

STUDENT GRIEVANCE PROCEDURE OF UOK

1. INTRODUCTION

1.1. General

The UoK Student Grievance Procedure is determined to provide procedures for the judgments of disagreement between students and University faculty. The following categories of disputes are provided for in the articles displayed.

1.2. Academic Disagreement

Disagreement arising within the academic process shall follow the Procedures set forth in Article 2, unless they involve accusations of academic dishonesty which are managed under Article 3.

1.3. Disciplinary Matters

Disciplinary proceedings brought against students, other than allegations of academic dishonesty, shall be dealt under `the Code of Student Conduct and Disciplinary Procedures`

1.4. Academic Record Disputes

Students seeking retrospective withdrawal, enrollment, or disenrollment or for other academic record changes, shall follow the Procedures detailed in Article 4.

1.5. Discrimination Accusations

"Discrimination" is defined as including unlawful discrimination based on national origin, color/race, gender identity, medical condition, mental/physical disability, religion, sex/sexual harassment/sexual misconduct/sexual violence, sexual orientation, and any other protected class. For purposes of this Procedure, "discrimination" also includes retaliation for having made accusations of discrimination, having participated in an investigation into accusations of discrimination, or otherwise having engaged in opposition to unlawful discrimination.

1.6. Other Matters Not Included Under These Procedures

1.6.1. Any student grievances concerning decisions made by University personnel, outside the academic process, for which specific procedures are not established, shall be resolved between the student and the office or department involved. If no determination is reached, the parties may appeal to the relevant Dean or Director and then to the suitable Deputy Vice Chancellor. Appeals should be filed in writing within one week of the decision.

1.6.2. Disputes transferred, referred, or appealed to the Student Conduct Committee pursuant to other official, UoK procedures shall be heard by the Committee under the applicable articles of this procedure.

1.7. Moderate departures from these procedures by UoK will not render null a decision or proceeding unless significant prejudice results.

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2. ACADEMIC DISPUTES

2.1. Scope

This article displays the procedures which shall be followed by a student who thinks that he or she has been unjustly or poorly treated by a faculty member or department in connection with the academic process. For example, it applies to disputes over assignment of grades, decisions about program or degree requirements or eligibility, or claims that course requirements are unfair.

2.2. Informal Resolution

2.2.1. The student shall first try to resolve the disagreement informally by discussing the disagreement with the faculty member as soon as after the student becomes or should become aware of the matter. If the student and faculty member cannot reach reconciliation, the student shall discuss the issue with the Head of the department. If they cannot find a solution, the student shall take the disagreement to his/her Dean.

2.2.2.. In these informal meetings, the HoD, or Dean is encouraged to try to bring the problem to the agreement actively. In particular, he or she should talk to both the student and the faculty member, separately or together, and should examine any relevant evidence, including any written statements the parties wish to submit.

2.2.3.. These informal discussions shall be completed within two (2) weeks after the student becomes or should become knowledgeable of the concerned issue.

2.3. Formal Appeals of Academic Matters

If the informal discussions do not find a solution for the disagreement, the student may bring a formal appeal using the procedures displayed in the coming articles. This appeal process shall begin within a week following the informal discussions.

2.3.1 The student shall make a written complaint to the appropriate Dean.

2.3.2. The complaint shall describe the problem, including a statement of what happened, and the student's reasons for disputing the action or decision. The complaint shall also explain his/her attempts to find a solution informally for the problem. The student may attach copies of any relevant documents. The student shall send a copy of the complaint to the faculty member and his or her HoD. The faculty member shall have one week from the receipt of the complaint to answer in writing to the Dean. A copy of the faculty member's answer shall be provided to the student.

2.3.3. In deciding the appeal, the Dean shall receive and scrutinize any written testimony or proofs submitted by the parties, and shall provide both parties the opportunity to see and answer to all evidence. The Dean shall interview each party and may interview other persons with relevant information. At his or her discretion, the Dean may decide to hold an informal hearing involving both parties and any witnesses.

2.3.4. The Dean shall write about his/her decision explaining his or her conclusions, and reasons for his decision. The decision shall be sent to relevant people, and to the faculty member's line

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manager. The decision shall be reached within two weeks after the complaint is filed, unless an informal hearing is held, in which case the decision shall be made within three weeks.

2.3.6. Either party may appeal the Dean's decision within two weeks of receipt of the decision to the Director of Quality and Assurance. The Director shall resolve the grievance applying any procedures available to the Dean specified above.

2.3.7. The Head of Department, Dean, and Director of Quality shall not overrule a faculty member's academic judgment.

2.3.8. The Director at his or her discretion may refer the matter to the Vice Chancellor for consideration of disciplinary action against the faculty member involved, if such action appears warranted.

3. ACADEMIC DISHONESTY

3.1. Scope

This article details procedures which shall be followed in cases of suspected academic dishonesty.

3.2. Academic Dishonesty within Courses: Faculty-Imposed Sanctions

3.2.1. When a breach of the academic dishonesty rules occurs within the academic process, the lecturer shall discuss the possible breach of the rules with the student as soon as possible and give the student an opportunity to explain. After this discussion, the lecturer may dictate a suitable punishment within the scope of the academic activity, such as grade reduction and/or involuntary withdrawal from the course. The lecturer shall inform the student of the academic punishment. The lecturer should contact the Dean of Students Office to see if there are any prior incidents of academic dishonesty on file for that student.

