

POLICY FOR HANDLING STUDENT COMPLAINTS OR GRIEVANCES 23-01

I. INTRODUCTION

The Central University of Bayamon and the Dean of Student Affairs office, in their aspiration to foster a safe and enjoyable environment for our student community, want to open their doors to students so that they can express their concerns and situations that worry or affect them. The Policy for Handling Student Complaints and Grievances allows these to be addressed immediately, by following an organized process.

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

II. LEGAL BASIS

In our university environment, the rights and conduct of all members of the university community are governed by general laws and regulations. With regard to students, the Student Regulations define them as members of the academic community, and Article II guarantees their rights. This article also outlines their duties, responsibilities, and expected conduct. Article XIII, Student Complaints and Grievances, states that "any student who wishes to express concerns or report situations related to offices, services, and academic areas may file a complaint or grievance at the Dean of Student Affairs Office.

If the complaint relates 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, depending on the case, to complete the appropriate 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 that receive Title IV funds to report annually on any security incidents at the institution.

III. PURPOSE

The purpose of this policy is to allow our students to express their concerns and situations related to offices, services, or academic areas. This policy is instituted to

address any complaint that the student believes has been committed against them or violates their rights.

IV. DEFINITION OF TERMS

1. **Student:** Any person officially enrolled in courses or academic programs at UCB.
2. **Complaint:** A claim made to an authority due to a disagreement or dissatisfaction with a process or service.
3. **Grievance:** We define a complaint as a dispute, disagreement, grievance, controversy, difference, or claim regarding an alleged violation or inaction in accordance with an institutional policy or student regulation.
4. **Investigation:** Procedure initiated to obtain information that clarifies the field complaint.
5. **Plaintiff:** Person who files the complaint.
6. **Defendant:** Person against whom the complaint is filed.
7. **Witness:** Person who witnessed the events described in the complaint.

V. PROCEDURE

The process to be followed by students to file a complaint and/or grievance shall be as follows:

UCB establishes the process for student complaints and/or grievances for the purpose of allowing students to express their concerns and situations related to offices, services, or academic areas.

Step 1:

Students wishing to file 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, which will then be evaluated by the Dean of Student Affairs, who will give the student the opportunity to present the situation in a meeting arranged at that time or by appointment, depending on their availability and/or the seriousness of the matter. If the complaint is academic in nature, the student will be asked if they have visited the Academic College to which they are assigned. If the student has not submitted their complaint or grievance to the College, they will immediately be guided and referred for the appropriate procedure. On the other hand, if it is related to a student services office, they will be referred to the appropriate department to handle the situation and present possible solutions.

Step 2:

The Dean of Student Affairs will interview the student who files the complaint and/or grievance. If it is determined that the complaint is directly related to a violation

of the Student Regulations or any provision of Institutional Policy, it will become a grievance process and an administrative investigation will proceed.

Step 3:

The Dean of Student Affairs will meet with the alleged offender who violated the rights of the complaining student and request a written statement regarding the events.

If the person alleged to have violated the student's rights is a professor or administrative staff member, they will be summoned to appear before the Dean of Student Affairs to present their statement in the presence of the Director of Human Resources and the Director of the Academic College or department to which they belong.

Step 4:

If, after the interview and statements from witnesses and/or those involved in the situation, it is documented that any article or provision of the Student Regulations or Institutional Policy has been violated, the student who filed the complaint will be notified in writing of the outcome of the investigation. The Dean of Student Affairs, if deemed necessary, will refer the student to the Guidance and Counseling Center to mediate the situation between both parties. The process will conclude with an evaluation of the process by the student who filed the complaint.

Step 5:

If, as a result, the person violating the student's rights, according to Institutional Policies and Student Regulations, is a faculty member, they will be referred to the Dean of Academic Affairs, who will interview the professor or the person in question and establish the required sanctions in accordance with the Faculty Manual or, depending on the situation, refer the case to the Human Resources Office for the corresponding sanctions. If the person violating the student's rights is an administrative staff member, the case will be referred to the Human Resources Office for the corresponding disciplinary process.

Additionally, if the person violating the rights of the accused student is another student, they will be processed by the Dean of Student Affairs according to the penalty stipulated in the Student Regulations. In cases where the investigation proves a serious offense that could lead to expulsion, the Dean of Students must 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 for the student who committed the serious offense.

Step 6:

If the decision of the Dean of Student Affairs is not satisfactory to the student who filed the complaint, he or she may refer the matter in writing to the President for

reconsideration within ten (10) business days of the date of the decision. The letter must present the reasons why the student disagrees with the decision.

Step 7:

The President shall issue his or her decision no later than fifteen (15) business days. The President's decision shall be final and not subject to appeal.

Step 8:

The Dean of Students will keep a record of the case. In order to verify the satisfaction with the service provided, the complainant will complete a survey on the Complaints, Grievances, and Other Services Evaluation.

VI. DISCIPLINARY RECORD

Records of students who have been dealt with for disciplinary reasons or other confidential matters are kept separate from academic records and are duly protected under the custody of the Dean of Student Affairs.

VII. SEPRABILITY 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 applicable, regardless of those declared invalid.
- b. It shall be interpreted in a manner 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 revoked on its own initiative or at the proposal of the President of the University.