



## Graduate Student (By Research) Grievance Procedure and Guidelines

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### 1. Purpose

The Graduate Student Grievance Procedure and Guidelines (GSGP&G) describes the process through which graduate students can communicate concerns related to academic issues or academic conflicts seeking a justice. This is a non-adversarial, non-judicial process that is established to ensure the achievement towards academic success for the student filing a grievance. All graduate programs should ensure that graduate students and graduate faculty are aware of this document, thus include it in communications at program-level orientations, in program-level graduate handbooks and by making available on the University website.

### 2. Scope

#### 2.1 Students Covered

The GSGP&G applies to students enrolled in graduate programs by course work or by research at the Wayamba University of Sri Lanka.

## 2.2 Matters Covered

Grievances covered by GSGP&G include the following matters.

1. Problems related to academic issues, such as arbitrary, inconsistent, or capricious actions taken against a graduate student
2. Failure to provide in writing reasons behind termination or dismissal
3. Change of supervision
4. Decline or refusal to supervise
5. Unfair treatment during conduct and evaluation of the research study
6. Unfairness in the application of graduate requirements or regulations
7. Unusual delays of the research or approval
8. In general any actions taken by a program that relate to graduate students and that hinder the student's ability to make normal progress toward the degree
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## 2.3 Matters Not Covered

The following issues do not fall under the jurisdiction of the GSGP&G.

1. Academic decisions rendered by a Board of Study. For example,
  - i. dismissal from a graduate program based on failure to maintain the requisite GPA
  - ii. dismissal from a graduate program based on allowed attempts at comprehensive or final examinations
  - iii. Denial of admission to candidacy based on the graduate program's rules for qualification.
2. Allegations of sexual misconduct, discrimination or harassment, or retaliation and/or conflict of interest in cases of amorous relationship
3. Allegations of research misconduct, including unfair treatment in assigning joint authorship
4. Allegations of unprofessional conduct during research /supervision
5. Any other allegations or issues that fall under the scope of a separate, specialized process outside of graduate programs.

## 2.4 Discretionary Authority

The SRHDC has final discretion as to whether or not an issue is academic and falls under the jurisdiction of the Graduate Students Grievance Committee (GSGC).

### **3. Conflict of interest**

A conflict of interest is a significant professional or personal involvement with the facts or the Parties to a dispute. Any party or administrator who has a conflict of interest in a dispute under this policy or a concern about a conflict on the part of another shall promptly report it to the Chair of the GSGC, who shall take appropriate action. The committee members should have no personal interest in the outcome of the proceedings, and should not have any personal involvement in earlier stages of the matter. The GSGC Chair will rule on any challenges regarding conflict of interest, unless the conflict lies with the Chair, in which case, the alleged conflict will be referred to the committee to appoint an intake Chair.

### **4. Confidentiality**

All persons involved in administering these procedures shall make diligent efforts to protect the reputations, privacy, and positions of all involved persons by exercising diligent efforts to keep information received or learned during the course of a grievance as confidential. These persons include those who file grievances, persons who are alleged in a grievance to have taken inappropriate actions or activities, and department administrators.

All of the procedures and the identity of those involved should be kept confidential to the extent permitted by law. All materials developed in the course of the grievance investigation and hearing will be placed in a confidential, non-personnel file, to be maintained by the GSGC Chair. None of these materials may be removed from the file or copied unless needed for compliance with appropriate administrative or legal requirements. These materials will not include any records of actions taken against an employee by the University as a result of the determination(s) made through the grievance process. However, in the event that the Chair concludes that a student has knowingly filed a false grievance, the Chair may authorize the release and use of all materials submitted in this process for use in any disciplinary proceedings.

## **5. Grievance Handling Procedure**

Whenever possible, students and faculty should seek informal resolution of the issues covered in the GSGP&G. In cases where an informal resolution has not been achieved, students may submit a grievance to the GSGC.

### **5.1 Grievance Submission Procedure**

1. The student must submit a written complaint to the GSGC no later than thirty (30) working days after the alleged incident.
2. The students should adhere to the procedure described in this document when submitting a Grievance.
3. The students should complete the **Graduate Student Grievance Form (GSG Form)** available in the University Web and submit to the Chair / GSGC together with the relevant evidentiary documents in a sealed cover.
4. A member of the Committee, who represents the Faculty of Grievant and who knows the processes of grievances, and is aware of potential outcomes, may play an advocacy role to the Grievant to complete the submission process.
5. If the submission is relevant and complete, the Chair / GSGC will acknowledge Grievant about the receipt of Grievance within seven working days. The tentative date of initiating the Grievance Hearing will also be communicated in the same acknowledgement notice.
6. If the Committee finds that the GSG form is incomplete due to insufficient information or clarity, or submission is lacking the evidentiary documents the Chair/ GSGC may contact the grievant and guide to complete submission.
7. The Chair / GSGC will determine whether or not the issue(s) being grieved falls within the scope of the GSGP&G as defined in Section 2 above. If the Chair/ GSGC determine that the allegations are not severable then the Grievance should be declined to proceed and otherwise actions will be taken to initiate the hearing within two weeks of the submission.
8. The responded parties will be appropriately informed regarding the Grievance and will open up the opportunity to respond in writing to the Committee within ten working days, however, a response is not necessary. If more than one faculty member is identified in the Grievance, faculty members may respond individually or collectively.

