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Student Services

Student Grievance Policy

The Chabot-Las Positas Community College District encourages all its students to pursue academic studies and other college sponsored activities that will promote intellectual growth and personal development. In pursuit of these goals, the student should be free of unfair or improper action from any member of the academic community. Toward that end, the following procedures have been developed to provide every student with a prompt and equitable means of seeking an appropriate remedy for any alleged violation of the student's rights.

The district accords every student the right of protection. Students, however, must also be aware that they are responsible for complying with all college regulations and for maintaining the appropriate requirements as established by the instructor for each course in which they are enrolled. The district shall insure that the student is fully accorded due process as stated in this student grievance policy.

General Provisions

Under this section, a grievance may be initiated by a student alleging violation of college/district policies and procedures. The grievance may be against another student, an instructor, an administrator or a member of the classified staff

Processing the Grievance

When a student feels subjected to an unjust action or denied rights by a member of the academic community, the students may seek redress according to the following procedures. The following actions are grounds for student grievance:

- a. Prejudiced or capricious decision in the academic evaluation of a student's performance.
- b. Prejudiced or capricious decision in orientation, counseling, assessment or any other matriculation procedure.
- c. Act or threat of intimidation or harassment.
- d. Act or threat of physical aggression.
- e. Arbitrary action or imposition of sanctions without proper regard to due process as specified in college procedures.
- f. Violation of student rights which are described in the college rules and regulations.

Step I - Informal Procedure

Before filing a formal, written grievance, the student shall first attempt to resolve the issue in the following manner. An informal conference should be conducted with:

1. The person against whom the grievance is directed.
2. The appropriate division dean or manager.

3. The Vice President of Academic Services for academic evaluation of a student's performance (a., above under Processing the Grievance.)
4. The Vice President of Student Services for all other student grievances (b. through f., above under Processing the Grievance.)

If the student feels that the grievance has not been resolved by any of the above conferences within five (5) working days, a formal grievance may be submitted to the appropriate vice-president.

Step II - Formal Procedure

Grievances involving prejudiced or capricious decisions in the academic evaluation of a student's performance shall be submitted to the Vice President of Academic Services for referral to the Academic Fairness Committee; all other grievances requiring further investigation shall be submitted to the Vice President of Student Services and referral to the Student Grievance Committee. Both of these committees shall be standing committees with one year appointments.

The process for submitting a formal grievance to the appropriate vice-president is as follows:

- a. The student shall complete and submit within five (5) working days a grievance form provided by the Vice President.
- b. Upon receipt of the completed grievance form, the Vice President shall within five (5) working days, (1) request a response from the person against whom the charges are made. That person should submit a response within ten (10) working days (failure to respond within the defined time lines will not delay the processing of the grievance); and (2) refer the grievance materials from both parties to the chair of the (appropriate) committee. The committee chair will convene the committee to conduct formal hearings; establish findings of facts, and recommend action for resolution.

The Vice President shall also advise the student of the investigation that will ensue.

- a. The Academic Fairness Committee shall be established as follows:
 1. The Academic Senate shall appoint two standing members. A third appointment shall be made at the time of the grievance to ensure that one faculty member be named who has specific knowledge of the academic discipline involved. Should one of the standing members be a party to the grievance, an alternate will be named.
 2. The Associated Students shall appoint one student to serve as a standing member for a one-year term. Should the standing member be a party to the grievance, an alternate will be selected.
 3. The President of the college shall appoint one member who may be a student, an instructor, a member of the classified or an administrator other than the Vice President of Academic Services or a member of that vice president's administrative staff.
 4. The Committee shall select one of their members to be chair.
- b. The Academic Fairness Committee shall conduct its proceedings as follows:
 1. A record of all information in the possession of the vice president shall be given to the Committee chair. The Committee shall make every reasonable effort to conduct its hearing and present its findings and recommendations within fifteen (15) working days of receiving the grievance.
 2. The Committee shall discuss issues, hear testimony, examine witnesses and consider all available evidence pertaining to the charge.
 3. Both parties shall have the right to present written or oral statements, testimony, evidence and witnesses. Each party may be present at the hearing and be represented by a person of his/her choice. Each person has the right to question witnesses and hear testimony.

