

# STUDENT GRIEVANCE POLICY AND PROCEDURE

## Policy

A student grievance exists when a student claims that a violation, misapplication, or misinterpretation of a Parkland College policy, procedure, or practice has occurred. A student filing a grievance should follow the procedures outlined.

## Procedures

Should a condition exist that a student feels is in violation of the rules, procedures, policies, or other standards of the college, it is important that he or she bring it to the attention of the appropriate person or committee.

During the process of a grievance, all procedures, meetings, names, and related information will be confidential unless otherwise mutually agreed upon by all the parties involved.

## Informal process

It is best for everyone concerned if problems can be resolved informally. Therefore, before the formal grievance process is instituted, the student is expected to meet with the person whom s/he believes has violated, misapplied, or misinterpreted the policy or procedure. If the student does not believe that s/he is able to do that, s/he needs to meet and discuss the incident with the supervisor of the staff or department chair of the faculty member. This meeting needs to take place no later than twenty (20) days after the occurrence that gave rise to the complaint. The vice president for student services is available to give students guidance in the informal process as well as in the formal process.

If a student believes s/he has been discriminated against because of race, color, sex, gender, gender expression, national origin, religion, age, veteran status (including Vietnam veteran), marital status, ancestry, disability or sexual orientation in any way by college personnel, it is important that s/he bring the situation to the attention of the employee relations manager in the Office of Human Resources, vice president for student services, or a designee named by the president if there is a potential for a conflict of interest (e.g., the condition involves the department of human resources or vice president). If a student believes s/he has been discriminated against because of disability, it is important that s/he bring the situation to the attention of the coordinator of disability services.

## Formal process

If the student is not satisfied with the results of the informal process, s/he should initiate the formal process no later than thirty (30) school days after the occurrence that caused the complaint. (School days are defined as weekdays - Monday through Friday - when classes are in session during the fall and spring semesters). Items not resolved prior to the end of the spring semester or during summer semesters may be suspended until the first day of classes of the immediate subsequent fall semester, following the guidelines below.

1. The student must obtain a Grievance form from the vice president for student services, who will discuss with the student the procedure for filing a formal grievance.
2. As instructed on the Grievance form, the student must submit the grievance to the supervisor of the person charged. The supervisor will immediately deliver a copy to the charged employee, who must respond in writing to the student within five (5) school days and provide the supervisor with a copy of the response.
3. The student, if not satisfied by the reply, or if not in receipt of a reply within five (5) school days, may then appeal, in writing, within five (5) additional school days to the Student Grievance Committee. The student appeal goes to the vice president for student services who will initiate the hearing process. This appeal should include copies of any responses from the charged employee and the supervisor. The chair of the Student Grievance Committee will initiate a hearing within thirty (30) school days.
4. Items not resolved prior to the end of the semester will be suspended until the following semester. The vice president for student services and chair of the Student Grievance Committee may at their discretion continue the grievance process during the breaks or summer sessions.
5. A student utilizing the Student Grievance hearing process is precluded from using the Grade Appeal process for the same occurrence.

## **Student Grievance Committee**

### ***Composition of the committee***

1. The Student Grievance Committee shall be composed of three faculty members from three different disciplines and three students selected from a pool of students approved and trained by the dean of students. In addition, the chairperson of the PCA Student Affairs Committee shall be an ex officio member of the Student Grievance Committee and have voting power only in case of a tie vote.
2. No charged or charging party in a grievance shall serve as a member of the Student Grievance Committee when the grievance is being considered. If the chairperson of the Student Grievance Committee is a party in the grievance, a temporary chairperson shall be appointed by the Parkland College Association's president.

### ***Charge guidelines***

Charges brought before the Student Grievance Committee should be presented in the following format:

1. full name, address, and telephone number (if any) of the person(s) making the charge;
2. full name of each person being charged and a list of specifics against each person charged;
3. a concise, chronological description of the incident(s) on which each charge is based (including dates, times, locations, and persons present);
4. a list and brief description of all physical evidence to be presented to the Student Grievance Committee;
5. a list of all witnesses to be presented and a brief description of the relevance of the testimony of each witness. The list of witnesses must include the name(s) of the charged party(ies) in order for them to be called as witnesses by the charging party. The charging party retains the option to call or not call the charged party(ies) as a witness as long as the charged parties' names appear on the list of witnesses;
6. a description of the recommendation sought from the Student Grievance Committee.

### ***Hearing guidelines***

1. The involved parties shall have the right to be assisted by any relative, Parkland College student, Parkland College employee, or any other designee who serves as an advisor. The advisor's role is limited to advising the student. Each of the involved parties is responsible for presenting his or her own case, and therefore, advisors are not permitted to speak to committee members during the hearing or participate directly in any hearing before a Student Grievance Committee.
2. The hearing shall be private (restricted to committee members, the grievant, the charged party, the parties' advisors, and witnesses).
3. A tape recording of the hearing (except for executive sessions) will be made by a designated employee of the college and copies of the tape recording will be available at cost to the involved parties. No other recordings shall be allowed.
4. The chair of the Student Grievance Committee shall have the power to call the hearing into executive session.
5. The Student Grievance Committee shall consider only information pertaining to the list of specific charges and introduced as evidence at the hearing. The charged must be provided with the list of charges at least one week prior to the hearing. No new charges or evidence may be introduced by the charging party during the hearing.
6. The burden of proof shall lie with the charging party. The charging party may opt not to require the charged party to appear as a witness. However, such option shall not exclude the committee from calling upon the charged employee for testimony if the committee so desires.
7. Seven copies of any materials from either party to be read by the committee must be submitted to the chair no later than ten (10) school days before the hearing.

### ***Hearing procedures***

1. The chair of the Student Grievance Committee will preside over the hearing and introduce all participants.
2. The chair will read aloud the list of the specific charges being made against each charged party and actions sought against each.
3. The charging party will present his or her case first, including testimony of witnesses, if any. Following testimony, each witness may be asked questions. The questioning must pertain to the original testimony. Witnesses will provide information to, and answer questions from, the Student Grievance Committee. Questions may be suggested by the involved parties to be answered by each other or by other witnesses.

Questioning will be conducted by the Student Grievance Committee with such questions directed to the chairperson, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an adversarial environment.

4. The charged party will present his or her case in the same manner as the charging party.
5. Upon conclusion of the charged party's case, the charging party may summarize, followed by the summary by the charged party.

#### ***Report of hearing***

The chair of the Student Grievance Committee shall write or delegate the writing of the final report to be completed within seventy-two (72) hours of the decision, not to exceed 10 school days after the date of the hearing. The report shall consist of the following:

1. a copy of the charges and responses;
2. a summary of the Student Grievance hearing;
3. the conclusions reached by the Student Grievance Committee on the basis of the evidence presented;
4. the recommendations for the disposition of the case. The report shall be sent to the appropriate vice president who will act on or send it to the proper college official responsible for action and will communicate to the parties within five (5) school days, or as soon as possible.

#### ***Withdrawal***

The student may withdraw the grievance at any time.

#### ***Right of appeal***

Within thirty (30) school days after the decision of the Student Grievance Committee is presented, an appeal may be made in writing by either party to the college president. Except as required to submit and explain the basis of new information, an appeal shall be limited to the review of the verbatim record and supporting documents of the Grievance Hearing.

#### ***No reprisals***

No reprisals shall be taken by the Board of Trustees, administration, faculty, or staff against any student or faculty because of participation in a grievance.

#### ***Grievance records***

Grievance records will be maintained for at least one year by the vice president for student services.

For more information concerning the student grievance process, contact the vice president for student services.