

PROCEDURAL GUIDELINES FOR THE ACADEMIC MEDIATION

College of Engineering and Computer Science

1. **Purpose:** To mediate and where possible help to resolve disputes between faculty and students over grades or other academic evaluations.
2. **Composition:** College Petitions Committee shall receive disputes for undergraduate students; College Graduate Studies Committee shall receive disputes for graduate students. Four faculty, one from each department, and one student serve on each committee. Faculty are appointed by the Steering Committee of the college for staggered two-year terms; students are appointed by Student Government.

Early in the academic year the Chair of the Steering Committee of the Faculty of Engineering and Computer Science shall appoint a Chair Pro Tempore and ask him or her to call a meeting of the committee to elect a Chair to serve for a term of one year from among the members.

3. **Quorum:** Two voting faculty members and one student. A faculty member shall not vote on appeals concerning his or her own department; but he or she should, without fail, attend in an advisory capacity. Appellant and respondent are allowed challenges as specified in Paragraph 6. (j) below.
4. **Responsibilities:** (a) To rule on allegations of faulty procedure in the determination of grades or evaluations; and (b) if fault is found, to help the parties find an equitable remedy.
5. **Remedies:** Three outcomes are possible. The committee can (a) find no fault with the faculty member's actions, (b) find fault with the faculty member's actions, (c) find insufficient evidence to support the allegations.

If the committee finds fault with procedures used to evaluate the student, the committee shall be specifically empowered at its discretion (a) to supply the Registrar with a formal note of its findings for attachment to the appellant's academic record; (b) to recommend to the Undergraduate Student Petitions Council of the University or the Graduate Student Affairs Committee of the University the removal of disputed grades from the appellant's academic record (with or without the concomitant credit hours, at the appellant's option); (c) to recommend to the Undergraduate Student Petitions Council of the University or the Graduate Student Affairs Committee of the University subject to approval of the department concerned, that where a disputed grade is in a course normally required for graduation, the requirement be waived.

The committee's finding, ruling or recommendations are not to create precedent.

6. **Procedures:**
 - a. Before an appeal is brought to the committee, the student should prepare a written document outlining the grievance being careful to focus on specific problems and attach copies of supporting documents, if available. This document should be submitted to the Department Chair.
 - b. The Department Chair will transmit a copy of the grievance including supporting documents to the faculty concerned who will respond in writing to the student's statement.
 - c. The faculty member's statement will be transmitted to the student.

