

# SOUTHWESTERN

## LAW SCHOOL

### Los Angeles, CA

## Student Complaint and Grievance Policy and Procedures (Including Complaints Implicating ABA Standards)

### Faculty and Administrative policy.

**Revision history:** Formerly a part of the annually revised Student Handbook; established as a standalone policy August 2022; revised September 2023 after receiving BPPE approval to operate; technical edits made in June 2024; technical and substantive edits made in April 2025 and July 2025; title changed from Student Concerns Policy to Student Complaint and Grievance Policy and Procedures (Including Complaints Implicating ABA Standards) in December 2025.

**Related policies:** Policy to Prevent Discrimination, Harassment, and Retaliation; Sexual Misconduct Policy; Student Honor Code; Code of Student Professionalism and Conduct; Financial Aid Satisfactory Academic Progress Policy; Academic Disqualification, Academic Probation, and Academic Improvement Program Policies; Disability Accommodations Policy (Including Standards for the Study of Law); Student Health-Related Leave of Absence and Return Policy; Honors Programs Policies; Academic Freedom Policy; Free Expression Policy; U.S. Department of Education Disclosures

**Related forms:** Grievance Form; Statement of Parties' Rights and Responsibilities (Appendix A)

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A. **Student Complaints and Grievances Not Covered by Another Southwestern Policy**

1. **Overview**

Southwestern Law School takes seriously student concerns, complaints, and grievances regarding the institution, including those involving its employees, departments, and others under its jurisdiction.

In general, a **"complaint"** is any concern or dissatisfaction about an action, decision, or service of the law school or an individual employed by or affiliated with the law school, while a **"grievance"** refers to a formal written complaint alleging a serious violation of law, accreditation standards, or school policy that, if substantiated, would have a significant adverse impact on the student, the

educational environment, or Southwestern, and that cannot be effectively resolved through informal means.

This policy provides avenues for informally resolving complaints and formally resolving grievances and ABA Standard 510 complaints concerning alleged violations of ABA Standards (see Section D below), ensuring that student issues—whether academic, administrative, institutional, or relating to law school services—are addressed fairly and promptly.

This policy also outlines the process for escalating complaints to the American Bar Association’s Section on Legal Education and Admissions to the Bar (ABA), the WASC Senior College and University Commission (WSCUC), the California Bureau for Private Postsecondary Education (BPPE), or the appropriate consumer complaint agency in another state.

## **2. Informal resolution process**

Southwestern encourages students to first try to resolve any concern or complaint informally by communicating directly with the individual or department involved or by contacting the appropriate administrator, such as the Associate Dean for Student Services or a Vice Dean.

If the student is unsure about whom to speak with regarding a particular concern or complaint, they should contact the Student Services Office ([studentservices@swlaw.edu](mailto:studentservices@swlaw.edu)) or the Office of the Vice Deans ([vicedeansoffice@swlaw.edu](mailto:vicedeansoffice@swlaw.edu)).

Students are encouraged to raise concerns and complaints as soon as possible, and typically within 30 days of the matter arising. (See Section A.4.b below for deadlines to file a formal grievance.) Delays in reporting may impair the law school’s ability to investigate, gather evidence, and respond effectively. Memories may fade, witnesses may become unavailable, and records may be lost over time.

If a complaint is not resolved informally and if the student believes the issue involves a serious violation of law, accreditation standards, or policy, the student may initiate a formal grievance under this policy. See Section A.4.a below for an explanation about which matters are appropriate for the formal grievance process.

Southwestern strictly prohibits any retaliation against a student for raising a complaint or grievance in good faith. See Section L below for more information on protection against retaliation.

To protect the fairness and efficacy of Southwestern’s processes, the law school prohibits frivolous complaints, bad-faith complaints, and deliberate falsehoods. See Section M below for more information on frivolous or bad-faith complaints and grievances or providing false information.

### **3. Complaints submitted without the Complainant's identity**

Southwestern recognizes that some individuals may be reluctant to disclose their identity when submitting a complaint. While Southwestern encourages all students to identify themselves so that concerns can be thoroughly investigated and fairly resolved, Southwestern understands that some complaints may be submitted anonymously (see Section A.3.a) or with a request for confidentiality (see Section A.3.b).

In evaluating anonymous and confidential complaints, Southwestern will balance its commitment to maintaining a safe and respectful learning environment with its responsibility to ensure fairness, accuracy, and due process for all individuals. Southwestern's ability to investigate and address anonymous and confidential complaints may be significantly limited without independently verifiable evidence. Depending upon the nature of the complaint and the information provided, Southwestern may determine that an investigation or preliminary inquiry is warranted.

However, in all cases, Southwestern will provide respondents with sufficient information regarding the substance of any allegations to allow a meaningful opportunity to respond. Southwestern will not take disciplinary action solely on the basis of an anonymous or confidential complaint. When credibility assessments are central to resolving a matter, disclosure of the Complainant's identity may be necessary to ensure a fair and reliable process for all individuals.

Because fairness and due process require that respondents be given sufficient information to respond to allegations, neither anonymous complaints nor confidential complaints may proceed to the formal resolution process under this policy (see Section A.4 below), unless the Complainant's identity is disclosed.

#### **a. *Anonymous complaints (identity unknown to Southwestern)***

Southwestern strongly discourages anonymous complaints because they limit the ability to obtain additional information, verify key facts, and provide feedback or support to the Complainant. Anonymous submissions may also hinder the school's capacity to ensure due process for individuals identified in the complaint.

Southwestern retains discretion not to investigate anonymous complaints when the lack of identifying information or corroborating detail makes meaningful review infeasible, unreliable, or inconsistent with due process obligations. Anonymous complaints that do not contain sufficient information to permit a fair and reliable assessment generally will not be investigated. However, any such complaint that contains specific, credible, and verifiable information suggesting a serious violation of law, policy, accreditation, or safety standards will be reviewed to the extent feasible. Examples include specific allegations of

financial misconduct or threats to health or safety.

Individuals are therefore encouraged to identify themselves when submitting a concern so the school can follow up for clarification, provide protection against retaliation, and ensure an appropriate and fair response.

As noted in Section D.1 below, complaints submitted under ABA Standard 510 must include the student's full name and contact information. As noted in Section A.4.c below, complaints submitted under the formal resolution process of this policy must include the student's full name and contact information; therefore, anonymous complaints cannot proceed under that process.

