

## **APPENDIX D: University-Wide Academic Grievance Procedures**

### **I. Academic Grievances**

A. A student academic grievance is broadly defined as a student complaint regarding an academic action taken by instructional or administrative personnel at The University of Alabama. An academic grievance may be filed by a student against university personnel including instructional personnel, administrators, or staff members at the University. Examples of academic grievances include, but are not limited to, allegations of unfairness in grading, alleged violation of a written or oral agreement with a student (e.g. course requirements for graduation), and alleged inconsistent applications of existing policies. For a protest of a final course grade or other final comprehensive evaluations to be considered, the protest must be based upon one or more of the following grounds and upon allegation that the ground or grounds cited influenced the grade assignment to the student's detriment:

1. Arithmetic or clerical error;
2. Arbitrariness, possibly including discrimination based upon one's protected status as set forth in the University's Equal Opportunity, Non-Discrimination and Affirmative Action **Policy Statement**; or
3. Personal malice.

Grievances related to course grades normally should be filed during the semester in which the alleged action takes place, but such protest must be made not later than the last day of classes of the next succeeding regular semester. This grievance procedure is not available for cases in which a decision has been appealed and afforded a committee hearing, and the appeal has been denied.

Grievances related to course grades at The University of Alabama School of Law shall be resolved in accordance with the Law School's policies and procedures. Grievances related to course evaluations for medical students shall be resolved in accordance with The University of Alabama School of Medicine's policies.

B. A student must file a grievance in the academic department (academic department is a phrase that also refers to academic program or area, if these terms apply) of The University of Alabama in which the alleged action took place. Academic grievances shall be resolved by the department chair in the division where the grievance took place. Grievances concerning matters that are not within the jurisdiction of a particular academic division and grievances against the divisional academic dean must be resolved by the Provost. Grievances against the department chairperson must be resolved by the divisional academic dean. Appeals from the academic dean's decisions may also be made to the Provost.

### **II. Resolution by Department Chairperson**

A. Students who believe academic actions have unjustly affected them may file a grievance with the department chairperson. The facts and circumstances that are bases for the academic grievance should be presented to the department chairperson in written form.

B. Within 15 working days of the receipt of the grievance, the department chairperson will respond, starting with scheduling a conference with the student who has brought the grievance. During the conference (which may be held electronically), the department chairperson will reissue the student a copy of the University-wide Academic Grievance Procedures, ascertain the circumstances involved, and review any materials or circumstances pertinent to the grievance to determine if there seems to be a reasonable or sound basis for the academic grievance. If the chairperson decides there may be a reasonable or sound basis for the academic grievance, or if the student chooses to file the grievance, then the department chairperson will arrange conferences with the student and other person(s) involved. These meetings may be individual or joint conferences as deemed appropriate by the department chair.

Prior to these conferences, the other person(s) involved will be given a copy of the written grievance and will be reissued a copy of the University-wide Academic Grievance Procedures. Both the student and other person(s) will be informed that the purpose of conferences scheduled by the department chairperson is to attempt to resolve the issue informally. Both parties will be informed that they have the right to present any evidence, supporting witnesses, or any other relevant information during these conferences.

C. At the beginning of these conferences, the department chairperson will inform the student and other person(s) involved that the purpose of these meetings is to attempt to resolve the grievances informally. The department chairperson will act as intermediary between the student and other individual(s) with whom the student has a dispute. The department chair makes no formal resolution in the matter and should not take any action regarding a grade or any other final disposition. If a mutually satisfactory resolution can be reached, the academic grievance is resolved.

D. If a resolution cannot be reached informally between the student and other person(s) involved, the matter will be forwarded to the academic dean to be resolved.

### **III. Resolution by Academic Dean**

Any matter not resolved by the department chairperson's mediation will be resolved by the academic dean. Within 15 working days of receipt of the grievance, the dean will acknowledge the receipt and begin the resolution process. The dean may act alone or in conjunction with a standing divisional committee or an ad hoc committee appointed by the dean, but the dean will make the decision. The academic dean will arrange conferences with the faculty or staff member, student, and others, as may be appropriate, to discuss the matter in question. The student and other person(s) involved will be given an opportunity to make a statement, present evidence, witnesses, or materials pertinent to the academic grievance. The student may be accompanied and advised by any one person the student chooses. This adviser, who may be an attorney, may privately consult with and advise the student, but may not question witnesses, make statements, or otherwise directly participate in the conference discussing the matter. Any fees charged by the adviser are the sole responsibility of the student. The dean or committee may remove or dismiss a support person/adviser who becomes disruptive or who does not abide by participation limits. The academic dean, after careful deliberation, will render a decision.

Notice of the dean's decision will be sent by certified mail to the student, with copies to the faculty or staff member and other involved parties. Either party may appeal the dean's decision to the Office for Academic Affairs if the appeal is filed within 15 working days of the mailing date of the dean's decision.

#### **IV. Appeal**

The dean's decision may be appealed by either party to the Office for Academic Affairs within 15 working days of the mailing date of the dean's decision. Appeals must be based on substantive grounds such as procedural errors, new information, or inconsistencies in the application of policies.

When an appeal is received by the Office for Academic Affairs, an official from that office will respond within 15 working days. That official will schedule a conference(s) with the concerned parties to discuss the reasons for the appeal. If meetings with the concerned parties result in an agreeable solution to the matter, the appeals process will end. If no such solution is reached, the official from the Office for Academic Affairs will recommend to the Provost, giving reasons for the recommendation, whether the appeal should be heard or denied. If the Provost denies the appeal, the appeal process will end.

If the appeal is to be heard, the official from the Office for Academic Affairs will convene a panel to resolve the issues that remain. The panel will consist of a person designated by the vice president for Student Affairs, a person designated by the Provost (not the official convening the panel), one student (appointed by the president of the SGA), and two faculty members (appointed by the president of the Faculty Senate); both the student and the faculty member will come from the division holding jurisdiction for resolving the academic grievance, if it is possible to find such people who have no prior connection with the case. In cases involving graduate students, the faculty and student members of the appeals panel should hold graduate faculty or graduate student status, respectively. The person designated by the Provost will serve as hearing administrator and will coordinate and preside at all meetings conducted to resolve the academic grievance appeal.

The hearing by a panel is an administrative hearing, and the proceedings will be informal rather than those used in courts of law. The panel may admit any evidence that is of probative value in determining the issues, subject to the panel's judgment as to the relevance, credibility, and weight of the evidence. The panel may ask the parties to produce evidence on specific issues, may examine witnesses, and may call and examine its own witnesses. Either party may be represented at the hearing by a person of his or her choice. This adviser, who may be an attorney, may privately consult with and advise the student, but may not question witnesses, make statements, or otherwise directly participate in the conference by discussing the matter in question. Any fees charged by the adviser are the sole responsibility of the hiring party. The dean or committee may remove or dismiss a support person/adviser who becomes disruptive or who does not abide by participation limits. If any party is accompanied by an attorney, then a representative from the Office of the University Counsel may be present.

The panel will decide each of the issues raised in the appeal. The panel's decision will be final and will conclude the process insofar as the University is concerned. A decision must be supported by

the votes of at least three of the panel members. The panel will give written notice of its decision to the student, the faculty or staff member, the dean, and the Provost.