

**STATEMENT OF STUDENT RIGHTS,  
RESPONSIBILITIES AND GRIEVANCE  
PROCEDURES**

**CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA**

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CALIFORNIA STATE POLYTECHNIC UNIVERSITY, POMONA  
STATEMENT OF STUDENT RIGHTS, RESPONSIBILITIES,  
AND GRIEVANCE PROCEDURES

**PREAMBLE**

Academic institutions exist for the pursuit of knowledge and are the cultural repositories of a society. Free inquiry and expression are essential to the fundamental mission of an institution of higher education. Scholars have rights and responsibilities derived from the University's highest standards. Students, as members of the University community, have the responsibility to exercise the freedom to learn. Students should be encouraged to increase their capacity for critical judgment and to engage in a sustained and independent search for truth. Appropriate opportunities in the classroom, on the campus, and in the larger community should be made available to students to exercise their rights in a mature and responsible manner. The advancement of higher education is the responsibility of all members of the academic community. The University has a duty to develop policies and procedures which will safeguard academic freedom.

California State Polytechnic University, Pomona, intends that every member of the campus community be afforded a work and study environment free of discrimination based on race, color, religion, national origin, sex, sexual preference, marital status, pregnancy, age disability, or veteran status.

All persons are to be protected from abusive or harassing behavior. In consonance with this social process, the students' rights and privileges as citizens or residents of the United States shall not be abridged. This document sets forth conditions conducive to the freedom to learn.

**Academic Advising**

Students have the responsibility to seek academic advising throughout their enrollment at this University. To meet this responsibility, students have the right to reasonable access to professional advising relative to all segments of their academic programs and to their career goals related to those academic programs. From academic major advisors students should expect advising: 1.) relative to the appropriate selection of major and support courses and of general education courses related to their goals and interests, and, 2.) on matters relating to most university, and all college and department regulations and procedures. From other appropriate university offices students should expect advice on matters relating to state and university regulations and procedures. Students have the responsibility to consult the requisite catalogs, schedules, and handbooks for rules and regulations concerning their major and support courses.

**In the Classroom**

In the classroom, as well as in conference and advising, the professor should encourage open inquiry and free expression. Students shall be evaluated solely on the basis of their academic performance, not on their opinions or other matters unrelated to academic performance.

**Freedom of Expression**

Students are responsible for mastery of the content of any course in which they enroll, but they are free to take reasoned exception at appropriate times to the interpretation of data or opinions offered by faculty.

## **Academic Evaluation**

Students are responsible for meeting the standards of academic performance established by their professors. Evaluations shall be based solely on academic performance as established by the professor. The measurement of a student's performance is the responsibility of the professor. The assignment of a final grade is the responsibility of the professor.

## **Instructional Practice**

Students have the right to substantial instruction in the course content at the times scheduled for class meetings except in mitigating circumstances.

All enrolled students are to be provided with a course syllabus which must include the instructor's grading policies, examination dates, test format and course requirements (e.g., attendance and reading assignments).

## **STUDENT OFFICIAL RECORDS AND INFORMATION**

### **Separation of Records and Information**

To minimize the risk of disclosure to unauthorized persons, discipline, counseling, medical, and activities records shall be kept separately from the official university academic records. Transcripts of academic records shall contain only information about academic status, except that student participation in academic governance may also be recorded pursuant to policies adopted by the university. However, disciplinary action taken against a student which affects eligibility to re-register or re-enroll may be recorded for as long as authorized by special action of the President, or presidential designee, pursuant to the "Disciplinary Procedures for the California State University."

### **Access to Records and Information - University**

Files and/or information shall not be available to any extra-institutional person, agency, or organization except as authorized in writing by the student concerned and/or compelled by law. The terms "extra-institutional person, agency, or organization" are intended to include investigative branches of local, state or federal governments.

No records should be released without the individual student's written authorization. However, students should be aware that records are subject to subpoena.

Students shall be notified in writing of the receipt of a subpoena, the judicial authority requesting the records, the specific records requested, and the action to be taken by the university.

### **Political Files**

Except in the context of student government, no records or files shall be kept which reflect the political beliefs or political activities of the students.

### **Destruction of Disciplinary Files**

The President, or presidential designee, the Coordinator of Student Discipline, or any others holding disciplinary records shall destroy them five years after the expiration of disciplinary action or immediately after the decision that there shall be no disciplinary action.

Administrative staff and faculty members shall respect confidential information about students which they acquire in the course of their work.

Except for letters of recommendation, all information placed in a student's official record either shall originate with the student, or a copy of such information shall be transmitted to the student. With the exception noted above, students shall have the right to examine their own records, following procedures established by those who have the official responsibility for maintenance of these records.\* Students shall have the right to have included in their individual records any additional information or responses they may offer regarding information therein to which they have objection, with a copy of such additional information or response to be furnished by the student to the individuals, departments, or administrative officers who originated the particular information to which such objection is made.

**Note:** For purposes of this section, a student's official file includes any and all files maintained for that student by name and permanent identification number (PIN), in the following offices: Counseling, Admissions and Records, academic departments, interdisciplinary areas, graduate studies, Career Center, Financial Aid, and the Coordinator of Student Discipline.

\*Students shall not have access to investigative information unless such information is directly relevant to the evidence used in formal disciplinary hearings.

