

Effective Date: January 1, 2020

ARC-PA Standards Addressed: A3.15 f, g

POLICIES

Responsible Party:
Program Director

Revised: 11/22
Reviewed: 10/23

Approved by:
K-State PA Program Principal Faculty

Subject: Student Grievance and Harassment

PURPOSE:

To provide clear expectations on requirements and procedures for processing student grievances, and harassment.

ARC-PA Associated Standards:

A3.15 -The program *must* define, publish, consistently apply and make *readily available* to students upon admission:

- f. policies and procedures for allegations of student mistreatment, and
- g. policies and procedures for student grievances and appeals.

Policies and Procedures for Processing Student Grievances (in partial compliance of Standard A3.15g)

Faculty must be aware of the options available to students who have an academic grievance or Title IX concern. The student policy is listed below. Faculty and course directors must make every effort to conduct grading in a fair manner. If a student raises a concern, the faculty member or course director should address their concern as quickly and as impartially as possible. The student must file a petition for grade change writing, and can escalate the request as detailed below. The PA program follows the [Grievance Procedures of the Kansas State University Graduate School:](#)

Graduate Student Academic Grievance Procedures

3. Guidelines for Administrative Review and Conflict Resolution

- a. The graduate student should attempt to resolve any grievance first with the respondent, *i.e.*, the faculty member, supervisory committee, or administrator involved.
- b. If the grievance remains unresolved, and regardless of whether the graduate student received a response from the respondent, the graduate student must provide a complete written description of the grievance to the applicable administrator (typically the department head/chairperson) within

thirty (30) working days from the date the alleged grievable event(s) occurred. The written description should include all issues of concern to the graduate student. Issues not raised in this written description may not be included in a grievance hearing pertaining to the event in question. Proposed remedies may also be included in the written description. If the graduate student fails to submit the written description timely, the graduate student forfeits any further process under this Appendix A.

If the respondent is a department head/chairperson, other administrators, or graduate director, the graduate student should provide the written description to the respondent's immediate administrative supervisor.

Once the written description is submitted, the applicable administrator will investigate and arrange a meeting with the graduate student to discuss and attempt to resolve the issues. The administrator may discuss the issues and explore potential resolutions with relevant persons, including but not limited to the respondent, department head, dean, or Graduate School personnel.

Except under extenuating circumstances, the administrator will contact the graduate student within five (5) working days after receiving the written description to schedule a meeting. A good faith effort should be made to hold the meeting in a timely manner. Within fifteen (15) working days after the meeting, the administrator will provide the graduate student with a written response. The written response should include the original date when the student submitted their grievance, the decision of the responsible administrator, and the steps and rationale used to arrive at a decision. If additional time is needed, this document will include a timeline of when the final decision will be made.

Copies of the written response will be provided to the graduate student, respondent, department head, and Academic Dean involved in this process. The official copy shall be sent to the Graduate School to be retained in the student's file.

c. If this conflict resolution process is not successful, the Academic Dean and the Associate Dean of the Graduate School will confer within ten (10) working days following receipt of the written response to determine if further conflict resolution steps should be pursued. The outcome of this conference will be shared in writing with the same persons who received the written response in 3b.

For further information: [Grievance Procedures of the Kansas State University Graduate School:](#)

Policies and Procedures for Processing Allegations for Harassment (in partial compliance of Standard A3.17f) - K-State PA program follows the university's policy and procedure on harassment.

Definition – Harassment

[K-State's Policy and Procedure Manual Chapter 3010](#) provides two definitions for the term "harassment", dependent on where the alleged conduct takes place and its context. Harassment meeting either of these definitions is discrimination.

1. In the work, on-campus housing, or other non-academic environments, "harassment" is: Conduct toward a person or persons based on race, color, ethnic or national origin, sex, sexual

orientation, gender identity, religion, age, ancestry, disability, genetic information, military status, or veteran status that:

- a) has the purpose or effect of:
 - i. creating an intimidating, hostile, or offensive work environment or on-campus housing environment for the person(s); or
 - ii. unreasonably interfering with the work, or on-campus housing, of the person(s); and
 - iii. is sufficiently severe or pervasive that it alters the terms, conditions, or privileges of a person's employment, use of on-campus housing, academic opportunities or participation in university-sponsored activities.

