

Student Academic Grievance Procedures

INTRODUCTION

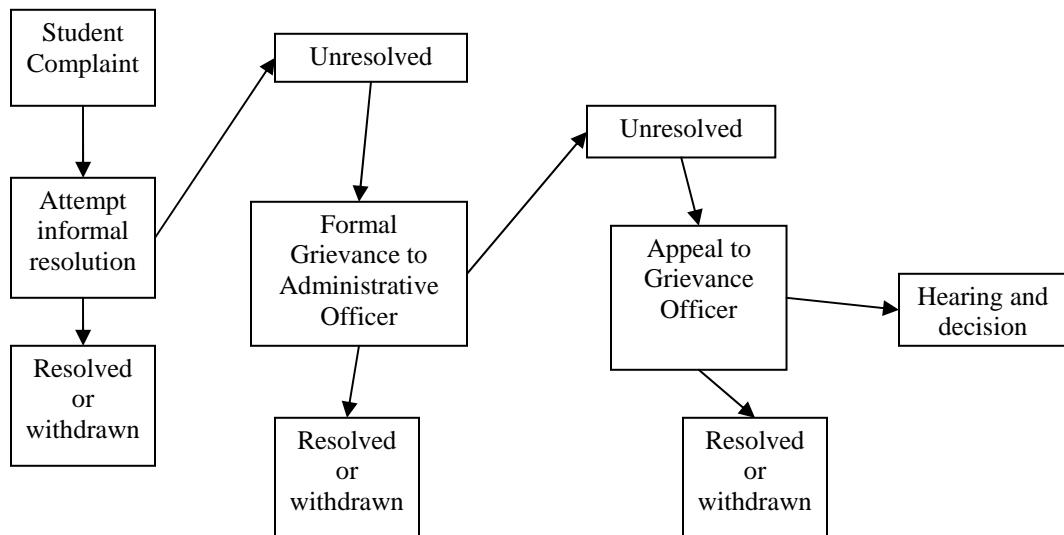
These Student Academic Grievance Procedures define an administrative process through which students may seek resolution of complaints or Grievances regarding academic standing during their enrollment at UIC.

- Section I defines eligibility to use these Procedures.
- Section II describes informal processes which must be pursued before initiating a formal Grievance.
- Sections III through V outline the formal Grievance procedure itself.
- Section VI contains information that is essential to the proper interpretation and use of these Procedures and should be read carefully by any person involved in the handling of a Grievance.

Colleges, departments, and other units may extend or enhance the Student Academic Grievance Procedures in keeping with their accreditation or professional standards.

The University Guidelines on Grievance Procedures for Complaints of Discrimination at the University of Illinois (Appendix A) are considered to be part of these Student Academic Grievance Procedures. In the event of conflict between the Guidelines and these Procedures, the Guidelines will govern.

The following flowchart summarizes the Procedures:



SECTION I. ELIGIBILITY

A. These Procedures may only be used by Students:

1. with a Complaint or Grievance regarding academic standing during their enrollment at UIC.
2. about an academic decision made about them by an agent (e.g., faculty or staff member, administrator, committee) of the University of Illinois-Chicago that directly and adversely affects the Student.

B. These Procedures may not be used:

1. in deciding or appealing issues relating to student discipline under the purview of the Senate Student Judiciary Committee;
2. in resolving any complaint, request, or question involving student records subject to campus procedures established under the Family Educational Rights and Privacy Act (FERPA) and contained in the Guidelines and Procedures Governing Student Records (http://www.uic.edu/depts/oar/rr/records_policy.shtml);
3. by applicants for admission;
4. in review of any decision by any university administrator or properly constituted board or committee relating to allocation of resources to support any unit's projects or programs.

