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## MEMORANDUM

To: Madlen Simon, Chair, Senate Educational Affairs Committee

From: Adam Berger, Chair, Senate Student Affairs Committee

Date: March 16, 2016

Re: Reading Day and Revision of the University of Maryland Undergraduate Student Grievance Procedure (Senate Document #14-15-22)

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I am writing on behalf of the Senate Student Affairs Committee (SAC) regarding its consideration of the Educational Affairs Committee's proposed definition of Reading Day, which is part of its work on the Revision of the University of Maryland Undergraduate Student Grievance Procedure (Senate Document #14-15-22).

In December 2015, the Educational Affairs Committee proposed the following definition to the University Senate:

Reading Day is the day set aside after classes have ended and before exams have begun for students to study or reflect on coursework. No class meetings, activities, final exams, or review sessions may be held on Reading Day. Individual makeup exams and meetings only may be scheduled on Reading Day at the explicit request of the student.

After the Undergraduate Student Grievance Procedure was recommitted to the Educational Affairs Committee by the Senate, you met with the Student Affairs Committee to consider the student perspective on Reading Day. After discussing the issues with you at our meeting on February 2, 2016, the Student Affairs Committee conducted a brief survey of Undergraduate Student Senators, Graduate Student Senators, and Senate Student Affairs Committee Undergraduate members on Reading Day. The committee reviewed the results of the survey at its meeting on February 24, 2016.

Based on its discussions and the results of the survey, the Student Affairs Committee suggests the Educational Affairs Committee take into consideration the following as it finalizes its work on this issue:

**Activities Prohibited on Reading Day:** The Student Affairs Committee agrees with the assessment of the Educational Affairs Committee that no mandatory course activities should be required of students on Reading Day. In our survey, we found that few student respondents were required to engage in course presentations or capstone projects scheduled for Reading Day, but six of seventeen respondents reported cases where faculty require makeup assignments and/or examinations to be completed on Reading Day. In response to a question of whether Reading Day should be free of all required course activities, ten students responded yes, one student responded no, and six students gave other responses, including that each department should decide its own policy (one student) and that all activities other than review sessions should be prohibited (three students). In addition, eleven of eighteen students responded no to a question asking whether final presentations or capstone projects should be allowed on Reading Day.

In discussing what should be prohibited on Reading Day, the Student Affairs Committee was in consensus that course activities required by the instructor should not be permitted. The committee agrees

that faculty should not require students to engage in any course activities, and students should not be required to complete makeup work or exams on Reading Day. While the committee understands the importance of capstone projects and course presentations, the Student Affairs Committee found that students feel it is not beneficial for students to schedule such presentations on Reading Day and suggests that departments could find other solutions, such as scheduling presentations for a day within the course calendar. Committee members pointed out that other programs, such as the Gemstone Program and the Geology Department, do have capstone presentations as a required activity for senior students, but these programs schedule the presentations at other times during the semester and ask all faculty and students to schedule around the event.

**Activities Permitted on Reading Day:** The Student Affairs Committee feels that all non-mandatory aspects of a course should be permitted on Reading Day, and agrees with the aspect of the proposed definition stating that activities should be initiated at the explicit request of one or more students. For example, student meetings with faculty are important and should continue to be encouraged, even on Reading Day. Faculty should be encouraged to hold office hours in preparation for final exams, including on Reading Day; the Student Affairs Committee notes that since it is not mandatory for students to attend office hours, faculty should continue to be able to offer office hours as well as individual meetings with students on that day.

The Student Affairs Committee also feels that review sessions should be allowed to be held on Reading Day, as they are not mandatory activities and can be very helpful in preparing for exams, which aligns with the purpose of Reading Day. In its survey, the Student Affairs Committee found that many students appreciate having review sessions on Reading Day. Fourteen of seventeen respondents were in favor of allowing review sessions to be held on Reading Day, and many comments focused on the importance of attending review sessions on Reading Day when they are offered. At our meeting on February 24<sup>th</sup>, many committee members voiced their support for allowing review sessions on Reading Day. Members acknowledged that students may see review sessions as mandatory activities, and students may need to choose which review sessions to attend if sessions conflict, but members felt strongly that review sessions are beneficial resources that students appreciate having available to them, and as such, review sessions should be allowed on Reading Day.

**Saturday Reading Days:** In the survey, many students raised concerns about the scheduling of Reading Day for Saturdays. Students noted that the purpose of Reading Day should be to give a weekday to prepare for finals, and having Reading Day on Saturday takes away the extra day of preparation. Students have other obligations to attend to on weekends, such as weekend jobs and/or religious observances. The Student Affairs Committee recognizes that the scheduling of Reading Day is the purview of the Board of Regents, which sets the academic calendar for all System institutions. However, the committee also recognizes that Saturday Reading Days pose a challenge for students who work or for those who observe religious traditions on weekends. The Student Affairs Committee feels strongly that Reading Day should be scheduled on a weekday, and suggests that the Educational Affairs Committee take any steps within its purview to address this concern.