Southwestern will maintain records of anonymous complaints in accordance with Section J of this policy, and those complaints may be included in periodic pattern reviews conducted by the Vice Deans under Section K.

**b. *Confidential complaints (identity known to Southwestern, withheld at Complainant's request)***

A confidential complaint is one in which the Complainant's identity is known to Southwestern, but the Complainant requests that their name not be disclosed to others. Confidential complaints allow the school to follow up directly with the Complainant for clarification and additional information. Although confidential complaints generally allow for a more meaningful review than anonymous complaints, they still require the Complainant to provide enough specific and verifiable information to warrant further inquiry.

If a confidential complaint raises a potential violation of law, policy, or accreditation standard, or indicates a significant concern affecting student welfare or institutional integrity, and sufficient evidence exists to warrant further inquiry, Southwestern will take appropriate steps to evaluate and address the matter and will honor requests for confidentiality to the extent reasonably possible. However, absolute confidentiality cannot be guaranteed if disclosure is required to fulfill Southwestern's legal or policy obligations, or to ensure fairness to all individuals involved. Respondents must be provided with sufficient information about the substance of any allegations to enable a meaningful opportunity to respond, even if the Complainant's name is withheld. When credibility determinations are central to resolving a matter (e.g., independent corroboration information is weak or lacking), disclosure of the Complainant's identity may be necessary to ensure fairness to all individuals.

As noted in Section A.4.c below, complaints submitted under the formal resolution process of this policy must include the student's full name and contact information; therefore, confidential complaints may proceed under this process only when the Complainant's name is disclosed.

#### **4. Formal resolution process**

##### **a. Scope**

The formal grievance process under this policy is intended for concerns involving a serious violation of law, accreditation standards, or school policy. It is not designed for minor concerns that can be effectively addressed through informal resolution. Students are expected to first seek informal resolution whenever possible before submitting a formal grievance. For purposes of this policy, a "serious" violation of law, accreditation standards, or policy is one that, if substantiated, would have a significant adverse impact on the student, the educational environment, or Southwestern, and that cannot be effectively resolved through informal means.

##### **b. Initiating a formal grievance**

A student with an eligible complaint not otherwise addressed by a specific Southwestern policy or procedure may submit a formal written grievance to the Associate Dean for Student Services ([studentservices@swlaw.edu](mailto:studentservices@swlaw.edu)), who serves as the primary point of contact for student concerns. See Section B below for specific policies that include a separate complaint process.

If the complaint concerns the Associate Dean for Student Services or the General Counsel, the written grievance should be submitted to the Office of the Vice Deans ([vicedeansoffice@swlaw.edu](mailto:vicedeansoffice@swlaw.edu)). If the complaint concerns a Vice Dean or the President and Dean (Dean), the written grievance should be submitted to the General Counsel ([generalcounsel@swlaw.edu](mailto:generalcounsel@swlaw.edu)).

To facilitate a fair and timely resolution, students are expected to submit a written grievance within (i) 60 days of the matter arising, (ii) 60 days of when the student knew or reasonably should have known the basis for the complaint, or (iii) 30 days of the informal resolution process concluding, whichever is later. Southwestern will consider a late-filed grievance if the Associate Dean of Student Services (or an alternate, as noted above in the event of a conflict) determines that good cause existed for the student's delayed submission.

Students are encouraged to use the Grievance Form, which is on Southwestern's [Institutional Policies Page](#) and also linked under the "Related Forms" section at the top of this policy, to submit their

grievance. However, the student may submit a written grievance via email, U.S. mail, a reliable delivery service such as FedEx, or personal delivery.

A student who submits a formal grievance will be referred to as the Complainant.

**c. *Required grievance contents***

The written grievance must include at least the following information:

- The Complainant's full name;
- For a current student, the Complainant's Southwestern ID number;
- The Complainant's program and, for a current student, their level within that program (e.g., Full-time Day 3L; SCALE I; Online Part-time Program 2L);
- For a current student, the Complainant's Southwestern email address; for a prospective or former student, a valid email address;
- The Complainant's current telephone number;
- The Complainant's current mailing address;
- The Complainant's current residence (i.e., where the student is living while taking classes), if different from that listed in the mailing address;
- Where relevant, the specific policy or procedure that the Complainant believes was misapplied, violated, or not followed;
- A statement of relevant facts (who, what, when, where) and any other basis for the Complainant's grievance; where relevant, the Complainant should explain why they believe that a specific policy or procedure was misapplied, violated, or not followed;
- The names and, if available, contact information for individuals who possess relevant information about the matter and a summary of information they possess (e.g., Janice Doe, a Southwestern student, was present when I interacted with [Respondent]);
- Any supporting documents or other relevant evidence the Complainant possesses (attachments may be included if relevant);
- A summary of any informal resolution efforts already attempted and the outcome of those efforts; and

- The specific result, resolution, and remedies sought.

**d. Consolidating grievances**

Southwestern may consolidate related grievances submitted by the same Complainant or by multiple Complainants where the concerns are sufficiently related to ensure a fair and efficient resolution process.

**e. Party support (Advisors)**

Subject to the following rules, any Party may be assisted by one Advisor of their choice at any stage of a complaint, grievance, or ABA Standard 510 matter:

- i. **Scope of role:** The Advisor's role is non-advocacy and support-oriented; the Advisor may confer quietly or in writing with the Party but may not speak on the Party's behalf, question witnesses, or otherwise address the Administrator, Grievance Officer, or Dean, unless invited to do so.
- ii. **Eligibility:** The Advisor may not be a Southwestern trustee, full-time or part-time Southwestern employee, or material witness in the same matter. The Advisor must agree in writing to maintain confidentiality under Section I of this policy, and must conduct themselves in a manner that is not disruptive or harassing.
- iii. **Notice of participation.** A Party who intends to bring an Advisor must notify the Administrator or, where appropriate, Grievance Officer, in writing at least 48 hours before any scheduled meeting or interview and must identify the Advisor by name and relationship (e.g., attorney, friend). A Party need not use the same Advisor throughout the grievance process. The Administrator or Grievance Officer may waive the notice period for good cause.
- iv. **Exclusion for good cause:** The Administrator or Grievance Officer may exclude or remove an Advisor who materially violates these rules after the Advisor has been warned that continued misconduct will lead to removal.
- v. **No institutional cost:** The Party is solely responsible for any costs or fees associated with the Advisor's services.

