

GSRP

Graduate Student Rights and Responsibilities

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ARTICLE 1

GRADUATE STUDENT RIGHTS AND RESPONSIBILITIES AT MICHIGAN STATE UNIVERSITY

1.1 Michigan State University is a community of scholars whose members include its faculty, staff, students, and administrators. The basic purposes of the University are the advancement, dissemination and application of knowledge. The most basic condition for the achievement of these purposes is freedom of expression and communication. Without this freedom, effective sifting and testing of ideas cease, and research, teaching, and learning are stifled. Knowledge is as broad and diverse as life itself, and the need for freedom is equally broad. Yet absolute freedom in all aspects of life means anarchy, just as absolute order means tyranny. Both anarchy and tyranny are antithetical to the purposes and necessities of the University. Therefore, the University always must strive to strike that balance between maximum freedom and necessary order that best promotes the University's basic purposes by providing an environment most conducive to the many faceted activities of instruction, research, and service.

1.2 Each right of an individual places a reciprocal responsibility upon others: the responsibility to permit the individual to exercise the right. The graduate student, as a member of the academic community, has both rights and responsibilities. Within that community, the graduate student's most essential right is the right to learn. The University has a duty to provide for the graduate student those privileges, opportunities and protections that best promote the learning process in all its aspects. The graduate student has duties to other members of the academic community, the most important of which is to refrain from interference with those rights of others, which are equally essential to the purposes and processes of the University.

1.3 Regulations governing the activities and conduct of graduate students individually or collectively should not be comprehensive codes of desirable conduct; rather, they should be limited to the prescription of procedures for meeting the practical, routine necessities of a complex community and to the prohibition or limitations of acts that cannot be tolerated because they seriously interfere with the basic purposes and processes of the academic community, or with rights essential to other members of the community.

1.4 The graduate student is not only a member of the academic community, but also a citizen of the

larger society who retains those rights, protections, and guarantees of fair treatment held by all citizens, which the University may not deny. The enforcement of the graduate student's duties to the larger society is, however, the responsibility of the legal and judicial authorities duly established for that purpose.

Guidelines

1.5 To protect graduate student rights and to facilitate the definition of graduate student responsibilities at Michigan State University, the following guidelines shall apply to those stipulations and conditions by which graduate student conduct is regulated, broadly referred to as "regulations" in the remainder of this Article.

1.5.1 There shall be no regulation unless there is a demonstrable need that is reasonably related to the basic purposes and necessities of the University as stipulated herein.

1.5.2 To the maximum extent feasible, graduate students shall participate in formulating and revising regulations governing graduate student rights and responsibilities.

1.5.3 All regulations governing graduate student rights and responsibilities shall be made public in an appropriate manner.

1.5.4 Every regulation shall be as brief, clear, and specific as possible.

1.5.5 Wherever rights conflict, regulations shall, to the maximum extent feasible, permit reasonable scope for each conflicting right by defining the circumstances of time, place, and means appropriate to its exercise.

1.5.6 Regulations shall respect the free expression of ideas and shall encourage competition of ideas from diverse perspectives.

1.5.7 Procedures and penalties for the violation of regulations shall be designed for guidance or correction of behavior only.

1.5.8 Penalties shall be commensurate with the seriousness of the offense. Repeated violations may justify increasingly severe penalties.

1.5.9 There shall be clearly defined channels and procedures for the appeal and review of:

- a. The finding of guilt in an alleged violation of a regulation.

- b. The reasonableness, under the circumstances, of the penalty imposed for a specific violation.
- c. The substance of a regulation or administrative decision that is alleged to be inconsistent with the guidelines in this document.
- d. The lack of adherence to the applicable procedures in the adjudication.

1.5.10 Every regulation shall specify to whom it applies and whether responsibility for compliance lies with graduate students either individually or collectively.

1.6 A handbook of the University's current regulations and structures relating to student rights and responsibilities shall be made available to every member of the academic community.

ARTICLE 2

ACADEMIC RIGHTS AND RESPONSIBILITIES FOR GRADUATE STUDENTS

2.1 Preamble

2.1.1 The establishment and maintenance of the proper relationship between instructor and student are fundamental to the University's function and require both instructor and student to recognize the rights and responsibilities that derive from it. The relationship between instructor and student as individuals should be founded on mutual respect and understanding together with shared dedication to the educational process.

2.2 Role of the Faculty in the Instructional Process

2.2.1 No provision for the rights of graduate students can be valid that suspends the rights of the faculty. The graduate student's right to competent instruction must be reconciled with the rights of the faculty, consistent with the principle that the competency of a professional can be rightly judged only by professionals. It is therefore acknowledged and mandated that competence of instruction shall be judged by the faculty.

2.2.2 Colleges and departments/schools shall provide appropriate and clearly defined channels for the receipt and consideration of graduate student complaints concerning instruction. In no instance shall the competence of instruction form the basis of

an adversarial proceeding before any of the judicial bodies established in this document.

2.2.3 Faculty shall have authority and responsibility for academic policy and practices in areas such as degree eligibility and requirements, course content and grading, classroom procedure, and standards of professional behavior in accordance with the *Bylaws for Academic Governance*, the *Code of Teaching Responsibility*, and other documents on faculty rights and responsibilities.

2.2.4 No hearing board established under this document shall direct a change in the evaluation of a graduate student that represents a course instructor's or guidance committee's good faith judgment of the graduate student's performance. In the event that an evaluation is determined to be based on inappropriate or irrelevant factors, the dean of the college shall cause the student's performance to be reassessed and good faith evaluation established. (See also Sections 2.3.10, 2.4.8, and Article 5.)

2.3 Rights and Responsibilities of the Graduate Student

2.3.1 In all areas of graduate education pertaining to academic rights and responsibilities, there shall be no discrimination on the basis of race, color, gender, national origin, political persuasion, sexual orientation, marital status, disability, age, religion, height, weight, genetic information, or family status.

