
**LAKE-SUMTER STATE COLLEGE
ADMINISTRATIVE PROCEDURE**

TITLE: STUDENT GRIEVANCE PROCEDURE

NUMBER: PRO 4-14

REFERENCE: F.S. 1001.64; 1006.60 Board Rule 4.16; 4:17; 4:18

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I. PURPOSE

Lake-Sumter State College (LSSC), through its District Board of Trustees and the College President, is committed to ensuring that all individuals, including students, receive access to fair, equitable and timely grievance processes without retaliation. The purpose of this procedure is to resolve complaints and grievances regarding decisions or actions that were made by employees or agents of Lake- Sumter State College. The intent of this procedure is the resolution of complaints and grievances at the lowest level possible.

The following references are provided to address complaints not covered by the procedures below:

1. Student grade appeals are to be resolved according to LSSC Procedure 3-07.
2. Discrimination complaints are to be addressed according to LSSC Procedure 2-07.
3. Students may appeal for tuition refunds according to LSSC Procedure 4-07.

II. DEFINITIONS

1. Appeal: A formal written request for reconsideration of an application of a rule or procedure due to serious circumstances beyond the student's control.
2. Complaint: An informal claim raised by a student alleging improper, unfair, arbitrary, or discriminatory treatment involving the application of a specific Board Rule or Procedure.
3. Grievance: A written claim by a student alleging improper, unfair, arbitrary, or discriminatory action involving the application of a specific Board Rule or Procedure.
4. Hearing: A hearing is defined as a formal meeting between a student and designated LSSC staff responsible for the application of Board Rules or Procedures, student conduct or formal grievance appeals.
5. Student: A student is defined as an individual enrolled at LSSC, a group of LSSC students, or a registered LSSC student organization.
6. Retaliation: Retribution is defined as any kind of action taken against a student for participating in a complaint or grievance.

III. STUDENT COMPLAINTS AND GRIEVANCES

A student has the right to seek a remedy for a dispute or disagreement through a designated complaint or grievance procedure. These procedures shall not substitute for other grievance procedures specific to Procedure 2-07.

1. Students should use all available informal means to have decisions reconsidered before filing a complaint or grievance.
2. No retaliation of any kind shall occur against a student for participation in a complaint or grievance.
3. These procedures shall be publicized to students annually in the LSSC Catalog and Student Handbook.
4. A student may complain concerning any College issue and discuss it with the appropriate LSSC employee as established in this procedure.

IV. PROCEDURE

1. A student seeking appellate review of administrative decisions deemed by the student to be adverse to them may pursue resolution of the matter through informal administrative channels as outlined in the LSSC Catalog and Student Handbook. If the matter cannot be resolved through the informal administrative channels, the student may appeal in writing to the Vice President of Enrollment & Student Affairs, or their designee, who must hear the appeal and render a final decision.
2. Students or student organizations have the right to appeal the final decision of the hearing officer in cases involving violations of the LSSC Student Code of Conduct directly to the Vice President of Enrollment & Student Affairs, or their designee, who must hear the appeal and render a final decision. The Vice President of Enrollment & Student Affairs, or their designee, may not have directly participated in any other proceeding related to the charged violation. (F.S. 1006.60)
3. Elected or appointed officers of the LSSC Student Government Association who have been disciplined, suspended, or removed from office, have the right to directly appeal such decision to the Vice President of Enrollment & Student Affairs, or their designee, who must hear the appeal and render a final decision. The Vice President of Enrollment & Student Affairs, or their designee, may not have directly participated in any other proceeding related to the charged violation. (F.S. 1006.60)
4. The Vice President of Enrollment & Student Affairs will consider grievances against decisions or actions that were made by employees or agents of LSSC based on:
 - a. Procedural errors - when the published procedures were not followed and the error(s) egregiously violated the student's, club's or organization's rights;
 - b. Substantive errors - when the evidence presented at the hearing or decision was not sufficient to justify the decision reached or if the sanction(s) imposed is (are) unreasonably harsh based upon the circumstances of the case and the prior record of the student;
 - c. New evidence - when information, existing at the time of the hearing or decision, was not available or known to exist at the time of the hearing.