**f. Reasonable disability accommodations during the grievance process**

Southwestern will provide reasonable accommodations to qualified individuals with disabilities so they may participate fully in any meeting, interview, or proceeding under this policy. A Party, witness, or Advisor seeking accommodation should contact Accessibility Services within the Student Services Office as early as practicable and, when possible, at least five business days before the scheduled proceeding. Accommodations will



be made in accordance with the Disability Accommodations Policy (Including Standards for the Study of Law) and applicable law.

***g. Timing***

Southwestern will endeavor to acknowledge receipt of a complaint within 5 business days and to provide an initial substantive response or update within 30 days. If additional time is required to complete the review or investigation, Southwestern will notify the Complainant in writing and explain the expected timeline and basis for the extension.

During any extended investigation, Southwestern will provide the Complainant with regular status updates. Southwestern will issue a final written decision within 30 days after the investigation concludes, unless extenuating circumstances exist and are communicated to the Complainant in writing.

***h. Administrator review***

The administrator receiving a written grievance (usually the Associate Dean for Student Services or an alternate, as noted above in the event of conflict) (referred to as the Administrator) will:

- (i) Review the written grievance to ensure that it includes all required information.
- (ii) Determine whether the grievance falls within the scope of this policy or should be handled under a different institutional policy or procedure.
- (iii) Conduct an initial evaluation to determine whether, on its face, the grievance is timely, made in good faith, and alleges facts that, if true, would:
  - constitute a serious violation of law, accreditation standards, or institutional policy;
  - have a significant impact on the student, the education environment, or Southwestern; and
  - raise issues that cannot be effectively resolved through informal means.

If the written grievance is missing any required information, the Administrator will contact the Complainant, specify the missing information, and request that the Complainant provide the missing information by a reasonable deadline. The Complainant's failure to provide the required information by the deadline may result in the Administrator dismissing the grievance.

If the Administrator determines that the grievance falls outside the scope of this policy, they will notify the Complainant in writing that the grievance will not move forward under this policy. If another policy or procedure for handling the grievance exists, the Administrator will refer the matter to the individual responsible for administering the appropriate policy and notify the Complainant about the referral in writing. If either action in this paragraph occurs, the Administrator will also provide the Complainant with information about the appeal process (Section E of this policy).

***i. Notifying Respondents and providing an opportunity to respond***

After the Administrator determines that the written grievance includes all required information and should proceed under this policy, the Administrator will formally notify any individual named as a Respondent (e.g., any individual alleged to have misapplied, violated, or failed or follow a policy or procedure or who is alleged to have created or contributed to circumstances that form the factual basis for the grievance) about the grievance. If the grievance is against a department or program, the head of that department or program will be designated the Respondent.

Notice typically will be given within 3 business days of the Administrator determining that the grievance should proceed under this policy. The Administrator will provide each Respondent with a written summary of the allegations or a copy of the grievance.

As part of the notice, the Administrator will remind each Respondent about Southwestern's prohibitions against retaliation (Section L below) and providing false information (Section M below) and about the confidentiality and privacy provision (Section I below) of this policy. The notice will also inform each Party of the right to bring an Advisor under subsection A.4.e and to request disability accommodations under subsection A.4.f. The Administrator will provide the Complainant with a similar written notice of rights and responsibilities that refers to these sections. See **Appendix A** for a form of Statement of Parties' Rights and Responsibilities.

Each Respondent will be afforded an opportunity to respond to the allegations by submitting a written response and relevant documents and evidence to the Administrator, typically within 7 calendar days from the date of notification. The Administrator may extend this time on their own initiative or at a Respondent's request.

The formal grievance process may proceed even if a Respondent elects not to respond or misses the response deadline.

***j. Appointing the Grievance Officer***

After the deadline for receiving each Respondent's response has passed or after the Administrator has received each Respondent's response, whichever occurs first, the Administrator will appoint the Grievance Officer.

The Grievance Officer may be a Southwestern administrator, faculty member, or staff member, or an outside individual or organization with appropriate expertise and experience. The Administrator may serve as the Grievance Officer.

When appointing the Grievance Officer, the Administrator will take reasonable steps to ensure that the Grievance Officer does not have a conflict of interest and can handle the matter in a fair and timely manner.

After the Grievance Officer accepts the appointment, the Administrator will notify the Complainant and each Respondent (collectively referred to as the Parties and individually referred to as a Party) of the appointment in writing, typically via email, and of their ability to object to the Grievance Officer.

Each Party will have 3 business days to object to the Grievance Officer appointed. Any objection must be based on an actual or reasonably perceived conflict of interest involving the Grievance Officer that could compromise the Grievance Officer's fairness or impartiality. The objection must be submitted in writing to the Administrator within the three-business-day period and must clearly describe the nature of and factual basis for the alleged conflict of interest.

The following are non-exhaustive examples that would constitute an actual conflict of interest:

- The Grievance Officer was involved in the events or decisions under review.
- The Grievance Officer is the current faculty member or program director (e.g., for an Honors Program) for any Party or material witness.
- The Grievance Officer reports to or supervises any Party or material witness.
- The Grievance Officer is related by blood or marriage or is or has been in an intimate relationship with any Party or material witness.
- The Grievance Officer is or was the Respondent, Complainant, or material witness in another grievance involving any Party or material witness.

A Grievance Officer typically will not be disqualified if they (i) formerly taught a Party or material witness, or (ii) served as the Grievance Officer in another matter involving any Party or material witness.

The Administrator will review the objection and determine whether a different Grievance Officer should be assigned. If the Administrator is also the appointed Grievance Officer, then the Dean will appoint another individual to determine whether a conflict of interest exists. If the Dean is the subject of the grievance, then the General Counsel will appoint the alternate.

If the Administrator (or alternate) determines that no actual or significant perceived conflict of interest exists, the originally appointed Grievance Officer will remain assigned to the grievance.

If the Administrator determines that a different Grievance Officer should be appointed, the notice and objection process in this subsection will be repeated.

***k. Grievance Officer procedures***

**i. Burden of proof and evidentiary standard**

The Complainant bears the burden of proof. The standard of proof applied under this policy is clear and convincing evidence, meaning that the evidence must show that the alleged facts are highly probable and substantially more likely to be true than untrue.

