

**POLICIES AND PROCEDURES
OUACHITA TECHNICAL COLLEGE**

SUBJECT AREA: **Student Services**

POLICY/PROCEDURE: **Student Grievance Procedure**

DATE: **December 10, 2003**

COPP 5.55

REVISIONS: **03/31/09**

Purpose

The faculty, staff, and administrators of Ouachita Technical College are committed to helping students succeed.

Policy

When students have concerns or problems with any aspect of their college experience, they have the right to a fair dispute resolution. To ensure that procedural rights of due process are accorded to all students, the following procedure is established:

Student Grievance Procedure

Student conflicts are categorized as academic or non-academic. Those that involve coursework are considered academic and resolution begins with the student's instructor. If the conflict is non-academic, resolution is between the student and the College staff member. In either case the student must meet with the employee, describe the problem, and propose one or more possible remedies. At this stage, the student should be open and willing to resolve the matter before escalating it to a formal grievance.

Step 1. If an academic problem cannot be resolved between the student and the instructor, the student may take the concern forward to the Department/Division Chair. If a non-academic problem cannot be resolved between the student and the staff member, the student may take the concern forward to the staff member's immediate supervisor or supervisors.

The student must put the grievance in writing to appeal it beyond the instructor or College staff member level. The written grievance must be made by filling out the Grievance Procedure and Report Form, including the desired remedy, and submitting it, within three (3) working days of the incident, to the Department/Division Chair if it is an academic problem or to the College staff member's supervisor if the problem is non-academic. The Department/Division Chair or supervisor shall investigate and review the complaint (this usually includes a meeting with the Grievant/Appellant to discuss the complaint) and shall then provide the student with a written response within five (5) working days.

Step 2. If the student disagrees with the resolution of the problem by the Department/Division Chair or staff member's supervisor, the student may appeal the decision to the next level and opt to appeal it to either the Student Appeals Committee or to the Vice President level. The appeal must be in writing by filling out the Grievance

Procedure and Report Form, including the desired remedy, by submitting it, within three (3) working days of the response from Step 1 above, to either the appropriate Vice President or Chair of the Student Appeals Committee. The written appeal must also include a clear indication as to which option the student chooses (Vice President or Committee) along with the completed Grievance Procedure and Report Form.

If the student so opts, the Vice President shall investigate and review the complaint (this usually includes a meeting with the Grievant/Appellant to discuss the complaint and may include interviewing a witness if one of the parties requests it) and shall then provide the student with a written response within five (5) working days.

If the student so opts, the Student Appeals Committee will meet, at a time and place which is convenient for the Committee, to hold a hearing on the student grievance. The Appellant will be notified by the Chair of the Student Appeals Committee in writing as to the time, place, and conduct of the meeting. The Appellant may bring one representative into the meeting with them. The Appellant may also bring one witness to the meeting, but the Chair will invite the witness into the meeting room at the appropriate time then dismiss the witness at the appropriate time. The College employee against whom the grievance is directed may also have one representative and bring one witness to the meeting the same as the Appellant is allowed to do.

The Chair will introduce all the parties, the Committee will review the Grievance Procedure and Report Form submitted by the Appellant and the written response from Step 1 above and then begin the hearing of the complaint from the Appellant. The Appellant and the representative will have up to thirty minutes to present the complaint to the Committee including the testimony from a witness. The Committee members may ask questions during or after this period of time. Next, the Committee will listen to the other party and/or representative for up to thirty minutes including the testimony from a witness. The Committee members may ask questions during or after this period of time, as well. The Committee is also free to call and interview any other persons whom it deems appropriate.

After both parties have stated their cases and the Committee members feel that they have had all their questions sufficiently answered, the Chair will excuse the parties, their representatives and any witnesses. At this time, the Committee will discuss the case behind closed doors and make a decision based on the information presented. The Chair will report the decision of the Committee in writing along with the Appellant's written appeal documents to the two parties and to the President as soon as possible, but not later than five (5) days from the conclusion of the hearing.

