

## INSTITUTIONAL DIRECTIVE 8-15

March 12, 2007

### Title: Student Complaint Procedure

#### I. Purpose

The purpose of this directive is to provide a system to channel student complaints concerning:

- A. Alleged discrimination on the basis of age, gender, race, disability or veteran's status, excluding sexual harassment complaints. Because of the sensitive nature of this kind of complaint, a conference with the Vice President may replace the first step of the grievance procedure. The Vice President will counsel with the student to determine the appropriate action that is required.
- B. Alleged sexual harassment complaints should be directed to the Vice President for Student Development. Because of the sensitive nature of this kind of complaint, a conference with the Vice President will replace the first step of the grievance procedure. The Vice President will counsel with the student to determine the appropriate action that is required. If the grievance is not resolved after this meeting, then the remainder of the grievance procedure will be followed.
- C. Academic matters, excluding individual grades, except where the conditions in item A or B above apply.

#### II. Policy

It is the policy of Piedmont Technical College to provide students with a clear effective means of lodging and resolving complaints concerning discrimination or academic matters.

#### III. Responsibilities

- A. The Vice President for Student Development will be responsible for implementing and assuring the effective operation of the complaint in cases related to discrimination and sexual harassment. Cases having to do with instructional matters, will be the responsibility of the Vice President for Academic Affairs/Chief Educational Officer.
- B. The Deans and Directors of all operating units will have the responsibility for assuring that all faculty and staff are aware of and adhere to this process.
- C. The Department Heads will have the responsibility for assuring that these procedures are known to and followed by full-time and part-time faculty and by their curricular students.

Office of Responsibility: Vice President for Student Development

#### **IV. Procedures**

##### **A. First Step**

The student must go to the instructor or staff member where the alleged problem originated. An attempt will be made to resolve the matter equitably and informally at this level. The conference must take place within ten (10) instructional weekdays of the incident which generated the complaint.

##### **B. Second Step**

If the grievance is not resolved at the informal conference, the student may file a written grievance. A grievance form (8-15A) shall be made available to the student from the Vice President of Student Development. The Vice President will explain the grievance process to the student. The Vice President shall give written acknowledgment of receipt of the grievance form. This acknowledgment shall be given immediately or no later than two (2) instructional weekdays after receipt of the grievance form from the student. The Vice President of Student Development will then refer the grievance to the immediate supervisor involved. The supervisor shall respond in writing to the student within ten (10) instructional weekdays of receipt of the grievance form from the Vice President. As a part of the effort to resolve the issue, the supervisor will consult with the accused, and the dean of the academic division.

##### **C. Third Step**

If the written statement of the supervisor does not satisfy the grievant, a request to appear before the Student Grievance Committee may be made. The student must submit the request within five (5) instructional weekdays after receiving the written response of the supervisor. The request shall include a copy of the original grievance form and the reason why the supervisor's response is unsatisfactory. A copy of the supervisor's response must be attached to the request by the student. The Vice President of Student Development shall notify immediately the President of the college who shall insure that a committee is organized in a manner consistent with Section V, A of this procedure (The Student Grievance Committee). The Vice President of Student Development will send copies of the appeal to the members of the committee, the employee, and the employee's supervisor. The employee against whom the grievance was filed shall be given an opportunity to respond in writing to the chairperson of The Student Grievance Committee.

Meeting(s) shall be conducted between five (5) and fifteen (15) instructional weekdays following the date of the appeal. The chairperson may grant a postponement if either party submits a written request no later than five (5) instructional weekdays prior to the scheduled meeting. The Committee shall hold interviews with the grievant, the employee, and the supervisor, singularly, and in the absence of other witnesses. The Committee may interview any additional witnesses that it considers necessary to render a fair decision. The Committee shall decide by a majority vote the solution of the grievance. In case of a tie, the chairperson shall vote and thus break the tie. The chairperson shall forward a copy of the committee's decision to all parties involved and to the Vice President for Academic Affairs/Chief Educational Officer (Academic matters) or to the President of the college (alleged

discrimination and sexual harassment) within two (2) instructional weekdays of the committee's decision.

