

Student Grievance Policy

The following academic policy was recommended by the CSULB Academic Senate on November 2, 2006 and received the concurrence of the President on November 14, 2006.
(This policy statement supersedes PS 95-06 and PS 95-21.)

The CSULB grievance policy and procedure are designed to provide the campus community with a protocol to accommodate circumstances for which no other policy or procedure exists. This policy does not cover grade appeals, prohibited discrimination, or any other issues that are covered by existing policies. Students are advised to consult appropriate additional campus resources (e.g., the Undergraduate and Graduate Catalog, the Schedule of Classes, "The Regs"). The Office of the Dean of Students has staff to help students understand the details of the grievance procedure and may be called upon for assistance.

Student Grievance Procedure

The student grievance procedure at CSULB is intended to provide a formal, standardized means for students to seek redress concerning the actions of faculty members, administrators, or staff members of the university-actions that are unauthorized or unjustified and that adversely affect the status, rights, or privileges of the students. Further, the purpose is to establish due process and safeguards that will be followed by the university in the adjudication of grievances.

A grievance filed under this policy must be initiated within one year of the alleged violation. A grievance may not be filed on the basis of a student's judgment of an instructor's or administrator's competence; such judgments are solely the province of the academic department involved or of the administrator's supervisor.

The grievance procedure is not designed to replace open communication and understanding, which are vital to the academic process. The student may withdraw the grievance at any stage, at which point the process will immediately terminate. During all stages of the grievance, the burden of proof will be on the student.

The person or entity against whom the complaint is made is referred to in this document as the respondent. The initiator of the grievance is referred to as the grievant. For nonacademic matters, the term dean is also construed to refer to the responsible individual of comparable level-typically an associate vice president or vice president.

In the event that the respondent is at the level of dean or higher, the complaint should be directed to the responsible person at the next higher administrative level. If the chair or program director was directly involved in the original decision or denied the student an opportunity for due-process review at the local level, the student should seek informal resolution through the dean of the college (or designee).

If after ten instructional days beyond the initial informal meeting a satisfactory resolution is not reached, the department chair or program director will meet with the student grievant and the respondent. Within fifteen instructional days of that meeting, the chair or program director will complete an investigation of the allegations and will reach conclusion. The chair or program director shall promptly communicate the decision to the student and the respondent. If the grievant is not satisfied with the results of the informal process, he or she may initiate a formal grievance procedure by contacting the appropriate college dean (or designee) or the responsible person at the next nonacademic level within fifteen instructional days of the decision.

Formal Grievance Procedure

To initiate the formal grievance procedure, the student is required to submit a written "statement of grievance" – a clear, concise, signed, and dated statement of events from the student's perspective. The statement should provide enough information to present a complete understanding of the situation and of the remedy sought by the student.

A student initiates the formal procedures by submitting the statement of grievance to the appropriate department chair or program director. The chair or director will then submit a copy of the statement of grievance to the appropriate college dean or next appropriate higher administrative level and to the respondent. The respondent is required to submit a written response to the chair or program director with ten instructional days. The chair or program director will then provide a copy of the respondent's reply to the grievant and to the college dean or next appropriate higher administrative level.

The dean or appropriate administrator has a period of ten instructional days to review the case, during which he or she may opt to seek additional information from the parties involved or from witnesses. By the end of that ten-day period, the dean or administrator will either (1) render a decision or (2) convene a College Hearing Committee to investigate further. The student shall have the right to request that a College Hearing Committee be convened.

College Hearing Committee

If required, a College Hearing Committee will consist of an administrator representing the dean, two faculty members elected from the Faculty Council of the appropriate College, a student representative elected from the Student Council of the appropriate College, a designee of the vice president for student services, and faculty adviser elected by the Academic Advising Council appropriate to the grievance. All meetings of the College Hearing Committee will be closed to the public, and no transcripts will be prepared. If the college hearing committee seeks evidence by means of personal testimony, the meeting at which such evidence is presented shall be conducted in the manner of any other academic committee meeting and is not considered a formal hearing. Both the grievant and respondent shall be given opportunities to present their views. There shall be no cross-examination.

The charge of a College Hearing Committee is to investigate and then to recommend to the dean a proposed resolution. The College Hearing Committee will review the grievance and, if necessary, forward supplemental queries to the respondent and to the department chair and program director involved – along with direction to submit written responses with twenty instructional days. Once the College Hearing Committee has received the written responses, it will review all available evidence, conduct deliberations, and then choose one of the three courses of action:

- Remand the grievance to the dean with a recommendation of immediate corrective action in favor of the grievant-based on sufficient evidence of a violation of (1) university regulation or policy or (2) principle of due process or (3) both.
- Defer a decision to allow for further investigation and gathering of evidence. In the case of such a continuation, both the grievant and the respondent will be notified in writing of the additional evidence required and whether that evidence should be provided in writing or in personal testimony.
- Dismiss the grievance based on a (1) lack of sufficient evidence of a violation of the university regulation or policy and (2) confirmation of adherence to principles of due process.

The College Hearing Committee will forward the recommendation to the dean. The dean will then make a decision and forward that decision to the respondent and grievant. If neither the respondent nor the grievant requests further review, then the grievance process ends.

If either party wishes to appeal the decision of the Dean, the appeal, in writing, may be made to the Provost (academic) or appropriate Vice President (non-academic). The appeal must be made within 10 instructional days of the dean's decision. The Provost or Vice President will notify both parties of the appeal and convene a University Hearing Committee to investigate further.

University Hearing Committee

If required, a University Hearing Committee will consist of an administrator representing the Provost, three faculty members selected from the Panel on Professional Responsibility according to the procedures of that policy, and a student elected from the Associated Students, Inc. All meetings of the University Hearing Committee will be closed to the public, and no transcripts will be prepared. If the University Hearing Committee seeks evidence by means of personal testimony, the meeting at which such evidence is presented shall be conducted in the manner of any other academic committee meeting and is not considered a formal hearing. Both the grievant and respondent shall be given opportunities to present their views. There shall be no cross-examination.

The charge of a University Hearing Committee is to investigate and then to recommend to the Provost a proposed resolution. The University Hearing Committee will review the grievance and, if necessary, forward supplemental queries to the respondent and to the Provost – along with direction to submit written responses within twenty instructional days. Once the University Hearing Committee has received the written responses, it will review all available evidence, conduct deliberations, and then choose one of the three courses of action:

- Remand the grievance to the Provost with a recommendation of immediate corrective action in favor of the grievant-based on sufficient evidence of a violation of (1) university regulation or policy or (2) principle of due process or (3) both.
- Defer a decision to allow for further investigation and gathering of evidence. In the case of such a continuation, both the grievant and the respondent will be notified in writing of the additional evidence required and whether that evidence should be provided in writing or in personal testimony.
- Dismiss the grievance based on a (1) lack of sufficient evidence of a violation of the university regulation or policy and (2) confirmation of adherence to principles of due process.

The University Hearing Committee will forward the recommendation to the Provost. The Provost will then make a decision and forward that decision to the respondent and grievant. The University Hearing Committee shall function as the final level of this grievance process.