

Student Complaint Policy/Process

The student agrees to abide by the rules and regulations of the Virginia University of Lynchburg when admitted to the University. The actions of the Judicial Board and, if applicable, the Appeal Officer are final in the University process. The student may contact State Council of Higher Education for Virginia staff to file a complaint as a last resort. The institution will not subject a student to unfair actions as a result of the student initiating a complaint.

State Council of Higher Education for Virginia
James Monroe Building
101 N. 14th St 9th FL
Richmond, Virginia 23219
(804) 225-2600

It is the policy at Virginia University of Lynchburg to protect the rights and freedoms of students. The following procedures have been established to provide for an orderly, fair, and prompt resolution of student grievances concerning academic issues. These procedures are established to insure the due process, equitable treatment, and protection of all parties involved in the process. No adverse action shall be taken in response to an individual who registers an academic grievance.

Academic grievance, as used here, shall mean a complaint by a student of Virginia University of Lynchburg against a representative of the University when s/he perceives that s/he has suffered adverse academic consequences from an alleged violation, misinterpretation, inequitable application, misrepresentation, or inappropriate implementation of the academic regulations and procedures of the University.

In keeping with the intent and spirit of these procedures, it is incumbent upon all parties to show respect, restraint, and responsibility in their efforts to resolve the grievance. It is incumbent on students proceeding with a grievance to provide evidence of a violation. It is incumbent upon representatives of the University to arrange meetings and conferences concerning the matter in good faith and promptly to communicate decisions to the student promptly.

This procedure is in no way intended to supplant or duplicate other grievance procedures available either to the student or the University representative(s) named in the grievance, or to prevent such individuals from pursuing other remedies as are provided by law.

Academic Grievance Procedures

When a student believes s/he can demonstrate s/he has been harmed by a violation, misinterpretation, inequitable application, misrepresentation, or inappropriate implementation of the academic regulations and procedures of the University, the following grievance procedure shall be followed. The failure of any University personnel at any level to communicate a decision to the aggrieved student within the stated time limits shall permit the student to proceed to the next step of the process. The failure of the student to appeal the grievance to the next step within the stated time limits shall constitute a withdrawal of the grievance and shall bar further action.

I. Initial Informal Procedures

The student shall initiate the informal procedures within **ten University working days** after the student first perceives the alleged violation on which the complaint is based. The informal procedures outlined below will be initiated prior to a formal grievance being filed.

1. Whenever possible, the student shall meet with the University representative whose actions are the object of the complaint to discuss the issue and attempt to resolve it satisfactorily.
2. If the complaint has not been resolved in conference with the University representative, or if the student cannot meet with the University representative, the student will discuss the complaint with the University representative's immediate supervisor, who will attempt to help the student resolve the complaint. In the interest of resolving the complaint, when the student discusses the complaint with

the immediate supervisor, the immediate supervisor shall confer with the University representative.

3. If the student does not feel the problem has been resolved within **ten University working days** after the conference with the University representative's supervisor, the student may initiate the formal academic complaint procedure.

II. Formal Procedures

1. Within **thirty University working days** after the student first perceives the alleged violation on which the complaint is based, the student will file an Academic Grievance Form in the Office of Academic Affairs (**Available in the Office of Academic Affairs**). Thereafter, the complaint shall be referred to as a grievance. The form will be completed and returned to the Office of Academic Affairs.

2. Within **two University working days** of receipt by the Office of Academic Affairs of the grievance, the Office of Academic Affairs will send written notification to the student who has initiated the process acknowledging receipt of the formal grievance. At the same time, the Office of Academic Affairs will also send written notification to the University representative named in the grievance indicating that a formal grievance process has been initiated. A copy of the formal grievance will be attached. (To protect the rights and privacy of other individuals who may be identified by the student complainant, but who may or may not choose to participate in the grievance process, the Office of Academic Affairs will retain the right to expunge the names of such other individuals from the complaint.)

