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Student Grievance Procedures & Appeals Process

The Long Beach State Department of Athletics is committed to ensuring the welfare of the student athletes and resolving all complaints or grievances brought to its attention in the most equitable fashion possible for all persons concerned. It is the expectation of the Athletics Department that attempts be made to resolve any complaints or grievances via the informal procedures outlined below. However, if a satisfactory resolution of the problem proves impossible through the informal mechanism, formal grievance procedures may be employed.

NOTE: If you have a complaint about a decision regarding your athletic grant-in-aid, the appeal process for that decision is set forth further down in this section.

Informal Procedures

Any student-athlete with a complaint or grievance involving an athletic team, coach, department official, or policy should discuss and attempt to resolve the complaint or grievance with the person(s) involved. All persons involved in the process should make every attempt to resolve the problem as promptly as possible. In the event that a satisfactory resolution cannot be reached by the parties involved, the following actions may be taken by the grievant:

- The grievant may consult informally and confidentially with a third party with whom she/he feels comfortable. Among those who might serve as resources are coaches, the faculty athletic representative, academic counselors, members of the Athletics Department administration, the CHAMPS Life Skills coordinator or other staff members. With the aid of that person, the grievant may attempt to identify other approaches to resolving the problem. After consultation, the grievant should make an additional attempt to resolve the problem with the person(s) involved.
- If no satisfactory resolution of the complaint or grievance can be achieved, the grievant may request that the resource person call the sport supervisor to get together the persons involved in an attempt to facilitate an informal resolution.
- At the discretion of the Director of Athletics, the Director or his designee may schedule a meeting with the grievant in a final attempt to resolve the problem informally. The Director, or his designee,

may also wish to contact the person(s) about whom the complaint is being lodged.

- If a meeting among those involved is not feasible or if the parties are unable to resolve the complaint or grievance to their satisfaction, the grievant may use the formal grievance procedure.

NOTE: The grievant is required to employ the informal procedure prior to taking formal action.

Formal Procedure

Should the grievant wish to employ formal means to resolve a complaint or grievance, the following action should be taken:

- The grievant should notify the Director of Athletics of his/her grievance in writing, outlining the complaints, the persons involved and any other pertinent information.
- The Director of Athletics or his designee should conduct a preliminary interview with the grievant. The Director, or his designee, may also wish to contact the person(s) about whom the complaint is being lodged.
- The Director, or his designee, shall conduct a formal meeting involving the grievant, the person(s) about whom the complaint is made and any other relevant parties. Each party may also be accompanied by an adviser.
- Within seven days after the formal meeting, the Athletics Director, or his designee, shall notify the grievant, in writing, of the decision.



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Formal Appeal

Should the grievant be unsatisfied with the decision of the Athletics Director, or his designee, and only if substantial new facts have been discovered that were unavailable at the time of the initial formal meeting, he or she may take the following steps:

- Within five (5) days after receipt of a written decision, the grievant should notify the Chair of the Student Athlete Welfare committee in writing that he or she wishes to appeal the decision and notify the Chair of the Student Athlete Welfare committee of the substantial new facts which were unavailable at the time of the meeting.
- After receiving the request for appeal, the Student Athlete Welfare committee shall conduct a formal meeting to hear the appeal within ten (10) days.

Within five (5) days after the appeal meeting, the committee shall notify the grievant, in writing, of the committee's decision. The decision of the Student Athlete Welfare committee shall be final.

University Ombuds

If attempts to resolve the problem at the informal level fail, the student athlete is encouraged to seek the assistance of the University Ombuds. The University Ombuds provides a confidential setting for informally solving problems and addressing concerns, both collective and individual issues.

Location:

CSULB Foundation, Suite 140
6300 State University Drive
Long Beach, CA 90815
Phone: (562) 985-5983
Fax: (562) 985-9100
Email: ombuds@csulb.edu

Website: <http://www.csulb.edu/president/ombuds/>



Discrimination and Complaint Policies

Harassment

LBSU is committed to providing a climate that fosters respect for students, staff and faculty as well as others who participate in programs and activities at the university. LBSU prohibits harassment based on gender, race, color, religion, national origin, age, disability, sexual orientation, or protected activity (such as reporting alleged harassment or providing information related to a grievance). This policy is in compliance with federal civil rights law and agency regulations and guidance implementing these laws.

