

# PRAIRIE VIEW A&M UNIVERSITY

## Administrative Procedures Manual

### 13.99.99.P0.15 Student Grievance Procedures - Discrimination

Issued: October 30, 2001

Supersedes: APM 70.17

#### 1. Prohibition Against Discrimination

Prairie View A&M University prohibits all forms of discrimination, to include discrimination on the basis of age, color, disability, ethnic origin, national origin, religion, race, sex, sexual orientation, or veteran status. Included in this is the prohibition against discrimination on the basis of sex with regards to participation in educational programs or activities, as defined by Title IX of the Education Amendments of 1972. Prairie View A&M University prohibits retaliation against anyone who files a complaint or participates in an investigation concerning discrimination.

#### 2. Informal Grievance Procedures

Students who believe they have been subjected to discrimination may use one of the following procedures to resolve their grievance:

- 2.1 The student may seek a resolution of the matter through discussions with the alleged offender or person responsible for enforcing the rule or procedure (hereafter referred to as respondent). Before following this procedure, however, students may choose to seek advice about how best to approach this individual. Students are encouraged to seek assistance from the Director of Student Life.
- 2.2 If no resolution is forthcoming or if direct confrontation is deemed inappropriate, the student may report the incident or incidents to the respondent's immediate or general supervisor. The supervisor should attempt to resolve the complaint and will maintain the student's confidentiality to the extent provided by law.
- 2.3 The student may report the incident or incidents to the Director of Student Life and request assistance in attempting to reach an informal resolution of the matter. The Director of Student Life may then contact the respondent's immediate or general supervisor, who should attempt to resolve the complaint and will maintain the student's confidentiality to the extent provided by law.

Under these informal procedures, the student may, at any time, elect to stop further administrative action by withdrawing the complaint. The student can also decide to file a formal grievance according to the procedures outlined below.

#### 3. Formal Grievance Procedures

Students who believe they have been subjected to discrimination and who elect not to utilize the informal grievance procedures may use the following formal procedures to resolve their grievance:

- 3.1 Students electing to file a formal grievance must complete the formal Student Grievance form ([Attachment 1](#)) and submit it to the Title IX Coordinator for the University or the ADA Coordinator, as appropriate. The grievance should be submitted within 20 business days of the incident or incidents.
- 3.2 An Investigator will be designated to conduct an impartial investigation and to attempt to resolve the grievance, as appropriate, using the following steps:
  - a. Review the grievance report from the student.
  - b. Interview witnesses
  - c. Obtain additional information from the student, as needed.
  - d. Obtain a response and any additional information deemed necessary from the respondent.

**PRAIRIE VIEW A&M UNIVERSITY**  
**Administrative Procedures Manual**

- e. Document and assess the finding of facts, including those agreed upon and those disputed.
- f. Attempt a resolution of the grievance between the student and the respondent, as deemed appropriate.
- g. Make determination as to whether student was subjected to discrimination.

3.3 The investigation should be completed and a written report of the investigation, findings, and determination submitted within 20 working days. If the Investigator is unable to complete the investigation and report within this time-frame, he/she shall notify the student in writing and provide an estimated completion date. If the investigation will take longer than 20 days, the investigator will periodically inform the student of the status of the investigation. The report of the investigation will be reviewed by the Compliance Officer for completeness. The complaining student, the respondent, and, as appropriate, the respondent's department head, dean, and vice president will be notified in writing of the outcome of the complaint.

4. Appeals

4.1 The student may appeal in writing the determination made by the investigator to the Vice-President for Student Affairs by filing a written appeal within 5 business days of receipt of the decision of the Investigator.

4.2 The Vice President will conduct a review with advice from the Office of General Counsel of the student's appeal within 15 business days of receipt. The review will determine if the appeal:

- a. alleges facts, which if true, would demonstrate a violation of an anti-discrimination statute or regulation;
- b. contains allegations that appear to be substantially credible;
- c. addresses a violation, which if true, results in a personal wrong to the grievant; and
- d. is not frivolous.

4.3 If the Vice President for Student Affairs finds that the complaint does not meet all of the above criteria, he/she will terminate the appeal and notify the student.

4.4 If the Vice President for Student Affairs finds that the complaint meets all of the above criteria, he/she will conduct a complete review of the report's findings and determination. The Vice President for Student Affairs will conduct interviews and obtain information, as deemed appropriate and necessary, and will draw a conclusion to uphold, modify, or reverse the original determination by the investigator.

4.5 The Vice President for Student Affairs will issue his/her final report in response to the appeal. The report will summarize actions taken and determination made. The determination of the Vice President is final.

Contact: Vice President for Student Affairs  
Director of Human Resources