4. The Committee shall judge the relevancy and weight of testimony and evidence and make its findings of facts, limiting its investigation to the formal charge. The Committee shall also make recommendations for the disposition of the charge.
 5. The hearing shall be closed to the public unless the student requests from the Vice President at least two (2) working days in advance that the hearing be public.
 6. The Committee shall submit its findings of facts and recommend action within seven (7) working days after the hearing to the Vice President, with a copy to each party and the President of the college.
 7. A summary record of the proceedings will be the responsibility of the chair of the Committee, if the hearing is held in closed session. These proceedings shall be kept in a confidential file by the Vice President and shall be available at all times to both parties.
- c. The Student Grievance Committee shall be established as I follows:
1. The Associated Students shall appoint two standing members. Should one of the standing members be a party to the grievance, an alternate will be named.
 2. The Academic Senate shall appoint two standing members. Should one of the standing members be a party to the grievance, an alternate will be named.
 3. The President of the college shall appoint one member who may be an instructor, a member of the classified staff; or an administrator other than the Vice President or a member of the Vice President's administrative staff.
 4. The Committee shall select one of their members to be chair.
- d. The Student Grievance Committee shall conduct its proceedings as follows:
1. A record of all information in the possession of the Vice President shall be given to the committee chair. The Committee shall make every reasonable effort to conduct its hearing and present its findings and recommendations within fifteen (15) working days of receiving the grievance.
 2. The Committee shall discuss issues, hear testimony, examine witnesses and consider all available evidence pertaining to the charge.
 3. Both parties shall have the right to present written or oral statements, testimony, evidence and witnesses. Each party has the right to be present at the hearing and be represented by a person of his/her choice. Each person shall have the right to question witnesses and hear testimony.
 4. The Committee shall judge the relevancy and weight of testimony and evidence and make its findings of facts, limiting its investigation to the formal charge. The Committee shall also make recommendations for the disposition of the charge.
 5. The hearing shall be closed to the public unless the student requests from the Vice President at least two (2) working days in advance that the hearing be public.
 6. The Committee shall submit its findings of facts and recommended action within seven (7) working days to the Vice President with a copy to each party, and the President of the college.
 7. A summary record of the proceedings will be the responsibility of the chair of the committee, if the hearing is held in closed session. These proceedings shall be kept in a confidential file by the Vice President and shall be available at all times to both parties.
- e. Final action for all grievances: the Vice President, upon receiving the findings of facts and recommendations of the committee, will review the proceedings of the Committee, conduct such investigations as are appropriate and take one of the following actions:
1. Concur with the Committee's recommendations.
 2. Reduce the recommended sanctions.
 3. Dismiss the charge.

If (2) or (3) should occur, the Vice President shall convene the Committee for further discussion and consultation.

The decision by the Vice President shall be rendered within seven (7) working days and transmitted, in writing, to the accused person, the appropriate committee, the President of the college and the student filing the grievance.

- f. The accused or the aggrieved person may write an appeal of the decision made by the Vice President to the President of the college within seven (7) working days. Upon receipt of the appeal, the college President will review the proceedings of the Committee, conduct such investigations as are appropriate and take one of the following actions:
 - 1. Concur with the Committee's recommendations.
 - 2. Reduce the recommended sanctions.
 - 3. Dismiss the charge.

If (2) or (3) should occur, the college President shall convene the Vice President and Committee for further discussion and consultation.

The decision by the President shall be rendered within seven (7) working days and transmitted, in writing to the accused person, the Committee, the Vice President and the student filing the grievance.

- g. If the accused or aggrieved person is dissatisfied with the college President's decision, a written appeal may be filed with the Chancellor within seven (7) working days. Upon receipt of the appeal, the Chancellor will review the proceedings of the Committee, conduct such investigations as appropriate and take one of the following actions:
 - 1. Concur with the Committee's recommendations.
 - 2. Reduce the recommended sanctions.
 - 3. Dismiss the charge.

The decision by the Chancellor shall be rendered within fourteen (14) working days and transmitted, in writing, to the accused person, the Committee, the President, the Vice President and the student filing the grievance.

- h. If the accused or aggrieved person is dissatisfied with the Chancellor's decision, a written appeal may be filed with the Board of Trustees within fourteen (14) working days. Upon receipt of the appeal, the Board of Trustees will review the proceedings of the Committee, conduct such investigations as are appropriate and take one of the following steps:
 - 1. Concur with the Committee's recommendations.
 - 2. Reduce the recommended sanctions.
 - 3. Dismiss the charge.

The decision by the Board of Trustees shall be rendered within twenty-one (21) working days and transmitted, in writing, to the accused person, the committee, the Chancellor, the President, the Vice President and the student filing the grievance. The decision of the Board of Trustees shall be considered the final step that may be taken under academic grievance and due process.

- i. Retaliation: Any retaliatory action of any kind by an employee or student of the district/college against any student as a result of filing a grievance under these procedures, cooperating in an investigation, or other participation in these procedures is prohibited, and may be regarded as the basis for disciplinary action.



CHABOT COLLEGE
25555 Hesperian Boulevard, Hayward, California 94545

Student Grievance

CONFIDENTIAL WHEN COMPLETED

Please type or print clearly.

Name: _____
Last First Middle Initial

Address: _____

City State Zip Code (_____) Telephone Number

Please check the TYPE of grievance you are filing:

- 1. Prejudiced or capricious decision in the academic evaluation of a student's performance.
- 2. Prejudiced or capricious decision in orientation, counseling, assessment or any other Matriculation procedure.
- 3. Act or threat of intimidation or harassment.
- 4. Act or threat of physical aggression.
- 5. Arbitrary action or imposition of sanctions without proper regard to due process as specified in college procedures.
- 6. Violation of student rights which are described in the college rules and regulations.

On a separate sheet of paper, please type or clearly print the nature of the grievance in as much detail as possible. Please include all pertinent information, such as date, time, location, and attach any applicable back-up documentation.

- For grievances citing cause #1 above: Forward this completed form together with the attached detailed explanation to the office of the Vice President, Academic Services, Room 212, Building 200.
- For grievances citing causes #2 through #6 above: Forward this completed form together with the attached detailed explanation to the office of the Vice President, Student Services, Room 706, Building 700.

I certify that the information submitted is correct to the best of my knowledge:

Student Signature: _____

Social Security No: _____ Today's Date: _____

Additional information on the grievance process can be found
in the Chabot College Catalog.