V. APPEAL PROCESS

1. Students, Student organizations, or appointed officers of the LSSC Student Government Association who wish to appeal a decision to the Vice President of Enrollment & Student Affairs, must do so within ten business days of the receipt of the final administrative action or decision, to request a formal hearing.

This written appeal request shall contain:

- a. A description of the specific administrative action or decision that is being appealed;
 - b. A statement outlining the background of the case and the basis for the appeal including all pertinent facts and documentation that the student wishes the Vice President of Enrollment & Student Affairs, or their designee to consider;
 - c. An explanation of the steps taken by the student in an effort to resolve the grievance informally;
 - d. An explanation of the resolution or administrative action being sought by the student.
2. The failure of a grievant to comply with the specified time frames outlined in this procedure shall terminate the proceedings and the decision most recently rendered will become final. The hearing will be informal in nature and conducted in a spirit of mediation and conciliation.
 3. Students requesting review have the right to an advisor, advocate, or legal representative, of their own choosing and at their own expense, present at the proceeding. Such person may directly participate in all aspects of the proceeding, including the presentation of relevant information and questioning of witnesses. The advisor or advocate may not serve in any other role, including investigator, decider of fact, hearing officer, or decide the charge, or any appeal. (F.S. 1006.60).
 4. The Vice President of Enrollment & Student Affairs or their designee will make reasonable efforts to accommodate an advocate; however, the availability of students or student organization members; witnesses, the designated administrator and other necessary participants, as well as the expectation to promptly complete the disciplinary or conduct procedure, may take priority when determining the date for a hearing. An Advocate may not delay, disrupt, or otherwise interfere with a disciplinary or conduct procedure.
 5. It shall be the prerogative of the Vice President of Enrollment & Student Affairs, to limit the number of witnesses included in the hearing while ensuring that all pertinent information is reviewed.
 6. The Vice President of Enrollment & Student Affairs, or their designee, may seek legal advice from the LSSC Legal Counsel.
 7. Witnesses and all other persons involved in the appeal are expected to maintain strict confidentiality regarding the proceedings and are not permitted to record the proceeding by video or audio.
 8. The Vice President of Enrollment & Student Affairs, or their designee, shall consider the evidence and reach a decision, basing that decision only on the evidence and exhibits received at the proceeding, arguments made in accordance with these procedures, and any opinions received from the LSSC College Counsel.
 9. The Vice President of Enrollment & Student Affairs, or their designee, will determine whether a preponderance of the evidence presented demonstrates that a procedural error, substantive error, or new evidence was presented that significantly altered the understanding of the action or decision, and if so, will recommend remedies.
 10. The Vice President of Enrollment & Student Affairs or their designee will then prepare a formal letter detailing a finding for or against the grievant along with any recommendations for resolving or terminating the matter.

11. The grievant will be notified of the final decision via LakeHawk email within ten business days of the conclusion of the hearing. The decision of the Vice President of Enrollment & Student Affairs, or their designee, is final and no further appeals can be made.

VI. HEARING DOCUMENTATION

1. The Vice President of Enrollment & Student Affairs shall obtain and make available to all involved parties all pertinent documentation in the possession of the College within (5) business days prior to the scheduled hearing date.
2. The Vice President of Enrollment & Student Affairs will be responsible for maintaining all records of the appeal.
3. The records for each grievance will be maintained for a period of four years after the final decision has been rendered.
4. All original documentation, including paper and electronic records related to the grievance, shall be maintained in the designated grievance file by the Vice President of Enrollment & Student Affairs and may be released only in accordance with the requirements of Florida law.

New: 11/06/2001

Revised: 06/2005, 09/11/2007, 08/09/2013, 1/06/2020, 6/24/21, 3/4/23