### **5.2 Grievance Hearing Procedures**

1. The Committee should initiate an investigation within two weeks of a grievance being lodged by a Grievant. The Chair / GSGC will communicate the matter to the members and call a meeting to initiate an investigation.
2. If the Committee deems that the investigation may influence, or be perceived to influence the assessment of a thesis, the investigation must be delayed until the assessment has been completed and the student should be notified of the delay.
3. If, at any point of the investigation, the Committee finds that the grievance is frivolous, vexatious or lacking in substance, it can be dismissed. The decision and the reasons should be informed to the student and to the SRHDC.
4. The Chair/ GSGC may call successive committee meetings to discuss a grievance if required. And the Grievant may be asked to present at a Committee meeting and to clarify any relevant matter.
5. Where a grievance concerns a staff member, the Committee must consult with relevant staff. No decision or action in response to the Grievance should be made or suggested to the student without consultation with the staff member concerned.
6. The Committee may consult other parties such as university officials and external institutions and request information required for the investigation. The identity of the student should not be revealed to external parties unless the required information cannot be retrieved without the student details. Any medical records considered should be verified / certified by the university medical officer.
7. The Chair/ GSGC may arrange a meeting with the parties concerned together with the committee members, to discuss and, if possible, reaching an agreed resolution. The Grievant and any staff concerned to the grievance should be informed of the purpose of the meeting, names of the participants, and any other information that will be useful for them to prepare for the meeting. The findings of the investigation to date may be summarised at such a meeting enabling the parties to comment.

### 5.3 Committee Report and Recommendations

1. After hearing the Grievance the Committee shall prepare a report taking into account all relevant information, viewpoints, and institutional policies and procedures. The report shall also be included the steps and rationale used to make the recommendations.
2. The Committee shall base its recommendations solely upon the information presented at the hearing and should not be prejudiced against any of the parties, Grievant or respondent.
3. The report should be included with the recommendations for the Grievant and the staff member separately.
4. The recommendations should be communicated to the staff members concerned and their views should be obtained before concluding. The committee can decide whether or not to alter the recommendations based on the responses of the staff members concerned.
5. The Committee report and recommendation should be released within 14 days of final hearing and within a month of the grievance being lodged. If, due to any unexpected circumstances, an investigation could not be concluded within a month, the Chair/ GSGC should inform the Grievant about the unavoidable delay.
6. At the conclusion of a grievance investigation, the Committee will submit the final report including the findings of the investigation, final recommendations, and reasons to the Vice-Chancellor through the SRHDC. The Vice-Chancellor will consider the advice and make a final decision. The Vice-Chancellor will inform the decision to the Grievant and the staff in writing. Where it is deemed appropriate to resolve the matter, the recommendations can be presented to the student for response in advance of written notice of the findings and recommendations. An official copy of the report must be kept in the graduate student's personal file.
7. Copies of the final report and recommendations shall also be provided to the Department Head, and the Dean of the relevant Faculty.
8. The process should be completed within two months of submitting the Grievance.
9. The student must accept or decline the recommendations in written within two weeks of receiving the written notice. If the student accepts the decision, the recommendations which have a direct impact on the particular student will be implemented immediately.
10. The recommendations on institutional policy and/or procedures will be processed irrespective of the student's response to the recommendations.

### 5.3 Appeal to the University

1. If, on receiving the GSGC report, the Grievant finds that the report and recommendations do not satisfactorily resolve the academic issue which occasioned the Grievance, the Grievant may appeal to the Vice-Chancellor referring to the original resolution notification sent by him within 14 working days of receiving the report.
2. On receiving an appeal, the Vice-Chancellor will direct the appeal to the Chairman/ SRHDC and then will form an Appeal Committee. The Appeal Committee is composed of three academic members including the Chair of the GSGC. The Appeal Committee members should have the experience in supervising the graduate students and preferably at the Professorial level. The gender balance should be maintained when appointing the Appeal Committee.
3. The appeal committee will schedule a hearing as soon as conveniently possible after confirming all materials and written responses have been received. The Grievant and the respondents will be given the opportunity to be heard in person.
4. The committee may not ask questions about or make decisions or recommendations about any information for purposes that fall outside of the specific grounds stated by the grievant, and must not ask questions about or make decisions or recommendations that are outside the scope and jurisdiction of this document, even if related to the issues alleged by the Grievant. While such information may be important, it would be more appropriately addressed via other university processes outside of the jurisdiction of this specific process.
5. After the hearing and without the Grievant or respondent(s) present, the Committee should engage in discussion of the appeal and suggest recommendations.
6. After the hearing and the discussions, the Chair of the Appeal Committee, will prepare a report summarizing the issues and the resolution recommendations for the committee's review and approval. The final report will contain specific recommendations regarding the issues that the committee identified in the allegations and address any specific remedy sought by the grievant.
7. Within twenty working days of the hearing, the Chair will submit the final report to the Vice- Chancellor through the Chairman/ SRHDC.
8. From official acceptance of the grievance to the issuance of the report to the graduate student, ideally, the appeal process should take no more than 30 calendar days;

however, each grievance is unique and the time period should be reasonable to the nature, scope, and timing of submission of the appeal.

9. The outcome of the appeal is the final and a second or a subsequent appeal will not be considered.