GRIEVANCE PROCEDURES[1]

COLLEGE AND CAMPUS STUDENT PUBLICATIONS BOARDS

A. INTRODUCTION

One of the primary functions of the College and Campus Student Publications Boards is to serve as a grievance/appeals board for unresolved issues that concern the student publications at Suffolk County Community College. As per their respective constitutions, the specific types of grievances/appeals to be handled by each Publications Board are as follows:

College Student Publications Board

- campus-based concerns that cannot be resolved by the Campus Student Publications Board
- appeals regarding the removal of a faculty adviser
- appeal of a decision made by the Dean of Student Services following a grievance considered by the Campus Student Publications Board
- publications-related issues of college-wide significance

Campus Student Publications Board

- alleged violations of the approved ethical codes[2]
- internal disputes (e.g., staff matters regarding content, staffing, personnel, and/or actions that jeopardize the ability of the publication to function professionally)
- appeals regarding the removal of an editor-in chief

Note that in developing these grievance procedures, it has been the intent of the College Student Publications Board to create a process for conflict resolution that is educational rather than legalistic in nature. Furthermore, these grievance procedures are intended to provide a vehicle for the resolution of significant personnel issues as well as grievances that raise important questions of journalistic standards or ethics, such as fairness, accuracy, balance, conflict of interest, etc. Conversely, the procedures contained herein are not intended to provide a forum for individuals with relatively minor, frivolous, or partisan complaints, nor are they intended for matters that can be satisfactorily addressed through routine or informal means, such as a letter to the editor.

B. EFFORTS AT INFORMAL RESOLUTION

A formal grievance should only be filed after a good faith effort has been made by the parties involved to remedy the situation through informal means. For example, a student publication may satisfy a complainant by:

- apologizing and running a correction or a retraction;
- publishing another article amplifying the first to include the complainant's point of view; or

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[1] Based on the grievances procedures developed by the Minnesota News Council

[2] Ethical codes currently approved by the Board of Directors include the Model Code of Ethics for Student Journalists (Associated Collegiate Press), the Code of Ethics of the Society of Professional Journalists, and the Code of Ethical Behavior (College Media Advisors).

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- running a letter to the editor or a commentary piece written by the complainant.

In addition, a student editor or faculty adviser may resolve an internal dispute by:

- meeting and discussing, face to face, the issue the complainant has regarding the work place;
- inviting the complainant to share his/her views with the adviser and editor/editors in question; or
- negotiating a resolution that is agreeable to all parties.

C. PARTIES TO A COMPLAINT

The Complainant may be:

- a person, group, or organization named or alluded to in a published article who is aggrieved;
- a member of a student publication (e.g. student, editor, faculty adviser, etc.) who has an unresolved personnel issue; or
- a person, group, or organization that is directly affected and aggrieved by what has been published.

For the purposes of a non-personnel related grievance, each student publication is considered to be responsible for the conduct of its members. Therefore, a grievance of this type may not be brought against individual members of a student publication, but only against the publication as a whole.[3] Accordingly, the editor-in-chief shall have the responsibility of representing the publication throughout the grievance process for all non-personnel related grievances.

D. FILING A GRIEVANCE

1. Grievances shall be submitted in writing to the appropriate Publications Board within 30 calendar days of the situation giving rise to the complaint (i.e., publication date for a student newspaper, date of a personnel action, etc.), except that grievances arising from an item published in a literary magazine shall be submitted within six months of the distribution date, or prior to publication of the next issue, whichever is earlier. Grievances submitted beyond the appropriate deadline will only be accepted if the student publication involved agrees to waive the deadline. Note, however, that the deadline may be extended by the Chair of the Publications Board if the complainant can demonstrate that a good faith effort to resolve the situation through informal means was begun before the deadline, and that the grievance was subsequently submitted in a timely manner following the breakdown of such good faith efforts.

2. All complainants shall submit a completed Publications Board Grievance Form, available from the Chair of the appropriate Publications Board, to initiate the grievance process.

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[3] Note that filing a grievance with the Campus or College Student Publications Board does not preclude an individual student from being held accountable for his or her actions under the terms of the Student Code of Conduct and Student Judicial Process.

3. The written complaint should set forth the relevant facts briefly and accurately. Documentation, such as the article in question as well as other statements or supporting information, should be attached as well. In addition, the grievance should succinctly state the issue or issues it seeks to raise.

