



DATE: 16 September 2019
FROM: Deborah Won, Chair
Student Policy Committee
TO: Veena Prabhu, Chair
Academic Senate
CC: N. Wada-McKee, R. Chavez, R. Roquemore

SUBJECT: Recommended modification to the Student Grievance Procedures

The Office of Student Life brought to our attention that students have found the student grievance procedures, as currently written in the faculty handbook, confusing. In collaboration with Student Life, the SPC reviewed the policy and agreed that the verbosity would likely dissuade students from filing grievances, and that in order to clarify the procedures and simplify the wording, the policy should also be revised to have consistency with the process implemented by the Office of Student Life. Other CSU Student Grievance Procedures were researched, and that of CSU Monterey Bay was identified as a model of balancing brevity and simplicity with clarity.

In an effort to clarify the procedures, simplify the wording, update the procedure to account for changes in positions that have been created since the last modification, and promote consistency with the student-facing version of the procedure, the SPC has carefully reviewed the policy and proposed to re-write the existing policy while keeping the essential procedures in place. At our meeting dated May 7, 2019, SPC voted to recommend the following modifications:

Lines 427-771: The existing policy (Lines 1-424) was re-written and re-organized to be more concise and clear. Non-essential or redundant details were removed. The total number of lines was reduced by 20% from 425 to 370.

In addition to editorial amendments, SPC recommends the following substantial modifications to the policy:

Lines 430-440: The preamble (lines 7-15) were removed, and instead concisely stated in the section describing the purpose of the student grievance policy. Here, it is emphasized that while the policy lays out guidelines for the grievance procedure, open and honest communication are fundamentally required. Any procedures that are open to interpretation must be in accordance with the University's mission statement and core values.

Lines 442-487: The scope of the student grievance procedure is provided at the beginning of the document. Such a definition was lacking in the existing policy. The section also clearly defines the rights of all parties involved in the process.

Lines 488-540: An updated section on terminology replaced lines 25-78 to reflect current positions, procedures, and policies at the university. For example, the office of the Assistant Dean of Students: Engagement and Wellness did not previously exist and is now included and serves as the coordinator of the grievance committee.

Lines 541-553: Eligibility of student to file a claim was described in the definition of "student" in the terminology

section of the existing policy (lines 73-75). A new section was created to clarify the academic standing required for a student to file a grievance and outlines the timeframe in which the grievance can be filed. This section also clearly states that a student is protected against retaliation filing a grievance or participating in the process.

Lines 554-558: Added language to protect the confidentiality of the grievant, respondent, and all those involved in the case.

Lines 559-569: Added section to clarify the role of support persons during the grievance process as well as reaffirm the non-participation by lawyers. This section also discusses the role of the Director of Student Support in the process. This position did not previously exist.

Line 570-595: Support for guiding the student during the informal process was clarified and wording simplified (lines 79-138). Alternate channels for attempting to resolve the issue through the informal process were enumerated.

The grievant is more clearly guided through the steps of filing a grievance, and is referred to an online link to the Statement of Student Grievance form on the Student Conduct Office website.

Line 597-622: Implemented a clear screening process to determine whether the case may be considered for a hearing; existing policy is vague regarding how the case moves from an informal process to the formal process (lines 127-184). Removed chronological detail and detail on what reports coordinator needed to find (lines 163-189); instead, outlining the next steps that students can anticipate after submitting a student grievance form. Defined the role of the Dean of Students in this process. Added that students waive their FERPA rights to the committee in the case that investigation of the grievance requires review of the student's academic records.

Lines 650-674: Instead of detailing the precise chronology of the hearing process (Lines 163-349), the major guidelines that should be followed, which will be facilitated by the Coordinator, is clearly stated in a bulleted list. Further information was provided regarding the committee hearing process in a step-by-step presentation.

Lines 675-691: A section was added to explain the committee recommendation process. To ensure the fair process of the grievance procedures and hearing cannot be bypassed by the appropriate administrator (VP of the division of the respondent, or designee), it was made explicit that the recommendation of the hearing panel must be implemented unless an explanation is provided.

1 Student Grievance Procedures

2
3 (Senate: 1/23/68, 11/9/71, 7/15/75, 10/5/77, 2/27/79, 3/11/80; 5/13/80, 12/2/80, 3/2/99, 5/31/05;
4 President: 3/26/68, 11/18/71, 12/31/75, 11/1/77, 3/8/79, 6/23/80, 12/9/80, 4/30/99, 1/11/07; Editorial
5 Amendment: 9/00, 1/21/15)
6

7 It is believed by the makers of this statement that adequate safeguards have been included to protect the
8 rights of all concerned parties and to insure that Grievances are handled fairly. However, no rule,
9 regulation, or policy should substitute for open, honest communication; nor should any Grievance
10 procedure take the place of negotiating in good faith. The Grievance procedure described herein is but
11 one channel for solving problems. It should not be used to avoid the personal communication that is
12 necessary to the academic process.

13
14 Information regarding procedures for filing a Student Grievance may be obtained from the Office of the
15 Vice President for Student Affairs.
16

17 **Purpose:**

18 The purpose of the Student Grievance Policy and Procedure is to enable students to seek redress for
19 complaints or grievances (referred to as “grievances”) that allegedly resulted in injury to the student. A
20 grievance arises from any alleged unauthorized or unjustified act or decision by a member of the faculty,
21 staff, and/or management employee which adversely affects the status, rights, or privileges of a student.
22

23 **Policy:**

24
25 The Student Grievance process is intended to resolve grievances that are not addressed by more specific
26 policies or investigative processes. It applies to existing University policy and is not a vehicle to change
27 existing or create new University policy.

28 **Definitions/Responsibilities:**

- 29 A. Appropriate Administrator – The Vice President of the Division (or the Division Vice
30 President’s designee) in which the named employee works. In the case of a faculty employee,
31 the dean of the appropriate college may be the appropriate administrator. The appropriate
32 administrator will work with the named employee and the student to attempt to resolve the
33 grievance to the satisfaction of both.
34 B. Appropriate Supervisor – The immediate superior to whom the named employee reports on the
35 date of the action or event being grieved. For purposes of this Grievance Procedure, a faculty
36 employee’s appropriate supervisor is his/her department/division chair or school director. The
37 appropriate supervisor will work with the named employee and the student to attempt to resolve
38 the grievance to the satisfaction of both.
39 C. Business Day – All days of the week, excluding Saturdays, Sundays, and days on which
40 California State University, Los Angeles is closed.
41 D. Committee – The University Student Grievance Committee. The Committee, through its panel,
42 will conduct grievance hearings, deliberate, and issue findings of fact and recommendations for
43 action fairly and expeditiously.
44 E. Coordinator – The Coordinator of the Committee. The Coordinator shall be a University
45 administrator, appointed by the President. The Coordinator shall serve at the pleasure of the
46 President, with no set term of office. The Coordinator shall serve as Chair of the Committee and

47 advise the Committee and any panels on rules and procedures. The Coordinator shall not vote
48 and the Coordinator shall remain neutral on the merits of the grievance. The Coordinator will
49 select panels from the Committee, chair, coordinate, and monitor the activities of the panels,
50 schedule hearings, and meet with the Committee and panels as necessary. The Coordinator will
51 ensure that grievances are processed in accord with this Grievance Procedure and assist students
52 in submitting grievances to the Committee.

