



COMMONWEALTH UNIVERSITY OF PENNSYLVANIA

## **Student Non-Academic Grievance**

### **Policy Number 7-01**

Commonwealth University of Pennsylvania

Endorsed by the University Senate on 11/14/24

Issued as Policy 7-01 by President Bashar W. Hanna on 12/12/24

Responsible Office: Dean of Students' Office

Previous Policy: PRP 4862

### **1. Purpose**

The purpose of the following procedure is to provide students with a system by which to grieve complaints of alleged injustices relating to violation, misinterpretation or discriminatory application of non-academic policies and procedures, and/or the conduct of professional, non-professional and student employees.

### **2. Scope**

Students, faculty, staff, and officials of Commonwealth University of Pennsylvania may be impacted by this policy.

### **3. Definitions, Roles, and Responsibilities**

#### **3.1. Definitions**

3.1.1. **University:** shall mean Commonwealth University of Pennsylvania

3.1.2. **Grievant:** the person making the grievance

3.1.3. **Respondent:** the person being grieved

3.1.4. **The Board:** shall refer to the Non-Academic Grievance Board

3.1.5. **Executive Session:** the closed board meeting following the non-academic grievance hearing in which the board determines the findings of fact

#### **3.2. Roles and Responsibilities**

3.2.1. The Dean of Students' Office shall be responsible for receiving Non-Academic Grievance Forms, reviewing them, and facilitating the processes related to calling and holding a hearing.



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- 3.2.2. The appropriate Vice-President to the respondent shall be responsible for the resolution of the grievance and actions taken related to applicable University policies and collective bargaining agreement requirements.
- 3.2.3. The Non-Academic Grievance Board will be responsible for preparing a recommendation to the appropriate Vice-President for the respondent.

## 4. Policy

### 4.1 Informal Channels:

- A. In order for the matter to be resolved expeditiously, the consultation(s) should take place as soon as possible after the alleged incident has occurred.
- B. In an attempt to resolve a complaint on an informal basis, the student should first discuss the matter with the following individuals:
  - a. Individual being grieved or organization advisor
  - b. Appropriate administrator/supervisor
- C. The student may then discuss the matter with an individual designated by the Dean of Students' Office under this Policy to determine what steps to follow to resolve the complaint.
  - a. If the grievance involves the Dean of Students' Office, this will go to the Vice President of Student Success and Campus Life.

### 4.2 Formal Channels:

- A. Students, who feel the informal consultations have not satisfactorily resolved the matter, may initiate a formal grievance by filing a [Non-Academic Grievance Form](#). This link can be found in the Commonwealth University Handbook under the [Student Complaints and Concerns Section](#).
- B. Upon receiving the form, the Dean of Students' Office shall review the form and contact the person against whom the complaint has been filed. If the matter cannot be resolved within three (3) business days of receiving notification of the student's action, the respondent will be supplied with a copy of the form and informed that the Non-Academic Grievance Board will be called to hear the case.
- C. If the two parties do not settle the complaint within an additional three (3) business days, the Board will hear the case within fifteen (15) business days barring a reasonable request for a delay by the grievant or respondent.
- D. The grievant and respondent will be informed of the individuals who serve on the Board. Either or both party(ies) may request the disqualification of Board members whom they feel cannot be objective in this case. Requests for disqualification will be decided by the Dean of Students' Office and may delay the Board hearing.



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- E. If the complaint cannot be resolved during the course of the hearing, the Board, in Executive Session, shall prepare a recommendation to the appropriate Vice-President. This shall be submitted within three days after the hearing.
- F. Within five (5) business days of receiving the recommendation, the Vice-President (or designee) will take action consistent with it and all applicable University policies and collective bargaining agreement requirements. The Vice-President shall notify both parties, in writing, of the decision and action taken.
- G. If extenuating circumstances (e.g., legal advice or the application of any relevant State System, University or collective bargaining agreement requirements) dictate the need for additional time to reach the decision, the Vice-President will inform the grievant, respondent, and Dean of Students' Office of such in writing.
- H. The President will delegate the resolution of the grievance to the appropriate Vice-President(s).

