

A Student's Guide to Academic Grievance



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INTRODUCTION: East Arkansas Community College wants all students to enjoy their coursework and their instructors. However, despite our best efforts, sometimes disagreements arise. The Academic Grievance procedure is a tool to resolve a disagreement between two parties in a reasonable, uniform, and timely manner.

PURPOSE: Recognizing that both students and faculty have rights regarding academic matters, EACC sets forth an Academic Grievance procedure to serve the purposes of:

1. Providing the student with redress and due process.
2. Protecting faculty rights in freedom of instruction.
3. Providing a mechanism for problem-solving.
4. Achieving an equitable resolution of the grievance as quickly as possible.

DEFINITION: An Academic Grievance is a complaint seeking action to address an issue that has or will materially affect a student's grade or standing in a course or program. The Academic Grievance procedure may only be used for grievances that fit this definition.

SUMMARY OF STEPS: There are five steps to Academic Grievance. The procedure may end at any time the grievance is resolved or the student declines to pursue the matter further. Most grievances are resolved at Step 1 or Step 2. A summary of the steps is as follows:

1. Student meets with the Instructor
2. Student meets with the Instructor and the Instructor's Supervisor
3. Student may request an Administrative Review from the Area Administrator
4. Student may request an Academic Grievance Committee Review.
5. Student or Instructor may request a President's Review

GRIEVANCE FORM: A student wishing to seek redress for an Academic Grievance must use the Academic Grievance Complaint and Resolution form beginning with Step 2, and should follow these guidelines:

1. The form will be filled in completely and will serve, without amendment, as the source document for the entire grievance resolution process.
2. All supporting documentation must be attached to this form.
3. If there is more than one occurrence, a separate form should be filled out for each occurrence.
4. The Academic Grievance Complaint and Resolution form is for an Academic Grievance only. Grievances related to conduct, harassment, or other complaints for which there is a separate policy should be addressed using those procedures.

The Academic Grievance Complaint and Resolution form has 5 questions that must be answered fully before a grievance can proceed to Step 2:

1. What was the date of occurrence and what specific behavior, condition, or violation of policy or procedure occurred which you consider constitutes an Academic Grievance?
2. How has your course grade or standing in your program been materially adversely affected by the behavior, condition, or violation of policy or procedure?
3. What specific action have you taken to reconcile and improve this situation, including discussing it with your instructor? What has been the outcome of these efforts?
4. Is there any evidence that supports your complaint? If so, please describe or attach a copy of the evidence.
5. What specific remedy do you request?

GUIDELINES TO FOLLOW: Students are encouraged to use the process. Some important guidelines for students to understand about Academic Grievance are:

1. An Academic Grievance may only be filed and pursued by the grievant. No one may pursue an Academic Grievance on behalf of another person.
2. The Academic Grievance steps must be followed in order. Failure to follow procedures may result in suspension or dismissal of a grievance.
3. The grievance process must be initiated and completed prior to the end of the term following the term in which the grievance occurred (excluding summer terms).
4. In order to ensure a grievance is resolved in a timely manner, each step in the process has a time limit. Failure to follow the steps within the required time frame ends the grievance process. All deadlines exclude weekends and holidays.
5. The form and attached documentation completed at the time of the Step 2 meeting will be utilized throughout the grievance process; therefore, students are cautioned to fill out the form thoroughly and attach any and all relevant evidence or documentation.
6. College officials may allow a grievant to have one (1) named individual present in a meeting as a support person, provided that a Family Educational Rights and Privacy Act (FERPA) waiver form has been completed. If another person is present, the individual is there only to provide emotional support; all communication will be with the student. The support person may not answer questions on behalf of the student or interrupt the proceedings. If the support person fails to comply with these procedures, the College reserves the right to exclude the support person from further participation in the process. The completion of a FERPA waiver form does not require the College to allow a person other than the student to be present. Support persons must be identified prior to any meetings at which their attendance is requested.
7. As this is a grievance procedure in an academic institution and not a court of law, the person serving as an advisor or support person to the parties may not be an attorney acting in a professional capacity.
8. If the procedures are to be recorded by any party in any manner, all parties should be informed of such recording.
9. Students are expected to fully educate and inform themselves about Academic Grievance by utilizing the Student Handbook in the College Catalog. Students are expected to take ownership of the process and self-advocate. The College is not required to provide additional assistance beyond information about procedure. Failure to follow procedure for any reason is the responsibility of the student and ends the grievance process.
10. Students may not re-grieve the same complaint.

