Definition: Provides a means for students to seek redress of complaints regarding matters other than grade appeals or allegations of discrimination, harassment, retaliation, or concerns regarding university compliance federal and state disability related laws. Grade appeals can be filed by following the Student Grade Appeal Policy. Students concerned with matters of discrimination, harassment, retaliation, compliance with disability related laws, or any similar matter should contact the Dean of Students Office for assistance.

Scope: The purpose of the Student Grievance Policy is to enable a student to resolve a complaint arising out of any alleged unauthorized or unjustified act or decision, other than a grade appeal, by a member of the faculty, administration, or staff that in any way adversely affects the status, rights, or privileges of a member of the student body. The burden of proof shall lie with the complainant, also referred to as grievant herein.

Timeline: Requests for formal grievance hearing arising from alleged unauthorized or unjustified actions which occurred during the spring or summer term must be filed by October 15 of the same calendar year. Requests for formal grievance hearing arising from alleged unauthorized or unjustified actions which occurred during the fall term must be filed by March 15 of the subsequent calendar year. Students must attempt informal resolution to the dispute prior to filing a request for formal grievance hearing. See Section IV - A.

Authority: The president of the university.

Karen S. Haynes, President

Emily F. Cutrer, Provost and VP for Academic Affairs

Revision 3: 8/24/2010
Revision 2: 02/19/2004
Revision 1: 08/21/1996
Implemented: 01/11/1993

Approved by Academic Senate 05/05/2010
I. INTRODUCTION

The relationship of the student to California State University San Marcos is governed by statutes, rules, and policies adopted by the California Legislature, the Trustees, the Chancellor, the campus President, and their duly authorized designees. This document establishes and describes procedures that are to be used for resolving student complaints and grievances arising from a student's claim that a member of the faculty, staff, or administration has in some way adversely impacted the student by an alleged unauthorized or unjustified act or decision. Only those claims arising from official actions taken by faculty, staff, or administrators on behalf of California State University San Marcos can be considered, and the grievability of such claims is to be determined through the procedures specified in this document.

If there is a specific policy or procedure for appealing decisions made in a unit or department, that appeal process must be completed prior to filing a formal grievance through the Dean of Students Office. Students are required to attempt to resolve complaints informally and may seek the support of the Dean of Students Office as an impartial advisor to provide guidance on University processes. Should informal attempts to resolve a complaint fail, the formal grievance procedures described herein may be invoked. In all cases, these procedures are designed to effect reasonable and orderly resolutions of student complaints and grievances in a fair, consistent, and timely manner.

The procedures specified herein are to be followed when no other specific campus policy or procedure exists that would more appropriately and effectively bring about a resolution of a student's complaint or grievance. Grade appeals must be pursued per the Student Grade Appeal Policy. Students concerned with matters of discrimination, harassment, retaliation, compliance with disability related laws, or any similar matter should contact the Dean of Students Office for assistance. The grievance procedures cannot be used as a method of rebuttal to any student disciplinary action, nor as a means to establish or change university policy.

II. DEFINITIONS

Advisor – An individual who advises or speaks on behalf of the grievant or respondent. Attorneys are excluded from the University's grievance process. See Section IV.C.11.

Appointing Officer or Agency – The individual or group identified in these procedures to appoint members to the Student Grievance Committee, e.g., Academic Senate for faculty appointments, Associated Students, Inc. for student appointments.

Appropriate Vice President – The Vice President or other direct report to the University President leading the unit in which the respondent is employed.

Chair – A member of the University faculty assigned responsibility by the President for managing those cases in which informal resolution of differences has not been achieved, facilitating the Formal Grievance Hearing, and serving as the Committee's administrative officer.
Conflict of Interest – A person who has a personal relationship with either party to the grievance; persons involved with the grievance or other type of dispute related to the complaint; any person who is serving as an advocate for faculty, staff, students, or administration; or any member who believes he or she cannot remain objective in committee proceedings. A conflict of interest may exist between a committee member and the grievant, a committee member and the respondent, a committee member and a witness to the grievance, a committee member and an advisor for either the grievant or the respondent. For questions regarding a conflict of interest please contact the Dean of Students Office.