#### 4.3 Structure of Formal Channels:

- A. The Non-Academic Grievance Board shall consist of a minimum of three (3) people and a maximum of six (6) people: one or two students, one or two members of the SSCL employees and one or two non-SSCL staff members.
  - a. Student members will be appointed by the campus student government associations. Appointees must be in good standing and have earned at least 24 credits at the University.
  - b. SSCL employees will be appointed by the Vice-President for Student Life.
  - c. Non-SSCL staff members will be appointed by the Vice-President for University Affairs.
  - d. Not more than one manager will serve on the Board.
- B. The hearing shall be run by a representative of the Dean of Students' Office, who is a non-voting participant.
- C. The Board shall select one person to serve as a voting moderator of Executive Session, if needed. This individual will be responsible for transmitting the findings of fact and recommendation to the appropriate Vice-President.
- D. Should the Board members become deadlocked in preparing the findings of fact and recommendation, the voting moderator will inform the appropriate Vice-President within three business days after the hearing. Hearing evidence and reasons or argument relating to the Board's inability to make a recommendation will be submitted to the Vice-President as background information.
- E. A Board member has the right and obligation to disqualify themselves from a case in which a personal interest, association, affiliation or attitude might cause bias or jeopardize the Board's objectivity. Any member directly affected by said charges shall be automatically disqualified.



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4.4 Non-Academic Grievance Hearing:

- A. In keeping with the campus standards of due process, both the grievant and respondent have the following rights: to receive written notice of the time and place of the hearing at least five (5) days prior to the hearing; to receive a written notice of the complaint; to be accompanied by an advisor of one's choice; to present witnesses and other evidence; and to confront and cross-examine witnesses. No grievant, respondent or witness shall be compelled to participate.
- B. The hearing will be open only to the parties involved in the case.
- C. A recording will be made at each hearing. Said recording will be kept confidential.
- D. A representative of the Dean of Students' Office will serve as the neutral presiding officer and shall conduct the hearing in a fair and orderly fashion.
- E. At least three Board members must be present for the entire hearing and to prepare the Board's findings of fact and recommendation.
- F. If the respondent fails to appear, testimony shall be heard, and a recommendation rendered. If the grievant fails to appear, the grievance will be dismissed.
- G. If the claim lacks substantial evidence, the Board will dismiss the case.
- H. No person shall suffer recrimination or discrimination because of participation in this procedure.

## 5. Compliance and Enforcement

- 5.1 Every University policy will undergo a regular review on a five-year cycle, with approximately 20% of the total policies inventory being reviewed each year.
- 5.2 All policy reviews will be conducted by the responsible Senate Committee to assure that the policy remains relevant and aligns with applicable federal and state laws and regulations, PASSHE Board of Governors policies, and other University policies, procedures, standards, or guidelines.

## 6 Additional Information

### 6.1 Supporting Documents

- 6.1.1 [Non-Academic Grievance Form](#)
- 6.1.2 Commonwealth University Handbook, [Student Complaints and Concerns Section](#)

### 6.2 History

- 6.2.1 Original policy, PRP 4862, issued by: Jerrold A. Griffis, Vice President for Student Life Effective Date: August 31, 1981. Notes: Established by CCCL 3/77. Approved Representative Assembly on 3/81



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6.2.2 Effective Date – Issued by the Office of the President as Interim Policy PRP 4862 in February 2023.

6.2.3 Endorsed by the University Senate on 11/14/24; Issued as Commonwealth University Policy 7-01 on 12/12/24 by the Office of the President.

6.2.4 Effective Date – 12/12/24

**6.3 Related Policies** - Academic Grievance Policy; Academic Integrity, Harassment and Discrimination Policy; Student Code of Conduct

**6.4 Contacts for Additional Information and Reporting**

Dean of Students' Office, Commonwealth University, Attn: Dean of Students, deanofstudents@commonwealthu.edu, 570.389.4734