

**NISTLER COLLEGE OF BUSINESS AND PUBLIC  
ADMINISTRATION STUDENT ACADEMIC GRIEVANCE  
POLICY AND PROCESSES**

**ELIGIBILITY**

- This policy applies to any student in the Nistler College of Business and Public Administration (NCoBPA). Specifically, any student taking any class offered through the NCoBPA, both at the undergraduate and graduate levels.
  
- Definitions under the policy:
  - Complainant(s): the person(s) who is bringing the grievance.
  - Respondent(s): the person or persons against whom the grievance is brought.
  - Parties to a grievance: “The Parties” means the Complainant and the Respondent(s).
  - Grievance: for purposes of this policy, Grievance is defined as a statement expressing complaint, resentment, or accusation lodged by a student about an academic circumstance (such as grading, testing, and quality of instruction), which is thought by the student to be unfair.

**SCOPE**

- For NCoBPA undergraduate and graduate students, this process applies to any grievance expressing complaint, resentment, or accusation lodged by a student about an academic circumstance (such as grading, testing, and quality of instruction), which is thought by the student to be unfair.
- Graduate student grievances regarding Graduate School policies fall under the jurisdiction of the Graduate School.

**PROCESS FOR STUDENT COMPLAINANTS:**

- All Grievances within the scope of this policy must be pursued through the appropriate channels, starting at the Respondent(s) level, with the potential to appeal to the Department Chair if the issue is not resolved, and finally to the NCoBPA Dean if the grievance is still not resolved. Following is a more detailed step-by-step process description.

**Step 1: Attempt resolution with Respondent(s)**

- The Complainant(s) shall discuss the Grievance first with the Respondent(s) involved in an attempt to resolve the situation informally within ten (10) business days of the occurrence which forms the basis of the Grievance.

**Appeal Level 1: Formal Written Grievance to Department Chair**

- Within twenty business (20) days of the occurrence which forms the basis for the Grievance, or within ten business (10) days after a failed attempt to resolve the matter informally with the Respondent(s), whichever is later, the Complainant(s) shall file a written statement to the respective department chair, indicating a clear and concise description of the basis for the Grievance and the specific remedy sought. The department chair shall provide a copy of the written Grievance to the Respondent(s) prior to discussing the Grievance with the Parties and rendering a decision

- Process:
  - The department chair shall meet with the Complainant(s) and the Respondent(s), either separately or together and shall request such additional information as deemed necessary to respond to the Grievance. Each department may establish grievance procedures to assist the department chair in dealing with a Grievance.
  - Within fifteen (15) business days after the written Grievance is submitted to the department chair, the department chair shall provide the Parties to the Grievance with a written statement indicating a decision and actions, if any, the department chair will take in response to the Grievance.
  - It is the responsibility of the department chair to retain a record of the Grievance, including any relevant documents procured.

**Appeal Level 2: Formal written appeal of Chair’s decision to the Dean’s Office**

- Either the Complainant(s) or Respondent can appeal the department chair’s decision within ten (10) business days of receiving the Chair’s written decision to the NCoBPA Dean. The appeal must include the department chair’s decision and provide a description of the complaint including documentation of the attempts made to resolve the Grievance and the specific remedy sought.
- Within ten (10) business days after receiving the written appeal of the department chair’s decision, the Dean’s Office will provide a written statement indicating a decision and actions, if any, that will be taken as a result of the appeal.

**Appeal Level 3: Formal written appeal of the Dean’s decision to the Dean in order to form an Appeals Committee**

- An appeal of the Dean's decision must be submitted to the Dean within ten business (10) days of receiving the written decision. The appeal must indicate the basis for disagreement with the decision of the Dean and the remedy sought. A copy of all materials documenting the process followed must accompany the appeal.
- Upon written notification of an appeal to the Dean, a NCoBPA Appeals Committee will be convened by the Dean’s Office to consider the appeal.
- Within five (5) business days of being formed, the NCoBPA Appeals Committee will meet and elect a chair..
- The appeal process will be completed within twenty (20) business days from the day the committee is formed, unless all Parties to the Grievance mutually agree to an extension of this timeline, or upon a showing of good cause by any Party, an extension may be granted by the committee. See Appendix for details on committee procedure and process.
- A copy of the decision of the College Appeals Committee will be sent within five (5) business days after completion of the appeal process by the committee chair to the Parties, the Dean, and the chair of the department in which the Grievance was originally considered. The decision by the Committee represents the final appeal opportunity within the NCoBPA.

#### **Appeal Level 4: Avenues of further appeal outside of the NCoBPA**

- Student Grievances not resolved following the decision of the NCoBPA Appeals Committee may be brought to an appropriate university committee. Students should consult the UND Code of Student Life, Section 3. It is the student's responsibility to make contact with the appropriate campus entities and individuals to initiate an appeal, and to learn about the process and any deadlines, etc.