Dean of Students – The Dean of Students or designee assigned by the Dean as an impartial representative from the Dean of Students Office to provide assistance and guidance on the grievance process itself to all parties upon request.

Grievant - A student who has filed a complaint that is proceeding to the formal grievance process including a grievance hearing. The student must be presently enrolled at CSU San Marcos or have been previously enrolled at the time the action which is the subject of the complaint occurred.

Grievance - A complaint that was not satisfactorily resolved at the informal level. The action in question taken on behalf of CSU San Marcos must have occurred when the grievant was a registered student at the University.

Informal Resolution - Students are required to attempt to resolve complaints informally and at the lowest possible organizational level prior to filing a formal grievance. Steps for informal resolution will vary by colleges and units within the University. Students may seek the support of the Dean of Students Office as an impartial advisor to provide guidance on University processes. For more information, see Section IV-A.

Instructional Days – days on which regularly scheduled classes or examinations are held at CSU San Marcos excluding Saturdays, observed holidays, and academic breaks. Grievance proceedings are held only during the fall and spring semesters. At the discretion of the Committee Chair, an exception may be allowed if the committee is available, and if the exception is requested by and/or acceptable to both the grievant and the respondent. See Section IV.E.1.

President – The President of CSU San Marcos or designee.

Provost – The Provost/Vice President for Academic Affairs or designee.

Recorder – A designated faculty or staff member who provides administrative support to the Committee Chair and records the formal hearing and deliberations. This person is not a member of the committee.

Request for Formal Student Grievance Hearing – A form designed by the Dean of Students on which the grievant records a description of the grievance and the desired outcome. The written “Request for a Formal Student Grievance Hearing” form, including any supporting documentation, signals the start of the formal proceedings and must be written by the grievant.
Respondent – A member, or members, of the CSU San Marcos faculty, staff, or administration against whom the grievance is filed.

Student - A person who is regularly enrolled at CSU San Marcos.

University – California State University San Marcos also referred to as CSU San Marcos or CSUSM.

III. STUDENT GRIEVANCE COMMITTEE MEMBERSHIP AND STRUCTURE

A. Three students named by Associated Students, Inc. Undergraduate and graduate students serving on this Committee shall be students in good standing (i.e., not under any type of university probation). Graduate students shall be enrolled in an authorized graduate degree or credential program.

B. A minimum representation of at least one tenured faculty member from each college named by the Academic Senate. A recommendation to add representation from other academic units, e.g., School of Nursing, may be made at any time for decision by Academic Senate. However, the additional faculty representative will not be included in any case under review by the Student Grievance Committee at the time his or her appointment.

C. One full-time staff member or Administrator from the Division of Academic Affairs or the Division of Student Affairs named by the President.

D. A Committee Chair will be selected by a vote of the committee members from among the faculty members on the committee. A Vice Chair will be selected in the same fashion from remaining non-student representatives. The Vice Chair shall assume the responsibilities of the Chair should the Chair step down temporarily or permanently.

E. Alternates will include the following individuals. Alternates may vote only if acting on behalf of a voting member of the committee.

1. Two alternate students named by the Associated Students, Inc. Undergraduate and graduate students serving on this committee shall be students in good standing. Graduate students shall have been enrolled in an authorized graduate degree or credential program.

2. Two alternate tenured faculty named by the Academic Senate.

3. One alternate full-time staff member from the Division of Academic Affairs or Division of Student Affairs named by the President.

F. All members shall be appointed for two years on staggered terms. No member shall serve more than two consecutive terms. A Chair shall be appointed for two years by the President of the University. No member shall serve as Chair for more than two consecutive terms.

G. The duties of the Chair include the following. To manage workload, the Chair may delegate duties to the Vice Chair.
1. Arranging for the date, time, and location of all meetings and hearings. Informing the grievant, respondent, the Committee, the Dean of Students and any other parties to the grievance (excluding advisors or witnesses for either side) of the time, date, and location of meetings and hearings that they are requested to attend.

2. Securing and distributing written material appropriate for consideration by committee members or parties to the grievance prior to or during meetings and proceedings as designated in these procedures.

