

Policy and Procedures on Grievances by Graduate Students in the Department of Anthropology -
March 1, 2001

I. Introduction

All members of the University community are expected to observe high standards of professional conduct and ethical behavior in graduate education and in the supervision of graduate research and teaching (see Guiding Standards for Faculty Supervision of Graduate Students, May 1997). When a problem arises it should be pursued in the most direct and confidential manner possible.

The purpose of this policy is to protect the interests of graduate students in the Department of Anthropology by providing informal and formal means of seeking resolution in case of an inappropriate application of a department policy. Any graduate student in the Department of Anthropology may informally pursue or formally file a grievance when s/he believes that a decision or behavior adversely affects his/her status and/or standing as a graduate student.

This Policy and Procedures on Grievances by Graduate Students in the Department of Anthropology specifies the policy and describes the procedures to be employed to resolve grievances by graduate students in this Department. It was approved by the Graduate College on 20 April 2001.

The policies and procedures described in this document do not override or supersede any other policies as established in the University statutes and campus policies. For more information see the Department of Anthropology's Regulations for the Graduate Program, the Department of Anthropology By-Laws and the Handbook for Graduate Students and Advisors.

II. Scope and Coverage: Definition of a Grievance

A grievance may arise when a graduate student believes that his/her status and/or standing as a graduate student, or University appointment based on student status, has been adversely affected by an incorrect or inappropriate decision or behavior on the part of a faculty or staff member of the Department. Examples include, but are not limited to, the following:

1. being subjected to the inappropriate application of a Department or University policy;
2. being unfairly assessed on a preliminary examination;
3. being required or pressured to engage in excessive effort on assistantships;
4. being improperly terminated from student-based University appointment (teaching or research assistantships, etc.)
5. being improperly terminated from a program;
6. being required or pressured to perform personal services unrelated to academic or assistantship duties;
7. being required to meet unreasonable requirements for a graduate degree that extend the normal requirements established by the campus or by the Department and are inconsistent with the scholarly standards in the discipline;
8. being subject of retaliation for exercising his/her rights under this policy; or

9. being the subject of professional misconduct by a student's graduate supervisor or other faculty or staff member. (For clarification of misconduct see *Guiding Standards for Faculty Supervision of Graduate Students*, May, 1997, *University Policy on Sexual Harassment and Policy and Procedures on Academic Integrity in Research and Publication*).

Violations of academic integrity are not handled by the grievance procedure outlined here. These misconduct issues should be transmitted to the Head of the Department or to the Research Standards Officer appointed by the Vice-Chancellor for Research. Further information is available on line at: <http://www.uiuc.edu/unit/vcres/ai/index.html>.

For additional information regarding sexual harassment, as well as other prohibited forms of discrimination, please visit the University's Campus Conduct web site at <http://www.provost.uiuc.edu/campusconduct/>. In addition, if you wish to file a complaint or grievance, you may contact the Office of Equal Opportunity and Access at 333-0885 or the Office of the Provost at 244-9096.

III. Informal Procedures

University policy strongly encourages all students who believe they have a grievance to use all appropriate avenues for informal resolution before initiating a formal grievance. Students in Anthropology are encouraged to discuss the issue with the faculty or staff member with whom the problem has arisen. If a satisfactory solution is not forthcoming the student may wish to seek advice and/or information from his or her advisor, the Director of Graduate Studies, or the Head of the Department. If the situation is not resolved the student may wish to contact the Chair of the Grievance Committee(see below) informally. This person will act as Ethical Conduct officer and shall attempt to find a resolution acceptable to both/all parties through discussion with each party separately and/or in face-to-face mediation. The student may also consult with the Graduate College, the Office of the Dean of Students, the Ombuds Office, the Office of International Student Affairs, or other sources.

None of these informal options are mandatory. However, if initiated the informal measures should be completed within two weeks of a complaint. The informal process can continue for a longer period if all parties involved agree that this would be advantageous. Failing adequate mediation through informal means the student may wish to file a formal grievance.

IV. Formal Procedures

A. Identification of the Grievance Committee

At the beginning of each fall semester a Department Grievance Committee will be elected by secret written ballot by the Graduate Anthropology Student Association (GASA). The committee will include three faculty members and three graduate student members. The faculty member and the graduate student each receiving the fourth highest number of votes shall be designated as alternates to serve in case an elected member cannot serve or is determined to have a conflict of interest in any particular case. Should additional vacancies arise the head of the Department shall

appoint replacements subject to ratification by GASA. Confidentiality of the grievant must be protected during this process.

