

**POLICY AND PROCEDURES ON GRIEVANCES BY GRADUATE STUDENTS IN THE
DEPARTMENT OF POLITICAL SCIENCE
October 2014**

A. 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 (Guiding Standards for Faculty Supervision of Graduate Students, March 31, 1997). In a large and heterogeneous scholarly community, however, problems may arise. Thus the University articulates its policies and provides effective informal and formal procedures for resolving these problems involving graduate students.

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

B. AVAILABILITY

The policy and these procedures outlined in this document are available to all current graduate students in the Department of Political Science. They are also available to former graduate students provided they meet the timeliness requirements specified herein. They were approved by the Graduate College on October 2, 2014.

C. SCOPE AND COVERAGE

Definition of a Grievance: A grievance may arise when a graduate student believes that his/her status as a graduate student has been adversely affected by an incorrect or inappropriate decision or behavior. Examples include, but are not limited to, the following:

1. Inappropriate application of a Department or University policy: Failure to follow a Departmental or Graduate College policy in a manner that results in significant prejudice against the student
2. Failure to follow Departmental or Graduate College procedures for assessing degree milestones such as qualifying examinations, comprehensive examinations, preliminary examinations, or final examinations/final defense
3. Being improperly terminated from a program
4. Being required to perform personal services unrelated to academic duties
5. 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
6. Being the subject of retaliation for exercising his/her rights under this policy

This policy does not apply in cases involving:

1. Challenges to Graduate College Petition decisions
2. The exercise of professional judgment in evaluating student academic performance/progress
3. Student-to-student conflicts (see <http://www.conflictresolution.illinois.edu/>)
4. Academic misconduct such as breaches of academic integrity in research and publication (see <http://www.research.illinois.edu/training/integrity.cfm>)
5. Employment specific issues, including those covered by collective bargaining agreements (i.e. teaching assistantships and administrative graduate assistantships, see www.ahr.illinois.edu/employees/ler.html [13])
6. Cases that arise under the Student Code, including academic integrity or capricious grading claims (see <http://www.admin.illinois.edu/policy/code/>)
7. Cases involving alleged discrimination or sexual harassment (see <http://www.cam.illinois.edu/ix/ix-b/ix-b-3.htm>)

Non-exclusivity: 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 Political Science Graduate Student Handbook, Graduate Office Procedures Guide, and the Handbook for Graduate Students and Advisers. This policy does not override or supersede any other policies or procedures as established in the University Statutes and campus policies.

Duty to Cooperate: Students availing themselves of the grievance process, and all faculty, staff, and administrators have a duty to cooperate and provide information and materials relevant to the investigation of a grievance. It shall at all times be the responsibility of the Parties to ensure that the Department of Political Science has accurate contact information to facilitate communications as described in these procedures.

D. DEFINITIONS

1. **Business Day:** Means Monday through Friday, excluding University and campus holidays and reduced service days.
2. **Conflict of Interest:** A conflict of interest is a significant professional or personal involvement with the facts or the Parties to a dispute. Any Party or administrator who has a conflict of interest in a dispute under this policy, or a concern about a conflict on the part of another shall promptly report it to the Head of the Department who shall decide how to address any conflict of interest. If the conflict lies with the Head, the alleged conflict will be referred to the Dean of the Graduate College for resolution.
3. **Consultant:** A person intended to provide advice to a Grievant or the Subject of a grievance. The Consultant shall not directly participate in any proceedings, but may be consulted during the process. If any Party's consultant at any meeting is an attorney, all participants must be informed at least three (3) business days prior to such a meeting.

4. **Grievant:** The student in the Department of Political Science who has filed a grievance pursuant to this policy.

5. **Head:** The Head of the Department of Political Science or his/her designee. The Head has responsibility for graduate programs and related policies and procedures. The Head is the final arbiter of disputes under this policy. In the event a grievance is filed against the Head, these responsibilities shall be referred to the Graduate College Policy and Procedures on Grievances by Graduate Students

6. **Parties:** Refers to the Grievant and all Subjects named in a grievance collectively.