3. Maintaining all written and electronic records and providing documentation of the committee’s recommendations to all appropriate recipients.

4. Identifying an investigating subcommittee from the committee membership to explore the case in depth and report back to the grievance committee. The investigating subcommittee will include four members, one of whom must be a faculty member and one of whom must be a student. The investigating subcommittee may meet in person with both parties to the grievance, and may, on behalf of the grievance committee, explore options for informal resolution.

5. Organizing and facilitating at least one committee meeting prior to the formal hearing to review the evidence submitted by the grievant and respondent, accept the report of the investigating subcommittee, and compile the committee’s questions based on the evidence to be answered by the grievant and respondent.

6. The Committee Chair has the ability to seek procedural advice from the Dean of Students Office and/or CSU San Marcos general counsel at anytime.

H. Committee Operations

1. Should any member of the Committee be unable to complete an appointed term, a replacement shall be appointed to fill the balance of the term by the original appointing officer or agency. Resignations shall be submitted in writing to the Chair of the Committee. The Chair shall inform the appropriate officer or agency of the vacancy in writing and shall request the prompt appointment of a replacement.

2. Should a Committee member be unable to hear a grievance, an alternate shall be appointed for the course of the grievance. If a member of the Committee is granted an official leave for less time than remaining in a term, or if because of illness or other reasons a member is judged unwilling or unable to participate in the work of the Committee, the Chair shall inform the administrator or agency of the appointee and shall request the prompt appointment of a temporary replacement.

3. When the services of a temporary appointee are no longer required, the Chair shall promptly inform the temporary appointee and the appointing administrator or agency in writing.
4. Should the Committee be involved in a specific case when an absent member returns, the replacement member shall continue as a member of the committee in all sessions dealing with that specific case until it is concluded. The returning member shall resume membership on the Committee for subsequent cases.

5. When a member of the Committee has more than three absences, the Committee may vote to remove that member and may request a replacement from the appointing administrator or agency.

6. A member of the Committee may be reappointed upon the expiration of term if duly recommended by the original appointing administrator or agency. The member may be appointed for a third term only after a break in service of no less than two years.

7. If the Committee is involved in a case when a member's term expires, the member shall continue on the Committee only in its consideration of that case. A newly appointed member shall not be considered a member of the Committee for a case which is in process at the time of appointment. The new Committee member shall, however, serve for all other matters.

8. A member of the Committee may choose to resign from the Committee, in which event a replacement shall be appointed by the original appointing administrator or agency for the balance of the member's term.

9. A member of the Committee may choose to be disqualified from consideration of any case for which there may be a conflict of interest (see definition above). In this event a replacement shall be appointed by the Chair of the Committee from the list of alternates of the member's constituency.

10. If a Committee member is the grievant or respondent in a hearing, a conflict of interest is inherent, and the member shall be excluded from considering that case and an alternate appointed.

Upon the conclusion of a hearing in which a Committee member was a principal party, the Committee shall determine the member's fitness to continue on the Committee. The decision shall be conveyed by the Chair to the appointing officer or agency, either informing of the continuation of membership or requesting a replacement.

Either party to a hearing may request of the Chair that a Committee member(s) be excluded from considering the case. The request shall be brought to the Chair's attention prior to the hearing and must be supported by a substantial reason for exclusion. The Chair will bring the matter to the Committee for vote on the member's exclusion. If a member is disqualified by the Committee from consideration, a replacement shall be appointed by the Chair from the list of alternates of the member's constituency.
11. The Committee may conduct procedural business via email including distributing materials for review prior to meetings. The Committee Chair may elect to request a secure site, such as WebCT or its successor, be established to streamline document drafting and review. If so, the Committee Chair must confer with the Dean of Students Office so that information security and confidentiality guidelines are in place. No members of the committee may discuss the facts of any grievance, nor their opinions thereof, through any electronic media. All deliberations and decisions related to the recommended outcome of the grievance must be conducted in person and confidentially.

