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Grievances with the Accessibility Office should be addressed to: ADA Coordinator, Rhodes Hall (740) 245-7339, who has been designated to coordinate section 504 and ADA compliance efforts.

Definition: A grievance shall be a change by a student that he/she has been adversely affected by a misapplication, misinterpretation, or non-enforcement of a University or Community College policy by a University or Community College official. This procedure will be used to secure an equitable solution to any misunderstanding, difference of opinion, concern, or problem, or to obtain an interpretation of policy.

- 1) A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations or statement of denial of services. A complaint should be filed within five (5) working days after the complainant becomes aware of the alleged violation. (Special circumstances will be considered on a case-by-case basis.) This action is hereafter considered Level I.
- 2) An investigation, as may be appropriate, will follow the filing of complaint. The investigation will be conducted by the ADA Coordinator or his/her designee. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- 3) A written determination as to the validity of the complaint and a description of the resolution, if any, will be issued by the ADA Coordinator and copies forwarded to the complainant, and the Dean of Students no later than five (5) working days after its filing.
- 4) The right of a person to a prompt and equitable resolution of the complaint filed hereunder will not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 or ADA complaint with the responsible federal department such as the Office of Civil Rights, or a legal agency. Using this grievance procedure is not a prerequisite to the pursuit of other remedies.
- 5) The ADA Coordinator will maintain the files and records relating to the complaints filed.
- 6) The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the Level I resolution. The request for consideration must be made within fifteen (15) working days to the University of Rio Grande, Dean of Students to include the following statements in writing: A clear statement of the grievance, with reference to the University of Rio Grande/Community College Americans with Disability Act Policy which has been misapplied, misinterpreted, or non-enforced, when applicable. The facts that support the student's position. All facts or information, which is to be considered, must be applicable. This action is hereafter considered Level II.
- 7) The Dean of Students and the University of Rio Grande Provost will have five (5) working days to make investigation and return his/her findings to the complainant.
- 8) If the grievance is denied at Level II, the student may appeal the decision in writing, within five (5) working days after receipt of the denial. The written appeal should be addressed to the Dean of Students with copies to Provost. The Dean of Student shall schedule a meeting, of the University Hearing Board, which will, if practical, be held within ten (10) working days. The University Hearing Board shall review all documents related to the grievance and the history of related grievances and policies. This action is hereafter considered Level III.
- 9) The University Board and the Dean of Students shall formulate a recommendation to the President. The President shall render a written decision via the Dean of Students within five (5) working days of the receipt of the recommendation. Copies of the President's decision will go to the griever, and the office of Accessibility.
- 10) If the student fails to meet the time requirement as set forth herein, the grievance shall be considered waived unless the Dean of Students shall find just cause for the delay and reinstate the grievance. Nothing in this section shall prevent the student from filing a new grievance if the condition, which gave rise to the initial grievance, reoccurs.
- 11) If a university official fails to meet the time requirements for a response as set forth herein; the student may proceed immediate to the next level of the Grievance Procedure.
- 12) Additional information regarding procedure of Level I, II, and III can be found in the Student Handbook located on the University of Rio Grande website under Student Affairs.

Student _____ Student _____
Signature _____ Printed Name _____ Date _____

ACADEMIC GRIEVANCE POLICY (STUDENT GRADES)

Misunderstandings and disagreements may arise in the academic process, particularly in cases involving academic grading. The Academic Grievance Policy is designed to allow students a reasonable, professional, and orderly mechanism for seeking redress when they have grounds to believe that a faculty member has treated them in an arbitrary, capricious, or prejudicial manner. Belief that a subject, test, or test item was too difficult or that a grading scale was too high are not grounds for appeal. In order to appeal a grade on an assignment, or to appeal a course grade after a term is over, the student must have specific evidence that the faculty member has treated the student differently than peers in the course. The evidence supporting this claim must be presented at all levels of the appeals process.

In general, it is fully expected that students will follow each stage of the Academic Grievance Procedure as listed below, beginning with the first level of the Informal Academic Grievance Procedure. Each level of the Academic Grievance Procedure has deadlines or time limits. If a University official fails to meet the time requirements for a response as identified in the stages below, the student may then proceed immediately to the next level of the Academic Grievance Procedure.

INFORMAL ACADEMIC GRIEVANCE PROCEDURE

FIRST LEVEL

When a student perceives that a faculty member has treated the student in an arbitrary, capricious, or prejudicial manner while a course is in session, the first step in seeking redress is to schedule an informal meeting with the instructor within five (5) regular class days of the perceived injustice. In the case of courses that are delivered in an electronic-only format this requirement can be met via telephone or email contact. If the instructor fails to meet with the student as scheduled or if the instructor does not respond to electronic communications within five (5) working days of the student's reasonable attempt to contact the instructor, then the student should ask the academic advisor to request that the instructor contact the student. If the instructor fails to contact the student within five (5) additional working days from the date the student contacted the academic advisor, then the student may proceed to the second level of the informal grievance procedure.

When a meeting under this informal procedure takes place, the student should present to the faculty member all evidence to support the student's belief that the faculty member has treated the student in an arbitrary, capricious, or prejudicial manner. A specific request for redress of the grievance should also be made.