7. **Subject(s):** The person or persons named in the grievance. If a grievance generally references a department or unit, the Subject shall be the Department Head.

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 Political Science 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 should discuss the issue with his or her adviser, the Director of Graduate Studies, or the Head of the department, who shall attempt to find a resolution acceptable to both parties. The student may also consult with the Graduate College, the Office of the Dean of Students, the Office of International Student and Scholar Services, or other sources.

FORMAL PROCEDURES

Grievance Committee Appointment

The Head shall appoint annually three members of the faculty and two graduate students shall be selected by the Political Science Graduate Student Association (PSGSA) to serve on the Grievance Committee. The Committee shall elect a Chair from among its faculty members. A graduate student grievant may request that there be no graduate students on his or her Grievance Committee

Filing and Timeliness of a Written Grievance

A student in the Department of Political Science may elect to pursue a grievance with the Department of Political Science or directly through the Graduate College Policy and Procedures on Grievances by Graduate Students. A formal grievance should be filed promptly and must be filed in writing within sixty (60) business days of the decision or behavior resulting in the grievance, regardless of whether the Department procedure or Graduate College procedure is used. A Party dissatisfied with the outcome of a Department grievance finding may appeal the decision on procedural grounds to the Graduate College. An appeal to the Graduate College must be filed in

writing with an Intake Dean within ten (10) business days of the date of the Departmental decision being appealed (see the Graduate College Grievance policy).

When a grievant elects to file at the Department level, the Committee Chair and the Head each separately retain the right to ask that the Graduate College rather than the Department committee hear the grievance.

Content and Submission of a Written Grievance

The written grievance should include at least the following:

- A statement by the student summarizing the concern(s), the action, or decision being contested,
- The date(s) of the alleged incident(s),
- Any applicable university, campus or unit policy,
- An explanation of why the action or decision is inappropriate,
- The name(s) of the University faculty, staff or administrators involved,
- A statement concerning what outcome, remedy, or action the student would like to see result from the grievance

The grievance should be delivered to the Department Head.

Review by Department Head

Upon receipt of a written grievance, the Head will review the grievance and other relevant materials to consider whether the issues fall under the Department Grievance policy.

If the grievance is declined, the Head will notify the person seeking review in writing and explain the decision. The Head's decision is final.

If the grievance is accepted, the Head shall define the subject matter and scope of the issues related to the grievance in a written charge to the Grievance Committee. The charge shall be provided to the Grievance Committee and the Parties to the Grievance.

The Content of the Charge

The written charge shall include:

1. The charge may, but need not, address every allegation contained in the grievance
2. The charge may include additional matters not included in the grievance that, in the opinion of the Head, warrant investigation
3. The identities of the Grievance Committee members and a statement that either Party may challenge a committee member on the grounds of a conflict of interest within five (5)

business days of receipt of the written charge

4. A statement that both parties may submit any additional materials relevant to the written charge that they want considered by the Committee within ten (10) business days of receipt of the written charge.
5. A statement that a Party must make a written request for a meeting with the Committee within ten (10) business days of receipt of the written charge if such a meeting is desired, and that the committee will decide if a meeting is warranted

Conflict of Interest

Any Party to the grievance may challenge any member of the Grievance Committee if there is a perceived conflict of interest. The challenge should be made in writing to the Head of the Department. If the Head believes a legitimate conflict of interest exists, the Head will replace the committee member as appropriate.

Review of the Grievance

The Grievance Committee's investigation shall include a review of written materials presented and seeking information from the primary parties in writing or in person.

Preliminary Grievance Committee Session(s)

After the time granted to the Parties to provide additional materials, the Chair of the Grievance Committee shall convene the committee members to:

- Review the process, discuss the written charge and review the materials received
- Review any requests for a meeting and decide if a meeting would be helpful in making findings and recommendations regarding the written charge
- Provide direction on whether it wants the Chair to seek any additional information relevant to the written charge from any of the Parties or other sources
- Confirm that the Chair has provided copies of written materials received by the Committee to all Parties to the grievance

Meeting Notice

If the Committee concludes a meeting is necessary, the Chair shall send notice of a meeting no fewer than five (5) business days prior to the meeting. The notice must include the date, place, and time of the meeting and a statement that each Party may have a Consultant present at the meeting. Continuances may be granted by the Committee Chair with good cause shown.

