

Current Version

Disputes over Academic Matters

Faculty members are responsible for determining the curriculum of a course, for developing appropriate methods of evaluating student learning, for evaluating fairly, for upholding academic standards, and for enforcing policies concerning academic honesty. Decisions made by faculty members regarding the quality or honesty of student work – especially decisions about course grades – are, as a matter of routine, accepted as authoritative and cannot be overturned by administrative officers. Students, however, have a right to expect faculty members to have defensible course policies and to implement them in a reasonable, equitable manner. Students who believe that they have grounds for challenging faculty members' decisions regarding academic issues – excepting those pertaining to matters of academic freedom – may appeal using the procedure outlined below [based on one recommended by the American Association of University Professors in Policy Documents & Reports, 9th edition, Baltimore: The Johns Hopkins University Press and AAUP, 2001, pp. 113-14]. It should be noted that in cases of academic dishonesty students may be subject not only to grade sanctions in courses but to disciplinary action (see Student Violations of Academic Integrity under STUDENT SUCCESS below). Faculty members are required to report such serious breaches of academic honesty to their chair, their Dean, the Provost, the Honor Council, and the Vice President for Student Success.

Grade sanctions may be imposed only by faculty members, but suspension or expulsion may be imposed only by the Provost, as specified in the Student Handbook. As with disputes about course grades, students may appeal grade sanctions for academic dishonesty only by following the procedure outlined below. However, if they wish to appeal the Provost's decision to suspend or to expel them because of academic dishonesty, they must initiate their appeal with the President of the University following the procedure the President has established for such cases. Except under unusual circumstances, the process outlined below for student appeals of faculty academic decisions should be completed within three academic work weeks (15 working days) after the student's first meeting with the faculty member to question the faculty member's decision.

1. The student must first meet with the faculty member and discuss the faculty member's decision. This meeting should occur as soon as possible after the decision has been made, normally within one week of the student's being notified of the decision. The faculty member is expected to listen to the student, to provide an explanation for his or her decision, and to be willing to change the grade or decision should the student's argument be persuasive. To change final course grades, a faculty member must submit a "Grade Change Form" and attach an

accompanying memorandum justifying the decision to change the grade. The faculty member's department chair and Dean must approve the change.

2. If the faculty member refuses to alter his or her decision or grade, the student may then discuss the matter with the faculty member's department chair or immediate academic supervisor (hereafter, 'chair' will be used to mean either the department chair or the immediate academic supervisor). If the chair believes that the student's claims may have merit, the chair would discuss the matter with the faculty member.

3. If the student is not satisfied with the chair's assessment of the issue or if the faculty member refuses to alter his or her decision after discussing it with the chair, the student may then request that an ad hoc committee of faculty members review the matter. This committee would consist of three tenured faculty members within the same discipline or department. If in some unusual case the chair determines that a sufficient number of tenured faculty members cannot be selected from the same discipline or department, then the chair may add tenured faculty members from closely related disciplines. From the pool of eligible tenured faculty members designated by the chair, the faculty member, the student, and the chair would each nominate one faculty member to serve on the committee.

4. The ad hoc committee of faculty members would hear from the student, the faculty member, and the chair and examine relevant documents. If the committee concludes that the faculty member's original decision was justified, then the committee would provide the student with a written statement explaining the reasons for the committee's decision. The student may request in writing that the committee reconsider its decision and provide reasons for so doing. If the committee refuses to reconsider or if it reaffirms its original recommendation, then the matter is considered settled and the faculty member's original decision stands. If the committee concludes that the faculty member should alter his or her original decision, the committee would provide the faculty member with a written recommendation explaining the committee's reasons. If the faculty member disagrees with the committee's recommendation, he or she must provide the committee with a written explanation for the refusal.

5. If after considering the faculty member's explanation for refusing to alter his or her decision the ad hoc committee is still persuaded that in the interest of justice to the student the decision should be overturned, then the committee may recommend in writing to the chair that the faculty member's decision be overturned. The committee may also make this recommendation to the chair if the faculty member fails to alter his or her decision and also fails to respond to the committee's original recommendation. The faculty member would receive a copy of the recommendation to the chair and would have a final opportunity to alter his or her original

decision. If the faculty member does not do so, then the chair, and only the chair, would be empowered by the written recommendation of the committee to override the faculty member's original decision, and, if pertinent to the case, to alter the student's course grade. In order to certify that the grade dispute process outlined above has been followed appropriately, the Dean of the college or the school and the Provost will review all decisions by chairs to change grades against the will of a faculty member.