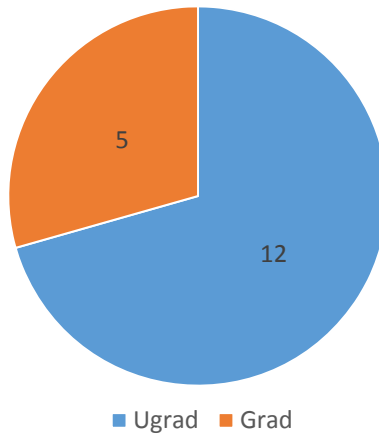
A summary of the results of our survey are enclosed. Please feel free to contact the Student Affairs Committee with any additional questions or concerns.

AB/seh

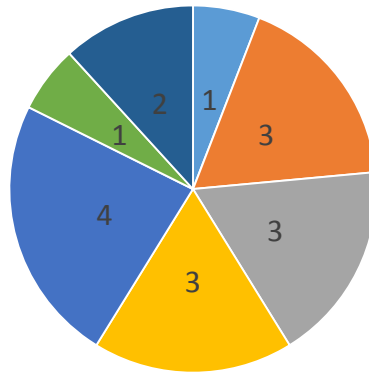
# Student Opinions on Reading Day

Senate Student Affairs Committee  
2/24/16

## Demographics

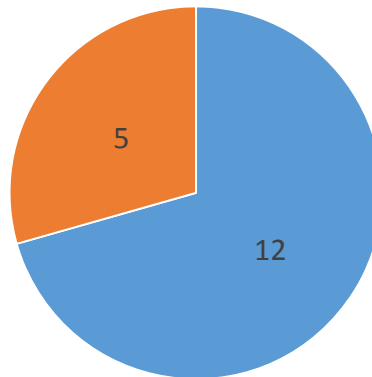


## Demographics



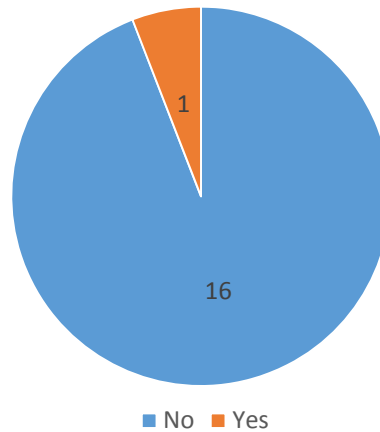
- Architecture, Planning, and Preservation
- Behavioral and Social Sciences
- Computer, Mathematical, and Natural Sciences
- A. James Clark School of Engineering
- Arts and Humanities
- Robert H. Smith School of Business
- Education

Do you often have review sessions for final exams scheduled on Reading Day?

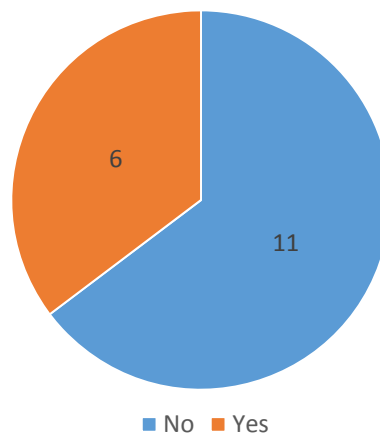


- No
- Yes

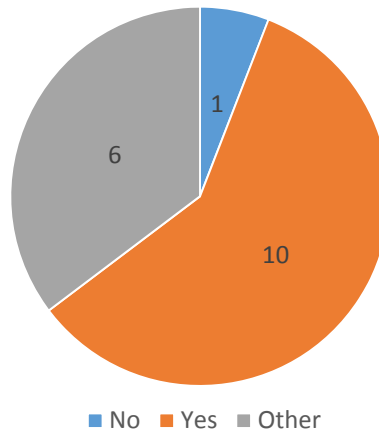
Do you have projects/presentations scheduled on Reading Day?



Have you ever had a professor who requires makeup exams or assignments to be completed on Reading Day?



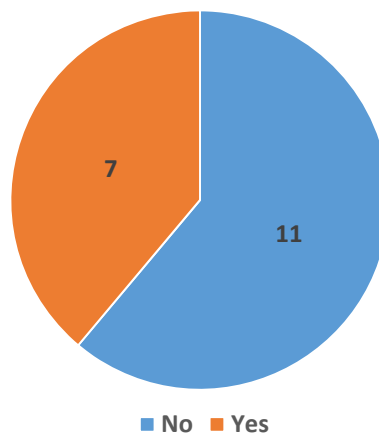
Do you think Reading Day should be free of all course-mandated events (make-ups, presentations, review sessions)?



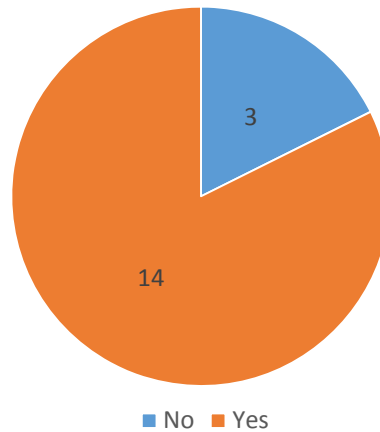
Other:

- Leave it up to each department.
- Optional review sessions should be allowed
- Review sessions are not course-mandated events. They should be allowed but make-ups and presentations should not.
- Indifferent
- Review sessions should be allowed, as they are not course mandated. Other course mandated should not be allowed

Should final presentations (i.e. senior Capstone project presentations) be allowed on Reading Day?



