

GRIEVANCE PROCEDURES FOR STUDENTS

(Available on-line at <http://deanofstudents.uncg.edu/policy/>)

Adopted April 23, 1990

This policy was accurate as of the date printed. For the most current revisions to this policy refer to the Web site referenced above.

A grievance that should be resolved under these procedures is one that rests on an allegation by a student (undergraduate or graduate) that he/she has been treated with substantial unfairness by another student or by a faculty, staff, or student employee of the University. Such matters usually have their basis in University policy or in state or federal law. Specific examples of policy and/or law included under these procedures are the *Sexual Harassment Policies and Procedures* and the *Policy on Undue Favoritism*, Title IX of the Education Amendments of 1972 and the Rehabilitation Act of 1973. (Grievances herein do not include grade appeals. These procedures are outlined in the *Undergraduate Bulletin* and the *Graduate Student Catalog*.)

I. INFORMAL REVIEW

A student who believes that he/she has been treated with substantial unfairness should initially attempt to resolve the matter by the end of the academic semester (fall, spring, or summer) following the academic semester when the alleged incident occurred (e.g. if the incident occurred during spring semester, the initial attempt must be completed by the last day of the final summer term) by communicating in writing allegations to the administrative officer most directly concerned, excluding the person accused of the improper act. This officer is likely to be a Director, a Department Head, Dean or Vice Chancellor. In the case of an allegation against a faculty member, the Dean shall be the first avenue of appeal. The final step in the informal review for all students shall be the Vice Chancellor to whom the accused ultimately reports.

The officer should attempt immediately to discover the truth of the allegation and in the case of valid complaints, should seek resolution by discussion, counseling, mediation, or agreement of the parties, or by administrative action. The nature of the grievance and any information about it should be treated with the utmost confidentiality and with sensitivity to the issues involved.

At the end of efforts to resolve the grievance, the officer should record the complaint in a written statement identifying the grievant, the conduct complained of, the name of the accused person, the outcome of the information inquiry, and should forward one copy of this report to the Vice Chancellor for Student Affairs.

NOTE: Procedures for informal review of grievances arising from the *Sexual Harassment Policy and Procedure* and the *Policy on Undue Favoritism* are set out in those policies.

II. FORMAL REVIEW

A student who is dissatisfied with the outcome of an informal inquiry may submit a formal complaint for resolution under this grievance procedure. A student who has a grievance against another student will

proceed in accord with the *Student Code of Conduct*. A student who has a grievance against a faculty, staff, or student employee of the University will proceed in accord with these grievance procedures.

Within a reasonable time after the conclusion of unsuccessful efforts to resolve the matter through an informal review, the grievant shall present to the Office of the Vice Chancellor for Student Affairs a written statement of the grievance and any action that may have been taken. This statement will then be forwarded to the Grievance Committee by the Vice Chancellor or his/her designate who will serve as the Convener of the Committee. A hearing will be scheduled with both the student and alleged offender(s). Facts surrounding the grievance will be presented at the hearing in the presence of all parties. The Committee will proceed in the manner, in its judgment, most likely to produce a fair resolution of the matter.

Within a reasonable time following the hearing, the Committee, through its Convener, will issue a report of its conclusions. Depending on the nature of those conclusions, these steps will follow:

1. If the Committee recommends a reversal or amendment of the action affecting the grievant, the Convener will send the report to both the grievant and the accused person. The accused person will then (1) proceed accordingly and the matter is then concluded, or (2) communicate to the Committee Convener that the action will not be reversed or changed. Upon receipt of a communication that the recommendation is not accepted, the Convener will send the recommendation to the Vice Chancellor of the division where the alleged offense occurred. If the Vice Chancellor concurs with the recommendation, he/she will authorize the appropriate action and the matter is then concluded. If the Vice Chancellor decides that the Committee's recommendation cannot be accepted, he/she will communicate the decision to the Convener, who will then notify the grievant of the decision and the right of appeal. (Because in this case, a Vice Chancellor has made a final decision for the division, the line of appeal is to the Chancellor.) See "Appeals."
2. If the Committee finds that the grievance is unfounded, its Convener will send the report to both the grievant and the accused person, and will further advise the grievant of the right to appeal.

All steps of a grievance procedure shall be closed to the public. All documents generated in the course of an inquiry into a charge shall be confidential and not subject to any public disclosure except to the extent where disclosure may be required by state or federal law. All such documents shall be placed in the custody of the Vice Chancellor for Student Affairs, who will, according to the circumstances of the case, forward such documents to the Office of the Chancellor.

III. GRIEVANCE COMMITTEE

The Grievance Committee will be convened by the Vice Chancellor for Student Affairs (or his/her designate) and will include a pool of sixteen members. These will include four undergraduate students appointed by the President of Student Government, four graduate students appointed by the President of the Graduate Student Association, two student service administrators appointed by the Vice Chancellor for Student Affairs, six faculty members appointed by the Provost (after consultation with the Deans), at least two of whom must be graduate faculty members who have been recommended by the Dean of the Graduate School. These appointments will be made in an effort to insure the representation of all constituent groups in the University community.

A panel of five members of the Grievance Committee will be selected by the Convener for hearing a grievance. The Convener will preside over the hearing, but will not be a voting member.

Should sufficient numbers of the Grievance Committee be unavailable during the summer months, the Vice Chancellor for Student Affairs (or his/her designate) will convene an ad hoc committee of available faculty, staff, and students to hear the grievance.

IV. APPEALS

After all steps set forth above under "Formal Review" have been accomplished, a grievant who remains dissatisfied with the outcome may appeal. If the matter has not been reviewed by a Vice Chancellor, then the appeal is to the Vice Chancellor of the division where the matter arose.

If a Vice Chancellor has reviewed the matter, then the appeal is to the Chancellor. The grievant will write to the Chancellor stating the grievance, the outcome of the formal review, and the basis on which the decision of the Vice Chancellor should be overturned. Normally the Chancellor's review relates to the procedures of a case and not its merits.