2.3.2 The graduate student has a right to be governed by written academic regulations. The graduate student has a right to accurate, timely, and clearly stated information concerning the general academic requirements for establishing and maintaining an acceptable academic standing, the graduate student's academic relationship with the University, and the details of any special conditions that may apply. Requirements for the student's academic program and written academic regulations, including codes of professional behavior, shall be made known and made available by the administering unit at the time of the student's first enrollment. Graduate students are responsible for informing themselves of University, college, department, and school requirements as stated in unit publications and in the University catalog. In planning to meet such requirements, students are responsible for consulting with their academic advisers and guidance committees.

2.3.3 The graduate student, regardless of degree program, has a right to the best advice the unit can provide concerning program planning, research,

professional expectations, selection of courses and professors, and general degree requirements.

2.3.4 Units shall maintain records for their graduate students, specifying and/or containing degree requirements, course waivers and substitutions, program changes, and other stipulations directly affecting their degree programs. Graduate students shall be provided access to and/or a copy of these records upon request.

2.3.5 The graduate student shall be free to take reasoned exception to information and views offered in instructional contexts and to reserve judgment about matters of opinion, without fear of penalty or reprisal.

2.3.6 Graduate students and faculty share the responsibility of maintaining classroom decorum and a collegial atmosphere that ensures teaching and learning.

2.3.7 The graduate student shares with the faculty the responsibility for maintaining the integrity of scholarship, grades, and professional standards.

2.3.8 The graduate student is responsible for learning the content of a course of study according to standards of performance established by the faculty and for adhering to standards of professional behavior established by the faculty.

2.3.9 The graduate student has a right to academic evaluations that represent good faith judgments of performance by course instructors and guidance committees. Course grades shall represent the instructor's professional and objective evaluation of the graduate student's academic performance. The graduate student shall have the right to know all course requirements, including grading criteria and procedures, at the beginning of the course. (See also the *Code of Teaching Responsibility*.)

2.3.10 The graduate student has a right to protection against improper disclosure of information concerning academic performance and personal characteristics, such as values, beliefs, organizational affiliations, and health. (See also Article 3.)

2.3.11 Graduate students and faculty members share the responsibility for maintaining professional relationships based on mutual trust and civility.

2.3.12 The graduate student has a right to be protected from personal exploitation and to receive recognition for scholarly assistance to faculty.

2.4 Academic Programming

2.4.1 The department/school or college is responsible for informing, in writing, all incoming graduate students of program requirements and procedures.

2.4.2 Guidance Committee. It shall be the responsibility of each graduate student admitted to a doctoral program or to a master's program that requires a guidance committee to form a guidance committee with the concurrence of the unit chairperson/director or designated representative. Composition of the guidance committee will be in accord with University, college, and department/school guidelines. In the event that a student is unable to form a guidance committee, it shall be the responsibility of the unit chairperson/director to intervene with the faculty of the unit to resolve the problem.

2.4.2.1 For graduate students in doctoral programs, the guidance committee shall be formed within the first two semesters of doctoral study, or within two semesters beyond the master's degree or its equivalent. Within one semester after the committee is formed, the chairperson of the guidance committee shall file a guidance committee report with the dean of the college, listing all degree requirements. A copy of this guidance committee report shall also be given to the graduate student. This guidance committee report, as changed or amended in full consultation between the graduate student and the committee and as approved by the appropriate department chairperson or school director and the dean of the college, shall be regarded as the statement of program requirements. The program will not be considered binding unless signed by the student.

2.4.2.2 Once designated, the guidance committee has the responsibility to meet periodically to oversee the graduate student's progress as long as the graduate student continues in good standing. Any desired or required changes in the membership of the guidance committee may be made by the graduate student with the concurrence of the unit chairperson/director or designated representative, or by the unit with the concurrence of the graduate student, in accordance with University, college, and unit policy. The guidance committee, with the concurrence of the graduate student, may form a thesis/dissertation committee to supersede or supplement the guidance committee. Committee or thesis/dissertation chairpersons on leave shall provide for the necessary guidance of their advisees during their absence.

2.4.3 Residency. Academic residency requirements and residency fee policies shall be made known to the graduate student at the time of admission.

2.4.4 Time Limits. The time limitations for candidates seeking advanced degrees shall be made known to the graduate student at the time of first enrollment. Application for extension shall be submitted to the department/school and transmitted for approval by the dean of the college.

2.4.5 Program Changes. Each department/school or college shall establish procedures for altering individual student programs that have been approved in accordance with the provisions of Section 2.4.2.1. Graduate students shall be involved in developing such procedures. (See also Section 6.1.1)

2.4.6 Dissertation and Thesis. The nature and scope of the doctoral dissertation and master's thesis (or its equivalent) shall be defined by the department/school or college and the guidance or dissertation committee according to the professional and scholarly research standards of the discipline. The department/school or college shall specify in advance the acceptable style and form of the dissertation or thesis in accordance with *The Graduate School Guide to the Preparation of Master's Theses and Doctoral Dissertations*.

2.4.6.1 Standards for formatting, duplicating and binding of dissertations and theses – as well as the stipulations covering abstracts, numbers of copies, dates and deadlines for acceptance, and regulations for microfilming and publication – shall be established and published by The Graduate School.

2.4.7 Code of Professional Standards. Each department/school and college shall communicate in writing to its graduate students, at the time of their first enrollment in a degree program or in a course in the unit, any specific codes of professional and academic standards covering the conduct expected of them.