## **Freedom of Information**

Students shall have the right to reasonable access to University, College, and departmental policies, procedures, standards, and regulations which affect the right of students to enroll, remain enrolled, or withdraw from any course or program of study.

The University Catalog and the Schedule of Classes shall be the principal means by which such academic information shall be transmitted to students.

The University, colleges, departments, and interdisciplinary groups shall not initiate and implement policies, procedures, standards, and regulations which affect the rights of students to enroll, remain enrolled, or withdraw from courses or programs of study except through established university procedures.

Students shall have the right to information from each professor as to the general requirements and goals of a course in which they are enrolled, and to know the general criteria upon which they will be evaluated in that course. At the beginning of the quarter, each student shall be provided with a class syllabus.

Just as it is the students' right to know the policies, procedures, standards, and regulations which affect their rights, so shall it be their responsibility to obtain and act appropriately on such information, and their lack of knowledge of such information which has been made accessible to them shall not be cause to waive such policies, procedures, standards, and regulations.

## **Student Affairs**

### **Freedom of Access to Higher Education**

The University will make clear the characteristics and academic performance of students which it considers relevant to success in the institution's program. Under no circumstances should a student be barred from admission to a particular institution, its programs or courses, on the basis of race, religion, sex, national origin, sexual preference, marital status, pregnancy, age, disability, or veteran status. Thus, within the limits of its facilities, the university shall be open to all students who are qualified according to its admission standards. The facilities and services of the university shall be open to all enrolled students, and the institution shall use its influence to secure equal access for all students to public facilities in the local community.

## **Freedom of Association**

Students bring to the campus a variety of interests previously acquired, and develop many new interests as members of the academic community. Students shall be free to organize and join associations to promote their common interests.

Affiliation with an extramural organization shall not disqualify a student organization from institutional recognition. At the same time, all actions of a student organization shall be determined by a vote of only those persons given voting privileges in that organization and who also hold bona fide membership in the University community. These University organizations may not represent themselves as expressing official policies or practices of the University.

Student organizations are required to make every effort to secure a University advisor. Each organization shall be free to choose its own University advisor. Institutional recognition will not be withheld or withdrawn solely because of the inability of a student organization, after conscientious effort, to secure an advisor. These advisors perform an important educational role and serve the university community when they accept the responsibility to advise and consult with student organizations. Advisors shall guide organizations in the exercise of responsibility, but they do not have the authority to control the policies of such organizations.

Student organizations are required to submit a constitution, a statement of purpose, a list of officers, a definition of membership, and rules of procedure to the Director of Student Life. Student organizations are not required to submit a membership list as a condition of institutional recognition. The list of officers shall be destroyed when it is no longer in effect.

Student organizations, including those affiliated with an extramural organization, will be open to all students regardless of race, religion, sex, national origin, sexual preference, marital status, pregnancy, age, disability or veteran status. Organizations elsewhere exempted for cause shall be exempted herein.

Students and student organizations are free to examine and to discuss all questions of interest to them, and to express opinions publicly or privately. They are also free to support causes by any means which do not disrupt the regular and essential operations of the University. At the same time, they must make clear to the academic and the larger community that in their public expressions or demonstrations, students or student organizations speak only for themselves.

Students are allowed to invite and to hear any person of their own choosing, providing the invitation is in consonance with University "Policy on Visiting Speakers." University control of campus facilities will not be used as a device of censorship. Sponsorship of guest speakers does not necessarily imply approval or endorsement of the views expressed, either by the sponsoring group or the University.

## **Student Participation in University Governance**

As members of the academic community, students shall be free, individually and collectively, to express their views on policy issues and on matters of general interest to the student body. The role and character of student government shall be reviewed and modified only through prescribed procedures.

## **Student Publications and Broadcasting**

Student publications and the student press are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion and intellectual exploration on the campus. They are a means of bringing student concerns to the attention of the university, and of formulating student opinion on various issues on the campus and in the world. They also represent the institution to the public. Appendix 12 in the University Manual states University policies on these matters. To this end, the editorial freedom of student editors and managers entails corollary responsibilities to be governed by the canons of responsible journalism, where libel, indecency, undocumented allegations, attacks on personal integrity, and the techniques of harassment and innuendo are especially inappropriate.

## **Student Access to Letters of Recommendation**

All student records of the California State University, including California State Polytechnic University, Pomona, are kept in accordance with the provisions of the Family Educational Rights and Privacy Act of 1974 as amended. Students may, if they wish, waive the right of access to letters of recommendation.

Students may request access to those campus records which personally identify himself or herself; students may challenge the accuracy of the record or the appropriateness of its retention. Written student consent is needed for the release of records covered by the Act to outside parties (e.g., prospective employers) except for those agencies entitled to access under the provisions of the Act (e.g., campus officials, other schools, federal officers, and requests in connection with the application or receipt of financial aid). Students have access to only those letters of recommendation written after January 1, 1975, unless the author of earlier letters consents to the ending of confidentiality.

A student may request a copy of a record (with the exception of letters of reference or other statements prior to January 1, 1975, which were written in confidence) which the student has requested or consented to be released. Students must pay a charge for copies of records for which such a charge has been established. Copies of the full text of the Family Educational Rights and Privacy Act of 1974 are available at the Registrar's Office or the campus library. Particular questions with respect to a student's prerogative under the Family Educational Rights and Privacy Act of 1974 should be directed to the Office of the Associate Vice President for Student Affairs.