DETAILED STEPS: The five steps of the Academic Grievance and Resolution procedure are as follows:

Step 1: Meeting with Instructor - The student meets with the instructor to address an issue that has or will materially affect a student's grade or standing in a course or program. The student and instructor should discuss the problem thoroughly and attempt to reach an agreement. At this point, the student may accept the decision of the faculty member or continue to Step 2.

Step 2: Meeting with Instructor and Supervisor - If an agreement cannot be reached between the student and the instructor, the instructor's supervisor is contacted by the student. At this point in the process, an Academic Grievance Complaint and Resolution Form is to be filled out fully and

submitted to the supervisor by the student within 72 hours of meeting with the instructor to request a remedy. The student, the instructor, and the supervisor are to meet together to thoroughly discuss the problem and attempt to reach a solution. This meeting must be scheduled within 72 hours of the supervisor's receipt of student's academic grievance form.

Step 3: Administrative Review - If an agreement cannot be reached during Step 2 of the grievance process, the student may request an Administrative Review by the area administrator of the division in which the grievance occurred. An area administrator is a senior administrator with supervisory responsibility of a division of the College. In order to begin Step 3 of the grievance process, the student must submit the Academic Grievance Form and any attached documentation to the area administrator within 72 hours of meeting with the instructor and instructor's supervisor.

The area administrator will request from the supervisor a written summary of why the student's requested remedy could not be granted, any alternative remedies that were offered, and any relevant evidence or documentation. The area administrator may request additional information from the student, instructor, or supervisor, or may make a decision based on the documentation received.

The area administrator will review the grievance and will render a decision within 72 hours of receiving the grievance documents from the student. The administrator may: (a) grant the student's requested remedy (b) recommend a different remedy (c) dismiss the grievance for lack of merit or actionable claim, or (d) dismiss the grievance for failure to follow the appropriate procedure. The area administrator's decision will be documented on the grievance form and communicated in writing to the student and instructor via U.S. Mail or official EACC Email; either of these forms of communication may be utilized at the discretion of the administrator.

Step 4: Academic Grievance Committee - If the student does not accept the decision rendered following Administrative Review, the student may request a review by an Academic Grievance Committee. This request must be made within 72 hours of receipt of the Administrative Review decision.

In order to request an Academic Grievance Committee review, the student must provide written notification of this request to the area administrator by signing and submitting the Academic Grievance form and documentation. Upon receipt of a timely and complete request, the committee process will begin.

The area administrator shall notify the President within 24 hours of receiving a completed Academic Grievance Committee request. Committee members shall be appointed by the President within 48 hours of notification that a committee has been requested. The Academic Grievance Committee will be composed of at least one senior administrator, two faculty members, and two staff members.

Within 48 hours of appointment, the Committee will schedule an initial hearing to review all relevant information regarding the grievance. The committee may call witnesses or ask for additional documentation at its discretion.

The Committee must first determine whether there are sufficient grounds for a hearing. If the Committee determines there are not sufficient grounds to warrant a hearing, the decision and supporting rationale are reported in a written decision to the student and the instructor within 48 hours. If the Committee determines there are sufficient grounds to conduct a hearing, such hearing is to be scheduled within 48 hours of the Committee's decision to hear the grievance. The committee chair may utilize the U.S. Mail or official EACC Email to communicate with the student or any other parties at his or her discretion.

If a committee hearing is to be scheduled, the committee chairperson will attempt to call the student immediately following the initial committee review meeting via the phone number submitted on the grievance form. The committee chairperson will attempt to contact the student two additional times up to the day and time of the hearing. If the student fails to attend the hearing, the grievance is dismissed.

