



When a student submits a Grievance

Leticia Maldonado, Dean of Students, Foothill College

What's the difference?

Student Due Process and Discipline (AP 5510)

- To provide a prompt and equitable means to address violations of the Student Code of Conduct
- Initiated by students, staff, faculty or administration

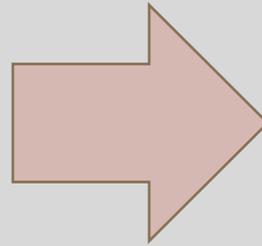
Student Grievance Procedure (5530)

- To provide a prompt and equitable means of resolving student grievances. This process is 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
- Initiated by students
- Our focus for today

Grounds for a Grievance

1. Course Grades- Mistake, fraud, bad faith, or incompetence
2. Act of threat of intimidation or harassment
3. Act or threat of physical aggression
4. Arbitrary action or imposition of sanctions without proper regard to academic due process specified in college procedures
5. Limiting a student's right to exercise their free expression protected by state and federal constitutions and EdCode 76120

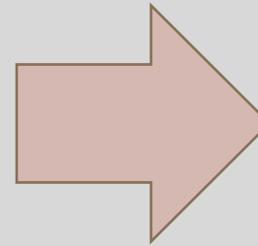
**INFORMAL
PROCESS**



**FORMAL
PROCESS**

Informal Resolution-10 Work Days

1. Student shall confer with the faculty or employee of the district to find a resolution
2. If unresolved, student shall confer with the faculty member's division dean
3. If unresolved, student shall confer with the Vice President of that dean's division
4. If unresolved, the informal process moves to a formal process



**FORMAL
PROCESS**

Formal Resolution Process

Student requests a Grievance Hearing within 30 calendar days after discovery of grievable action

Within 10 days of receipt, the Grievance Officer convenes a grievance hearing committee

Hearing committee meets in private to determine the basis of the grievance-sufficient grounds?

1. If YES- Grievance Officer will schedule a hearing within 30 days of decision and notify all parties involved
2. If NO- Hearing Chair will notify student within 7 days of committee decision
 1. Student may appeal

HEARING PROCEDURE

1. Closed and confidential, recorded
2. All testimony under oath
3. Chair= Administrator
4. Hearing Panel= Faculty and Administrators appointed by Academic Senate and the President or President's Designee
5. Burden of proof on the grievant to prove by substantial evidence that the facts alleged are true
6. Hearing committee will send decision to Grievance Officer within 14 working days
7. Appeal: A student prejudiced by a decision of the grievance hearing can appeal decision to the College President within 30 of receiving decision
8. College President will notify student within 7 work days of final decision.

Both Parties:

- May call witnesses
- Introduce oral and written testimony
- Shall be permitted to make an opening statement
- May represent themselves or represented by person of choice

Takeaways:

- There's an informal AND formal process within the Grievance Procedure
- The goal is to find a resolution at any point in the process that works for the student and the employee of the college at any point in the process- ideally, within the informal process.
- Grievance Officer=Leticia Maldonado, maldonadoleticia@fhda.edu