2.4.8 Evaluation. Graduate students have a right to periodic evaluations to assess their academic progress, performance, and professional potential. Evaluation of graduate students shall be made only by persons who are qualified to make that evaluation. Written descriptions of unit/program methods of evaluation and the general rationale employed shall be provided to graduate students and the faculty. Written evaluations shall be communicated to the graduate student at least once a year, and a copy of such evaluations shall be

placed in the graduate student's file. (See also Section 2.5.2.4)

2.4.8.1 When determination is made that a graduate student's progress or performance is unsatisfactory, the student shall be notified in writing in a timely matter, and a copy of the notice shall be placed in the student's academic file.

2.4.8.2 When a graduate student's status in a program has been determined to be in jeopardy, the graduate student shall be informed in writing in a timely matter, and a copy of the notice shall be placed in the student's academic file.

2.4.9 Dismissals and Withdrawals. Each department/school and college shall establish criteria for the dismissal or withdrawal of students enrolled in its programs. Such criteria shall be published and given to students at the time they begin their programs. Should a decision to dismiss a student be made, the affected student shall be notified in writing in a timely matter. All information regarding the decision is to be held in strict confidence between the student and those faculty and administrators with responsibility for the student, on a need to know basis; release may be only with the written consent of the student involved unless the decision becomes the substance for a grievance procedure, in which case such information shall be released to the grievance committee. All records and information created under this article shall be released only in accordance with the University's published policies governing privacy and release of student records. The same privacy is to be accorded the reasons for a student's temporary or permanent withdrawal from the University. Should a decision to dismiss be held in abeyance, pending completion of the stipulated conditions, these conditions must be communicated in writing in a timely matter to the student.

2.5 Educational Training of Graduate Students in Teaching Roles (not covered by the Graduate Employees Union collective bargaining contract).

2.5.1 Colleges and department/schools are responsible for establishing orientation and in-service training programs for all graduate students in teaching roles. Such programs shall include an introduction to course goals, grading criteria and practice, and classroom procedures as well as periodic classroom visitation. The graduate student in a teaching role is held responsible for full and active participation in all such programs.

2.5.2 Graduate students who are involved in teaching roles are expected to fulfill their assigned responsibilities at a high level of performance. To gain feedback for monitoring and increasing their teaching effectiveness, such graduate students shall use, where applicable, confidential instructional rating reports in each course that they teach. These reports shall be submitted to the unit in accordance with the stated policy of the Academic Council.

2.5.2.1 The coordinator of each course staffed by graduate students in teaching roles shall submit each semester to the unit administrator or to the appropriate unit committee a formal written evaluation of each of the graduate students in teaching roles. After notifying the graduate student, appropriate members of the college/department/school should visit and observe the student's teaching in the instructional setting, and information from these visits and observations should be used in the evaluation.

2.5.2.2 The graduate student instructional rating reports (or summaries thereof), formal written evaluations, and any supplementary information shall be placed in a confidential file for use by the student and by faculty members in accordance with 2.5.2.3. This material shall remain on active file until the graduate student's teaching role is terminated, after which a copy of the file becomes the graduate student's personal property upon request. If evaluations or summaries of them are kept beyond the student's tenure at the University, these records should be altered so as to be anonymous.

2.5.2.3 Evaluation material described in 2.5.2.2 may be used in overall evaluations and in determining such matters as renewal of assistantships, teaching assignments, recommendations, and the need for further training.

2.5.2.4 An evaluation of teaching shall be given to the graduate student who has a teaching role at least once each year. (See also 2.4.8)

ARTICLE 3

STUDENT RECORDS AT MICHIGAN STATE UNIVERSITY

3.1 Achieving educational goals, providing direction to graduate students, and extending service to society demand that the University keep records. All policies and practices concerning records shall be based on respect for the privacy of the individual

graduate student as well as current federal and state law.

3.1.1 Because of respect for the privacy of the individual graduate student, record keeping must be performed only by University personnel whose job responsibilities require record keeping.

3.2 All policies and practices governing access to, and maintenance and release of, graduate student records shall conform to the University's published guidelines. (See the *MSU Access to Student Information Guidelines*).

3.2.1 No record shall be made, reproduced, or retained unless there is a demonstrable need for it that is reasonably related to the basic purposes and necessities of the University.

3.2.2 The University shall not make, reproduce, or retain records of a graduate student's religious or political beliefs or affiliations without the graduate student's knowledge and consent.

3.2.3 Graduate students shall have the right to inspect any of their own educational records, except as waived by the graduate student (e.g., confidential letters of recommendation). Student educational records include official transcripts, student disciplinary records, and records regarding academic performance.

3.2.4 All policies and practices dealing with the acquisition and dissemination of information in graduate student records shall be formulated with due regard for the graduate student's right to privacy and access.

3.2.5 All graduate student educational records shall include a notation of the name of the person who supplied the information and the date of its entry, with the exception of central, Student Information System records.

3.2.6 Confidential records shall be responsibly handled. Units shall train persons handling such records in appropriate methods of keeping and disposing of confidential records.

3.2.7 No one outside the faculty or administrative staff of Michigan State University, except as specified by law, may have access to the record of a graduate student's offenses against University regulations without the written permission of the student.

3.2.8 All policies governing the maintenance and the selective release of records and of portions of

records shall be made public in an appropriate manner and shall be subject to judicial review as provided in Article 5.

3.2.8.1 These policies and practices shall conform to current federal and state law. In addition, any changes to the policies shall be made known to the graduate student body through the all-university graduate student governing body.

ARTICLE 4

GRADUATE STUDENT SUPPORT

4.0 The term “graduate assistant” in this Article refers to graduate assistants who are not covered by the Graduate Employees Union collective bargaining contract. Employment policies and the issues that are included with employment and involve students who are included in the collective bargaining unit shall be covered by the GEU contract.

