

# CITRUS COMMUNITY COLLEGE DISTRICT REGULATION

R-5181  
Page 1 of 5

## STUDENT GRIEVANCE PROCEDURES

### PURPOSE

The purpose of these procedures is to provide every student with a prompt and equitable means of seeking an appropriate resolution for any alleged violation of his or her rights. The rights protected under these procedures include, but are not limited to, those guaranteed by the established policies and regulations of the Citrus Community College District and the Education Code of the State of California. Sexual harassment and discrimination complaints based on Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title VII of the Civil Rights Act of 1964 are not covered by these procedures but are handled by the Office of Human Resources. This procedure shall not apply to the employment rights of students.

Citrus College students have the right of protection against capricious, arbitrary, unreasonable, unlawful, false, malicious, or professionally inappropriate evaluations or actions by an employee of the College.

Students who make false or malicious charges against an employee of the College are subject to disciplinary action as outlined in the document "Standards of Student Conduct".

#### 1. Informal Resolution

A student who believes that he or she has been treated unfairly by an employee of the College must make a reasonable, good faith attempt to resolve the problem on an informal basis by first meeting individually with the employee. In the event that the student first contacts the employee's supervisor (including the department chair and dean of a faculty member), the supervisor shall first direct the student to meet with the employee. If the issue is not resolved in that meeting (or reasonable attempts to arrange the meeting fail), then the employee's supervisor shall meet with both parties, in an earnest and good faith attempt to resolve the matter successfully. If, after this, the matter cannot be resolved informally, the student may file a formal grievance.

#### 2. Formal Grievance

A formal grievance is a written allegation by a student (or group of students) filed in the manner prescribed by Section II, C, alleging that he or she was directly wronged by an action of an employee of the College. Any action that violates an established rule or regulation of the College or any law that protects student rights can be grieved.

- a. **Eligibility to File a Grievance**  
Any person who at the time of the filing of the grievance is a student and any person who, although not a student at the time of filing, was a student within 20 days before the time of filing, is eligible to file a grievance under these procedures as long as the person has attempted to resolve his or her grievance informally. If the grievance is grade-related, a former student has 20 days after receiving notification of the grade before the time of filing.
- b. **Time Limit on Filing a Grievance**  
To be timely, a grievance must be filed with the Vice President of Student Services or his or her designee not more than 20 days after the student learned or could have reasonably learned of the most recent of those events. In any case, in order for a grievance to be timely, it must be filed within six (6) months of the occurrence of the event(s). Because of the difficulty in reaching adjunct faculty and the amount of time spent in the formal resolution process, the time limit will be considered as met if the student makes contact with the supervisor, department chair, dean or vice president within 20 days.
- c. **Filing of Grievances**  
All formal grievances must be submitted on a standard grievance form. The standard grievance form may be obtained from the Office of Student Affairs or the Office of the Vice President of Student Services. It must include specific details regarding the events involved and the rule, regulation, or law alleged to have been violated by an employee of the College. Full factual data (including names, dates, times, records, etc.) should be reported to support the allegation of the grievance and to make an impartial investigation and decision possible. The student may seek the assistance of an employee of the College or any official of the Associated Students' governing board to assist with his or her grievance. By providing assistance, the faculty, staff, or student leader is not necessarily taking a position on the merits of the grievance.  
  
All formal grievances must be filed with the Vice President of Student Services or his or her designee. Immediately upon filing a grievance with the Vice President of Student Services, the Vice President of Student Services shall forward a copy of the grievance to appropriate personnel involved, including the staff member or members most directly responsible for grieved action(s).
- d. **Grievance Review Board**  
Within ten (10) days after the date on which a grievance is filed, or as soon as is reasonably possible thereafter, the Vice President of Student Services shall convene the Grievance Review Board for the purpose of a closed hearing. The Vice President of Instruction or designee shall serve as Grievance Officer. The remainder of the committee shall be composed of one counselor and two teaching faculty selected by the Academic Senate

President and one administrator selected by the Vice President of Student Services. The Grievance Officer shall be the Chairperson of the Grievance Review Board and shall be a voting member of the Board. All five members and recording secretary shall be present at all deliberations.

In the case of a grievance involving a classified or confidential staff member, the composition of the committee may be changed by the Vice President of Student Services with the appropriate consultation.