IV. STEPS FOR SEEKING REDRESS

A. Informal Resolution

1. Informal discussion between the grievant and respondent in a grievance shall be essential in the early stages of the dispute and should be encouraged at all stages of the formal grievance process. An equitable solution to a problem should be sought before anyone involved in the case assumes official or public positions that might polarize the dispute and render a solution more difficult. No one involved in or aware of a case may use the informal resolution process, the filing of a grievance, or the character of the informal discussions to strengthen the case for or against persons directly involved in the dispute or for a purpose other than to resolve the grievance.

2. A grievance can be brought as a result of an unauthorized or unjustified act or decision by a member of the faculty, staff, or administration which in any way adversely affects the status, rights or privileges of a student. The student may consult with the Dean of Students Office to evaluate the situation and to determine which of the following steps might best apply. In general, informal resolution will be conducted in one of the two following ways:

   a. The student should bring the complaint to the attention of one or more of the proper college committees where such grievance provision exists or to the chair, dean, administrator, or staff supervisor; or

   b. The student should bring a complaint against an administrator or staff member to that person's supervisor.

3. Should the grievant or respondent require a reasonable accommodation as mandated by Title II of the Americans with Disabilities Act, or have any other special needs, it must be brought to the attention of the administrator of the informal process and the Dean of Students Office in writing no less than seven instructional days prior to the date the accommodation is requested to be implemented.

B. Criteria for a Case to Proceed to a Formal Grievance Hearing

The grievant must show that the remedy sought will not effectively result in either (1) special favoritism for him or her and/or (2) prejudice against others. The fact that no other student has
initiated a grievance or requested a Formal Grievance Hearing regarding the same issue does not preclude the outcome being in favor of the grievant.

C. Filing of Grievance and Rebuttal

At any point in the proceedings, the grievant may withdraw the Request for a Formal Grievance Hearing or accept an informal resolution. Should an informal resolution be under negotiation or consideration during the formal process, the Committee Chair may elect to pause the timeline for the formal grievance until the attempt at informal resolution is exhausted.

1. A form entitled, “Request for a Formal Grievance Hearing” is available in the Dean of Students Office and must be completed and returned to the Dean of Students Office no later than the following dates: March 15 for alleged grievances that took place during the previous Summer/Fall Semesters, October 15 for alleged grievances that took place during the previous Spring Semester. By filing the “Request for a Formal Grievance Hearing”, the grievant acknowledges that the Grievance Committee may review the grievant’s university records in order to fully examine the issues of the case. Such review will be done within the constraints of pertinent privacy laws and university policies.

2. The Dean of Students Office must provide both grievant and respondent with access to copies of these procedures and be available to address procedural questions related to these procedures.

3. The grievant may file a Request for Extension in writing with the Dean of Students Office should he or she require additional time due to a “serious and compelling” reason. The request must describe the reasons for the extension and the extended time necessary. The request should be submitted as soon as the grievant becomes aware of the circumstances and should not be delayed until the March 15/October 15 deadline without cause. The Dean of Students Office will submit the Request for Extension to the Grievance Committee for decision.

4. Within five instructional days of receiving the Request for a Formal Grievance Hearing, the Dean of Students Office will transmit copies to the respondent and the Committee Chair. Prior to doing so, the Dean of Students Office will confirm that a good faith attempt to resolve the complaint informally has been made. The Committee Chair will set a meeting to confirm all the committee members for the case and identify members of the investigating subcommittee. The investigating subcommittee will conduct its review in a way that does not extend the timelines outlined in these procedures.

5. Within ten instructional days of receipt of the Request for a Formal Grievance Hearing, the respondent will provide a written answer to the grievance to the Dean of Students Office. The Dean of Students Office will then provide a copy to the grievant. If a written answer from the respondent is not received within ten instructional days, the Dean of Students Office will notify the Committee Chair.
6. Within five instructional days after receiving the respondent's written answer to the grievance, the Dean of Students Office will forward all materials to the Grievance Committee Chair serving as notification that the formal grievance proceedings can begin.

7. Within ten instructional days after receipt of the respondent's answer to the grievance, the Committee Chair will hold a committee meeting to review the evidence submitted by the grievant and respondent and compile the committee's questions based on the evidence to be answered by the grievant and respondent.

