

SPECIAL MEETING OF THE UNIVERSITY FACULTY SENATE

May 24, 1976

MINUTES

The special meeting of the University Faculty Senate was called to order at 4:00 p.m. Senators not in attendance were:

Lee Anderson	Robert C. Hodson	Blaine G. Schmidt
David A. Barlow	Edward H. Kerner	James R. Soles
William Boyer	William C. Krauss	Robert M. Stark
R.A. Dalrymple	Kenneth Lewis	George Tatum
William S. Gaither	William E. McDaniel	Edward A. Trabant
Billy P. Glass	John Reynolds	Thomas S. Watson
David J. Hallenbeck	Judith Runkle	John E. Worthen

Senators excused: Harry D. Hutchinson.

President Pikulski reminded the senators that the business of a special meeting was limited to the items listed on the call and that, in the absence of objections, he would follow the order given.

Senator Finner said that, upon returning from his sabbatical leave, he had found that he had been elected to the Committee on Committees but that he had not been consulted regarding his nomination and he did not wish to serve on that Committee. Senator Palmer, Chairperson of the Nominating Committee, apologized for her Committee's error, and Senator Braun suggested that the matter could be dealt with under Agenda Item C.

President Pikulski introduced Item A, the recommendation for provisional approval of the Master of Instruction degree program in the College of Education, and noted that the proposal had been approved by the Graduate Studies Committee and the Coordinating Committee on Education, and that it was being submitted to the Senate in compliance with the new procedures for approval of degree programs, which were adopted by the Senate on April 12. He noted that the proposed program did not call for additional revenues.

Dean Greenfield asked why the admission requirements for the program differed from the usual Graduate program requirements. Dean Neale explained that the program had been developed by the College of Education, as had the Master's in Counseling earlier, in response to state legislation which tied teacher's salaries and promotions to their earning credits and degrees beyond the Bachelor's degree. Dean Lippert added that the Graduate Studies Committee had felt that this program should be considered differently than the usual MA degree, that it responded to the needs of down-state clientele and in-state teachers, and that it should be an experimental program. It was noted that teachers had been meeting these needs by attending other schools. Pres. Pikulski called the question, and the recommendation for provisional approval of the Master of Instruction degree program was approved by the Senate by voice vote.

President Pikulski introduced Item B, a proposed Graduate Student Grievance Procedure. Prof. Geiger, Chairperson of the Committee on Faculty Welfare and Privileges, indicated some changes which would be

necessary in the Student Grievance Procedure for undergraduates which was approved by the Senate earlier; he suggested that the steps in the procedure be re-numbered for clarification, and that under step 4 the reference to graduate students should be dropped and the last three lines should read "each academic year by the Nominations Committee of the University of Delaware Coordinating Council. The decision of this Committee shall be final." Senator Braun moved that these changes be approved, and the motion was seconded and passed.

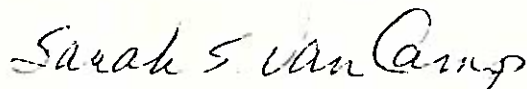
Prof. Halio asked whether the two graduate students to be chosen when the Graduate Studies Committee was hearing appeals were to be added to that Committee or were to replace the three graduate student members of the Committee, and whether they would be appointed to hear all appeals or only one. Dean Lippert responded that the intent was to have them hear all appeals, and that they would not be in addition to the graduate student members already on the Committee. Prof. Halio suggested that line 6 of step 4 be changed to read "(the) Committee will consist of its regular faculty members and two graduate students" and Dean Lippert agreed to this as an editorial change representing the intent of the Graduate Studies Committee.

Senator Braun suggested that since proposed administrative changes in the College of Graduate Studies might eliminate the Dean of that College, the references to the Dean should be changed to "the Office of the Dean of the College of Graduate Studies." Senator Finner felt that no change should be made until the structure of the Graduate College was clarified and Provost Campbell added that he felt the Senate should act in relation to the existing structure. There was no further discussion and the Senate approved, by unanimous voice vote, the Student Grievance Procedure (attached).

President Pikulski introduced Item C of the Agenda, to resolve a tie in the voting for a second member of the Committee on Committees. Senator Braun moved that, since Senator Finner had withdrawn, the next two people elected could be moved up to fill the vacancy and resolve the tie. The motion was seconded and passed by unanimous voice vote.

Senate Secretary Van Camp noted the following corrections to the minutes of the April 5 and 12 Senate meeting: 1) on page 2, second paragraph, Prof. Fisher is incorrectly identified as the Chairperson of the Committee on Student Life; he is the Chairperson of the Committee on Student and Faculty Honors, and 2) Senators Kent and Barlow were present at both sessions of that meeting. The minutes were approved as corrected.

The meeting was adjourned at 4:30 p.m.


Sarah S. Van Camp, Secretary
University Faculty Senate

UNIVERSITY OF DELAWARE

STUDENT GRIEVANCE PROCEDURE

(Prepared by the University Faculty Senate Committee on Faculty Welfare and Privileges and the Graduate Studies Committee; approved by the University Faculty Senate May 10 and May 24, 1976)

I. Justification and Background

The 1975-76 Student Guide to Policies describes in detail the procedures by which the faculty and other members of the University community may initiate disciplinary action against students for alleged violations of the academic honesty or social responsibility codes. No formal procedures exist, however, by which students can seek remedies against faculty members for alleged mistreatment. Students may, of course, complain informally to their instructors, chairpersons, and even deans about what they believe to be unfair grades or other forms of abuse or exploitation. We have no way of estimating the effectiveness or extent of this informal complaints process, though the petitions for grade changes processed by the Committee on Undergraduate Records and Certification may give some indication. Each year about 450 (464 in 1975-76) student petitions are channelled through the deans' offices to the appropriate working-level subcommittees of this Committee. Each subcommittee consists of Dr. Robert Mayer, Assistant Vice President for Student Services, a representative of the Provost's office and a representative of a dean's office. The subcommittees attempt to mediate agreement in cases where disputes over grades concern academic judgment. They change grades in cases where assigned grades can be regarded as procedural mistakes. Our Committee believes that this process has worked well so far, and should be continued with two minor changes. Proceeding on the basis of uniformity and equity, it saves both faculty and students from mistakes that arise out of ignorance of complicated or revised grading rules and procedures. But, as a committee consisting solely of administrators, it does not, and should not, make binding decisions in cases involving more than procedural error. What is needed is a system that will handle complaints beyond the purview of the Committee on Undergraduate Records and Certification.