The Grievance Officer will review all relevant materials and information and determine whether the Complainant has met the burden of proof by establishing, through clear and convincing evidence, that the allegations are valid and substantiated.

**ii. Initial review**

The Grievance Officer will first determine whether the allegations, if true, a) would constitute a misapplication, violation, or failure to follow a school policy or procedure, or b) would constitute unfair treatment to the Complainant. To make this determination, the Grievance Officer will review the written grievance, any responses, and any documents or other evidence submitted by any Party.

**iii. Grievance does not meet the criteria for further review**

If, after reviewing the materials submitted, the Grievance Officer determines that the grievance fails to meet the criteria for further review (e.g., it fails to demonstrate a violation of a policy or procedure) or that no further action should be taken for another

reason (e.g., bad-faith complaint), the Grievance Officer will notify each Party in writing that the grievance is being dismissed, explain the reasons for the dismissal, and also provide information about the appeal process (Section E of this policy).

**iv. Fact-finding**

If the grievance meets the criteria for review (see Sections A.4.a and A.4.h above for more information on grievances that meet the criteria for review under this policy), the Grievance Officer will conduct a neutral fact-finding review. The scope and method may vary depending on the case, but typically will include meeting with each Party, interviewing relevant, material witnesses, reviewing documents and evidence related to the grievance, and reviewing any relevant policies and procedures. The Grievance Officer may consult with other Southwestern officials or representatives who have relevant information, knowledge, or experience about the policies, procedures, or other matters at issue.

If the fact-finding will exceed any deadline in Section A.4.g above, the Grievance Officer should notify the Administrator, and either the Grievance Officer or Administrator should update the Parties as necessary.

**v. Decision**

Following the fact-finding process, the Grievance Officer will issue a written decision.

The written decision should include (a) factual findings, (b) the conclusions reached, including whether any policy or procedure was misapplied, violated, or not followed, or whether unfair treatment was found, and (c) any remedy or corrective action to be implemented. The decision should explain the reasons for the outcome and inform each Party of their right to appeal the decision and the procedure for doing so (Section E of this policy).

The Grievance Officer will share the resolution simultaneously with each Party and the Administrator. Most typically, the decision will be sent to each Party's Southwestern email address or another email address included in the written grievance or response.

After sharing the written decision, the Grievance Officer may request or offer to meet with the Complainant or any Respondent to discuss the decision and any subsequent steps.

The Grievance Officer typically should share the decision with the Dean, Vice Dean, and other senior administrators with a need to

know and the responsibility for implementing any remedies or corrective actions (e.g., transcript changes, policy revisions, training, referral for discipline, etc.).

## **B. Student Complaints Related to Other Southwestern Policies**

If a student's complaint is covered by another written Southwestern policy with its own complaint procedures (for example, a complaint about sexual harassment under the Sexual Misconduct Policy), then that policy will govern how the complaint is resolved.

However, if the other policy does not include (i) an appeal procedure or (ii) a process for addressing frivolous or bad-faith complaints or false information, then the appeal procedure in this policy or the process for handling frivolous or bad-faith complaints and grievances or false information in this policy will apply. See Section E for more information on appeals and Section M for more information on frivolous or bad-faith complaints/grievances and false information.

In short, this policy applies only to matters not covered by a more specific policy or process, except that its appeal procedure and process for handling frivolous or bad-faith complaints/grievances or false information will apply when a more specific policy does not include those procedures.

The following list of policies with dedicated complaint procedures is provided for convenience and is not exhaustive. Because Southwestern regularly updates and adopts new policies, students should refer to the most current policy documents or contact the Student Services Office to confirm whether a specific complaint is covered by another policy:

- **Academic Disqualification, Academic Probation, and Academic Improvement Program Policies**, for matters involving academic disqualification (dismissal for academic deficiency) and petitions for readmission or appeal of dismissal.
- **Academic Freedom Policy**, for issues specifically implicating academic freedom rights.
- **Code of Student Professionalism and Conduct**, for allegations of non-academic misconduct or violations of campus conduct.
- **Disability Accommodations Policy (Including Standards for the Study of Law)**, for requests and disputes regarding accommodations for disabilities under the ADA/Section 504 of the Rehabilitation Act of 1973.
- **Financial Aid Satisfactory Academic Progress Policy**, for matters related to maintaining academic standards for financial aid eligibility, including appeals of financial aid disqualifications.
- **Free Expression Policy**, for issues related to freedom of expression on campus.

- **Student Health-Related Leave of Absence and Return Policy**, for requests or requirements for leaves of absence for health or medical reasons.
- **Honors Programs Policies**, for issues related to Southwestern's Honors Programs.
- **Policy to Prevent Discrimination, Harassment, and Retaliation**, for complaints of discrimination or harassment based on protected characteristics, and related retaliation.
- **Sexual Misconduct Policy**, for complaints of sexual harassment, sexual assault, or other sexual misconduct.
- **Student Honor Code**, for allegations of academic dishonesty or misconduct in academic work.

If a student is not certain which policy applies, they should seek clarification from the Associate Dean for Student Services ([studentservices@swlaw.edu](mailto:studentservices@swlaw.edu)) before proceeding.

Southwestern will ensure that a complaint is routed to the proper procedure so that it is handled appropriately. Complaints and grievances misdirected under this policy will be referred to the correct process or administrator, and the student will be notified in writing accordingly.

#### **C. Student Resident Complaints Related to Housing**

Complaints by residents regarding The Residences at 7th should be directed to the Property Manager ([housing@swlaw.edu](mailto:housing@swlaw.edu) or Ext. 5500) in accordance with the lease agreement and housing procedures, rather than through the processes in this policy, unless the housing issue implicates broader institutional policies.

Any complaints in this category not resolved informally may be escalated to Southwestern's Chief Operating Officer ([aso@swlaw.edu](mailto:aso@swlaw.edu)).

#### **D. Complaints Implicating ABA Standards (ABA Standard 510)**

As an ABA-accredited law school, Southwestern must comply with the American Bar Association Standards and Rules of Procedure for Approval of Law Schools ("ABA Standards"). Pursuant to ABA Standard 510, the law school is required to have a procedure for prospective, current, and former students to formally complain about issues that directly implicate the school's compliance with the ABA Standards. If a student, prospective student, or former student believes that a significant problem directly implicates Southwestern's program of legal education and its compliance with one or more ABA Standards, the student should use the process below for an ABA Standard 510-related complaint. This special procedure is a subset of the law school's complaint and grievance process and ensures relevant complaints are addressed and documented in accordance with ABA requirements. The current ABA Standards may be found at [http://www.americanbar.org/groups/legal\\_education/resources/standards.html](http://www.americanbar.org/groups/legal_education/resources/standards.html).

