

# Le Moyne College

## Grievance Procedures Related to Discrimination

The purpose of this grievance procedure is to provide students with prompt and equitable investigation and resolution of allegations of unlawful discrimination based on basis of race, color, gender, creed, age, disability, marital status, sexual orientation, veteran status, or national or ethnic origin. This procedure covers grievances brought under Section 504 and the ADA, which prohibit discrimination on the basis of disability in any program or activity of the College; and the Age Discrimination Act, which prohibits age discrimination in education programs and activities receiving Federal financial assistance.

Any student of Le Moyne College may use this procedure. It is not intended to replace or duplicate existing grievance procedures. \* This procedure does not deprive a grievant of the right to file a complaint with enforcement agencies external to the College.

For additional information regarding procedural steps, contact the Dean for Academic Advising and Support or visit <http://www.lemoyne.edu/Compliance>. In all grievance cases the Dean for Academic Advising and Support will advise the grievant of the procedural steps involved, advise the grievant of the various internal and external options available to him/her, assist in the definition of the charges made and will seek a timely resolution. It is the responsibility of the grievant to meet all the conditions for filing a grievance.

**\*Note:** There are also grievance and appeal procedures that relate to student issues such as sexual harassment, grades, academic standing, dispute over billing, behavior on campus, parking violations, etc. For information on such appeals, consult the *College Catalog* (<http://www.lemoyne.edu/registrar/catalogs/>) and the Student Handbook ([http://www.lemoyne.edu/student\\_life/Student\\_Handbook.pdf](http://www.lemoyne.edu/student_life/Student_Handbook.pdf)). The Office of Human Resources will handle employee discrimination issues under the College's employment policies.

# Grievance Procedure

## Informal Resolution

Prior to initiating the formal complaint procedure set down below, it is recommended that the student make every attempt to resolve the issue in an informal manner.

The Dean for Academic Advising and Support upholds the rights of a student to secure access and accommodations in accordance with the ADA, Section 504, and the Age Act. The College maintains a philosophy of student self-advocacy and the right to pursue a grievance through the formal grievance procedure. Should a student feel he/she has not been treated in a fair or professional manner with regard to access and accommodations, the student is encouraged to follow these procedures:

### Student Responsibilities:

1. The student should discuss his/her problem(s) with the instructor of the course or appropriate department representative (i.e. housing, physical plant, library, etc.) directly, unless extenuating circumstances prohibits doing so.
2. If a conversation with the course instructor, department representative (i.e. housing director, physical plant director, etc.) does not settle the situation, the student should then discuss the problem with the head of that department.
3. If a meeting with the head of the department does not resolve the grievance, the student should discuss the problem(s) with the Dean for Academic Advising and Support.
4. If the Dean for Academic Advising and Support is unable to assist in informally resolving the problem(s), the student will be referred to the formal grievance procedure.

### Formal Grievance Procedure

- The grievance must be filed, in writing, with the College's Dean for Academic Advising and Support within 30 days of the alleged act of discrimination. The statement must contain the grievant name, address, the date and a description of the alleged act. Complaints should be sent to the following address: Dean for Academic Advising and Support, Le Moyne College, 342 Reilly Hall, 1419 Salt Springs Road, Syracuse, New York 13214-1399.
- Time limits within this procedure may be extended by mutual agreement of the grievant and the President of the College or his/her designee, with the exception of the 30-day limit for initial filing of the grievance.
- Upon receipt of the complaint, the Dean for Academic Advising and Support will review the complaint for timeliness and appropriateness for this grievance procedure, and will provide the grievant with written notice acknowledging its receipt.
- The Dean for Academic Advising and Support will promptly initiate an investigation.
- Upon completion of the investigation, the Dean for Academic Advising and Support will submit to the student, and to the party against whom the grievance is directed, a final report containing a summary of the investigation and the outcome of resolution within 45 days of the initial filing or sooner if time is of the essence to the matter.
- The grievant or any party against whom the grievance or the proposed disposition is directed may appeal. The appeal should be directed to the Vice President and Assistant to the President, Le Moyne College, 320 Grewen Hall, 1419 Salt Springs Road,

Syracuse, New York 13214-1399. The decision of the Vice President and Assistant to the President shall be final. The final decision will be distributed to all parties.

- Upon appeal, the decision of the Vice President and Assistant to the President shall be final and cannot be appealed to any other grievance or appeal procedures at the college.
- Failure of the grievant to respond within the designated time limit will be deemed a withdrawal of the grievance. When a complaint is filed with a state or federal enforcement agency or when court action is initiated, internal grievance procedures need not be used.