## **Living Quarters**

The University has an obligation to respect the right of occupants of University housing to be free from unreasonable searches and intrusions into their living quarters. A reasonable right of inspection by appropriate University personnel is necessary to the University's performance of its duties with respect to health, safety, maintenance of applicable rules and regulations and as provided in the applicable written agreement (i.e., housing contract) between the University and the occupant.

## **PREFACE**

There are at least four possible methods of resolving problems: informal process; complaint process; formal grievance process; and grade appeal process. Depending on the facts surrounding a dispute, it may be possible to resolve a problem through an informal process even after a formal process has begun.

All parties to this document believe that adequate safeguards have been included to protect the rights of all concerned parties and to insure that grievances are handled fairly. Students, faculty, staff and administrators each have an obligation to make every effort to resolve problems fairly and informally as they arise and to negotiate in good faith towards a resolution of the problem.

Formal grievance procedures are to be instituted only after reasonable attempts at an informal resolution have failed and are not a substitute for the personal communication necessary to the academic process.

### **Note:**

- (1) A student is one who was enrolled for one or more units during the time in which the disputed event(s) occurred.
- (2) If for any reason the deadlines established in this grievance procedure are not or cannot be met, prior notification with substantiating documentation must be submitted to the University Student Grievance Coordinator (1-110F; ext. 2047) so that all parties can be notified.
- (3) For purposes of calculating the time in which a grievance is to proceed at each level, the time between the last day of final exams of the Spring Quarter and the first day of classes of the following Fall Quarter are not to be considered part of the elapsed time.

## INFORMAL PROCESS

A good faith effort to settle a dispute must be made before a formal grievance can be filed. Even after filing, efforts to resolve the dispute by informal means should continue.

- STEP 1:** The student consults with the party(ies) involved for the purpose of reaching an agreement.
- STEP 2:** If the consultation with the parties involved does not result in agreement, the person at the next level of supervision is to be consulted. (For example: if a meeting between an instructor and student does not result in agreement, the student may then consult with the instructor's department chair.)
- STEP 3:** If consultation at Step 2 does not resolve the dispute, the student then consults the appropriate dean or director. If an agreement cannot be reached, the informal process is ended. The student may then enter the formal process by beginning at Step 1 of the Formal Grievance Procedures provided that the dispute is over a grievable issue.

**NOTE:** While it is preferable that disputes be resolved without resorting to a formal process, if possible, any formal procedures must be initiated by the student no later than the close of business on the last day of instruction of the quarter following the one in which the alleged incident occurred, Summer Quarter excepted. The last day of instruction is defined as the last regularly scheduled day of class before the beginning of the final exam period.

The decision to file a grievance is the right and responsibility of the student. The appropriate dean or director has the responsibility to advise the student of his/her right and whether the problem is a grievable matter. Provisions of Title 5 of the Education Code of the State of California and the California State University Board of Trustee Policies are examples of non-grievable issues. For all other matters relating to academic requirements, Associate Vice President for Academic Programs may be consulted.

A settlement reached after a formal grievance has been filed shall be in writing and signed by the grievant and other party(ies) with a copy to the appropriate dean or director.

Failure to comply with the deadlines established in this grievance procedure without adequate and required notification can result in one of two actions:

a.) Termination of the Grievance:

- 1.) If the grievant (student) does not fulfill her/his responsibilities in the time prescribed by the grievance procedure, the grievance is terminated;
- 2.) If the person(s) against whom the grievance has been filed fails to respond and fulfill her/his responsibilities in the time prescribed by the grievance procedures, the grievant (student) may be granted by the Dean the requested relief or other remedies consistent with the grievance and the grievance will be terminated at that level.

b.) Appeal of the Grievance

If the person(s) against whom the grievance has been filed fails to respond and fulfill her/his responsibilities in the time prescribed by the grievance procedures, the grievant (student) can initiate an appeal to the next level.

Every reasonable effort must be made by all parties to the grievance to engage in the process in good faith towards a timely and equitable resolution. Arbitrary and unreasonable delays will not be acceptable.

If a settlement is not honored, a grievance may be filed based on non-compliance with the settlement, rather than on the original grievance the settlement was intended to resolve.



## COMPLAINT PROCEDURE

Some problems or disputes, such as sexual harassment and certain other incidents, because of their private and sensitive nature, may be more appropriately handled through the complaint process.

In these instances a complaint may be filed with the appropriate dean or director, the Title IX Coordinator, Director of Affirmative Action Services, or the responsible administrator, requesting an investigation into the alleged action(s).

- STEP 1: The student consults with one or more of the above persons as appropriate and requests a resolution of the complaint.
- STEP 2: The administrator will maintain the confidentiality of the dispute, insofar as possible, gather the necessary and relevant facts and inform the student of a decision, and report the results with the recommendation(s) for corrective action, if any, to the appropriate administrator.
- STEP 3: The investigator has no more than 30 days from the initiation of the complaint to render a decision unless it is not reasonable to conclude the investigation and render a report within 30 days due to extenuating or unusual circumstances.
- STEP 4: If the student is not satisfied with the proposed resolution he/she may then initiate a formal grievance procedure.

