



Home | Calendar | Academic Affairs | Student Affairs | President's Office | Directory | JOBS | Giving to PVAMU

## Business Affairs

- ▶ Our Mission
- ▶ Contact Information
- ▶ Organization Chart
- ▶ Staff Directory
- ▶ Forms Library
- ▶ Policy Library
- ▶ Reports Library
- ▶ Training Library
- ▶ Business Affairs Online Services
- ▶ Professional Development
- ▶ Business Affairs Calendar
- ▶ Office of VPBA Presentations
- ▶ Send us your comments

### Business Affairs Services

- ▶ Administrative Memoranda
- ▶ Compensation Pay Plan
- ▶ Financial Aid Policies & Procedures
- ▶ Human Resources Policies
- ▶ Information Security Standards
- ▶ Parking Rules & Regulations
- ▶ **PVAMU Administrative Procedures**
  - General
  - President's Delegations and Authorizations
  - ▶ Procurement
  - ▶ Budget & Payroll
  - ▶ Cash Management
  - ▶ Accounting and Safeguarding of Assets
  - Traffic and Parking
  - ▶ Travel
  - ▶ Human Resources
- ▼ **Students**
  - Installment Late Fee
  - Release of Fiscal Holds
  - Dropping Students for Nonpayment
  - GSL Delayed Disbursement
  - Administrative Pending
  - Student Accident Insurance
  - Scholarships, Fellowships, Assistantships and Stipends
  - Student Employment
  - Book Vouchers
  - Criteria for State Funded Scholarships
  - Tuition Rebates for Certain Undergraduates
  - International Education Financial Aid Fund
  - Administration of Student Organization Funds
  - **Student Grievance Procedures -**

Home Student Portal Panther Email Printable Version

Home » Forms, Policies & Reports » Policy Library » PVAMU Administrative Procedures » Students » Student Grievance Procedures - Discrimination

## Students

### 70.17 Title IX/Title VI Discrimination (Student Grievance Procedures)

Revised: June 1, 2008

#### Title IX

##### **Prohibition Against Sex Discrimination**

Prairie View A&M University prohibits all forms of discriminatory exclusion to include discrimination on the basis of sex under *Title IX of the Education Amendments of 1972* which protects males and females from discrimination based on sex in education programs or activities and states that *"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance."*

#### Title VI

##### **Prohibition Against Discrimination**

Prairie View A&M University prohibits all forms of discriminatory exclusion to include *discrimination on the basis of race, color, or national origin in any programs or activities receiving Federal financial assistance prohibited under Title VI of the Civil Rights Act of 1964* which states: *"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."*

**Prairie View A&M University prohibits retaliation against anyone who files a complaint or participates in an investigation concerning discrimination.**

#### 2) **Informal Grievance Procedures**

Students who believe they have been subjected to discrimination under the prohibitions of either **Title IX** or **Title VI** may use one of the following procedures to resolve their grievance:

2.1 The student may seek a resolution of the matter through discussions with the alleged offender or person responsible for the inappropriate behavior/actions (hereafter referred to as Respondent). Before following this procedure, however, students may choose to seek advice about how best to approach this individual. Students are encouraged to seek assistance from the Student Conduct Officer.

2.2 The student may report the incident or incidents to the Associate Vice President for Student Affairs, Student Conduct Officer; Administrator of Health & Counseling Center, Residence Hall Supervisor or someone in a position of authority that you feel comfortable confiding in and request assistance in attempting to reach an informal resolution of the matter.

The Student Conduct Officer may then contact the Respondent's immediate or general supervisor, who should attempt to resolve the complaint and will maintain the student's confidentiality to the extent provided by under these informal procedures, the student may, at any time, elect to stop further administrative action by withdrawing the complaint.

2.3 The student can also decide to file a formal grievance according to the procedures outlined below.

#### 3) **Formal Grievance Procedures**

Students who believe they have been subjected to discrimination under the prohibitions of **Title IX** or **Title VI** and who elect not to utilize the informal grievance procedures may use the following formal procedures to resolve their grievance:

3.1 Students electing to file a formal grievance must complete the formal standardized Complaint Form through the Office of The Equal Opportunity/Title IX Coordinator ([http://www.pvamu.edu/Include/EEo/complaint\\_form.pdf](http://www.pvamu.edu/Include/EEo/complaint_form.pdf)) and submit a completed copy to the Title IX Coordinator for the University. The grievance should be submitted **within 90 business days** of the incident or incidents.

3.2 The Title IX Coordinator will conduct an impartial investigation and attempt to resolve the grievance, as appropriate, using the following steps:

- A. Review the grievance report from the student.

**Discrimination**

- Lab and Equipment Access Fees
- InterCollegiate Athletics
- ▶ Academic Programs and Faculty
- ▶ Public Affairs and Development
- ▶ PVAMU Rules
- Travel Policies

- B. Interview witnesses
- C. Obtain additional information from the student, as needed
- D. Obtain a response and any additional information deemed necessary from the Respondent
- E. Document and assess the finding of facts, including those agreed upon and those disputed
- F. Attempt a resolution of the grievance between the student and the Respondent as deemed appropriate.
- G. Make a determination as to whether student was subjected to discrimination.

3.3 The investigation should be completed and a written report of the investigation, findings, and determination submitted within (31) working days. If the Title IX Coordinator is unable to complete the investigation and report within this time-frame, he/she shall notify the student in writing and provide an estimated completion date. If the investigation will take longer than 31 days, the Title IX Coordinator will periodically inform the student of the status of the investigation. The complaining student, the respondent, and, as appropriate, the respondent's department head, dean, and vice president will be notified in writing of the outcome of the complaint.

3.4 The Title IX Coordinator will make recommendations to the Associate Vice President for Student Affairs, who will implement the recommendations.

**4.) Appeals**

4.1 The student may appeal in writing the determination made by the investigator to the Vice President for Student Affairs and Institutional Relations by filing a written appeal within 5 business days of receipt of the decision of the Investigator.

4.2 The Vice President for Student Affairs and Institutional Relations will conduct a review with advice from the Office of General Counsel of the student's appeal within 15 business days of receipt. The review will determine if the appeal:

- A. Alleges new facts, which if true, would demonstrate a violation of an anti-discrimination statute or regulation;
- B. Contains new allegations that appear to be substantially credible;
- C. Addresses a violation, which if true, results in a personal wrong to the grievant; and
- D. Is not frivolous.

4.3 If the Vice President for Student Affairs and Institutional Relations finds that the appeal does not meet all of the above criteria, he/she will terminate the appeal and notify the student.

4.4 If the Vice President for Student Affairs and Institutional Relations finds that the complaint meets all of the above criteria, he/she will conduct a complete review of the new findings and make a determination. The Vice President for Student Affairs and Institutional Relations will conduct Interviews and obtain information, as deemed appropriate and necessary, and will draw a conclusion to uphold, modify, or reverse the original determination by the Title IX Coordinator.

4.5. The Vice President for Student Affairs and Institutional Relations will issue his/her final report in response to the appeal. The report will summarize actions taken and determination made. The determination of the Vice President is final.

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P.O. Box 519 - Prairie View, Texas - 77446-0519  
FM 1098 Rd & University Dr, Prairie View, TX 77446  
University Operator: (936) 261-3311  
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