8. Within fifteen instructional days of the committee meeting (See IV.C.9), the questions will be submitted to the respondent and the grievant by the Committee Chair.

9. Within ten instructional days after the parties receive the questions, the committee's questions must be answered by both the grievant and respondent and submitted to the Committee Chair.

10. Within five instructional days of receiving the answers to the questions the Committee Chair will set the hearing date and notify the grievant and respondent. The hearing date will be set no sooner than twenty instructional days from this point to allow time for logistical arrangements and sufficient preparation by the committee while avoiding unnecessary extension of the case.

11. The grievant and/or respondent may each independently name an advisor to assist him or her through any portion of the formal process. The name of the advisor must be given to the Dean of Students Office as soon as the advisor is secured but no less than ten instructional days prior to the grievance hearing. Attorneys may not appear in the proceedings as advisors for either party. The University also may choose whether or not to enlist the services of the campus general counsel to assist the Committee in order to ensure due process for both parties and provide procedural advice. Both parties are responsible for notifying their advisors of the hearing date and ensuring their presence at the hearing. The hearing may proceed if an advisor fails to attend. The advisor for the grievant or respondent may not be a witness to the grievance and may not be called to speak at the hearing.

D. Preparing Witnesses and Evidence

1. The grievant and respondent are responsible for obtaining their own witnesses and documentation. Participation in this process by prospective witnesses is voluntary.

2. The names of witnesses, if any, for either party along with a brief statement of their testimony and any written evidence they will be presenting must be submitted to the Chair ten instructional days before the hearing. If testimony and evidence are not submitted to the Committee Chair at least ten instructional days prior to the start of the hearing, the related witness and/or evidence will not be admitted in the hearing.
3. Witnesses must sign and date all testimony and evidence submitted. Witnesses will be subject to appropriate university disciplinary action and may be exposed to civil liability if false information is submitted.

4. The grievant and respondent may elect to present exhibits in the hearing, e.g., regulations, statements in catalogs, or student handbooks, etc. In order for exhibits to be included in the hearing they must be submitted to the Committee Chair at least ten instructional days prior to the hearing.

5. No later than five instructional days prior to the start of the hearing, the Committee Chair working in collaboration with the Dean of Students Office, will make hearing materials available for review in the Dean of Students Office by the grievant and respondent. Materials may include the Request for Formal Grievance form, statements by the grievant and respondent, names of witnesses and their testimony, and any other written evidence and exhibits. The materials will also be available in the Dean of Students Office for committee members to review prior to the hearing if they so choose.

6. Both parties are responsible for notifying their witnesses of the hearing date and ensuring their presence at the hearing. The Chair may also approve an appearance via electronic medium that enables the committee to see, hear, and interact with the witness. However, if the witness cannot be present as described above, written evidence must be submitted. If the witness fails to appear in person or via electronic medium, with the exception of a "serious and compelling" reason, and only submits written evidence, the Grievance Committee may, if it so chooses, discount the witness' written evidence.

E. Grievance Hearing Procedures

1. Grievance proceedings are held only during the fall and spring semesters. At the discretion of the Committee Chair, an exception may be allowed if the committee is available, and if the exception is requested by and/or acceptable to both the grievant and the respondent. The grievant and respondent are responsible for securing the availability of their witnesses and/or advisors (if any) prior to requesting or approving the exception.

2. Quorum - Five of the Committee members including a minimum of one student shall constitute a quorum. Quorum is necessary for committee decision-making in a particular case or other official business.

3. An audio recording of the hearing including all testimony will be made. The Chair will coordinate the logistics of the recording with the Dean of Students Office who will provide the mechanism for recording. There will be no recording of committee deliberations.

4. Hearing Facilitation

a. The Chair facilitates the hearing and makes rulings on procedural matters. The Chair must present all written material for the committee to study and provide relevant
information if so requested by the committee. Proceedings shall be conducted in accordance with the American Association of University Professors' Joint Statement on Rights and Freedoms of Students (1990) or its successor.

b. The Chair shall be responsible for conducting the hearing in such a manner that the rights of the grievant and respondent are observed throughout and that fair play and due process are accorded.

c. The hearing shall not be conducted according to technical legal rules relating to evidence and witnesses or rigid procedural guidelines. The Chair shall admit evidence on which reasonable persons are accustomed to rely in the conduct of serious affairs, but shall exclude evidence that is irrelevant, inappropriate, or unduly repetitious. Statements related to questions of character, excluding factual evidence presented regarding credibility of statements or witnesses will not be admitted in the hearing.