ACADEMIC GRIEVANCE COMMITTEE HEARING PROCESS AND PROCEDURES

1. The grievance procedure must be initiated and completed prior to the end of the term succeeding the term in which the incident occurred (excluding summer terms).
2. If the committee determines there are sufficient grounds to conduct a hearing, such hearing is to be scheduled within 48 hours of the Committee's decision to hear the grievance.
3. The committee will render a written decision, including its findings and recommendations, within 48 hours of the hearing (excluding holidays and weekends).
4. The Academic Grievance Committee will be composed of at least one senior administrator, two faculty members, and two staff members. Instructors or staff who are parties in the grievance may not serve as members of the committee.
5. Committee members should not discuss any matters pertaining to the grievance outside the formal hearing either before or after the meeting.
6. Only the student and instructor involved are to be present during the committee hearing; however, if witnesses are to be called by the parties, the committee chairperson must be notified 24 hours prior to the hearing. The student and instructor may present such evidence as is relevant to the dispute.
7. The committee may limit the number of witnesses or the time allocated for testimony at its discretion.
8. Both the student and instructor involved must be present during the entire committee hearing. No other persons (except committee members and called witnesses) may be present unless the student or instructor desires to have an advisor present. If either party desires an advisor, the other party and the committee chairman must be notified 24 hours prior to the hearing. As this is a grievance hearing in an academic institution and not a court of law, the person serving as an advisor to either of the parties may not be an attorney acting in their professional capacity. The advisor is there only to provide emotional support. The support person may not answer questions on behalf of either party or interrupt the proceedings. If the support person fails to comply with these procedures, the College reserves the right to exclude the support person from further participation in the process.
9. Any committee member who is related to any person involved in the grievance or who feels that he or she cannot be impartial because of a conflict of interest or any other reason shall be excused from serving during the hearing.
10. Information about the procedure to be followed during the hearing will be shared with both parties beforehand.
11. If the procedures are to be recorded in any manner, all parties must be informed of such recording, and the chairperson shall keep the official recording.
12. Witnesses may be called, and each witness will be dismissed following their testimony.

13. The chairperson's role shall be an objective one; the chairperson shall vote only in the case of a tie.
14. The chairperson and committee members are charged with conducting a fair and impartial hearing and assuring that all testimony speaks to the issues; extraneous information is to be excluded.
15. No party to the grievance, (instructor, student, witness, or other) may contact any committee member about the grievance other than the chairperson outside of the committee hearing, either before or after.
16. The names of committee members are confidential and may not be shared with any party, (instructor, student, witness, or other) prior to the hearing.
17. Following the committee hearing, all parties to the grievance and all witnesses will be dismissed. Only the committee members shall remain, who will discuss the issues thoroughly in a closed session until a decision is reached by a majority vote. Majority is defined as more than 50% of committee members present. All committee members must be present for the entire hearing in order to vote. In the case of a tie, the chairperson's vote shall serve as the tie-breaker.
18. The committee chair will communicate the committee's decision in a written memorandum to the student and the instructor within 48 hours of the committee hearing. The committee chair may utilize the U.S. Mail or official EACC Email at his or her discretion.

Step 5: President's Review - The student or instructor may request a procedural review by the College President within 48 hours of the receipt of the Academic Grievance Committee's decision (excluding holidays and weekends).

The original grievance documents and final report of the Academic Grievance Committee are submitted to the President who reviews the information submitted.

Within 48 hours (excluding holidays and weekends) after the President receives the information, the President will render a decision regarding the Committee's adherence to college and committee policy and procedure based on the written information submitted.

The President has the option to remand the Committee's findings to the Committee for further consideration.

Out-of-State Distance Learning Students: Students who are engaging in out-of-state distance learning have the opportunity to file a complaint with the Arkansas Division of Higher Education (ADHE) **after** completing **all** steps of EACC's Academic Grievance procedure. Additional information, including the ADHE Student Grievance form, may be found on ADHE's website under student complaint: <https://www.adhe.edu/students-parents/colleges-universities/student-grievance-form/>

Academic Grievance Process Map

A student wishes to submit an academic grievance. An academic grievance is a complaint seeking action to address an issue that has materially affected a student's grade or standing in a course or program. Your first step is to review the *Student's Guide to Academic Grievance*.

Is the grievance process being initiated before the end of the semester following the semester in which the incident took place?



Have you met with the instructor to discuss the issue?

Your timeframe has passed and you can no longer file an academic grievance.



Did you and the instructor reach an agreement or a resolution?

You must follow the steps of the process in order.