## Should review sessions be allowed on Reading Day?



## How do you currently use Reading Day?

- Prepping for finals
- I have never heard of Reading Day
- Sleep
- Study, other work, procrastinate
- Mental re-up, last minute cram
- I usually study unless I have review sessions to go to
- Prep for finals and decompress from semester
- Reading Day as a day where I can study without outside stressors/distractions. Reading Day is also a perfect opportunity to take advantage of study groups/meeting with professors because no other classes provide conflicts.

## How do you currently use Reading Day?

- Some professors allow students to take finals on reading day. They have the regularly scheduled final in addition to the reading day final. That is a good use. Otherwise it is spent studying.
- Primarily for studying for final exams.
- Study for finals
- Studying, cramming, crying, sleeping, review sessions, not necessarily in that order
- Students in my program usually use the Reading Day as time to work on final papers. (*grad student*)
- Generally I use the entire reading day to study for final exams
- To study for finals
- Preparing for my closest finals and group projects
- I use it to prepare for finals

## Ideal use for reading day

- In an ideal world, how should Reading Day be defined by the University?
- A day set aside for students to prepare for finals without requirement for any class attendance or participation.
- No mandatory, graded assignments or exams. Allow presentations and study sessions.
- free day
- A day that is utilized for preparing for final exams
- A day to use at the discretion of the student and to the students benefit. The professor should have options that are outlined in the syllabus that weigh in the students favor.
- Reading day should be defined as a day in which NO exams can take place/no assignments can be due.
- Reading day should be a day to reflect on the semester and prepare finals. It should be a day from of mandatory events or projects. It should be a "dead day"
- A day free of mandatory events/assignments in order to provide students the opportunity to study and seek additional support without conflict.



## Ideal use for reading day?

- A day with no required events. Students can attend review days or give presentations if they want but it cannot be required.
- I believe it should be free of any course-mandated events (this does not include optional review sessions).
- it should be up to individual professors, how they best suit their teaching style.
- A day without any course-mandated material (at student discretion), but course optional material is allowed.
- As a break from all work before the grind of exams.
- Ideally, Reading Day would be solely set aside for students to prepare for exams EXCEPT if students opt in to a non-mandatory scheduled activity on that day.
- A break for students to prepare, relax, and orient their priorities.
- A day after the final day of classes, and not a Saturday or Sunday, where the students have a chance to focus on their finals only.
- Reading day is a day at the end of the semester that is set aside primarily for studying before final exams begin. This day may be used to complete final projects in a course.

## Please share any additional thoughts or concerns you have about Reading Day.

- I agree with the committee's previous finding that reading day should be preserved, and the students should make the decisions on how to use it.
- The purpose of reading day is to give students a WEEKDAY to get their lives together before finals. We need that.
- Readings days should also not be scheduled on Saturdays. When they are, they not only take away a day of preparation, instead of giving students a day of reflection or preparation.
- If optional review sessions were held on Reading Day, would sessions begin to conflict?

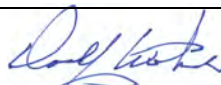
Please share any additional thoughts or concerns you have about Reading Day.

- As many of the committee members voiced in the previous meeting, much of the student body seems to support a reading period longer than a single day. At the very least, it should not be schedule on a weekend, as this seems to make the reading day redundant.
- I think it should not be mandated, in the Spring we are having enough days missed due to inclement weathers
- Review sessions should absolutely be allowed, course mandated things should not be allowed.
- We should not have reading days on a Saturday because it feels as though I am being cheated of a reading day. Additionally, finals should not be scheduled for Saturdays as well.

APPENDIX 2



**University Senate  
CHARGE**

<b>Date:</b>	February 23, 2015
<b>To:</b>	Jessica Enoch Chair, Educational Affairs Committee
<b>From:</b>	Donald Webster  Chair, University Senate
<b>Subject:</b>	Revision of the University of Maryland Undergraduate Student Grievance Procedure
<b>Senate Document #:</b>	14-15-22
<b>Deadline:</b>	November 6, 2015

The Senate Executive Committee (SEC) requests that the Educational Affairs Committee review the proposal entitled “Revision of the University of Maryland Undergraduate Student Grievance Procedure” and consider whether the requested changes are appropriate.

Specifically, we ask that you:

1. Review the University of Maryland, College Park Undergraduate Student Grievance Procedure (V-1.00 [A]).
2. Review the syllabus guidelines in the Faculty Handbook (<http://faculty.umd.edu/teach/syllabus.html>).
3. Review relevant information in the Undergraduate Catalog (<http://www.umd.edu/catalog/index.cfm>).
4. Consult with the proposer regarding her specific concerns.
5. Consult with the University Registrar.
6. Review similar grievance procedures at our peer institutions and other Big 10 institutions.
7. Consider whether a document on University of Maryland policies for undergraduate courses should be developed to be used as an addendum to all course syllabi.
8. Consult with the Senate Student Affairs Committee to gather feedback on any proposed draft language.

9. Consult with the University's Office of General Counsel on any recommended policy revisions.
10. Recommend whether the University of Maryland Undergraduate Student Grievance Procedure should be revised.

We ask that you submit your report and recommendations to the Senate Office no later than November 6, 2015. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.