## 1. **Filing an ABA Standard 510 complaint**

A student (including prospective and former students) who wishes to bring a complaint to the law school's attention about a significant problem that directly implicates the school's compliance with the ABA Standards should take the following steps:

- a. Submit the complaint in writing** to a Vice Dean ([vicedeansoffice@swlaw.edu](mailto:vicedeansoffice@swlaw.edu)). The Vice Dean designated by the Dean will serve as the Grievance Officer for purposes of the Standard 510 process. If the complaint is about a Vice Dean, the complaint should be submitted to the Office of the President and Dean ([lawdean@swlaw.edu](mailto:lawdean@swlaw.edu)); the Dean will designate another suitable individual to review the complaint and serve as the Grievance Officer. If the complaint concerns the Dean, the complaint should be submitted to the General Counsel ([generalcounsel@swlaw.edu](mailto:generalcounsel@swlaw.edu)), who will confer with the appropriate Board of Trustees officer to designate an individual or organization to review the complaint and serve as the Grievance Officer. The complaint may be submitted via email, U.S. mail, reliable delivery service such as FedEx, or personal delivery. *The complaint should expressly state that it is being submitted pursuant to ABA Standard 510 so Southwestern can identify and handle it appropriately.*
- b. Describe in detail the behavior, program, or process that is the subject of the complaint** by providing the information described in more detail in Section A.4.c above. The description should be clear and provide sufficient detail, along with supporting facts or evidence, to enable an investigation. In addition, explain how the matter directly implicates the law school's compliance with one or more specific ABA Standards. If known, cite the specific ABA Standard(s) at issue.
- c. Provide your full name and contact information**, including a current email address, so the Grievance Officer can follow up and communicate regarding the complaint. Anonymous complaints cannot be processed under this ABA Standard 510 procedure, although the Grievance Officer will maintain confidentiality to the extent noted in this policy.

## 2. **Addressing an ABA Standard 510 complaint**

After Southwestern receives an ABA Standard 510 complaint, the following steps will occur to address the complaint:



**a. *Administrative review***

The assigned Grievance Officer will evaluate whether the complaint directly implicates the law school's compliance with an ABA Standard. If the Grievance Officer determines that the complaint does not directly implicate compliance with an ABA Standard, the Grievance Officer will inform the student in writing of that determination (including a brief explanation of why the issue does not fall under an ABA Standard). This review typically will occur within 5 business days. The matter will then be handled under the appropriate process; for example, under the student complaint and grievance process outlined in Section A of the policy or pursuant to another relevant policy's procedures.

**b. *Acknowledgement***

If the Grievance Officer determines that the complaint implicates at least one ABA Standard, the Grievance Officer will acknowledge receipt of the complaint in writing within 5 business days of receipt. The acknowledgement may be sent via email, U.S. mail, overnight delivery via a reliable service such as FedEx, or delivered in person, and will note that the complaint is being reviewed under the ABA Standard 510 process.

**c. *Investigation***

The Grievance Officer will investigate the complaint by gathering relevant information from the individuals or departments involved and reviewing any pertinent evidence or documents. The goal is to thoroughly understand the facts and determine whether the issue raised has merit and thus requires attention. This investigation will be handled expeditiously, with fairness to all involved.

**d. *Meeting or substantive response***

As part of the investigation and resolution, the Grievance Officer will either meet with the Complainant to discuss the complaint or will send the Complainant a substantive written response to the complaint. In the meeting or correspondence, the Grievance Officer will either provide a response to the complaint's substance (for example, explaining the law school's position or any corrective actions being taken) or describe what steps Southwestern is or will be taking to address the issue or to investigate it further. Typically, a student can expect to receive either a meeting request or a written response addressing the complaint within approximately 30 days of submitting the complaint.

**e. *Timing and updates***

If the investigation and resolution require more than 30 days (which may occur if the matter is complex or if additional time is needed to gather information), the Grievance Officer will inform the student in writing of

the estimated timeline and the reasons for the extended timeframe. The law school will also provide the student with reasonable status updates during the process so the student is informed about the progress of the review. Southwestern will strive to reach a final resolution of the complaint within 30 days after the investigation concludes. The final resolution will be communicated to the student in writing, as described above.

### **3. Internal appeal and external escalation**

If a student who filed an ABA Standard 510 complaint remains concerned that the law school is not in compliance with the ABA Standards after receiving the law school's resolution, the student may choose to pursue two further steps: (1) an internal appeal to the Dean, and (2) if still not satisfied, an external complaint to the ABA or other accreditor.

First, the student may consider submitting an appeal to the Dean (as outlined in Section E below) to request a review of the outcome. Following the exhaustion of Southwestern's internal remedies (including receiving a final decision on appeal, if an appeal is pursued), a student who still believes the law school is out of compliance may file a formal complaint with the ABA.

The ABA's process for law school accreditation-related complaints is designed to address potential non-compliance with ABA Standards; it is not a mechanism for overturning internal decisions or providing individual relief.

A description of the ABA Section of Legal Education and Admissions to the Bar's complaint process and a link to the Complaint Form are located at [https://www.americanbar.org/groups/legal\\_education/accreditation/complaint\\_procedures/](https://www.americanbar.org/groups/legal_education/accreditation/complaint_procedures/).

If it is not possible to submit online, Complainants may mail complaints, along with the required release form, to:

American Bar Association  
Section of Legal Education  
321 N. Clark Street  
Chicago, IL 60654

Questions about the Complaint Form or the ABA process may be directed to [legaled@americanbar.org](mailto:legaled@americanbar.org).

## **E. Appeals**

### **1. Filing an appeal**

Within 30 calendar days of receiving a decision on a formal grievance, a decision under another policy that does not have its own appeal process, or an ABA Standard 510 complaint, a Party may appeal the decision to the Dean.

The appeal must be submitted in writing and should clearly explain the basis of the appeal.

The writing should be submitted to the Dean via email (lawdean@swlaw.edu),

U.S. mail, a reliable delivery service like FedEx, or personal delivery to the Dean's Office.