## FORMAL GRIEVANCE PROCEDURES

The following steps shall be taken in sequence by the student who initiates a formal grievance. Failure to comply with any of the steps or time limits without agreement of all parties to the dispute may result in the termination of the grievance or other appropriate action. A student has the right to withdraw his/her grievance at any stage of the proceedings causing the proceedings to terminate immediately.

Copies of all correspondence shall be forwarded by the student and by the other party to the appropriate dean to be retained in a confidential file pending resolution of the grievance or further action by either party. If the allegations involve charges of discrimination or sexual harassment, copies of all correspondence must be forwarded to the University Director of Affirmative Action Services by both parties.

### FOR ALL GRIEVANCES

#### STEP 1:

- 1.1 The student shall give written notification to the person he/she alleges has aggrieved him/her within one academic quarter\* of the alleged incident or of the time the student should have become aware of the alleged violation. If the party cannot be contacted through reasonable efforts because he/she is no longer in residence or is on leave, an additional notification period of one quarter shall be provided.
- 1.2 The notice of grievance must include specific allegation(s), date(s) of incident(s), and necessary details regarding the complaint. The notice must also include the remedy requested (See Appendix C for the recommended format).
- 1.3 Within 30 days, the party against whom the grievance is filed must respond in writing to the student denying the allegations with accompanying explanations, or:
  - a. Agreeing to grant the remedy(ies) requested in full or
  - b. Agreeing to grant the remedy(ies) requested in part with an explanation or
  - c. Agreeing to negotiate an appropriate remedy with an explanation, stating suggested alternatives.

\* The time limit to file a formal grievance expires at the close of business of the last day of instruction of the quarter following the one in which the alleged incident occurred (Summer Quarter excepted).

- 1.4 In the event the party against whom the grievance is filed will be unavailable for more than one academic quarter, the student shall proceed to Step 2 provided they have complied with Section 1.2 of Step 1. Attach all grievance material from Step 1 to the Letter of Appeal in Step 2 and to all subsequent appeals (if any).

## **STEP 2:**

- 2.1 Within 30 days of receipt of the response in Step 1, or in the absence of a written response, after 30 days but not more than 45 days has elapsed, the student may in writing either accept the proposed remedy or reject the proposed remedy and appeal the results of the grievance to the next level.
- 2.2 In the event the party against whom the grievance is filed will be unavailable for more than one academic quarter, the student shall proceed to Step 3 provided they have complied with Section 1.2 of Step 1. Attach all grievance material from Step 1 to the letter of Appeal in Step 2 and to all subsequent appeals (if any).
- 2.3 The student may grieve against anyone whom he/she believes has treated him/her inequitably. A grievance filed on behalf of a third party is not permitted. Students may grieve against another student, a staff member, faculty member, department head or chair, College Dean or other university administrator. Each type of grievance is outlined in the following sections. The student should first determine against whom he/she is grieving and refer to that section for the procedures to be followed.

## **STEP 3: FIRST APPEAL LEVEL**

### **A. Student v. Student**

1. If the grievant is not satisfied with the results of Steps 1 and 2, he/she can appeal the grievance to the Associate Vice President for Student Affairs within 30 days of receiving the written notification from the other party or, in the absence of a written response, after 30 days but not more than 45 days has elapsed.
2. The Associate Vice President for Student Affairs shall refer the grievance to a committee established at this level, who will review the grievance. The committee may hold a hearing if appropriate, and convey its recommendations to the Associate Vice President for Student Affairs.
  - 2a. The committee shall be appointed by the Associate Vice President for Student Affairs within 10 calendar days after receiving the written notice of grievance or notice of appeal.
  - 2b. The committee shall forward its recommendations, if any, to the Associate Vice President for Student Affairs within 30 days of its appointment.
  - 2c. The committee shall include the following: One (1) student member with voting privileges for each faculty, staff or administrative member with voting privileges.
  - 2d. No member of the committee shall be a student, faculty, staff or administrator from the same department or service area as the grievant or the person(s) against whom the grievance is filed.
3. The Associate Vice President for Student Affairs shall respond to the student in writing within 10 days of receiving the recommendation(s) of the committee. The response shall contain the Dean's and the Committee's findings on the complaint, the action(s) to be taken and the justification(s) for the action(s).

## **B. Student v. Staff**

1. Steps 1 and 2 of the grievance procedure are to be followed. If the grievant is not satisfied with the results at this level, he/she can appeal to the staff member's Department Chair, Director, or College Dean - whomever is the next level of supervision.
2. Appeals must be in writing and made within 30 days of written notification from the other party or, in the absence of a written response, after 30 days but not more than 45 days has elapsed.
3. The Department Chair, Director, or College Dean shall follow the procedures outlined in Step 3:A, 2(a-d)-3 above.