- 53 F. Faculty Unit Employee – An employee who is a member of Bargaining Unit 3 at the University.
54 G. Grievance – A complaint by a student, which is not subject to another investigation process, that
55 a named employee has treated the student unfairly or has violated the California State University,
56 Los Angeles policy, resulting in an injury to the student. Grievances may not be brought against
57 the University President under this procedure.
58 H. Investigation Process – Any grievance resolution process, formal investigation process, or
59 discipline process administered by the University, other than the student grievance process,
60 which more appropriately and effectively resolves the issues raised in the student’s grievance.
61 I. Management Employee – An employee with management/supervisory responsibilities working
62 under the Management Personnel Plan (Title 5, Article 2.2).
63 J. Named Employee – An employee of the California State University, Los Angeles (including a
64 faculty unit employee) who is the focus of the student’s grievance. The named employee will
65 attempt, when possible, to resolve the grievance informally with the student.
66 K. Panel – A subset of the Committee assigned to consider a grievance, consisting of one faculty
67 member, one student, and one President’s appointee. The Coordinator may serve as an advisory,
68 non-voting member of the panel.
69 L. President – The President of California State University, Los Angeles. The President will
70 consider timely appeals of the President’s Designee’s decision, consult with other persons as
71 necessary, and issue decisions on appeals and corrective orders.
72 M. President’s Designee – A management employee designated by the President.
73 N. Student – A person who, at the time that the event or action which is the subject of the grievance
74 occurred, was a continuing undergraduate or graduate student, or enrolled in an Extended
75 Education or Open University course.
76 O. Vice President – The Vice President of the division of the University in which the named
77 employee works.

78
79 Informal Grievance Resolution:

80 Because timely resolution of complaints or grievances is in the best interests of students, faculty,
81 administration, and the University as a whole, all parties are expected to actively seek resolution to these
82 complaints or grievances within the time frame and through the procedures set forth by this
83 policy. Although they are informal, the first three steps of the grievance process must be completed
84 within ninety days of the event/action (or the last date of a related series of events/actions) upon which
85 the grievance is based, unless the student and the appropriate administrator enter an extension of time in
86 writing. All parties have the responsibility to make themselves aware of these procedures and act in a
87 manner which allows the process to work efficiently and fairly.

88
89 Step One

90
91 Discussion with Named Employee

92 Before commencing any formal proceedings under the Student Grievance Process, a student should

93 normally attempt to discuss with the named employee the student's concerns or complaints about the
94 named employee's conduct. This may not be possible in all cases, particularly if the student believes
95 that he/she is or will be the victim of discrimination, harassment, or retaliation. Barring these concerns,
96 however, the student should make the effort to speak to the named employee.

97
98 A student is not required to discuss his/her grievance with the named employee and may proceed
99 directly to step two. However, the panel may consider unwarranted avoidance of the named employee
100 in evaluating the credibility of the student's grievance and the severity of the named employee's
101 conduct.

102
103 If the grievance is resolved at step one, no further action under this policy will be taken.

104
105 Step Two

106
107 Discussion with Appropriate Supervisor

108
109 If the grievance is not resolved at step one, the student should discuss it with the appropriate
110 supervisor. This discussion is a prerequisite to proceeding to steps three and four. The appropriate
111 supervisor's role at this stage is that of mediator. The appropriate supervisor shall reasonably attempt to
112 mediate a resolution to the grievance. This stage of the grievance process shall be considered informal
113 and the involved parties are strongly encouraged to participate and cooperate with the appropriate
114 supervisor's attempt to resolve the dispute. If the named employee is a unit three employee, the
115 supervisor may consult an appropriate department/division/school committee that has been designated
116 by the department/division/school to hear student grievances. This department/division/school
117 committee shall recommend a resolution to the Supervisor who will share this information with the
118 student and the employee. If the appropriate supervisor or named employee believes that the student did
119 not reasonably attempt to resolve the grievance, the panel may consider this in evaluating the credibility
120 of the student's grievance and the severity of the named employee's conduct.

121 If the grievance is resolved at step two, no further action under this policy will be taken.

122 If the appropriate supervisor is the named employee against whom the student has grieved, the student
123 may bypass step two and proceed directly to step three.

124
125 Step Three

126
127 Discussion with the Appropriate Administrator

128
129 If the grievance is not resolved at step two, the student should discuss it with the appropriate
130 administrator. This discussion is a prerequisite to proceeding to step four. The appropriate
131 administrator shall reasonably attempt to mediate a solution to the grievance. If the appropriate
132 administrator believes that the student or named employee did not reasonably attempt to resolve the
133 grievance, the panel may consider this in evaluating the credibility of the student's grievance and the
134 severity of the named employee's conduct.

135
136 If the grievance is resolved at step three, no further action under this policy will be taken.

137 If the appropriate administrator is the named employee against whom the student has grieved, the
138 student may bypass steps two and three and proceed directly to step four.

139 Committee Formation Procedures:

140
141 The committee shall consist of nine members, each serving a one-year term commencing on July
142 1. Three members shall be students, three members shall be unit three faculty, and three members shall
143 be staff employees.

144
145 Student members shall be appointed by the governing board of the Associated Students, no later than
146 April 15 of each year. No more than one student in any major may be appointed. To be eligible for
147 appointment, a student must have completed at least two semesters at the University and at the time of
148 appointment be in good academic standing. Within five business days of appointing student members,
149 the Associated Students shall notify the President of their names and majors.

150
151 Faculty shall be appointed by the Nominations Committee of the Academic Senate no later than April 15
152 of each year. No more than one faculty member may be appointed from any college. To be eligible for
153 appointment, a faculty member must be tenured or tenure-track. The faculty member may not be on
154 sabbatical, a difference-in-pay leave, or be serving a terminal year during his/her year of service. Within
155 five business days of making appointments, the Nominations Committee shall notify the President of the
156 names and departments of the selected faculty members.

157
158 Staff members shall be appointed by the President no later than April 15 of each year.
159 If, for any reason, a committee member leaves the committee, the appropriate appointing authority shall
160 replace him/her as soon as possible. If the departing member is on one or more panels that have not
161 completed their cases, the coordinator shall select an alternate panel member by lot.

162
163 Formal Grievance Resolution:

164
165 Step Four

166
167 Presenting Grievance to the Committee

168 Within one hundred days of the event/action (or the last date of a related series of events/actions) upon
169 which the grievance is based, a student must complete an approved grievance form and present it to the
170 coordinator if he/she desires formal review of the grievance, notwithstanding any action taken by the
171 appropriate administrator. If the student and the appropriate administrator had entered an extension of
172 time in writing permitting the first three levels of the grievance process to be completed in more than
173 ninety days, then this deadline for completing an approved grievance form shall be automatically
174 extended by the same number of days as set forth in the extension document. The student shall have
175 first completed the informal processes, in a time and manner that will permit the timely filing of the
176 grievance form.