4.1 Classes of Support

4.1.1 Students receiving support through the University primarily constitute three groups:

- (a) graduate assistants
- (b) university employees
- (c) fellowship, scholarship and/or grant recipients

4.2 Graduate Assistants

4.2.1 Graduate assistants are graduate students currently enrolled in degree programs who are appointed through established University procedures and in accordance with University policies governing graduate assistantships. Duties assigned to graduate assistants may include (but are not limited to) classroom instruction, student advising, writing supervision, reading of papers and examinations, and research. The responsibilities delegated to a graduate assistant must be performed under the supervision of an appropriate faculty member or administrator.

4.2.2 With the participation of graduate student representatives, each unit appointing graduate assistants shall develop policies and make available current information covering, but not limited to, the following:

- (a) criteria for selecting new graduate assistants
- (b) criteria for renewing and/or continuing graduate assistantships
- (c) stipends (see 4.2.4)
- (d) stipend advancement and promotion

- (e) tax status of stipends (according to IRS policy)
- (f) procedures for evaluating performance (see also 2.5.2--2.5.2.4)
- (g) length of term of appointment, including continuance and renewal of graduate assistantships
- (h) work load, duties, and vacation schedules
- (i) grievance procedures

4.2.3 By April 15th of each calendar year, units shall advise each graduate assistant in writing of one (or more) of the following: (a) the assistantship will be renewed for the following academic year or a portion thereof; (b) the assistantship will be renewed provided the assistant is able to meet certain specified conditions; (c) the assistantship will be renewed provided the unit is able to meet certain specified conditions; (d) the assistantship will not be renewed for the following academic year. If the assistantship is not renewed, the reasons shall be indicated. When citing (b) above, the unit shall include the date the student must satisfactorily complete the specified criteria and the date the unit will notify the student about its decision to renew the assistantship for the appropriate semester(s). When citing (c) above, the unit shall include the date it will notify the student about its decision to renew the assistantship for the appropriate semester(s). Evaluative judgments about students should be communicated in accordance with guidelines in 2.4.8. (See all Sections 2.5.2–2.5.2.4.)

4.2.4 The Office of the Provost shall establish a campus-wide policy for graduate assistant stipends, taking into account (a) the amount of stipend adequate in relation to the current cost of living, (b) the need to be competitive with other universities, and (c) the availability of resources for graduate assistant stipends. (The Office of the Provost shall consult with the Dean of The Graduate School and the University Graduate Council on graduate assistant stipend levels.)

4.2.5 Graduate assistants are entitled to all benefits normally accorded to full-time graduate students, except as specified under policies established in accordance with 4.2.7.

4.2.6 All graduate assistants are entitled to such clerical-secretarial help and supplies as are commensurate with their assigned responsibilities and the resources of the unit.

4.2.7 The Office of the Provost and the Office of the Vice President for Finance and Operations, in consultation with the Dean of The Graduate School and the University Graduate Council and other

appropriate, duly authorized authorities, shall review and publish policies for graduate assistants relating to (a) sick leave, (b) parking privileges, (c) bus privileges, (d) travel off campus, (e) insurance, (f) health care, and (g) tuition waivers.

4.2.8 Within the constraints of their training, experience, and responsibilities, graduate assistants have a right to the same professional respect as that accorded to regular faculty.

4.3 University-Employed Graduate Students

4.3.1 The University's student employment office shall publish annually minimum and maximum salaries and hourly wages for University-employed graduate students. This office shall have the authority to approve unit requests for all payments above the established maximums.

4.3.2 The University shall not deny a regular employee's fringe benefits solely because the person also is registered as a student.

4.3.3 University employees who are pursuing graduate study are bound by collective bargaining agreements or other applicable University personnel policies and agreements.

4.3.4 Employment-related grievances of graduate students employed in non-academic positions should be filed with the employing units under their respective procedures.

4.4 Fellowship, Scholarship, and Grant Recipients

4.4.1 A graduate student supported by a fellowship, scholarship and/or grant shall have a right to such information as (a) the responsibilities and performance required for retention of support, (b) the privileges and status associated with support, and (c) grievance procedures.

4.5 University Policies Relating to Graduate Student Support Recipients

4.5.1 Michigan State University is an Affirmative-Action, Equal-Opportunity Employer. Therefore, (a) discrimination on the basis of race, color, gender, national origin, political persuasion, sexual orientation, marital status, disability, age, religion, height, weight, genetic information, or family status is expressly prohibited; (b) employment appointment policies shall be consistent with anti-discrimination policies of Michigan State University.

4.5.2 Graduate students shall be informed of all employment policies when a position is tendered.

4.5.3 The University retains the right to demote, suspend, terminate, or otherwise discipline graduate students receiving support through the University for cause and for failure to meet their responsibilities. The University also retains the right to terminate graduate students' participation in an academic program, which in turn may terminate the graduate student's assistantship or other financial support. Graduate students who believe they have a grievance under this article may utilize the judicial procedures outlined in Article 5.

4.5.3.1 In cases where the graduate student contends that action of the University may cause irreparable harm, the student may appeal to the appropriate judiciary for an expedited hearing.

ARTICLE 5

ADJUDICATION OF CASES INVOLVING GRADUATE STUDENT RIGHTS AND RESPONSIBILITIES

5.1 Judicial Structure

5.1.1 To promote effective functioning of the system of graduate student rights and responsibilities, an appropriate judicial structure and process shall be established for hearing and adjudicating all cases brought by and against graduate students in the following areas:

- (a) Academic Rights and Responsibilities
- (b) Professional Rights and Duties of Graduate Assistants not covered by the Graduate Employees Union collective bargaining contract
- (c) Professional Rights and Duties of other Graduate Students

5.1.2 Department/School Hearing Boards. Adjudication necessitated on the department/school level may be handled informally or, at the request of a party or parties, formally through a department/school hearing board. The hearing board shall be composed of the unit administrator or designee and equal numbers of faculty and graduate students selected by their respective groups in accordance with the department/school bylaws. If the unit administrator is involved in the case, neither the unit administrator nor the designee may serve on the hearing board.

