

Student Grievances and Appeals

Informal Resolution

Undergraduate students who wish to seek further review of an academic or non-academic decision or action by the University or a University employee (in an official capacity) that the student contends was in violation of written campus policies, or constitutes unfair or unequal application of such policies, should first seek to resolve such concerns through informal discussions. In particular, grievances regarding academic matters should generally begin with informal discussions with the student's instructor or with the faculty member supervising a course. If such informal discussions do not reach a satisfactory resolution, then the student may pursue a grievance following the steps in this policy. Undergraduate students should be free of retaliation from university employees for filing a grievance under this policy or the grade appeal policy or through participation in the investigation of a grievance as a witness of such a claim. Undergraduate students who seek further review of a claim of retaliation shall also follow the steps in this policy.

Applicability of Policy

This policy applies to undergraduate students enrolled in traditional courses as well as online courses. This policy does **not** apply to matters which are covered by other campus policies or appeal procedures, including, but not limited to, the following:

- grade appeals (see description of process below);
- allegations of discrimination or harassment (including sexual harassment) under the university's non-discrimination policy;
- allegations of failure to provide reasonable accommodations for a disability;
- financial aid;
- enforcement of campus parking regulations;
- violations of the Code of Student Life or the university's Academic Dishonesty Policy; or
- violations of the university's Research Misconduct Policy.

In particular, matters involving allegations of unlawful harassment (including sexual harassment), discrimination and/or retaliation should be reported to the university's Office of Equal Opportunity and Compliance, and matters involving alleged failure to provide reasonable accommodations for a disability should be pursued through the grievance process described on the university's Center for Educational Access website. Additional information about each of the above policies is available on the university's website and through the Office of the Dean of Students.

Furthermore, this grievance process is intended to address alleged violations of university policy with respect to individual students, rather than disagreements with existing policies. Questions regarding the applicability of this grievance policy to a particular issue will be determined by the dean of students, in consultation with the provost and other university officials, as necessary.

Formal Grievance Process

If efforts to resolve a grievance informally are not successful, no later than 60 calendar days following the decision or action that the student seeks to have reviewed, the student shall put the grievance in writing,

clearly and succinctly stating the facts relating to the grievance and which policies the student contends have been violated or misapplied. For an academically related grievance, the written grievance shall be submitted to the academic unit chair, head or his or her designee; if the concern relates to the chair, then the written grievance may be submitted to the Dean who may appoint an alternate official to consider the grievance. For a non-academic matter, the grievance should be considered by an administrator with authority over the relevant area. The administrator considering the grievance will review the material provided by the student, and may, at the administrator's discretion, gather any additional information that will be helpful to a decision, whether in writing or through meeting with the student or other persons involved. The administrator reviewing the grievance shall make a decision, in writing, within 10 working days after receiving the student's grievance (excluding the day of receipt), or as soon as possible thereafter. The decision will explain the basis for the decision, remedial steps required, if any, and the procedure for requesting an appeal.

Appeals

If the student believes the grievance decision is in error, then that person may, within 10 working days after the date of the written decision, appeal the decision to the relevant dean (for an academic matter) or to the relevant vice chancellor or a designee (for non-academic matters). The administrator considering the appeal will review the material provided by the student, the grievance decision, any other material which has been assembled regarding the matter, and any applicable university policies and may, at his or her discretion, gather any additional information that will be helpful to a decision, whether in writing or through meeting or consulting with any individuals deemed necessary in the administrator's discretion. The administrator reviewing the appeal shall make a decision, in writing, within 10 working days of receiving the student's grievance, or as soon as possible thereafter. The appeal decision shall be final.

External Complaint Resolution

If a grievance cannot be resolved internally within the university, a student may file a complaint with the appropriate authority. Students of the University of Arkansas, residing in Arkansas or attending from out-of-state, must file complaints in writing with the Arkansas Division of Higher Education (ADHE), 423 Main Street, Suite 400, Little Rock, AR 72201, within 20 days of completing the institution's grievance process.