177
178 The coordinator shall assist the student in submitting allegations and identifying physical evidence and
179 witnesses on the grievance form. The coordinator shall determine whether findings have been made as
180 to facts alleged in the grievance through another investigation process and obtain a copy of such findings
181 if they exist and are not confidential.

182
183 Within five business days of receiving a grievance, the coordinator shall select a panel from the
184 committee.

185 The coordinator shall select by lot a panel of three members, consisting of one member each from three
186 groups of appointees. If a panel member can not serve because of unavailability, conflict of interest, or
187 other reason beyond his/her control, a replacement shall be selected by lot from that panel member's
188 group.

189
190 For purposes of panel selection, a conflict of interest exists for a potential panel member if he/she is:
191 a. the named employee against whom the grievance is brought;
192 b. a student who was in the class that is a subject of the grievance;
193 c. a witness to any of the events that are the subject of the grievance or the named employee's
194 response;
195 d. a parent, child, grandparent, grandchild, sibling, first cousin, spouse, ex-spouse, son-in-law,
196 daughter-in-law, brother-in-law, sister-in-law, niece, nephew, or domestic partner of, or who has
197 cohabited with the student or the named employee; and
198 e. from the same department or unit as the named employee.

199 A panel member who has conflict shall immediately notify the coordinator, so that a replacement may
200 be selected. A knowing failure to disclose a conflict of interest shall be grounds for disciplinary action
201 against the panel member by the University and shall be grounds for permanent removal of the
202 individual from the committee.

203
204 Within five business days of selecting a panel, the coordinator shall notify the student, in writing, that
205 he/she has received the grievance and that the panel has been formed. The names of the panel members
206 shall be provided in the notice. A copy of this policy and procedure shall also be included with the
207 notice.

208
209 Within two business days of selecting the panel, the coordinator shall notify the named employee, in
210 writing, that a grievance has been filed against him/her. The notice shall include a copy of the
211 completed grievance form and the names of the panel members. The notice shall inform the named
212 employee that he/she has ten business days in which to deliver to the coordinator a written response to
213 the grievance and that no facts, physical evidence or witnesses will be permitted at the hearing if they
214 are not identified in the written response. A copy of this policy and procedure shall be included with the
215 notice.

216
217 A student or named employee must notify the coordinator, in writing, of any objections to a member of
218 the panel within five business days of receiving notice of the panel members' names. Objections to the
219 composition of the panel must be based on at least one of the grounds set forth in the section on conflict
220 of interest. The coordinator shall immediately contact the panel member in question. If the panel
221 member denies that a conflict exists, the coordinator shall decide whether a conflict exists, within five
222 business days of receiving the objection. If the panel member is removed or admits a conflict, a new
223 panel member shall be selected and all parties shall be notified in writing of the replacement within five
224 business days.

225
226 If the coordinator receives written findings made in another investigation process stemming from the
227 same events/actions as the grievance prior to a decision by the panel, and those findings are not
228 confidential, he/she shall give copies of the findings to the panel, the student and the named employee
229 within five days.

230

231 Within five business days of receiving the response from the named employee, the coordinator shall give
232 a copy of the response to the student.

233
234 Initial Consideration of Grievance:

235
236 Within five business days of selecting the panel, the coordinator shall provide each panel member a
237 copy of the completed grievance form. The panel members shall meet with the coordinator within five
238 business days after the coordinator provides the grievance form to the panel to discuss the allegations,
239 determine, based on the preliminary information available at that point, whether a case for misconduct
240 has been stated, and notify the coordinator of its conclusion in writing. For the purposes of this policy a
241 potential case for misconduct exists only if:

- 242 a. the alleged conduct, if true, would constitute unfair treatment or a violation of policy by the
243 named employee against the student, and
244 b. a hearing on the allegations would reasonably permit the panel to determine the truth or falsity of
245 the facts alleged.

246 The named employee's response is not relevant and shall not be considered by the panel members at this
247 stage. Similarly, findings from another investigation process shall not be considered at this stage. A
248 panel member may not abstain from voting on whether or not a case for misconduct exists.

249 If the panel concludes that a case for misconduct does not exist as to one or more allegations, the
250 coordinator shall provide the written conclusion and a copy of the grievance to the President's Designee
251 within five business days of receipt, of the conclusion from the panel. Within five business days of
252 receipt, the President's Designee shall adopt the panel's conclusion as to the allegations in question and
253 notify the student in writing or reject it in whole or in part and direct the panel to conduct a hearing. If
254 the President's Designee directs the panel to hear the grievance as to the allegations in question, he/she
255 shall identify in writing those allegations for which he/she believes a case for misconduct exists, and
256 provide a copy to the coordinator.

257
258 If the panel concludes that a case for misconduct exists in some or all of the allegations, the panel shall
259 identify in writing those allegations and provide a copy to the coordinator.

260
261 Within five business days of receiving a decision to conduct hearing, the coordinator shall provide a
262 copy of the decision to the student and the named employee and schedule a hearing date no later than 20
263 business days after his/her receipt of the decision. The hearing may be scheduled on a later date only for
264 extraordinary reasons, which shall be limited to the availability of the student, the named employee, a
265 panel member, or a witness deemed by a majority of the panel as material to the hearing. A person is
266 available unless he/she is legally required to be elsewhere or has previously planned travel or activity
267 that will make him/her physically unavailable. If the coordinator subsequently receives a directive from
268 the President's designee to conduct a hearing on other allegations, the coordinator shall provide a copy
269 of the directive to the panel, the student, and the named employee.

270
271 If the coordinator believes that multiple grievances are sufficiently related, he/she may schedule a single
272 hearing in which all related grievances shall be presented provided the named employee
273 approves. Where such grievances have been assigned to different panels, the coordinator shall choose
274 one of these panels by lot to hear the grievances. Within five business days of selecting the panel, the
275 coordinator shall notify in writing the affected students, employees, and panel members of the
276 consolidation and provide the names of the panel members in writing to the affected students and

277 employees. The coordinator shall send copies of the grievance forms to the panel members.

278

279 Grievance Hearing:

280

281 The coordinator shall provide to the student and named employee written notice of the date, time, and
282 location of the hearing, at least ten business days before the date of the hearing. Shorter notice may be
283 provided only if all parties to the hearing have agreed to accept shorter notice. The coordinator shall
284 include with the notice to the President's Designee or panel's identification of pertinent allegations.

285 It is the duty of the student and the named employee to provide notice to and secure attendance of their
286 witnesses at the hearing.

287

288 No person who is or ever has been licensed to practice law may participate in the hearing process, unless
289 that person is the student, the named employee, a panel member, or a witness. A student or named
290 employee may be represented by any other person. The representative may assist in the presentation of
291 evidence and arguments to the panel, but may not also be a witness. The panel may receive legal advice
292 from the University Legal Counsel regarding procedural or legal questions, but not about the merits of
293 the grievance.

294

295 The burden of proof in a hearing rests with the student, who must prove that it is more likely than not
296 that the alleged actions/events occurred and that they constituted unfair treatment or a violation of
297 policy.

