

STUDENT GRIEVANCES

1. Grade Appeals

(http://2011bulletin.loyno.edu/undergraduate/academic-regulations-details#grade_appeals)

The student has a right to the grade he or she has earned, the right to know the grading system of the instructor, and the right to know grades as they are given during the semester. The grading system should be included in the course syllabus. If the student feels that he or she is not being graded justly, the student should first consult the instructor. If this consultation proves unsatisfactory, the student should then consult the department chairperson. If the student still feels that the problem has not been resolved, he or she should consult the dean of the college in which the course is offered to request a committee hearing. The student has the right to appeal a given grade to the dean up to 30 days after the beginning of the subsequent semester, excluding summers. It may happen, however, that a hearing may not be able to be scheduled until after that time. Until the grade is finally determined, the student's academic standing and all related rights and privileges are based on the grade as originally assigned. The student shall collect and present any evidence (tests, papers, laboratory reports, etc.) to the dean. The dean may appoint a committee composed of the dean or the dean's designated representative, two faculty members, who, if possible, should be familiar with the course, and one student who has taken the course, if possible. The dean or the dean's designated representative will serve as the non-voting chairperson of the committee. The student and instructor are to be apprised of the composition of the committee, and the dean should honor any reasonable objection either might have to appointed members. Both the student and the instructor have the right to present their position in person to the committee. The burden of proof will be on the student. The decision of the committee is final, and the grade it decides upon becomes the official grade for the course. If the dean denies a student a committee hearing, the student may appeal to the provost. The provost may convene a committee composed of himself or herself or a representative, two faculty members (who should, if possible, be familiar with the course), and one student from the college in which the course is offered and who has taken the course. Both the student and the instructor are to be apprised of the composition of the committee, and the provost should honor any reasonable objection which either might have to appointed members. Both the student and the instructor have the right to present their position in person to the committee. The decision of the committee is final, and the grade it decides upon becomes the official grade for the course. Loyola students enrolled in courses at other institutions are subject to the grade appeal policy at those institutions.

2. Classroom Issues

(<http://2011bulletin.loyno.edu/undergraduate/academic-regulations-details>)

Classroom Discipline

In the classroom, a student does not have the right to engage in conduct which is disruptive to the educational process. Such conduct (e.g., abusive language, threats, disruptive talking and laughing, violent actions, etc.) may cause removal from that class meeting and can result in removal from the course with a grade of W. A second such disruption may result in exclusion for one or two terms or dismissal from the university.

Appeals Procedure

It is hoped that discipline problems will be resolved either through the mutual agreement of the student and instructor or through the mediation of the department chairperson or the dean of the college. In the case of an appeal, the dean of the college in which the course is offered will decide whether the matter requires consideration. If he or she thinks it does, he or she shall appoint a committee composed of the dean (or a representative), two faculty members, and a representative from student affairs. Both the instructor and the student should be apprised of the composition of this committee, and the dean should honor any reasonable objection which either might have to the appointed members. After reviewing the evidence, the committee shall render a decision concerning guilt to the student's dean. This decision will be final. If the dean should refuse to grant a committee hearing, the student has a right to appeal to the provost. The provost may convene a committee composed of the provost or a representative, two faculty members, and a representative from student affairs. Both the instructor and the student should be apprised of the composition of this committee, and the provost should honor any reasonable objection which either might have to the appointed members. After reviewing the evidence, the committee shall give a decision which will be final.

3. Harassment

(<http://studentaffairs.loyno.edu/sites/studentaffairs.loyno.edu/files/2011-student-code-of-conduct.pdf>)

