

HARTNELL COMMUNITY COLLEGE DISTRICT

AP 5530 Student Rights, Grievances, and Complaints

References: Education Code Section 76224(a); Title IX Education Amendments of 1972

The purpose of this procedure is to provide a prompt and equitable means of resolving student grievances or complaints

Superintendent/President – The
the

or a designated representative of

Student – A currently enrolled student, a person who has filed an application for admission to the college, or a former student. A grievance by an applicant shall be limited to a complaint regarding denial of admission. Former students shall be limited to grievances relating to course grades to the extent permitted by Education Code Section 76224(a).

Respondent – Any person claimed by a grievant to be responsible for the alleged grievance.

Day – Unless otherwise provided, day shall mean a day during which the college is in session and regular classes are held, excluding Saturdays and Sundays.

Informal Resolution – Each student who has a grievance shall make a reasonable effort to resolve the matter on an informal basis prior to requesting a grievance hearing, and shall attempt to solve the problem with the person with whom the student has the grievance, that person's immediate supervisor, or the local college administration.

Request for Grievance Hearing Any request for a grievance hearing shall be filed on a _____ within _____ days after the informal resolution process has been completed. The Request for Grievance Hearing Form is available on the college web site and through the Office of Student Life.

_____ : The _____ shall at the beginning of each semester, including any summer session, establish a standing panel of _____ members of the college community, including five (5) students, five (5) faculty members and five (5) administrators, from which one or more _____ s may be appointed. A _____ shall be constituted in accordance with the following:

It shall include _____ student, one _____ instructor, and _____ college administrator selected from the panel described above.

No person shall serve as a member of a _____ if that person has been

If the grievance does not meet each of the requirements, the _____ chair shall notify the student in writing of the rejection of the Request for a _____, together with the specific reasons for the rejection and the procedures for appeal. This notice will be provided within _____ days of the date the decision is made by the _____.

If the Request for a _____ satisfies each of the requirements, the _____ shall schedule a grievance hearing. The hearing will begin within _____ days following the decision to grant a Grievance Hearing. All parties to the grievance shall be given not less than _____ days' notice of the date, time and place of the hearing.

Hearing Procedure

The decision of the _____ chair shall be final on all matters relating to the conduct of the hearing unless there is a vote of a majority of the other members of the panel to the contrary.

The members of the _____ shall be provided with a copy of the grievance and any written response provided by the respondent before the hearing begins.

Each party to the grievance may call witnesses and introduce oral and written testimony relevant to the issues of the matter.

Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.

Unless the _____ determines to proceed otherwise, each party to the grievance shall be permitted to make an opening statement. Thereafter, the grievant(s) shall make the first presentation, followed by the respondent or respondents. The grievant(s) may present rebuttal evidence after the respondent' (s) evidence. The burden shall be on the grievant(s) to prove by substantial evidence that the facts alleged are true and that a grievance has been established as specified above.

Each party to the grievance may represent himself/herself, and may also have the right to be represented by a person of his/her choice; except that a party shall not be represented by an attorney unless, in the judgment of the _____, complex legal issues are involved. If a party wishes to be represented by an attorney, a request must be presented not less than _____ days prior to the date of the hearing. If one party is permitted to be represented by an attorney, any other party shall have the right to be represented by an attorney. The hearing committee may also request legal

matters. The decision whether or not to grant a grievance hearing shall be final and not subject to further appeal.

Approved by Superintendent/President: March 10, 2015, revised May 29, 2019