DEFINITIONS

- A. **Administrative Officer:** generally, the person to whom the Respondent reports or other person designated by the unit/college/department to serve in that role. (In the case of a student enrolled in the Graduate College filing a Grievance against a department head, this is the Dean of the Graduate College.)
- B. **Complaint:** an unwritten Grievance.
- C. **Day(s):** All references in these Procedures to time periods are to **calendar** days, not working or business days.
- D. **Grievance:** a written statement by a Grievant containing a description of the grounds for the complaint and a specification of the remedy sought.
- E. **Grievant:** the author of a Grievance.
- F. **Grievance Officer:** The person to whom the Administrative Officer normally reports, usually the Dean or the Dean's designate. (For students enrolled in the Graduate College, this is the Dean of the Graduate College.) She/he may also serve as the Hearing Officer.
- G. **Hearing Officer:** the individual designated to conduct a Hearing to investigate a Grievance. The Grievance Officer may serve as her/his own Hearing Officer. The Administrative Officer is not permitted to serve as the Hearing Officer.
- H. **"In Writing":** Throughout these Procedures, "in writing" should be understood to include email, except where a written signature is required.
- I. **Respondent:** the person who made the decision being grieved.
- J. **Student:** any individual who is officially enrolled as a non-degree student, a degree-seeking student, or enrolled in a University-approved certificate program.

SECTION II. INFORMAL PROCEDURES

Whenever a Student has a Complaint, that Student is expected to attempt to resolve the matter informally. This attempt must include discussion of the complaint with the Administrative Officer. If the complaint involves a charge of unlawful discrimination,¹ the Office of Access and Equity must be informed by the Administrative Officer within sixty (60) days from the time of the decision being grieved.

SECTION III. FORMAL GRIEVANCE -- FIRST STEP

- A. Submission of the Formal Grievance:** If all reasonable informal efforts to resolve a Complaint fail, the Student may formalize the Complaint as a Grievance.
- 1. Grievance:** All Grievances must be (a) filed in writing, (b) signed and dated by the Grievant, and (c) accompanied by the Grievance Form (Appendix C) and contain or attach all supporting documentation at the time it is filed. The Grievant should fill in as much of the Form as possible, though must minimally provide:
 - a. a clear description of the decision being grieved;
 - b. the basis or bases for challenging that decision;
 - c. the identity of the party or parties who made the decision;
 - d. the specific remedy or remedies requested; and
 - e. a description of all informal resolution attempted.
 - 2. Decisions:** All decisions issued pursuant to a Grievance must be in writing and shall include all of the following:
 - a. relevant findings of fact;
 - b. conclusions and the reasons for the conclusions reached, and
 - c. the remedy which is either granted or denied and/or any alternative remedies suggested.
 - 3. Appeals/Reviews:** All appeals or requests for review filed during a Grievance process must be in writing, must specify the decision being challenged and the basis or bases for that challenge, and must request a specific remedy.
 - 4. Filing:** No Grievance or appeal will be considered to be filed until the written Grievance or appeal is actually received by the appropriate University administrator. Limitations imposed upon the Grievant for filing appeals of

¹ "The University of Illinois will not engage in discrimination or harassment against any person because of race, color, religion, national origin, ancestry, age, marital status, disability, sexual orientation including gender identity, unfavorable discharge from the military or status as a protected veteran and will comply with all federal and state nondiscrimination, equal opportunity and affirmative action laws, orders and regulations." See Appendix B and <<http://www.uic.edu/depts/oae/Nondiscrimination.htm>>.

EFFECTIVE MARCH 1, 2007

decisions will be calculated from the date any decision is received by the Grievant, or is due, whichever date is earlier.

- B. Filing Deadline:** A Grievance must be filed by the Grievant with the Administrative Officer within sixty (60) days from the time of the decision being grieved. Informal efforts to resolve the complaint must occur within this sixty (60) day period. Grievants are encouraged to begin the process as soon as possible. If unlawful discrimination is alleged, the Administrative Officer must inform the Office of Access and Equity that the Grievance has been filed.
- C. Role of Administrative Officer:** Upon the receipt of a Grievance, the Administrative Officer must investigate the facts. The Administrative Officer may either grant or deny the remedy sought, or may provide other remedies. The Administrative Officer's decision must be issued, in writing, within thirty (30) days following her/his receipt of the Grievance.
- D. Withdrawal or Resolution of Grievance:** The Grievant may withdraw a Grievance at any time in writing. A Grievance may be settled and resolved by agreement between the Grievant and a University administrator serving in a review capacity under these Procedures at any time, provided that the University administrator has the authority to implement the decision(s) contained in the agreement. Once resolved or withdrawn, the Grievance may not be resubmitted or reinstated on the same substantive issue(s).