- d. Department Chair will then schedule a meeting with the student and faculty to discuss the problem. If the dispute is not resolved, the Department Chair will forward the document (student's grievance and the faculty member's statement) to the Dean's Office with a written statement detailing the meeting and the Chair's position with respect to the student's grievance.
- e. Regardless of the Chair's position, the student may request the Dean of the College to act as mediator between the faculty and student. The Chair of the concerned department may attend this meeting. At this meeting, both the student and faculty may submit any additional documentation to support their respective positions. If this process is not successful, the Dean will collect all documentation, prepare a written statement detailing the meeting and the Dean's position with respect to the student's grievance.
- f. Regardless of the Dean's position, the student may file an Application for Mediation. The complete document gathered from steps (a-e) should be forwarded by the Dean's Office to the Chair of the Petitions Committee (for undergraduate disputes) or to the Chair of the Graduate Studies Committee (for graduate disputes). The Chair will verify that the actions described in (a-e) have occurred and then call a meeting of the committee.
- g. After reviewing the document, the Petitions Committee (for undergraduate disputes) or the Graduate Studies Committee (for graduate disputes) will (a) recommend that the parties involved enter into the formal mediation process or (b) find insufficient basis for formal mediation. This decision must be supported by a simple majority of the voting membership.
- h. If the committee finds sufficient grounds for mediation, the Chair shall call a meeting of the committee for the purpose of hearing the appeal, giving the parties three clear weeks' notice of it by certified mail (with return receipt) to their last known addresses. Both parties shall be required to signify their intention of attending the meeting (or their inability to do so) within ten days of receiving the notice. All available relevant documents shall be supplied to both parties at this time. The parties will be invited to supply the names of any persons volunteering testimony; however, each shall be responsible for the attendance of his (her) own witnesses at the hearing. The Department Chair concerned and the Dean of the College shall be notified of the hearing as a matter of courtesy.
- i. The hearing may be open to the public, or closed, at the discretion of the Chair in consultation with the committee, except that persons (other than the parties) offering testimony may not enter the room until called. The committee shall not, however, be responsible for providing accommodation for the general public.
- j. When the hearing has been opened, first the appellant and then the respondent will be allowed to challenge members of the committee. Challenges for cause (unlimited in number) will be heard serially, and will be allowed or disallowed by simple majority vote of the unchallenged committee members present. After each party has finished challenging for cause, he (she) will be allowed one peremptory challenge. If successful challenges reduce the sitting membership to less than the quorum specified in Paragraph 3 above, the hearing shall be postponed until enough additional members have been co-opted from the faculty of Engineering and Computer Science (by the Steering Committee) or the student body (by Student Government) to make good the deficiency. If the Chair is successfully challenged, the committee will take a brief recess to elect an Acting Chair to serve during the hearing.
- k. First the appellant and the respondent will each be allowed to make an opening statement limited to ten minutes. Each will then be allowed a further five minutes for explanation or rebuttal.
- l. At this point, the Chair may suggest that the committee arbitrate the dispute, contingent on both parties agreeing to be bound by its ruling. It shall be carefully explained to appellant and respondent

that any ruling the committee might give would have to respect the aims of the university and the academic freedom of both parties. It should be explained further that, in the event of one or both parties declining such binding arbitration, the committee would still have the obligation of ruling under Paragraph 4 (a) above and, should it find fault in the procedures used to determine the disputed grade, to explore with the parties all possible remedies in a search for one that might prove mutually acceptable. The committee's powers under Paragraph 4 and 5 must also be explained to both parties.

m. The committee members will then have the opportunity of questioning the appellant and the respondent, and of discussing with them whatever aspects of the situation they wish.

n. The appellant will next be allowed to present any witnesses who agree to testify for him (her). Each witness may be questioned first by the appellant, next by the respondent, and then by the committee members. The same procedure will then be followed with any witnesses presented by the respondent (who will be the first to question his own witnesses, followed by the appellant and then the committee). Witnesses will remain outside the room until called; after being examined they shall be free to stay or leave as they desire, unless otherwise directed by the Chair.

o. The Chair will offer a renewed opportunity for the committee members to address questions to either of the parties or to any of the witnesses who may still be in the room. When satisfied that there are no further questions, he (she) will ask the members whether they wish the parties to remain within call while the committee considers its findings.

p. The committee will then retire to consider its finding, which must be supported by a simple majority of the voting membership.

q. The Chair will make known the committee's findings, rulings or recommendations by sending the substance of them to the appellant with a copy to the respondent. Copies shall also be sent as a matter of courtesy to the Department Chair concerned and to the Dean of the College.

r. During the process described above, the committee shall maintain a Process Summary of all action. A sample Process Summary Sheet is attached

Authority: Academic Mediations Committee, June 1988

Revised: Academic Mediations Committee, December 1994

Revised: Steering Committee, July 2003 (per College Bylaws approved February 26, 2003)

DATE: _____

APPLICATION FOR MEDIATION

(File with College of Engineering and Computer Science Dean's Office)

STUDENT'S NAME _____

Telephone Number Home _____ Work _____

Course Number

Department	Number	Section	Quarter	Year
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Instructor's Name

Written explanation of the Basis for Complaint:

May be continued on separate page. Items for comment and/or attachment may include (1) examination grades and copies of available exams; (2) copies of any special projects or papers; (3) information regarding regularity of attendance in class; and (4) any other relevant information.