5.1.3 College Graduate Hearing Board. Each college shall establish a judiciary composed of the chair of the college graduate committee or designee and equal numbers of faculty and graduate students selected by their respective groups in accordance with college bylaws.

5.1.4 University Graduate Judiciary. A judiciary shall be established at the University level composed of the Dean of The Graduate School or designee, who shall serve as chairperson, three elected faculty members of the University Graduate Council, and three graduate students chosen by the all-university graduate student governing body.

5.1.5 Each hearing board or judiciary shall be chaired by a member who has faculty rank and shall provide a suitable number of alternate members chosen in accordance with the procedures established above.

5.1.6 Term of Office. Hearing board or judiciary members at all levels shall be selected during spring semester for the upcoming summer semester and shall serve one year. The one-year term shall not preclude reappointment of any member the following year. Hearing boards and judiciaries shall establish provisions for filling vacancies, including making appointments on an interim basis during summer semester.

5.1.7 Members of a judiciary involved or possessing other conflicts of interest in a case at issue shall be disqualified from sitting on the judiciary for that specific case.

- (a) An approved alternate member from the appropriate faculty or student group will replace such person(s) in accordance with established guidelines.
- (b) Either party [complainant or respondent] may submit to the chair of the hearing board a challenge of judiciary members in instances of alleged conflicts of interest. Such challenges will be arbitrated by the chair in a timely manner and reported to both parties in writing three (3) class days after rendering a decision.
- (c) Either party may remove a total of two board members, barring the chair, without stated cause. The name(s) of the individual(s) must be transmitted to the chair no later than three (3) days after receiving notification of the board's membership.

5.2 Jurisdiction of Alleged Violations (other than grievances).

5.2.1 Except as specified in this document (particularly in Section 5.1), alleged violations of student group regulations, general student regulations, or all- University policies as they apply to all students (undergraduate, graduate, graduate-professional) will be referred to the appropriate judiciary as outlined in the *Academic Freedom for Students at Michigan State University*.

5.3 Redress of Grievances

5.3.1 With respect to allegations of violation(s) by or against a graduate student in the areas cited in Section 5.1, where possible, a grievant is encouraged to seek resolution and redress informally with the appropriate individual(s).

5.3.2 If problems arise in the relationship between instructor and student, both should attempt to resolve them in informal, direct discussions. If the problem remains unresolved, then the unit administrator and/or the University Ombudsman should be consulted. If still aggrieved, a student may then submit a formal, written grievance for consideration by an appropriate hearing board. The formal grievance alleging violations of academic rights must include a proposed remedy, which could be implemented by a responsible administrator.

5.3.3 The University undertakes, within the limits of its resources and the limits imposed by due respect for the professional rights of the faculty, to supply an appropriate remedy for legitimate student grievances that have judicial merit. (See Section 5.4.6). The limits of the University's resources proceed from factors that, while subject to its influence, are not always subject to its control.

5.3.4 To overcome the presumption of good faith in course instructors' and graduate committees' judgments of performance, grievances concerning academic evaluations must demonstrate that an evaluation was based entirely or in part upon factors that are inappropriate or irrelevant to academic performance and applicable professional standards. (See Sections 2.2 as well as 2.3.11 and 2.4.8.)

5.3.5 Any member of the academic community of Michigan State University may initiate a grievance involving the rights and responsibilities of graduate students. Grievances alleging violation of the academic rights of an undergraduate student by a graduate student shall be heard by the unit level judiciaries outlined in the *Academic Freedom for Students at Michigan State University*.

5.3.6 In submitting a formal grievance to an appropriate hearing board (see Section 5.3.6.2)

alleging violation(s) by or against a graduate student in the areas cited in Section 5.1, a grievant must submit a written, signed statement that specifies in sufficient particularity to justify proceedings the point(s) forming the basis of the grievance, the person(s) and/or unit(s) against whom/which the grievance is filed, and the redress that is sought.

5.3.6.1 Grievances must normally be initiated no later than mid-term of the semester following the one wherein the alleged violation occurred (exclusive of summer semester). If the involved instructor or student is absent from the University during that semester, or if other appropriate reasons exist, an exception to this provision may be granted by the appropriate Hearing Board. If, before the formal grievance procedures are completed, the involved instructor is no longer employed by the University, the grievance process may nevertheless proceed.

5.3.6.2 Student grievances alleging violation of academic and professional rights must be initiated at the lowest administrative level feasible; normally, the department/school. With the approval of the college dean, departments/schools may waive jurisdiction and refer grievances to the college hearing board.

5.4 Judicial Procedures

5.4.1 Hearing boards shall establish their own procedures in a manner consistent with this document. A copy of procedures adopted by each unit shall be filed with the Office of the Ombudsman and with the Office of the Dean of The Graduate School. Departments/schools and Colleges shall establish hearing board procedures in a manner consistent with this document. A copy of these procedures shall be filed with the Ombudsman and with the Dean of the Graduate School. Departments/schools and colleges shall review their hearing board procedures every five (5) years.

5.4.2 Procedures for the adjudication of grievances must proceed in a timely manner as defined below.

5.4.3 Upon receipt of a request for a formal grievance, the unit chair/director shall forward a copy of the grievance request to the chair of the hearing board who in turn shall transmit a copy of the grievance request within five (5) class days to the hearing board members and to the person or persons party to the matter.

5.4.4 In urgent cases in which it is alleged that a regulation, administrative decision or action threatens immediate and irreparable damage to any of the parties involved, the hearing board or judiciary

shall expedite the hearing and final disposition of the case.