1. Harassment, including sexual harassment, is prohibited by federal and state laws. This policy prohibits harassment, and Loyola will take appropriate action to swiftly address any unlawful harassment. Harassment is defined as verbal or physical conduct that has as its effect to threaten, intimidate, or coerce. Also included are verbal taunting (including racial and ethnic slurs) which, in the employee's or the student's opinion, impairs his or her ability to perform his or her job or studies.
2. Examples of inappropriate conduct are:
 - i. Verbal: Insulting comments, epithets, slurs or negative stereotyping regarding a person's nationality, origin, race, color, religion, age, gender, sexual orientation, disability, or other protected status.
 - ii. Non-verbal: Distribution or display of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility toward an individual or group because of national origin, race, color, religion, age, gender, sexual orientation, disability, or other protected status.
 - iii. Bias-Related Behavior: Actions or expressions which may cause violent situations, create a clear and present danger of violent situations, or which represent an attempt to demean, degrade, or harass members of the University community. Such actions would include, but are not limited to, acts of violence, physical, and/or non-verbal threats, harassment, slurs, degrading humor, and written materials such as epithets, graffiti, or other similar expression.
3. ***What those who are harassed should do:***
 - i. Loyola wants to stop inappropriate behavior, especially before it becomes a violation of law. The university cannot solve a problem of which it is not aware. Report inappropriate behavior.
 - ii. Review the complaint procedure set forth in this document.
 - iii. Contact the Director of Human Resources to file a complaint against an employee—faculty or staff. If the director of human resources is unavailable, or if a student is uncomfortable reporting to the Director of Human Resources, the student may report to the alternate—Vice President for Administration and Finance.
 - iv. Contact the Vice President for Student Affairs and Associate Provost to initiate a complaint against a student. If the Vice President for Student Affairs and Associate Provost is unavailable, or if a student feels uncomfortable reporting to the Vice President for Student Affairs and Associate Provost, the student may report to the alternate—the Director for Residential Life. The Vice President for Student Affairs and Associate Provost or their alternate may request that the student meet with the investigator for University Police to file a written report.
 - v. The complainant (the employee or student making the complaint) may use the Harassment/Discrimination Reporting Form or other written form

of communication, or may file a complaint in person with the appropriate party referenced above.

1. Note: It is not a prerequisite for filing a complaint with the university that a student first confronts the alleged violator.
2. TELL SOMEONE: All Calls are CONFIDENTIAL
 - a. Loyola University Police Department: 865-3434
 - b. University Counseling Center: 865-3835
 - c. SARA (Sexual Assault Recovery Assistance Center): 837-5400

STUDENT ACADEMIC GRIEVANCE PROCEDURE

The following policy is subject to periodic review and modification.

1. Coverage

- a. Any Loyola undergraduate or graduate student who in their opinion believes that they have been subjected to an improper decision on an academic matter is entitled to file a grievance to obtain an independent review of the allegedly improper decision. This procedure does not include grade appeals, or matters of discrimination or harassment, which are addressed by separate procedures. A grievance is a complaint in writing made to an administrative officer of the University concerning an academic decision, made by a person or group of persons acting in an official University capacity that directly and adversely affects the student.
- b. For purposes of this procedure, an appropriate matter of grievance is defined as any decision of an academic nature which in the opinion of the student is improper and by which the student believes they have been adversely affected.
- c. This grievance procedure applies only in those cases involving a perceived academic impropriety arising from a decision taken by: (1) an individual instructor or researcher; (2) a school, department, or program; (3) a committee charged to administer academic policies of a particular school, department, or program; or (4) the University Director of Registration Services, the Vice President for Academic Affairs, the University Senate, or any committee or subcommittee charged to administer the academic policies of Loyola University New Orleans.

2. Grievance and Appeal Procedures

- a. *Informal Attempts at Resolution:* the student first should discuss the matter with the individual most directly responsible for the decision in question.
- b. *The Filing of the Grievance:*
 1. If informal means of resolution prove unsatisfactory, the student should thereafter set forth in writing a statement of the decision that constitutes the subject matter of the dispute, the grounds on which it is being challenged, and the reasons why the grievant believes that the decision was improperly taken. The statement should also include a description of the remedy sought and the informal efforts taken to date to resolve the matter.
 2. The grievance document should be submitted to the dean of the school in which the grievance arose. If the grievance is related to the Honors Program or to any other academic unit reporting directly to the Office of the Provost, the grievance should be submitted directly to the aforesaid office. If the dean of the school is a subject of the grievance, the grievance should be submitted directly to the Office of the Provost. A grievance must be filed within 30 days of the end of the academic semester in which the adverse decision occurred or should reasonably have been discovered. Except in extraordinary circumstances, delay in filing a grievance will constitute grounds for rejection of the grievance.
- c. *The Response to the Grievance:*
 1. The relevant dean will consider the grievance, and attempt to resolve the matter.

