

LOS ANGELES COMMUNITY COLLEGES
OFFICE OF THE CHANCELLOR
ADMINISTRATIVE REGULATIONS

INDEX NUMBER E-63

REFERENCE:	TOPIC: Journalism and College Newspaper Grievance Procedure
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CHANGES:	DATE OF CHANGES:

The following regulations relate to student journalism and college newspapers:

1. GENERAL POLICY

The policy of the Los Angeles Community College District is that each college newspaper is published as a learning experience, offered under the journalism instructional program. The editorial and advertising materials published in each newspaper, including any opinions expressed, are the responsibility of the student newspaper staff. Under appropriate state and federal court decisions, these materials are free from prior restraint by virtue of the First Amendment to the United States Constitution.

This procedure is adopted so as to encourage a responsible exercise of such freedom.

2. JOURNALISM GRIEVANCE PROCEDURES

a. Definition of a Grievance

A grievance is a complaint that

- 1) alleges facts which, if true, would demonstrate a violation of the grievant's right to free inquiry, free speech, or fair treatment;
- 2) contains allegations that appear to be substantially credible; and
- 3) is not frivolous.

b. Informal Grievance Proceedings

A grievance is initiated by completing the "Complaint Form" (these forms may be obtained in the Office of the College President at each college) and by filing the completed form with the college president. A signed and dated copy of the form will be sent to the grievant, to each member of the college community named in the

complaint, to the editorial board of the newspaper involved, and to any other interested person. The grievance shall first be reviewed by the editorial board of the newspaper involved. The editorial board shall prepare a written response to the grievant within ten (10) school days. The grievant may appeal the response to the Review Board (d) within ten (10) school days of the response of the editorial board.

c. Formal Grievance Proceedings: Review Board

A Review Board of three journalism professionals, who are not employees of the District, shall be selected by the college president from a panel appointed by the Los Angeles Journalism Professors Association. Every attempt shall be made to ensure that the Review Board is reasonably balanced ethnically, racially and sexually. Every attempt shall be made to ensure that the Review Board shall have no prior involvement in the matters that led to the complaint. A resource person, not in any way involved in the case, shall also be appointed by the college president. The grievant may challenge, for case, the selection of the Review Board members. The college president shall rule on all challenges and his or her decision shall be final.

The Review Board shall receive a copy of the grievant's complaint and the response of the editorial board. As soon as reasonably possible after the receipt of the complaint, a meeting will be scheduled. The grievant, the parties named in the complaint, and other interested persons shall be notified by mail of the meeting have the right to address the Review Board at this scheduled hearing. The purpose of the meeting shall be to afford all parties involved a fair and impartial review.

If the complaint does not meet all of the standards indicated in the definition of a grievance (Section 5b), the Review Board shall recommend termination of the grievance.

As soon as reasonably possible after the meeting, the Review Board shall determine whether a violation has been demonstrated and, if so, whether the requested relief should be recommended. If the Review Board determines that some remedial action should be taken, it will make an appropriate recommendation to the college president. Recommendations for relief need not be limited to that requested by the grievant and may include a change in college policy. The president may accept or reject the

recommendation of the Review Board. The president shall advise the grievant and all others involved of his or her decision. If the president determines that a violation exists by that the violation is a result of District policy or other reasons beyond the control of the college, the president shall make an appropriate recommendation to the Chancellor.

d. Meeting Procedures:

- 1) Conduct: The Review Board shall make all ruling on matters relating to the conduct of the hearing, including:
 - a) matters regarding admission of evidence;
 - b) the calling and questioning of witnesses;
 - c) whether the meeting shall be open or closed;
 - d) whether a tape recording of the meeting or notes of the meeting shall serve as the official record of the meeting. The grievant shall be given a copy of the official record of the meeting. The grievant shall be given a copy of the official record of the meeting upon request, provided the college is reimbursed for its expense in providing the copy.

The Review Board shall maintain an orderly meeting and permit no person to be subjected to abusive treatment. In this regard, the Review Board may eject or exclude any person who refuses to be orderly.

- 2) Access to College Records: The Review Board, upon request of the grievant, the college representative, other interested persons, or the board on its own motion, may officially request copies of all college records that are relevant to the complaint and that may lawfully be released by the college. The Review Board shall refuse to request such records if it determines that the burden of producing them outweighs their probative value.
- 3) Consultation: The Review Board may consult with any college or district office on the basis of the Board's need, or at the request of the grievant, the college representative or other interested persons.

4) Retention of Records: All grievance records shall be retained at the college for a period of three years.

e. Appeal:

The college newspaper grievance process in no way reduces or eliminates other avenues of appeal such as the student Grievance Procedure (E-55), or grievance procedures for classified and certificated employees.

f. Board of Trustees

As with all matters, a grievance may be taken to the Board of Trustees for its consideration. However, the Board of Trustees shall consider no action until the newspaper grievance process has been completed.