Meeting Purpose and Structure

The purpose of a meeting under this policy is to allow the Committee to hear directly from the Grievant, Subject(s), and witnesses in order to better attempt to resolve the dispute. While there may be adversarial components, the meeting is not intended to be a trial. Formal rules of evidence shall not apply. All Parties shall treat each other with dignity and respect. Parties may each 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. The Chair shall decide whether or not to pose the questions. If witnesses will be called, each Party may ask questions directly of his/her witness, but it will be in the Chair's discretion whether or not questions to another's party's witnesses will be through the Chair or directly by the Party. At the end of the hearing, each primary involved Party may make a closing statement. The confidentiality of all information shall be preserved.

Meeting Attendance

Attendance is restricted to the Grievant, Subject(s) and their respective Consultants, Committee Members, and if necessary, a representative from the Office of University Legal Counsel. If oral statements from witnesses will be received, the witness may be present only while making the statement or responding to questions. Both Parties shall be permitted to be present throughout the meeting but are not required to attend. Any person, including a Party, who disrupts a meeting or who fails to adhere to the directives of the Chair of the Grievance Committee may be removed from the meeting.

Deliberations

The deliberations of the Committee are confidential. All Parties shall be excluded during the Committee's deliberations. The conclusions and recommendations of the Committee must be agreed to by a simple majority of the Committee hearing the matter. The conclusions and recommendations of the Committee must be based on a preponderance of the evidence (more probably true than not true).

Committee Report

The Committee shall submit a written report to the Head as soon as practical that includes at least the following:

- A copy of the written charge from the Head,

- A statement of the relief sought by the Grievant,
- The response of the Subjects,
- General description of the investigative process,
- A citation of relevant policies,
- Findings of fact and a listing of the evidence relevant to each finding that support the Committee's conclusions,
- The Committee's conclusions based on the preponderance of the evidence with respect to each grievance included in the investigation Grievance Committee's charge,
- A recommendation of appropriate redress for the Grievant(s), if applicable,
- Any recommended changes in policies and procedures to minimize the probability of recurrence, if applicable

Opportunity to Comment

Copies of the Report shall be provided to the Parties. A Party may submit written comments to the Head concerning the Report to the Head within five (5) business days of receipt of the Report.

Final Disposition of the Grievance and Disclosures

As soon as practical following the receipt of the Report and all written comments concerning the Report from the Parties by the comment deadline, the Head shall determine what disposition to make of the case.

If the Head concludes that the grievance has not been proved, the grievance will be deemed not sustained and dismissed.

If the Head concludes that the grievance has been sustained and has merit, the Head will proceed in accordance with the University Statutes and relevant University rules and regulations. The Head may, after consultation with appropriate campus officers, prescribe redress for the Grievant, recommend modification of Department policies, or recommend changes in the procedures for

implementation of such policies, as appropriate.

If the Head concludes that these procedures have not been followed, or the interests of fairness or thoroughness require further investigation, the Head may direct the Committee to revisit any relevant issues and submit a revised Report within a certain time frame. The Head shall identify the specific errors or concerns and provide direction to the Committee as to appropriate corrective measures. The Committee will only address the issues raised by the Head and submit a supplemental report to the Head for consideration.

The Final Disposition shall be provided to the Parties in writing.

The Head's Disposition is final unless appealed as provided for herein. The Head may authorize the release of a copy of the Disposition on a need to know basis with due regard for privacy rights of employees and students under federal and state law and University policy.

Appeal of Final Disposition of the Head

Within 10 calendar days of receipt of written notification of the Head's determination, appeals may be made to the Graduate College as specified in the Graduate College Grievance Policy. This appeal can be based only upon demonstrated material violations in the application of this Department's grievance procedures that have resulted in significant prejudice against the Party appealing. The appeal must be in writing and must specify the nature of the procedural error. The Graduate Dean's decision on appeal shall be final.