5. Presenting Evidence and Witnesses

a. Written evidence presented by either party may be subject to refutation and consideration by the opposite party and Committee members. Only evidence presented to the Committee per Section IV.D.1-5 may be presented at the hearing. Only evidence presented in the hearing shall be considered in the final recommendations.

b. At the hearing, the grievant and respondent, and witnesses may testify and be questioned by the opposite party and Committee members. The Chair will facilitate a structured process. No party to the hearing or committee member may proceed with questioning without acknowledgement or instruction from the Chair. Any party or witness who is disruptive to the hearing process may be excused from the hearing by the chair after one verbal warning regarding inappropriate conduct.

c. Each witness must leave the room after giving evidence and must not hold discussions with other witnesses.

d. At the request of the committee, a witness may be recalled only to provide clarification. The Chair must make a decision on the importance of the potential testimony against the inconvenience of recalling excused witnesses.

e. Additional witnesses, beyond those previously named by the grievant and the respondent per Section IV.D.1-5 may not be called to present evidence at the hearing unless approved by the Chair. Such exceptions will be rare, and the rationale for such exception must be substantiated by the Chair and entered into the hearing record.

f. The Chair may ask each witness the following question: “Do you promise that the testimony you are about to give in this matter shall be the truth as you know it?”
F. Closed Hearing and Confidentiality

1. No member of the committee shall discuss personal and/or pertinent information relating to a specific grievance with any persons who are non-committee members except at the request of the committee or as part of the investigation or hearing processes defined in this document. This shall not preclude notification of University Police and the Dean of Students Office by the Student Grievance Committee Chair in the event that any committee member perceives the safety of any person or property to be in jeopardy.

2. The formal grievance hearing is a closed proceeding. Attendance in the hearing is limited to the grievant, the respondent, their advisors (if any), witnesses while giving evidence, the committee, and a recorder (if any), to provide administrative support for the Chair. The content of the proceedings and the committee recommendations resulting wherefrom must not be made public by any participant in the hearing. In the event these matters should become public, further public statements may only be made by the President or designee. This closed proceeding does not prohibit referral by the committee to an appropriate unit for review of a party's conduct following appropriate procedures on the basis of evidence presented at the hearing.

3. To protect the grievant and respondent, all participants shall maintain confidentiality to the maximum extent possible at every level of the grievance process. A breach of confidentiality is a breach of ethics and may breach employment contracts, the code of student conduct, or the Family Education Rights and Privacy Act (FERPA).

4. Communication Guidelines: All written documentation and recommendations relating to individual grievances shall be marked and handled per the university's practices for confidential material. The Committee Chair may consult with the Dean of Students Office for further information.

5. Committee Deliberation and Recommendation
   a. The Committee shall have up to ten instructional days from the date of the hearing in which to conduct its deliberations and determine its recommended outcome to the case.
   b. Committee members shall deliberate and arrive at their recommendations in consultation among themselves based only on evidence admitted in the formal grievance hearing. Only those entitled to vote on the case, their alternates, the chair, and the recorder shall be present during consultation and voting. Only members of the Committee who have heard all testimony during the hearing relating to the grievance shall vote on the case.
   c. A committee member may seek procedural advice only from the Chair.
d. The Chair must not allow coercion of any member of the committee by another member.

e. The Committee will determine the recommended outcome to the grievance by secret ballot. The Chair records the vote.

f. A simple majority of the quorum is required to reach a conclusion.

g. The Chair must write a report consisting of the finding of facts and recommendations made by the Grievance Hearing Committee. This report will be signed by all the committee members and submitted to the Appropriate Vice President within ten instructional days after the committee has determined the recommended outcome of the grievance.