5.4.5 A hearing board or judiciary is empowered to act on a request to direct an individual or unit to discontinue or postpone an administrative decision or action that threatens immediate and irreparable damage to any of the parties involved pending final disposition of the case. The hearing board or judiciary shall expedite the hearing and final disposition of this urgent case.

5.4.6 A department/school or college hearing board shall review each hearing request for jurisdiction and judicial merit and may then forward a copy of the request to the appropriate individual(s) and invite a written response. After considering all submitted information, the board may:

- a. Accept the request, in full or in part, and proceed to schedule a hearing.
- b. Reject the request and provide an appropriate explanation.
- c. Invite all parties to meet with the board for an informal discussion of the issues. Such a discussion shall not preclude a later hearing.

5.4.7 Notice of Hearing. At least six (6) class days prior to a formal hearing, both the respondent and the complainant shall be sent a written notification of hearing from the appropriate hearing body. This notice of hearing shall state:

- a. The nature of the issues, charges and/or conflicts to be heard with sufficient particularity to enable both the respondent and the complainant to prepare their respective cases.
- b. The time and place of the hearing.
- c. The body adjudicating the case and the names of the members that make up the body, including the names of all alternate members.
- d. The names of the respondent and complainant.
- e. The name(s) of any potential witnesses.
- f. The name of an advisor (if any) selected by the complainant or respondent.

5.4.8 Either the complainant or the respondent may request, with cause, a postponement prior to the scheduled time of a hearing. The hearing board may grant or deny such a request.

5.4.9 Both the respondent and the complainant shall be expected to appear at the hearing and present their cases to the judiciary.

- a. Should the complainant fail to appear, the judiciary may either postpone the hearing or dismiss the case.
- b. Should the respondent fail to appear, the judiciary may either postpone the hearing or, only in unusual circumstances, hear the case in his or her absence.
- c. The judiciary may accept written statements from a party to the hearing in lieu of a personal appearance, but only in unusual circumstances. Such written statements must be submitted to the judiciary at least one (1) day prior to the scheduled hearing.

5.4.10 Hearing boards shall ensure that a collegial atmosphere prevails in grievance hearings. Either party shall have the right to be accompanied by an advisor (see definition in Article 8). Permission will be granted to the respondent to be accompanied by an attorney if there are criminal charges pending. If the respondent is charged with a sex offense, the complainant may also have an attorney present.

5.4.10.1 The advisor may be present throughout the hearing but has no voice in the hearing unless the chair of the hearing board grants the advisor permission to participate.

5.4.10.2 During the hearing, parties to a grievance shall have an opportunity to state their cases, present evidence, designate witnesses, ask questions, and present a rebuttal.

5.4.10.3 Witnesses must be members of the University community, unless the hearing board determines that they have direct knowledge of the alleged behavior in question. Witnesses may be present in the hearing only when testifying. Witnesses may submit written statements to the hearing board in lieu of attending only with the written permission of the chair of the hearing board. Expert or character witnesses are generally not allowed. The hearing board may limit the number of witnesses.

5.4.11 The hearing board shall prepare a written report of findings and rationale for the decision and shall forward copies to the parties involved, to the responsible administrator(s), to the Ombudsman, and to the Dean of The Graduate School. The report shall indicate the major elements of evidence, or lack thereof that support the hearing board's decision. All recipients are expected to respect the confidentiality of this report. When a hearing board finds that a violation of academic rights has occurred and that redress is possible, it shall direct the responsible administrator to provide redress. The

administrator, in consultation with the hearing board, shall implement an appropriate remedy.

5.4.12 Appeals. The decision of the original hearing board may be appealed by either party to a grievance only to the next level hearing board. If the original hearing was by a department/school hearing board, the appeal shall be made to the college hearing board. If the original hearing was by a college hearing board, the appeal should be made to the University Graduate Judiciary.

5.4.12.1 Appeals must allege either that applicable procedures for adjudicating the case were not followed in the previous hearing or that the findings of the hearing board were not supported by the preponderance of the evidence. (Presentation of new information will normally be inappropriate at an appeal hearing.)

5.4.12.2 All appeals must be written and signed and must specify the alleged defects in the previous adjudication(s) in sufficient particularity to justify further proceedings. The appeal must also specify the redress that is sought.

5.4.12.3 Appeals must be filed with the chair of the appropriate appellate board within ten (10) class days following a notice of a decision. The original decision shall be held in abeyance while under appeal.

5.4.12.4 An appellate board (i.e., a college hearing board or the University Graduate Judiciary) shall review each appeal request and may then forward a copy of the request to the appropriate individual(s) and invite a written response. After considering all submitted information, the appellate board may:

- a. decide that sufficient reasons for an appeal do not exist and that the decision of the lower hearing body shall stand;
- b. direct the lower hearing body to rehear the case or to reconsider or clarify its decision; or
- c. decide that sufficient reasons exist for an appeal and accept the request, in full or in part, and proceed to schedule an appeal hearing.

5.4.12.4.1 Following an appeal hearing, an appellate board may affirm, reverse, or modify the decision of the lower hearing body.

5.4.13 Reconsideration. Each judiciary or hearing board shall make provision to allow the parties to a grievance to request reconsideration of a case within sixty (60) days if it is determined that new

information has arisen. An exception to the time provision may be granted by the appropriate judiciary or hearing board.

5.5 Academic Dismissal and Academic Disciplinary Cases

5.5.1 In cases in which a student is charged with academic misconduct and the student's dean has requested an academic disciplinary hearing, the complaint will be forwarded to the Dean of the Graduate School.

5.5.2 Upon receiving the request for an academic disciplinary hearing, the Dean of the Graduate School (or designee) shall promptly notify the student in writing that he or she has been accused of academic misconduct and that the student's dean has requested an academic disciplinary hearing. The student shall be required to meet with the Dean of the Graduate School (or designee) to discuss the alleged academic misconduct and review the academic disciplinary hearing process. (See 5.5.4 and 5.5.5.)