Document Retention and Reporting

After completion of a grievance review and exhaustion of all available appeals, the Head shall return all original documents and materials to the persons who furnished them. The Department shall destroy the grievance file on a date six years beyond the Grievant's time limit for completion of the degree, or six years after completion of the degree. A report of the number of grievances filed under the departmental procedures shall be forwarded to the Graduate College.

GENERAL PROVISIONS

Academic Freedoms and Rights of the Parties: 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.

Confidentiality: All persons involved in administering this policy shall exercise diligent efforts to keep information received or learned during the course of a grievance as confidential. Nothing in these provisions alters privacy rights of employees and students provided in federal and state laws and University policies and procedures. Notwithstanding the foregoing, in the event the Head concludes that a student has knowingly filed a false grievance, the Head may authorize the release and use of all materials submitted in this process for use in any disciplinary proceedings.

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. 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.

Consultation with Legal Counsel: 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.

Failure to Participate: The grievance may proceed regardless of the failure of the Grievant or Subject(s) to participate, so long as all required notices have been given.

Interim Action: At any time after a grievance has been filed and before final disposition of the case, the Head, with the approval of the Dean of the Graduate College, may take interim administrative action determined to best serve the interest of the Grievant, other students in the Department of Political Science, or the Subject, to protect the best interests of the University, to preserve evidence, or to protect resources.

Malicious Charge: Bringing unfounded charges in bad faith is a violation of this and the Graduate College Grievance Policy. If the Grievance Committee determines that the allegation(s) in the grievance or the testimony of any person was unfounded and motivated by bad faith, that finding shall be communicated by the Head to the Dean of the Graduate College and the Dean of the academic college. After consultation with the Provost, the Deans may inform the Head of such a finding. Such finding may be the basis for disciplinary action or other personnel decision in accordance with University rules and regulations.

Oversight Authority and Responsibility: The Head has responsibility, under the policies and procedures of the Graduate College, for the management of Department of Political Science graduate programs and related policies and procedures. 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 involved individuals. 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 Graduate College on the appeal of a grievance outcome to the Graduate College.

Reporting: The department/unit shall annually report to the Graduate College Dean the number of grievances filed under the departmental procedures.

Standards of Evidence: The conclusions and recommendations of the Grievance Committee must be based on a preponderance of the evidence (more probably true than not true).

Timeliness and Procedural Changes: All procedures prescribed in this document should be conducted expeditiously. Every effort should be made to resolve a grievance within one year of the submission of the written grievance. Extensions of time periods specified in this document may be granted by the Head or the Chair of the Grievance Committee as the case may be, with good cause shown. The Head may make other reasonable alterations of the procedures set forth in this document, provided that the alteration does not impair the ability of a Grievant to pursue a grievance or the Subjects to respond. Any alterations of these procedures must be communicated to the Parties.

Withdrawal of a Grievance: The Grievant may submit a written request to withdraw the grievance at any time. However, the Head shall have the sole discretion to decide whether to grant or deny the request. If the withdrawal request is approved, the Head shall notify the 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.

Withdrawal from the University/Termination of University Employment: Withdrawal from the University by the Grievant or termination of employment by the Subject at the University shall not necessarily terminate the proceedings.

Written Notice: The rights of the Parties shall be specified in the form of a written notice or letter from the Head. The Parties have the following rights:

- To receive notice of the identity of the members of the Grievance Committee,
- To receive a current copy of the Policy and Procedures on Grievances by Graduate Students in the Department of Political Science,
- 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,
- To submit statements in writing and to request to meet with the Committee to present information,
- To consult private legal counsel, or another person who may provide advice at the meeting with the Committee. Prior notice of the presence of a Consultant must be given and any other primary involved Party may request a delay of up to five calendar days to arrange for the presence of a Consultant,
- To review and respond to the Grievance Committee's final report.