

# XIX. GRIEVANCE PROCEDURES

These procedures are intended to provide students at Georgia Tech a means for setting forth grievances relating to assessment activities that contribute toward satisfaction of graduation requirements. Disputes that can be contested under these Grievance Procedures include, but are not limited to: final course grades, PhD qualifying or comprehensive exams, and PhD defenses. It is not the intention of these procedures to provide a forum for questioning the judgment or grading policies of faculty. A student's concerns may be discussed with a faculty member and/or reported to the school or department head, the academic deans, or the Associate Vice Provost for Advocacy and Conflict Resolution.

These Grievance Procedures may not be used to challenge or appeal the outcome of an Academic Misconduct case adjudicated under the Academic Honor Code. The Academic Honor Code and the rules governing Academic Misconduct procedures can be found in the Policy Library at: <http://www.policylibrary.gatech.edu/student-affairs/academichonor-code>, <http://www.policylibrary.gatech.edu/student-life/academic-misconduct>.

## A. Deadlines for Submitting a Grievance

1. Students must submit a formal grievance within their next enrolled academic term following the academic term of the course or examination in question, and best efforts should be applied to resolve the appeal within that academic term.
2. Students who have been placed on academic dismissal or who have graduated may also use these grievance procedures. The deadline to submit a formal grievance for these students is within the next term after the grade was earned or the examination result was provided to the student. For example, a student who earned the grade in the Fall term would have to initiate the formal grievance process in the following Spring term. A student who earned the grade in the Spring term would have to initiate the formal grievance process in the following Summer term.

## B. Steps in the Grievance Process\*

*\*The steps of the grievance process must followed in the order presented below.*

1. The student should attempt to informally resolve the grievance with the individual faculty member or the academic unit involved, where a unit is defined as a school, department or college (if the college has no schools or departments).
2. If the grievance is not resolved in Step B.1 and the student elects to initiate a formal grievance process, the student may request a hearing by setting forth in writing the complaint and the remedy sought at the unit level. Upon receipt of this document, the unit head will acknowledge the formal grievance in writing within seven calendar days and will expeditiously proceed to constitute an ad hoc grievance committee. The unit head will serve as a nonvoting member of the committee. In addition, the following four committee members will be selected:
  - a. One tenured faculty member from within the unit, selected by the unit head.
  - b. One member of the academic faculty, selected by the student. The student may elect not to select a faculty member; in that case, the committee will consist of three members.
  - c. One member from outside the unit, selected by the Student Grievance and Appeal Committee in consultation with the unit head.
  - d. One member of the academic faculty selected by the faculty member or faculty committee whose action is in question. The Committee will proceed with due haste to examine the merits of the complaint and to render a decision within 30 days. During the proceedings, the student may present any and all evidence that the student deems necessary to support the complaint, except that the Committee must agree that the evidence is in some way relevant. Such evidence may consist of documentation and/or testimony. Both the student grievant and respondent(s) may be accompanied by advisors; the role of advisor must, however, be restricted to advice. Grievant(s) and respondent(s) must make their own cases before the committee. Following a hearing and a written decision at the school, college, or unit level, the grievance is presumed to be resolved unless the grievant appeals.
3. The grievant may appeal the decision that has been rendered by the unit to the Student Grievance and Appeal Committee.
  - a. If the Committee, or subset thereof appointed by the chairperson of the Student Grievance and Appeal Committee, rules that the procedures are not applicable or that based on the facts stated by the grievant viewed in the light most favorable to the grievant, there is no basis for relief, then the appeal is denied,
  - b. If the Committee rules that the grievance procedural rules are applicable and that a hearing of the appeal is warranted, the Committee shall initiate a hearing process.
  - c. If a student wishes to have a grievance outcome reviewed by the Student Grievance and Appeal Committee with a view to a formal hearing, the student shall observe the following requirements:
    - i. The appeal must be in writing. It must state the basis for the grievance and the facts that support it, including a summary of the steps that have already been taken to resolve the grievance, reasons why the student finds the resolutions unfair or unsatisfactory, and a statement of the desired remedy.
    - ii. The written appeal must be presented to the chairperson of the Student Grievance and Appeal Committee within thirty days after the student has received notice of a decision from the unit.
    - iii. The decision as to whether a formal hearing is warranted shall be made available, in writing, to the parties concerned within thirty days after the Committee has received notice of the appeal.
    - iv. The Committee may alter a deadline specified in these procedures on written petition of either party showing a meritorious reason for delay; if the Committee itself needs to extend a deadline, it may do so on its own authority for periods up to fourteen calendar days; for longer delays, the Committee must request an extension from the Executive Board of the Institute.
    - v. The determination of the Committee as to whether a hearing is warranted is final.
    - vi. The Committee shall develop and, with the approval of the Academic Senate, establish and publish its own rules of procedures for the conduct of formal hearings.

- vii. After receiving testimony and the relevant documents, the Committee shall make a decision within thirty days on the basis of the received material.
- viii. The Committee's decision shall contain finding of fact, the decision arrived at, reasons for the decision, and the criteria or policy applied in reaching the decision.

along with description of the received error in procedure and a recommendation for its correction.

## C. Remedies

### 1. General

If the Committee finds, after a formal hearing, that a faculty member, a unit committee, or an administrator of a unit has not acted fairly or properly, it will recommend a remedy. It will seek to find a remedy that can be implemented by those whose cooperation is needed. In the matter of a grade dispute, this must include the faculty member involved in the dispute.

### 2. Enforcement

- a. If any party does not comply with the decision of the Committee, the Committee shall, upon request of any party, seek full compliance through the administrative offices of the Institute through the Chief Academic Officer (CAO).
- b. The merits of the dispute shall not be subject to review in the process of enforcement. There shall be strong presumption in favor of the remedy selected by the Committee.

### 3. Report of a Final Decision

After a final decision has been made in a case, the Committee shall prepare a report setting forth its findings and recommendations for action and present the report to the CAO. A copy of the report shall be presented to the parties concerned and to those persons involved in implementing the Committee's recommendations. All such communications shall be effected in person or by certified mail with a return receipt requested; such receipt will become part of the Institute records of the case.

Care will be given that no incomplete or inaccurate information pertaining to the grievance is placed in any file and that all evidence obtained at any stage of the process and all deliberations and proceedings be kept confidential. At the conclusion of each case, the Student Grievance and Appeal Committee shall transmit original or true copies of the documents related to the case to the appropriate Office of the Dean of Students, who shall keep such records securely as Institute records for a period of time specified by Institute statutes.

#### a. Grade Changes:

In decisions that would result in the changing of a posted grade, the CAO will instruct the unit director to ask the involved faculty member to effect the prescribed grade change or, if cooperation is not forthcoming, to effect the grade change directly by action of the unit director. Such action shall not be construed as restrictive of the resources of the faculty member through the usual appeal procedure of the Institute.

### 4. Final Appeal

Appeal of the decision of the Committee to the CAO shall be permitted only for the purposes of procedural review. Such appeals shall be submitted in writing, with copies to the Committee. The CAO will review the findings of the Committee and, upon judgment that the Committee has failed to follow these procedures or has failed to follow the procedures approved by the Academic Senate for the operation of the Student Grievance and Appeal Committee (XX1.C.3.c.c6), return the case to the Committee for reconsideration,