SECTION IV. FORMAL GRIEVANCE -- SECOND STEP

- A. General:** If the Administrative Officer does not grant a remedy acceptable to the Grievant, the Grievant may appeal the Administrative Officer's decision to the Grievance Officer.
- B. Deadline:** This appeal must be submitted, in writing, to the Grievance Officer within fourteen (14) days following the Grievant's receipt of the Administrative Officer's decision.
- C. Role of the Grievance Officer:** The Grievance Officer, upon receipt of an appeal, will review the existing Grievance record, will uphold the decision or offer a different remedy, and may conduct further inquiry.
- D. Deadline:** Within fourteen (14) days of receipt of the appeal, the Grievance Officer must either grant a remedy acceptable to the Grievant or notify the Grievant that he/she may request a Hearing.
- E. Request for Hearing:** The request for a Hearing must be made within seven (7) days of the Grievance Officer's decision. A date for the Hearing must be established

EFFECTIVE MARCH 1, 2007

within fourteen (14) days of the Student's request for a Hearing. The Hearing must begin within thirty (30) days from the time the request for a Hearing is made by the Grievant.

F. Role of the Hearing Officer: In cases where a Hearing Officer is appointed by a Grievance Officer to act in her/his stead, the Hearing Officer's function is to render recommendations and advice to the Grievance Officer based on relevant information provided during the evaluation of the Grievance.

- 1. Charge to Hearing Officer:** The charge to the Hearing Officer must be made by the Grievance Officer in writing and must specifically indicate issues which the Hearing Officer should address during the Hearing and in making findings of fact and recommendations.
- 2. Nature of Recommendations:** The Grievance Officer shall not be bound by the recommendations or advice of the Hearing Officer.

G. Hearing Guidelines: The Hearing will be conducted by the Hearing Officer in an expeditious manner pursuant to the following guidelines:

- 1. Powers of the Hearing Officer:** The Hearing Officer is empowered to rule on all procedural matters and on the relevance of witnesses and/or evidence. If unlawful discrimination is alleged, a representative of the Office of Access and Equity must be present at the Hearing.
- 2. Evidence:** The Hearing Officer will be provided with all prior relevant documents and may request any additional information which is relevant to the issues of the Grievance. When unlawful discrimination is alleged, the Hearing Officer must consult with the Office of Access and Equity in advance of the Hearing.

3. Rights of the Grievant:

- a. Advisor:** A Grievant has the right to be accompanied by an advisor of her/his choice at any meeting or formal proceeding in the Grievance process, although the advisor may not address the Hearing Officer or witnesses. If the Grievant chooses an attorney for this purpose, a representative from the Office of University Counsel must be invited to be present to advise the Hearing Officer and/or Grievance Officer. If the Grievant chooses to be represented by an attorney, the Grievant or the Grievant's attorney must so notify the appropriate University administrator, in writing, at least seven (7) days prior to the date of any meeting or formal proceeding where the Grievant's attorney will be present.
- b. Witnesses:** The Grievant has the right to be heard at the Hearing and to present witnesses. Witnesses may also be presented by the Administrative Officer, by the Grievance Officer, or by the Hearing Officer. The list of

EFFECTIVE MARCH 1, 2007

requested witnesses must be submitted to the Hearing Officer no later than seven (7) days in advance of the Hearing, along with a description of their relevance.

4. **Questioning of Parties/Witnesses:** The Grievant and the Administrative Officer may question witnesses only through the Hearing Officer, when and as determined to be appropriate by the Hearing Officer. When unlawful discrimination is alleged, the representative of the Office of Access and Equity may pose questions relevant to the allegation(s).
5. **Record of the Hearing:** An electronic record of the Hearing will be made and preserved as a part of the complete record of the Grievance.
6. **Participants:** The Hearing will be closed to all but those individuals entitled by these Procedures to participate.
7. **Close of the Hearing:** When the Hearing Officer is satisfied that he/she has received information sufficient for him/her to make a decision/recommendations, the Hearing Officer shall officially close the Hearing.

