Summary of SPHIS Student Academic Grievance Procedure

The following summary of the SPHIS student academic grievance procedure is extracted from the University Redbook (hereinafter “Redbook”) available at http://louisville.edu/provost/redbook and the SPHIS Bylaws and Rules (hereinafter “Bylaws”) available at https://sharepoint.louisville.edu/sites/sphis/ppgf/pubs/Bylaws.pdf. This summary represents an abstraction from the original governing documents, which remain superior with regard to errors of omission or commission in the summary.

A student academic grievance may be initiated if the student believes he or she has been treated unfairly, discriminated against, or has had his or her rights abridged. (Redbook, 6.8.1; Bylaws, Appendix 2, Sec. 3.C.2)

Academic matters are defined as those concerning instructional activities, research activities, activities closely related to either of these functions, or decisions involving instruction or affecting academic freedom, as well as personal characteristics and behaviors suitable for a career in the field of public health. (Redbook, 6.8.3; Bylaws, Appendix 2, Sec. 3.C.2)

“The authority for the determination of grades in any course shall rest with the faculty of the academic unit offering the course. Each student shall have the right to discuss any grade with the appropriate faculty member or academic dean in accordance with the procedure of the academic unit.” (Redbook, 6.6.2)

As used herein the phrase “persons directly involved” means the grievant and those who are alleged to have brought about the condition upon which the grievance is based. (Redbook, 6.8.1)
5. The Committee recommends to the Dean within twenty working days of receipt of the statement whether there are sufficient grounds to accept a case for hearing. The Committee shall notify, in writing, all persons directly involved as to the reason for its recommendation. (Redbook, 6.8.5)

6. The Dean reviews the Committee's recommendation. If the Dean concurs, the action of the Committee as to whether to grant a hearing shall be final and binding on all parties except when subject to the conditions of appeal. (Redbook 6.8.5)

7. If a hearing is denied, the grievant may appeal as outlined in #11, below.

8. If the case is to be heard, such hearing shall be granted within thirty working days of receipt of the written statement of grievance, although such hearing may be subject to reasonable delay caused by availability of parties, or vacations, unless the grievance committee determines that delay would cause hardship to one or more of the parties to the grievance. (Redbook 6.8.5)

9. The Committee shall make its report, with recommendations for settlement of the case, to the Dean with copies to the persons directly involved in the grievance. (Redbook, 6.8.6)

10. The Dean reviews the recommendation and makes a final decision. In the event that the final decision of the Dean is not in accord with the Committee's recommendation, the reasons for that decision shall be stated in writing to all persons directly involved and to the Committee. (Redbook, 6.8.6)

11. The Committee, within twenty-one working days after the delivery of its report, may be petitioned to reconsider its decision upon the basis of evidence of misrepresentation of material facts or upon the basis of newly discovered evidence clearly not available at the original hearing. (Redbook, 6.8.8) The procedure following such petition is analogous to #5 to #10, inclusive.

12. Any party directly involved in a grievance may appeal the final decision of the Dean to the Graduate Student Academic Grievance Committee (hereinafter “GSAG Committee”). The appeal shall be made in writing to the GSAG Committee within twenty-one working days from the date of the final decision of the Dean. (Redbook, 6.8.11.B)

13. An appeal to or a hearing by the GSAG Committee shall be based upon the record established by the Committee. The GSAG Committee then may request additional information. (Redbook, 6.8.11.C)

14. The GSAG Committee must not substitute its judgment on the merits for that of the Dean whose decision is being considered. The GSAG Committee may affirm the decision of the Dean whose decision is the subject of the grievance, but should the GSAG Committee find that the decision being appealed was not based on proper consideration, it may direct that a reconsideration be made, indicating specifically the errors it believes have been committed. After such reconsideration, the GSAG Committee shall recommend affirmation, modification, or reversal of the decision as reconsidered, and shall submit same as the GSAG Committee report. (Redbook, 6.8.14.B)

15. Reports of the GSAG Committee shall be sent to the Vice President for Health Affairs (hereinafter “Vice President”). The Vice President shall act upon the GSAG Committee's report in the following manner:
   a. The Vice President may accept the remedy recommended by the GSAG Committee within twenty-eight working days, in which case the Vice President shall take action to implement the remedy.
b. The Vice President may remand the case once if in his or her judgment the finding of facts was clearly contrary to the weight of the credible evidence. The Vice President may disagree with the recommendation in whole or in part, and in so doing shall state his or her recommendations and reasons therefore, in writing, to the GSAG Committee and to all persons directly involved, and shall provide an opportunity for response before taking final action. The Vice President is responsible for taking final action. (Redbook, 6.8.14.C)

Compiled 11/10/09
Edited 02/21/14

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