GRADUATE STUDENT APPEAL PROCEDURE

(Approved by the Graduate Council, Nov. 16, 2005)
Updated August 26, 2024

1. Preamble

The purpose of this procedure is to afford graduate students at the University of Notre Dame the opportunity to resolve complaints dealing with academic issues and other program decisions that terminate or impede progress toward the degree, such as dismissal from graduate standing, placement on probationary status, and denial of readmission to the same program (if the student was previously in good standing).

This procedure is not to be used to address issues of sexual or discriminatory harassment (see grievance procedure available through the Office of Institutional Equity*)*, of academic fraud (see the 'Grievance and Appeal Procedures' section of the *Graduate School Bulletin of Information*), or for disability-related grievances (see grievance procedure available through the Office of Disability Services).

This procedure is provided for continuing and returning graduate students in the Graduate School. It is not to be used by applicants for admission, master's students in the Mendoza College of Business, and students in the Law School or the School of Architecture.

2. Program Resolution Process

Programs are required to develop a formal grievance procedure approved by the Graduate School. Graduate students must first attempt to resolve complaints at the lowest level, i.e., within the student's program, according to grievance procedures specified in the program's graduate student guide. If a graduate student believes that the program reached its decision resolving the student's grievance in error, the student may appeal the decision to the Dean of the Graduate School, subject to and in accordance with Section 3 below.

3. Formal Appeal Procedure to the Dean of the Graduate School

If a graduate student decides to formally appeal a program's decision resolving the student's grievance, the student must submit a written request for appeal to the Graduate School's Associate Dean for Academic Affairs as set forth below. The only grounds upon which an appeal may be based are:

1. A procedural error within the program's stated grievance procedure which may have substantially affected the fairness or outcome of the grievance procedure.

2. New evidence that becomes available only after the conclusion of the program's grievance procedure which reasonably may have impacted the fairness or outcome of the grievance procedure.

3. An inappropriate sanction which is grossly disproportionate to the conduct initiating the sanction, considering the relevant aggravating and/or mitigating factors.

Dissatisfaction or disagreement with a decision is not grounds for appeal.

The request for appeal must include the following information: (1) the graduate student's name, address, email address, and phone number; (2) relevant information from the program's grievance process (date of hearing, any written decision(s) from the program, and sanction(s)); (3) the ground(s) upon which the request for appeal is based; and (4) for each ground stated, an explanation of why the student's appeal meets that ground (e.g., identify specific procedures that were not followed during the grievance procedure, identify any evidence discovered following the conclusion of the grievance process, or explain why the sanction is not commensurate with the underlying conduct).

The request for appeal must be submitted to the Graduate School's Associate Dean for Academic Affairs within 30 calendar days of the program's decision. Only the Graduate School's Associate Dean for Academic Affairs may extend this deadline, at his or her sole discretion, in extenuating circumstances. If no request for appeal is submitted within the 30-day appeal period, and no extension has been granted by the Associate Dean for Academic Affairs, then the program's decision becomes final and is not subject to appeal.

The Associate Dean for Academic Affairs will then convene a meeting of an *ad hoc* academic appeals committee, composed of three faculty members chosen by the Associate Dean for Academic Affairs, all of whom will be current members of their respective College Council. Two of the three faculty members on the appeals committee shall be from the appellant's college, and one shall be from outside the appellant's college, unless an appellant is enrolled in a trans-college program, in which case each college will be represented on this committee. The committee will also include one non-voting graduate student. This student may be either one of the current Graduate Student Union representatives or a substitute from the appellant's college selected by the Associate Dean for Academic Affairs from a pool of students identified by the Graduate Student Union. The Associate Dean for Academic Affairs, who does not vote, will chair the committee. At the appellant's request or by request of the committee, this appeals committee will also meet with the appellant. The committee may also meet with other individuals involved.

The appeals committee will make a written recommendation to the Dean of the Graduate School within 30 calendar days of receipt of the appeal. The Dean may or may not accept the committee's recommendation, but in either case, the Dean will issue a written decision to the appellant within 30 calendar days of receipt of the committee's recommendation. The Dean, at his or her sole discretion, in extenuating circumstances, may extend these 30-day deadlines. The Dean will send a copy of this decision letter to the department chair or the director of the program. The judgment of the Dean of the Graduate School is final.

Students who have been dismissed from their program cannot register or complete the ND Roll Call process for subsequent semesters, including the summer session, during the appeal process.

JRL 8/26/2024