

STUDENT GRIEVANCE POLICY AND PROCEDURES

Sponsor: Office of Academic Affairs

Contact: Executive Director of University Student Services

Category: Student Affairs

Number: 1300.030 (<https://www.sunyempire.edu/policies/?search=cid%3D37971>)

Effective Date: March 1, 2002

Implementation History: March 2002

Keywords: Student, grievance, procedure, services, problem, academic appeal, complaint

Purpose

The purpose of the Student Grievance Policy is to provide equitable and orderly processes to resolve grievances by students.

Definitions

Grievance – Formal difference or dispute between a student and a university employee about the interpretation and/or application of the university's non-academic policies and procedures, or provision of services, by members of the university's faculty or staff, that negatively affects the student. A grievance may be based on one of the following claims: failure to provide services, arbitrary and/or capricious actions by a university employee or administrative office; policy or procedure applied unfairly and/or in a different manner than it was applied to others; administrative error in the application of the policy or procedure.

Days – Monday through Friday excluding university holidays.

Relevant Administrator – Appropriate office director or school associate dean or dean. The locus of grievance is with the unit where the service is delivered. Questions about the appropriate locus are resolved by the provost, vice president or designee.

Relevant Provost, Vice President or Designee – The office responsible for the service area.

Statements

A grievance differs from an appeal of an academic decision, as it deals with service issues and not the actual outcomes of course work. A student may file a grievance in the cases of an unresolved difference or dispute between themselves and the university (office or individual) related to services rendered or non-academic decisions. The policy covers matters outside the scope of other policies of the university.

Complaints about sexual harassment and discrimination based upon protected class are addressed via the Discrimination Complaint Procedure; complaints about services related to disabilities are addressed through Rights of Students With Disabilities Policy, complaints about student behavior are addressed through the Student Conduct Policy and Procedures and student academic appeals including grading are addressed through Student Academic Appeals Policy and Procedures.

In cases where service issues underlie a disagreement about an academic evaluation, the service issue will be investigated and decided first.

Informal Resolution

The student is strongly encouraged to seek informal resolution of a grievance by bringing it to the attention of the relevant individual, administrator or office. An attempt at informal resolution should begin no more than 20 business days after the service or decision is rendered.

Formal Grievance

If the student is unsatisfied with the response, the student may make a formal, written grievance to the relevant administrator.

1. Any formal grievance must be submitted by the student within 40 business days after the service or decision is rendered. The student must state the nature of the grievance, the remedy he or she is seeking and describe any previous attempts to resolve the issue grievance.
2. The administrator reviews the situation and should provide a written response, including appeal information within 15 days of receiving the complaint, copying the primary mentor/academic advisor. Students will be informed if extenuating circumstances require additional time.

Appeal of Formal Grievance Decision

If the student is unsatisfied with the formal grievance decision, the student may appeal in writing to the appropriate vice president, provost or designee.

Any appeal must be submitted within 20 days of the transmission of the formal grievance decision. The student must state the nature of the justification for the appeal. The vice president, provost or designee reviews the grievance and should provide a written response within 15 days of receiving the appeal. The decision is final.

Applicable Legislation and Regulations

Middle States (<https://www.msche.org/>)

State Complaint Procedures (<https://www.sunyempire.edu/student-affairs/contact-for-support/student-problem-resolution/non-new-york-residents/>)

Related References, Policies, Procedures, Forms and Appendices

Discrimination Complaint Procedure (<https://www.sunyempire.edu/diversity/title-ix/discrimination-harassment/>)

Rights of Students with Disabilities Policy (<https://www.sunyempire.edu/policies/reg-docs/reg-docs-html/rights-of-students-with-disabilities.php>)

Student Conduct Policy (<https://www.sunyempire.edu/policies/?search=cid%3D37969>)

Student Conduct System (Procedure) (<https://www.sunyempire.edu/policies/reg-docs/reg-docs-html/student-conduct-system-procedure.php>)

Student Academic Appeals Policy and Procedures (<https://www.sunyempire.edu/policies/reg-docs/reg-docs-html/student-academic-appeals-policy-and-procedure.php>)