

# PROCEDURES FOR ACADEMIC GRIEVANCES AND APPEALS

Active students may appeal academic and student status related decisions and/or seek resolution of complaints or grievances through the Academic Grievance and Appeal Procedure during their enrollment at the University of Denver.

Graduate units may have additional requirements specific to their accreditation or professional standards. It is the responsibility of the student to determine whether the graduate unit has specific requirements and the responsibility of the unit to ensure that those requirements are addressed prior to advancing the grievance to the Office of the Provost. In the event of conflict between any grievance process published in unit manuals or websites, the formal grievance process will govern.

## Eligible and Ineligible Concerns

### Eligible Concerns

These procedures may be used only by active students with the following concerns:

- A grievance or appeal regarding academic standing during their enrollment at DU.
- An academic decision made by a faculty or staff member, administrator or committee of the University of Denver that directly and adversely affects the student—e.g., program termination or dismissal, academic suspension, removal from a course, termination of GTA or GRA appointment.
- The grievance or appeal must be based on problems of process or concerns of bias, retaliation, or other impropriety and not on differences in judgment or opinion concerning academic performance.

**Note:** *Students who wish to appeal a termination or dismissal from a program must do so within 45 calendar days of the term following their last term as an active student.* For concerns of bias and retaliation based upon a protected class, the grievance will be referred to the Equal Opportunity Office, which may alter the timeline and process.

### Ineligible Concerns

These procedures may not be used to resolve the following concerns:

- appeals related to disciplinary actions taken by the Conduct Review Board
- grade appeals
- admission decisions
- appeals or grievances submitted beyond the published timeline

## Formal Grievance and Appeal Process

### First Level: Informal Resolution

Students are expected to attempt to resolve complaints informally with the faculty or staff member, administrator or committee responsible for the academic decision. This attempt must include discussion of the complaint with the involved party or parties. *If all reasonable informal efforts to resolve a complaint fail, the student may file a formal grievance or appeal.*

If the complaint involves a charge of unlawful discrimination, the student may report the situation to the Office of Equal Opportunity or an appropriate supervisor who must immediately notify the Office of Equal Opportunity.

### Second Level: Submission of the Formal Grievance or Appeal to Program Director/Chair

If a student elects to file a formal grievance or appeal, it must be filed within 45 calendar days into the next quarter after the contested decision or grade was officially recorded and during which the student is enrolled at DU. All grievances and appeals must be filed in writing, signed and dated by the student and include supporting documentation at the time it is filed. The grievant/appellant must minimally provide the following:

- a clear description of the decision being grieved or appealed,
- the basis or bases for challenging the decision,
- the identity of the party or parties who made the decision,
- the specific remedy or remedies requested, and
- a description of all informal resolution attempted.

The decision of the program director or department chair must be issued in writing within 30 calendar days of receiving the grievance and shall include all of the following:

- a copy of the student's formal grievance,
- relevant findings of fact,
- decision and the reasons for the decision reached, and
- the remedy which is either granted or denied and/or any alternative remedies suggested.

### **Third Level: Submission of the Formal Grievance or Appeal to Dean**

The party who finds the resolution unsatisfactory may appeal the decision in writing to the dean of the academic unit within five business days of receiving the program director or department chair's written decision.

The dean may render a decision on the matter or may refer the grievance or appeal to a standing grievance/appeal committee or establish an ad hoc committee to hear the matter. When an ad hoc committee is established, the student who lodges the appeal may designate one of the faculty members who will serve on this committee. This member must be tenured or tenure-track faculty from the University of Denver. Members of the unit involved in the grievance may not serve on the ad hoc committee and must recuse themselves if they are members of the standing committee.

The committee may, at its discretion, receive from the student, relevant faculty or staff members or other individuals, any additional evidence or argument that it deems necessary to resolve the grievance or appeal.

The appeals committee will begin deliberations as soon as possible and provide the dean a written recommendation no later than 30 calendar days after the date that the dean's office received the written, dated request for appeal at this level. The dean will make a final decision and distribute it to all affected parties within five business days after receiving the committee's recommendation.

### **Fourth Level: Submission of the Formal Grievance or Appeal to Provost**

The party who finds the resolution unsatisfactory may appeal the decision to the Provost within five business days of receiving the dean's decision. The Provost will hear only those grievances and appeals based on problems of process or concerns of bias, retaliation, or other improprieties unrelated to protected class status and not on differences in judgment or opinion concerning academic performance. Within five business days after receiving the appeal, the Provost may refer grievances or appeals to appropriate bodies or personnel. If the issue is referred to the Graduate Council, its chair will appoint three members of the Council as a Grievance Committee to hear the case and shall designate one of the committee members to serve as chair.

Anyone called upon by the Provost or the Provost's designee shall submit a written recommendation within 30 calendar days of receiving the case. The Provost is the final authority in the matter and will report the disposition of the case to all involved parties within 30 calendar days of receiving a recommendation from the designee.

### **Scope of Review**

Any University agent charged with reviewing a formal grievance or appeal may gather additional relevant facts if necessary and/or meet with involved parties. The reviewer will base a decision on documented evidence.

### **Deviation from Procedures**

These guidelines provide basic steps for resolving appeals and grievances. The steps may vary based upon the structure of the academic unit or the particularities of the situation. The Provost or the Provost's designee may choose to approve or may direct a deviation from these procedures, for example, postponement of a time limit or elimination or addition of a step in the process, in order to ensure an effective and timely resolution.

### **Grievance or Appeal Record**

Documentation in support of a grievance or appeal will be held by the person responsible for considering the grievance or appeal at that stage and passed along to the person responsible for the next step, if any. A record of meetings or interviews must be made and kept as part of the grievance or appeal record as well. The complete grievance or appeal record will consist of the original grievance or appeal, all documentary evidence and all formal decisions made at each step of the process.

### **Failure to Meet Deadlines**

If after a formal grievance or appeal is filed, the University agent charged with review of the grievance or appeal fails to meet any deadline at any stage of the process, the grievant/appellant may proceed directly to appeal to the next higher University administrator in the manner prescribed by these Procedures, subject to the relevant time limitation calculated from the date of the missed deadline. The failure of any University administrator to meet any deadline shall not entitle the grievant/appellant to any relief requested, nor shall such a failure be construed as tantamount to a decision in the grievant/appellant's favor. Any grievant who fails to meet the deadlines imposed by these Procedures will be bound by the decisions previously made.

*\* The Provost may refer grievance appeals to appropriate bodies or personnel.*