D. Fourth Step (Academic matters)

The Committee's decision may be appealed by either party involved to the Vice President for Academic Affairs/Chief Educational Officer who will hear the complaint, interview the necessary parties, and receive advice from those deemed necessary. The Vice President/Chief Educational Officer will record his/her decision on Form 8-15B within ten (10) instructional weekdays and forward a copy to the student and the instructor or staff member. The decision of the Vice President for Academic Affairs/Chief Educational Officer will be deemed final.

OR

Fourth Step (Alleged discrimination and sexual harassment)

The Committee's decision may be appealed by either party involved to the President who will hear the complaint, interview the necessary parties, and receive advice from those deemed necessary. The President will record his/her decision on Form 8-15B within ten (10) instructional weekdays and forward a copy to the student and the instructor or staff member. The decision of the President will be deemed final.

**V. The Student Grievance Committee**

A. The Student Grievance Committee shall be composed of the following:

1. Three (3) students recommended by the governing body of the Interclub Council.
2. Two (2) faculty members recommended by the Vice President for Academic Affairs.
3. One (1) Student Development staff member recommended by the Vice President for Student Development.
4. One (1) administrator, other than the CSSO, appointed by the President of the college, who shall serve as chairperson of the Committee.
5. All recommended members must be approved by the President.

B. Purpose and Function of Grievance Committee

1. All student grievance committees are ad hoc and shall be formed to hear specific complaints. A new committee may be formed every time that a grievance covered under this procedure is filed.
2. Whenever a committee is formed, it may adopt additional rules and guidelines not in contradiction with these procedures.

C. Rights of the Parties Involved in a Grievance

When a grievance committee meeting is scheduled, the parties involved are entitled to:

1. A brief description of the complaint, including the name of the person filing the complaint.
2. A written notice of the time and place of the meeting. This notice shall be forwarded to all parties at least five (5) instructional weekdays prior to the meeting unless they waive this requirement.

3. Review all available evidence, documents or exhibits that each party may present at the hearing. This review must take place under the supervision of the Vice President for Student Development.
4. The names of the witnesses who may be called to testify.
5. Appear in person, present information on his or her behalf, and present additional evidence to the committee, subject to the Committee's judgment that the evidence is relevant to the appeal.
6. Call witnesses who are dismissed after providing testimony and responding to questions posed by the Committee and either party in the appeal.
7. The right to an advisor. The advisor shall not address the Committee or ask any witness(es) questions. Payment of legal fees is the student's responsibility.

**VI. Hearing Procedures**

- A. Hearings are closed to the public. When testimony is being given, only the committee members, the student and his/her advisor, the employee and his/her, and the witness giving testimony may be present. During deliberations, only the members of the committee may be present.
- B. Hearings are informal and a taped transcript of the testimony presented during appeal hearing will be made. The committee's deliberations are not tape-recorded. After resolution of the appeal, the tape will be kept in the office of the Vice President of Student Development or designee. Either party in the appeal may listen to this tape under the supervision of the Vice President of Student Development
- C. The Committee may question the student and the employee. The Committee may also question employee's supervisor and any additional witnesses that it considers necessary to render a fair decision. Questions must be relevant to the issues of the appeal.
- D. Both parties to the appeal may ask questions of the other during the meeting. These questions must be relevant to the issues of the appeal. The chairperson of the Committee will determine the appropriateness of the questions.
- E. The student shall bear the burden of proof.
- F. The Committee shall decide the solution of the grievance by a majority vote. In case of a tie, the chairperson shall vote and thus break the tie.
- G. The chairperson shall forward a copy of the Committee's decision to all parties involved and to the office of the President of the college within 2 instructional weekdays of the Committee's decision. This letter will include a rationale for the Committee's decision

<b><u>Original Signature on File</u></b>	<b><u>3/12/07</u></b>
<b>Approved for Publication</b>	<b>Date</b>