



## **POLICY FOR HANDLING STUDENT COMPLAINTS AND/OR GRIEVANCES, Formerly Policy for the Handling of Student Grievances ADM 16-01, as amended.**

### **I. INTRODUCTION**

Universidad Central de Bayamón and the Dean of Student Affairs, in its desire to provide a safe and pleasant environment for our student community, wishes to open its doors to students so that they can express their concerns and situations that concern or affect them. The Policy for Handling Student Complaints and Grievances allows these to be addressed immediately and following an organized process.

This document details the formal process to be followed by any student who wishes to file a complaint and/or grievance related to issues with the offices, services or academic areas.

### **II. LEGAL BASIS**

In our University environment, the rights and conduct of all members of the University Community are regulated by laws and general regulations. As for students, the Student Regulations define them as members of the academic community and Article II guarantees them their rights. This article also indicates their duties, responsibilities and expected conduct. Article XIII, Student Complaints and Grievances Process, establishes "that any student who wishes to express his/her concerns and situations related to the offices, services and academic areas may file a complaint or grievance with the Dean of Student Affairs.

If the complaint is related to gender discrimination, sexual harassment, stalking, sexual assault or any other discriminatory conduct, it will be immediately referred to the Title IX Coordinator, Director of Human Resources or the Dean of Student Affairs, as the case may be, to complete the corresponding complaint form.

*The Jeanny Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Higher Education Opportunity Act* require all Institutions of higher education receiving Title IV funds to report annually any incidence of security at the Institution.

### III. PURPOSE

The purpose of this policy is to allow our students to express their concerns and situations related to the offices, services or academic areas. This policy is instituted to address any complaint that the student believes has been committed against him/her or violation of his/her rights.

### IV. DEFINITION OF TERMS

1. **Student:** Any person officially enrolled in courses or academic offerings at UCB.
2. **Complaint:** Complaint made to an authority because of a disagreement or nonconformity about a process or service.
3. **Grievance:** We define a grievance as a dispute, disagreement, grievance, controversy, difference or claim for an alleged violation or inaction of any Institutional policy or Student Regulations.
4. **Investigation:** Proceeding initiated to obtain information to clarify the complaint filed.
5. **Complainant:** Person who files the complaint.
6. **Defendant:** Person against whom the complaint is filed.
7. **Witness:** Person who witnessed the facts presented in the complaint.

### V. PROCEDURE

**The process to be followed by the student to file a complaint and/or grievance will be:**

Universidad Central de Bayamón establishes the student complaint and/or grievance process with the purpose of allowing students to express their concerns and situations related to offices, services or academic areas.

#### **Step 1**

Students interested in filing a complaint will be referred to the Dean of Student Affairs where they must complete the complaints and grievances form. The student must complete the document including a brief description of the issue or situation, to be then evaluated by the Dean of Student Affairs, who will give the student the opportunity to present the situation in a meeting coordinated at the time or by appointment, depending on his/her availability and/or seriousness of the matter. If the complaint presented is of an academic nature, it is confirmed with the student if he/she visited the Academic College to which he/she is attached. If the student did not present his/her complaint or grievance to the College, he/she will be immediately oriented and referred for due process. On the other

hand, if it is related to a student services office, the student will be referred to the corresponding office to handle the situation and present possible solutions.

## **Step 2**

The Dean of Student Affairs will proceed to interview the student filing the complaint and/or grievance. If it is identified that it is directly related to a violation of the Student Regulations or any provision of Institutional Policy, it becomes a complaint process and an administrative investigation proceeds.

## **Step 3**

The Dean of Student Affairs will proceed to meet with the alleged respondent who violated the right of the student complainant and will request a written statement of the facts.

In the event that the person alleged to have violated the student's rights is a professor or non-teaching administrative personnel, he/she will be summoned to the Dean of Student Affairs to present his/her statement in the presence of the Director of Human Resources and the Director of the Academic College or the office to which he/she is attached.

## **Step 4**

If after the interview and rigorous statements to the witnesses and/or involved in the situation, it is documented that any article or provision of the Student Regulations or Institutional Policy was violated, the student who filed the complaint will be notified in writing of the result of the investigation. The Dean of Student Affairs, if necessary, will refer the student to the Guidance and Counseling Center to channel the situation between both parties. It will end with an evaluation of the process by the student who filed the complaint.

## **Step 5**

If as a result the person who violates the student's rights, according to the Institutional Policies and Student Regulations, is a faculty member, he/she will be referred to the Dean of Academic Affairs, who interviews the professor or the person indicated and establishes the required sanctions according to the Faculty Manual or, depending on the situation, refers the case to the Human Resources Office for the corresponding sanctions. If the person who violates the student's rights is an administrative personnel, the case will be referred to the Human Resources Office for the corresponding disciplinary process.

On the other hand, if the one who violates the rights of the complained student is another student, he/she will be processed by the Dean of Students Affairs according to the sanction stipulated in the Student Regulations. In those cases in which a serious offense that may lead to expulsion is documented as a result of the investigation, it is necessary for the Dean of Students to appoint an ADHOC Committee to discuss the case. The Committee will issue its decision to the Dean of Student Affairs and the results will be presented to the President

to proceed with the recommended sanction to the student who committed the serious misconduct.

#### **Step 6**

If the decision of the Dean of Student Affairs is not to the satisfaction of the student who filed the complaint, he/she may refer in writing to the President for reconsideration, within ten (10) working days after the date of the determination. The letter must present the reasons why he/she does not agree with the determination.

#### **Step 7**

The President shall render his/her decision no later than fifteen (15) working days. The determination of the President shall be final and not subject to appeal.

#### **Step 8**

The Dean of Students will keep a case file. In order to know the satisfaction of the service provided, the complainant will be sent the survey on the Evaluation of the Complaints, Grievances and Other Services.

### **VI. DISCIPLINE FILE**

The records of students served for disciplinary or other confidential matters are kept separate from the academic record and properly protected under the custody of the Dean of Student Affairs.

### **VII. SEPARABILITY AND INTERPRETATION**

- A. The provisions of this Policy are severable from each other, and the invalidity of one or more articles, paragraphs or parts thereof shall not affect others that may be applied, independently of those declared invalid.
- B. It will be interpreted in a manner that is consistent with applicable law, operational efficiency, our mission, vision, values, professional goals and objectives, productivity, efficiency and the best institutional interests.

### **VIII. AMENDMENTS AND REPEAL**

- A. This Policy amends Executive Order ADM. 16-01 and any other guidelines that conflict with the provisions herein.
- B. This Policy may be amended or repealed "motu proprio" or proposed by the President of the University

| Control Num               | Policy name                                     | Date approved    | Approved by:             |
|---------------------------|---|------------------|--------------------------|
| Executive Order ADM 16-01 | Policy for the Management of Student Complaints | January 20, 2016 | Dr. Lillian Negrón Colón |

**XI. EFFECTIVE**

This policy will be effective immediately upon approval.

**IX. APPROVAL**

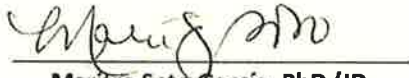
Approved by:



**Fray Oscar Morales Cruz, O.P.  
Interim President**

2/9/2023

**Approval date**



**Maritza Soto García, PhD/JD  
Board of Trustees President**

2/9/2023

**Approval date**