At the hearing the Grievance Review Board shall determine whether the grievance meets the following criteria:

- (1) Was timely filed, and
- (2) Contains allegations that appear to be substantially credible and can be grieved (if involving a grade, see General Provisions, No. 1, page 5); and,
- (3) Is not frivolous; and
- (4) Indicates that a reasonable effort was made to resolve the grievance informally.

The Grievance Review Board shall make these determinations on the basis of the written grievance and any additions or amendments thereto that it permits the student to make.

The Grievance Review Board shall examine all of the relevant facts and hear any testimony that it deems necessary. Unless overruled by a majority of the Grievance Review Board, the Grievance Officer shall make all rulings on matters related to the conduct of the hearing, including the following:

- (1) Matters involving admission of evidence.
- (2) The calling and questioning of witnesses.

The Grievance Officer shall maintain an orderly meeting and permit no person to be subject to abusive treatment. In this regard, the Grievance Officer may eject or exclude any person who refuses to be orderly.

At the hearing, the student and the grieved party may be accompanied by another person, provided that the other person is not an attorney nor acting as a spokesperson for the parties. The grieved party's supervisor will attend if possible. In the case of a faculty member, the supervisor will be the department chair or the dean. Students with documented special communication needs may request assistance. No other persons shall be present at the hearing, except witnesses at the time of their individual testimony. In the case of a grievance involving several students, a representative may be selected as a spokesperson for the group. All grievants, however, are encouraged to attend.

The questioning of witnesses at the hearing will usually be conducted by the Grievance Review Board. Where fairness compels it, however, the Grievance Officer may, at his or her discretion, recognize the student or any other party involved for the purpose of questioning witnesses.

Written minutes of the proceedings shall be kept in a confidential file by the Grievance Officer. All documents shall be filed in the Office of the Vice President of Student Services separately from the personnel files of the participants.

- e. **Grievance Review Board's Decision and Report**  
The Grievance Review Board shall attempt to arrive at its decision within three (3) days after the conclusion of the grievance hearing or as soon as is reasonably possible. The decision of the Grievance Review Board shall consist of a determination as to whether a valid grievance has been established by the evidence before the Grievance Review Board and, if so, what remedy the Board believes should be granted, if any. The Grievance Review Board shall not recommend any remedy that violates any employee rights as guaranteed by law or collective bargaining agreement.

If the Grievance Review Board determines that some remedy should be granted, it will include appropriate recommendations in its report which will be sent to the College Superintendent/President.

- f. **Action by the College Superintendent/President**  
The College Superintendent/President may accept or reject, in whole or in part, the recommendations contained in the Grievance Review Board's report. Within five (5) days after receipt of the Grievance Review Board's report, the College Superintendent/President shall advise the student and all others involved of his or her decision by certified mail.
- g. **Appeal**  
Either party may appeal the decision of the Superintendent/President by presenting a letter of appeal to the Superintendent/President's Office within five (5) days of receiving notification of the Superintendent/President's decision. The Superintendent/President shall forward all information related to the case to the Board of Trustees for review and final resolution as soon as is reasonably possible.

## GENERAL PROVISIONS

1. **Education Code Section 76225:** When grades are given for any course of instruction taught in a community college district, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final. Definitions of mistake, fraud, bad faith, or incompetency are available in the Office of the Vice President of Student Services.

2. The written grievance originally submitted shall be the grievance considered during the proceedings, and the student may not file any amendments against the employee during the proceedings. Additional charges constitute a separate grievance and must be filed accordingly.
3. An additional grievance may not be filed based solely on charges or evidence considered in a previous formal grievance.
4. The time limits specified herein shall be considered maximum and every effort shall be made to expedite the process. Time limits may be extended by the mutual consent of the student and the grieved person.
5. A grievance may be withdrawn by the student at any time. However, the same grievance shall not be filed again by the same student.
6. All references in this procedure to "days" shall refer to days when classes are in session, excluding weekends and summer session.
7. The grievance review board will wait for 15 minutes past the appointed time for the student and employee to appear. If the student has not appeared by that time, the grievance hearing will be dismissed and will not be rescheduled, unless there is documented evidence of a situation beyond the control of the student. If the employee fails to appear, the hearing board will determine how to proceed.

Adopted .....2/27/79  
Revised .....03/01/00  
Board of Trustees (Info only).....03/21/00

Citrus College Policy 5181 - Student Grievance