## **C. Student v. Faculty**

1. Steps 1 and 2 of the grievance procedure are to be followed. If the grievant is not satisfied with the results at this level, he/she can appeal to the faculty member's Department Chair.
2. The Department Chair shall promptly review all allegations and provide a written response to the student within 30 days of receiving the written notification. The response shall contain the findings on the complaint, action to be taken, and the justification for the action.
3. If the grievant is not satisfied with the results at the department level, he/she can appeal to the appropriate College Dean within 30 days of receiving the written response from the Department Chair or, in the absence of a written response, after 30 days but not more than 45 days has elapsed.
4. The College Dean shall refer the grievance to a committee established at this level who will review the grievance. The committee may hold a hearing if appropriate and convey its recommendations to the College Dean.
  - 4a. The committee shall be appointed by the College Dean within 10 calendar days after receiving the notice of grievance or notice of appeal and shall include one (1) student member with voting privileges for each faculty, staff or administrative member with voting privileges.
  - 4b. The committee shall forward its recommendation, if any, to the College Dean within 30 calendar days of its appointment.
  - 4c. No member of the committee shall be a student, faculty, staff or administrator from the same department or service area as the parties to the grievance.
5. The College Dean shall respond to the student in writing within 10 days of receiving the recommendation(s) of the committee. The response shall contain the College Dean's and the Committee's findings on the complaint, the action(s) to be taken, and the justification(s) for the action(s).

## **D. Student v. Department Chair**

1. Steps 1 and 2 of the grievance procedure are to be followed. If the grievant is not satisfied with the results at this level, he/she can appeal to the appropriate College Dean within 30 days of receiving a written response from the Department Chair, or in the absence of a written response 30 days but not more than 45 days has elapsed.
2. The College Dean shall refer the grievance to a committee established at this level who will review the grievance. The committee may hold a hearing if appropriate and convey its recommendations to the College Dean.
  - 2a. The committee shall be appointed by the College Dean within 10 calendar days after receiving the notice of grievance or notice of appeal and shall include one (1) student member with voting privileges for each faculty, staff, or administrative member with voting privileges.
  - 2b. The committee shall forward its recommendation, if any, to the College Dean within 30 calendar days of its appointment.
  - 2c. No member of the committee shall be a student, faculty, staff or administrator from the same department or service area as the parties to the grievance.

**E. Student v. Dean or Other University Administrator**

1. Steps 1 and 2 of the grievance procedure are to be followed. If the grievant is not satisfied with the results at this level, he/she can appeal to the Provost and Academic Vice President within 30 days of receiving a written response from the Dean or other University administrator, or in the absence of a written response, after 30 days but not more than 45 days has elapsed.
2. The Provost and Academic Vice President shall refer the appeal to the University Grievance Panel to review the grievance. The committee may hold a hearing, if appropriate, and convey its recommendation(s) to the Provost and Academic Vice President.
  - 2a. The committee shall be appointed by the Provost and Academic Vice President within 10 calendar days, or as soon as reasonable after receiving the notice of appeal. The committee shall include one faculty, one staff, one student, and one administrator.
  - 2b. The committee shall forward its recommendation(s), if any, to the Provost and Academic Vice President within 30 calendar days, or as soon as is practical, after receiving the grievance.
  - 2c. No member of the committee shall be from the same department or service area as the parties to the grievance.

**STEP 4: SECOND APPEAL LEVEL**

- 4.1 Depending upon the original level at which the grievance is filed, the grievant, under the same time constraints as in the First Appeal Level, may appeal to the next higher level as outlined in the Line of Appeals chart. There will be one, two, or three levels of appeal depending upon parties to the grievance.
- 4.2 Once all lower levels of appeal are exhausted, the grievant can appeal to a University Student Grievance Panel as outlined in the Third Appeal Level.

**STEP 5: THIRD APPEAL LEVEL  
(University Student Grievance Panel)**

- 5.1 The final appeal level is the University Student Grievance Panel. This may also be the only appeals level if the grievance is against a College Dean or other University administrator. Steps 1 and 2 of the Formal Grievance Process are to be followed even if this is the only appeals level.
- 5.2 If the grievant is not satisfied with the results of all previous proceedings, he/she may appeal to the University Student Grievance Panel within 30 days of receipt of a written response from the next lower level, or in the absence of a written response, after 30 days but not more than 45 days has elapsed.
- 5.3 The appeal, with all pertinent documents attached, is addressed to:

University Student Grievance Committee  
c/o Provost and Academic Vice President's Office  
California State Polytechnic University  
3801 West Temple Avenue  
Pomona, California 91768

## UNIVERSITY STUDENT GRIEVANCE PANEL

A University Student Grievance Panel shall consist of one faculty, one staff, one student, and one administrator. This Panel is appointed by the Provost and Academic Vice President, or his designee, in consultation with the Coordinator for Student Grievances.

Panel members shall not serve on more than two consecutive panels.

The Panel shall recommend action to the Provost and Academic Vice President within 30 calendar days of receipt of the grievance. The Provost and Academic Vice President shall respond to the student within ten (10) calendar days of receiving the recommendation from the University Student Grievance Panel. The Provost and Academic Vice President's decision shall be final.

### Conflicts of Interest

If a conflict of interest, or possible conflict of interest, arises with any Panel member (including restrictions stated in Section 2d. of the Formal Grievance Procedures) an alternate Panel member shall be appointed to serve in place of the regular Panel member who may have a conflict of interest.

### Combining Grievances

If two or more identical, or closely related, grievances are submitted, they may be considered by the same Panel if so requested by any party to the grievance, or at the discretion of the appropriate administrator hearing the grievance (e.g., department chair, Dean, Associate Vice President, Provost, Vice President).