If a resolution satisfactory to the student is reached, then the Grievance Procedure is concluded. If a resolution satisfactory to the student is not reached, the student may proceed to the Second Level of the Informal Grievance Policy.

SECOND LEVEL

If the situation is not resolved at the First Level, then within five (5) regular academic calendar days of the meeting with the instructor, the student may meet with the Chair of the School in which the course is offered. During this meeting, the student must notify the Chair that the meeting is being held as the Second Level of an Informal Grievance Procedure.

When a meeting under this informal procedure takes place, the student should present to the Chair, documentation or evidence either that the student has met with the instructor and the matter was not resolved, or that the student has made a good-faith attempt to contact and meet with the instructor as specified in the First Level Informal Grievance Procedure. All evidence to support the student's belief that the faculty member has treated the student in an arbitrary, capricious, or prejudicial manner must also be presented at this time. A specific request for redress of the grievance should also be made.

The Chair shall have five (5) regular academic calendar days to mediate a resolution satisfactory to the student, and to provide written notification of the outcome of the mediation efforts to the student. If a resolution satisfactory to the student is reached, then the Grievance Procedure is concluded. If a resolution satisfactory to the student is not reached, that student may proceed to the First Level of the Formal Grievance Procedure.

FORMAL ACADEMIC GRIEVANCE PROCEDURE

If the student feels the situation is not resolved at the Informal Level, then the student may proceed to the Formal Academic Procedure. Steps in the Academic Grievance Procedure that involve a formal meeting will follow the latest revision of Robert's Rules of Order. At levels two and three of the Formal Process, the Panels will consider all of the facts as presented from all earlier stages of the Informal and Formal Academic Grievance Procedures.

FIRST LEVEL

The student must meet with the instructor of the course within five (5) regular academic calendar days from the date the student received a written decision from the Chair, but no later than twenty-five (25) regular academic days from the original incident. The student must notify the instructor that the meeting is a First Level Formal Academic Grievance meeting.

If a resolution satisfactory to both student and instructor is reached, then the Formal Academic Grievance Procedure is concluded. If a resolution satisfactory to the student is not reached, the student may proceed to the Second Level of the Formal Grievance Procedure.

SECOND LEVEL

If the situation is not resolved at the First Level of the Formal Academic Grievance Procedure, the student may proceed to the Second Level of the Formal Academic Grievance Procedure within five (5) regular academic calendar days after meeting with the instructor, according to the procedure in the First Level of the Formal Academic Grievance Procedure.

A. The student must take a written request to the Dean of the College in which the course is offered to convene and chair an academic appeal panel, consisting of five (5) full-time voting faculty members: two (2) selected by the student, two (2) by the instructor of record, one (1) by the Dean.

1. The members of the panel will be from the same School in which the course is offered. Should there be an insufficient number of faculty available in the School to complete the panel; faculty outside the School may be selected.

2. The written request must include a statement of the specific issue which is being grieved, available evidence that the perceived injustice has occurred, available evidence that the student has followed the steps of the Informal and Formal Grievance Procedures (or that the student has made a good-faith effort to follow the Informal and Formal Grievance Procedures: and a statement that the situation remains unresolved.

B. The academic appeals panel must meet within ten (10) regular academic calendar days of the filing of the Second Level appeal. This Panel will be convened and chaired by the non-voting Dean. The student and the instructor may be present at the meeting of the appeal panel to present their cases.

C. Within five (5) regular academic calendar days of the Formal Level Two Panel meeting, the Chair of the Level Two Panel will notify in writing both the student and the instructor of the decision reached by the Panel.

D. If a resolution satisfactory to both the student and instructor is reached, then the Grievance Procedure is concluded, and a copy of the decision of the panel will be placed in the student's file in the Records Office.

E. If a resolution satisfactory to the student is not reached, the student may proceed to the Third Level of the Formal Grievance Procedure.

THIRD LEVEL

If not satisfied with the decision of the Level Two Formal Academic Grievance Panel, either party may within ten (10) regular academic calendar days, request the Provost/Vice President for Academic Affairs to convene a third and final level panel.

A. The Level Three Formal Academic Grievance Panel will consist of voting members as follows: one (1) faculty member from each School, elected to the current Academic Affairs Committee, the Vice President of the Student Senate or an elected delegate, and a justice of the senate judiciary. Both parties shall be informed of the makeup of the panel no later than five (5) regular academic calendar days before the hearing. If either party feels that a particular School's representative may be biased, then he/she may ask, by two (2) regular academic calendar days before the hearing, that the School's other representative be used instead. If both parties contest both of a School's representatives, then the Provost/Vice President for Academic Affairs shall choose another representative from the School. The chair will only vote in the event of a tie.

B. The Level Three Formal Academic Grievance Panel must meet within ten (10) regular academic calendar days of the request.

C. All documentation from all previous levels will be provided in advance of the Third Level Panel.

D. The student and instructor of record may be present to present their cases.

E. The Level Three panel shall issue a written decision within ten (10) regular academic calendar days of the meeting with copies sent to both the student and the instructor.

F. The decision of the Level Three Panel is final.

G. A copy of the panel's decision will be placed in the student's file in the Record's Office.