Cc: Ian Chambers, Chair, Student Affairs Committee

Attachment



## University Senate PROPOSAL FORM

<b>Name:</b>	Ann C. Smith
<b>Date:</b>	1/13/15
<b>Title of Proposal:</b>	Revision of the University of Maryland Undergraduate Student Grievance Procedure
<b>Phone Number:</b>	X59165
<b>Email Address:</b>	asmith@umd.edu
<b>Campus Address:</b>	2100 Marie Mount Hall
<b>Unit/Department/College:</b>	Office of Undergraduate Studies
<b>Constituency (faculty, staff, undergraduate, graduate):</b>	faculty
<b>Description of issue/concern/policy in question:</b>	The policy <b>V-1.00(A) UNIVERSITY OF MARYLAND UNDERGRADUATE STUDENT GRIEVANCE PROCEDURE</b> ( <a href="http://www.president.umd.edu/policies/v100a.html">http://www.president.umd.edu/policies/v100a.html</a> ) has not been revised since 1991. The policy does not reflect the current expectations of faculty that are indicated in the Faculty Handbook , the Undergraduate Catalog, and that are in current practice across the campus.
<b>Description of action/changes you would like to see implemented and why:</b>	Revise the <b>V-1.00(A) UNIVERSITY OF MARYLAND UNDERGRADUATE STUDENT GRIEVANCE PROCEDURE</b> to address current expectations of faculty who are teaching undergraduate courses.
<b>Suggestions for how your proposal could be put into practice:</b>	Proposed revised policy is attached. Revisions draw from information presented in the Faculty Handbook (Syllabus Guidelines section ( <a href="http://faculty.umd.edu/teach/syllabus.html">http://faculty.umd.edu/teach/syllabus.html</a> ) and the Attendance and Assessment section of the Undergraduate Catalog ( <a href="http://www.umd.edu/catalog/index.cfm/show/content.section/c/27/s/1584/s/1540">http://www.umd.edu/catalog/index.cfm/show/content.section/c/27/s/1584/s/1540</a> ).

<b>Additional Information:</b>	<p>The proposed revised policy includes an expectation that the course syllabus “will include reference to University policies relevant to Undergraduates.” This suggested revision is derived from the expectation indicated in the Syllabus Guidelines that faculty articulate UMD policies and legal responsibilities in the course syllabus. It is suggested that in association with this policy revision, the Office of Undergraduate Studies, in collaboration and consultation with other appropriate offices, be tasked with the development of a UMD policy addendum that faculty will include with the course syllabus. The UMD policy addendum will articulate university policies and important student information that impact all students enrolled in an undergraduate course and should be referenced in the “Faculty” (B.1) section of the University of Maryland Undergraduate Student Grievance Procedure. The addendum will serve to provide a uniform presentation of policies to students and will allow the course syllabus to focus on course specific academic expectations. Policies presented in the addendum may be: Excused Absence Policy, Academic Integrity Expectations, Student Conduct Expectations, Rights for Students with Disabilities, Copyright information related to faculty copyright of course materials and student rights in relation to student generated materials</p>
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V-1.00(A) UNIVERSITY OF MARYLAND UNDERGRADUATE STUDENT GRIEVANCE PROCEDURE

APPROVED BY THE PRESIDENT 1 AUGUST 1991

A. Purpose

This procedure provides a means for an undergraduate student to seek redress for acts or omissions of individual faculty members as well as academic departments, programs, colleges, or divisions without fear of reprisal or discrimination.

B. Scope of Grievances: Expectations of Faculty and Academic Units

The scope of the matters which may constitute a grievance under this procedure is limited to believed violations of the expectations of faculty and academic units as set forth below.

1. Faculty

The following are considered to be reasonable expectations of faculty:

a. There shall be a course syllabus distributed at the beginning of each undergraduate course. The course syllabus will specify in general terms the content and nature of assignments, examination procedures, the format for make-up exams or substitute assignments in the case of an excused absence, and the basis for determining final grades including how in-class participation relates to the final course grade and if the course grade will be reported using the +/- grading system. The syllabus will define how students will communicate with the instructor in regard to excused absences. The syllabus will include reference to University policies relevant to Undergraduates. In cases where all or some of this information cannot be provided at the beginning of the course, a clear explanation of the delay and the basis of course development shall be provided.

b. Notice of major papers and examinations will be presented in the course syllabus and Major Scheduled Grading Events referenced by the Excused Absence Policy\* will be indicated.

c. There shall be a reasonable number of recitations, performances, quizzes, tests, graded assignments and/or student/instructor conferences to permit evaluation of student progress throughout the course. Unless written permission is granted by the unit head, every undergraduate course must have a final exam. Changes to exam scheduling and location must be approved by the chair of the department or dean of the college, or the appropriate designee. Final exams may not be rescheduled to the final week of classes. Each faculty member is to retain, for one full semester after a course is ended, the students' final assessments in the appropriate medium. If a faculty member goes on leave for a semester or longer, or leaves the university, the final assessments and grade records for the course must be left with the chair, the director or the dean of the department, non-departmentalized school or college, as appropriate.

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**Comment [1]:** This revision is intended to define the role of the course syllabus as that document that articulates the course description and course expectations to students. This role for the course syllabus is the current practice at UMD and aligns with the expectations for faculty as indicated in the Faculty Handbook.