During the election proceedings the faculty member who will serve as Chair of the Committee and also as the Ethical Conduct Officer for the Department will be designated by GASA.

This person, as Chair of the Grievance Committee, is responsible for assuring that a record of the committee's proceedings (see Section B below), deliberations and recommendations is forwarded to the head of the Department.

B. Procedures

1. A graduate student in the Department of Anthropology may file a formal grievance with the chair of the Grievance Committee, or directly with the Graduate College as the student elects. If the student elects to file a grievance within the Department the following procedures will apply. If the student elects to file a formal grievance directly with the graduate college that process must be initiated no later than 180 days of the decision or behavior that has led to the formal grievance.

A formal grievance initiated with the Department of Anthropology should be filed promptly and must be filed in writing within a calendar year of the decision or behavior resulting in the grievance. A time extension may be authorized by the head of the Department if the student was absent from campus at the time of the decision or behavior resulting in the grievance. The written grievance should indicate the parties involved, the action or decision being contested, any applicable university, campus or unit policy, an explanation of why the action or decision is inappropriate, and the remedy sought.

2. All principal parties to the grievance will be notified with a full copy of the written grievance. Challenges to the committee membership must be submitted within 3 working days of receipt of formal notification.

3. Any participant to the grievance may challenge any member of the grievance committee if there is a perceived conflict of interest. Conflict of interest is specified in General Provisions below. The challenge should be made in writing to the Head of the Department. If the objection is prompt (See IV.B.2) and reasonable, the Head shall replace the person with a new member not subject to a conflict of interest. Ratification by GASA should follow promptly. The decision of the Head as to whether the challenge is prompt and reasonable may be a basis for appeal of the grievance committee's recommendation.

A graduate student grievant may request that no graduate students serve on the committee responsible for hearing his or her grievance.

4. The grievance committee's investigation shall include a review of written materials originally presented by the grievant and information subsequently gathered from the primary parties and other pertinent parties in writing or in person. During a hearing, each of the primary involved parties may make a brief opening statement, and then respond to questions from the committee. The primary involved parties may not question each other directly, but may pose

questions through the committee chair. Each party may be accompanied by an advisor should they so choose. At the end of the hearing, each primary involved party may make a closing statement.

Should the grievance committee meet with the principals to the grievance either separately or in a face to face context each party may be accompanied by an advisor should they so choose.

5. Within 30 calendar days of the filing of the grievance and the final appointment of full committee membership in the case of a challenge, the Chair of the grievance committee shall report its recommendations in writing to the Department Head. The Head may grant an extension of the time limit for good cause. The grievance committee's report shall contain:

- a. a summary of the grievant's contentions and relief sought;
- b. the response of the individual against whom, or the unit against which, the grievance was filed;
- c. a general description of the investigative process;
- d. a citation of relevant policies;
- e. an explicit finding of fact based on the preponderance of the evidence with respect to each grievance included in the grievance committee's charge;
- f. a listing of the evidence relevant to each finding;
- g. a recommendation of any appropriate redress for the grievant(s);
- h. any recommended changes in policies and procedures to minimize the likelihood of recurrence; and
- i. any minority positions.

6. Within 7 calendar days of receipt of the committee's report, the head shall communicate the disposition to the primary involved individuals and provide them with a copy of the committee report. If the head of the Department concurs with the committee's conclusions or determines on the basis of their report that the grievance has not been proved or has no merit, the head will notify all parties and all persons who have been interviewed or otherwise involved that the grievance has been dismissed. If the head concurs with a committee conclusion that the grievance has been sustained and has merit, the head will proceed in accordance with the University statutes and the relevant University rules and regulations. The head may after consultation with appropriate campus officers, prescribe redress for the grievant. In addition, the head of the Department may initiate modifications of Department policies or procedure. The head shall notify the relevant involved individuals (grievant, respondent, grievance committee members) in writing of all actions taken.

7. Within 30 calendar days of receipt of written notification of the determination, appeals may be made to the Graduate College as specified in the Graduate College grievance policy.

