

BP 5530 Student Rights and Grievances

Reference:

Education Code Section 76224(a)
Title 9 Education Amendments of 1972
ACCJC Accreditation Eligibility Requirement 20;
ACCJC Accreditation Standard IV.D

The Superintendent/President shall establish procedures 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. The procedure shall include, but not limited to, grievances regarding:

1. Sex discrimination as prohibited by Title IX of the Higher Education Amendments of 1972;
2. Course grades, to the extent permitted by Education Code Section 76224(a), which provides: "When grades are given for any course instruction taught in a community college district, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetency, shall be final." "Mistake" may include, but is not limited to errors made by an instructor in calculating a student's grade and clerical errors.
3. The exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120.

This procedure does not apply to:

1. Student disciplinary actions, which are covered under separate Board policies and Administrative Procedures.
2. Police citations (i.e. tickets); complaints about citations must be directed to the County Courthouse in the same way as any traffic violation.

The Superintendent/President shall appoint an employee who shall assist students in seeking resolution by informal means. This person shall be called the Grievance

Officer. The Superintendent/President, when needed, establish a standing panel of 5 members of the college community, including 2 students, 2 faculty members and 1 administrator, from which one or more Grievance Hearing Committees may be appointed. The panel will be established with the advice and assistance of the Associated Students Organization and the Academic Senate, who shall each submit 2 names to the Superintendent/President for inclusion on the panel.

The decision of the Grievance Hearing Committee 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.

Any appeal relating to a Grievance Hearing Committee decision shall be made in writing to the Superintendent/President within two (2) days of the decision. The Superintendent/President's decision whether or not to grant a grievance hearing shall be final and not subject to further appeal.

See Administrative Procedures 5530