



Student Grievance Policy

Administrative Division: Academic Affairs and Student Life

Responsible Unit: Dean of Student Affairs

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Who Should Read this Policy:

Who should read this policy?

- Students
- Deans and Directors
- Advisors
- Vice Presidents

Effective Date: July 1, 2022

Policy Statement:

The Saint Elizabeth University (SEU) Student Grievance Policy outlines the process by which students may express and resolve grievances that they have with any University employee, fellow student, or third party associated with the University not explicitly covered by another university policy (see Exclusions below). The University has established the following process to address grievances, but requests that a student first review the applicable institutional policies pertaining to students as well as the Academic Catalog to ensure they understand and enact applicable University policy before submitting a grievance.

A student may use this process if they believe that a University employee, fellow student, or external party has violated a University policy or has acted in a discriminatory manner or perceives they have been treated in an unequal, unjust or unfair way. Students should first try to resolve grievances through informally via in-person discussions with the appropriate parties involved. If the concerns are not resolved satisfactorily, they may submit a written complaint to the appropriate person(s) or they may submit a formal grievance.

This Student Grievance Policy is not intended to be a substitute for any other mode of redress outside the University. For example, a student where appropriate, may choose to engage law enforcement, the judicial system, a private attorney, an alternative dispute resolution center, or governmental agencies such as the NJ Division of Civil Rights, the Equal Employment Opportunity Commission, the Department of Education's Office of Civil Rights, or other appropriate agency (see a list of agencies at end of Policy).

A student may choose to engage any option outside the University's internal grievance procedure, at any point before, during, or after University proceedings. However, the student should consult the statute of limitations with the specific outside agencies as all outside claims have requirements regarding timely filings. The violation of specific statute of limitations could preclude relief.

Purpose of the Policy

The purpose of the SEU Student Grievance Policy is to address the University's interest in promoting a safe, harmonious and bias-free environment for the University community.

The Policy

I. Exclusions:

- A. Acts of discrimination, harassment and/or sexual misconduct (including sexual assault) will not proceed under the Student Grievance Policy. Please refer to Saint Elizabeth University's [Title IX Policy](#) and contact the University's Title IX Coordinator [to file a report](#).
- B. Grievances regarding Code of Conduct violations may be handled through judicial affairs procedures that include an appeal process through the Dean of Student Affairs, whose decision is final.
- C. Acts of violence and physical assault will not proceed under the Student Grievance Policy. Please refer to Saint Elizabeth University's [Code of Conduct](#) to file a report.
- D. Grievances regarding final course grades, or grades on coursework shall not proceed under the Student Grievance Procedure. Please refer to [Academic Review Board: Grievances and Grade Appeals](#).
- E. Matters over which the University has no authority to act (e.g. municipal speeding tickets, arrests, etc.)

II. Filing Formal Grievance:

1. If the Complainant is not satisfied with the resolution provided through informal means, the Complainant has 15 business days from the date of the attempt at an informal resolution to submit the formal grievance, in writing, to the Assistant to the Provost and Vice President of Academic Affairs and Student Life.
2. The formal grievance, addressed to the Assistant to the Provost and emailed to abartlett@steu.edu must include the following:
 - date of submission;
 - Name and contact information of the student submitting the grievance (Complainant);
 - Name(s) of the individual(s) directly involved in the matter being reviewed (Responding Party);
 - A brief statement describing the incident including but not limited to: where and when it occurred. Any supporting materials or evidence should be referenced in the statement and attached to, or included with the statement;
 - Date(s) of the good faith discussion with the individual involved and the supervisor or Provost in the case of peers, guests or other third parties;
 - Reason for further appeal;
 - Desired outcome; and
 - Signature of complainant.
3. Within 10 business days of receipt of the formal grievance, the Provost's office will request a summary of the informal mediation, and convene a grievance hearing committee. The Committee will consist of two faculty members, two students, and one staff member.
4. Members of the committee will meet with the Complainant and Responding Party (either individually or jointly) within 10 business days of receipt of the formal grievance and begin a fair and impartial investigation into the matter. Witnesses for either party may be asked to provide written statements or attend meetings during the investigation. The Committee may also request a meeting with other relevant University staff, students, or other parties as part of the investigation.
5. The investigation will be kept confidential to the extent possible. At the Committee's discretion, meetings may be discontinued with any disruptive individual. In such instances, the Committee will make a determination based on the information and evidence available at such time.

