110.00 POLICY ON STUDENT GRIEVANCE PROCEDURES
111.00 Chancellors shall develop and submit for approval by Student Academic Services in the Office of the President, and in consultation with the Office of General Counsel, procedures to resolve grievances that claim to have been the subject of any of the following types of university action:

111.10 Violation of the privacy rights accorded by the federal Family Educational Rights and Privacy Act of 1974, portions of the state of California Education Code, and the University of California Policies Applying to the Disclosure of Information from Student Records (see Section 130.00);

111.20 Discriminatory practices based upon sex, under Title IX of the Education Amendments of 1972 or applicable federal or state laws, or under the Student-Related Policy Applying to Nondiscrimination on the Basis of Sex (see Section 150.00 of the UC Policies) and the UCSC Policy on Sexual Assault, the UC Policy on Sexual Harassment and Procedures for Reports of Sexual Assault(s) and Sexual Harassment (see Appendix F);

111.30 Discriminatory practices based upon disability, under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act of 1990 or under the University of California Guidelines Applying to Nondiscrimination on the Basis of Disability (see Section 140.00);

111.40 Discriminatory practices based upon race, color, or national origin, under Title VI of the Civil Rights Act of 1964 (see Appendix C); and

111.50 Other types of actions that may be grieved, such as discrimination on the basis of sexual orientation, age, or marital status, as specified in campus regulations.

112.00 Campus student grievance procedures shall be developed with student consultation, and shall at a minimum, meet the requirements of applicable federal anti-discrimination and privacy laws. Once adopted, they shall serve as the sole remedy within the university for nonacademic student grievances brought pursuant to any such law.

113.00 As provided in state law, civil or criminal law remedies, including injunctions, restraining or other court orders, and monetary damages also may be available to complainants.

114.00 Assignment of grades to students enrolled in university classes is the exclusive prerogative of university faculty. Grade-related and other academic grievances are covered under separate policies established in consultation with the Academic Senate (see Appendix G).

115.00 UCSC STUDENT GRIEVANCE PROCEDURES

115.01 Students may file a grievance based on alleged violations of university policy or campus regulations regarding student privacy rights; sexual harassment; or discrimination based on race, color, national origin, religion, sex, gender (gender identity and gender expression), disability, medical condition (cancer-related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, service in the uniformed services, or other discrimination as specified in campus regulations. The complained of actions must have resulted in injury to the student.

115.05 Student grievances may be based on the conduct of the University, its employees, or third parties. Allegations of student misconduct in alleged violation of the Student Code of Conduct fall
outside the scope of the grievance process as the accused student maintains rights of due process in the form of appeal or a formal hearing on the charges. Allegations of student misconduct should be brought to the attention of the Director of Student Judicial Affairs who oversees the student discipline process.

115.11 DEFINITIONS

Complaint Resolution Officer (CRO): The person designated to receive, investigate, mediate, and resolve complaints brought under this procedure.

The ADA Compliance Officer: The person designated with the ultimate responsibility and authority to resolve any student allegation of discrimination based on disability.

Student (for alleged violations of a student's privacy rights): Any individual who has been admitted to and is enrolled in, or registered with, any academic program of the University.

Student (for alleged violations of university policy and campus regulation): Any individual for whom the University maintains student records and who:

   a. is enrolled in or registered with an academic program of the University; or

   b. has completed the immediately preceding term and is eligible for re-enrollment, including recess periods between academic terms; or

   c. is on an approved education leave or other approved leave status, or on filing fee status.

Respondent: The person designated to answer or respond to the grievance. Generally the respondent will be the head of the unit or department in which the violation allegedly occurred.

Notification: Notification takes place two days after the date of (1) posting of any document in the United States mail (properly addressed) (2) sending via properly addressed email (sja@ucsc.edu). Written communications from the university to a student are properly addressed when sent to the U.S. postal or email address given in the grievance or the last address given since the filing of the grievance.