5.5.2.1 At this time, the Dean of the Graduate School (or designee) will also inform the student of his or her right to contest the allegation before the relevant department/school/college hearing board.

5.5.2.2 The student shall have ten class days to request an academic grievance hearing to contest a penalty grade based on a charge of academic misconduct. If the student files a request for a grievance hearing, the student will not meet with the Dean of the Graduate School (or designee) until the hearing board has heard the student's academic grievance and all appeals, if any, are final. If the hearing board determines that the student did not commit academic misconduct, the student will not face any additional sanctions based on that charge.

5.5.2.3 In such a hearing, the burden of proof shall rest upon the instructor whose prior assignment of the penalty grade will constitute a charge of academic misconduct. The hearing board shall proceed in compliance with applicable University and/or unit academic legislation on the integrity of scholarship, grades, and professional standards; and the procedural and appeal provisions of this document shall apply.

5.5.3 In cases in which the student's dean (or designee) has requested an academic disciplinary hearing for a complaint involving the violation of professional standards, the Dean of the Graduate School (or designee) will meet with the student to determine the appropriate college hearing board for

the hearing and review the academic disciplinary process.

5.5.4 In cases in which the student's dean (or designee) has requested an academic disciplinary hearing for a complaint involving academic misconduct other than a violation of professional standards, the Dean of the Graduate School (or designee) will meet with the student to discuss the allegations and ask the student to select either an administrative hearing conducted by the Dean of the Graduate School (or designee) or a disciplinary hearing conducted by the appropriate college hearing board. If the student chooses to have a college hearing, the Dean of the Graduate School (or designee) will forward the complaint to the chair of the appropriate college hearing board. If the student requests an administrative hearing, the Dean of the Graduate School (or designee) will proceed with the hearing.

5.5.5 A student who admits his/her academic misconduct to the Dean of the Graduate School (or designee) waives the right to a hearing to contest the allegation. In such a situation, the Dean of the Graduate School (or designee) shall impose an appropriate redress or sanction for the academic misconduct. The student may appeal the appropriateness of the sanction/redress imposed to the Provost.

5.5.6 If a student fails to meet with the Dean of the Graduate School (or designee) when so required by this document, the academic misconduct complaint will be referred to the appropriate college hearing board.

5.5.7 In cases of ambiguous jurisdiction, the Dean of the Graduate School will select the appropriate judiciary.

5.5.8 The academic disciplinary sanctions imposed on a student should be based on a consideration of all circumstances in a particular case, including the student's prior record of academic misconduct, if any. Such sanctions may include one more of the following:

Warning: An official written statement expressing disapproval of the behavior and notifying the student that it must not recur.

Probation: An official written statement establishing a period of time for observing and evaluating a student's conduct and indicating that further academic misconduct may result in more severe disciplinary action. This probation may be accompanied by stipulations, including, but not

limited to, restitution, participation in an educational program, or the loss of specified privileges.

Restitution: A requirement that a student pay for property damages or losses resulting from acts committed by the student, with the date by which the restitution must be completed.

Other: The student may be required to participate in an educational program deemed appropriate to a specific case or set of behaviors or lose specified University privileges.

Suspension: A suspension is temporary removal from the University or a department/school/college for a particular period of time, at the conclusion of which the student is eligible to apply for readmission. A suspension may also be a conditional suspension, in which case the student must demonstrate that he/she has fulfilled stated conditions prior to applying for readmission.

Dismissal: A dismissal is a permanent removal from the University or a school/college.

Only the University Graduate Judiciary and the Dean of the Graduate School may impose the sanctions of suspension or dismissal from the University. Only the dean of the relevant college and the University Graduate Judiciary may impose the sanction of suspension or dismissal from a school/college.

5.6 When sanctions other than or in addition to a penalty grade are involved, the college hearing board has original jurisdiction, and the University Graduate Judiciary has appellate jurisdiction over academic dismissals and disciplinary cases against graduate students relating to academic misconduct, violations of professional standards, or falsification of admission or academic records.

5.7 The University Graduate Judiciary is the final hearing body within the judicial structure related to graduate academic rights and responsibilities, in cases that were initiated at the college level.

5.7.1 The University Graduate Judiciary shall have available to it the full range of decisions provided to hearing boards through this document. In addition, the University Graduate Judiciary may make whatever recommendations it may consider appropriate to specific cases. When the Judiciary finds that a violation of academic rights has occurred and that redress is possible, the Judiciary shall direct the responsible administrator to provide redress. The administrator, in consultation with the University Graduate Judiciary, shall implement an appropriate remedy.

ARTICLE 6

ACADEMIC GOVERNANCE

6.1 Graduate student representatives shall participate in academic governance at the department/school, college and University levels.

6.1.1 At the department/school level, graduate student participation in the policy-making process shall include, but not necessarily be limited to, the following:

Graduate curriculum and degree requirements.
Graduate financial aids and awards.
Graduate admissions criteria.

6.1.2 Graduate student representatives shall participate as voting members on all policy-making committees at the departmental/school and college levels that are directly concerned with graduate student affairs.

6.1.2.1 The department/school advisory committees or their equivalent, in consultation with representatives of graduate students in the unit, shall determine which unit-level committees are directly concerned with graduate student affairs.

6.1.2.2 Each department/school and college shall inform its graduate students in a timely way of the committee positions that graduate students may hold, the duties and lengths of appointment of said positions, the processes by which individuals are selected for appointment, and the names of the appointed representatives.

6.1.3 At the University level, graduate students shall be selected and shall have voting membership on the University Graduate Council, Academic Council and other such committees as specified by the Bylaws for Academic Governance.