6. Both the Complainant and Responding Party have the right to have present a Silent Supporter during any meeting. However, the Silent Supporter may only consult and advise the student, not speak for the advisee or otherwise participate in any meeting or hearing. If the Complainant or Responding Party (when a SEU student) has a documented disability and would like to request accommodation to assist the student through the formal grievance process, the student may contact Accessibility Services for support.
7. These procedures are administrative in nature and are not considered legal proceedings. Committee members may remove or dismiss a supporter who becomes disruptive or who does not abide by the restrictions on participation. Failure to comply with the Student Grievance Policy during the course of a grievance shall result in the waiving of the student's rights under Saint Elizabeth University's Student Grievance Policy.
8. This Student Grievance Policy is not intended to be a substitute for any other mode of redress outside the University. For example, a student where appropriate, may choose to engage law enforcement, the judicial system, a private attorney, or governmental agencies such as the NJ Division of Civil Rights, the Equal Employment Opportunity Commission, the Department of Education's Office of Civil Rights, or other appropriate agency.
9. A student may choose to engage any option outside the University's internal grievance procedure, at any point before, during, or after University proceedings. However, the student should consult outside agencies statutes of limitations as all outside claims have requirements regarding timely filings, the violation of which may preclude relief.
10. The purpose of the SEU Student Grievance Policy is to address the University's interest in promoting a safe, harmonious and bias-free environment for the University community.

III. Special Grievance Process Provisions:

- A. The student is responsible for presenting his/her own case except when the student is under the age of 18 or incapacitated.
- B. The procedural rights afforded to students above may be waived by the student.
- C. The student shall have the right to identify documents, witnesses, and other materials for review before the Committee presents a final decision.
- D. Any hearing or interview held shall be conducted in private unless all parties agree otherwise.
- E. The University will use the preponderance of evidence standard in the grievance proceedings.
- F. The University will not tolerate the intentional false reporting of incidents. False reporting could lead to disciplinary action, up to and including dismissal for students.

- G. Although every effort will be made to adhere to the timelines outlined in this policy, the University reserves the right to modify such timelines based on extraordinary circumstances (e.g. vacation, illness, religious observance).

V. Decision:

Based on the preponderance of evidence standard, the Committee will make a decision, in writing, to both the Complainant and the Responding Party. The Committee decision shall accept or reject the grievance, and make recommendation(s) to resolve the issue(s). Both the Complainant and the Responding Party will be informed of their right to appeal the decision subject to the grounds below.

VI. Appeal:

A written appeal must be filed with the Assistant to the Provost within seven business days of the Committee decision. In the event of an appeal, the Assistant to the Provost shall give written notice to the Responding party to allow the Responding Party the opportunity to submit a response in writing.

The ONLY grounds for appeal are as follows:

1. A procedural error occurred that significantly impacted the outcome of the hearing (e.g. material deviation from established procedures); or
2. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding. A summary of this new evidence and its potential impact must be included in the written appeal.

All documents pertaining to the grievance will be provided to the Provost and the Committee chair for review.

The determination of the Provost shall be considered the final decision, with no other avenues of appeal available on campus. The Provost will render the decision within seven business days.

In the event the appeal is not timely or substantively eligible, the original finding will stand and the Committee's decision is final. The party requesting appeal must show error as the original finding is presumed to have been decided reasonably and appropriately.

VII. Retaliatory Acts:

If any person who files a grievance, or any person who testifies, assists or participates in a grievance proceeding, investigation or hearing, believes they are being subjected to retaliatory acts, they may report such incidences to the Provost and Vice President for Academic Affairs and Student Life.

It is a violation of University Policy to engage in retaliatory acts against any person who files a grievance or participates in the grievance proceeding. Such acts will be subject to disciplinary action, up to and including dismissal for students, termination for University

employees, and the removal and/or exclusion of external parties from University property.