Days: All time periods referred to in this procedure refer to calendar days, excluding summer term, campus closure and inter-semester recesses. If the designated time period ends on a Saturday, Sunday or campus holiday, the time period will be extended to the following working day.

115.13 OFFICE OF RECORD: The Office of Student Judicial Affairs shall serve as the office of record. All written submissions for student grievances related to this procedure shall be mailed, emailed, or delivered to the Director, Student Judicial Affairs.

115.14 RESOURCES AND INFORMAL RESOLUTION

If a student believes that the Santa Cruz campus or any administrative subdivision or employee thereof has violated university policy or campus regulations, the student may initiate the formal grievance process, including an investigation, at any time. However, the student may also attempt
to resolve the matter informally. Attempts at informal resolution are not required and students alleging discrimination need not participate directly in informal resolution with the person alleged to have taken the discriminatory action.

a. For assistance with the informal resolution, students are advised to contact the Director of Student Judicial Affairs, Title IX Officer, ADA Compliance Officer, ADA Access Coordinators, Conflict Resolution Program, College Administrative Officers, (or other college staff), the Vice Provost and Dean of Undergraduate Education, or the Vice Provost and Dean of Graduate Studies (for contact information, see Appendix P).

b. For complaints alleging sex or gender discrimination, sexual harassment, sexual assault or rape, students are strongly encouraged to consult the Title IX/Sexual Harassment Officer for advice and/or recommendations on filing a grievance. The Title IX grievance procedure is described in the UCSC Policy on Sexual Assault, the UC Policy on Sexual Harassment and Procedures for Reports of Sexual Assault(s) and Sexual Harassment (see Appendix F).

c. For disability-related complaints, students are encouraged to consult with the campus Americans with Disabilities Act (ADA) Access Coordinators for accommodation requests and concerns. If the student has sought informal resolution with the assistance of the ADA Access Coordinators or others and the matter remains unresolved, the student is strongly encouraged to contact the ADA Compliance Officer. The ADA Compliance Officer has ultimate responsibility and authority to resolve the concerns and offer a reasonable accommodation.

If the matter remains unresolved to the student’s satisfaction, the ADA Compliance Officer will provide the student with information on (1) filing a formal grievance (including the campus Policy on Student Grievance Procedures) and (2) filing a complaint with the U.S. Department of Education, Office for Civil Rights.

For contact information for ADA Compliance Officer and ADA Access Coordinators, see Appendix P.

d. All resource persons listed in Appendices F and P shall provide a student with the campus Policy on Student Grievance Procedures and University policy/campus regulation applicable to the alleged violation.

Attempts to resolve a matter informally must be completed within sixty (60) days from the time at which the student knew or could reasonably be expected to have known of the alleged violation. If a student wishes to file a formal grievance, he or she must do so within the sixty (60) day limit, regardless of the progress of the informal resolution process. Requesting an informal resolution will not extend the 60-day time limit for the filing of a formal grievance. The filing of a formal grievance ends the informal resolution process.

115.16 FILING A FORMAL GRIEVANCE

If an informal resolution is unsuccessful or if the student does not want to pursue an informal resolution, at any time the student may file a formal grievance with the Director of Student Judicial Affairs, Doug Zuidema at 459-1738 (voice), 459-3188 (fax), sja@ucsc.edu, 245 Hahn.

The Director of Student Judicial Affairs will assign a Complaint Resolution Officer (CRO).
The formal grievance must be filed within sixty (60) days of the time at which the student knew or should be reasonably expected to have known of the alleged violation. When the violation occurs at the end of an academic quarter, a formal grievance may be filed within sixty (60) days of the beginning of the next academic quarter.

Student grievances must be in writing and signed by the student (or sent from the student’s email address). Grievances must contain the student’s postal address, email address, and telephone number (to the extent available), a detailed statement of the specific action being grieved, the approximate date when the action took place, the resulting injury or harm, a description of the evidence supporting the grievance, whether informal resolution was attempted and completed, and the remedy or relief requested. It is the responsibility of the grievant to update the CRO as to the appropriate address to use throughout the grievance process.