## **2. Standard of review**

An appeal of the grievance, other policy decision, or ABA Standard 510 complaint is a limited review of the decision. The Dean will not rehear the grievance, other policy decision, or complaint, or substitute their judgment for that of the original decision-maker. Instead, the original decision will be modified, returned for additional proceedings, or reversed only if the Dean or the Dean's designee determines that one of the following grounds has been met:

- **Clearly erroneous decision:** The decision was clearly erroneous based on the evidence presented.
- **Procedural error or fairness issue:** A material procedural error occurred or a fundamental issue affected the fairness of the grievance, ABA Standard 501 complaint process, or other policy process. This basis would include dismissal of a grievance at the initial review stage or a determination that the grievance or complaint was misclassified and handled under the incorrect policy or procedure.
- **Material new evidence:** Material new evidence has been discovered that was not reasonably available during the original review and that would likely change the outcome.

The burden is on the appealing Party to demonstrate that one of these grounds exists and justifies a different outcome. If the Dean or the Dean's designee concludes that none of the three grounds is met, the appeal will be dismissed, and the original decision will stand. If the material new evidence ground is met, the Dean or Dean's designee may return the matter to the original decision-maker to consider the new evidence and issue a revised decision, if necessary.

## **3. Procedure and process**

### ***a. Acknowledging receipt of an appeal***

Absent unusual circumstances, the Dean's Office will acknowledge receipt of the appeal within 5 business days of receiving the written appeal and will, in turn, notify the non-appealing Parties by sharing a copy or summary of the written appeal.

**b. *Timeline***

The Dean will strive to provide a written response or decision on the appeal within 30 days of the acknowledgment of the appeal. If additional time is required, the Dean's Office will notify the Parties in writing of the delay and an estimated resolution date.

**c. *Responses, referral, consultation, and review***

The Dean may request that any non-appealing Party submit a written response on a stated timeline (usually within 10 to 15 days).

In addition, the Dean or Dean's designee may consult with other administrators or external experts as needed to fully understand the matter on appeal and may collaborate with appropriate individuals to evaluate the appeal. The Dean may also refer certain matters to another senior administrator or an external reviewer, particularly if specific expertise is needed.

**d. *Process, decision, and finality***

The Dean or Dean's designee may, but is not required to, meet with the Parties to discuss the appeal. Alternatively, the Dean or Dean's designee may decide the appeal based on the written record, the written appeal, and any responses to the appeal. In any case, the Dean or Dean's designee will issue the appeal decision in writing, sent to each Party's email address (and by other means if appropriate), and will also communicate any changes to the outcome or remedies if the appeal is granted. The Dean's or the Dean's designee's decision on the appeal is final within the institution.

**F. *External Escalation of Complaints to WSCUC***

Southwestern holds Candidate status with WSCUC, which is an institutional accreditor. If, after exhausting all internal procedures outlined in this policy (including the appeal process), a Complainant believes that their grievance remains unresolved and that the Complainant further believes that the institution has violated an accreditation standard of WSCUC, the student may escalate the matter to WSCUC. A student filing a complaint with WSCUC should provide detailed information about the nature of the alleged accreditation standards violation, including any relevant supporting documents. WSCUC will generally require verification that the student attempted to resolve the issue through the law school's internal processes first.

To file a complaint with WSCUC, a student may contact WSCUC at:

WSCUC Complaints  
WASC Senior College and University Commission  
1001 Marina Village Parkway, Suite 402  
Alameda, CA 94501

Phone: (510) 748-9001

Website: [www.wscuc.org](http://www.wscuc.org)

Information about WSCUC's complaint process and an [online submission form](#) are located on the WSCUC website, [www.wscuc.org](http://www.wscuc.org). Students should note that WSCUC will typically not intervene unless the complaint suggests a pattern of non-compliance or a serious issue affecting institutional integrity, and WSCUC will not overturn individual decisions or provide personal remedies.

#### **G. Complaints to the California Bureau for Private Postsecondary Education (BPPE)**

Southwestern is approved to operate by BPPE. "Approval to operate" means the institution complies with the minimum standards in the California Private Postsecondary Education Act of 2009 and the California Code of Regulations.

A student or member of the public who believes that Southwestern has violated applicable California laws or regulations governing its operation (including engaging in an unfair business practice or other non-compliant activity) may file a complaint with the BPPE.

The BPPE prefers that complaints be submitted through its [online complaint submission link](#). Alternatively, an individual may download the [complaint form](#) and mail it to:

Bureau for Private Postsecondary Education  
P.O. Box 980818  
West Sacramento, CA 95798-0818  
Website: [bppe.ca.gov/enforcement/complaint.shtml](http://bppe.ca.gov/enforcement/complaint.shtml)

More information concerning BPPE's complaint procedure can be found at <https://bppe.ca.gov/enforcement/complaint.shtml> or by calling 888-370-7589.

A student need not exhaust internal remedies before filing a BPPE complaint; however, BPPE's process is typically intended for significant concerns about institutional compliance with the California Private Postsecondary Education Act of 2009 and the California Code of Regulations.

If Southwestern receives notice of a complaint filed with BPPE, the law school will respond appropriately and will cooperate fully with any BPPE investigation. The Dean will determine whether an internal investigation should be conducted in response to the BPPE complaint and may appoint either an internal or external investigator to handle the matter, in coordination with Southwestern's General Counsel.

#### **H. Complaints by Students Residing Outside of California**

Students in Southwestern's Online J.D. Program who reside in a state other than California should refer to [Southwestern's State Student Concern Contact Information](#) chart for additional information on filing complaints in their jurisdiction.

## **I. Confidentiality and Privacy**

Southwestern will handle student complaints and grievances, and all related information, as confidentially as possible. The complaint and any investigation will be shared only with those individuals who have a legitimate need to know to resolve the issue.

Southwestern will make all reasonable efforts to protect the privacy of all individuals involved in a complaint or grievance process. However, students should understand that complete confidentiality cannot be guaranteed in all circumstances, because effective investigation may require revealing certain information (for example, discussing the complaint with a department or person involved). All participants in the process, including the Complainant, Respondent (if any), witnesses (if any), Administrators, and Grievance Officers, are expected to maintain privacy and not disclose information learned through the complaint or grievance process, except as necessary to gather information or seek support.