ARTICLE 7

PROCEDURE FOR AMENDING AND REVISING THIS DOCUMENT

7.1 Any member of the Michigan State University community may initiate a proposal to amend or revise this document.

7.1.1 A graduate student shall submit a proposal to the all-University graduate student governing body for approval. The all- University graduate student governing body may approve the proposal by a

majority vote of the members present. If approved, the proposal, with recommendation for its adoption, shall be submitted to the University Graduate Council through the all-University graduate student governing body's regular representatives.

7.1.2 A faculty member shall submit a proposal to the colleges Graduate Committee for its approval. The college Graduate Committee may approve the proposal by a majority vote of the members present. If approved, the proposal, with a recommendation for its adoption, shall be submitted to the University Graduate Council through the college's regular representative(s).

7.1.3 Any other member of the Michigan State University community (not a graduate student or a regular faculty member) may submit a proposal to The Graduate School for transmission to the University Graduate Council.

7.2 All proposals to amend or revise this document must be approved by both the all-University graduate student governing body and the University Graduate Council by a majority vote of the members present.

7.3 If approved by the University Graduate Council and by the all-University graduate student governing body, the proposal, with recommendations for its approval, shall be submitted to the Academic Council.

7.4 The Academic Council shall review all amendments and revisions and either approve or reject them in accordance with the Bylaws for Academic Governance. A proposed amendment or revision that is rejected by the Academic Council shall be returned to the University Graduate Council and to the all-University graduate student governing body along with a written explanation for the rejection. This explanation may include suggestions for alteration of the proposal. A proposed amendment or revision that is approved by the Academic Council shall be forwarded to the President, who shall present it to the Board of Trustees according to existing practices of Academic Council for such transmittal.

7.5 The Board of Trustees shall review all amendments and revisions and may approve the proposal, at which time it shall become operative, or reject the proposal and return it to the Academic Council with an explanation.

7.6 The University community shall be promptly informed of all action taken on proposed amendments and revisions.

ARTICLE 8

Definitions

8.1 Various terms appearing in other articles of this document are defined below.

8.1.1 Academic Disciplinary Case: A case brought against a student accused of academic misconduct involving sanctions other than or in addition to a penalty grade.

8.1.2 Academic Misconduct: Instances of academic dishonesty, violations of professional standards, and falsification of academic records or records for admission to a department/school/college. See also General Student Regulation 1.00, Scholarship and Grades; Integrity of Scholarships and Grades Policy.

8.1.3 Administrators: University employees who manage University budgets, direct work units, or formulate, evaluate, and/or administer University policy.

8.1.4 Advisor: A member of the student body, faculty, or staff of the University chosen by a party to assist in the preparation of a case.

8.1.5 All-University Graduate Student Governing Body: Council of Graduate Students (COGS).

8.1.6 Class Day: A day on which classes are held, including the days of Final Exam Week but excluding weekends.

8.1.7 Complainant: A member of the University community who initiates a judicial proceeding under this document.

8.1.8 Faculty: All persons appointed by the University to the rank of professor, associate professor, assistant professor, or instructor, all persons appointed by the University as librarians, and all other University employees with approved titles in the academic personnel system whose duties involve instructional activities.

8.1.8.1 Regular Faculty: All persons appointed under the rules of tenure and holding the rank of professor, associate professor, assistant professor, or instructor, and persons appointed as librarians. In addition, the principal administrative officer of each major educational and research unit of the University shall be a member of the "regular faculty."

8.1.9 Falsification of Admission or Academic Records: Falsification of any record submitted for

admission to the University or an academic unit of the University. Falsification of any record created, used, and/or maintained by the Office of the Registrar, the Office of Admissions, or academic units (e.g. colleges, departments, and schools).

8.1.10 Good Cause: Good cause includes, but is not limited to, circumstances outside of a party's control, such as illness, death in the family, or a class conflict.

8.1.11 Graduate Student: A graduate student enrolled in a master's, doctoral or educational specialist program or in a graduate non-degree program, including Lifelong Education.

8.1.12 Graduate-Professional (Medical) Student: A graduate student enrolled in a medical degree program in the College of Human Medicine, College of Osteopathic Medicine, or College of Veterinary Medicine. Those students who are enrolled in graduate-professional non-degree programs shall be deemed graduate-professional students.

8.1.13 Hearing Body: A duly constituted judiciary as described in this document.

8.1.14 New Information: Relevant information or documents previously unavailable to a party to a proceeding, although the party acted with due diligence to obtain such information.

8.1.15 Non-Academic Disciplinary Case: A case brought against a student accused of violating a General Student Regulation, University ordinance, or University policy. Such a case is heard pursuant to the Academic Freedom for Students at Michigan State University document.

8.1.16 Ombudsman: The university ombudsman is a senior faculty member or executive manager who assists members of the MSU community in resolving complaints or concerns confidentially, informally, impartially, and independently.

8.1.17 Penalty Grade: A grade assigned to a student by a faculty member based on a charge of academic misconduct.

8.1.18 Preponderance of the Evidence: Evidence that is more convincing, more credible, and of greater weight.

8.1.19 Professional Standards: Codes of expected professional conduct, including University-approved honor codes.

8.1.20 Respondent: An individual or group against whom or which a grievance is filed.

8.1.21 Staff: Employees of the University other than administrators or faculty.

8.1.22 Student: An individual is considered a student from the time he or she attends his/her first class until graduation, recess, dismissal, suspension, or withdrawal from the University, or he/she fails to register for more than one consecutive semester. An individual is considered a graduate student from the time he or she begins participation in official graduate programs or activities.

8.1.23 Undergraduate: A student enrolled in a program leading to a bachelor's degree or in an undergraduate non-degree program, including Lifelong Education.

8.1.24 University Community: All University students, Trustees, administrators, faculty, and staff.

HISTORY OF APPROVAL

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Academic Council May 19, 1971

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PARTIAL REVISION

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COMPLETE REVISION

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