Students who have filed a grievance regarding discrimination in campus activities or programs may also have civil law remedies available to them, including but not limited to, injunctions, restraining orders, complaints with federal or state agencies, or civil litigation.

115.17 INITIAL REVIEW OF A FORMAL GRIEVANCE

The Complaint Resolution Officer (CRO) will review the grievance and make an initial determination regarding whether the grievance is complete, timely, within the jurisdiction of the Policy on Student Grievance Procedure, and alleges facts which, if true, would constitute a violation of University policy or campus regulation. The CRO shall complete the initial review of the grievance and notify the student of the determination in writing within twenty (20) days of the receipt of the grievance in the Office of Student Judicial Affairs.

If the CRO determines that the grievance is incomplete, the student will have ten (10) days from the date of the written notice to make the grievance complete. If the student fails to make the grievance complete, the grievance will be dismissed. If the CRO determines that the grievance is untimely, outside the jurisdiction, or factually insufficient, the grievance will be dismissed. If the grievance raises multiple issues, the CRO will make a determination described above with regard to each issue. The CRO may investigate some issues and dismiss others pursuant to this initial review.

If a grievance is dismissed, the CRO will provide the student with a written explanation of the basis for the dismissal. The student will have ten (10) days from the date of the written notice to request an appeal of the dismissal from the Campus Provost/Executive Vice Chancellor or designee. The request for appeal must be in writing and explain why the student believes the dismissal was in error. The Campus Provost/Executive Vice Chancellor will respond in writing within twenty (20) days of the notice of appeal. If the dismissal is upheld, the decision is final. If the decision to dismiss is overturned on appeal, the grievance will be returned to the CRO for investigation per the procedures outlined below.

115.18 INVESTIGATION & RESOLUTION

The CRO will inform the respondent for the unit or department in which the alleged violation occurred of the nature of the allegations and those factual details necessary to respond to the grievance. The CRO will protect the confidentiality of the student grievant and others to the maximum extent possible consistent with the law and University policy, while according due process to any person alleged to have behaved in violation of University policy or campus
regulation. If necessary, the CRO will provide the student grievant with interim remedies adequate to eliminate, prevent the recurrence of, and address the effects of discrimination.

The respondent in the unit or department in which the alleged violation occurred must file a written response within fifteen (15) days of the receipt of the formal grievance. The response to the allegations shall (1) confirm or deny each fact alleged in the grievance; (2) indicate the extent to which the grievance has merit; and (3) indicate acceptance or rejection of any remedy requested by the grievant or outline an alternative remedial proposal. The response to allegations shall be filed with the CRO, who will provide a copy to the student grievant.

The CRO shall use the response to conduct an investigation of the circumstances of the alleged violation and to attempt to reach a resolution that is satisfactory to all parties.

115.20 FINDINGS

Findings from the investigation shall be reported to the Campus Provost/Executive Vice Chancellor or designee within fifteen (15) days of receipt of the response from the respondent, but no later than forty-five (45) days from the receipt by the CRO of the original formal grievance. The Campus Provost/Executive Vice Chancellor or designee shall be responsible for making a determination on the outcome of the grievance and taking corrective action.

Within fifteen (15) days of receipt of the findings, the Campus Provost and Executive Vice Chancellor or designee will notify the student and the respondent in writing with a synopsis of the report of findings. The synopsis shall contain a summary of the issues presented by the grievance, a statement of the applicable University policy or campus regulation, a summary of the factual findings reached in the investigation, and the recommended outcome of the grievance, including proposed make-whole remedy for the grievant (if any) and final remedies to eliminate, prevent the recurrence of, and address the effects of discrimination (if any).

Both the student and the respondent may request an appointment with the Director of Student Judicial Affairs or designee, to review the entire report of findings. The report of findings shall be redacted as appropriate to comply with University policy, campus regulation, and state and federal laws.