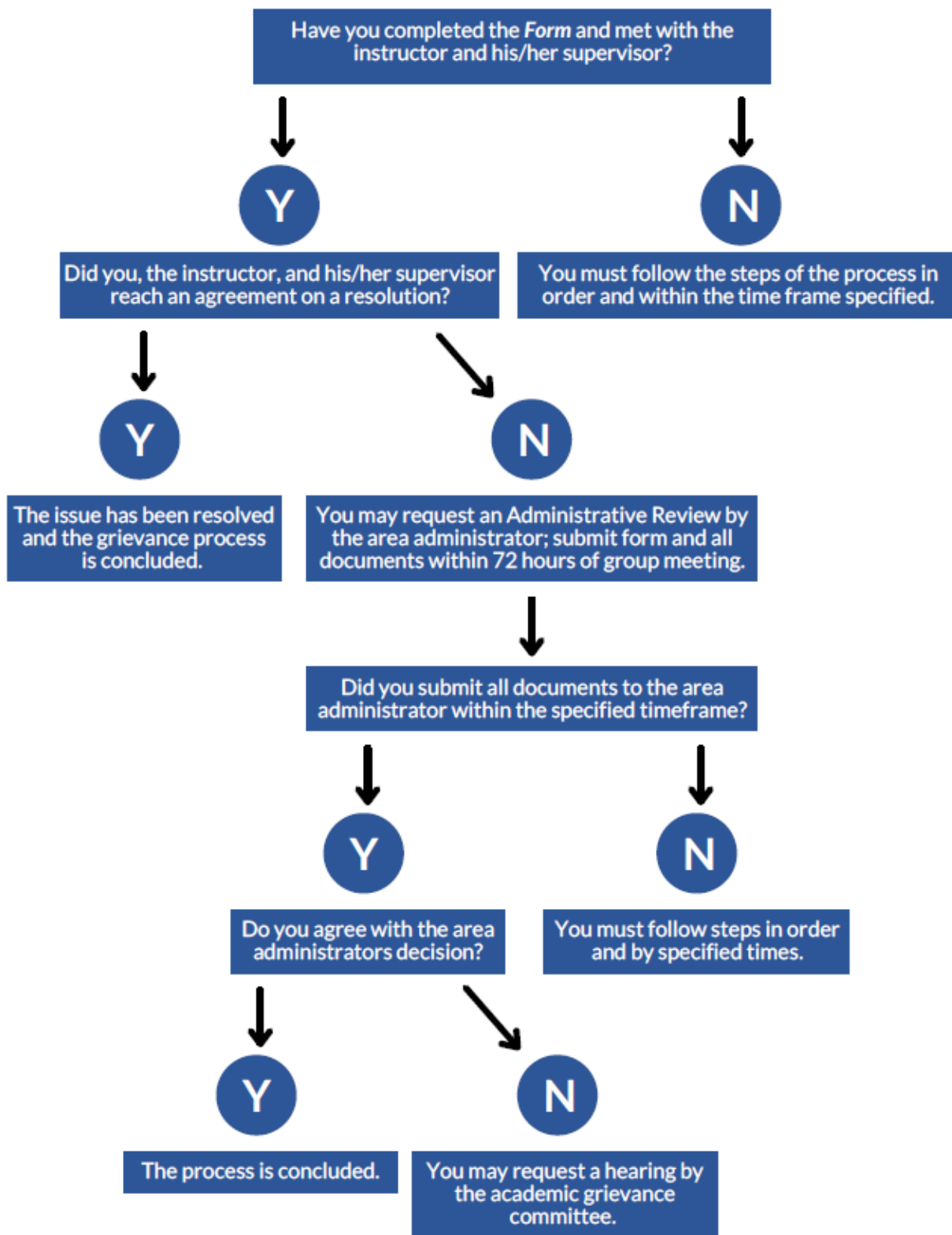


The issue has been resolved and the grievance process is concluded.

Complete and submit the *Academic Grievance and Resolution Form* to the instructor's supervisor and schedule a meeting with him/her and your instructor within 72 hours of meeting with instructor.



Have you completed the *Form* and met with the instructor and his/her supervisor?



Academic Grievance Complaint and Resolution Form

This form is to be used by a student who wishes to file an Academic Grievance. The form will be filled in completely and will serve, without amendment, as the source document for the entire grievance resolution process. All supporting documentation must be attached to this form. This form is for an academic grievance only. Grievances related to conduct, harassment, or other complaints for which there is a separate policy should be addressed using those procedures. The grievance procedure must be initiated and completed prior to the end of the term following the term in which the incident occurred (excluding summer terms).

Student's Name:	Program or Course Subject to Grievance:
Student's Official EACC Email:	Student's Phone Number:
Student's Address:	Instructor's Name:

GRIEVANCE STATEMENT

In order for an Academic Grievance to be resolved, the following five (5) elements must be addressed (attach additional pages, if needed). If there is more than one occurrence, please fill out a separate form for each occurrence. Note: all deadlines exclude weekends and holidays.

(1) What was the date of occurrence and what specific behavior, condition, or violation of policy or procedure occurred which you consider constitutes an academic grievance?

(2) How has your course grade or standing in your program been materially adversely affected by the behavior, condition, or violation of policy or procedure?

