

Teacher Education Grievance Policy

COMPLAINTS

- In this policy, the terms “complaint” and “grievance” shall have the same meaning. A grievance can be relevant to any incident involving a classroom instructor, faculty advisor, student teaching or internship supervisor, administrator or faculty member in the College of Education. A grievance may deal with academic issues or other circumstances involving alleged unfair or irresponsible behavior including violations of department, College or University policies.
- Because assigning a grade or evaluating a student’s work performance involves the faculty’s professional judgment and is an integral part of the faculty’s teaching responsibilities, disagreement with an instructor concerning a grade or evaluation is not a justifiable grievance to be considered under this policy unless other legitimate grievances, such as arithmetic errors or bias, can be shown to have affected that grade or evaluation.

NOTICE TO STAKEHOLDER

- The program shall inform stakeholders of this policy by information posted in the physical facility, on the website, or upon request, written information.

COMMON DEFINITIONS

Class Day

- Class days, for purposes of this policy, are defined as days the University of Houston is open and classes are meeting (excluding Saturdays) as posted in the academic calendar, excluding professional colleges and programs.

Undergraduate

- Students who are pursuing a bachelor degree (first or additional) are considered to be an undergraduate.

Post-Baccalaureate

- Students who have completed a four-year degree but are not pursuing a master’s or a doctoral level program.

Graduate

- Students who have completed a four-year degree and are pursuing either a master’s or doctoral level program.

TEA (Texas Education Association)

- The Texas Education Association is the state agency that oversees primary and secondary public education and is headed by the commissioner of education.

Legal Counsel

- Legal counsel refers to the description of an attorney who offers advice and guidance concerning a legal matter.

GUIDING PRINCIPLES

- The College of Education encourages students to discuss their concerns and complaints through informal means by communicating directly with the faculty members or other involved parties.

INFORMAL PROCESS

- Students may attempt to resolve the concern directly with a discussion among the involved parties. In some cases the student may wish to include the department chairperson when appropriate or discuss the problem with the Associate Dean of Research and Faculty Development, the college's grievance officer. The college office will initiate an informal discussion among the involved parties to attempt a resolution at the informal stage.
- Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

FORMAL PROCESS

- If an informal conference regarding a complaint fails to reach a resolution requested by the candidate, he or she may initiate a formal process described below by timely filing of a written complaint form.
- Even after initiating the formal complaint process, a candidate is encouraged to seek informal resolution of his or her concerns. A candidate whose concerns are resolved may withdraw a formal complaint at any time.

GENERAL PROVISIONS FILING

- Complaint forms and appeal notices may be filed by hand-delivery, email, or U.S. Mail. Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Emails shall be timely filed if they are date and time marked on or before the deadline. Mail filings shall be timely filed if they are postmarked by U.S. Mail on the deadline and received by the appropriate administrator or designated representative no more than three (3) days after the deadline.

RESPONSE

- At Levels One and Two, “response” shall mean a written communication to the candidate from the appropriate EPP staff. Responses may be hand-delivered or sent by U.S. Mail or emailed to the candidate’s email or mailing address on record. Mail filings shall be timely filed if they are postmarked by U.S. Mail on the deadline and received by the appropriate administrator or designated representative no more than three (3) days after the deadline.

REPRESENTATION OF LEGAL COUNSEL

- If either party intends to have legal counsel attend the hearing, the departmental hearing officer must be notified at least three class days before the hearing. The hearing cannot be held with such counsel in attendance unless a representative from University of Houston legal counsel is also present. If either party will be advised by legal counsel, this individual may attend the hearing but shall not directly participate in the hearing.

GENERAL PROVISIONS

LEVEL 1

- If informal discussions do not result in a resolution of the problem, the student may initiate the formal grievance procedure by submitting a written complaint appropriate to the nature of the complaint. A formal complaint must be filed using the *College of Education Student Grievance Form* and must be submitted within 30 class days of the point in time in which the grievant had knowledge of should have had knowledge of the problem being grieved. A copy of the Department Student Grievance Report will be filed in the department and will be forwarded to the College if the decision is appealed to that level.
- The department chair or Associate Dean will utilize existing departmental grievance procedures to address the grievance and will inform the student of a decision within 15 class days. A copy of the Departmental Student Grievance Report will be filed in the department and will be forwarded to the College Level if the decision is appealed to the level.
- Should the department chair be named in the grievance, the Associate Dean will appoint a faculty member in the department to conduct the departmental grievance process.
- The student may also initiate the grievance procedure by submitting the College of Education Student Grievance Form to the College instead of the department. A decision will be made by the Associate Dean for Research and Faculty Development whether to refer the problem to the department for resolution or to proceed with the grievance process at the higher level.

LEVEL 2

- If, after utilizing the procedures outlined, the student's problem is not resolved, the student has a right to file a grievance at the College Level within 15 class days following the decision rendered by the department chairperson.
- Within 10 class days of receipt of the student's grievance form, the department(s) will submit any prior response to the student's complaint, a list of any witnesses it anticipates involving in the hearing, and copies of any documents to be used at the hearing. Similarly, within 10 class days of filing of the grievance form, the student will submit a list of any witnesses and copies of any documents the student anticipates involving in the hearing. Each part will receive a copy of the materials and list of witnesses submitted by the other party. The Associate Dean for Research and Faculty Development schedule a hearing within 20 class days of receipt of all written material.
- The College Hearing Officer or designee shall inform the candidate of the date, time, and place of the meeting at which the complaint will be discussed.
- Procedures for hearings will be conducted utilizing existing College of Education grievance procedures. <http://www.coe.uh.edu/student-services/graduate-office/gradstudent-resources/grievance-policy.php>
- After the hearing, the ad hoc panel will meet in closed session to determine its recommendations. The recommendations of the ad hoc panel will be forwarded to the Dean of the College. The Dean or Designee will make the final decision and will inform the student of the College's decision within (5) class days after the hearing.
- The Education Preparation Program (EPP) in the College of Education must retain information concerning the complaint for a minimum of three years
- Students may file an appeal with the Provost's office or designee. These forms must be filed within 90 calendar grades of the posting of the final grade for the course. <http://catalog.uh.edu/content.php?catoid=6&navoid=1083>. This is the final step in the institutional process.

COMPLAINTS TO THE TEA

- If the student is not satisfied with the complaint process or outcome to resolve a complaint that has occurred within the last two years, the student may file a complaint against the Program with the Texas Education Agency. The official Texas Education Agency complaint process can be found at http://tea.texas.gov/About_TEA/Contact_Us/Complaints/Complaints/.
- Information on how to file a complaint with TEA can be secured from the EPP by information posted at their physical facility, on their website or, upon request, directions may be requested in writing.