2. The dean may also refer the grievance, or any issue therein, to any person appointed by the dean who can consider the matter and report to the dean as the latter directs. The dean will inform the grievant (and the party against whose decision the grievance has been filed) in writing of any referral of the matter and will specify the matters referred, the directions to the person or persons to whom the referral is made, the name of that person, and contact information.
 3. In undertaking the review, the dean or the grievance officer may request a response to the issues raised in the grievance from any individuals believed to have information considered relevant, including faculty, staff, and students.
 4. The dean will decide the grievance, and will notify the grievant (and the party against whose decision the grievance has been filed) in writing of the disposition made of the grievance and the grounds for the disposition at the earliest practicable date after his or her receipt of the grievance.
 5. Normally, no more than 60 days should elapse between the filing of a grievance and the disposition by the dean. If, because of absence of key persons from the campus or other circumstances or exigencies (including those due to breaks in the academic calendar), the dean decides that disposition on that schedule is not possible, he or she shall inform the grievant (and the party against whose decision the grievance has been filed) of that in writing, giving the grounds therefore and an estimate of when a disposition can be expected. During summers and the winter closure, this time frame will nearly always be extended.
- d. *The Filing of an Appeal:*
1. If the grievant is dissatisfied with the disposition of the grievance at the decanal level, either on substantive or on procedural grounds, she or he may appeal in writing to the Provost.
 2. The appeal must contain the following:
 - a. A copy of the original grievance and any other documents submitted by the grievant in connection therewith.
 - b. A copy of the determination made by the dean on that grievance.
 - c. A statement of why the reasons for the determination of the dean are not satisfactory to the grievant. This statement should specifically address the matters set forth below in the *Standards for Review*.
- e. The grievant will file her or his appeal at the earliest practicable date after the grievant's receipt of the determination by the dean. Normally, no more than 30 days should elapse between the transmittal of the dean's decision on the grievance and the filing of the appeal.
- f. *The Response to the Appeal:*
1. The Provost may refer the appeal to any person who can consider the matter and report to the Provost as the latter directs. In conducting the investigation, confidentiality will be maintained to the greatest extent possible.

2. The Provost will inform the grievant (and the party against whose decision the grievance has been filed) in writing of any referral of the matter and will specify the matters referred, the directions to the person to whom the referral is made (including the time frame within which the person is to report back to the Provost), the name of that person, and contact information.
 3. The Provost will decide the appeal, and will notify the grievant (and the party against whose decision the grievance has been filed) in writing of the disposition made of the grievance and the grounds for the disposition at the earliest practicable date after his or her receipt of the appeal. The decision of the Provost shall be final, unless the grievant requests a further appeal to the President pursuant to subsection 2f below, and the President agrees to entertain this further appeal.
 4. Normally no more than 45 days should elapse between the filing of the appeal and the disposition by the Provost. If, because of absence of key persons from the campus or other circumstances or exigencies (including those due to breaks in the academic calendar), the Provost judges that disposition on that schedule is not possible, he or she will inform the grievant (and the party against whose decision the grievance has been filed) of the fact in writing, giving the grounds therefore and an estimate of when a disposition can be expected. During summers and the winter closure, this time frame will nearly always be extended.
- g. *The Request to the President:* if the student is dissatisfied with the disposition of the appeal by the Provost, he or she may write to the President of the University giving reasons why he or she believes the grievance result to be wrong. No more than 30 days should elapse between the transmittal of the Provost's disposition and the written statement to the President urging further appeal. In any case, the President may agree or decline to entertain this further appeal. If the President declines to entertain the further appeal, the decision of the Provost is final. If the President decides to entertain the further appeal, he or she will follow the general procedures set forth in Section 2e above, and the decision of the President will be final.
3. Grievances Concerning Decisions of the University Director of Registration Services, the Vice President for Academic Affairs, the University Senate, or any committee or subcommittee charged to administer the academic policies of Loyola University New Orleans.
 4. For a grievance concerning a decision of the University Director of Registration Services, the Vice President for Academic Affairs, the University Senate, or any committee or subcommittee charged to administer the academic policies of Loyola University New Orleans the grievant will file his or her grievance with the Provost, rather than with the dean, and the Provost will handle that grievance in accordance with the procedures set forth in Section 2c above.
 - a. There is no appeal of the Provost's disposition of that grievance except as specified in Section 2f above.
5. Standards for Review and Procedural Matters
 - a. The review of grievances or appeals will usually be limited to the following considerations:
 1. Were the pertinent policies properly followed?

2. Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear that substantially affected the decision to the detriment of the grievant?
 3. Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the grievant?
 4. Given the proper facts, criteria, and procedures, was the decision one which a person in the position of the decision maker might reasonably have made?
- b. The time frames set forth herein are guidelines. They may be extended by the relevant administrative officer in his or her discretion for good cause.
 - c. Questions concerning the filing and appeal of grievances should be directed to the Office of the Provost. The Provost will designate someone within her or his Office to provide the inquiring party with proper direction.