This need was brought to our Committee's attention by Associate Provost Halio in connection with his role in coordinating the efforts of the Task Force on Self-Evaluation of Title IX and the Ad Hoc Committee to Recommend a Student Grievance Procedure. We were the more ready to look into the question because the Committee on Student Life indicated that it wished at least to "postpone involvement . . . until such time as more specific objectives have been defined and a more concisely described task may be referred for consideration and action . . . by the committees already at work on this assignment" (Branca memo, 1/19/76). Our Committee has attempted to define those objectives and outline a procedure for achieving them consonant with the faculty's welfare and privileges as well as students' needs. Our Committee has formulated the proposals below in the belief that the faculty should have the central role both in drafting and in implementing any student complaint procedure. In particular we have been careful to provide procedures that are consonant with two basic principles. First, faculty members have the sole right to assign grades to their students on the basis of academic judgment, although non-academic criteria should not be used in determining grades. Second, when students complain that instructors

have used non-academic criteria in assigning grades, or mistreated them in some other way, it is chiefly the responsibility of the instructors' colleagues of the teaching faculty, and most immediately of their departments/units, to decide whether or not such complaints are well-founded.

II. Definition of a Student Complaint

Student complaints fall into two categories, those involving grades and those involving other matters.

1. Grade complaints: a claim that a grade is unfair because of a faculty member's bias or because of a faculty member's failure to follow announced standards for assigning grades, but not because of a faculty member's erroneous academic judgment (i.e. not a claim that course standards are too high, reading is too heavy, the grade curve too low, etc.). Proper remedies for such kinds of "unfairness," as it affects whole classes, are the use of the drop system in the short run and boycott of courses in the long run.

2. Other complaints: a claim of abuse, ill-treatment, or exploitation involving the irresponsible or unjust misuse of the instructor's position of authority, power, and trust (e.g. pointed sexist or racist slurs, or sexual or pecuniary blackmail).

III. Procedure

1. A student with a complaint against a faculty member must first try to reach agreement with the faculty member concerned.

2. A student whose complaint is not resolved in Step 1 may then appeal to the faculty member's chairperson, who will attempt to mediate the complaint.

The following will apply for undergraduate students:

3A. A student or faculty member who is not satisfied with the decision reached in Step 2 may appeal through the chairperson to the department's "Academic Judgment and Student Complaints Committee." Each academic department/unit shall designate such a committee of at least five (5) members, one or two of whom may be students, by creating a new standing committee, by appointing an ad hoc committee for each complaint, or by adding the function of hearing student complaints to an existing committee (e.g., an undergraduate studies committee).

4A. A student or faculty member who is not satisfied with the decisions reached in Step 3A may appeal to the Faculty Welfare and Privileges Committee of the University Faculty Senate. This Committee, on reviewing the case, may uphold the decision of the department committee without a hearing or it may agree to hear the appeal. For the purpose of hearing appeals, the Committee will consist of its regular members and two (2) students named each academic year by the Nominations Committee of the University of Delaware Coordinating Council. The decision of this Committee shall be final.

The following will apply for graduate students:

- 3B. A graduate student or faculty member who is not satisfied with the decision reached in Step 2 may appeal through the chairperson to the department or college's Graduate Committee. If such a committee does not exist, the department or college may designate such a committee of at least three members, one of whom may be a graduate student.
- 4B. A graduate student or faculty member who is not satisfied with the decision reached in Step 3B may appeal to the Graduate Studies Committee of the University Faculty Senate. This Committee, on reviewing the case, may uphold the decision of the department or college committee without a hearing or it may agree to hear the appeal. For the purpose of hearing appeals, the Committee will consist of its regular faculty members and two graduate students, nominated by the Dean of the College of Graduate Studies and confirmed by the Graduate Studies Committee. The decision of this Committee shall be final.

5. The student and/or the faculty member may be assisted by an advisor of his or her choice from among the members of the University community and may call witnesses when deemed appropriate by the individual or group hearing the complaint or appeal. In such cases, all individuals involved must be notified of this at least three days before the hearing of the complaint or appeal.

Upon being notified of a complaint by the student the faculty member must meet with the student to discuss the complaint within ten (10) working days. Any appeal of the decision made as a result of this meeting must be made to the department chairperson within three (3) working days of the procedure unless (1) other arrangements are made which are mutually agreed upon by all those involved, or (2) extreme circumstances preclude adherence to such time intervals. In addition, all appeals must be made in writing, and all decisions must be rendered in writing to all parties to the dispute.

IV. Remedial Action Where a Student Complaint is Upheld

1. In the case of a grade complaint, the decision at any step of the procedure may authorize the Records Office to change a grade, unless the decision has been appealed.

2. In the case of other complaints, the decision at any step of the procedure may be, if feasible, a remedy for the aggrieved party or parties. In addition to reporting its findings to the parties involved, the Committee on Faculty Welfare and Privileges, or the Graduate Studies Committee in the case of a graduate student, may forward a copy of its findings to an appropriate administrative officer or faculty body.