

Grievance Policy

The Board of Trustees has adopted the following Grievance Policy:

A person with a grievance against students, employees, volunteers, or other visitors or participants in Law School sponsored programs or activities regarding any matter at the School not governed by the Academic Standards, including, for example, treatment by a faculty or staff member or another student, harassment, discrimination, retaliation for filing a grievance, etc., shall make that grievance known in writing to the Grievance Coordinator. Grievances not in writing, anonymous, or filed by third parties will be investigated to the fullest extent possible.

1. The Grievance Coordinator shall investigate the grievance. The Grievance Coordinator may obtain assistance with this responsibility from other appropriate persons who are not connected to the grievance.
2. The Grievance Coordinator and any other appropriate persons involved in the investigation of the grievance will attempt to preserve all parties' anonymity throughout the investigation.
3. The Grievance Coordinator may impose interim measures for the pendency of the investigation when there is a need to protect the person filing the grievance from further contact with the person the grievance was filed against. These may include, but are not limited to, temporary suspensions, or agreements of no contact. If these measures are imposed and subsequent positive resolution of the grievance occurs, ASL may take the following reasonable steps such as reinstatement, reassignment, promotion, training, back pay; or reinstatement of other benefits as necessary.
4. Within three weeks of receiving the grievance, the Grievance Coordinator shall make an initial resolution of the grievance and will inform the parties of this resolution. The initial resolution will consist of a determination of fact, determination of the merits of the allegation, imposition of sanctions (if appropriate), and any other appropriate information regarding the investigation. The three week timeline may be extended by ASL if all parties are provided written notice to his or her address of record.
5. Possible sanctions include but are not limited to:
 - (a) Students: warning, fines, educational projects, additional community service, counseling, no contact order, disciplinary probation, disciplinary suspension, administrative hold, and expulsion.
 - (b) Employee: suspension with or without pay, counseling, or motion for appropriate termination.
 - (c) Non-Law School Employees or Non-Law School Students will be sanctioned to the maximum extent possible.
6. If any party involved is unsatisfied with the Grievance Coordinator's initial resolution of the grievance, he or she may request that the Grievance Coordinator hold a hearing on the grievance within 10 working days of the initial resolution.
7. If a hearing is held, the following procedural rules shall apply:
 - (a) The hearing shall be held within 10 working days of the request for the hearing. The 10 day timeline may be extended by ASL if all parties are provided written notice to his or her address of record.
 - (b) The Associate Dean for academic affairs shall preside over the hearing.
 - (c) The two parties to the hearing are:
 - i. ASL representative stating the position of the grievance or a designee as appropriate; and
 - ii. The person the grievance was brought against, the accused.
 - (d) All parties may choose one counselor to attend the hearing with that party at the party's own expense. In the event that a counselor disrupts the proceedings he or she shall be removed from the hearing.
 - (e) The order of the hearing shall be:
 - i. Reading of the grievance.

- ii. A statement by ASL representative or designee.
 - iii. A statement by the accused or designee.
 - iv. Presentation of evidence and witnesses by both parties
 - v. The Associate Dean may also call witnesses at this time.
 - vi. Closing statement of ASL representative or designee.
 - vii. Reply to the charges by the accused or designee
- (f) ASL shall bear the initial burden of producing evidence and shall bear the burden of persuasion. The standard of proof applied shall be the preponderance of the evidence.
- (g) A record of the hearing shall be created.

8. Upon completion of the hearing, the Associate Dean shall make a decision in writing on the validity of the grievance and the appropriate institutional response within 45 calendar days. The 45 day timeline may be extended by ASL if all parties are provided written notice to his or her address of record. Absent an appeal to the Dean, the decision of the Associate Dean is final.

9. Any party, if not satisfied with the decision of the Associate Dean, may appeal that decision in writing to the Dean provided that notice of appeal is received by the Dean within ten working days. The Dean shall review the record of the proceeding before the Associate Dean, and conduct further investigations as are deemed appropriate. The Dean shall consider all information to ensure the outcome provided for fundamental fairness and take one of the following actions: concur with sanctions, reduce or rescind the sanction, or resubmit the grievance to the Associate Dean with appropriate instructions. The decision of the Dean shall be final and shall be rendered in writing within 45 calendar days of the student appeal. The 45 day timeline may be extended by ASL if all parties are provided written notice to his or her address of record.

10. The records of all grievances, all grievance hearings, and all final decisions on grievances will be kept by the Dean, Associate Dean, or their designee for a period of not less than five years, and these records will be available to other people only with the express and specific approval of the Associate Dean, or the Dean

11. If the Grievance Coordinator is a party to the grievance or in some other way is not capable of making a fair and impartial judgment on the grievance, the Associate Dean shall appoint a faculty member to perform the role of the Grievance Coordinator in the grievance process.

12. If the Associate Dean is a party to the grievance or in some other way is not capable of making a fair and impartial judgment on the grievance, the Dean shall appoint a tenured faculty member to perform the role of the Associate Dean in the grievance process.

13. If the Dean is a party to the grievance or in some other way is not capable of making a fair and impartial judgment on the grievance, the chairman of the Board of Trustees or his designee from among the members of the Board of Trustees shall perform the role of the Dean in this grievance process.

14. The procedure outlined in this Grievance Policy shall not apply to grievances concerning grades, sexual misconduct, or violation of ABA Standards for the Approval of Law Schools. Any grievance concerning a grade shall be governed by the appropriate provisions of the Academic Standards and Policies. Any grievance arising from sexual misconduct shall be governed by the appropriate provisions of the "Title IX/Sexual Misconduct Policy." Any grievance concerning violations of the ABA Standards for the Approval of Law Schools shall be governed by the appropriate provisions of "Student Grievances, Violations of ABA Standards."

15. No student shall be subjected to unfair action as a result of filing a grievance under this policy.

16. Clery Act: ASL is in compliance with federal legislation known as the "Clery Act" The legislation requires institutions to make available to prospective students, currently enrolled students, and interested parties information about campus safety policies and procedures, established safety programs, and statistics concerning crimes that have taken place on campus.

Consistent with its emphasis on alternative dispute resolution, ASL encourages the informal resolution of any student grievances that are not subject to Title IX or grievances dealing with noncompliance with ABA Standards.