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**Comment [2]:** No guidelines are indicated for distribution of the syllabus. The original expectation for a "written description" suggests that the document be in a form that students may print and reference during the semester.

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**Comment [3]:** The proposed Excused Absence Policy and the current policy on Religious Observance indicates that "The make-up examination or substitute assignment must be at a time and place mutually agreeable to the instructor and student, cover only the material for which the student was originally responsible, and be at a comparable level of difficulty with the original examination". As there is no policy guiding the format for make up work, it is suggested that the format for make up work be included in the syllabus.

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**Comment [4]:** This suggested addition to the syllabus is recommended in the proposed Excused Absence Policy.

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**Comment [5]:** For students to plan as expected according to the proposed Excused Absence Policy and current policy on Medical Absence <http://www.president.umd.edu/policies/docs/V-100G.pdf>, students must know the dates of ... [1]

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**Comment [6]:** See proposed Excused Absence Policy and current policy on Medical Absence ... [2]

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**Comment [7]:** From Faculty Handbook <http://faculty.umd.edu/teach/expectations.html>

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**Comment [8]:** From the University Catalog <http://www.umd.edu/catalog/index.cfm/show/content.section/c/27/ss/1584/s/1540>

d. Unless prohibited by statute or contract, there shall be a reasonable opportunity to review papers and examinations, including the final examination after evaluation by the instructor, while materials are reasonably current.

e. There shall be a reasonable approach to the subject which attempts to make the student aware of the existence of different points of view.

f. There shall be reasonable access to the instructor during announced regular office hours or by appointment.

g. There shall be regular attendance by assigned faculty unless such attendance is prevented by circumstances beyond the control of the faculty member.

h. There shall be reasonable adherence to the course syllabus, published campus schedules and location of classes and examinations. No course work, makeup work or examinations may be scheduled on the Reading Day. Classes not specified in the schedules are to be arranged at a mutually agreeable time on campus, unless an off-campus location is clearly justified.

i. Reasonable confidentiality of information gained through student-faculty contact shall be maintained.

j. There shall be public acknowledgement of significant student assistance in the preparation of materials, articles, books, devices and the like.

k. There shall be assignment of materials to which all students can reasonably expect to have access.

## 2. Academic Units

The academic units (programs, departments, colleges, schools, divisions) in cooperation with the Office of the Dean for Undergraduate Studies and the Office of Admissions and the Registrar's Office shall, whenever possible, provide the following:

- a. Accurate information on academic requirements through designated advisors and referral to other parties for additional guidance.
- b. Specific policies and procedures for the award of academic honors and awards, and impartial application thereof.
- c. There shall be equitable course registration in accordance with University policy and guidelines.

## C. Alternative Grievance Procedures

No other University grievance procedure may be used simultaneously or consecutively with the Undergraduate

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**Comment [9]:** The Undergraduate Catalog states: No less than seven calendar days notice shall be given for assessments scheduled at other times and places.

<http://www.umd.edu/catalog/index.cfm/show/content.section/c/27/ss/1584/s/1540>

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**Comment [10]:** There is no definition of the Reading Day in the Undergraduate Catalog or the Faculty Handbook. This revision is intended to define the Reading Day according to the intention of the name – a day set aside after courses have ended and before exams have begun for students to study or reflect on course work.



Student Grievance Procedure with respect to the same or substantially same issue or complaint, or with issues or complaints arising out of or pertaining to the same set of facts.

The procedures of the Code on Equity, Diversity, and Inclusion and/or any University grievance procedure may not be utilized to challenge the procedures, actions, determinations or recommendations of any person(s) or board(s) acting pursuant to the Undergraduate Student Grievance Procedure.

D. Limitations

Notwithstanding any provision of this Undergraduate Student Grievance Procedure to the contrary, the following matters do not constitute the basis for a grievance under this policy:

1. Policies, regulations, decisions, resolutions, directives and other acts of the Board of Regents of the University of Maryland System, The Office of the Chancellor of the University of Maryland System, and the Office of the President of the University of Maryland College Park;
2. Any statute, regulation, directive, or order of any department or agency of the United States or the State of Maryland;
3. Any matter outside the control of the University of Maryland System;
4. Course offerings;
5. The staffing and structure of any academic department or unit;
6. The fiscal management and allocation of resources by the University of Maryland System and the University of Maryland at College Park;
7. Any issue(s) or act(s) which does (do) not affect the complaining party directly;
8. Matters of academic judgment relating to an evaluation of a student's academic performance and/or academic qualifications; except that the following matters of a procedural nature may be reviewed under these procedures if filed as a formal grievance within thirty days of the first meeting of the course to which they pertain:
  - a. Whether reasonable notice has been given as to the relative value of all work considered in determining the final grade and/or assessment of performance in the course. The remedy for a successful grievance based upon this subsection

shall be the giving of notice by the instructor.

- b. Whether a reasonably sufficient number of examinations, papers, laboratories and/or other academic exercises have been scheduled to present the student with a reasonable opportunity to demonstrate academic merit. The remedy for a successful grievance under this subsection shall be the scheduling of such additional academic exercises as the instructor, in consultation with the department chair or dean, and upon consideration of the written opinion of the divisional hearing board shall deem appropriate.

