

# STUDENT NON-ACADEMIC GRIEVANCE PROCEDURE

## Student Non-Academic Grievance Procedure Policy

The following is the policy:

### 1. Applicability

- a. It is perhaps inevitable in any university that some students may at times feel improperly treated, and that concerns about unfairness (including potential discrimination and harassment) may also at times arise.

In this regard (and although this grievance procedure is not limited to concerns of discrimination), Stanford University's Nondiscrimination Policy provides in part: "Stanford University admits qualified students of any race, color, national or ethnic origin, sex, age, disability, religion, sexual orientation, and gender identity to all the rights, privileges, programs, and activities generally accorded or made available to students at the University. Consistent with its obligations under the law, Stanford prohibits unlawful discrimination on the basis of race, color, national or ethnic origin, sex, age, disability, religion, sexual orientation, gender identity, or any other characteristic protected by applicable law in the administration of the University's programs and activities; Stanford also prohibits unlawful harassment including sexual harassment and sexual violence. "

- b. At Stanford, there are a number of grievance procedures through which students can raise and seek redress for what they believe to be unfair, improper or discriminatory decisions, actions, or treatment. For example:
  - i. If the matter involves an academic decision, the Student Academic Grievance Procedure may be the applicable procedure.
  - ii. If the matter involves a disability-related concern, the Student ADA/Section 504 Grievance Procedure may be applicable.
  - iii. If the matter involves a student-athlete and his or her sport, the Student-Athlete Grievance Procedure may be applicable.
- c. The purpose of the Student Non-Academic Grievance Procedure is to provide a process for students to seek resolution of disputes and grievances that may not fall within the scope of one of the other grievance processes, including those which may arise in a student's capacity as a student-employee.
- d. As a general proposition, this procedure is available to undergraduates and graduate students at Stanford University. It is designed to address individual decisions or individual actions that affect the grievant personally in his or her capacity as a student, but it does not apply to matters proceeding or addressed through the Office of Community Standards or through the Dean's leave policy. This is likewise not a grievance procedure to address the concerns of student groups. Similarly and as a general proposition, dissatisfaction with a departmental, school, or University policy or practice of broad or general application is not grounds for a grievance under this procedure; the Director of the Diversity and Access Office (hereafter "the Director") may, in his or her discretion, entertain such a grievance in exceptional circumstances, such as where (for example) the policy or practice is alleged to be contrary to law. In the same way, the Director may entertain a grievance under this procedure brought by an

individual who is not an undergraduate or graduate student, in an appropriate case or as required by law.

- e. The Director is responsible for administering this Student Non-Academic Grievance Procedure.
  - i. The Director may be contacted at: Director of the Diversity and Access Office, Kingscote Gardens, 419 Lagunita Drive, Suite 130, Stanford, CA 94305-8550; (650) 723-0755 (voice), (650) 723-1791 (fax), equal.opportunity@stanford.edu (email), <http://www.stanford.edu/dept/ocr>.
  - ii. The Director in his or her sole discretion can decide whether to refer a grievance brought under this procedure to another grievance process. In cases involving allegations of sexual harassment in particular, the Director may wish to consult with the Director of the Sexual Harassment Policy Office as to the most appropriate way to proceed; see Section 5.d below. In cases involving student employment, the Director may wish to consult with the University's Department of Human Resources.

### 2. Informal Resolution

- a. As a general proposition (and although particular circumstances may warrant an exception), the student should first discuss the problem and seek a solution with the individual(s) most directly involved.
- b. If no resolution results (or if circumstances make discussion inappropriate with the person most directly involved), the student should then consult with the individual at the next (higher) administrative level in the department, school, residence or University administrative unit. Serious efforts should be made to resolve the issue locally at an informal level without resort to a formal grievance; such efforts may continue even after the formal process is underway.

### 3. Formal Grievance

- a. If informal means of resolution prove inadequate, the student should set forth in writing the substance of the complaint, the grounds for it and the evidence on which it is based, and the efforts taken to date to resolve the matter. It is at this stage that the complaint becomes a formal grievance.
- b. The grievance document should be submitted to the Director. A grievance should be filed in a timely fashion, i.e., normally no later than thirty days after of the end of the academic quarter in which the action that is the subject of the grievance occurred. Except in extraordinary circumstances, delay in filing a grievance will be grounds for rejection of that grievance.
- c. The Director will promptly initiate a review, which should normally be completed within sixty days. The Director may attempt to resolve the matter informally, and may refer the matter (or any part of it) to a grievance officer or other designee, who will look into and/or address the matter as the Director directs. The Director may also, in appropriate cases, remand the matter to the appropriate administrator (including to the administrative level at which the grievance arose) for further consideration.
- d. In undertaking this review, either the Director, his or her designee, or the grievance officer may request a response to the issues raised in the grievance from any individuals believed to have information the reviewer considers relevant, including faculty, staff and students.
- e. The Director (or his or her designee) will issue his or her decision in writing, and take steps to initiate such corrective action as is

called for (if any). Conduct meriting discipline will be brought to the attention of the appropriate disciplinary process.

4. Appeal

- a. If the student is dissatisfied with the disposition by the Director (or his or her designee), he or she may appeal to the Provost (Office of the President and Provost, Building 10, Stanford, CA 94305-2061; phone 650-725-4075; fax 650-725-1347). The appeal should be filed in writing with the Provost within ten days of the issuance of the decision by the Director (or his or her designee); a delay in filing the appeal may be grounds for rejection of that appeal.
- b. The Provost may attempt to resolve the matter informally, and may refer the matter (or any part of it) to a grievance appeal officer, who will review the matter at the Provost's direction. The Provost may also, in appropriate cases, remand the matter to the appropriate administrator (including to the administrative level at which the grievance arose) for further consideration.
- c. The Provost should normally complete his or her review of the appeal and issue his or her decision in writing within forty-five days. That decision is final.

5. General Provisions

- a. Time Guidelines—The time frames set forth herein are guidelines. They may be extended by the Director or Provost, as applicable, in his or her discretion for good cause (including for reasons relating to breaks in the academic calendar), and will nearly always be extended during summers and the winter closure.
- b. Advisers—A student initiating or participating in a grievance under this procedure may be accompanied by an adviser in any discussion with the Director, the Provost or their designees, or a grievance or grievance appeal officer under this procedure; any adviser must be a current Stanford faculty, staff member or student.
- c. Ombuds—Students should be aware that the University Ombuds (<http://www.stanford.edu/dept/ocr/ombuds>) is available to discuss and advise on any matters of University concern and frequently help expedite resolution of such matters. Although it has no decision making authority, the Ombuds' Office has wide powers of inquiry.
- d. Sexual Harassment and Sexual Misconduct and Sexual Assault —For information and resources concerning sexual harassment, students should refer to the web page of the Sexual Harassment Policy Office at <http://harass.stanford.edu>. For information and resources concerning sexual assault and relationship abuse, students should refer to the web page of the Sexual Violence Advisory Board at <http://www.stanford.edu/group/svab/help.shtml>.
- e. No retaliation—Stanford University prohibits retaliation or reprisals against individuals based on their pursuit in good faith of a grievance under this procedure, or their participation in good faith in the grievance process.
- f. Standards for Review—If the grievance involves a decision that is being challenged, the review by the Director, as well as the review by the Provost on appeal, usually will be limited to the following considerations:

- i Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear that substantially affected the decision to the detriment of the grievant?

- ii Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the grievant?
- iii Given the proper facts, criteria, and procedures, was the decision one which a person in the position of the decision maker might reasonably have made?