8. After completion of a grievance review and all ensuing related actions, the head shall return all original documents and materials to the persons who furnished them. The committee report and copies of all documents will be retained for a period of 5 years beyond the grievant's time limit for completion of a degree. A report of the nature of the grievance and the primary involved individuals shall be forwarded to the Graduate College.

V. General Provisions

A. Coverage

This policy and these procedures apply to all graduate students and members of the academic and administrative staffs in the Department of Anthropology. This policy also applies to former graduate students, provided they meet the timeliness requirements specified in the procedures above.

B. Oversight Authority and Responsibility

1. The head has responsibility, under the policies and procedures of the Graduate College, for the management of Department of anthropology graduate programs and related policies and procedures.

2. The head shall have the primary responsibility for administering campus procedures detailed herein. All information and items furnished will be made available to the grievance committee. During the course of an investigation, the head will provide information about the status of the proceedings to the primary individuals involved. Subsequent to the grievance committee's reporting, the head will maintain a file of all documents and evidence, and is responsible for the confidentiality and the security of the file. The head shall make the complete file available to the Dean of the Graduate College on the appeal of a grievance outcome to the Graduate College.

C. Confidentiality

All persons involved in administering these procedures will make diligent efforts to protect the reputations, privacy and positions of all involved persons. These persons include those who file grievances, persons who are alleged in a grievance to have taken inappropriate actions or activities, and Department administrators. All of the procedures and the identity of those involved should be kept confidential to the extent permitted by law.

D. Standards of Evidence

A decision or behavior challenged in a grievance, especially a professional judgment of student performance, is assumed to be acceptable until proven otherwise. The grievance committee's decision shall be made on the "preponderance of evidence" standard. Any finding against an individual or department on the subject of the grievance must be supported by a preponderance of evidence.

E. Academic Freedoms and Rights of the Parties

1. It shall be a prime concern of all persons who implement this policy and these procedures to protect the academic freedoms fundamental to the academic enterprise. Among other things, this includes the professional judgments of student performance that are an essential part of the graduate education process. Academic freedom, however, affords no license for the mistreatment

of graduate students.

2. The rights of the primary involved individuals shall be specified in the form of a written notice or letter from the head. The primary involved individuals have the following rights:

- a. To receive notice of the identity of the members of the grievance committee.
- b. To receive a written statement of the charge including the subject matter being considered by the grievance committee. If additional information emerges during the committee's evaluation that substantially changes the subject matter, the parties shall be informed promptly in writing.
- c. To submit statements in writing and to meet with the committee to present information.
- d. To consult private legal counsel, or another person who may provide advice at the meeting with the committee. Prior notice of the presence of an advisor must be given and any other primary involved party may request a delay of up to 5 calendar days to arrange for the presence of an advisor.
- e. To review and respond to the grievance committee's final report prior to the head's ultimate disposition.

3. Any of the parties responsible for the implementation of this policy may consult University Legal Counsel at any time during the informal or formal processing of a grievance.

F. Conflict of Interest

A conflict of interest is a significant professional or personal involvement with the facts or the parties to a dispute. Any participant who has a conflict of interest in a dispute under this procedure, or a concern about a conflict on the part of another, shall report it to the head who shall take appropriate action as specified above. If the head has such a conflict, the head will inform the Dean of the Graduate College who will, in consultation with the Dean of the academic college, decide how to address the situation.

G. Timeliness and Procedural Changes

All procedures prescribed in this document should be conducted expeditiously. The head for good cause may extend any of the time periods and may make other reasonable alterations of these procedures, provided that the alteration does not impair the ability of a grievant to pursue a grievance or the respondent(s) named in the grievance to defend him/herself. Any alterations of these procedures must be communicated to all pertinent parties.

H. Withdrawal of a Grievance

The grievant may submit a written request to withdraw the grievance at any time. The head shall decide whether to approve the request. A request to withdraw shall be approved only if both parties to the action agree to terminate the proceedings. If the withdrawal request is approved, the head shall notify the primary involved parties and the files shall be destroyed. If the withdrawal request is denied, the grievance shall continue to be processed to a conclusion according to the above procedures.

I. Termination of University Employment

The termination of University employment of any of the primary involved individuals in a grievance, by resignation or otherwise, after initiation of procedures under this policy, shall not necessarily terminate these proceedings.