Proposed Version

Disputes over Academic Matters

Faculty members are responsible for determining course curricula, for developing appropriate methods of evaluating student learning, for evaluating fairly, for upholding academic standards, and for enforcing procedures concerning academic honesty. Decisions made by faculty members regarding the quality or integrity of student work, including decisions about course grades, are presumed to be fair and final (unless the student files a successful grade appeal). In cases of academic violation students may be subject to both grade sanctions and disciplinary action (see Student Violations of Academic Integrity below). Faculty members are required to report acts of academic violation to their chair, their Dean, the Provost, the Honor Council (through the Office of Student Conduct and Community Engagement), and the Vice President for Student Engagement.

As outlined in the University Course Policies, faculty are authorized to change final grades only when they have committed a computational error or an error in recording a grade, and they must receive the approval of their department chairs and the dean to change the grade. As part of that approval, they must attach a detailed explanation of the reason for the mistake. Only in

rare cases would another reason be entertained as legitimate for a grade change. A student who is unhappy with his or her grade on an assignment must discuss the situation with the faculty member teaching the course. If the student believes that they have been graded unfairly, they have the right to appeal the grade using the grade appeal process as described below and in the Faculty Handbook.

Grade sanctions may be imposed only by faculty members. Academic suspension or expulsion may be imposed only by the Provost. As with disputes about course grades, students may appeal grade sanctions imposed for academic violation only by following the procedure outlined below. Students should not attempt to persuade academic administrators to change a grade; they cannot and will not do it unless a student follows the grade appeal policy below and is successful in persuading either the faculty member for the course or an ad-hoc committee of faculty members that a change is warranted.

Student appeals of faculty academic decisions should be completed within 15 University business days after the student's first meeting with the faculty member to question the faculty member's decision.

1. The student must first meet with the faculty member and discuss the faculty member's decision. This meeting should occur as soon as possible after the decision has been made, normally within one week of the student being notified of the decision. The faculty member is expected to listen to the student, provide an explanation for the decision, and change the grade or decision if the student's argument is persuasive. To change final course grades, a faculty member must submit a "Grade Change Form" and attach an accompanying memorandum justifying the decision to change the grade. The faculty member's department chair and Dean must approve the change.
2. If the faculty member declines to change the decision or grade, the student may then discuss the matter with the faculty member's immediate academic supervisor (hereafter, "chair" will be used to mean either the department chair or the immediate academic supervisor). If the chair believes that the student's position has merit, the chair will discuss the matter with the faculty member.
3. If the student is not satisfied with the chair's assessment of the issue or if the faculty member declines to change the decision after discussing it with the chair, the student may then request that an ad hoc committee of faculty members review the matter. This committee consists of three tenured faculty members within the same discipline or department, unless circumstances dictate otherwise. If the chair determines that a tenured faculty member cannot be selected

from the same discipline or department, then the chair may add a tenured faculty member from a closely related discipline. From the pool of eligible tenured faculty members designated by the chair, the faculty member, the student, and the chair will each nominate one faculty member to serve on the committee.

4. The ad hoc committee will hear from the student, the faculty member, and the chair and examine relevant documents. If the committee sustains the faculty member's decision, the committee will provide the student with a written statement explaining the reasons for the committee's decision. The student may request in writing that the committee reconsiders its decision and provides reasons for so doing. If the committee refuses to reconsider or if it reaffirms its original recommendation, the faculty member's original decision is final. If the committee finds in favor of the student, the committee will provide the faculty member with a written recommendation explaining the committee's reasons. If the faculty member disagrees with the committee's recommendation, the faculty member may request that the committee reconsiders its recommendation and provides the committee with a rationale for revisiting the recommendation. If after considering the faculty member's rationale the ad hoc committee is still persuaded that the faculty member's original decision should be reversed, the committee will recommend in writing to the chair that the faculty member's decision be overturned. The committee may also make this recommendation to the chair if the faculty member fails to alter the original decision and also fails to respond to the committee's original recommendation. The faculty member will receive a copy of the recommendation to the chair, allowing a final opportunity to revise the original decision. If the faculty member fails to comply, the chair may override the faculty member's original decision, and, as appropriate, revise the student's course grade. In order to certify that the grade dispute process outlined above has been followed appropriately, the Dean of the College or the School and the Provost will review all decisions by chairs to change grades against the will of a faculty member.