Step 3. If the student is not satisfied with the response of the Vice President or the Student Appeals Committee in Step 2, the decision may be appealed to the President by submitting the appeal in writing along with the previously completed Grievance Procedure and Report Form stating the problem and desired remedy, within three (3) working days of the response from Step 2 above. The President shall review and investigate the complaint (this usually includes a meeting with the Appellant, the

representative, the employee against whom the grievance is directed and a witness that either may bring to discuss the complaint) and shall then provide the student with a written response within five (5) working days. The decision of the President is final unless the student's complaint includes an alleged violation of the student's civil rights or if the President is a primary party to the grievance.

Step 4. If the student is not satisfied with the President's response and if the student's complaint is eligible (involves an alleged civil rights violation or the President is a primary party), the decision can be appealed to the Board of Trustees, through the College President, providing the appeal is submitted within three (3) days of the response in Step 3 above, and the appeal is in writing and includes the completed Grievance Procedure and Report Form and copies of all previous written responses. If a proper appeal is made, the President shall forward the appeal request to the Chair of the Board and the Board shall investigate the complaint in whatever manner it deems appropriate, but if it decides to conduct a hearing, that hearing shall be conducted during the Board's next regular meeting. The Board shall provide a written response to the Grievant/Appellant within ten (10) working days of receiving the appeal request unless the Board conducts a hearing, in which case the written response must be provided within five (5) working days following the hearing.

Time Limits

Time limits are specified to make certain a student will always get a timely resolution to a problem. To ensure this timely resolution, even between terms when many faculty, staff, and students are unavailable, "working days" shall mean: 1. For academic problems, Monday through Friday during a school term when faculty are contracted to be working, excluding Board approved holidays and 2. For non-academic problems, Monday through Friday excluding Board approved holidays and days when the campus is closed according to the official calendar. If during the "working days" time limits specified in Steps 1 through 3, the employee involved, Department/Division Chair, Supervisor, or Vice President are off campus and signed out on official leave status (sick, vacation, personal, family medical, etc.), that step may be skipped and the appeal directed to the next higher authority. In Step 3, if the President is off campus or signed out on leave status, the Grievant/Appellant and the President shall communicate by telephone or email and mutually agree on (1) how the appeal shall be reviewed and (2) how the "working day" time limits might be modified to expeditiously process the appeal under the circumstances. The President shall confirm, in writing, these procedural modifications that have mutual agreement.

If the written grievance or appeal is not presented within the time limits, as set forth above, it shall be considered "waived." If a grievance is not appealed to the next step within the specified time limits, or any agreed upon extension thereof, it shall be considered settled on the basis of the last answer submitted by the person to whom the grievance was presented at that step. If the person required to answer the grievance or appeal at any step does not do so within the required time limits, the Grievant/Appellant

may consider the grievance or appeal denied and appeal it to the next step. The time limit in each step may be extended by mutual written agreement of the Grievant/Appellant and the person(s) to whom the grievance/appeal is being presented. Such extension shall not be unduly withheld by either party.

Hearings

The purpose of any hearing conducted by an authority of the College carrying out this policy is fact finding and problem solving. Any such hearing is an administrative procedure and the College authority conducting the hearing is in charge of the hearing and shall determine the date, time and location of the hearing and shall determine how long the hearing shall go on and how long the testimony of any party may go on and who can speak. Since the hearing is administrative in nature, it is not a court of law and neither strict rules of evidence nor the cross examination of witnesses will not used. The College authority conducting the hearing will ask most of the questions and other questions will only be allowed by permission of the authority.

Office of Civil Rights

Students who feel their civil rights have been violated during these procedures may appeal directly to the U.S. Office of Civil Rights at any time. Students may contact the College Affirmative Action Officer for information on how to file such a complaint.

Grievance Revision Policy

The President, through the Board of Trustees, may revise the Grievance Procedure to ensure compliance with contemporary law.

AUTHENTICATION (Signature):		COPP
_____	03/31/ 09	5.55
President	(Date)	