H. Decision:

1. **Where Hearing Officer and Grievance Officer Are Different:** In cases where the Hearing Officer and Grievance Officers are different persons (see box, page 2), the Hearing Officer will report to the Grievance Officer her/his findings and recommendations within ten (10) days after the close of the Hearing. Within ten (10) days after receiving the findings and recommendations of the Hearing Officer, the Grievance Officer will either grant or deny the remedy sought, or provide other remedies, and will so inform the Grievant, along with future steps, if any.
2. **Where Hearing Officer and Grievance Officer Are the Same:** In cases where the Grievance Officer and the Hearing Officer are the same person, the Grievance Officer will either grant or deny the remedy sought, or provide other remedies, within fourteen (14) days after the close of the Hearing, and will so inform the Grievant, along with future steps, if any.
3. **Finality of Decision:** All decisions of the Grievance Officer are final except when it is alleged that there has been unlawful discrimination in the academic determination based on race, color, sex, religion, national origin, ancestry, age, marital status, disability, sexual orientation including gender identity, unfavorable discharge from the military, or status as a disabled veteran or veteran of the Vietnam era.
4. **Deviation from Procedures:** A significant and demonstrable deviation from the procedures described herein may be reported to the Office of the Chancellor.

EFFECTIVE MARCH 1, 2007

SECTION V. APPEAL TO THE CHANCELLOR

The decision rendered by the Grievance Officer cannot be appealed except in matters relating to academic determination, academic standing, or an academic program where a claim of unlawful discrimination has been made or where significant procedural errors are alleged, and where that claim has been reviewed in the appropriate college or school. Request for the review must be made within fourteen (14) days of the Grievance Officer's decision. Upon receipt of the appeal, the Chancellor or her/his designate will review the record and issue a decision within thirty (30) days. In doing so, the Chancellor or her/his designate may seek such advice and information as he/she deems necessary. The Chancellor's decision is final and no further appeal is available.

SECTION VI. RULES OF INTERPRETATION

- A. Scope of Review:** Any University administrator or faculty member serving in any review capacity at any stage in a formal Grievance process will consider relevant facts relating to the Grievance, will gather additional relevant facts if necessary, and will base her/his decision on the evidence. Further, in reviewing the facts and the circumstances of the Grievance, the University administrator will not be limited to the scope of prior decisions, but may review the entire Grievance and all facts relating to it.
- B. Deviation from Procedures:** In unusual circumstances, the Chancellor, at her/his sole discretion, may approve or direct a deviation from these Procedures. Examples of such a deviation include postponement of a time limit or elimination or addition of a step in the process.
- C. Grievance Record:** The record of a Grievance will be held at each stage of the process by the person responsible for the conduct of the Grievance process at that stage and passed along to the person responsible for the next step, if any. The record of any Hearing will be made and kept by the Hearing Officer. The complete record of a Grievance will consist of the original Grievance; the record of each formal decision made at each step of the process, recorded on the Grievance Form; and all findings of fact, recommendations, and conclusions of any University administrator. The record of academic Grievances filed by Students is preserved by the college or school in which the Grievance was filed. A copy of the final decision must be provided to the Office of the Vice Chancellor for Academic Affairs. The record of a Grievance will be preserved in its entirety for at least five (5) years following the final resolution of the Grievance. After five years, maintenance or destruction of Grievance records will be handled in accordance with the policies of the University Archives Department, but a final copy of the decision will be permanently maintained in the Office of the Vice Chancellor for Academic Affairs. All documents which are made a part of the complete record of the Grievance will be accessible to the Grievant for review on written request.

EFFECTIVE MARCH 1, 2007

D. Failure to Meet Deadlines: If, after a formal Grievance is filed, the University administrator charged with review of the Grievance fails to meet any deadline, the Grievant does not have to wait for that decision. Instead, the Grievant 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 to any relief requested, nor shall such a failure be construed as tantamount to a decision in the Grievant's favor. However, the Grievant may proceed to the next step. Any Grievant or complainant who fails to observe time limitations imposed by these Procedures will be bound by the decisions previously made.

Appendix A: Guidelines on Grievance Procedures for Complaints of Discrimination

These Guidelines are designed to cover grievance procedures for complaints by employees and concerning alleged discrimination by the University in violation of the University's nondiscrimination policy.

