

Grievance Policy for Students

Policy (rev. 1/16/08)

A student who reasonably believes that an improper, unfair, or arbitrary action has been taken by a member of the faculty or staff which involves the application of a specific provision of a college policy, procedure, rule, or regulation that adversely affects his/her status, rights, or privileges as a student has the right to seek redress for such action. Procedures have been established for resolving instructional (i.e., grade disputes), non-grade, and ADA (Americans with Disabilities Act) grievances. The burden of proof in such instances shall rest with the student. Retaliation of any kind taken against a student for participating or not participating in a grievance is prohibited.

Grievance Procedure for Students: Grade Disputes

(rev. 9/12/07)

A. Introduction

1. The purpose of the Grade Grievance Procedure for Students is to provide a method of recourse to students who reasonably believe that a particular course assessment on the part of a college faculty member has violated institutional practices and standards.
2. This procedure is applicable to all students, including Continuing Education students enrolled in courses where performance issues impacts the student's progress toward course or program certification. While the use of this procedure is most appropriate in those instances where a student believes that the instructor in question has misapplied course evaluation standards as outlined in the course syllabus, it is not necessarily limited to this condition.
3. This procedure is not intended to be used as an appeal route for students who disagree with the subjective judgment of their instructor regarding submitted tests and projects. The college relies on, and endorses, the instructor's right to pass expert judgment on all submitted student work. The college also recognizes the instructor as the sole evaluator of all work submitted by students for/in a specific course. This procedure is also not intended to address student concerns regarding harassment or discrimination in the classroom. The college provides separate strategies to students for addressing these issues. Those strategies can be referenced in the student handbook published annually by the college.
4. For the purposes of this Procedure, the college will use "working" days instead of "calendar" days which is the college's standard for use in policy and procedure.

B. Procedures

1. **Informal Level: Student/Faculty Disagreement:**
 The student and faculty member involved in the student's concern or disagreement must first try to resolve the dispute through informal discussion. Preceding this discussion, it is recommended that the student consult with a member of the counseling staff to clarify the issues involved, to explore student options, and to answer questions about the nature of the grievance procedure. If, after meeting with the faculty member involved, the student remains unsatisfied with the resolution of his/her concern, the student may meet with the faculty member and his/her department chair (or appropriate designee). The appropriate Associate Vice President of learning will substitute for the department chair when the Chair is directly involved as a party in the grievance. This meeting must take place within 14 calendar days following the beginning of the subsequent semester (summer and J-term excluded).
 Prior to the meeting, the student must submit a written account of the nature of his or her complaint and a requested remedy/ outcome to the department chair using the appropriate Student Complaint Form. The Complaint Form is available from the area's academic office manager and in the Office of the Vice President for Learning and the Counseling and Advising Office.

If a satisfactory outcome is not reached in consultation with the department chair, a formal grievance can be initiated by the student. The formal grievance, however, must be initiated within 10 calendar days of the student's meeting with the faculty member and his/her department chair. Formal grade grievances may not be initiated without the student's first addressing the informal steps in the Grade Grievance Process.

2. Formal Level: Initiation of the Grade Grievance

a. A formal grievance is started by the student with the submission of an Initiation of Grievance Form to the appropriate department chair. This form is available from the academic office manager of the department and must be signed by the student, the faculty member involved, and the department chair. Any refusal of the faculty member to sign the form should be noted by the department chair and should not inhibit the process from continuing.

b. The department chair must attach the Student Complaint Form to the grade Grievance Form.

c. The student's written summary of issues and requested remedy (Student Complaint Form), and the completed Grievance Form, are sent by the department chair to the Chief Academic Officer (copy to the appropriate Associate Vice President of Learning's office).

C. Formal Grievance Process

1. The formal grievance must be initiated by the student within 10 calendar days of the student's meeting with the department chair at the Informal Level of the Grievance Procedure.

2. The Grade Grievance Committee will be convened by the Chief Academic Officer's representative upon receipt of the Grievance Form from the appropriate department chair. The Grievance Committee shall then meet within 14 calendar days to assess the student's appeal and complaint.

3. A written report of the Committee's decision will be submitted to the Chief Academic Officer within 10 calendar days following the Committee's last meeting. A representative of the Chief Academic Officer will promptly notify the student, faculty member, and department chair of the Committee's decision.

4. The Committee's decision is generally final with no further appeal available to the student or faculty member. However, when the decision of the Committee directly results in the student's displacement from an academic program or in his/her inability to continue with prescribed clinical assignments, the student may appeal to the President. This appeal must be filed within 7 calendar days of the student's receipt of the letter which provided the Committee's decision.

D. Grade Grievance Committee.

The Grade Grievance Committee is convened and administered by a representative of the Chief Academic Officer.

1. Membership

a. Two faculty members

b. Associate Vice President of Learning Operations

c. Two students

2. Method of Selection

a. The faculty representatives shall be appointed by the Chief Academic Officer.

b. The student representatives shall be appointed by the President of the Student Government Association (SGA).

c. The Grievance Committee will select a chairperson who will hold voting privileges.

d. Members of the Committee will serve for one-year terms and may serve unlimited terms.

e. If a member of the Grade Grievance Committee is involved in the grievance, a substitute will be appointed.