298

299 Each party shall provide all evidence necessary to support his/her claims or defenses. In instances
300 where relevant evidence is in the custody of another student or named employee, the party who wishes
301 to use the evidence may ask the panel to order that person to provide it to the panel prior to the
302 hearing. The panel shall have the authority to order any University employee or student to appear and/or
303 produce evidence. No University employee employed by the Campus Police shall be required to appear
304 and/or produce evidence if doing so is not permitted by law or recognized public policy.

305 The panel shall, where necessary, delete or obscure appropriate portions of evidence to protect the
306 privacy of non-parties.

307

308 The student and the named employee may be present at all times during the hearing. The hearing shall
309 be closed to all persons except the student, the named employee, their respective representatives, the
310 witness who is presently testifying, the coordinator, the student's support person, and the panel
311 members. The hearing shall proceed only when all three panel members are present.

312 The formal rules of evidence shall not govern grievance hearings. However, the rules set forth in this
313 section are necessary to ensure that evidence offered at a hearing is appropriately received and
314 considered.

315

316 Prior to the hearing, the coordinator shall give to each panel member a copy of the named employee's
317 response to the grievance and any relevant findings made in another investigation process. Unless the
318 panel deems it necessary to accommodate the schedules of witnesses, the panel shall receive all other
319 evidence in the following order:

320 a. The student shall present all evidence in support of the grievance. The student is limited to
321 presenting evidence that is referred to in or relevant to the allegations made in the grievance
322 form.

- 323 b. The named employee shall present all evidence refuting the allegations. The named employee is
324 limited to presenting evidence that is referred to in or relevant to the allegations and defenses
325 raised by the named employee in the response to the grievance form.
326 c. The student shall present all evidence that rebuts the named employee's evidence that does not
327 simply restate the student's earlier evidence.
328 d. The named employee shall present all evidence that rebuts the student's rebuttal evidence that
329 does not simply restate the named employee's earlier evidence.

330 Evidence that is solely about the character of a student, named employee, or witness shall not be
331 permitted. This shall not preclude evidence that, for reason other than character, bears on the credibility
332 of a student, named employee, or witness, or tends to show a relevant trait or practice.
333

334 Hearsay statements may be considered, but the panel should consider the existence or lack of
335 corroborating evidence and the reason for the absence of the person to whom the statement is attributed.
336 Cross-examination of witnesses shall not be permitted. However, panel members may ask questions of
337 any witness. A student or named employee may, at the conclusion of a witness' testimony, request that
338 the panel ask other questions of the witness. The panel may honor or disregard such requests.
339

340 To expedite a hearing, the student and named employee may agree to the existence of any fact. Where
341 possible such agreements should be entered onto the record at the beginning of the hearing. The panel
342 shall consider proven all facts for which there are such agreements.
343

344 Either party may object to evidence at the time it is introduced on the ground that it is impermissible
345 under the grievance procedure. The panel shall rule on all objections.
346 The panel may record the hearing. Such recording shall exist solely for use by the panel while making
347 its findings of fact and recommendations, and shall be used for no other purpose. Recordings will be
348 destroyed five years after the conclusion of the hearing.
349

350 Decision of the President's Designee:
351

352 Within ten business days after the hearing concludes, the panel shall deliberate and make findings of fact
353 in writing. The panel shall convey its findings and any recommendations for remedial action in writing
354 to the President's Designee. The findings shall summarize the testimony of each witness, identify each
355 piece of physical evidence presented during the hearing, and describe how the panel made its
356 findings. Copies of all documents placed in evidence shall be included.
357

358 In making its findings, the panel shall defer to and adopt any relevant findings made in an earlier
359 investigation process, unless the evidence presented at the hearing clearly compels a different finding.
360 Within five business days of receiving the panel's findings and recommendations, the President's
361 Designee shall issue a written decision. The decision shall state whether each finding has been accepted
362 or rejected. The President's Designee shall accept each finding made by the panel unless he/she
363 concludes that no evidence was presented that, if true, would support a finding. The President's
364 Designee may adopt, reject, or modify any recommendation by the panel. The President's Designee
365 shall address his/her decision to the student, with copies to be sent to the named employee, the
366 coordinator, and the appropriate administrator. Absent a timely appeal, the President's Designee's
367 decision shall be final.
368

369 Appeal Procedures:
370 The student or named employee may appeal the President's Designee's decision. The student or named
371 employee must deliver a written appeal to the President within ten business days of the receipt of the
372 President's Designee's decision.
373 Appeals may be taken only for the following reasons:
374 a. The grievance was not submitted in a timely manner at step four.
375 b. A panel member had a conflict of interest and was not removed after an objection was raised in a
376 timely manner.
377 c. A panel member had a conflict of interest that was discovered subsequently to the time during
378 which objections could be made.
379 d. The procedure set forth in this grievance procedure was not followed, to the detriment of the
380 appealing party.
381 e. A panel member was biased against the appealing party.
382 The letter shall describe in detail the facts that support one or more of the reasons set forth in this
383 section. Appeals based on bias must state facts that, if true, indicate bias.
384
385 The President may make inquiries of any person he/she believes has information relevant to the appeal,
386 and shall issue a written decision rejecting or accepting the appeal within fifteen business days of receipt
387 of the appeal. The President's decision shall be addressed to the appealing party, with copies to be sent
388 to the other party, the coordinator, and the appropriate administrator.
389
390 If the President rejects an appeal, the President's Designee's decision is final.
391
392 If the President concludes that the appeal is meritorious, he/she shall refer the matter back to the level at
393 which the error occurred, with corrective instructions. If a panel member was biased or in conflict, the
394 instructions shall include an order to assign a new panel. The grievance shall proceed from the level to
395 which it was referred.
396
397 General Guidelines:
398
399 Any decision or action by a panel is, unless otherwise indicated, made by majority vote.
400 If the date to take some action under this policy falls on a day that is not a business day, the action may
401 be taken on the next following business day. The date on which an action is to take place may also be
402 extended by the coordinator, the President's Designee, or the President, as deemed necessary to the fair
403 consideration of a grievance.
404
405 Except as necessary to process a grievance, the coordinator and the members of the committee shall
406 maintain strict confidentiality as to all grievance matters and materials.
407
408 No student or named employee, or witness should suffer adverse academic or employment consequences
409 as a result of attendance at a grievance hearing, provided he/she has given prior notice of his/her
410 anticipated absence from class or work to his/her instructor or supervisor. The coordinator shall certify,
411 upon request by any person, the date(s) and time(s) during which that person participated in a grievance
412 hearing. Supervisors and instructors are required to excuse any absence that is so certified, instructors
413 shall permit a student to turn in work or take test at an alternate time if necessary to accommodate the
414 student's appearance at the grievance hearing.

415 All documents that are required to be sent to a student, or named employee are deemed received on the
416 date that a document is personally delivered or faxed, or two days after it is placed in the mail.
417 The President or President's Designee may consult any person in performing their duties and may
418 delegate their duties to any management employee who is not the subject of the grievance.
419 The student or named employee may have a support person present at all levels of review, including the
420 grievance hearing.