In the academic environment, "harassment" is:

Conduct toward a person or persons based on race, color, ethnic or national origin, sex, sexual orientation, gender identity, religion, age, ancestry, disability, genetic information, military status, or veteran status that:

- a) has the purpose and effect of:
 - i. creating an intimidating, hostile, or offensive educational environment for the person(s); or
 - ii. unreasonably interfering with the academic performance or participation in any university-sponsored activity of the person; or
 - iii. threatening the academic opportunities of the person; and
- b) is sufficiently severe or pervasive that it alters the terms, conditions, or privileges of the person's academic opportunities or participation in university-sponsored activities.

Whether conduct is sufficient to constitute "harassment" is evaluated under the totality of the circumstances, including the frequency of the conduct, its severity, whether it is physically threatening or humiliating, or merely an offensive utterance. These factors are evaluated from both subjective and objective viewpoints, considering not only effect that conduct actually had on the person, but also the impact it would likely have had on a reasonable person in the same situation. The conduct must subjectively and objectively meet the definition to be "harassment" to be a violation of this Policy. Repeated incidents, even where each would not, on its own, constitute harassment, may collectively constitute harassment.

Depending on the circumstances, some occurrences may require evaluation under both definitions.

Kansas State University endeavors to maintain academic, housing, and work environments that are free of discrimination, harassment (including sexual harassment and sexual violence), retaliation, domestic and dating violence, and stalking. Discrimination based on race, color, ethnicity, national origin, sex, sexual orientation, gender identity, religion, age, ancestry, disability, genetic information, military status, or veteran status is prohibited. Retaliation against a person for reporting or objecting to discrimination or harassment or for participating in an investigation or other proceeding is a violation of this Policy, whether or not discrimination or harassment occurred. This Policy is not intended for, and will not be used to, infringe on academic freedom or to censor or punish students, faculty, employees, or staff who exercise their legitimate First Amendment rights.

Title IX is part of the Education Amendments of 1972 and is enforced by the U.S. Department of Education. This federal law prohibits discrimination on the basis of sex in education programs or activities operated by recipients of federal financial assistance. Title IX applies to all participants of such programs, including students, parents and faculty/staff members.

Title IX helps to foster safe and respectful university environments that better protect students, faculty and staff from incidents of sex-based discrimination and sexual harassment, including sexual violence, and sex-based dating violence and stalking. In addition to knowing who K-State's Title IX Coordinator is (<https://www.k-state.edu/oie/titleix/index.html>), you should also review additional information about why Title IX is important and protects all university community members.

Title IX requires that the university adopt procedures that provide for a prompt and equitable resolution of student and employee complaints that allege conduct prohibited by Title IX. The university does so through the [Policy Prohibiting Discrimination, Harassment, Sexual Violence, Domestic and Dating Violence, and Stalking, and Procedure for Reviewing Complaints PPM 3010](#), which provides a fair, prompt, and equitable process through which the university processes all complaints of discrimination, including (but not limited to) discrimination in violation of Title IX, and investigates those complaints when warranted under that policy. Go to [Procedure for Reviewing Reports and Complaints](#) to view a complete description of the University response and procedure upon notice of alleged violations of these policies.

Sexual violence includes nonconsensual sexual contact and nonconsensual sexual intercourse (which is any type of sexual contact without your explicit consent, including rape), dating violence, sexual harassment, sexual exploitation, domestic violence, and stalking. You may reach out for confidential help (see contact info below) or report an incident for investigation.

In the event that you choose to write or speak about having survived sexual violence, including rape, sexual assault, dating violence, domestic violence, or stalking and specify that this violence occurred while you were a K-State student, federal and state education laws require that the instructor must report this incident to the [Office of Institutional Equity](#) (OIE). You will be contacted by OIE about accommodations and support services at K-State, and possibilities for holding accountable the person who harmed you.

If you do not want the OIE notified, instead of disclosing this information to your instructor, you can speak confidentially with the following offices on campus. They can connect you with support services, and discuss options for holding the perpetrator accountable.

Center for Advocacy, Response and Education: <https://www.k-state.edu/care/services/advocacy/>

Lafene Health Center: <https://www.k-state.edu/lafene/>

Counseling services at K-State: <https://www.k-state.edu/counseling/>