

Grievance Policy

Faculty Performance Complaints

Problems of an academic nature are best resolved by the student meeting directly with the professor with whom the student has the problem. If the problem cannot be adequately resolved in this manner, student complaints should be directed to the Chairperson of the faculty member involved.

If the complaint is against the Chairperson, these procedures shall be modified so that the Dean of the College shall undertake the responsibilities of the Chairperson under these Guidelines and the Provost (or their designee) shall undertake the responsibilities of the Dean under these Guidelines. Normally, such complaints should be made within six months of the end of the course in which the complaint arose.

Identified Complaints

When a person makes a complaint and provides their name, the Chairperson will advise the individual to approach the faculty member. The Chairperson's goal will be to arrange a meeting of the parties to permit the issue to be resolved at the local level if at all possible. This also permits the faculty member to address the matter directly with the student, which may eliminate the possibility that simple misunderstandings have contributed to the problem. If the complainant does not agree to a joint meeting, the Chairperson will advise the faculty member of the details. If the complainant requests that their identity remains confidential or the Chairperson considers it appropriate, the identity of the complainant will remain confidential. The Chairperson will inform the complainant of the results of the meeting with the faculty member.

Anonymous Complaints

The Chairperson should express displeasure with any anonymous complaint and point out that such complaints will not be accepted. If an anonymous written complaint arrives, the Chairperson should inform the faculty member of the details of the complaint.

The faculty member shall be presumed to have acted appropriately unless otherwise determined in accordance with these guidelines.

The Chairperson shall make reasonable efforts to mediate the complaint. The Chairperson may consult with others in connection with their review of the complaint. In the event that the complaint cannot be amicably resolved in the Chairperson's judgment, the Chairperson may make such disposition of the complaint as the Chairperson deems warranted. The Chairperson shall ordinarily communicate their disposition of the complaint to the student initiating the complaint and the faculty member.

If either the student or the faculty member is dissatisfied with the Chairperson's disposition of the complaint, they may contact the department committee constituted to handle complaints. This elected or appointed standing committee of the department should be duly constituted following the department's own policy. If a department has too few members to reasonably form such a committee, the department, less the faculty member involved, shall constitute a committee of the whole. The student or faculty member should present their complaint via a formal written and signed statement to the committee within seven days of the Chairperson's disposition of the matter. The committee shall consider the complaint in accordance with the procedures described in the grievance policy below.

Grade Complaints

Student complaints concerning a grade should be directed to the Chairperson of the faculty member involved. The Chairperson shall urge a student who brings a complaint about a grade in the first instance to try to resolve the matter with the course instructor. That failing, the Chairperson should attempt to resolve the issue between the student and instructor. The Chairperson may consult with others in connection with their review of the complaint.

If the complaint is against the Chairperson, it should be directed to the Dean of the College and these procedures shall be modified so that the Dean of the College shall undertake the responsibilities of the Chairperson under these Guidelines and the Provost (or their designate) shall undertake the responsibilities of the Dean under these Guidelines.

In the event that the complaint cannot be amicably resolved in the Chairperson's judgment, the Chairperson may make such disposition of the complaint as the Chairperson deems warranted. The Chairperson shall ordinarily communicate their disposition of the complaint to the student initiating the complaint and to the faculty member.

In a particularly difficult case, the Chairperson may elect to refer the matter to the departmental committee for fact finding and recommendations. The committee shall consider the Chairperson's referral of the matter in accordance with the procedures described in Grievance Policy and send its recommendations in writing to the Chairperson. The Chairperson shall be guided in their determination by widely accepted professional norms of academic freedom which normally make the instructor the focus of authority in determining grades. The Chairperson shall communicate their determination of the complaint to the Dean of the College, the faculty member involved and the complainant.

Department or College Committee

Upon a referral from the Chairperson in the case of a grade complaint or upon a written complaint from a student or faculty member dissatisfied with a Chairperson's disposition of a faculty performance complaint, the committee shall meet within a reasonable time to determine how best to handle the review of the particular matter. The committee may convene hearings appropriate in its judgment to the particular situation presented. The committee procedures may include by example and not by limitation, individual interviews, closed hearings and review of documentation. The committee is not bound, however, by the rules of judicial or administrative hearing procedures or by formal rules of evidence. All interviews and hearings shall be conducted in appropriate University facilities designated by the committee and shall be closed to the public. Every committee member need not attend every interview or hearing session. The University does not permit legal counsel to participate in hearings or interviews of the committee on behalf of the student or faculty member. Only information which has been communicated to the faculty member, thus permitting the faculty member an opportunity to respond thereto, shall be relied upon by the committee in reaching its conclusions. The committee shall reach its decision by majority vote.

In the case of a grade complaint, the Committee shall provide its findings of fact and written recommendations to the Chairperson for consideration in the Chairperson's determination of the matter. In making its recommendation to the Chairperson, the Committee shall base its decision on clear and convincing evidence and on the principle that the locus of authority in determining grades normally is placed with the instructor. In the case of a faculty performance complaint, the committee shall provide its findings of fact and written decision to the student, faculty member, and Chairperson. The Committee shall make its decision based on the preponderance of evidence it has reviewed.

Appeals Process

In the extraordinary case when a student or faculty member is unwilling to accept the decision of the Chairperson with respect to a grade complaint or the departmental complaint committee with respect to a faculty performance complaint, they may appeal the decision in writing to the Dean of the College within seven days of that decision, but only on the following basis:

- Material procedural defect in the Committee, or
- Material procedural defect in the Chairperson's handling of the matter, or
- New material evidence not reasonably available at the time of the committee or Chair's review of the matter.

All written deliberations concerning the complaint shall be forwarded to the Dean to aid in the decision. In the course of their review of the appeal, the Dean may, but shall not be required to, consult with others, interview the complainant, faculty member, chair, committee members or others. The decision of the Dean shall be final.