

Adopted: May 19, 1998

ACADEMIC SENATE
Of
CALIFORNIA POLYTECHNIC STATE UNIVERSITY
San Luis Obispo, CA

AS-SOO-98/ETF
RESOLUTION ON STUDENT GRIEVANCE PROCESS

Background: The Fairness Board of the Academic Senate deals with formal grade appeals concerning student grievances involving faculty. In addition, the campus currently has policies and procedures to deal with the formal resolution of issues involving sexual harassment, amorous relations, and disputes involving students with disabilities. All other student grievances involving faculty can only be dealt with informally and are addressed with the aid of the Office of Campus Student Relations and Judicial Affairs (CSR/JA). Grievances that would fall under the purview of the Student Grievance Process are those that deal with issues of alleged harassment or perceived unfair treatment such as those that result from race, ethnicity, gender, disability, or sexual orientation. These grievances, which do not involve grade appeals, are at least as common as those grievances that do involve grade appeals. As a result, it would not be possible for the Fairness Board to deal with both types of grievances. The creation of a board to deal with these non-grade grievances would enable faculty to have a significant role in addressing these types of grievances. Many other universities have similar student grievance procedures. In fact, the student grievance processes at other universities influenced the enclosed process.

WHEREAS, The Fairness Board of the Academic Senate deals with grade appeals; and

WHEREAS, There are a number of student grievances concerning faculty that do not involve grade appeals and are not covered by existing policies; and

WHEREAS, These student grievances concerning faculty that do not involve grade appeals and are not covered by existing policies are only dealt with through informal means, with the help of the Office of Campus Student Relations and Judicial Affairs; and

WHEREAS, There is a need to create a formal process involving faculty and students to deal with these student grievances concerning faculty that do not involve grade appeals and are not covered by existing policies; therefore, be it

RESOLVED: That a Student Grievance Process be established consistent with the attached document; and, be it further

RESOLVED: That a Grievance Board be established consistent with the attached document; and, be it further

RESOLVED: That the Grievance Board be charged with creating procedures to implement a Student Grievance Process consistent with the attached document.

Proposed by: The Academic Senate Ethics Task Force
Date: April 21, 1998
Revised: May 19, 1998

Student Grievance Process

1. Scope: The Student Grievance Process applies to student grievances involving faculty members that do not involve grade appeals and are not covered by existing policies. Grievances involving grade appeals should be submitted to the Fairness Board of the Academic Senate. For the purpose of this policy, faculty shall include part-time faculty as well as teaching assistants. The following matters do not constitute the basis of a grievance under this policy:
 - a. Policies, regulations, decisions, resolutions, directives, and other acts of the Board of Trustees and the Office of the Chancellor;
 - b. Any statute, regulations, directive, or order of any department or agency of the United States or State of California;
 - c. Any matter outside the control of Cal Poly;
 - d. Course offerings;
 - e. The staffing and structure of any academic department or unit;
 - f. The fiscal management and allocation of resources by the CSU and Cal Poly;
 - g. Any issue(s) or act(s) which does (do) not affect the complaining party directly.

2. Informal Resolution Process: A student should attempt to resolve the matter with the individual faculty member. If unable to reach a resolution, the student and faculty member may request assistance from the faculty member's department chair or the dean of the college. There is no requirement that a complainant utilize this informal process before filing a formal complaint. The Office of Campus Student Relations and Judicial Affairs is available to provide advisory, mediation, and conciliation services to students raising such complaints.

3. Formal Process: To initiate the formal resolution process, a written complaint must be filed with the Office of Campus Student Relations and Judicial Affairs within two quarters of the time the complainant could reasonably be expected to have knowledge of the injury allegedly caused by the discriminatory action. If special circumstances exist, such as when a faculty member is on leave and not readily available to the student, the Grievance Board may elect to waive the two-quarter requirement. Complaints must include the following information:
 - a. The complainant's name, address, and phone number;
 - b. The specific act(s), or circumstances alleged to constitute the discriminatory actions that are the basis of the complaint including the time and place of the alleged discriminatory action; and
 - c. The remedy requested, if any.

4. Grievance Board: The Grievance Board shall include one tenured faculty member from each college and the Professional Consultative Services appointed by the Academic Senate for two-year terms, and two student members appointed by the ASI. The student members shall serve one-year terms and shall have at least junior standing and three consecutive quarters of attendance at Cal Poly preceding appointment. The Grievance Board chair shall be a member of the general faculty and shall be elected by the members of the Board.
 - a. The Grievance Board shall be a committee of the Academic Senate.
 - b. A quorum shall consist of six members (2/3) of the Grievance Board.
 - c. Every effort should be made to ensure that students are able to attend.
 - d. Grievance Board members will disqualify themselves from participation in any case in which they are a principal or they feel that they cannot be impartial.
 - e. The Grievance Board shall conduct hearings if appropriate and forward its recommendations to the Provost, to each principal party, and to the faculty member's department chair and dean.
 - f. Each principal party shall have the right to appeal the decision of the Grievance Board to the Provost.
 - g. The Provost shall inform the Grievance Board, each principal party, and the faculty member's department chair and dean of the action, if any, that has been taken.
 - h. The Grievance Board shall provide a yearly report of its activities to the Provost with copies to the Director of Judicial Affairs and to the Vice Provost for Academic Programs and Undergraduate Education.
 - i. The Director of Judicial Affairs shall be responsible for providing appropriate training for the Grievance Board.
 - J. The Grievance Board shall ensure that confidentiality is maintained.

WJB
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CAL POLY

State of California
Memorandum

SEP 22 1998

SAN LUIS OBISPO
CA 93407

Academic Senate

To: Myron Hood
Chair, Academic Senate

Date: September 18, 1998

From: 
Warren J. Baker
President

Copies: Paul J. Zingg
Harvey Greenwald
Anna McDonald
Sean Banks
William Bailey
Michael Suess

Subject: AS-500-98/ETF-Resolution on Student Grievance Process

Based upon the recommendations of the Provost's staff, I am pleased to approve the above Resolution of the Academic Senate, which establishes a student grievance process for disputes other than those involving grading. The establishment of a Grievance Board as an Academic Senate committee would be a welcome complement to the Fairness Board, which deals with student grade-related disputes. Cal Poly is committed to the fair treatment of all its students, and the establishment of this Grievance Board would further extend the protection of the rights of students in an important way. Please extend my gratitude to members of the Academic Senate Ethics Task.

I would recommend that the Academic Senate initiate the selection process to establish the Grievance Board effective with the Fall Quarter 1998.