## CONFIDENTIALITY

The grievance shall be kept confidential at all levels, and information relating to the grievance shall not be divulged to individuals or organizations not party to the grievance. Parties to a grievance may include:

1. The grievant
2. Person(s) against whom the grievance is filed
3. Advisors to either of the above
4. Witnesses
5. Grievance Panel members
6. Administrators processing the grievance
7. Staff members with designated responsibilities for handling grievance material.

No materials or information shall be placed in any student's academic file which relate to a grievance filed by him/her or any other student.

## HEARING PROCEDURES

A hearing shall be held, if appropriate, as prescribed in Sections 4 and 5 of the Formal Grievance Procedures.

Hearings shall be closed to persons who are not party to the grievance, although either party to the dispute may bring witnesses for purposes of testimony and/or an advisor. Prior notification to the committee and the other party is required. No party may be advised at any hearing by any person who is admitted to the practice law before any state or federal court.

Electronic tape recording or written transcriptions may be used to record hearings only if agreed to by both parties. Such recordings or transcriptions must be placed under the closest security in the office of the Vice President for Student Affairs. These records may not be made available to any persons other than the grievant, the person(s) against whom the grievance is filed, and the grievance committee members, and then only in a specially supervised place. Copies of tapes or transcriptions are expressly forbidden.

No meeting, hearing, or other deliberation, whether formal or informal, shall be conducted by a grievance committee with

less than a quorum present. A quorum shall consist of a majority of the voting members.

A simple majority of the voting members present shall be required to arrive at a decision.

Normally, the committee will hear each party separately. However, if both parties agree, they may be heard together.

Whether or not a hearing is held, the person against whom the allegations are made may request, via the committee, a copy of the statement of grievance made by the student including copies of all written allegations, charges, counter-charges, defenses, and any other relevant material. At the beginning of the hearing, the grievance committee shall set reasonable deadlines for the receipt of all relevant material. The committee shall have the right to terminate, without action, the grievance of a student who does not comply with the deadlines as set forth by the committee.

The grievance committee shall transmit in writing a statement of its findings of fact and recommendations for action, along with a summary of the means used to find facts, to the College Dean or Provost and Academic Vice President, as appropriate, for action. Findings of facts and recommendations for action shall be based solely on the allegations contained in the grievance and shall be confined to those topics only.

### **GRADE APPEALS PROCEDURE**

Grade appeals are not normally handled through the Formal Grievance Procedures unless the student alleges inequity in grading practices. Grading practices based on classroom standards as outlined in the mandatory class syllabus and applied to all students equally are not grievable.

However, those problems arising from clerical error or other problems not related to equity in grades are to be handled through the office of the Associate Vice President for Academic Programs (see Appendix B) using the Complaint Procedure format. All other grade appeals shall begin at Step 1, page 6, of the Formal Grievance Procedures.

Executive Order 320, "Assignment of Grades and Grade Appeals", prescribes the process. Information and other particulars concerning the grading system can be found in the current University Catalog and in the office of the Associate Vice President for Academic Programs (Administration Building, Room 221).

**NOTICE OF STUDENT GRIEVANCE**  
(Please Print Clearly or Type)

1. Name: \_\_\_\_\_ PIN: \_\_\_\_\_  
(Note: If the complaint is filed by more than one student, all such students must be identified.)
2. Date most recently admitted to Cal Poly: \_\_\_\_\_
3. Nature of the grievance (brief statement): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Attach a statement to this form containing the following information: (1) All facts relevant to the complaint; (2) Specific statement of the allegation(s); (3) Relief or remedy requested. This may be in narrative form and should be clear and complete.
5. Attach a statement to this form describing what informal actions have been taken by you or others to resolve the problem, persons contacted, and the results of the attempts at informal settlement.
6. If no informal attempts to resolve the problem have been made, explain why not.  
\_\_\_\_\_  
\_\_\_\_\_
7. Attach, or otherwise identify, any and all material (documents, forms, other information) you wish to be considered in resolving this problem.
8. Submit this Notice of Student Grievance and all attached material to the Coordinator of Student Grievances (see Appendix B) with a copy to the person against whom the grievance is filed. Retain a copy for your own records.

The University Title IX Coordinator, Director of Affirmative Action Services, or Vice President for Student Affairs or his/her designee will, upon request, provide assistance in completing this form.

I have received and read the Statement of Student Rights, Responsibilities, and Grievance Procedures and understand what I am required to do in the Formal Grievance Procedures.

I certify that to the best of my knowledge the information I have provided is accurate and the circumstances surrounding the problem are as I have described them.