9. "Class" grievances are not cognizable under these procedures. A screening or hearing board may, in its discretion consolidate grievances presenting similar facts and issues, and recommend generally applicable relief as it deems warranted;

10. There may be no challenge to the award of a specific grade under these procedures.

D. Finality

Any student who elects to use the Undergraduate Student Grievance Procedure agrees to abide by the final disposition arrived thereunder, and shall not subject this disposition to review under any other procedure within the University of Maryland System. For the purpose of this limitation, a student shall be deemed to have elected to utilize the Undergraduate Student Grievance Procedures at the time a written grievance is filed.

E. Procedure for Grievance Involving Faculty Member or Academic Unit

1. Informal Resolution

The initial effort in all cases shall be toward achieving a resolution of the grievance through the following informal means:

a. Grievance Against an Individual Faculty Member

The student should first contact the faculty member, present the grievance in its entirety, and attempt a complete resolution.

If all or part of the grievance remains unresolved, the student may present the grievance to the immediate administrative supervisor of the faculty member.

A student may present a grievance directly to the instructor's supervisor if the instructor is not

reasonably available to discuss the matter.

The supervisor shall attempt to mediate the dispute, and if a mutually acceptable resolution is reached, the case shall be closed.

b. Grievance Against an Academic Department

The student should contact the department head, director, or dean and present the grievance in its entirety.

The department head, director, or dean shall attempt a complete resolution of the dispute.

2. Formal Resolution

Divisional Screening Board

A student who has attempted informal resolution, and remains dissatisfied may obtain a formal resolution of a grievance pursuant to the following procedure:

- a. The student shall file a written grievance with the Screening Board for Academic Grievances of the Division (hereinafter referred to as the divisional screening board).
- b. The writing shall contain:
  - the act, omission, or matter which is the subject of the complaint;
  - all facts the student believes are relevant to the grievance;
  - the resolution sought;
  - all arguments in support of the desired solution.
- c. A grievance must be filed in a timely manner or it will not be considered. In order to be timely, a grievance must be received by the appropriate divisional screening board within thirty days of the act, omission or matter which constitutes the basis of the grievance, or within thirty days of the date the student is first placed upon reasonable notice thereof, whichever occurs first. It is the responsibility of the student to insure timely filing.
- d. The divisional screening board shall immediately notify an instructor or academic unit head of the a timely grievance. A copy of the grievance and all relevant material shall be provided.
- e. The instructor or academic unit head shall make a complete written response to the divisional screening board within ten days of receipt of a grievance. In cases where a grievance is received

within ten days of the final day of classes, a response is due within ten days of the beginning of the next semester in which the faculty member is working on campus. This extension is not available to persons whose appointments terminate on or before the last day of the semester in which the grievance is filed.

- f. A copy of the faculty member's response shall be sent by the divisional screening board to the student filing the grievance.
- g. The divisional screening board may request further written information from either party.
- h. The divisional screening board shall review the case to determine if a formal hearing is warranted.

All or part of a grievance shall be dismissed if the divisional screening board concludes the grievance is:

- untimely,
- based upon a non-grievable matter,
- being concurrently reviewed in another forum,
- previously decided pursuant to this or any other review procedure,
- frivolous or filed in bad faith.

All or part of a grievance may be dismissed if the divisional screening board concludes in its discretion that the grievance is:

- insufficiently supported,
- premature,
- otherwise inappropriate or unnecessary to present to the divisional hearing board.

The divisional screening board shall meet to review grievances in private. A decision to dismiss a grievance requires a majority vote of at least three members.

If a grievance is dismissed in whole or in part, the student filing the grievance shall be so informed, and shall be given a concise written statement of the basis for the dismissal.

A decision to dismiss a grievance is final and is not subject to appeal.

- i. If the divisional screening board determines a grievance to be appropriate for a hearing, the dean shall be informed. The dean shall convene a divisional hearing board within fifteen days thereafter. The time may be extended for good

cause at the discretion of the dean.

Divisional Hearing Board

The following rules apply to the conduct of a hearing by the divisional hearing board:

- a. Reasonable notice of the time and place of the hearing shall be provided to both parties. Notice shall include a brief statement of the allegations and the remedy sought by the student. Hearings shall be held on campus.
- b. A record of the hearing, including all exhibits shall be kept by the chairperson of the screening board. All documents and materials filed with the divisional screening board shall be forwarded to the divisional hearing board, and shall become a part of the record.
- c. Hearings are closed to the public unless a public hearing is specifically requested by both parties.
- d. Presentation of Evidence

Each party shall have the opportunity to make an opening statement, present written evidence, present witnesses, cross-examine witnesses, offer personal testimony, and such other material as is relevant.

Incompetent, irrelevant, immaterial and unduly repetitious evidence may be excluded by the chairperson of the hearing board.

It is the responsibility of each party to have their witnesses available and to be completely prepared at the time of the hearing. The student shall present the case first, and the faculty member shall respond.

Upon completion of the presentation of all evidence, both parties shall be given the opportunity to present oral arguments and make closing statements within the time limits set by the chairperson of the hearing board.

Upon the request of either party, all persons to be called as witnesses shall be sequestered.

