Volume VI: 6.6 Student Grievance (Non-Academic) Policy

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<th>STUDENT GRIEVANCE (NON-ACADEMIC) POLICY</th>
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<td>Effective Date:</td>
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<td>May 8, 2017</td>
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<td>Supersedes:</td>
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<td>Not Applicable.</td>
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<td>Issuing Authority:</td>
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<td>President</td>
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<td>Responsible Officer:</td>
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<td>Vice President for Student Affairs</td>
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<td>Applicability:</td>
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<td>All College students</td>
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PURPOSE

The purpose of this Policy is to ensure that students have the opportunity to raise grievances which have remained unresolved after previous attempts to do so, and that these concerns will be dealt with in a just and fair manner. Academic grievances are handled through the college’s Academic Grievance Policy, located in the catalogs.

POLICY

It is the policy of Canisius College to extend the right to any enrolled student or recognized student organization of the college to file a grievance in writing in accordance with the procedures and guidelines set forth in this Policy.

An action or decision is grievable pursuant to this Policy only if it involves a misapplication or misinterpretation of college policy, standard, regulation, or procedure, or a violation of state or federal law. This Policy may not be used to grieve:

- Claims based on purchases or contracts;
- Claims against a college employee on matters that are unrelated to the employee’s job or role at the college;
- Student disciplinary decisions, since this is addresses via the Community Standards;
- Formal complaints of harassment or discrimination, since there is a separate reporting and resolution policy for them; or
- Where any other college standard, policy or procedure could have been used for the matter being grieved (e.g., Grade Grievances, FERPA grievances, etc.).

Any other concern will be treated as a complaint and students are invited to express their viewpoints in an appropriate manner to any college official. Upon request from any student, the vice president for student affairs will provide guidance about the appropriate system for redress of a particular complaint.

DEFINITIONS

Grievance - any action or decision involving a perceived misapplication or misinterpretation of college policy, standard, regulation, or procedure, or a violation of state or federal law, excluding:

- Claims based on purchases or contracts;
- Claims against a college employee on matters that are unrelated to the employee’s job or role at the college;
- Student disciplinary decisions, since this is addresses via the Community Standards;
- Formal complaints of harassment or discrimination, since there is a separate reporting and resolution policy for them; or
- Where any other college standard, policy or procedure could have been used for the matter being grieved (e.g., Grade Grievances, FERPA grievances, etc.).

PROCEDURES/GUIDELINES

The procedures set forth below may be used by individuals bringing a grievance (“grievant”) who are enrolled as students at Canisius College. The grievant must have experienced the perceived misapplication or misinterpretation of college policy, standard, regulation, or procedure, or violation of state or federal law; a grievance cannot be filed on behalf of another person. The existence of this Policy does not prohibit a grievant from also filing claims in other forums to the extent permitted by national, state or local law or applicable accrediting agencies.
The formal resolution process described below must be initiated within 60 business days of the decision, action, or events giving rise to the grievance. The Senior Associate Dean of Students (SADOS) may extend this time limit at his or her discretion if good cause is shown.

Informal Resolution

Before proceeding to the formal resolution process, the grievant is expected to have discussed the concern with the person they allege to have caused the grievance (the “respondent”). This requirement may be waived if the grievant has a reasonable basis for believing that such a discussion could result in physical injury, severe emotional distress, retaliation, or discrimination. If the respondent does not respond to the grievant’s attempts at discussion, or if an equitable solution cannot be found, the case will proceed through the formal resolution process outlined below.

Formal Resolution

If informal resolution is not successful, the complainant should file a written request for review with the SADOS. The request must:

- Provide the names of all respondents;
- List the law or college policy, standard, procedure, etc. that has allegedly been misapplied or misinterpreted, if known;
- State how the decision or action was unfair and/or harmful to the grievant;
- State how the respondents are responsible for the action or decision; and
- State the requested remedy.

The SADOS will review the request. If it is clear that the grievance has not been filed within the time limit, or pertains to a matter not applicable under this Policy, or comes from a person without the right to issue a complaint, the SADOS will dismiss the case and notify the grievant in writing.

If the grievance is not dismissed, the SADOS will review the information provided, gather any additional information required, and formulate a decision within 15 business days of receipt of the request. If the respondent is the SADOS, the vice president for student affairs will appoint another college administrator to issue a decision. Once a decision has been made, it will be recorded for the college record, and the grievant and respondent(s) will be notified of the decision in writing.

Final Appeal

If the resolution provided by the SADOS is not satisfactory to the grievant or respondent, that person may file a request for reconsideration via a final appeal. Such a request must be submitted in writing to the vice president for student affairs within 5 business days of receipt of the original decision.

The vice president for student affairs will review the information provided concerning the grievance, the request for reconsideration, and details regarding the grievant’s desired remedy. The vice president for student affairs will issue a final decision within 15 business days of receiving the request for reconsideration. The vice president for student affairs’ decision may include one of the following options:

- A determination that the complaint was valid;
- A determination that the complaint was not valid; or
- A modification of the remedy proposed by the SADOS.

The vice president for student affairs will forward his or her decision to the grievant, respondent and the SADOS. The vice president for student affairs’ decision is final and cannot be appealed.

Note: If the vice president for student affairs is the subject of the grievance, the president will designate another administrator to determine the final appeal. The appointed administrator’s decision is final.

RELATED POLICIES

Grade Grievance Policy