Signed \_\_\_\_\_

Date \_\_\_\_\_

## LINES OF APPEAL

- I. Student v. Student
  - A. Associate Vice President for Student Affairs
  - B. University Panel
  
- II. Student v. Staff
  - A. Department Chair or Director
  - B. College Dean or Associate Vice President for Student Affairs
  - C. University Panel
  
- III. Student v. Faculty
  - A. Department Chair
  - B. College Dean
  - C. University Panel
  
- IV. Student v. Department Chair or Director
  - A. College Dean
  - B. University Panel
  
- V. Student v. Dean or other University Administrator
  - A. Provost and Academic Vice President



## UNIVERSITY RESOURCE PERSONNEL

OFFICE	LOCATION	EXTENSION
Provost and Academic Vice President	Bldg. 1, Rm. 222	3405
Vice President for Student Affairs	Bldg. 1, Rm. 224	3417
Associate Vice President for Student Affairs	Bldg. 1, Rm. 106	3358
Associate Vice President for Student Support Programs	Bldg. 1, Rm. 106	3355
Director of Affirmative Action Services, Title IX Coordinator, and Coordinator for Student Grievances	Bldg. 1, Rm. 110F	2046
Associate Vice President for Academic Programs	Bldg. 1, Rm. 221	3327
College Deans:		
Agriculture	Bldg. 2, Rm. 216	2200
Arts	Bldg. 5, Rm. 158	3500
Business Administration	Bldg. 6, Rm. 215	2400
Engineering	Bldg. 9, Rm. 225	2600
Environmental Design	Bldg. 7, Rm. 229	2666
Science	Bldg. 8, Rm. 3	3600
School of Education	Bldg. 5, Rm. 228	2300
Center for Hospitality Management	Bldg. 76, Rm. 1	2275
Student Re-Entry Services	Bldg. 95, Rm. 101	3206

## **PROHIBITION OF SEXUAL HARASSMENT**

### **Policy Statement**

It is the policy of The California State University that each campus and the Office of the Chancellor maintain a working and learning environment free from sexual harassment of its students, employees, and those who apply for student or employee status. All students and employees should be aware that The California State University is concerned and will take action to eliminate sexual harassment. Sexual harassment is conduct subject to disciplinary action.

Sexual harassment includes such behavior as sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature directed towards an employee, student, or applicant when one or more of the following circumstances are present:

- Submission to or toleration of the conduct is an explicit or implicit term or condition of appointment, employment, admission, or academic evaluation;
- Submission to or rejection of such conduct is used as a basis for a personnel decision or an academic evaluation affecting an individual;
- The conduct has the purpose or effect of interfering with an employee's work performance, or creating an intimidating, hostile, offensive, or otherwise adverse working environment;
- The conduct has the purpose or effect of interfering with a student's academic performance, creating an intimidating, hostile, offensive, or otherwise adverse learning environment, or adversely affecting any student.

In determining whether conduct constitutes sexual harassment the circumstances surrounding the conduct will be considered.

Established California State University disciplinary, grievance, or other complaint procedures, as appropriate, will serve as the mechanism for resolving complaints of sexual harassment. These include the complaint procedures in collective bargaining agreements, Executive Order 419, or student complaint procedures contained in the Statement of Student Rights, Responsibilities, and Grievance Procedures, as appropriate.

Complaints of sexual harassment should be filed with the Director of Affirmative Action Services, Administration Building (Bldg. 1), Room 110J, (714) 869-2047.

## FACULTY RIGHTS AND RESPONSIBILITIES WHEN A STUDENT GRIEVES

### 1. Introduction

It is important that all faculty be aware of their rights and responsibilities because a grievance by the student against a faculty member may lead to a reprimand or disciplinary action against that faculty member. These rights and responsibilities are described below. But first we outline the procedures that are used when a student brings a grievance against a faculty member under the regulations in Statement of Student Rights, Responsibilities and Grievance Procedures (Appendix 21), hereinafter known as the Procedures.

At the outset, it should be realized that, unless inequity is charged, grading practices are not grievable. Problems arising from clerical errors, etc., are handled through the office of the Associate Vice President for Academic Programs (see page 12 of the Procedures).

### 2. An Outline of the Procedures

The guiding philosophy of the Procedures is that a grievance should be settled equitably, informally, and at the lowest administrative/faculty level possible. Only if an informal resolution of the dispute has failed should the formal procedures be employed.

The Procedures divide grievance activities into two pairs--informal and formal, grievance and complaint. Here, the terms "grievance" and "complaint" are technical terms defined on pages 5 and 6 of the Procedures and described in Section 2.2 below. A description of the informal/formal activities may be found on pages 5 and 6 in the Procedures and in Section 2.1 below.

#### 2.1. The Informal Process and Formal Procedures

##### 2.1.1. Informal Process

The informal process (see page 6 of the Procedures) must be used before a formal grievance procedure is initiated. The steps of the informal process are simple.

- A. The student consults with the faculty member concerned. If resolution is not achieved the following step may be taken.
- B. The student, faculty member, and the department chair consult. If resolution of the dispute is not achieved the following step may be taken.
- C. The student, faculty member, and the college dean consult. If resolution is not achieved the student may then move on to the formal grievance procedure.

### 2.1.2. The Formal Procedure

The formal procedure is as follows:

- A. The student gives a written notice of intention to grieve to the faculty member concerned (Step 1 of the formal process in the Procedures). The notice must contain the specific allegations, dates, and shall contain the requested remedy.

If the faculty member cannot or will not provide the requested remedy then the student may move on to the following step.

- B. The student appeals to the department chair (Step 3.C. in the Procedures). The chair reviews the allegations and makes a recommendation, in writing, as to the actions to be taken.

If the student is not satisfied with the department chair's decision, the student may move on to the following step.

- C. The student may appeal to the college dean (Step 3.C.3. in the Procedures). The dean then forms a committee to judge the matter, and make a written recommendation to the dean.

If the student is not satisfied, the student may move to the final step.

