

Student Rules and Regulations Committee

Approved by President

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(Additions to rules are bolded and underlined, deletions to rules are indicated by strikethrough)

PROPOSAL

To better articulate the current practice and to enhance the clarification of this process.

JUSTIFICATION

To better articulate the current practice and to enhance the clarification of this process.

PROPOSED BY

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Approved by the Student Rules and Regulations Committee on 7/17/15

Approved by the Faculty Senate on 10/12/15

Approved by the President on 10/14/15

Present rule 49 with all changes: additions in red font, bold and underlined, deletions are struck.

49. Unexcused Absences

(Revised: 1995)

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~~The decision as to which procedure to utilize for a grievance filed by a student shall be made solely by the university and shall be based on the fact pattern of each particular case. Each grievance shall be directed to a specific procedure and shall be accorded only one opportunity to be adjudicated unless the appeal body remands for further review.~~

Rules

~~Rules on class attendance and excused absences are listed in [Part I, Academic Rules](#).~~

Grievance Procedures

~~49.1 A student may appeal an instructor's decision that an absence is unexcused on the grounds that evidence has been presented to the instructor that substantiates one or more of the reasons deemed sufficient for an excused absence or on the grounds that the instructor's decision was arbitrary, capricious or prejudicial. Any appeal must be initiated within three class days of the instructor's decision. In the appeal process, the burden of~~

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~~proof shall be upon the student. An appeal may be made by the student to the following persons or bodies in the sequence in which they are listed:~~

~~49.1.1 The head of the academic department in which the course is offered.~~

~~49.1.2 The Dean or designee of the undergraduate college in which the course is offered or the director of graduate studies in the case of graduate students.~~

~~49.1.3 The [Academic Appeals Panel](#).~~

49. Unauthorized Absences

(Revised 2015)

The decision as to which procedure to utilize for a grievance filed by a student shall be made solely by the university and shall be based on the fact pattern of each particular case. Each grievance shall be directed to a specific procedure and shall be accorded only one opportunity to be adjudicated unless the appeal body remands for further review.

49.1 Rules

Rules on class attendance and excused absences are listed in Student Rule 7 Attendance.

49.2 Scope

A student may appeal an adverse decision that an absence is unauthorized on the grounds that information has been presented to the respondent that substantiates one or more of the reasons deemed sufficient for an excused absence as defined in Student Rule 7 Attendance or on the grounds that the respondent's decision was arbitrary, capricious or prejudicial. In the appeal process, the burden of proof shall be upon the student.

49.3 Definitions

In this rule, the following words have the following definitions and no other:

"Adverse decision" means a decision by a faculty member or administrator that negatively impacts the student and for which the student wishes to pursue a grievance under this rule.

"Arbitrary" means no reasonable factual basis for reaching the conclusion or taking the action.

"Assertion" means a contention or theory about the existence of some state of being. An assertion is established or disproved by information.

"Capricious" means unpredictable and subject to whim.

"Information" means material by which an alleged fact is established or

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Disproved Information establishes or disproves an assertion.

"Faculty" means an individual holding a position in which the primary title includes the word "professor," "instructor," "lecturer," or "librarian" regardless of other rank of appointment qualifiers associated with the title. Appointments with the word "dean" or "provost" with or without a specified faculty rank higher than assistant professor are normally tenured faculty appointments.

"May" means a condition that is not required to be met; it is discretionary. Contrast "shall."

"Prejudicial" means irrational attitude of hostility directed against an individual. This does not include hostility on the basis of any legally protected status that is addressed through Student Rules 45 - 47.

"Respondent" means the faculty member, instructor, or administrator who made the decision.

"Shall" means a condition that must be met. Contrast "may."

"Student" means an individual undergraduate, ~~graduate, or professional~~ student enrolled at the university who is the subject of an adverse academic decision.

"Unauthorized absence" means an absence from a class or required class activity that is not considered excused as defined in Student Rule 7 (Attendance).

49.4 Grievance Procedures

49.4.1 Undergraduate students must follow the resolution procedures and deadlines for disputes over an unauthorized absence determination as described in Student Rule 57 Undergraduate Academic Appeals Panel.

49.4.2 Graduate and professional students must follow the resolution procedures and deadlines for disputes over an unauthorized absence determination as described in Student Rule 59 Graduate Academic Appeals Panel.