Note: An academic grievance is a complaint seeking action to address an issue that has or will materially affect a student's grade or standing in a course or program. The academic grievance process may only be used for grievances that fit this definition.

(3) What specific action have you taken to reconcile and improve this situation, including discussing it with your instructor? What has been the outcome of these efforts?

Date of Meeting with Instructor:

Note: Students must complete Step 1 of the Academic Grievance process before requesting to move to Step 2: Step 1 states: "The student meets with the instructor regarding an issue that has or will materially affect a student's grade or standing in a course or program. The student and instructor should discuss the problem thoroughly and attempt to reach an agreement."

(4) Is there any evidence that supports your complaint? If so, please describe or attach a copy.

(5) What specific remedy do you request?

Student's Signature:	Date:
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In order to continue with the grievance process, a completed form is to be submitted to the instructor's supervisor by the student within 72 hours of meeting with the instructor. Step 2 of the grievance process states: "If an agreement cannot be reached between the student and the instructor, the instructor's supervisor is contacted by the student. At this point in the process, an Academic Grievance Complaint and Resolution Form is to be filled out fully and submitted to the supervisor by the student within 72 hours of meeting with the instructor to request a remedy. The student, the instructor, and the supervisor are to meet together to thoroughly discuss the problem and attempt to reach a solution. This meeting must be scheduled within 72 hours of the supervisor's receipt of student's academic grievance form."

ACKNOWLEDGEMENT OF RECEIPT OF ACADEMIC GRIEVANCE

Supervisor's Signature:	Date Grievance Received:
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OUTCOME OF STEP 2: MEETING WITH STUDENT, INSTRUCTOR, AND SUPERVISOR

Date of Meeting Between Instructor, Student, and Supervisor (must be within 72 hours of receipt of Grievance):

The following remedies were agreed upon to resolve the Grievance:

Student's Signature:	Date:
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No resolution could be reached.

Student's Signature:	Date:
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STEP 3: ADMINISTRATIVE REVIEW

If an agreement cannot be reached during Step 2 of the process, the student may request an Administrative Review of the grievance by the area administrator of the division in which the grievance occurred. An area administrator is a senior administrator with supervisory responsibility of a division of the College.

In order to begin Step 3 of the Grievance process, Administrative Review, the student must submit this form and any attached documentation to the area administrator within 72 hours of the meeting with the Instructor and instructor's supervisor. The area administrator will request from the supervisor a written summary of why the student's requested remedy could not be granted, any alternative remedies that were offered, and any relevant evidence or documentation. The area administrator may request additional information from the student, instructor, or supervisor, or may make a decision based on the documentation received.

The area administrator will review the grievance and will render a decision within 72 hours of receiving the grievance documents from the student. The administrator may: (a) grant the student's requested remedy (b) recommend a different remedy (c) dismiss the grievance for lack of merit or actionable claim or (d) dismiss the grievance for failure to follow the appropriate procedure. The area administrator's decision will be documented on this form and communicated in writing to the student and the instructor via U.S. Mail or official EACC Email; either of these forms of communication may be utilized at the discretion of the administrator.

Date Grievance Received by Area Administrator (must be within 72 hours of Step 2):

Administrator's Signature:	Date:
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OUTCOME OF STEP 3: ADMINISTRATIVE REVIEW

The Area Administrator recommends the following remedies to resolve the grievance:

The Area Administrator dismisses the grievance for lack of merit or actionable claim for the following reasons:

The Area Administrator dismisses the grievance for failure to adhere to appropriate procedure, as follows:
Decision communicated to student and instructor:

Official EACC email U.S. mail Both

Administrator's Signature:	Date:
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STEP 4: GRIEVANCE COMMITTEE REVIEW

Step 4: If the student does not accept the decision rendered following Administrative Review, the student may request a review by an Academic Grievance Committee. This request must be made within 72 hours of receipt of the Administrative Review decision.

In order to request an Academic Grievance Committee review, the student must provide written notification of this request to the area administrator by submitting this form and any attached documentation. Upon receipt of a timely and complete request, the committee process will begin.

Student requests a review by the Academic Grievance Committee (must be within 72 hours of Step 3).

Student's Signature:	Date:
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Date Grievance Committee Request Received by Area Administrator:

Administrator's Signature:	Date:
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The area administrator shall notify the President within 24 hours of receiving an Academic Grievance Committee Request. Committee members shall be appointed by the President within 48 hours of notification that a committee has been requested. The Academic Grievance Committee will be composed of at least one senior administrator, two faculty members, and two staff members.

