Samuel Merritt University
STUDENT GRIEVANCE POLICY, PROCESS, AND PROCEDURES

Policy
Samuel Merritt University (SMU) provides a process by which student grievances are managed and resolved. The procedures below must be used by grievants who are enrolled as students of the University. Grievances cannot be filed on behalf of another person. This policy does not apply to grievances involving claims of sexual harassment/sexual misconduct, which are handled by the SMU Department of Human Resources.

Process and Procedures

Step 1
Students shall make good faith efforts to resolve grievances with those directly involved, within 5 (five) working days after the event(s).

Step 2
If the grievance is not resolved following Step 1 within (5) five working days of the event(s), the student may submit the grievance to the highest academic or administrative officer (hereinafter called “Step 2 Officer”) of the school (Dean), department (Chair), or program (Director), in which the student is enrolled. Such submission shall be in writing. The Step 2 Officer will provide the student with any applicable internal grievance procedure (required by the department or school) and attempt to achieve a satisfactory resolution of the grievance. A written decision by the academic or administrative officer shall be provided within a reasonable period of time and presented to the appropriate parties to the grievance.

Step 3
If a decision adverse to the student is made, the student may accept the terms of the decision and comply with its conditions or the student may request a review of the decision by the Student Grievance Committee (SGC). A request for review by the SGC must be submitted in writing to
either the Academic Vice President or the Vice President of Enrollment and Student Services by
the student within five (5) working days of the Step 2 Officer’s decision.

If the issue involves an academic matter, the written grievance shall be submitted by the student
to the Academic Vice President. If the issue involves a disciplinary matter, that is wholly
unrelated to any academic matter, the written grievance shall be submitted by the student to the
Vice President of Enrollment and Student Services and a copy shall also be provided to the
Academic Vice President. If the Academic Vice President, in his or her sole discretion,
determines that the grievance is related to Academic Matters, the Academic Vice President
shall retain jurisdiction over the grievance to its conclusion.

The request for review by the student shall be in writing and contain:

1. A statement of the reason(s) for the request;
2. Identification of the University policies or regulations alleged to have been violated, if any;
3. All documents the student wants the SGC to consider, and
4. Remedy sought.

No supplemental filing of documents or materials shall be permitted unless requested by the SGC.

Within five (5) working days of receipt of the request for review, the jurisdictional Vice President
shall request all pertinent documentation from the Step 2 Officer and insure that the grievant and
parties involved in the grievance are given an opportunity to review a complete set of these
documents. Documents will be made available for supervised review in the office of the respective
Vice President and may not be removed, copied, or transcribed in any manner.

The respective Vice President shall record the notification of grievance and forward all pertinent
written information to the SGC Chair for the Committee’s review and recommendation.

**Academic Matters**

**Scope.** Grievances relating to academic matters include academic, classroom/clinical behavior,
or any circumstances that occur within the learning environment are under the final jurisdiction
of the Academic Vice President. *Didactic grading, assessment of clinical performance, policies
related to matriculation or failure to meet the program’s technical standards are not subject to
grievance review,* unless the student can demonstrate evidence of failure by the institution to
follow department/University policy/procedure, evidence of discrimination, or evidence that the
student has not violated standards of academic integrity or professionalism.

**Disciplinary Matters**

**Scope.** Grievances related to disciplinary matters outside of the classroom or clinical setting
which are unrelated to academic matters are under the final jurisdiction of the Vice President of
Enrollment and Student Services and may include acts of intimidation/physical aggression, or
violation in any of the following: non-academic student rights, code of ethics, code of conduct.
Grievance Review Process and Meeting
The SGC Chair shall select a meeting date occurring within a reasonable time after the filing of the request for review. The SGC shall have full discretion regarding the conduct of the review including any additional information to be received. In all cases, the grievant will be provided an opportunity to review all available documents and meet with the SGC.

The Committee shall deliberate and render its recommendation within a reasonable time to the appropriate Vice President. A valid recommendation will constitute a simple majority of the SGC.

Action
The decision of the SGC on a request for review of a grievance shall be limited to the following recommendations.

