

Please print or type this form and return it to:

Check one:

Academic Matter \_\_\_\_\_ (Submit to V.P. for Academic Services)

Non-Academic Matter \_\_\_\_\_ (Submit to Dean of Student Affairs & Enrollment Services)

Name: \_\_\_\_\_ Student I.D. #: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone No. ( ) \_\_\_\_\_ Email Address \_\_\_\_\_

1. My complaint is about: (Please check only one which applies.)

5. What resolution(s) do you propose?

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I certify that the above information is correct.

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of District Person Receiving Complaint

\_\_\_\_\_  
Date

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**IMPERIAL VALLEY COLLEGE**  
**Students Rights and Grievances Policy**

Adopted by the Board of Trustees 11/15/95; 3/21/12; 7/20/2004

**Last Revised: 02/02/2016**

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 procedure shall include, but not be limited to, grievances regarding:

- x Access to classes;
- x Deviation from course content;

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- x The grievant is personally and directly affected by the alleged grievance;
- x The grievance was filed in a timely manner;
- x The grievance is not clearly frivolous, clearly without foundation, or clearly filed for purposes of harassment.

If the grievance does not meet each of the requirements, the Hearing Committee chair shall notify the student in writing of the rejection of the Request for a Hearing, together with the specific reasons for the rejection and the procedures for appeal. This notice will be provided within ten (10) days of the date the decision is made by the Hearing Committee.

If the Request for Hearing satisfies each of the requirements, the Committee Chair shall schedule a grievance hearing. The hearing will begin within twenty (20) days following the decision to grant a Hearing. All parties to the grievance shall be given not less than five (5) days' notice of the date, time and place of the hearing.

### **Step 5 Hearing Procedures**

The decision of the 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.

The members of the Hearing Committee shall be provided with a copy of the grievance and any written response provided by the respondent before the hearing begins.

Each party to the grievance may call witnesses and introduce oral and written testimony relevant to the issues of the matter.

Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.

Unless the Hearing Committee determines to proceed otherwise, each party to the grievance shall be permitted to make an opening statement. Thereafter, the grievant or grievants shall make the first presentation, followed by the respondent or respondents. The grievant(s) may present rebuttal evidence after the respondent(s)' evidence. The burden shall be on the grievant or grievants to prove by substantial evidence that the facts alleged are true and that a grievance has been established as specified above.

In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the committee agree to the contrary.

The hearing shall be recorded by the Hearing Committee by electronic recording device, and shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by an electronic recording device, the Hearing Committee Chair shall, at the beginning of the hearing, ask each person present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. The electronic recording shall remain in the custody of the District, either at the college or the District office, at all times, unless released to a professional transcribing service. Any party may request a copy of the tape recording.

All testimony shall be taken under oath; the oath shall be administered by the Hearing Committee Chair. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape recorded shall be considered to be unavailable.

Following the close of the hearing, the Hearing Committee shall prepare and send to the **CEO** a written decision. The decision shall include specific factual findings regarding the grievance, and

**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.