Each party may be assisted in the presentation of the case by a student or faculty member of his/her choice.

It is the responsibility of the chairperson of the hearing board to manage the hearing, and to decide all questions relating to the presentation of

evidence and appropriate procedure, and the chairperson is the final authority in such matters except as established herein. The chairperson may seek the advice of UMCP counsel.

The hearing board shall have the right to examine any person or party testifying before it, and on its own motion, may request the presence of any person for the purpose of testifying and the production of evidence.

- e. The above enumerated procedures and powers of the divisional hearing board are non-exclusive. The chairperson may take any such action as is reasonably necessary to facilitate the orderly and fair conduct of the hearing which is not inconsistent with the procedures set forth herein.
- f. Upon completion of the hearing, the hearing board shall meet privately to consider the validity of the grievance. The burden of proof rests with the student to show by a preponderance of the evidence that a substantial departure from the expectations set forth in section "B" above has occurred, and that has operated to the actual prejudice and injury of the student.

A decision upholding a grievance shall require the majority vote of at least three members of the divisional hearing board.

A decision of the hearing board shall address only the validity of the grievance. The decision shall be forwarded to the dean in written opinion. In the event the decision is in whole or in part favorable to the student, the hearing board may submit an informal recommendation concerning relief believed to be warranted based upon the facts presented at the hearing.

- g. The dean shall immediately, upon receipt of the written opinion, forward copies to the student and the faculty member or head of academic unit. Each party has ten days from the date of receipt to file a written appeal with the dean.
- h. Appeals

The appeal shall be in writing and set forth in complete detail the grounds for the appeal.

A copy of the appeal shall be sent to the opposing party, who shall have ten days following receipt to respond in writing to the dean.

The sole grounds for appeal shall be:

- a substantial prejudicial procedural error committed in the conduct of the hearing in violation of the procedures established herein. Discretionary decisions of the chairperson shall not constitute the basis of an appeal.
  - the existence of new and relevant evidence of a significant nature which was not reasonably available at the time of hearing.
- i. In the absence of a timely appeal, or following receipt and consideration of all timely appeals, the dean may:
- dismiss the grievance, grant such redress as is believed appropriate,
  - reconvene the divisional hearing board to rehear the grievance in part or whole and/or to hear new evidence,
  - convene a new divisional hearing board to rehear the case in its entirety.
- j. The dean shall inform all parties of the decision in writing and the grievance shall thereafter be concluded. The decision of the dean shall be final and binding, and not subject to review or appeal.

In non-departmental colleges, the Dean for Undergraduate Studies shall assume the duties of the dean for purposes of this procedure.

F. Grievance Procedures Against the Dean for Undergraduate Studies

1. Informal Resolution

The initial effort in all cases shall be to achieve resolution of the grievance through informal means.

- a. The student should first contact the administrative dean, present the grievance in its entirety, and attempt a complete resolution.
- b. If any portion of the grievance remains unresolved, the student may present such part to the Vice President for Academic Affairs. A grievance may be initially presented to the Vice President for Academic Affairs if the dean is not reasonably available to discuss the matter.
- c. The Vice President shall attempt to mediate the dispute. Should a mutually acceptable resolution be reached, the case shall be closed.

2. Formal Resolution

Should a student remain dissatisfied with the

disposition of the grievance following attempts at informal resolution, a formal resolution may be obtained pursuant to the following procedure:

- a. The student shall file with the President a timely written grievance.
- b. The writing shall contain:
  - the act, omission or matter which is the subject of the complaint,
  - all facts the student believes to be relevant to the grievance,
  - the resolution sought,
  - all arguments upon which the student relies in seeking such resolution.

- c. No grievance will be considered unless it is timely.

In order to be timely, a grievance must be received by the President within thirty days of the act, omission or matter which is the basis for the grievance, or within thirty days of the date the student is first placed upon reasonable notice thereof, whichever is later.

It is the responsibility of the student to ensure timely filing of the grievance.

- d. Upon receipt of a timely grievance, the President shall forward the grievance to a divisional screening board of a division other than the one from which the grievance has arisen.

The divisional screening board shall immediately notify the administrative dean against whom the grievance has been filed and provide a copy of the grievance and all relevant materials.

- e. The administrative dean against whom the grievance has been filed shall respond in writing to the divisional screening board within ten days. In the event the grievance is received by the administrative dean after the last day of classes of a semester, the time for written response shall be ten days after the first day of classes of the semester immediately following.

A copy of the response from the administrative dean shall be sent to the student.

- f. In its discretion, the divisional screening board may request further written submissions from the student and/or the administrative dean.

- g. The divisional screening board shall review and



act upon a grievance against an administrative dean in the same manner and according to the same requirements as for the review of grievances against faculty members, academic departments, programs and colleges set forth in this procedure.

- h. If the divisional hearing board determines that a grievance is appropriate for a hearing, the President shall be so informed.

The President shall convene a campus hearing board within fifteen days to hear the grievance. This time may be extended for good cause at the discretion of the President.

- i. The campus hearing board shall conduct a hearing in accordance with the rules established in this procedure for the conduct of hearings by divisional hearing boards.

Upon completion of a hearing, the campus hearing board shall meet privately to consider the grievance in the same manner and according to the same rules as set forth for the consideration of grievances by divisional hearing boards, except that the decision shall be forwarded to the President.

