



Student Grievances

University students are entitled to equitable and respectful treatment by the institution and its representatives. Students who believe that their rights have been violated are authorized to appeal to the University to adjudicate their grievances through a fair, timely, and non-threatening process.

If the grievance is a criminal matter, it should be referred to the *San Marcos Sheriff's Department*: 182 Santar Pl, San Marcos, CA 92069, 760.510-5200. In criminal cases, additional action may be taken on the part of University of Saint Katherine in accordance with the following procedures.

Student complaints may be classified as grievances and fall into one of three categories: *Academic, Non-Academic, and Discrimination*.

Academic Grievances

When grades are given for any course of instruction, 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 (Education Code Section 76224). If a student files a grievance relative to a grade, he/she must prove that "mistake, fraud, bad faith, or incompetency" is the reason for the grade assignment. The student must follow the due process Grievance Procedure. Students will submit their grievance to the Chief Academic Officer.

When grades are given for any assignment or course of instruction, the grade given to each student shall be the grade determined by the Instructor of the assignment or 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 (Education Code Section 76224). If a student files a grievance relative to a grade, academic policy, and/or academic judgment, she/he must prove that "mistake, fraud, bad faith, or incompetency" is the reason for the decision. The following is the academic grievance procedure:

- The student must first seek to resolve her/his complaint with the Instructor.
- If resolution is not reached, the student should appeal in writing to the Department Chair or Program Director of the course in question. The student must copy the Instructor. The Instructor must send written correspondence to the Chair or Director with her/his rationale for the decision. If the dispute is related to a final course grade, the Instructor must send a copy of the syllabus and course assignment grades justifying the final course grade to the Chair or Director.
- If resolution is still not reached, the student should appeal to the Chief Academic Officer (CAO). All correspondence and decisions must be sent to the CAO. The CAO's judgment is final.

Academic Grievance Review Process

The student may seek a review of the respective academic grievance process after all previous appeals have been exhausted. The Academic Affairs Committee will review to assure due diligence was properly followed by all parties. The findings of the Academic Affairs Committee are final and no further appeals will be granted. The students may expect a final decision within 7 days of the date of her/his appeal. The Academic Appeal Form should be submitted to academicappeal@usk.edu within 14 days of the final decision of the CAO.

Non-Academic Grievances

Grounds for non-academic grievances include, but are not limited to, the following and must show evidence:

1. Any act or threat of intimidation, discrimination or harassment.
2. Any act or threat of physical aggression.
3. Arbitrary action, violation of student rights, or imposition of sanctions without proper regard to University policy as specified in the Education Code, Board Policy, and/or Administrative Procedures.
4. Violation of Title IX.
5. Any violation of Section 504 with reference to the rights of disabled students.

“Evidence” is interpreted as competent testimony and authenticated documents. Testimony is competent if it is based on personal knowledge. Speculation, guesswork, and supposition are not competent as testimony. Personal knowledge means knowledge acquired through any of the witnesses five senses: he/she saw it, heard it, touched it, tasted it, smelled it. Documents are authenticated if the hearing body is satisfied from the evidence that the document is in fact what it purports to be.

Discrimination Complaints

Students wishing to file complaints based upon discrimination on the basis of ethnic group identification, religion, age, gender, sexual orientation, color, or physical or mental disability and any other category of unlawful discrimination should contact the Student Success and Services Coordinator (SSSC) who will take it to the appropriate supervisor.

Complaints — Non-Grievances or Non-Discrimination Complaints: Students can pick up and fill out a complaint form from the Registrar’s or Student Success and Services Coordinator’s Office. It will then be reviewed by the SSSC.

Filing a Complaint with the Bureau for Private Postsecondary Education

A student who is dissatisfied with the President’s or Board of Trustees’ decision may file a complaint about the University with the Bureau for Private Postsecondary Education by calling

the Bureau or completing a complaint form obtained from the Bureau's web site. Contact information for the Bureau is as follows:

Bureau for Private Postsecondary Education
2535 Capitol Oaks Drive, Suite 400
Sacramento California, 95833 Website: www.bppe.ca.gov/
Phone: 916.431.6959, Toll Free: 888.370.7589



University of Saint Katherine Statement of Grievance Form

Student _____ **Date** _____
Last First Middle
USK ID _____ **Phone** _____ **E-mail** _____

Check One: **Academic (Faculty)** **Non-Academic (Faculty or Staff)**

If Academic, check only the categories that apply (each category checked must have support documentation): Mistake Fraud Bad Faith Incompetency

If Non-Academic, specify: _____ Date Initiated (Level I): _____

Level I Due Date _____ Level II Filing Date _____
(30 days from initiation date) (10 days from Level I due date)

IT IS THE STUDENT’S RESPONSIBILITY TO ENSURE THAT ALL DEADLINE DATES ARE MET.

Level I – (Informal Resolution Process)

Any student who believes that an injustice or a violation of state, federal or college policies, laws or regulations has occurred, should try to resolve the problem through consultation with each of the individuals in the order listed below. Level I must be completed within twenty (20) days.

- Instructor or staff member
- Appropriate staff or faculty member designated by the University
- Dean, Director or Manager of the faculty or staff member

Name of Instructor/Staff Member: _____

Class (if appropriate) or Department: _____

Specify your grievance with evidence: _____

Requested outcome (specify the solution/action you want taken):

Student Signature

Date

Response to Level I -- *Documentation of attempts to resolve through Informal Action*

- Response from Instructor or Staff member

Instructor/Staff Member Signature

Date

- Response from appropriate staff or faculty member designated by the University

Staff or Faculty Signature as designated

Date

- Response from HR Representative

HR Representative Signature

Date

I Agree/Disagree (circle one) with the outcome of Level I
I will / will not (circle one) proceed to Formal Level II- Grievance Review

Student Signature

Date

Response to Level II -- *Documentation of attempts to resolve through Formal Action*

- Response from Student Representative designated by the Director of Academic Affairs

Instructor/Staff Member Signature

Date

- Response from appropriate staff or faculty member designated by the Chief Academic Officer

Staff or Faculty Signature as designated

Date

- Response from Administrator designated by the President

HR Representative Signature

Date

I Agree/Disagree (circle one) with the outcome of Level II
I will / will not (circle one) proceed to Formal Level III- Grievance Review

Student Signature

Date

Response to Level III -- *Documentation of attempts to resolve through Informal Action*

- Response from Student Representative designated by the Director of Student Affairs

Instructor/Staff Member Signature

Date

- Response from appropriate staff or faculty member designated by the Chief Academic Officer

Staff or Faculty Signature as designated

Date

- Response from appropriate staff or faculty member designated by the President

Staff or Faculty Signature as designated

Date

Response from Student Service Administrator (1)

Signature

Date

Response from Student Service Administrator (2)

Signature

Date

I Agree/Disagree (circle one) with the outcome of Level III

Student Signature

Date