As required by ADHE, the grievant must provide a statement from the institution verifying that the institution's appeal process has been followed. ADHE inquiries are limited to courses/degree programs certified by the Arkansas Higher Education Coordinating Board (AHECB) under Ark. Code § 6#61#301 and to matters related to the criteria for certification. Students may also contact the Higher Learning Commission (<http://catalog.uark.eduhttps://www.hlcommission.org/>), which is the university's regional accrediting body, at 230 S. LaSalle St., Suite 7-500, Chicago, IL 60604, or at info@hlcommission.org or 1-800-621-7440. This information is provided pursuant to 34 CFR § 668.43(b).

Grade Appeal Structure for Undergraduate Students

If a student questions the fairness or accuracy of a grade, there is recourse through a student grade appeal structure. Disagreements shall be heard that allege the instructor's policy was not applied consistently to all students, differed substantially from the announced policy, or that a policy was not announced. All grievances concerning course grades must be filed within one calendar year of the end of the term in which the grade that is being appealed was assigned. The procedures are:

The student should first discuss the matter with the instructor involved, doing so as soon as possible after receiving the grade. The instructor should be willing to listen, to provide explanation, and to be receptive to changing the grade if the student provides convincing argument for doing so. The student's questions may be answered satisfactorily during this discussion.

If the student chooses to pursue the grievance and submits an appeal, the student shall take the appeal in written form to the appropriate department or unit chairperson of the program in which the course was instructed. The appeal should present the basis of the appeal and merits of the grievance with evidence the student may have to support the appeal. If that person determines the case has no merit, that person will inform the student and the instructor. If that person believes the complaint may have merit, that person will discuss it with the instructor. In the case that the department or unit chairperson is the instructor, the student should submit an appeal in written form to the appropriate dean of the college in which the course was instructed.

If the matter remains unresolved, it will be referred to an ad hoc committee composed of programmatic or departmental faculty. This committee would be appointed by the department or unit chairperson and should have at least three faculty representing the program or department in which the course was instructed. In the case where there are fewer than three faculty within the program or department to serve on the committee, faculty members from a closely related discipline will be appointed to serve. In the case where the department or unit chairperson is the instructor of the grievance, the ad hoc committee would be appointed by the appropriate dean of the college in which the course was instructed. The instructor whose grade is being challenged shall not serve on this ad hoc committee. The committee will examine available written information on the dispute, will be available to meet with the student and with the instructor, and will meet with others as it sees fit.

If the ad hoc faculty committee majority determines, through its inquiries and deliberations, that the grade should not be changed, the committee should communicate this conclusion to the student, the faculty member, and the chairperson. If the ad hoc faculty committee majority determines that the grade should be changed, the committee will request that the instructor make the change and provide the instructor with a written explanation. Should the instructor decline, he or she must provide an explanation for refusing in writing to the ad hoc faculty committee.

If the ad hoc faculty committee, after considering the instructor's written explanation, concludes it would be unjust to allow the original grade to stand, it may then recommend to the department chairperson, or dean in the case where the department chairperson is the faculty whose grade is being challenged that the grade be changed. That individual (department chair or dean) will provide the instructor with a copy of the recommendation and will ask the instructor to implement it. If the instructor continues to decline, the chairperson or dean is then obligated to change the grade, notifying the instructor and the student of this action. Only the chairperson or dean has the authority to effect a grade change over the objection of the instructor who assigned the original grade, and only after the foregoing procedures have been followed.

Reporting Sexual Misconduct

For allegations of sexual misconduct, including, but not limited to, sexual harassment or acts of sexual assault, domestic violence, dating violence, stalking and other forms of sex/gender discrimination, the University has designated a Title IX Coordinator with overall responsibility for oversight of the University's compliance with its obligations under Title IX. All complaints or any concerns about sexual conduct should be submitted

to the university's Title IX Coordinator, the Department of Education's Assistant Secretary for Civil Right, or both:

Aisha Kenner

Title IX Coordinator
405 Administration Building
University of Arkansas
Fayetteville, AR 72701
Office: 479-575-7111
Cell: 479-409-9972
Email: akenner@uark.edu
Alternate email for Title IX: titleix@uark.edu

U.S. Department of Education
Office of Civil Rights
1-800-421-3481
ocr@ed.gov