ACADEMIC GRIEVANCE PROCEDURE

Purpose of the Academic Grievance Procedure

With very rare exceptions, the final decision on all grades rests with the professor. Students have the right to protection, through fair procedures, against arbitrary and capricious academic evaluations. Arbitrary and capricious means that there is no relation between the grade given and the student's performance in the class and that a reasonable person could not find that the grade was deserved. Mere disagreement or dissatisfaction with a grade thus does not constitute a basis for grievance.

In order to provide a forum for the fair resolution of academic disputes involving individual student complaints of the appropriateness of course grades and accusations of academic dishonesty, the following procedures have been developed and will be applied to all cases involving Loyola undergraduate students.

Academic Grievance Procedure: Course Grade Dispute

1. The student's first step in the event of a grade dispute is to confer directly with the instructor.

2. If the grade dispute is not resolved, a student must submit a formal request (see Academic Grievance form (https://www.luc.edu/media/lucedu/registrationrecords/pdfs/Academic%20Grievance%20Form_Updated52919.pdf)) for a grade change sent via Loyola email to the Department Chair/Associate Dean (when applicable) no later than 30 days into the following semester explaining in detail why the grade is arbitrary and capricious.
   a. If the final grade is assigned in spring or summer semester, the student must submit the appeal no later than 30 days into the fall semester.
   b. If the final grade is assigned in fall or J-term, the student must submit the appeal no later than 30 days into the spring semester.
   c. For a course offered by the School of Continuing and Professional Studies, the student must submit the appeal no later than 30 days after the final grade is officially posted.

3. The Department Chair and/or Dean's designee determines whether or not there are grounds for an appeal.
   a. When the Department Chair and/or Dean's designee determines there are no grounds for an appeal, the student will be notified that a hearing board will not be convened.
      i. If the student disagrees with the determination by the Department Chair and/or Dean's designee, the student may appeal to the appropriate academic Dean. In cases where the student is enrolled in a school other than the one in which the course is taught, the academic Deans of the two schools will review the appeal together. The academic Dean's office will notify the student of the final decision.
   b. When the Department Chair and/or Dean's designee determines there are grounds for an appeal, the student will be notified that a hearing board will be convened.

4. Each department will have a standing hearing board or have the means to constitute a hearing board for each dispute. Board members are chosen by the Department Chair and/or Dean's designee and will consist of three to five faculty members other than the faculty member involved or Department Chair. In smaller departments or interdisciplinary programs, board members may be members of different departments.

5. The chairperson of each hearing board will be selected by the person who appoints the hearing board. The chairperson of the hearing board receives all requests for hearings from the department, sets the calendar, notifies all involved parties of the dates and times of hearings and informs students by written notice of the decisions of the board.

6. The hearing will be held within two weeks of the receipt of the request for a hearing, if practicable.

7. The hearing will be private and all information will be held confidential.

8. Both the student and the faculty member involved may be accompanied by one advisor of their choice throughout the hearing process. The individual must inform the chairperson of the hearing board of the name of the advisor before the hearing date.
   a. The role of an advisor is to provide a comforting presence for the student and/or instructor. An advisor may only speak to the advisee. An advisor may not ask questions, interject, advocate for, or otherwise speak on behalf of the advisee. Even if an advisor is an attorney, the advisor may not function as legal counsel or "represent" an advisee during the hearing process.
   b. If any advisor conducts themselves in a manner inconsistent with these guidelines, or if the advisor's behavior obstructs or interferes with the hearing process, the advisor will be warned by the board.
   c. If the advisor's interfering behavior continues or if the advisor engages in a manner that harasses, abuses, or intimidates any other participant, the advisor will be excused from the hearing immediately.

9. The student and/or instructor have the option of submitting relevant materials to the hearing board prior to or at the time of the hearing. Individuals in the hearing process have the responsibility of presenting truthful information.

10. The board may address questions to any party.

11. The chairperson of the hearing board determines the hearing procedures (e.g. location, order of proceedings, determining what evidence is relevant, determining if additional information is needed, etc.). The standard of evidence required for a board to determine that arbitrary and capricious academic evaluation occurred is known as a "preponderance of the evidence." This means the board must determine that it is more likely than not that arbitrary and capricious academic evaluation occurred based on the totality of available evidence.

12. All decisions of the board must be determined by a majority vote of the hearing board members. A final decision must be rendered by the board by the end of the hearing process.

13. The student and instructor will be informed in writing by the chairperson of the board's decision within two weeks of the hearing. The decision is also shared with the Department Chair and/or Dean's designee.
a. If the hearing board determines that a grade change is not warranted, the chair of the hearing board will notify the student and the instructor involved of the decision.

b. If the hearing board determines that a grade change is warranted, the Dean and/or Dean's designees submits a grade change request to the Office of Registration and Records. The Department Chair and/or Dean's designee will notify the student and the instructor involved of the decision.

14. Should the student wish to contest the hearing board's decision, the student must submit in writing (via Loyola email) an appeal letter to the Dean and/or Dean's designee within 30 days of notice of the hearing board's decision.

   a. The appeal letter must clearly identify the grounds for the appeal with appropriate supporting documentation. Mere disagreement or dissatisfaction with the decision does not constitute a basis for an appeal.

   b. The grounds to appeal the board's decision must include one or more of the following criteria:
      i. New substantive information is available that could not have been discovered by a diligent respondent at the time of the hearing and that would have likely changed the outcome of the case.
      ii. A substantive procedural error or error in the interpretation of University policy occurred that denied the student the right to a fair hearing and decision.
      iii. The decision is significantly incongruent with the established facts presented at the hearing.

15. Should the instructor wish to contest the hearing board's decision, the instructor must submit in writing (via Loyola email) an appeal letter to the Dean and/or Dean's designee within 30 days of notice of the hearing board's decision.

   a. The appeal letter must clearly identify the grounds for the appeal with appropriate supporting documentation. Mere disagreement or dissatisfaction with the decision does not constitute a basis for an appeal.

   b. The grounds to appeal the board's decision must include one or more of the following criteria:
      i. New substantive information is available that could not have been discovered by a diligent respondent at the time of the hearing and that would have likely changed the outcome of the case.
      ii. A substantive procedural error or error in the interpretation of University policy occurred.
      iii. The decision is significantly incongruent with the established facts presented at the hearing.

16. Upon receipt of the appeal letter, the Dean and/or the Dean's designee will review the appeal to determine whether or not to uphold the decision of the hearing board.

   a. The student and the instructor will be notified by the Dean's office of the final decision. This Dean and/or the Dean's designee decision is final and binding.

   b. If the Dean and/or the Dean's designee determines that a grade change is warranted, the Dean and/or Dean's designees submits a grade change request to the Office of Registration and Records.