421
422 Organizations Affected:

423
424 All University departments.
425

426
427

428 STUDENT GRIEVANCE PROCEDURE

429

430 PURPOSE

431 THE PURPOSE OF THIS PROCEDURE IS TO SET OUT THE GUIDELINES AND STANDARDS
432 FOR THE FILING OF A GRIEVANCE BY A STUDENT. THIS PROCEDURE IS INTENDED TO
433 REFLECT THE UNIVERSITY'S COMMITMENT TO THE PRINCIPLES, GOALS, AND IDEALS
434 DESCRIBED IN CAL STATE LA'S MISSION STATEMENT AND TO ITS CORE VALUES. IT
435 ESTABLISHES DUE PROCESS AND SAFEGUARDS THAT WILL BE FOLLOWED BY THE
436 UNIVERSITY IN THE RESOLUTION OF GRIEVANCES.

437

438 THIS PROCEDURE PLACES FIRST PRIORITY ON OPEN, HONEST COMMUNICATION. NO
439 GRIEVANCE PROCEDURE SHOULD TAKE THE PLACE OF NEGOTIATING IN GOOD FAITH.

440

441 SCOPE

442 A STUDENT GRIEVANCE IS A FORMAL COMPLAINT BY A STUDENT ARISING OUT OF AN
443 ALLEGED ACTION OF THE FACULTY, ADMINISTRATIVE UNITS, OR STAFF OF CAL STATE
444 LA. SUCH ACTION IS ALLEGED BY THE STUDENT TO BE:

445

1. AN UNAUTHORIZED, UNJUSTIFIED, OR UNETHICAL ACTION(S), WHICH
446 ADVERSELY AFFECTS THE STATUS, RIGHTS, OR PRIVILEGES OF THE STUDENT
447 AND/OR

448

2. IN VIOLATION OF OFFICIAL CAMPUS POLICIES OR PROCEDURES
449 AND/OR

450

3. THE ARBITRARY, CAPRICIOUS, AND/OR UNEQUAL APPLICATION OF OFFICIAL
451 CAMPUS POLICIES OR PROCEDURES

452

453 THIS STUDENT GRIEVANCE PROCEDURE IS NOT INTENDED FOR ISSUES THAT CAN BE
454 ADDRESSED BY MORE SPECIFIC POLICIES, PROCEDURES AND/OR INVESTIGATIVE
455 PROCESSES. EXAMPLES INCLUDE, BUT ARE NOT LIMITED TO:

- 456 1. AN ACADEMIC DECISION OR GRADE APPEAL. STUDENTS SHALL FOLLOW THE
457 PROCESS OUTLINED IN CAL STATE LA'S GRADE APPEALS/ACADEMIC GRIEVANCE
458 POLICY.
- 459 2. A STUDENT ALLEGATION OF HARASSMENT AND/OR DISCRIMINATION BASED ON
460 A LEGALLY PROTECTED STATUS, AND/OR RELATED RETALIATION. SUCH
461 COMPLAINTS SHALL BE DIRECTED TO THE CAMPUS DHR (DISCRIMINATION,
462 HARASSMENT, OR RETALIATION) ADMINISTRATOR. THE DHR ADMINISTRATOR
463 WILL DETERMINE THE STATUS OF THE COMPLAINT.
- 464 3. FRIVOLOUS CASES WHICH ARE ABUSIVE OF THE PROCESS OR SEEK
465 RETALIATION.
- 466 4. STUDENT APPEALS RELATING TO FINANCIAL AID DECISIONS, RULES, AND
467 REGULATIONS. THESE SHALL BE DIRECTED TO THE FINANCIAL AID OFFICE.
- 468 5. CHALLENGES TO STUDENT RECORDS THROUGH THE FAMILY EDUCATIONAL
469 RIGHTS AND PRIVACY ACT (FERPA). THE UNIVERSITY REGISTRAR SHALL BE
470 RESPONSIBLE FOR HANDLING SUCH CONCERNS.
- 471 6. GRIEVANCE BASED ON A STUDENT'S JUDGMENT OF AN INSTRUCTOR'S OR
472 ADMINISTRATOR'S COMPETENCE; SUCH JUDGMENTS ARE SOLELY THE
473 PROVINCE OF THE ACADEMIC DEPARTMENT INVOLVED OR OF THE
474 ADMINISTRATOR'S SUPERVISOR.
- 475 7. COMPLAINTS REGARDING THE PERFORMANCE OF A MEMBER OF THE FACULTY,
476 STAFF, OR ADMINISTRATION. THESE CONCERNS SHOULD BE BROUGHT TO THE
477 ATTENTION OF THE APPROPRIATE SUPERVISOR.

478
479 THE OFFICE OF THE DEAN OF STUDENTS WILL HELP STUDENTS UNDERSTAND THE
480 SCOPE AND DETAILS OF THE GRIEVANCE PROCEDURE AND MAY BE CALLED UPON FOR
481 ASSISTANCE.

482
483 THE STUDENT MAY WITHDRAW THE GRIEVANCE AT ANY STAGE, AT WHICH POINT THE
484 PROCESS WILL IMMEDIATELY TERMINATE. DURING ALL STAGES OF THE GRIEVANCE,
485 THE BURDEN OF PROOF WILL BE ON THE STUDENT.

486

487 TERMINOLOGY

488 APPROPRIATE ADMINISTRATOR: THE VICE PRESIDENT OF THE DIVISION (OR THE
489 DIVISION VICE PRESIDENT'S DESIGNEE) IN WHICH THE NAMED EMPLOYEE WORKS. IN
490 THE CASE OF A FACULTY EMPLOYEE, THE DEAN OF THE APPROPRIATE COLLEGE (OR
491 THE DEAN'S DESIGNEE). THE APPROPRIATE ADMINISTRATOR WILL WORK WITH THE
492 NAMED EMPLOYEE AND THE STUDENT TO ATTEMPT TO RESOLVE THE GRIEVANCE TO
493 THE SATISFACTION OF BOTH.

494 COMMITTEE: THE UNIVERSITY'S STUDENT GRIEVANCE COMMITTEE (COMMITTEE). AS
495 APPOINTED BY THE VICE PRESIDENT FOR STUDENT LIFE, THE ASSISTANT DEAN OF
496 STUDENTS: ENGAGEMENT AND WELLNESS SHALL SERVE AS THE COORDINATOR OF
497 THE COMMITTEE. THE COMMITTEE WILL CONDUCT GRIEVANCE HEARINGS,
498 DELIBERATE, AND ISSUE FINDINGS OF FACT AND RECOMMENDATIONS FOR ACTION

499 FAIRLY AND EXPEDITIOUSLY.

500

501 COORDINATOR OF THE COMMITTEE: THE ASSISTANT DEAN OF STUDENTS: WELLNESS
502 AND ENGAGEMENT SHALL SERVE AS COORDINATOR OF THE COMMITTEE. THE
503 COORDINATOR SHALL SERVE AS CHAIR FOR AND ADVISE THE COMMITTEE AND
504 ANY PANELS ON RULES AND PROCEDURES. THE COORDINATOR SHALL NOT VOTE
505 AND THE COORDINATOR SHALL REMAIN NEUTRAL ON THE MERITS OF THE
506 GRIEVANCE. THE COORDINATOR WILL SELECT PANELS FROM THE COMMITTEE;
507 COORDINATE, AND MONITOR THE ACTIVITIES OF THE PANELS; SCHEDULE AND
508 CHAIR PANEL HEARINGS; AND MEET WITH THE COMMITTEE AND PANELS AS
509 NECESSARY. THE COORDINATOR WILL ENSURE THAT GRIEVANCES ARE
510 PROCESSED IN ACCORD WITH THIS GRIEVANCE PROCEDURE AND ASSIST
511 STUDENTS IN SUBMITTING GRIEVANCES TO THE COMMITTEE.