Within 48 hours of appointment, the Committee will schedule an initial hearing to review all relevant information regarding the grievance. The committee may call witnesses or ask for additional documentation at its discretion.

The Committee must first determine whether there are sufficient grounds for a hearing. If the Committee determines there are not sufficient grounds to warrant a hearing, the decision and supporting rationale are reported in a written decision to the student and instructor within 48 hours. If the Committee determines there are sufficient grounds to conduct a hearing, such hearing is scheduled within 48 hours of the Committee's decision to hear the grievance. The committee chair may utilize the U.S. Mail or official EACC Email at his or her discretion.

OUTCOME OF STEP 4: INITIAL COMMITTEE REVIEW

Date of Initial Committee Review:

The Academic Grievance Committee finds there are not sufficient grounds for a hearing and the Grievance is dismissed. (Attach rationale.)

Committee Chair's Signature:

The Academic Grievance Committee finds there are sufficient grounds for a hearing and the hearing date has been set (must be within 48 hours of initial committee review):

Date and Time of Scheduled Hearing:

Committee Chair's Signature:

If a committee hearing is to be scheduled, the committee chair will attempt to call the student immediately following the initial committee review meeting via the phone number submitted on this form. The committee chair will attempt to contact the student two additional times up to the day and time of the hearing. If the student fails to attend the hearing, the grievance is dismissed.

ACADEMIC GRIEVANCE COMMITTEE HEARING PROCESS AND PROCEDURES

1. The grievance procedure must be initiated and completed prior to the end of the term succeeding the term in which the incident occurred (excluding summer terms).
2. If the committee determines there are sufficient grounds to conduct a hearing, such hearing is to be scheduled within 48 hours of the Committee's decision to hear the grievance.

3. The committee will render a written decision, including its findings and recommendations, within 48 hours of the hearing (excluding holidays and weekends).
4. The Academic Grievance Committee will be composed of at least one senior administrator, two faculty members, and two staff members. Instructors or staff who are parties in the grievance may not serve as members of the committee.
5. Committee members should not discuss any matters pertaining to the grievance outside the formal hearing either before or after the meeting.
6. Only the student and instructor involved are to be present during the committee hearing; however, if witnesses are to be called by the parties, the committee chairperson must be notified 24 hours prior to the hearing. The student and instructor may present such evidence as is relevant to the dispute.
7. The committee may limit the number of witnesses or the time allocated for testimony at its discretion.
8. Both the student and instructor involved must be present during the entire committee hearing. No other persons (except committee members and called witnesses) may be present unless the student or instructor desires to have an advisor present. If either party desires an advisor, the other party and the committee chairman must be notified 24 hours prior to the hearing. As this is a grievance hearing in an academic institution and not a court of law, the person serving as an advisor to either of the parties may not be an attorney acting in their professional capacity. The advisor is there only to provide emotional support. The support person may not answer questions on behalf of either party or interrupt the proceedings. If the support person fails to comply with these procedures, the College reserves the right to exclude the support person from further participation in the process.
9. Any committee member who is related to any person involved in the grievance or who feels that he or she cannot be impartial because of a conflict of interest or any other reason shall be excused from serving during the hearing.
10. Information about the procedure to be followed during the hearing will be shared with both parties beforehand.
11. If the procedures are to be recorded in any manner, all parties must be informed of such recording, and the chairperson shall keep the official recording.
12. Witnesses may be called when needed, and each witness will be dismissed following their testimony.
13. The chairperson's role shall be an objective one; the chairperson shall vote only in the case of a tie.
14. The chairperson and committee members are charged with conducting a fair and impartial hearing and assuring that all testimony speaks to the issues; extraneous information is to be excluded.
15. No party to the grievance, (instructor, student, witness, or other) may contact any committee member about the grievance other than the chairperson outside of the committee hearing, either before or after.
16. The names of committee members are confidential and may not be shared with any party, (instructor, student, witness, or other) prior to the hearing.
17. Following the committee hearing, all parties to the grievance and all witnesses will be dismissed. Only the committee members shall remain, who will discuss the issues thoroughly in a closed session until a decision is reached by a majority vote. Majority is defined as more than 50% of committee members present. All committee members must be present for the entire hearing in order to vote. In the case of a tie, the chairperson's vote shall serve as the tie-breaker.
18. The committee chair will communicate the committee's decision in a written memorandum to the student and the instructor within 48 hours of the committee hearing. The committee chair may utilize the U.S. Mail or official EACC Email at his or her discretion.

Step 5: President's Review – See detailed steps in the grievance policy.