Current Version

Grievances

Conflicts between faculty members and students that do not relate to faculty decisions regarding such academic issues as course policies and grades will be considered the subject of grievances. The process for resolving grievances between faculty members and students is as follows.

1. Before a grievance is filed, the aggrieved faculty member or student must make a good faith effort to meet with the other party about his or her concerns. If the other party is unwilling to meet, if the aggrieved party has reasonable concerns about his or her physical safety, or if the meeting produces no resolution to the conflict, then the aggrieved party may initiate a grievance by following the steps outlined below.

2. If the grievant is a faculty member, he or she will file a written complaint with the Associate Vice President for Student Affairs. If the grievant is a student, he or she will file a written complaint with the faculty member's department or division chair. In either case, both parties will receive a written acknowledgment of the complaint within five working days.

3. The student and faculty member will meet with the Associate Vice President for Student Engagement (or a designated staff member from Student Affairs) and the faculty member's chair. Both the faculty member and the student must be present, unless one party waives that right. This meeting will take place within five working days of the acknowledgment of the grievance.

4. If the complaint remains unresolved after meeting with the department chair and the Associate Vice President for Student Affairs, then within five working days of the meeting with the chair and the Associate Vice President for Student Affairs, both the student and the faculty member will meet with either the Dean of the respective college (or academic administrator to whom the chair reports) if the grievant is a student, or with the Vice President for Student Success if the grievant is a faculty member. Both the faculty member and the student must be present, unless one party waives that right.

5. If the complaint remains unresolved after that meeting, it will then be heard within five working days by an ad hoc committee consisting of the faculty member's department or division chair, the Associate Vice President for Student Affairs (or a designated staff member from Student Affairs), a member of the Student Government Association selected by the President of the Student Government Association, a member of the Faculty Senate selected by the Faculty Senate President, and a person selected by the non-grieving party from his or her peers. The chair of the committee will be the Associate Vice President for Student Affairs (or the Vice President for Student Success's designate) if the grievant is a faculty member, or the department chair if the grievant is a student. The chair of the committee will ensure that the committee is formed appropriately and meets on schedule. After hearing from both sides in the dispute and examining whatever documentation has been provided by the parties involved, the ad hoc committee will make its recommendation in writing to either the Provost or the Vice President for Student Success, as appropriate. Both parties involved in the complaint should receive the written recommendation within three working days after the committee concludes its deliberations.

6. The Provost or the Vice President for Student Success will notify in writing both parties of his or her final decision to resolve the grievance within three working days of receiving the committee's recommendation.

7. If the complaint is unresolved to the satisfaction of either party, he or she may appeal in writing to the President within three working days after receipt of the written decision of the Provost or the Vice President for Student Success. Should the President choose to do so, he or she may seek the advice of a University Grievance Committee. In the special case of faculty

student grievances, the President may expand the University Grievance Committee to balance faculty representation with an appropriate number of representatives selected from the Student Government Association or from the professional staff in Student Affairs or some combination of both. The President's decision is final.

Proposed Version

Faculty Grievances Against a Student

1. Before a grievance is filed, the aggrieved faculty member or student must make a good faith effort to meet with the other party about his or her concerns. If the other party is unwilling to meet, if the aggrieved party has reasonable concerns about his or her physical safety, or if the meeting produces no resolution to the conflict, then the aggrieved party may initiate a grievance by following the steps outlined below.

2. If the grievant is a faculty member, he or she will file a written complaint with the Associate Vice President for Student Engagement. ~~If the grievant is a student, he or she will file a written complaint with the faculty member's department or division chair. In either case.~~ Both parties will receive a written acknowledgment of the complaint within five working days.

3. The student and faculty member will meet with the Vice President for Student Engagement (or a designated staff member from Student Affairs) and the faculty member's chair. Both the faculty member and the student must be present, unless one party waives that right. This meeting will take place within five working days of the acknowledgment of the grievance.

