

# OFFICE OF OMBUDSPERSON STUDENT GRIEVANCE PROCEDURES UNDER ADMINISTRATIVE REGULATION E-55

The purpose of the E-55 Administrative Regulation is to provide a prompt and equitable means for resolving student(s) grievances.

## STATUTE OF LIMITATIONS

*LACCD Administrative Regulation E-55*

*"The statute of limitations period for requesting a Grievance Hearing under this regulation is 120 calendar days after the occurrence of the incident giving rise to the grievance; or 120 calendar days after the student learns, or should have learned, that the student has a basis for filing a grievance. Pursuing an informal remedy for a grievance does not relieve the Grievant of the responsibility of requesting a Grievance Hearing within 120 calendar days of the incident giving rise to the grievance."*

### SUMMARY OF THE CA EDUCATION CODE COVERING GRADING PRACTICES

*When grades are given for any course of instruction taught in a community college district, the grade given to each student shall be the grade determined by the instructor of the course and the determination of the student's grade by the instructor, in the absence of mistake, fraud, bad faith, or incompetence, shall be final.*

### STUDENT HAS THE BURDEN OF PROOF

The burden of proving mistake, fraud, bad faith and/or incompetence is on the student. Basically, this means the student must provide the evidence to prove "*mistake, fraud, bad faith or incompetence*" against the instructor.

### WHAT KIND OF EVIDENCE DOES THE STUDENT NEED?

That's depends on what the student is attempting to prove. In most matters, the student provides the Ombudsperson with the course syllabus, any email communications they may have had with the instructor surrounding the matter, and any returned student work.

### WHAT IS THE DIFFERENCE BETWEEN AN INFORMAL AND FORMAL RESOLUTION?

Informal Resolution Procedures. The E-55 Administrative Regulation states "*All parties involved should be encouraged to seek an informal remedy. Informal meetings and discussion between persons directly involved in a grievance are essential at the outset of the dispute and should be encouraged at all stages. An equitable solution should be sought before persons directly involved in the case have assumed official or public opinions that might tend to polarize the dispute and render a solution more difficult.*"

Formal Resolution Procedures. The E-55 Administrative Regulation states in part ". . . *If there is no informal resolution of the grievance, the student has a right to request a Grievance Hearing.*"

### ADDITIONAL INFORMATION RELATING TO STUDENT COMPLAINTS:

Please see [Administrative Regulation E-55](#) for rules for more specific information on hearings and appeals.

For alleged violations of sexual harassment, actions dealing with alleged discrimination on the basis of ethnic group identification, religion, age, sex, color, sexual orientation, physical or mental disability, please refer students to the *Office of Diversity Programs* at the LACCD Office at 213. 891.2317.

Students may file complaints about Academic issues with the *Office of Academic Affairs* or call 818.947.2325 for more information.

Students may file complaints about Student Services Units with the *Office of Student Services* or call 818.947.2688 for more information.

Students may file complaints about facilities and/or vending machines with the *Office of Administrative Services* or call 818.947.2339 for more information.