3. Within **five University working days** of receipt by the Office of Academic Affairs of the written grievance, the Office of Academic Affairs will inform the Academic Grievance Committee about the grievance and appoint a Chair. (For reasonable cause, the Office of Academic Affairs may extend this time requirement.) A copy of the grievance or redacted grievance, as the case may be, shall be provided to the Chair. The Academic Grievance Committee shall be composed of Administrators, Deans, Faculty, Student Government President and Vice President, unless any of these individuals have participated in the informal process, in which case s/he will not be a member of the committee.

4. Committee meeting(s) of the Academic Grievance Committee will be completed within **twenty University working days** of receipt of the written grievance. (For reasonable cause, this time requirement may be extended by the Office of Academic Affairs.) The Office of Academic Affairs will be responsible for making copies of the formal academic grievance, sending them to members of the Academic Grievance Committee, and scheduling the committee meeting(s).

1. During the meeting(s), the Academic Grievance Committee may interview the student, the individual against whom the grievance is directed, and/or request additional material they feel is necessary for a fair and complete consideration of the issue.

2. At all stages and at their own expense, the student and the individual to whom the grievance is directed may have one person with them during the process. Nevertheless, the student and the University representative named in the grievance shall serve as their own spokespersons. The role of their accompanying representatives, if any, shall be to advise the student or the University representative, and they will not be permitted to speak or to participate directly in any other way unless invited to do so by the Chair of the Committee.

3. Both the student and the University representative named in the grievance may request that the testimony of witnesses be heard. Requests for such witnesses must be made in writing in advance of any hearing scheduled by the Academic Grievance Committee and must be submitted to the Office of Academic Affairs no later than **five University working days following the date of written notification by the Office of Academic Affairs to the student and the University representative against whom the grievance is directed acknowledging the initiation of a formal grievance procedure.**

4. Requests for witnesses must include the complete name of all witnesses, a description of the relationship of the witness to the individual making the request, and a summary of the expected testimony each witness will provide. The Academic Grievance Committee will retain the right to limit the number of witnesses.

5. In the event that either a witness or the University representative, who is the subject of the grievance, does not appear at the meeting(s) called by the Academic Grievance Committee, or will not provide information or documents as requested, the recommendation of the Committee will be made on the basis of the information available to them.

5. When voting on an Academic Grievance, only committee members may be present. All members of the Academic Grievance Committee will participate in the vote.

The Academic Grievance Committee may decide to:

1. Accept the arguments of the grievance, in which case they will recommend in writing to the Office of Academic Affairs an appropriate action to be taken concerning the grievance. Such recommended actions may include, but will not be limited to, reinstatement after dismissal from the University, change of grade, approval of a waiver, retaking a test.
2. Not accept the arguments of the grievance, which they will so recommend in writing to the Office of Academic Affairs.
3. As noted above, the Academic Grievance Committee will have completed its meetings within **twenty University working days** of receipt of the written grievance. The Chairperson of the Academic Grievance Committee will submit to the Office of Academic Affairs a written recommendation concerning the appropriate disposition of the grievance, as well as all supporting materials.

6. Within **ten University working days** of receipt of the recommendation from the Academic Grievance Committee, the Office of Academic Affairs will review the materials submitted, file a final decision, and provide written notification to both the student and the individual against whom the grievance is directed as to the disposition of the grievance. Normally, the Office of Academic Affairs will accept the findings and recommendations of the Academic Grievance Committee and (s)he will take the action appropriate to redress any demonstrated harm to the student. However, the Office of Academic Affairs will retain the right to undertake a further review of the grievance, to also interview the student, the individual named in the grievance, and/or request additional material (s)he feels is necessary to a complete consideration of the issue. If the decision of the Office of Academic Affairs differs from the findings and recommendations of the Academic Grievance Committee, (s)he will meet with the Committee in order to provide an explanation of the decision. The decision of the Academic Affairs Office is final.

If the Office of Academic Affairs is directly involved in any way in the informal stage of the grievance, the President or the President's designee will assume the responsibilities assigned to the Office of Academic Affairs at every stage in the formal process.

7. The Office of Academic Affairs will be responsible for recording and filing the decision. All materials connected with the grievance will be held in confidence in the Office of Academic Affairs, and shall not be utilized in proceedings concerning discipline, promotion, tenure, or appointments, unless otherwise provided by law.