Each campus is responsible for developing and implementing its own grievance procedures in such matters within these Guidelines. A separate procedure will be established for University-level staff students, also within these Guidelines. When developed all campus and University grievance procedures are to be presented to the President of the University for approval prior to implementation.

A distinction is recognized between a *complaint* and a *grievance*. An employee or student may be said to have a complaint when some situation or event is viewed as unsatisfactory. Employees, supervisors and students are expected and encouraged to make every effort to resolve complaints informally as they arise. If a complaint cannot be satisfactorily resolved through an informal process, the complainant may reduce the matter to writing and file it promptly as a formal grievance.

To be effective, a grievance procedure must provide for a prompt fair and definitive resolution of the matter. The following Guidelines are applicable to formal grievance procedures relating to complaints that allege discrimination:

1. Final decisional authority on substantive and procedural issues related to a grievance initiated by a campus employee or student shall reside with either the Chancellor or a Vice Chancellor. Final decisional authority on substantive and procedural issues shall reside with either the President or a Vice President with respect to a grievance filed by a University-level employee or student. Procedures shall provide for an alternate procedure when a grievance is filed against one of these administrators.
2. Separate grievance procedures may be established, within these Guidelines, for different groups of employees, students and applicants (students and employees).
3. A time limit for filing a formal grievance shall be established, related to a specified number of days after the occurrence leading to the grievance or after the grievant was reasonably able to determine that the occurrence might affect the grievant's status; but this time limit shall not exceed one year for students and 180 days for employees. This time limit shall not preclude investigation of prior incidents tending to corroborate or refute a timely-filed grievance.
4. Grievance procedures shall require formal grievances to be in writing. Decisions at all levels, shall also be reduced to writing, and the basis for a decision shall be set forth.

EFFECTIVE MARCH 1, 2007

5. Grievance procedures shall provide for consideration, decision, and appellate review, with a maximum of three separate tiers.
6. The grievant shall have at least one opportunity to present the grievance.
7. At each level of decision or appeal, the individual [or panel] charged with responsibility for the decision shall be provided the existing record of the matter, including a copy of the written grievance, the resolution sought by the grievant and the written disposition at all preceding levels. The individual or panel responsible for a decision may make such further investigation as is deemed appropriate and, for that purpose, may seek assistance or information from other personnel.
8. Grievance procedures shall provide that a grievant may have a personal advisor present at each tier of the grievance procedures to advise the grievant. The advisor shall not actively participate in the proceedings unless given prior approval.
9. Final disposition of a grievance must occur within a maximum of 180 days from the time of filing, but final resolution within a much shorter period is strongly encouraged. However, for good cause, this deadline may be extended by the Chancellor President or a designee.
10. The record keeping aspects of the grievance procedures should be adequate to insure proper monitoring and reporting.
11. Grievance procedures shall provide that claims of discrimination asserted by employees represented by a union may be brought only in accordance with the applicable union contract.

Approved by The Board of Trustees (November 14, 1996)

EFFECTIVE MARCH 1, 2007

Appendix B: University of Illinois Chicago Nondiscrimination Statement

The commitment of the University of Illinois to the most fundamental principles of academic freedom, equality of opportunity, and human dignity requires that decisions involving students and employees be based on individual merit and be free from invidious discrimination in all its forms.

The University of Illinois will not engage in discrimination or harassment against any person because of race, color, religion, national origin, ancestry, age, marital status, disability, sexual orientation including gender identity, unfavorable discharge from the military or status as a protected veteran and will comply with all federal and state nondiscrimination, equal opportunity and affirmative action laws, orders and regulations. This nondiscrimination policy applies to admissions, employment, access to and treatment in the University programs and activities.

University complaint and grievance procedures provide employees and students with the means for the resolution of complaints that allege a violation of this Statement. Members of the public should direct their inquiries or complaints to the appropriate equal opportunity office.

Policy Council
Revised May 31, 2005

<http://www.uic.edu/depts/oae/Nondiscrimination.htm>

Appendix C: Student Academic Grievance Form

This form must accompany the Grievance Record. Please use back of form or attach additional pages if necessary.

Name of Grievant (person filing Grievance)

UIN: _____

Local Address: _____

Local Phone: _____ **Email:** _____

What is the decision you are grieving?