Recommendation for proposed discipline of University employees should not be included in any report. For disciplinary action against any University employee or student, the matter shall be referred to the appropriate University disciplinary procedure.

115.21 ADMINISTRATIVE REVIEW OF FINDINGS

A student may seek an Administrative Review by the Campus Judicial Board by filing a written request for review with the Campus Provost/Executive Vice Chancellor or designee within five (5) days from notification of report of the findings.

If the student will be assisted in the review by an advisor or support person, the student must (1) provide the advisor’s or support person’s name with the written request for Administrative Review and (2) sign a release authorizing the advisor or support person to view relevant materials and to accompany the student to pertinent meetings.

Any Campus Judicial Board member(s) serving as an advisor or support person to the student shall be excused from the Administrative Review.
115.22 ADMINISTRATIVE REVIEW OF FINDINGS: SCOPE AND AUTHORITY

The scope of the Administrative Review is limited to any and all of the following:

a. matters raised in the original written formal grievance;

b. a determination of whether the student has been damaged or injured by a violation of University policy or campus regulation based on sexual harassment or discrimination based on race, color, national origin, religion, sex, gender (gender identity and gender expression), disability, medical condition (cancer-related or genetic characteristics), ancestry, marital status, age, sexual orientation, citizenship, service in the uniformed services, or other discrimination as specified in campus regulations; or

c. student privacy rights; or

d. a review of the process (fact finding, resolution and remedy) of the CRO.

115.23 NOTICE OF ADMINISTRATIVE REVIEW

The Campus Provost/Executive Vice Chancellor or designee shall arrange for an Administrative Review by the Campus Judicial Board within thirty (30) working days of the student request. Administrative Reviews are convened only during the fall, winter, and spring quarters.

115.24 AVAILABILITY OF INFORMAL RESOLUTION DURING ADMINISTRATIVE REVIEW

The grievant may request that the Director of Student Judicial Affairs arrange an informal settlement of the formal grievance at any stage in the Administrative Review process. Requesting an informal resolution will not toll the time for the pending Administrative Review.

115.25 CAMPUS JUDICIAL BOARD

The Campus Provost and Executive Vice Chancellor or designee shall appoint a Campus Judicial Board (see Section 108.10 of the Student Policies and Regulations Handbook for the membership of this Board).

115.26 RETENTION OF RECORDS

The University shall retain all records pertaining to the Administrative Review for a period of seven (7) years. Student records may be kept longer at the discretion of the Director of Student Judicial Affairs.

Explanations placed in the student records by an individual seeking to correct a record shall be retained as long as the contested portion of the record is retained.

115.27 THE BOARD’S REPORT OF FINDINGS & RECOMMENDATION

The Administrative Review conducted by the Campus Judicial Board shall be based on written submissions and may include written inquiries and requests for additional information. Within five (5) days of the completion of the review, the Chair of the Campus Judicial Board shall report the written findings of the Administrative Review to the Campus Provost/Executive Vice Chancellor. The report shall contain findings of fact based on a preponderance of the evidence and shall include whether a University policy or campus regulation was violated, the factual basis for the determination, a recommended outcome of the grievance, a proposed make-whole remedy for the student (if any), and/or final remedies to eliminate, prevent the recurrence of, and address the
effects of discrimination (if any) for consideration by the Campus Provost/Executive Vice Chancellor or designee.

115.28 CAMPUS PROVOST/EXECUTIVE VICE CHANCELLOR’S DETERMINATION
The Campus Provost/Executive Vice Chancellor shall make a determination on the report of finding(s) and recommendation within ten (10) days of the receipt of the report from the Chair of the Campus Judicial Board. The Campus Provost/Executive Vice Chancellor will notify in writing the student, advisors to the student (if any), the respondent, and the Director of Student Judicial Affairs of the determination within five (5) days of making a decision. The written notice shall include a determination of whether a University policy or campus regulation was violated, the factual basis for the determination, a proposed make-whole remedy for the student (if any), final remedies to eliminate, prevent the recurrence of, and address the effects of discrimination (if any), and notification of the right to file an appeal with the Chancellor.