512 DAY(S): DAYS THE CAMPUS IS OPEN AND THE UNIVERSITY IS IN OPERATION

513 GRIEVANCE: A GRIEVANCE IS A FORMAL COMPLAINT BY A STUDENT ARISING OUT OF
514 AN ALLEGED ACTION OF THE FACULTY, ADMINISTRATIVE UNITS, OR STAFF OF CAL
515 STATE LA. SUCH ACTION IS ALLEGED BY THE STUDENT TO BE:

- 516 1. AN UNAUTHORIZED, UNJUSTIFIED OR UNETHICAL ACTION(S), WHICH
517 ADVERSELY AFFECTS THE STATUS, RIGHTS, OR PRIVILEGES OF THE STUDENT.
518 2. IN VIOLATION OF OFFICIAL CAMPUS POLICIES OR PROCEDURES.
519 3. THE ARBITRARY, CAPRICIOUS, OR UNEQUAL APPLICATION OF OFFICIAL CAMPUS
520 POLICIES OR PROCEDURES.

521 GRIEVANT: THE STUDENT(S) WHO FILE(S) A GRIEVANCE.

522 PANEL: THE SUBSET OF THE COMMITTEE WHO WILL CONDUCT THE HEARINGS. MUST
523 INCLUDE 1 FACULTY, 1 STUDENT, 1 STAFF, AND 1 ADMINISTRATOR. IN ADDITION, THE
524 COORDINATOR AND MPP REPRESENTATIVE FROM HUMAN RESOURCES SHALL BE
525 PRESENT AS A NON-VOTING EX-OFFICIO MEMBER.

526

527 PARTIES: PARTIES TO A GRIEVANCE INCLUDE THE GRIEVANT(S), RESPONDENT(S),
528 ADVISORS FOR EITHER OF THE FORMER, MEMBERS OF THE STUDENT GRIEVANCE
529 COMMITTEE, ADMINISTRATORS PROCESSING THE GRIEVANCE, AND THOSE STAFF
530 MEMBERS WITH DESIGNATED RESPONSIBILITIES FOR HANDLING GRIEVANCE
531 MATERIALS.

532

533 RESPONDENT(S): THE PERSON(S) OR UNIT WHOSE PERCEIVED ACTIONS OR OMISSIONS
534 GAVE RISE TO THE GRIEVANCE, OR ANY PERSON(S) DESIGNATED BY THE UNIVERSITY
535 TO RESPOND TO THE GRIEVANCE.

536

537 UNIT: ANY SPECIFIED OFFICIAL INSTITUTIONAL ORGANIZATION, E.G., A COMMITTEE,
538 PROGRAM, ADMINISTRATIVE OFFICE, DEPARTMENT OR COLLEGE.

539

540 STANDING TO FILE A GRIEVANCE

541 ANY PERSON, WHO WAS AN UNDERGRADUATE OR GRADUATE STUDENT, OR

542 ENROLLED IN AN EXTENDED EDUCATION OR OPEN UNIVERSITY COURSE AT CAL
543 STATE LA, AT THE TIME THAT THE EVENT OR ACTION WHICH IS THE SUBJECT OF THE
544 GRIEVANCE OCCURRED, MAY FILE A GRIEVANCE. NO STUDENT SHALL BE PENALIZED
545 FOR SUBMITTING OR PROCEEDING WITH A GRIEVANCE. NO RESTRAINING, COERCIVE,
546 DISCRIMINATORY, AND/OR RETALIATORY ACTION SHALL BE TAKEN AGAINST A
547 PERSON BECAUSE OF INITIATING OR PARTICIPATING IN A GRIEVANCE.

548
549 A GRIEVANCE SHALL BE FILED NO MORE THAN ONE HUNDRED EIGHTY DAYS AFTER
550 THE ALLEGED OCCURRENCE OF THE ACTION ON WHICH IT IS BASED, REGARDLESS OF
551 THE DATE OF THE DISCOVERY OF THE ACTION.

552 553 CONFIDENTIALITY OF GRIEVANCES

554 EXCEPT AS NECESSARY TO PROCESS A GRIEVANCE, THE COORDINATOR AND THE
555 MEMBERS OF THE COMMITTEE SHALL MAINTAIN STRICT CONFIDENTIALITY AS TO ALL
556 GRIEVANCE MATTERS AND MATERIALS.

557

558 ADVICE & COUNSEL

559 EACH PARTY TO A GRIEVANCE MAY DESIGNATE ONE PERSON TO BE PRESENT FOR
560 SUPPORT DURING ALL STAGES OF THE GRIEVANCE PROCESS, INCLUDING THE
561 GRIEVANCE HEARING, BUT MAY NOT SPEAK FOR THE GRIEVANT OR RESPONDENT. NO
562 PERSON WHO IS OR EVER HAS BEEN LICENSED TO PRACTICE LAW MAY PARTICIPATE
563 IN THE HEARING PROCESS, UNLESS THAT PERSON IS THE STUDENT OR THE
564 RESPONDENT. THE UNIVERSITY'S DIRECTOR OF STUDENT SUPPORT MAY SERVE AS AN
565 ADVISOR TO THE STUDENT THROUGHOUT THE GRIEVANCE PROCESS, AND PROVIDE
566 INFORMATION TO THE STUDENT ABOUT THE GRIEVANCE PROCESS AND FORM PRIOR
567 TO SUBMITTING A GRIEVANCE.

568

569 INFORMAL PROCESS

570 PRIOR TO INITIATING FORMAL GRIEVANCE PROCEDURES, THE STUDENT(S) IS
571 REQUIRED TO MAKE A GOOD FAITH EFFORT TO INFORMALLY RESOLVE THE DISPUTE
572 WITH THE RESPONDENT. THE DIRECTOR OF STUDENT SUPPORT WILL PROVIDE
573 GUIDANCE TO THE STUDENT ON PURSUING THE INFORMAL PROCESS. IF THE
574 STUDENT(S) IS NOT SATISFIED WITH THE OUTCOME OF COMMUNICATIONS WITH THE
575 RESPONDENT, THE STUDENT IS THEN REQUIRED TO ATTEMPT TO INFORMALLY
576 RESOLVE THE GRIEVANCE THROUGH EITHER OF THE FOLLOWING CHANNELS:

- 577 1. IN THE CASE OF FACULTY: THROUGH THE DEPARTMENT CHAIR, AND IF
578 RESOLUTION CANNOT BE ATTAINED, THE COLLEGE DEAN OR THE
579 MANAGEMENT PERSONNEL PLAN (MPP) EMPLOYEE RESPONSIBLE FOR THE
580 FACULTY MEMBER'S UNIT.
- 581 2. IN THE CASE OF SUPPORT STAFF OR ADMINISTRATIVE PERSONNEL: THROUGH
582 THE EMPLOYEE'S SUPERVISOR, AND IF RESOLUTION CANNOT BE ATTAINED, THE

583 ADMINISTRATOR OF THE UNIT OR THE MANAGEMENT PERSONNEL PLAN
584 EMPLOYEE RESPONSIBLE FOR THE STAFF MEMBER'S UNIT.

585

586 FORMAL GRIEVANCE PROCESS

587 IF THE STUDENT FEELS THAT THE INFORMAL PROCESS HAS NOT RESOLVED THE
588 GRIEVANCE ISSUES SATISFACTORILY, THE STUDENT MAY THEN ENTER INTO A
589 FORMAL GRIEVANCE PROCESS. THE STUDENT SHALL OBTAIN THE FORMAL STUDENT
590 GRIEVANCE FORM FROM THE OFFICE OF THE DEAN OF STUDENTS OR AN ELECTRONIC
591 COPY FROM THE WEBSITE REFERENCED BELOW, COMPLETE IT, AND SUBMIT AN
592 ORIGINAL HARD COPY TO THE DEAN OF STUDENTS.

593

594 THE STATEMENT OF GRIEVANCE FORM MAY BE FOUND ON THE STUDENT CONDUCT
595 OFFICE'S WEBSITE UNDER THE NON-ACADEMIC GRIEVANCES SECTION.

596

597 SUBMISSION PROCESS

598 THE DEAN OF STUDENTS SHALL RECEIVE ALL STUDENT GRIEVANCE FORMS AND
599 DETERMINE WHETHER:

- 600 1. THE GRIEVANT MEETS STANDING TO FILE A GRIEVANCE, AS DEFINED IN SEC. 4.0
- 601 2. THE GRIEVANCE FALLS WITHIN THE SCOPE DEFINED IN SECTION 2.0
- 602 3. THE GRIEVANCE IS NOT A RESUBMISSION OF A PREVIOUSLY SUBMITTED OR
603 DECIDED GRIEVANCE.

604

605 IF THE DEAN OF STUDENTS DETERMINES THE GRIEVANCE SHOULD NOT GO FORWARD
606 FOR ANY OF THE ABOVE REASONS, AND THE STUDENT DISAGREES, THE STUDENT MAY
607 APPEAL THE DECISION TO THE APPROPRIATE VICE PRESIDENT.

608

609 IF THE DEAN OF STUDENTS DETERMINES THAT THE GRIEVANCE SHOULD GO
610 FORWARD, THE COMPLETED STUDENT GRIEVANCE FORM SHALL BE DELIVERED TO
611 THE COORDINATOR OF THE STUDENT GRIEVANCE COMMITTEE. NEXT STEPS ARE
612 DESCRIBED BELOW IN SECTION 8.30.

613

614 THE OFFICE OF THE DEAN OF STUDENTS MAY ASSIST THE STUDENT IN PREPARING ANY
615 NECESSARY FORMS TO ENSURE CLARITY AND COMPLETENESS. IN THE EVENT THAT A
616 STUDENT FILES A GRIEVANCE THAT REQUIRES A REVIEW OF HIS/HER STUDENT
617 RECORDS, THE STUDENT WAIVES HIS/HER RIGHTS UNDER THE FERPA STATUTES TO
618 THE EXTENT THAT THOSE RECORDS ARE RELEASED TO THE COMMITTEE. THE OFFICE
619 SHALL ALSO CONVENE THE MEETING OF THE COMMITTEE, PROVIDE THE
620 ADMINISTRATIVE SUPPORT TO IMPLEMENT THIS POLICY, AND MONITOR ALL
621 DECISIONS FOR THE APPROPRIATE ADMINISTRATOR TO ASSURE ACTIONS ARE
622 IMPLEMENTED IN A TIMELY FASHION.

623

623 CONSIDERING A GRIEVANCE

624 UPON RECEIVING A FORMAL GRIEVANCE (STUDENT GRIEVANCE FORM) FROM THE
625 OFFICE OF THE DEAN OF STUDENTS, THE COORDINATOR OF THE STUDENT GRIEVANCE

626 COMMITTEE SHALL FORWARD THE GRIEVANCE TO THE WHOLE COMMITTEE, AND THE
627 COMMITTEE SHALL MEET AND DETERMINE WHETHER THERE IS ADEQUATE CAUSE FOR
628 HEARING. DELIBERATION BY THE COMMITTEE AND ANY CONSEQUENT HEARINGS
629 SHALL BEGIN WITHIN TEN (10) WORKING DAYS OF THE FILING OF THE GRIEVANCE
630 WITH THE DEAN OF STUDENTS.

631
632 THE GRIEVANT WILL BE NOTIFIED BY THE COORDINATOR REGARDING THE DECISION
633 TO DISMISS THE CASE OR TO PROCEED TO A HEARING.

634
635 THE COORDINATOR OR ASSIGNED PARTY SHALL RESERVE THE APPROPRIATE FACILITY
636 AND NOTIFY ALL PARTIES INVOLVED OF THE HEARING DATE(S) AND LOCATION.

637 HEARING PROCESS

638 A HEARING PANEL IS DESIGNATED BY THE COORDINATOR BASED ON AVAILABILITY,
639 PROVIDED THERE ARE NO CONFLICTS OF INTEREST. FOR A FORMAL GRIEVANCE
640 HEARING TO PROCEED, THE HEARING PANEL MUST HAVE ONE (1) MEMBER EACH OF
641 THE FOLLOWING REPRESENTATIVE GROUPS MAKING UP THE COMMITTEE: STUDENTS,
642 FACULTY, STAFF, AND ADMINISTRATION. THERE MUST BE AT LEAST FOUR (4)
643 COMMITTEE MEMBERS PRESENT. IN ADDITION, THE COORDINATOR OF THE
644 COMMITTEE AS CHAIR, AND AN MPP REPRESENTATIVE FROM HUMAN RESOURCES OR
645 DESIGNEE, SHALL ALSO BE PRESENT.

646
647 THE HEARING IS CONSIDERED A FACT-FINDING/INFORMATION GATHERING
648 PROCEEDING, NOT A JUDICIAL PROCESS.