4. The complainant shall report on good faith efforts that have been undertaken to resolve the grievance in an informal manner.

E. ACCEPTING OR DISMISSING THE GRIEVANCE

1. Each year, each Publications Board shall elect three members and three alternates to serve as a Screening Committee. Upon receiving a grievance, the Chair of the Publications Board shall, within three business days, notify both the Screening Committee and the subject of the grievance (e.g., the editor-in-chief and faculty adviser of the publication) that a grievance has been filed.

2. The Screening Committee shall review the grievance and, within 10 business days of receiving the grievance, determine by majority vote whether the grievance meets the standards for a hearing, as outlined in Section A. Grievances that are deemed to meet these standards shall be referred to the Publications Board for a hearing, which shall be scheduled within 10 business days.

3. Grievances that fail to meet these standards shall be dismissed without a hearing by the Publications Board. Note that in the event that a grievance is accepted for a hearing, the subject of the grievance shall be sent a copy of the grievance and shall have at least 10 business days from the time of initial notification to the date of an actual hearing before the Publications Board.

4. Before rendering a decision, the Screening Committee may ask the parties to make further attempts to resolve the grievance through informal means. If there is still no resolution within the agreed time frame (i.e. no more than two weeks), the parties will have five business days to submit any additional information or final statements regarding the matter in question.

5. Should the grievance be dismissed without a hearing, the complainant may file a written appeal of the determination with the Chair of the Publications Board. Such an appeal must be made within five business days of the notification of dismissal by the Screening Committee. The Chair shall determine within five business days whether to uphold the decision of the Screening Committee, or alternatively, to refer the grievance to the Publications Board for a hearing. The decision of the Chair shall be final.

F. CONDUCT OF THE HEARING

1. A Publications Board hearing is not a legal proceeding but rather a serious discussion of the grievance in a structured setting. The Chair rules on all matters of relevance and procedure. The Chair shall have discretionary powers to maintain decorum and order throughout the hearing, including the removal of anyone disrupting the hearing process.

2. Any Publications Board member who has a conflict of interest or is otherwise unable to participate in the grievance process in an objective and impartial manner shall recuse him or herself from the process. Note that any Publications Board member who is affiliated with a publication that is directly involved in a grievance before the Board shall be required to recuse him or herself from the process.

3. For the purposes of conducting a hearing, a quorum shall consist of more than 50% of the membership, exclusive of those members who have recused themselves as a result of a conflict of interest.

4. All inquiries about the arrangements or procedures for the hearing shall be directed to the Chair of the Publications Board.

5. Hearings shall generally be held on the home campus of the publication being grieved.

6. All parties have the right to be assisted by an adviser of their choice. Advisers are not permitted to speak before the Publications Board during the hearing.

7. All hearings, excluding the deliberations, are open to the public with the exception that hearings concerning personnel matters are conducted totally in closed session.

8. The hearing shall be tape recorded by the Chair of the Publications Board (i.e., for Board use only) but no transcript will be prepared. Print and broadcast media may attend meetings that are open to the public.

9. Each party to the grievance shall have the opportunity to present his or her case, with the complainant proceeding first. Evidence is usually presented by narrative statements from the parties along with relevant exhibits and other documentary evidence. Documentary evidence should be submitted to the Publications Board prior to the hearing so that Board members and all involved parties have the opportunity to review the documents prior to the hearing.

10. Witnesses or others with relevant information may be invited to provide oral testimony. Those testifying may be questioned only by members of the Publications Board.

11. Following the presentation of all relevant information, the Publications Board shall enter into a closed deliberative stage. During this stage, the members of the Publications Board shall discuss the case among themselves and arrive at a decision and/or recommendations in the matter. No one other than Publications Board members may be present during the deliberative stage.

G. DETERMINATION BY THE PUBLICATIONS BOARD

1. Following the deliberative stage, the Publications Board shall decide, by majority vote, whether to deny or sustain the grievance and what recommendations, if any, are to be made. In those cases involving non-personnel related grievances, the Publications Board shall immediately reconvene in public session and announce its findings and recommendations.

2. All decisions of the Publications Board are advisory in nature and any recommendations made shall be forwarded in writing within two business days to the appropriate parties,

either as set forth in the Constitutions of the College and Campus Student Publication Boards respectively or as determined by the Chair of the Publications Board.

Approved, March 9, 2001
College Student Publications Board