Respondent(s) (the party or parties who made this decision):

Department/College/Unit in which decision took place: _____

Date of decision (or date you became aware of it) _____

What specific remedy are you seeking?

Date Grievance Filed: _____

INFORMAL PROCEDURES:

Please briefly describe any attempts you have already made to resolve the situation and what resulted:

1) Met with Respondent:

Date: _____

Outcome: _____

2) Met with Department Head/Chair:

Name: _____

Date: _____

Outcome: _____

3) Met with other member(s) of department:

Name: _____ **Title/Office:** _____

Date: _____

Outcome: _____

EFFECTIVE MARCH 1, 2007

4) Met with Dean or someone else outside of department:

Name: _____ Title/Office: _____

Date: _____

Outcome: _____

5) Consulted Office of Access & Equity:

Name _____

Date: _____

Outcome: _____

6) Consulted Dispute Resolution Service:

Name _____

Date: _____

Outcome: _____

7) Please list any other people or offices consulted (use additional paper if necessary):

Name _____

Date: _____

Outcome: _____

Name _____

Date: _____

Outcome: _____

FORMAL PROCEDURES

Student request for extension of deadline:

Date request sent to Chancellor: _____

Chancellor's decision/signature/date: _____

Request(s) for other departures from procedures:

Grounds:

Date request sent to Chancellor: _____

Chancellor's decision/signature/date: _____

Administrative Officer: _____

Date Grievance received by Administrative Officer: _____

Was unlawful discrimination alleged? _____

Date Office of Access & Equity informed (attach letter) _____

Decision by Administrative Officer: _____

EFFECTIVE MARCH 1, 2007

Signature/date _____
Date decision reported to Grievant & Respondent: _____

Grievance HAS/HAS NOT been resolved:
Grievant signature/date _____
Respondent signature/date _____

Grievance has been withdrawn:
Grievant signature/date _____
Respondent signature/date _____

APPEAL OF ADMINISTRATIVE OFFICER'S DECISION REQUESTED:

Date Hearing requested by Grievant _____
Grounds for challenging Administrative Officer's decision: _____

Grievance Officer:
Name: _____ **Title:** _____
Date filed: _____

Was unlawful discrimination alleged? _____
Date Office of Access & Equity contacted about Hearing _____

Hearing Officer (if appointed):
Name: _____ **Title:** _____

Date of Hearing _____
Representative of Office of Access & Equity present at Hearing
(name/signature) _____ _____
Decision: _____ **date** _____

Hearing Officer (signature/date)

Date report of Hearing received by Grievance Officer _____
Date decision reported to Grievant, Respondent, & Administrative Officer: _____

Grievance HAS/HAS NOT been resolved:
Grievant signature/date _____
Respondent signature/date _____

Grievance has been withdrawn:
Grievant signature/date _____

EFFECTIVE MARCH 1, 2007

Respondent signature/date _____

APPEAL TO CHANCELLOR REQUESTED (discrimination or procedural grounds only):

Grounds for appeal: _____

Date of request: _____

Date sent to Chancellor for review: _____

Decision: _____ **date** _____

Signature/date _____

Grievance HAS/HAS NOT been resolved:

Grievant signature/date _____

Grievance has been withdrawn:

Grievant signature/date _____

Additional documents attached:

Appendix D: Task Force Members

Emanuel D. Pollack, Senior Associate Dean for Student Academic Affairs, College of Liberal Arts & Sciences (Chair)

Caryn A. Bills, Deputy Associate Chancellor, Office for Access and Equity

Linda Deanna, Associate Vice Chancellor for Student Affairs/Dean of Students Student Affairs

Donna Del Principe, Assistant University Counsel

Lillye A. Hart, Associate Dean for Administration, Director of Urban Health Program Administration, College of Medicine

M. Natsuko Kihara, Assistant to the Provost, Academic Affairs

Amy Levant, Associate Dean for Administration, Graduate College

Janet I. Madia, Executive Associate Dean, Honors College

Renee Reifsteck McCarthy, Assistant University Counsel

Mrinalini C. Rao, Vice Provost for Faculty Affairs (ex officio)

Robyn E. Sato, Assistant to the Chancellor