649
650 THE HEARING PROCESS SHALL PROCEED AS FOLLOWS:

- 651 • THE COMMITTEE SHALL DETERMINE WHO SHALL BE INVOLVED IN THE HEARING
652 PROCESS. A CONFLICT OF INTEREST EXISTS FOR A POTENTIAL PANEL MEMBER IF
653 HE/SHE IS THE RESPONDENT, A WITNESS TO ANY OF THE EVENTS, A RELATIVE
654 OF ANYONE INVOLVED, AND OR WORKS IN THE SAME DEPARTMENT OR UNIT AS
655 THE NAMED EMPLOYEE. A PANEL MEMBER WHO HAS A CONFLICT OF INTEREST
656 SHALL IMMEDIATELY NOTIFY THE COORDINATOR, SO THAT A REPLACEMENT
657 MAY BE SELECTED.
- 658 • THE GRIEVANT AND THE RESPONDENT MAY BE PRESENT FOR THE HEARING
659 PROCESS.
- 660 • THE COMMITTEE MAY SEEK ADVICE FROM EXPERTS FROM THE APPROPRIATE
661 AREA.
- 662 • THE COMMITTEE MAY INVITE PERSONS HAVING INFORMATION RELATED TO THE
663 GRIEVANCE TO PARTICIPATE IN THE HEARING.
- 664 • THERE SHALL BE NO CONFRONTATION OR CROSS-EXAMINATION OF WITNESSES.
665 COMMITTEE MEMBERS POSSESS THE SOLE RIGHT TO ASK QUESTIONS. THE
666 GRIEVANT AND RESPONDENT MAY PROVIDE A LIST OF QUESTIONS FOR THE
667 PANEL TO CONSIDER.

- 668 • ONLY THE PANEL, THE GRIEVANT, THE RESPONDENT, AND THOSE CURRENTLY
669 PROVIDING INFORMATION MAY BE PRESENT DURING THAT PORTION OF THE
670 HEARING.
- 671 • THE COORDINATOR SHALL PRESIDE AT THE HEARING. THE COORDINATOR
672 SHALL SELECT A RECORDER TO TAKE MINUTES. THOSE MINUTES SHALL BE THE
673 OFFICIAL RECORD AND SHALL RESIDE IN THE OFFICE OF THE DEAN OF
674 STUDENTS.

675 RECOMMENDATION

676 THE COMMITTEE SHALL DELIVER A WRITTEN REPORT FOR EACH GRIEVANCE TO THE
677 APPROPRIATE ADMINISTRATOR WITHIN TEN (10) BUSINESS DAYS OF COMPLETING ITS
678 HEARING. THE REPORT SHALL INCLUDE BOTH A FINDING OF FACT AND THE
679 RECOMMENDATION OF THE COMMITTEE FOR AN APPROPRIATE REMEDY, IF FOUND
680 NECESSARY.

681 DECISION

682 THE APPROPRIATE ADMINISTRATOR SHALL RENDER THE FINAL DECISION WITHIN TEN
683 (10) BUSINESS DAYS OF RECEIVING THE STUDENT GRIEVANCE COMMITTEE'S REPORT.
684 THE DECISION SHALL BE IN WRITING AND SHALL STATE THE REASONS FOR THE
685 DECISION. THE DECISION SHALL BE SENT TO THE GRIEVANT AND THE RESPONDENT.

686
687 IT IS EXPECTED THAT THE APPROPRIATE ADMINISTRATOR SHALL GIVE GREAT WEIGHT
688 TO THE RECOMMENDATIONS OF THE COMMITTEE. HOWEVER, IF THESE
689 RECOMMENDATIONS ARE NOT IMPLEMENTED, AN EXPLANATION OF THIS DECISION
690 SHALL BE PROVIDED TO ALL OF THE AFOREMENTIONED PARTIES.

691

692 IMPLEMENTATION

693 THE PARTY RESPONSIBLE FOR IMPLEMENTING THE RECOMMENDATION SHALL TAKE
694 ACTION SOLELY BASED ON THE FACTUAL FINDINGS AND RECOMMENDATIONS
695 PROVIDED BY THE APPROPRIATE ADMINISTRATOR. THE PARTY RESPONSIBLE FOR
696 IMPLEMENTING THE RECOMMENDATION SHALL NOT RE-INVESTIGATE THE
697 COMPLAINT. FURTHER, THE PARTY SHALL PROMPTLY NOTIFY THE OFFICE OF THE
698 DEAN OF STUDENTS OF THE COURSE OF ACTION TAKEN. IF, WITHIN A REASONABLE
699 TIMEFRAME, REMEDIAL ACTION HAS NOT BEEN TAKEN, THE OFFICE OF THE DEAN OF
700 STUDENTS MAY REQUEST THE APPROPRIATE ADMINISTRATOR, OR OTHER
701 APPROPRIATE OFFICIALS, TO EXPEDITE RESOLUTION OF THE SITUATION.

702

703 APPEALS

704 WITHIN TEN (10) DAYS OF THE DECISION OF THE APPROPRIATE ADMINISTRATOR,
705 EITHER PARTY TO THE GRIEVANCE MAY APPEAL THE DECISION TO THE PRESIDENT OR
706 HIS/HER DESIGNATED REPRESENTATIVE. THE NOTICE OF APPEAL SHALL CLEARLY
707 STATE THE GROUNDS FOR APPEAL. THE APPEAL MUST DESCRIBE A SUBSTANTIAL
708 PROCEDURAL ERROR OR SOME OTHER SIGNIFICANT FACTOR THAT SERIOUSLY
709 PREJUDICED THE OUTCOME OF THE HEARING.

710

711 THE PRESIDENT MAY ACCEPT, REJECT, OR MODIFY THE RECOMMENDATIONS FROM
712 THE APPROPRIATE ADMINISTRATOR BASED SOLELY ON PROCEDURAL IMPROPRIETIES,
713 CALIFORNIA STATE UNIVERSITY POLICY, OR STATE OR FEDERAL LAW. THIS DECISION
714 SHALL BE IN WRITING AND BASED ON THE RECORD OF THE HEARING. THERE SHALL BE
715 NO NEW HEARING OR NEW EVIDENCE PRESENTED. THIS DECISION IS FINAL AND SHALL
716 CONCLUDE THE UNIVERSITY'S REVIEW OF THE MATTER.
717

718 MAINTENANCE OF RECORDS/ANNUAL REPORTING

719 THE OFFICE OF THE DEAN OF STUDENTS SHALL BE RESPONSIBLE FOR MAINTAINING
720 ALL RECORDS AND MATERIALS DEVELOPED IN THE COURSE OF THE GRIEVANCE
721 INVESTIGATION AND HEARING. THESE FILES ARE CONFIDENTIAL AND SHALL NOT BE
722 DIVULGED OR RELEASED UNLESS REQUIRED BY LAW OR CALIFORNIA STATE
723 UNIVERSITY POLICY. THE RECORDS FOR EACH GRIEVANCE SHALL BE MAINTAINED
724 FOR A PERIOD OF FOUR YEARS AFTER THE FINAL ACTION HAS BEEN RENDERED.
725

726 THE OFFICE OF THE DEAN OF STUDENTS SHALL SUBMIT AN ANNUAL REPORT TO THE
727 PRESIDENT'S CABINET ON THE NUMBER OF CASES HEARD AND THE DISPOSITION OF
728 THE CASES, TAKING ALL NECESSARY STEPS TO PROTECT CONFIDENTIALITY. THE
729 REPORT MAY CONTAIN RECOMMENDED CHANGES IN CAMPUS POLICY DESIGNED TO
730 PREVENT REPETITION OF ACTIONS THAT ARE SHOWN BY THE FINDINGS OF FACT TO BE
731 UNAUTHORIZED AND/OR UNJUSTIFIED AND THAT ADVERSELY AFFECT THE STATUS,
732 RIGHTS, OR PRIVILEGES OF THE STUDENTS.
733