In the event the campus hearing board decides in whole or on part in favor of the student, it may submit an informal recommendation to the President with respect to such relief as it may believe is warranted by the facts as proven in the hearing.

- j. The President shall immediately, upon receipt of the written opinion, forward copies to the student and the administrative dean. Each party shall have ten days from the date of receipt to file an appeal with the President.

- k. Appeal

Each party has ten days from receipt of the written decision to file an appeal with the President.

The grounds for an appeal shall be the same as those set forth in this procedure for appealing a decision of a divisional hearing board.

The appeal shall be in writing, and set forth in complete detail the grounds relied upon. A copy of the appeal shall be sent to the opposite party, who shall have ten days following receipt to file a written response with the President.

- l. In the absence of a timely appeal, or following

receipt and consideration of all timely appeals and responses, the President may:

- dismiss the grievance
  - grant such redress as is believed appropriate.
  - reconvene the campus hearing board to rehear the grievance in whole or in part and/or review new evidence
  - convene a new campus hearing board to rehear the case in its entirety.
- m. The President shall inform all parties of the decision in writing, and the grievance shall be thereafter concluded. The decision of the President is final and binding, and is not subject to appeal or review.

G. Composition of Screening and Hearing Boards

The following procedures are directives only, and for the benefit and guidance of deans and the President in the selection and establishment of divisional and campus hearing boards. The selection and establishment of a board is not subject to challenge by a party, except that at the start of a hearing, a party may challenge for good cause a member or members of the hearing board before whom the party is appearing. The chairperson of the hearing board shall consider the challenge and may replace any member where it is believed necessary to achieve an impartial hearing and decision.

1. Divisional Screening Boards for Academic Grievances

- a. Prior to the beginning of each academic year, the divisional council of each division shall choose at least fifteen faculty members and fifteen students to be eligible to serve on boards considering academic grievances from that division. Concurrently, it shall choose three other faculty members to be eligible to serve on boards considering academic grievances for the Administrative Dean for Undergraduate Studies. The names shall be forwarded to the Administrative Dean.
- b. Prior to the beginning of each academic year, the Administrative Council of the Administrative Dean for Undergraduate Studies shall choose at least fifteen students to be eligible to serve on a screening board to review grievances arising within academic units under the administration of the Administrative Dean for undergraduate studies. These names shall be forwarded to the Administrative Dean.

2. Establishment of Screening Boards

- a. Upon receipt of the names of the designated faculty and students, the dean shall appoint a five member divisional screening board. The screening board shall consist of three faculty members and two students, and each shall serve for the academic year or until a new board is appointed by the dean, whichever occurs later. The dean shall also designate two alternate faculty members and two alternate students from the names presented by the divisional council.

The dean shall designate one of the faculty members to be the chairperson of the divisional screening board.

Members of the divisional screening board shall not serve on a divisional hearing during the same year, except that the alternate members may serve on a hearing board other than one considering a case in which the member has previously been involved in the screening process.

A member of the divisional screening board shall not review a grievance arising out of his/her own department or program, in such instance, an alternate member shall serve.

- b. Upon receipt of the names of the faculty members designated by each divisional council and students designated by the administrative council, the Administrative Dean for Undergraduate Studies shall appoint a five member screening board to review grievances arising within the academic units under his/her administration.

### 3. Divisional Hearing Boards for Academic Grievances

For each grievance referred by the divisional screening board, the dean shall appoint a five-member divisional hearing board.

The divisional hearing board shall be composed of three faculty members and two students selected by the dean from among those names previously designated by the divisional screening board. The dean shall designate one faculty member as chairperson.

No faculty member or student shall be appointed to hear a grievance arising out of his/her own department or program.

The Administrative Dean for Undergraduate Studies shall appoint in the same manner, a hearing board to hear each grievance referred by the screening board reviewing grievances arising from the academic units under his/her administration. The members of the

hearing board shall be selected from among those names previously forwarded to the Administrative Dean for Undergraduate Studies by the divisional councils and from those who have not been appointed to the screening board.

4. Campus Hearing Board for Academic Grievances

For each case referred by a divisional hearing board to the President for a hearing, the President shall appoint a five-member campus hearing board. The campus hearing board shall be composed of three faculty members and two students selected by the President from among those names designated by the divisional councils and remaining after the establishment of screening boards.

The President shall designate one faculty member as chairperson.

No faculty member or student shall be appointed to hear a grievance arising out of his/her own division or administrative unit.

H. Definitions

1. Day refers to days of the academic calendar, not including Saturdays, Sundays, or holidays observed by UMCP.
2. Party refers to the student and the individual faculty member or head of the academic unit against whom the grievance is made.

**Page 1: [1] Comment [5]**

**asmith**

**1/13/15 5:00 PM**

For students to plan as expected according to the proposed Excused Absence Policy and current policy on Medical Absence <http://www.president.umd.edu/policies/docs/V-100G.pdf>, students must know the dates of assignments and examinations at the start of the semester.

**Page 1: [2] Comment [6]**

**asmith**

**1/13/15 5:00 PM**

See proposed Excused Absence Policy and current policy on Medical Absence <http://www.president.umd.edu/policies/docs/V-100G.pdf>