Upon request by an oversight agency or during accreditation reviews, Southwestern may be required to provide records or summaries of student complaints and grievances. In such cases, personally identifiable information is removed or limited to the extent possible.

Southwestern will comply with all applicable privacy laws (such as FERPA) when handling and sharing complaint and grievance records.

## **J. Record Keeping**

Southwestern maintains records of all formal, written grievances and complaints received from students in accordance with applicable regulatory requirements and accreditation standards. Except as set forth below, Southwestern's Student Services Office will retain a copy of each formal written grievance or complaint and a summary of the institution's response and resolution for at least the minimum duration required by oversight bodies. If a grievance or complaint concerned the Student Services Office, the Office of the Vice Deans, the Dean's Office, or the General Counsel's Office will retain a copy of each written grievance or complaint and a summary of the institution's response and resolution for at least the minimum duration required by oversight bodies. Specifically:

### **1. General complaints and grievances (those filed pursuant to Section A.3 and A.4 of this policy or under a policy listed in Section B of this policy):**

Southwestern will maintain all formal grievances and complaints and a record of the outcome for at least 6 years after the student's graduation from or last date of attendance at Southwestern. Records will typically be included in the student's official file and maintained in a secure location in the Student Services Office or on their systems. If a matter is particularly sensitive, the record may be maintained in the Student Services Office or the General Counsel's Office, with a notation in the student's permanent file.

### **2. ABA Standard 510 complaints:** Any complaint filed properly under Section D of this policy and implicating the ABA Standards will be retained for at least 10 years

or through the next regular comprehensive review by the Council of the Section of Legal Education and Admissions of the American Bar Association, whichever is longer.

3. **WSCUC-related complaints:** Complaints implicating WSCUC accreditation standards will be retained for at least 10 years or through the next WSCUC accreditation review, whichever is longer.

Southwestern's Student Services Office will also maintain a log or database of formal grievances and complaints to facilitate oversight and help ensure compliance with reporting obligations. At a minimum, the log or database will include the date of the written complaint or grievance, a brief description of the issue, the resolution or outcome, and the date of resolution.

#### **K. Monitoring and Reporting**

Southwestern is committed to continuous improvement and uses information from student complaints and grievances to identify areas for improvement. Southwestern will periodically analyze complaint and grievance records to discern any patterns or recurrent issues.

Starting in June 2025, every three years, the Vice Deans will review all formal written grievances and complaints received during the prior 3 years to determine if patterns exist that could indicate a compliance concern with ABA or WSCUC accreditation standards. In preparation for any ABA site evaluation or WSCUC visit, the Vice Deans will conduct a similar review. The Vice Deans will report their findings to the Dean by August 15 of the review year; the report should summarize their findings, identify any patterns, and propose a response. Starting with the 2025–2026 academic year, the Dean will report any notable patterns of formal grievances or complaints and responsive actions to address the patterns to the faculty in executive session and to the Academic Affairs Committee of the Board of Trustees.

In addition, starting in 2026, by July 30 of each year, the Associate Dean of Student Services or their designee will compile an annual summary of formal written grievances and complaints received and their resolution. This summary, which should not contain any personally identifiable information, will be submitted to the Dean by August 15. Each September, the Dean will share the summary with the full-time faculty in an executive session and with the Academic Affairs Committee of the Board of Trustees. The Dean may also choose to share the information with other Southwestern administrators and staff as part of the school's commitment to continuous improvement.

The purpose of this monitoring and reporting is to keep institutional leadership informed of student concerns and to close the feedback loop by addressing systemic issues. When patterns or recurring issues are identified, the law school will document any actions taken to address those issues in an internal memorandum maintained by the Dean's Office and shared with faculty and the Board's Academic Affairs Committee.

## **L. Protection Against Retaliation**

Southwestern strictly prohibits retaliation against any student who, in good faith, makes a complaint or grievance under this policy (or any other Southwestern policy) or against any individual who participates in the investigation or resolution of a complaint or grievance.

Retaliation includes any adverse action or threat aimed at penalizing or intimidating an individual for filing a complaint or grievance, supporting a complaint or grievance, or otherwise being involved in the process. Any faculty member, employee, or student who retaliates against a person for using this policy in good faith will be subject to disciplinary action under the appropriate conduct code, handbook, or manual (for students, this means the Student Honor Code or Code of Student Professionalism and Conduct; for employees, it means the Employee Handbook or a specific policy; for full-time faculty, it means the Faculty Manual or a specific policy; for adjunct faculty, it means the Adjunct Faculty Manual or a specific policy).

If any person believes they are experiencing retaliation related to a complaint or grievance, they should immediately report the situation to the Associate Dean for Student Services ([studentservices@swlaw.edu](mailto:studentservices@swlaw.edu)) or the General Counsel ([generalcounsel@swlaw.edu](mailto:generalcounsel@swlaw.edu)). The law school will take prompt action to investigate and address any alleged retaliation.

Southwestern's goal is to ensure that individuals can freely express concerns, pursue complaints and grievances, and participate in grievance and complaint processes without fear of reprisal, which is essential to maintaining an environment of accountability and fairness.

## **M. Frivolous or Bad-Faith Complaints/Grievances and False Information**

### **1. Definitions and prohibitions**

#### ***a. Frivolous complaint or grievance***

A frivolous complaint or grievance is one that lacks any serious merit or purpose. This definition includes matters that are trivial, insubstantial, or clearly *without a good-faith basis*. For example, a complaint that is implausible or so minor that pursuing it would be a waste of institutional time and resources may be deemed frivolous. See Section A.4.a above for more on the scope of the formal grievance process in this policy.

Complaints and grievances brought for an *unreasonable purpose*—such as solely to harass or annoy the subject of the complaint—are also considered frivolous and an abuse of the complaint and grievance process. Submitting a frivolous complaint or grievance is prohibited under this policy.



**b. *Bad-faith complaint or grievance***

A bad-faith complaint or grievance is one filed with malicious intent or knowledge of its falsity. In other words, it is lodged knowing that it is false, or with the intent to deceive or mislead those investigating the matter. This definition includes complaints or grievances filed for retaliatory or other improper motives (e.g., to harm someone's reputation without cause or to divert attention from one's own misconduct). Submitting a bad-faith complaint or grievance is prohibited under this policy.

A complaint or grievance made in good faith that is *not* substantiated is *not* considered false or a bad-faith complaint or grievance under this section.