3.2.2. The lecturer should report the matter in writing to the Registrar, by submitting written documentation describing the events and pinpoint if he/she wishes the Registrar to pursue any additional disciplinary action against the student. A copy of such report shall be sent by the Registrar to the student.

3.2.3. The student may challenge a faculty-imposed punishment through the formal academic appeals process, set forth in Article 2. The student may appeal the decision of the Dean of the Faculty to the Director of Quality, as provided in Article 2.3.6.

3.3. Academic Dishonesty in Other Settings

When academic dishonesty is arisen other than in connection with a course, the person who discovers the visible breach shall pass in writing to the Registrar a statement describing the occurrence. A copy shall be sent to the student. The Registrar shall determine the penalty following the procedures set forth in Article 3.4.

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4. ACADEMIC RECORD DISPUTES

4.1. Scope

This article details the procedures which should be followed by a student seeking ex post facto withdrawal, enrollment, or disenrollment, or for other academic record changes involving exceptions to the rules governing registration and academic records which are displayed in the University Catalog. It does not contain disagreement involving academic judgment (e.g. grades).

4.2. Petitions

4.2.1. A student seeking a change in his or her academic record within the scope of this article shall submit a petition to the Registrar's Office for consideration by the University Senate. The petition shall:

- 1) Include a statement of the nature of the request including why the student feels it should be granted.
- 2) Specify the trimester involved and the department, course code, and section numbers.
- 3) Cite the student's name, University I.D. number, mailing address, email address and telephone number.
- 4) Include documents of mitigating circumstances, such as medical, family, or employment needs.
- 5) Be typed and signed.
- 6) Optionally, include supporting statements from involved faculty and academic units.

4.2.2. Upon receipt of the petition, the Registrar's Office shall forward a copy to the Head of Department. The HoD shall write back to the Office within two weeks of receipt. If the HoD has not responded within two weeks, the Senate shall proceed to consider the petition without the HoD's response.

4.2.3.. At the next regular meeting after receipt of the instructor's response (or lack of response), the Senate shall take action on the petition. If the Senate refuses the petition, it shall issue a summary statement giving the reasons for the refusal.

4.2.4. The Senate's decision shall be final. If the student has new information that goes to the reasons displayed in the Senate's decision refusing the petition, the student may ask for reconsideration from the Senate. The Committee's decision upon reconsideration is final for the University.

5. GENERAL PROVISIONS

5.1. Time Limits and Extensions

5.1.1. Unless stated otherwise or extended in writing, the time limit for a decision maker to issue a decision shall be two weeks and if a hearing is held it shall be three weeks

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5.1.2. Unless declared otherwise in these rules or lengthen in writing under 5.1.3. The time limit to apply for an appeal is two weeks after the decision. If the decision is given in person, the two-week period shall begin at that time. If the decision is mailed, the two-week period shall begin on receipt, which shall be presumed to be three days after mailing.

5.1.3. In any procedure governed by these rules, time limits shall be suspended in the following circumstances:

i. For good cause, the decision maker can extend any time limit set forth in these rules. Good cause includes, but is not limited to, the fact that a deadline falls during finals week or during a period such as vacations, holidays.

ii. If a faculty or staff member is absent from the University, the decision maker, may permit the faculty or staff member to participate in a hearing or interview by conference call, Skype or other electronic means.

5.2. Former Students

These procedures apply to disputes between students and other members of the University community. If the student has left the University community (by graduation or otherwise), these procedures shall continue to apply so long as the event giving rise to the dispute occurred while the student was a member of the University community and so long as the University has the power to resolve the matter. The University retains the right to change grades or rescind degrees, when, after the grade or degree has been awarded, it discovers new information indicating that the grade or degree was not earned in accordance with all University academic, student conduct and other applicable requirements and policies.

5.3. Designees of Deans, Vice Presidents or Senior Level Administrators Whenever these regulations specify submission of a dispute or decision to a Dean, Vice President or more senior level administrator, that individual may delegate consideration and decision of the matter to a designee. Such designee will normally be but is not required to be, a member of the decision maker's staff.

5.4. Review by the Chairman and the Board of Promoters

5.4.1. The parties' right to appeal decisions under these procedures terminates where indicated herein. However, the Chairman has the discretionary authority to review all decisions by the senior administrators below, and the Board of Promoters has the discretionary authority to review all decisions of the Chairman. The Chairman and the Board of Promoters normally review appeals of student grievance or disciplinary decisions only in extraordinary cases, such as where proper procedures have apparently not been followed, where the decision appears to be unsupported by the facts, or where the decision appears to violate University policy.

5.4.2. Requests for review made to the Chairman and the Board of Promoters normally will be considered only after the avenues of appeal established herein have been exhausted. Requests shall be made in writing, and must include the alleged facts, what happened in the proceedings to date, and the reasons justifying extraordinary review. Such requests must be filed in the Chairman's Office within seven working days of the date of the written decision from the last reviewer.

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5.4.3. If review is granted, appropriate procedures shall be set by the Chairman and the Board of Promoters. The procedures shall be communicated to the parties in advance, and shall provide each party the opportunity to explain his or her position orally and/or in writing. New evidence (such as additional documents or testimony of witness) will not normally be taken by the Chairman and the Board of Promoters.

10.5. Conflict with Other Procedures

Except as otherwise stated herein, in the event this Student Grievance Procedure conflicts with previously adopted policies and procedures, these procedures shall take precedence.