4. ~~If the complaint remains unresolved after meeting with the department chair and the Vice President for Student Engagement, then within five working days of the meeting with the chair and the Vice President for Student Engagement, both the student and the faculty member will meet with either the Dean of the respective college (or academic administrator to whom the chair reports) if the grievant is a student, or with the Vice President for Student Success if the grievant is a faculty member. Both the faculty member and the student must be present, unless one party waives that right.~~ **(This section is now repetitive since we don't have an AVP of Student Engagement)**

5. If the complaint remains unresolved after that meeting, it will then be heard within five working days by an ad hoc committee consisting of the faculty member's department or division chair, the Vice President for Student Engagement (or a designated staff member from Student Engagement), a member of the Student Government Association selected by the President of the Student Government Association, a member of the Faculty Senate selected by the Faculty Senate President, and a person selected by the non-grieving party from his or her peers. The

chair of the committee will be the Vice President for Student Engagement (or designate) if the grievant is a faculty member, or the department chair if the grievant is a student. The chair of the committee will ensure that the committee is formed appropriately and meets on schedule. After hearing from both sides in the dispute and examining whatever documentation has been provided by the parties involved, the ad hoc committee will make its recommendation in writing to either the Provost or the Vice President for Student Engagement, as appropriate. Both parties involved in the complaint should receive the written recommendation within three working days after the committee concludes its deliberations.

6. The Provost or the Vice President for Student Engagement will notify in writing both parties of his or her final decision to resolve the grievance within three working days of receiving the committee's recommendation.

7. If the complaint is unresolved to the satisfaction of either party, he or she may appeal in writing to the President within three working days after receipt of the written decision of the Provost or the Vice President for Student Engagement. Should the President choose to do so, he or she may seek the advice of a University Grievance Committee. In the special case of faculty student grievances, the President may expand the University Grievance Committee to balance faculty representation with an appropriate number of representatives selected from the Student Government Association or from the professional staff in Student Affairs or some combination of both. The President's decision is final.

Student Grievances Against a Faculty Member

Conflicts or concerns with faculty that are unrelated to academic issues and unrelated to discrimination, harassment, or related retaliation based on a protected class are considered grievances. (For grievances alleging discrimination, harassment, or related retaliation based on a protected class, refer to Section 3.24 in the Student Handbook. For disputes over academic matters, refer to Section 4.02 in the Student Handbook.)

Before a grievance is filed, the student must make a good faith effort to meet with the faculty to seek an informal resolution. The student may also consult with the faculty member's department chair or dean.

If unable to meet with the faculty member or if the meeting does not produce a resolution, the student may initiate a grievance by following the steps outlined below.

1. The student will file a written complaint via the TAMIU Report It form available at <https://www.tamtu.edu/reportit/>. The form will be shared with the faculty member's department chair and dean, the Provost, Vice President for Student Engagement, and the Office of Human Resources (resolution form only). Other University personnel with a legitimate right to know will also receive a copy of incident report, if required.

2. The faculty member's department chair will send, within five University business days after receiving the grievance, a written notice to the student that the complaint has been received.

3. The student and faculty member will meet with the faculty member's department chair within five University business days of the notice of receipt.

4. If the grievance remains unresolved after meeting with the department chair, then within five University business days of the meeting with the chair, both the student and the faculty member will meet with either the dean of the respective college (or academic administrator to whom the chair reports).

5. If the complaint remains unresolved after that meeting, it will then be heard within five University business days by an ad hoc committee consisting of the faculty member's department chair, the Director of SCCE (or their designee), and a faculty member or administrator selected by the student. The chair of the committee will be

the Director of SCCE (or their designee). After hearing from the student and the faculty member, and considering any documentation has been provided, the ad hoc committee will make its recommendation in writing to the Provost. This will occur within five University business days after the committee concludes its deliberations.

6. Within five University business days after receiving the ad hoc committee's deliberation, the Provost will notify in writing both parties of the final decision.

7. Deadlines for each aforementioned step in the process may be revised should extenuating circumstances justify doing so.

Faculty Senate Vote

18 YES to both proposals

6.5.24