Recommendation regarding proposed discipline of University employees should not be included in any report. For disciplinary action against any University employee or student, the matter shall be referred to the appropriate University disciplinary procedure.

115.29 APPEAL TO CHANCELLOR OR DESIGNEE
Within five (5) days of notification of the determination, the student may file an appeal of the Campus Provost/Executive Vice Chancellor’s determination with the Chancellor or designee. The appeal must be based on at least one of the following grounds:

a. new evidence has been brought to light which was not available at the time of the Administrative Review; or

b. established procedures, as described above, were not followed and the failure to follow procedures resulted in a decision adverse to the student.

The Chancellor or designee shall respond within fifteen (15) days of receipt of an appeal, and this decision is final and binding.

115.30 TIME LIMIT EXTENSION
The Campus Provost/Executive Vice Chancellor or designee may extend any of the time limits described in the above grievance procedures in the interest of fairness and for good cause. All parties involved shall be notified in writing as soon as an extension of time is granted.
Appendix P

**Resources for Informal Resolution**

*For disability-related formal grievances and informal resolution:*

**Ashish Sahni, Associate Chancellor and ADA Compliance Officer, 459-4380 (voice), 459-2098 (fax), ashish@ucsc.edu**

*For student classroom, educational and program accommodation and access:*

**Peggy Church, Director of Disability Resource Center and ADA Program Access Coordinator for Student Program Access at 459-2089 (voice), 459-5064 (fax), pechurch@ucsc.edu, 146 Hahn**

*For disability-related computer access and IT-related reasonable accommodation issues:*

**Jim Phillips, Director of Learning Technologies and ADA IT Accessibility Coordinator at 459-2410 (voice), jphilli1@ucsc.edu**

*For facility, program, and event access and accommodations:*

**Susan Willats, ADA Facilities Access Coordinator, 459-3759 (voice), 459-2759 (fax), willats@ucsc.edu**

*For employment-related reasonable accommodation issues:*

**Kelly Roberts, Disability Management Coordinator, 459-4602 (voice), 459-3683 (fax), roberts@ucsc.edu**

*For employment-related disability discrimination issues:*

**Ciel Benedetto, Assistant Director for EEO, 459-3676 (voice), 459-2670 (fax), cbene@ucsc.edu, Office for Diversity, Equity, and Inclusion**

*For grievances based on alleged sex or gender discrimination, sexual harassment, sexual assault, and rape:*

**Rita Walker, Title IX/Sexual Harassment Officer, 459-2462, rew@ucsc.edu**

*For questions about or alleged violations of University policy related to privacy of student records:*

**Pam Hunt-Carter, University Registrar, 459-4412, phcarter@ucsc.edu**
For conflict resolution assistance:

Nancy Heischman, Director of Conflict Resolution Services, 459-2290, nheischm@ucsc.edu

Additional Resources

Doug Zuidema, Director of Student Judicial Affairs, 459-1738 (voice), 459-3188 (fax), dzuidema@ucsc.edu, 245 Hahn

Richard Hughey, Vice Provost and Dean of Undergraduate Education, 459-4908 (voice), vpdue@ucsc.edu

Tyrus Miller, Vice Provost and Dean of Graduate Studies, 459-5079 (voice), 459-5079 (fax), vpdgs@ucsc.edu

College Administrative Officers:

Alex Belisario, Crown College and Merrill College, 459-2452, aabelisa@ucsc.edu

Jim Carter, Cowell College and Stevenson College, 459-2638, ejcarter@ucsc.edu

Deana Slater, College Nine and College Ten, 459-3122, dslater@ucsc.edu

Susan Welte, College Eight and Oakes College, 459-2922, swelte@ucsc.edu

Michael Yamauchi-Gleason, Porter College and Kresge College, 459-5015, myg@ucsc.edu