E. Procedural Requirements for the Grievance Process

1. The Grievance Committee, in hearing the grievance, shall observe the principles of due process, as defined in Procedure 5.11.C. in its proceeding, including the right of students and staff members to hear and present evidence, and the right to present and confront witnesses.

2. Participation in the deliberation of the Grievance Committee is limited to the student, faculty, and Committee members and shall be confined to those points set forth in the student's written Complaint. The student must present and prove his/her case.
3. The presence of legal counsel is not permitted at any meeting convened under this Procedure, including during the Grievance Committee process.
4. The failure of the student to appeal a decision to the next stage within the designated time period shall constitute a withdrawal of the grievance and bar further action by the student on the grievance. The withdrawal of a grievance by the student at any point in the process bars the student from re-initiating the grievance. Once initiated, the grievance is confined to the student's narrative of complaint originally submitted to the department chair at the Informal Level.
5. The failure by the student to appear for any scheduled meeting without prior notification or evidence of extenuating circumstances shall constitute withdrawal of the grievance appeal.
6. The student may withdraw the formal grievance at any time by written notice to the Chief Academic Officer. Any verbal notice given by the student will be confirmed in writing by the Chief Academic Officer's representative.
7. Student non-compliance with any aspect of the process results in the termination of the grievance process and the dismissal of the grievance.
8. Records of all formal grievances will be retained by the Chief Academic Officer for a period of three years.

Grievance Procedure for Students: Non-grade Complaints

(rev. 9/12/07)

A. Introduction

The purpose of the Grievance Procedure for Non-grade Complaints is to establish a process for students to express and resolve misunderstandings, concerns, or grievances that they have with any college employee in a prompt, fair, and equitable manner. Actions that may be grieved under this procedure include (but are not limited to unless otherwise excluded as defined below) unfair, inequitable treatment, improper application of college policy or procedure, improper disclosure of grades (i.e., FERPA violation), and unprofessional treatment. Although the procedure encourages the resolution of the concern informally, a formal grievance is available should the concern not be resolved informally.

Actions that may not be grieved under this procedure include: 1) actions by another student as these are subject to the college's Code of Student Conduct (College Policy/Procedure 5.11); 2) sexual harassment by a college employee or student (College Policy 3.18/Procedure 5.19); 3) discrimination (College Policy 3.17/Procedure 3.17); 4) American with Disabilities Act (ADA) compliance complaints (College Policy 5.18/Procedure 5.18c); and 5) grade disputes (College Policy 5.18/Procedure 5.18a). Federal, State, and local laws, rules and regulations may not be grieved. The burden of proof shall rest with the student.

B. Procedures

1. Informal Level

The parties involved in the grievance should try to resolve the misunderstanding, concern, or grievance through discussion. Preceding this discussion, it may be helpful for the student to consult with a member of the counseling staff to clarify the issues involved. If, after meeting with the employee involved in the grievance, the student remains unsatisfied, the next step in the informal process is to meet with the employee and his/her supervisor(s). This meeting must take place within fourteen (14) calendar days from the time the student knew or reasonably should have known about the fair or unjust treatment. If a satisfactory outcome is not reached, a formal grievance can be initiated. A formal grievance must be initiated within ten (10) calendar days of meeting with the employee and his/her supervisor(s).

2. Initiation of Formal Grievance

- a. A formal grievance is initiated with the Initiation of Grievance form which must be signed by the student, employee involved in the dispute, and the employee's supervisor(s). Should the employee refuse to sign the form, that refusal shall be noted by the supervisor(s) and should not inhibit the process from continuing. Documentation supporting the complaint should be attached to the form. The Initiation of Grievance form may be obtained from the offices of the Vice Presidents for Learning, Learning Support, and the Counseling and Advising Offices.
- b. The form and relevant documentation is sent from the supervisor(s) to the appropriate department administrator who will act on the complaint. The student will be notified of the administrator's decision in writing within ten (10) calendar days after the formal grievance is filed. If the student is unsatisfied with the decision of the department administrator, he/she may appeal to the Vice President to whom the department reports. The appeal must be in writing and submitted to the appropriate Vice President within five (5) calendar days of receiving the department administrator's notification of his/her decision. The Vice President will meet with the student within five (5) calendar days of receiving the student's appeal. The decision of the Vice President is final and will be communicated to the student in writing within five (5) calendar days of meeting with the student.
- c. A written report of the Vice President's decision will be maintained in the respective Vice President's office or in the case where a grievance is filed against a Vice President, the file will be maintained in the Office of the President.

C. Procedural Requirements for the Grievance Process

- a. Legal counsel is not permitted during the grievance process.
- b. No retaliation of any kind shall be taken against a student for participating or refusing to participate in a grievance. Retaliation may be subject to action under the Code of Student Conduct or applicable employee policies and procedures.
- c. The failure of the student to appeal a decision within the designated time period shall constitute a withdrawal of the grievance and bar further action by the student on this grievance. The retraction of a grievance by the student at any point in the process bars the student from re-initiating the grievance.
- d. The failure by the student to appear for any scheduled meeting without prior notification or evidence of extenuating circumstances shall constitute withdrawal of the grievance or appeal.
- e. The student may withdraw the formal grievance at any time by written notice to the appropriate Vice President.
- f. Grievance records will be held in the appropriate Vice President's office or, in the case where a grievance is filed against a Vice President, in the Office of the President. Records will be held for a period of three years after which the records will be destroyed.