1. Dismissal of the grievance;
2. Recommendation that the University uphold the decision of the academic program or Step 2 Officer;
3. Recommendation that the program reconsider its decision due to substantial evidence of discrimination or failure at the program level to follow standard policies and procedures;
4. Recommendation to the appropriate Vice President, that the program’s decision be reversed based on stated grounds.

Decisions to uphold probation, suspension or dismissal shall be posted on the student’s academic record.

Step 4
The appropriate Vice President shall review the SGC’s recommended decision and within a reasonable period of time provide written notice of an approval, disapproval or modification of the SGC recommendation. The Vice President has the right to extend this review period to accommodate further review with written notification to the parties involved. The written decision will be distributed by the Vice President to the grievant(s) and the administrative (Step 2) officer of the program in which the student is enrolled.

In cases involving recommendation of suspension or dismissal, and the Vice President disapproves such recommendation; he/she shall provide written notice to the SGC of that decision including the reason for disapproval prior to notification of the grievant. The SGC Chair may request a meeting with the SGC and the Vice President to resolve differences. If such differences are not resolved the decision of the Vice President shall be final.

Any action resulting in dismissal or suspension of the grievant from the University is subject to review and approval of the Vice President under whose jurisdiction the grievance rests. The decision of the Vice President is considered final.
Grievance Committee Operational Guidelines

1. The Student Grievance Committee (SGC) is a standing committee of the Faculty Organization. The Committee will consist of two faculty members from the School of Nursing, and one faculty member from each additional school or department. These faculty members shall be nominated by their departments and selected by the President of Faculty Organization. There shall be one student for every 100 enrolled from each School or Department (nominated by the Student Body Association (SBA) and appointed by the Division of Enrollment and Student Services). There shall be three staff members on the Committee, two from Enrollment and Student Services and one from Business Affairs. Staff members will be appointed by the Vice Presidents of Enrollment and Student Services and Finance and Administration. The SCG Chair, selected from members of the Committee, will hold a faculty appointment. For each grievance review, the membership will include the Chair, two faculty, one staff, and one student. Details of membership regarding this committee are found in the Operational Guidelines of the Faculty Organization, Appendix, page 29.

2. In the event that the appointed members of the SGC cannot be convened, the President of the Faculty Organization may convene a committee consisting of a minimum of three, based on the nature of the grievance. The President of Faculty Organization may exercise the right to appoint other representatives as necessary.

3. The meeting shall be closed to the public and only the grievant(s), members of the Committee, the person whose decision is being grieved, and other individuals approved by the SGC Chair, shall be present. Staff in the Office of Student Services may serve as a student resource during the grievance process; however they are not voting members of the Committee.

4. The SGC Chair has full operational authority to plan and conduct the meeting as he/she determines.

5. In the case of grievances or allegations involving more than one grievant, the SGC Chair has the discretion to convene one meeting for all parties concerned or a separate one for each person.

6. Committee deliberations will only be open to members of the SGC.

7. Formal rules of evidence shall not be in effect. No attorney, who represents any of the involved parties, shall attend or take part in the meeting.

8. Any and all written records of the proceedings shall be forwarded to the appropriate Vice President’s office after the hearing and archived. There will be no recording devices allowed during the grievance proceedings.
9. All relevant information from the review will be kept in confidence, in accordance with the federal Family Educational Rights and Privacy Act (FERPA) or other applicable federal law.

Note: The timelines specified in this policy may be extended due to extenuating or extraordinary circumstances, with approval of the appropriate Vice President.

Grievance (Academic Policies, page 89)
Formal grievance procedures are available to the student who wishes to appeal a disciplinary decision. For a description of the grievance procedure, consult the section on Academic, Personal, and Professional Integrity in this Catalog/Handbook.

Readmission After Withdrawal (page 90)
Students who have voluntarily withdrawn from the University and are seeking readmission must comply with current admission policies. Readmission is competitive and not guaranteed. The student may not have an outstanding balance on his or her tuition account. The request for readmission is reviewed by the dean, department chair or program director, and their decision regarding readmission is communicated to the Vice President of Enrollment and Student Services who will notify the applicant.