- D. The student may appeal to a University Student Grievance Panel (Step 5 in the Procedures).

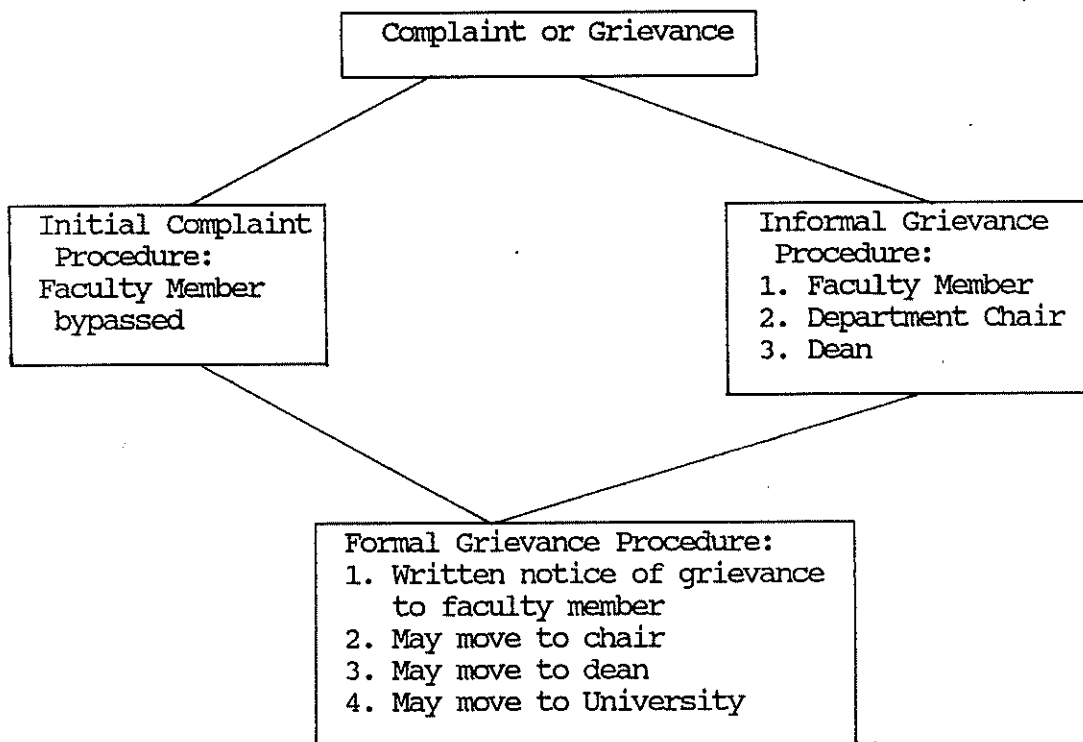
It is important to note the time constraints in the Procedures when the formal process is pursued. If the student fails to meet the requirements of timely action, the grievance must be terminated. See the Procedures for details.

### 2.2. Complaint Vs. Grievance

Most disputes between a student and a faculty member are settled through the informal and formal procedures outlined above. However, occasionally a student may have a complaint against a faculty member of such a nature that a first attempt to resolve the matter at the level of the faculty member is inadvisable. For example, the student may have been sexually harassed by the faculty member. In such cases the student pursues the Complaint Procedure (see page 7 of the Procedures).

The Complaint Procedure is initiated when a student makes a complaint to a department chair, dean, Director of Affirmative Action Services, or other appropriate administrator. The administrator then investigates the allegations, and within 30 days must render a decision and recommend action to an appropriate administrative authority. If the student is not satisfied, then he/she may commence formal grievance proceedings.

2.3. Flow Chart



If, at any level, the student is satisfied or does not wish to continue, the grievance is terminated.

3. Faculty Responsibilities

Insofar as procedures for student grievances are not a subject of the Collective Bargaining Agreement (C.B.A.), the formulation of these rules becomes the responsibility of each campus administration. Each faculty member is under an obligation to follow the procedures in good faith.

4. Faculty Rights

- A. While a student grievance may lead to disciplinary action against a faculty member, the two procedures are separate. Thus, a grievance procedure shall in no way abrogate any of the rights of a faculty member as provided for in the C.B.A. or in University regulations.
- B. Except in the case of a complaint, the faculty member is the first person with whom a grievance must open. Again, with the exception of a complaint, the faculty member has the right to attempt an informal settlement of the dispute before any formal proceedings are undertaken.

- C. A grievance may not be brought against a faculty member if there is more than one quarter (summer quarter is not counted) intervening between the time the student may reasonably be assumed to have been aware of the injury and the opening of the grievance (see page 7 of the Procedures).
- D. Except for the initial steps of the Complaint Procedure, the faculty member has the right to be kept fully informed. The faculty member has the right to be present at all hearings, and to offer argument and evidence in support of his/her side of the dispute.
- E. At a dean's level or University level formal procedure hearing faculty have the right to call witnesses and/or have an advisor who is not a lawyer.
- F. In the event that the procedures are not being followed, and return to following the procedures is not achieved by appeal to the chair or dean, the faculty member should contact the office of the Director of Affirmative Action Services or the office of the Associate Vice President for Faculty Affairs.

5. Department Chairs

When a student grieves against a department chair, the procedures to be followed are the same as those described above except that the department chair is removed from the line of appeals.