

3364-77-02 Graduate student academic grievance.**(A) Policy statement**

This policy supersedes and replaces all previous policies on graduate student academic grievance.

(B) Purpose of the policy

The purpose of this policy is to provide graduate students and their colleges with the procedures to be followed when an academic grievance is desired after grievance procedures within the student's program and academic college are exhausted. This policy grants the graduate student the right to appeal in writing to the dean of the college of graduate studies for further and final consideration of an academic grievance.

(C) Scope

These grievance procedures shall apply to students in all graduate programs at the university of Toledo. Students should refer to college specific handbooks in which their particular graduate programs reside for more detailed information about the administration and academic policies that govern their program and college. This policy provides the process for a graduate student to grieve any actions or failures to act or alleged violations of university, college or departmental policy (e.g., program dismissals, grade appeals, oral exam results, or any other academic decisions) that are perceived to impede their progress toward completion of their academic program.

Appeals dealing with academic dishonesty, including, but not limited to, cheating and plagiarism, are explicitly exempt from this process and shall be dealt with under the procedures outlined in rule 3364-77-01 of the Administrative Code (graduate academic dishonesty) or equivalent. This policy does not apply to grievances related to responsible conduct of research and/or authorship which are addressed in rule 3364-70-02 of the Administrative Code (responsible conduct of scholarship and research) and rule 3364-70-02 of the Administrative Code (integrity in research and procedures for investigating allegations of research misconduct).

(D) Procedure

Before a grievance can be submitted to the dean of the college of graduate studies, all processes and procedures established to resolve academic grievances in the graduate student's program and academic college must be exhausted. Any student questions on the processes and the documentation required for these initial steps should be addressed with the individual's program director and the office of the academic dean of the program's college. Students are responsible for understanding these procedures prior to submission of an appeal or grievance to their academic college.

Each academic college must have a graduate-level academic grievance committee to adjudicate such cases. It is recommended that each academic college constitute a committee for adjudicating graduate grievances separate from committees which hear undergraduate grievances. In the case where a college has only a single grievance committee for cases involving either undergraduate or graduate students, only graduate faculty members may adjudicate the cases involving graduate students or other graduate faculty members. No individual may sit in judgment of an appeal or grievance at more than one level of review (i.e., department level or college level or university level). Any appealed decision should be communicated to the college of graduate studies according to the procedures of the academic college.

After appeals within the academic college are exhausted, the graduate student may appeal in writing to the dean of the college of graduate studies. In such cases, the appeal process will follow the procedures established by this policy and the university of Toledo graduate council. Any procedural conflict existing between an academic college and the college of graduate studies will be resolved by the provost or designee.

An appeal to the dean of the college of graduate studies must comply with the following requirements:

- (1) The academic appeal must be initiated no later than the end of the semester following receipt of the contested grade, action, or decision perceived to impede the student's academic progress.
 - (a) This appeal must include a statement of the specific grounds for appeal, the corrective action the student desires, and a summary of decisions made at all previous levels of review.

- (b) The dean of the college of graduate studies or designee will notify the program director and academic dean from the college in which the student appeal originates, to request that all departments and colleges involved submit to the graduate college all documents, including written communications, pertaining to the appeal along with copies of relevant department and college procedural manuals/handbooks, and shall attempt to resolve the case by meeting or otherwise communicating with both the student and the college within twenty working days (Mondays through Fridays, not counting university holidays and school breaks).

If a resolution is not achieved, the dean of the college of graduate studies has five working days to refer the appeal to the graduate council's academic standing committee (ASC). Membership of the ASC shall be determined by the university of Toledo graduate council. The ASC must hold an initial hearing to consider the appeal no later than thirty working days (Mondays through Fridays, not counting university holidays and breaks) after the date of referral. A quorum of one-half of committee members must attend the meeting to begin conducting business and hear the appeal. Any member of the committee who has firsthand knowledge of the alleged violation must recuse themselves from the hearing panel and a replacement will be identified by the ASC chair. All communication from the committee, the student, faculty, advocates, etc. during the appeal should be directed to the dean of the college of graduate studies.

- (c) The ASC may request additional documentation from the student, the student's college office, or the graduate college. The ASC's deliberations or other business may be suspended for up to ten working days to receive the requested documents. If one party fails to deliver an adequate response within ten working days, the ASC may render a decision.

- (2) The student shall be given a minimum of seven working days advance written notice of the date, time and place of the hearing

and is entitled and encouraged to have an advocate present at the hearing for advisory purposes. The student will present the appeal and shall have the burden of establishing that the academic decision is incorrect. The student may call witnesses on his/her behalf and may question witnesses of the university. Any advocate will not have a speaking role in the proceedings. Likewise, the faculty member (or respondent) may question witnesses testifying on the student's behalf. The committee may question any witness and request relevant documentation, which is not otherwise provided.

- (3) Within fifteen working days of the final hearing, the ASC shall formally communicate its decision to the graduate dean who will notify all relevant parties (complainant and respondent) of the decision and deliver a copy of the committee's report to each.
- (4) Procedural error: If either the student complainant or faculty member respondent believes the ASC decision resulted from a procedural error, the student or faculty member may appeal, in writing to the dean of the college of graduate studies within ten working days of receiving the committee's decision. The dean shall review all documentation and proceedings from the prior hearing solely for procedural error and either: (a) dismiss this final appeal on the grounds that no procedural error occurred, (b) remand the decision to the committee for the purpose of obtaining further relevant evidence and for confirmation or reversal of its original decision, or (c) instruct graduate council to empanel a new committee on academic standing to adjudicate the case.

If no procedural error is made, the decision of the ASC shall be final and will be implemented by the dean of the college of graduate studies. The dean of the college of graduate studies shall notify the student and his/her respective college within fifteen working days of receiving the final decision.

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Certification

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