

AP 5530 Student Rights and Grievances

Reference:

Title IX, Education Amendments of 1972; Education Code Section 76224(a)

Purpose:

The purpose of this procedure is 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 procedures shall include, but not be limited to, grievances regarding:

- Sex discrimination as prohibited by Title IX of the Higher Education Amendments of 1972
- Sexual harassment
- Financial aid
- Illegal discrimination
- Course grades, to the extent permitted by Education Code Section 76224(a), which provides: "When grades are given for any course of 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."
- The exercise of rights of free expression protected by state and federal constitutions and Education Code Section 76120.

This procedure does **not** apply to:

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

Definitions:

Party. The student or any persons claimed to have been responsible for the student's alleged grievance, together with their representatives. "Party" shall not include the Grievance Hearing Committee or the College Grievance Officer.

President. The President of the College or a designated representative of the President.

Student. A currently enrolled student, a person who has filed an application for admission to the college, or a former student. A grievance by an applicant shall be limited to a complaint regarding denial of admission. Former students shall be limited to grievances relating to course grades to the extent permitted by Education Code Section 76224(a).

Respondent. Any person claimed by a grievant to be responsible for the alleged grievance.

Day. Unless otherwise provided, day shall mean a day during which the college is in session and regular classes are held, excluding Sundays.

Approved by the Board of Trustees August 13, 2002