**c. *False information***

Knowingly providing false, fabricated, or misleading information or evidence at any stage of a complaint, grievance, investigation, or appeal process is prohibited. All participants in these processes are expected to be completely truthful. This prohibition applies to any individual involved, including the student who initiates the complaint or grievance, as well as any Respondent, witness, or third party who submits information in connection with the matter. Deliberately providing false information is prohibited under this policy. This provision is aimed at deterring intentional dishonesty, not discouraging legitimate grievances; thus, a good-faith complaint that is unproven will *not* be penalized.

**2. *Consequences***

Filing a frivolous or bad-faith complaint, or knowingly submitting false information in a complaint or grievance process, is a serious offense. Anyone who engages in such conduct will be subject to appropriate disciplinary action. In the case of a student, this may include referral for discipline under the Student Honor Code or the Code of Student Professionalism and Conduct, as providing intentionally false or misleading information to the law school is a violation of those standards. For faculty and staff, such conduct may result in disciplinary action under the applicable Faculty Manual, Adjunct Faculty Manual, or Employee Handbook procedures (for example, false reports by a staff member will be referred to Human Resources, and false reports by a faculty member will be referred to the Vice Dean(s) for handling). Potential sanctions will depend on the severity of the conduct and the applicable code, manual, or handbook, and may include measures up to and including dismissal from the law school or termination of employment. Southwestern will handle each case on an individual basis but will do so with the understanding that frivolous complaints, bad-faith

complaints, and deliberate falsehoods threaten the fairness and efficacy of our processes and therefore will not be tolerated.

**N. Questions**

Any questions about the interpretation or application of this policy should be directed to the Associate Dean for Student Services ([studentservices@swlaw.edu](mailto:studentservices@swlaw.edu)).

**O. Policy Revisions**

Southwestern reserves the right to change, modify, or update any aspect of this policy at any time, with appropriate notice to the law school community. Generally, the law school will provide at least 15 days' notice to students, faculty, and staff before a material change to this policy takes effect. Notice may be given via email, campus announcement, or posting on the law school's policy website. Complaints or grievances that were initiated before a policy change will typically be handled under the policy provisions that were in effect at the time the complaint was originally submitted, unless both the student and the law school agree to proceed under the updated policy.

## Appendix A

### Form of Statement of Parties' Rights and Responsibilities

This Statement distills the key rights and responsibilities for Parties who participate in the complaint, grievance, or ABA Standard 510 process ("the Process") set forth in Southwestern Law School's Student Complaint and Grievance Policy and Procedures (Including Complaints Implicating ABA Standards) ("the Policy"). This Statement must be read in conjunction with the Policy; if any conflict exists, the Policy prevails. Capitalized terms have the same meanings given to them in the Policy.

#### I. Universal Rights (Apply to All Participants)

- **Fair Treatment.** To have the matter handled impartially and without bias.
- **Timely Action.** To expect the law school to follow the deadlines and time frames in the Policy—or to be told in writing when and why more or less time is required.
- **Notice.** To receive prompt written notice of (a) the allegations or issues under review, (b) major Process deadlines (e.g., appointment of the Grievance Officer, extensions), and (c) the final outcome.
- **Confidentiality & Privacy.** To have information shared only with those who have a legitimate need to know, consistent with FERPA and other privacy laws.
- **Freedom from Retaliation.** To be protected from, and to report, any adverse action taken because of good-faith participation in the Process.
- **Advisor or Support Person.** To consult with, and have present in any meeting, an advisor or support person of one's choice (who is not a material witness), provided that person agrees to the school's rules for participation.
- **Reasonable Accommodations.** To request accommodations under the Disability Accommodations Policy (Including Standards for the Study of Law) for full and equal participation in the Process.
- **Conflict-Free Decision-Maker.** To object, on the record and with reasons, to the appointment of a Grievance Officer who has an actual or reasonably perceived conflict of interest.
- **Written Record.** To receive (or have access to) the written decision explaining the findings, conclusions, and any remedies.
- **Right to Appeal.** To seek review by the Dean on the limited grounds and within the time limits stated in Section E of the Policy.

#### II. Universal Responsibilities (Apply to All Participants)

- **Good Faith.** To raise complaints, defenses, or objections honestly and without intent to harass or obstruct.

- **Truthfulness.** To provide accurate, complete, and not-misleading information; knowingly submitting false information is a violation of the Policy.
- **Timeliness & Cooperation.** To meet all deadlines, appear for scheduled meetings, and produce requested documents or evidence.
- **Privacy Protection.** To respect the confidentiality of the Process and refrain from improper disclosure of sensitive information.
- **Notice:** To provide 48 hours' notice when an Advisor will attend a meeting.
- **No Retaliation.** To refrain from any form of intimidation, threat, or adverse action against another participant.

### **III. Additional Rights & Responsibilities of Complainants**

#### **Rights**

- To choose whether to pursue informal resolution first, except where safety or accreditation concerns require immediate formal action.
- To file a written grievance, including an ABA Standard 510 complaint, consistent with the scope and deadlines in the Policy.
- To describe the requested remedy and to submit supporting evidence and witness names.
- To be kept reasonably apprised of the status of the investigation.

#### **Responsibilities**

- To furnish all required information listed in Section A.4.c of the Policy.
- To update contact information promptly if it changes during the Process.
- To participate in meetings or interviews requested by the Administrator or Grievance Officer.

### **IV. Additional Rights & Responsibilities of Respondents**

#### **Rights**

- To receive a copy or summary of the written grievance and notice of the allegations within approximately three business days after the grievance is accepted.
- To submit a written response (and evidence) within the timeframe specified by the Administrator, normally seven calendar days.
- To review and rebut information that may be relied upon in reaching a decision, consistent with privacy protections.

#### **Responsibilities**

- To provide a complete, truthful, and timely written response.
- To preserve potentially relevant documents and other evidence.

- To refrain from discussing the matter with potential witnesses in a manner that could be perceived as pressure or retaliation.

**V. Rights & Responsibilities of Witnesses and Other Participants**

- **Rights:** To receive reasonable notice of any interview; to raise concerns about personal safety, retaliation, or needed accommodations; and to have questions limited to matters relevant to the grievance.
- **Responsibilities:** To cooperate fully and truthfully; to maintain the confidentiality of the Process; and to avoid retaliatory conduct.