h. Dissenting committee members may write a minority report which must be submitted to the Appropriate Vice President within ten instructional days after the committee has determined the outcome of the grievance. A copy of the Committee Report and the Dissenting report(s) will be filed in the Dean of Students Office within the same timeframe.

i. When in the opinion of the Committee, disciplinary action against a student or university employee may be appropriate, the Committee may recommend that the report be reviewed by the appropriate administrator or department to determine if disciplinary action against a student or university employee is warranted.

j. The recommended outcome determined by this Committee shall supersede any previous decisions reached by individuals or committees within departments, schools, or colleges of the University.

k. If the recommended outcome reveals a need for policy review or creation, the Committee shall refer its recommendations to the Senate Executive Committee or to the Vice President of the Division responsible for the policy as appropriate.

l. Should any grievant, respondent, or person not directly involved in a complaint, allegedly suffer some disadvantage, discrimination, or reprisal as the result of a complaint, testimony, or statement in connection with Committee action, the Student Grievance Committee shall, upon request or upon its own motion, refer the concern to the appropriate administrator or department for review and potential action.

6. Decision

a. Within ten instructional days from receipt of the committee's report, the appropriate Vice President will render a decision on the grievance and communicate it in writing to the grievant and respondent. A copy of this decision will be provided to the President's Office, the Dean of Students Office, the Grievance Committee Chair, and the
administrator of the unit in which the respondent is employed. Unless deemed otherwise by the President, the appropriate Vice President has the sole decision making power to carry out the recommendations of the Committee or to make an alternate decision on the grievance. Should a disagreement occur, the vice president would meet with the committee chair to further discuss the decision. This decision is final for all purposes and supersedes all previous recommendations and decisions. Written copies of the decision will be kept on file in the Dean of Students Office with all other materials relating to the case.

b. Ordinarily, the outcome of the formal Grievance Hearing shall not be overturned because of technical departure from the procedures or because of errors in their application. However, if technical departures or errors were such that a fair and just determination of the issues was compromised, then the appropriate Vice President may reject the recommendation or call for a new hearing.

c. Deciding the effect, if any, of a failure to strictly adhere to the time deadlines stated in these procedures is within the discretion of the appropriate Vice President with input from the Dean of Students, the Chair, and the Grievance Committee.

V. RECORDS RETENTION AND CONFIDENTIALITY UPON CONCLUSION OF CASE

All documents and recordings of the hearing relative to an individual grievance case shall be appropriately maintained in locked file drawers located in the Dean of Students Office for three years after the grievant separates from the university. Records will be destroyed after this three year period. Upon conclusion of the case, requests for copies of any materials related to a formal grievance case must be submitted to the Dean of Students Office. Such requests will be reviewed per relevant university policies and applicable laws to determine whether the request will be granted, the format and timeline in which materials will be available, and if any charge will apply to the requesting party.
**STUDENT GRIEVANCE**

**Academic Affairs**

**POLICY**

**SAC 043-92**

**Effective Date:** 8/24/2010

<table>
<thead>
<tr>
<th>Grievance Timeline</th>
<th>Fall 2010</th>
<th>Spring 2011</th>
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<tbody>
<tr>
<td>1. Grievance Occurs</td>
<td>Fall 2010</td>
<td>Spring 2011</td>
</tr>
<tr>
<td>2. Informal Resolution</td>
<td>No later than 3/15/2011</td>
<td>No later than 10/15/2011</td>
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<tr>
<td>5. Respondent provides answer to grievance to Dean of Students. Dean of Students will provide copy of answer to grievant</td>
<td>4/12/2011</td>
<td>11/14/2011</td>
</tr>
<tr>
<td>6. Dean of Students provide Committee Chair with respondent answer, and all other materials</td>
<td>4/19/2011</td>
<td>11/30/2011</td>
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<tr>
<td>7. Committee chair holds committee meeting to review evidence submitted by grievant and respondent</td>
<td>5/10/2011</td>
<td>1/19/2012</td>
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<tr>
<td>8. Committee Chair submits questions to the grievant and respondent</td>
<td>8/29/2011</td>
<td>2/2/2012</td>
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<tr>
<td>9. Grievant and Respondent must provide Committee with answers to questions</td>
<td>9/6/2011</td>
<td>2/9/2012</td>
</tr>
<tr>
<td>10. Committee Chair will set hearing date and notify the grievant and respondent. The hearing date will be set at least twenty days from this point</td>
<td>9/20/2011</td>
<td>2/16/2012</td>
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<tr>
<td>11. Grievant and respondent must provide the name of their advisor (if they have one) to the Dean of Students</td>
<td>9/20/2011</td>
<td>2/16/2012</td>
</tr>
<tr>
<td>12. Grievant and respondent must provide the names of their witnesses with a brief statement of their testimony and written evidence to the Chair</td>
<td>9/20/2011</td>
<td>2/16/2012</td>
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<tr>
<td>13. The appropriate Vice President will render a decision on the grievance and notify the grievant and respondent of that decision</td>
<td>9/27/2011</td>
<td>2/23/2012</td>
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**Grievance Timeline (Example Calendar)**