#### **SUMMARY OF TIMELINE AND IMPORTANT DEADLINES**

- Attempt resolution with Respondent(s)
  - Within ten (10) business days of the occurrence which forms the basis of the grievance
- Written grievance to the department chair
  - Within twenty business (20) days of the occurrence which forms the basis for the grievance, or within ten business (10) days after a failed attempt to resolve the matter informally with the Respondent(s), whichever is later.
- Department chair provides the Parties a written decision
  - Within fifteen (15) business days after the grievance is submitted to the department chair.
- Either Party can appeal department chair decision
  - Within ten (10) business days of receiving the decision.
- Dean's Office will provide the Parties a written decision
  - Within ten (10) business days of receiving the written appeal.
- Either Party can appeal Dean's decision
  - Within ten business (10) days of receiving the decision of Dean.
- The NCoBPA Appeals Committee will be formed and a chair elected
  - Within five (5) business days of the appeal has been filed.
- The appeal process will be completed
  - Within twenty (20) business days of committee formation.
- Committee Chair provides Parties with a decision
  - Within five (5) business days of completion of the appeal

#### **General Information**

- Secretarial support for the NCoBPA Appeals Committee will be provided by the Dean's office staff, who will be responsible for audio-taping the committee meetings, keeping official minutes, and distributing and storing all documents provided by parties involved.
- All documents related to the appeal will be kept for a period of three (3) years after the final resolution at the NCoBPA level. At that time, the Dean will be responsible for destroying the documentation. Should the recommendation of the Committee be appealed to a higher level, all documents shall be provided to the relevant administrator or committee and subsequent security and storage shall be maintained according to appropriate University policies and/or procedures.

## Appendix

### College Appeals Committee Selection and Process

- Selection of the Committee
  - Members of the College Appeals Committee pool will be identified through the academic departments by September 1 of each year. Within each department, two faculty members will be selected for the pool.
  - Four faculty names will be drawn from the college pool. Members of the department involved in the appeal being heard will be excluded from the drawing. In the event that any of the four faculty representatives could not be available at the time of the committee meeting(s), additional name(s) will be drawn from the college pool.
  - A graduate or undergraduate student, as appropriate, also will be selected by the Dean's Office to serve on the committee with the four faculty members.
- College Appeals Committee Procedures
  - The College Appeals Committee must hold a meeting and elect a chair within five (5) business days after the Committee has been formed by the Dean's office. Selection of the chair shall be by nomination of the committee members and majority vote of those individuals.
  - The committee shall set a date, time, and place for a meeting to ask any person involved with the Grievance or lower level decision any questions they have and to consider all of the information provided. The date, time and place for the meeting will be provided to the Parties, the Associate Dean and Dean, and/or the department chair whose decision is being appealed.
  - The Parties, the Associate Dean and Dean and/or the department chair whose decision is being appealed may provide documents for consideration by the committee. The committee should only consider information that is relevant to the Grievance. A copy of all documents for the committee's consideration must be provided to the Dean's office at least three (3) business days prior to the meeting. The Dean's office will distribute any documents received to each committee member, the Parties, and any other people involved in the committee meeting.
  - Before the presentations by the Parties to the Appeals Committee, the following instructions will be read by the chairperson:
    - *This is neither a disciplinary hearing, legal proceeding, nor a courtroom process. The first phase of the meeting is designed for the committee to obtain information on the related factors and aspects of the appeal. The Parties will present their positions. The Parties will not have the right to question witnesses or each other. The committee has the right to question all Parties in its attempt to achieve an understanding of the issue(s).*
  - To begin, the original Complainant will present their position(s) to the committee, followed by the presentation by the Respondent(s) position. Any other parties, earlier identified, will be allowed to make a

presentation, if they choose to do so. The committee may then follow with questions.

- Any questions or responses by the Parties involved in the appeal hearing will be directed through the chairperson and will be presented only after conclusion of their respective statements.
  - The department chair who issued the department level decision against which the appeal was filed shall then give an account of the issue(s), the investigation, and the decision.
  - The Dean, or Dean's Office representative, will then also provide the account of his/her investigation of issues and the subsequent decision reached.
  - The Parties involved may ask other persons to provide supporting information at the hearing. Each of these individuals must be identified to the committee at least three (3) business days prior to the hearing, and witnesses may not be present in the hearing room prior to providing their comments.
  - The NCoBPA Appeals Committee chair will assure that the discussion is limited to the specific matter(s) listed in the appellant's written appeal and will restrict the Committee recommendation(s) to the specific matter(s) cited in that appeal.
  - During the appeal meeting, either Party may have an advisor present, but the advisor may not ask questions of Parties to the appeal or witnesses and will not be allowed to address the Committee unless asked to do so, or unless given permission to do so. If any Party has an advisor present, the Committee may request that University Counsel also be present to advise the Committee.
- **Committee Decision**
    - After the Committee determines that it has heard all of the information, the committee will deliberate and reach a final decision. The committee shall schedule additional meetings if necessary for deliberation and notify all Parties of the date, time and place of additional meetings. If the Parties are present during the committee's deliberations, continuing participation is not allowed.
    - The Appeals Committee will consider all documents and testimony provided by the Parties prior to deliberation. A quorum, defined as four out of five members, must be present at the time of the vote. The recommendation(s) of the committee shall be approved by a majority vote of those present. The committee chair will vote only in case of a tie.
    - The Parties, the department chair, and the Dean will be notified by the chair of the committee, in writing, of the decision within five (5) school days after completion of the committee's deliberations.

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