individuals requesting to be disqualified must submit a written request to the Associate Dean.

2. Challenges should also be submitted in writing to the Associate Dean. If a faculty committee member is disqualified or challenged, a replacement will be appointed by the Associate Dean. If a student member of the committee is disqualified or challenged, a replacement will be appointed by the Students for SNRE.

B. Purpose and Authority of the Grievance Committee.

Once properly impaneled, the Committee must decide whether to accept a grievance and whether the Committee has jurisdiction. If a grievance is accepted, the Committee will hear the evidence and render an impartial judgment on each case.

1. The grievance hearing will be closed to all but the parties concerned.

2. The Committee may refuse to accept a written grievance if it determines that, on the basis of the allegations, there is no basis for the grievance. However, the facts must be considered in a light most favorable to the grievant. The Committee may also refuse to accept a written grievance if it determines that the SNRE Student Grievance and Appeals Procedures do not apply or do not have jurisdiction.

3. If the Committee accepts the grievance, a formal hearing will proceed. This hearing is to be an impartial internal review of the grievance or disciplinary action. It is not, however, a court of law. Although neither witnesses nor principals are under any oath, all participants in the hearing are expected to be civil and truthful.

C. Conduct of the Committee Hearing.

1. The Chair of the Committee will convene the hearing and will conduct it in an orderly manner. Outbursts and interruptions of a presentation should not be allowed.

2. If the student fails or refuses to appear, the Committee may proceed to hear the case and make findings and recommendations without the student's participation.

3. The grievant may be accompanied at the hearing by a personal advisor, who may be an attorney; however, the advisor may not participate directly in the proceedings. Faculty members may consult with the University attorney or unit representative of the Faculty Senate. Students may consult with the University Ombuds.

4. The grievant will be allowed to present his/her allegations or opening remarks. The Committee may then ask clarification questions of the grievant.

5. The subject of the complaint will then be allowed to reply and present his/her opening remarks without interruption. The Committee may then ask clarification questions of the subject of the complaint.

6. After both parties have presented their introductory remarks, the grievant may call witnesses to support the allegations. The subject of the complaint and committee members may question witnesses or principals for additional information or clarification.

7. The subject of the complaing will then be permitted to call witnesses. The grievant and committee members may question witnesses or principals for additional information or clarification.

8. If new evidence is presented which was not contained in the original complaint and which may materially affect the outcome of the case, the Committee will continue the hearing, allowing sufficient time for the parties to prepare a response.

9. A taped record of the hearing will be kept, but this record must not be used to violate the confidentiality or privacy of the hearing. A copy of the taped record will be provided to the grievant and/or subject of the complaint upon request, subject to approval by the Office of the General Counsel.

10. After hearing the evidence, the Committee will begin confidential deliberations to arrive at a decision. All Committee recommendations or decisions are to be made by simple majority vote of all 3 members.

D. Notice of the Grievance Committee's Decision. The Committee must prepare a written statement as soon as it is practically possible. In this document, the Committee must state the recommendation/decision, the reasons, and the applicable policies or regulations. This statement should be completed within 10 working days of the Committee's initial meeting. Copies of the Committee's statement are to be submitted to each of the principals in the grievance, the Associate Dean, the Dean, and the Executive Committee.

V. RECOURSE OR APPEAL OF GRIEVANCE COMMITTEE RECOMMENDATIONS. Dissatisfied parties can appeal any decisions or recommendations to the Dean and Executive Committee for an overall review and final decision. Only the Grievance Committee's procedures and the merits of the recommendations will be reviewed by the Dean and Executive Committee. They will not hear new testimony or conduct a formal hearing.

VI. RECORDS. All records will be retained in confidential files and opened only upon authorization of the Dean or as otherwise required by law. Records will be retained for at least two years. Ordinarily no notation regarding a grievance will be made in a student's academic file. However, the Committee will have to consider the seriousness of each case and, in serious cases, prepare a memorandum for the student's confidential file. No records will be destroyed without prior approval of the University General Counsel.

VII. TIME LIMITS AND DEADLINES. The following time limits and deadlines have been detailed in the above procedures:

A. Initial contacts between students and faculty or staff involved in a grievance or disciplinary action should be made within 180 calendar days of the origin of the situation resulting in the grievance.

B. Principals in a grievance or disciplinary action should request the mediation of the Associate Dean within 15 working days of the last informal meeting of the principals.

C. The Grievance Committee should be appointed within 10 working days of the receipt of a written grievance in its final form.

D. The Grievance Committee's recommendations and decisions should be made within 10 working days of its initial meeting.

It should be recognized that these time limits and deadlines are suggested to promote the expeditious handling of each case. Intentional delays should not be tolerated, but the time limits and deadlines should be imposed with reasonable flexibility depending on the circumstances of each case. If long delays are predictable or foreseen, then either principal in a case may petition the Associate Dean for time extensions.

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[i] Graduate students registered in the Horace H. Rackham School of Graduate Studies may submit a written grievance to the Graduate School Grievance Officer to initiate a formal hearing under the Rackham Academic Grievance Procedures if there is reason to believe that they could not receive a fair and impartial hearing in SNRE. The student, through the Graduate School Grievance Officer, may petition the Provost for Academic Affairs for a change of venue. If, in consulting with SNRE, the Provost concludes that it is uncertain that the student can receive a fair hearing, the Provost shall endorse the petition for a change of venue, and the Rackham Academic Grievance Procedures will be used.

NOTE: Students who have pursued a formal grievance procedure through SNRE may not subsequently submit the grievance for review under the Rackham Academic Grievance Procedures.