AP 5530  Student Rights and Grievances

Reference:
Title IX, Education Amendments of 1972; Education Code Section 76224(a);
HEA Title IV, CFR, Sections 600.9 and 668.4 (3) (b); WASC Accreditation
Standard II.B.2.c

The purpose of this procedure is to provide a prompt and equitable means of resolving
student grievances. These procedures shall be available to any student who reasonably
believes a college decision or action has adversely affected his or her status, rights or
privileges as a student.

This procedure does not apply to grade changes or to student disciplinary actions, both of
which are covered under separate Board Policies and Administrative Procedures
(BP/AP 4230-Grade Changes and BP/AP 5520-Student Discipline).

Definitions

School Day: Any day during which the District is in session and regular classes are held, excluding Saturdays and Sundays.

Student: Any person currently enrolled as a student in any class or program offered by the District.

Levels for Resolving a Student Grievance

FIRST LEVEL – Informal Grievance
Any student with a grievance should first attempt to resolve the matter by means of an informal meeting with the person(s) against whom the student has the grievance. This discussion must take place within ten (10) school days of the alleged incident.

SECOND LEVEL – Informal Grievance
If the grievance cannot be resolved as specified at the first level within ten (10) school days, the grievant should contact the immediate supervisor or Dean of the appropriate department or program. This discussion must take place within ten (10) school days after contact at the second level. The Supervisor or Dean has ten (10) school days to respond to the student’s grievance.

THIRD LEVEL – Informal Grievance
If the grievance cannot be resolved at the second level within ten (10) school days, the grievant should contact the appropriate Vice President. The Vice President will review the grievance with the supervisor or administrator and attempt to resolve the grievance informally. This discussion must take place within ten (10) school days after contact at the third level. The appropriate Vice President has ten (10) school days to respond to the student’s grievance.
FOURTH LEVEL – Formal Grievance
If the grievance cannot be resolved informally at the third level, the grievant will be asked to state the grievance in writing within ten (10) school days. Then a formal hearing will be scheduled within ten (10) school days of receipt of the written complaint. The employee being grieved shall have the opportunity to respond in writing. A Vice President, as appointed by the Superintendent/President, will conduct the hearing.

The hearing will include the grievant(s) and the person(s) grieved against. Each shall be entitled to:
1) representation of his/her choice, including legal counsel when mutually agreed;
2) the right to present witnesses and evidence; and
3) the right to question opposing witnesses.

Official minutes of the hearing will be recorded, and, upon request, available to any person in attendance at the hearing. The Vice President, as appointed by the Superintendent/President, shall have ten (10) school days after the date of the hearing to render a written decision.

FIFTH LEVEL – Formal Grievance
If the grievance cannot be resolved at the fourth level within ten (10) school days, the grievant may seek a review with the District Superintendent/President. A copy of the stated grievance and minutes of the hearing, if any, will be submitted to the Superintendent/President for review. The Superintendent/President shall have ten (10) school days to render a written decision.

SIXTH LEVEL – Formal Grievance
If the grievance cannot be resolved at the fifth level within ten (10) school days, the grievant may seek a review before the District Board of Trustees at its next regularly scheduled meeting.

Record of Grievance
A record of the grievance against an employee of the District may only be entered into an employee’s personnel file in compliance with an employee’s contract and the disciplinary process.

Note: The District is committed to resolving student complaints and/or grievances in a fair and equitable manner. Students should work through the District’s process first before escalating issues to other agencies. Issues that are not resolved at the District level may be presented to the California Community Colleges Chancellor’s Office (CCCCO) at: www.californiacommunitycolleges.cccco.edu/ComplaintsForm.aspx.
This Policy and the related Administrative Procedure is not available for use by any student or applicant for admission who believes that he/she has been subjected to unlawful discrimination, including sex discrimination as prohibited by Title IX of the Higher Education Amendments of 1972. The basis for filing a complaint of unlawful discrimination and the procedures to be used to file such a complaint are set forth in the District’s Board Policy and Administrative Procedure 3430 – Prohibition of Unlawful Discrimination or Harassment, which can be obtained in the Human Resources Office in the Shasta College Administration Building 100, Room 121, 11555 Old Oregon Trail, Redding, CA 96003 or on the District’s web site at: www.shastacollege.edu.

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