Harassment (based on an individual's membership in one or more of the groups identified above) is defined for purpose of this policy, as unwelcome verbal or physical behavior which has the intent or effect of unreasonably interfering with the individual's employment or academic endeavors or creating a hostile, intimidating or offensive environment. Harassment may include (but not be limited to) jokes, derogatory comments, pictures, and/or direct physical advances.

[Harassment Policy and Procedures](#)

Sexual harassment, hazing, abusive behavior and discrimination are not tolerated by the university or department. Athletics uses the University grievance and appeals process see link above.

Financial Aid (Scholarship) Appeal

Athletic Financial aid is awarded on a year to year basis. You must be notified by July 1st of the institutions intent to renew, reduce or cancelation of aid. If a student athlete feels that the cancellation or reduction of their aid is unfair or unjustified, they have the right to request a hearing, as provided by NCAA regulation.

Student athletes are reminded that the grievance process is not designed to replace the open communication and understanding that are vital to the learning process. During all stages of the grievance, the burden of proof will be on the student.

After you are notified of the reduction or cancellation of your athletic grant in writing by the Director of Financial Aid (or designee) you have the right to a hearing. Per NCAA regulations, if you feel the cancellation or reduction of your aid is unfair or unjustified you have a right to request a hearing. The notice instructs you to contact the Faculty Athletic Representative by a deadline

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date (2 weeks after the date of the notice) to request a hearing.

The Director of Financial Aid will contact you in writing informing you of what your appeal should include and the process.

When you request a hearing, you need to provide:

- A written appeal with any supporting documentation;
- This appeal must be submitted to the Director of Financial Aid by the due date;
- If you also wish to present supporting oral information, you must state so in your written appeal;
- Any information to be provided by other parties should be presented in written, signed statements as part of your written appeal;
- If you would like to have anyone else present during the hearing, you must state so in your written appeal, including the reason for his or her presence. This additional participation must be approved prior to the hearing.

Based on the Financial Aid Appeals Committee (Individuals outside of the athletic department) review of the information you provide them, an in-person hearing may be scheduled soon after your submission of the written appeal.

The Financial Aid Appeals Committee reviews the written appeal and/or in-person testimony and reaches a decision.

The student athlete and the Athletics Department are notified of the outcome within 10 days. **The decision of the Committee is final.**

Transfer Appeals

Permission to Speak Denial/One Time Transfer Denial

A student athlete who has been informed in writing by the Associate Athletic Director for Compliance that he/she has been denied permission to Speak or has been denied a one-time transfer request is entitled to a hearing conducted by the Student Athlete Welfare Committee an appeals committee external to the Athletics Department.

Once a request for a hearing is received from the student-athlete has been received, a hearing date will be

set. The hearing will be conducted by a committee consisting of the Faculty Athletic Representative (FAR) Chair, a student-athlete, and two additional members from the faculty and/or administrative areas of the University.

The hearing process will be governed by the following procedures:

1. Prior to the hearing, both parties (student-athlete and the Director of Athletics, or designee, or head coach of the respective sport) may provide written information and documentation for the Committee for review, which must be received by the Chair no later than noon the day prior to the hearing.
2. Both parties will be entitled to present the rationale for their respective positions in person to the Committee. Presentations will be delivered at separate times, and as determined by the committee.
3. At the hearing, the student-athlete may be accompanied by one advisor, not an attorney. This individual will not be permitted to address the Committee directly, but may advise the student-athlete.
4. The committee will have a closed-door meeting after hearing both sides and will render their decision.
5. Once the decision has been rendered, all parties and the Compliance Office will be notified in writing by the Chair within five business days of the Committee's findings.
6. **The decision of the Committee is considered to be final and binding on all parties.** (Once a transfer appeal decision has been made, there are no further appeals allowed.)
7. Copies of the relevant documents related to the case will be kept on file in the Compliance Office for a period of six years.

University Grievance Procedures and Appeal Process

If attempts to resolve a problem at Informal or Ombuds level fail, the student-athlete is encouraged to initiate the formal University Grievance Procedure as outlined here:

[Student Grievance Procedure](#)