- 1. Grievance Occurs
- 2. Informal Resolution - Required before the filing of the formal process
- 3. Last Day to submit Request for formal Grievance Hearing - March 15 for grievances occurring in the preceding Summer/Fall Semester. October 15 for grievances occurring in the preceding Spring Semester
- 4. Dean of Students Transmits copies to respondent and Committee Chair - 5 Instructional Days (I-Days) of Step 3
- 5. Respondent provides answer to grievance to Dean of Students. Dean of Students will provide copy of answer to grievant - 10 (I-Days) of Step 3
- 6. Dean of Students provide Committee Chair with respondent answer, and all other materials - 5 (I-Days) of Step 5
- 7. Committee chair holds committee meeting to review evidence submitted by grievant and respondent - 10 (I-Days) of Step 5
- 8. Committee Chair submits questions to the grievant and respondent - 15 (I-Days) of Step 7
- 9. Grievant and Respondent must provide Committee with answers to questions - 10 (I-Days) of Step 8
- 10. Committee Chair will set hearing date and notify the grievant and respondent. The hearing date will be set at least twenty days from this point - 5 (I-Days) of Step 9
- 11. Grievant and respondent must provide the name of their advisor (if they have one) to the Dean of Students - 10 (I-Days) prior to Step 15
- 12. Grievant and respondent must provide the names of their witnesses with a brief statement of their testimony and written evidence to the Chair - 10 (I-Days) prior to Step 15
- 13. Grievant and respondent must present exhibits to the Chair - 10 (I-Days) prior to Step 15
- 14. Committee Chair will make all materials available in the Dean of Students Office for review by the grievant, respondent or committee - 5 (I-Days) prior to Step 15
- 15. Grievance Hearing Date
- 16. Committee members shall deliberate (vote) and arrive at their recommendations - 10 (I-Days) of to Step 15
- 17. Committee Chair will write a report consisting of the findings and recommendations to the appropriate Vice President - 10 (I-Days) of to Step 16
- 18. Dissenting Committee members if they choose will submit a minority report to the appropriate Vice President - 10 (I-Days) of to Step 16
- 19. The appropriate Vice President will render a decision on the grievance and notify the grievant and respondent of that decision - 10 (I-Days) of to Step 17

Approved by Academic Senate 05/05/2010
### Effective Date: 8/24/2010

<table>
<thead>
<tr>
<th>Office for review by the grievant, respondent or committee</th>
<th>10/4/2011</th>
<th>3/1/2012</th>
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<tr>
<td>16. Committee members shall deliberate (vote) and arrive at their recommendations</td>
<td>10/18/2011</td>
<td>3/15/2012</td>
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<tr>
<td>17. Committee Chair will write a report consisting of the findings and recommendations to the appropriate Vice President</td>
<td>11/1/2011</td>
<td>3/29/2012</td>
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<td>18. Dissenting Committee members if they choose will submit a minority report to the appropriate Vice President</td>
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<tr>
<td>19. The appropriate Vice President will render a decision on the grievance and notify the grievant and respondent of that decision</td>
<td>11/16/2011</td>
<td>4/19/2012</td>
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