VIII. Filing an External Grievance:

If the grievance is not satisfactorily resolved through official University channels in compliance with the federal government's program integrity regulations 34 C.F.R. §600.9(a) and 34 C.F.R. §668.43(b), students (or prospective students) may file a grievance with the University's accreditor and/or with the relevant State approval or licensing entity. To review the New Jersey Office of the Secretary of Higher Education (OSHE) instructions for filing a complaint about an institution of higher education, please visit the OSHE website.

The contact information for the University's accrediting agency and for its licensing authority are listed below:

A. Accrediting Agency

Middle States Commission on Higher Education
1007 North Orange Street
4th Floor, MB #166
Wilmington, DE 19801
Tel: (267) 284-5011

B. Licensing Authority

Secretary of Higher Education
Mailing Address:
NJ Higher Education
P.O. Box 542
Trenton, NJ 08608-0542

Physical Address:
20 West State Street
Trenton, NJ 08608-1206
Tel: (609) 292-4310
Fax: (609) 292-7225 or (609) 633-8420

C. Office of Civil Rights

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg.
400 Maryland Avenue, SW
Washington, DC 20202-1100
Tel: (800) 421-3481
Fax: (202) 453-6012; TDD: (800) 877-8339
Email: OCR@ed.gov

D. Professional Accreditors:

Accreditation Commission for Education in Nursing
3390 Peachtree Road NE
Suite 1400
Atlanta, GA 30326
Tel: (404) 945-5000

Academy of Nutrition and Dietetics Headquarters
Academy of Nutrition and Dietetics
120 South Riverside Plaza, Suite 2190
Chicago, Illinois 60606-6995
Tel: (800) 877-1600
Tel: (312) 899-0040

Council for Accreditation of Educator Preparation
1140 19th St NW, Suite 400
Washington, DC 20036
Tel: (202) 223-0077

American Psychological Association
750 First Street, NE
Washington, DC 20002-4242
Tel: (800) 374-2721 or (202) 336-5500

For State Complaints About:

- **New Jersey student financial aid matters (e.g. student loans, grants, scholarships, TAG, NJ STARS, etc.), contact:**
Higher Education Student Assistance Authority (HESAA)
(800) 792-8670 or (609) 584-4480
- **Programs in fields leading to teacher certification or for K-12 issues, contact:**
Department of Education
(609) 376-3500
- **Programs leading to nursing licensure, contact:**
New Jersey Board of Nursing
(973) 504-6516

- **Distance Education Across State Lines**, contact the Office of the Secretary of Higher Education (OSHA), The State Authorization Reciprocity Agreement (SARA):
<https://www.nj.gov/highereducation/SARA.shtml> and
<https://www.nj.gov/highereducation/OSHEComplaintInstructions.shtml>

- **Civil rights complaints** involving discrimination based on race, color, national origin, age, disability and sex, including sexual harassment, should be filed with:

Office for Civil Rights (OCR) – Enforcement Office
U.S. Department of Education
32 Old Slip, 26th floor
New York, NY 10005 – 2500
Telephone: 646-428-3900
Fax: 646-428-3843
TDD: 877-521-2172
Email - OCR.NewYork@ed.gov
Or:
New Jersey Office of the Attorney General
Division on Civil Rights

IV. Definitions

1. **A. Grievance:** The University defines a grievance as a serious concern or complaint that an individual has attempted to resolve through an informal process, but for which the individual is not satisfied with the outcome and wishes to seek review at a higher organizational level. It is not intended to create an adversarial or court-like proceeding but is designed to facilitate fact-finding and to review incidences, actions, or decisions that have negatively affected or raised a serious concern.
2. **B. Complainant:** The party who initiates the grievance process, seeking a formal resolution or remedy to a conflict or situation on campus.
3. **C. Responding Party:** The individual(s) against whom the grievance is made.
4. **D. Business Day:** A business day is considered every official work day of the week; another common term is work day. These are the days between and holding from Monday through Friday, and do not include public holidays and weekends.