



### **Purpose**

To provide policy regarding the Student Grievance Process, including the Student Grievance Committee and the Rights of Parties involved in a student grievance.

### **General Policy**

The purpose of the Student Grievance Process shall be to provide a system to channel student complaints against faculty, staff, and students concerning the following:

1. Alleged discrimination on the basis of race, color, national origin, sex, sexual orientation, gender, gender identity, gender expression, pregnancy, disability, age, religion, veteran status, or any other characteristic or status protected by applicable local, state, or federal law.
2. Sexual misconduct, including sexual harassment and sexual violence, complaints should be directed to the Title IX coordinator or Title IX deputy coordinator. Because of the sensitive nature of this kind of complaint, a conference with the Title IX coordinator or the deputy coordinator will replace the first and second steps of the grievance procedure. The Title IX coordinator or deputy coordinator will counsel with the student to determine the appropriate action and/or supportive measures. If the complaint meets the federal definition of sexual harassment, the Title IX complaint procedure will be followed. (See [https://www.johnstoncc.edu/consumer/\\_documents/SexDiscriminationHarassmentPolicy.pdf](https://www.johnstoncc.edu/consumer/_documents/SexDiscriminationHarassmentPolicy.pdf).) If the grievance does not meet the federal definition of sexual harassment, then the remainder of this grievance procedure will be followed.
3. Academic matters, excluding individual grades and attendance.

### **Student Grievance Process**

#### **Student Grievance Steps**

The following steps shall be in place with regard to a Student Grievance:

1. **First Step**

The student must confer with the instructor or staff member where the alleged problem originated, and an attempt shall be made to resolve the matter equitably and informally at this level.

The conference must take place within five working days of the incident which generated the complaint.

**2. Second Step**

If the complaint is not resolved at Step 1 with the faculty or staff member, the student shall meet with the faculty member's Department Chair in consultation with the Associate Vice President or the staff member's direct supervisor within five working days after satisfying step 1. As part of the effort to resolve the issue, the Department Chair or supervisor will consult with the individual who the complaint is directed toward and the Associate/Assistant Vice President or the chief administrative officer of that division.

**3. Third Step (Formal Written Complaint)**

If the complaint is not resolved at the conference with the Department Chair in consultation with the Associate/Assistant Vice President or direct supervisor, the student may file a written grievance with the Vice President of Student Services (or designee). The grievance/complaint form may be obtained from the office of the Vice President of Student Services. The completed grievance/complaint form and the reason why the response of the Associate/Assistant Vice President or supervisor was unsatisfactory must be presented to the office of the Vice President of Student Services/designee within five working days after satisfying step 2.

The Vice President/designee will confirm the composition of the Student Grievance Committee. The Vice President/designee will send copies of the appeal to the members of the Committee, the employee or student, and the employee's supervisor. The employee or student against whom the grievance was filed shall be given an opportunity to respond in writing to the chairperson/hearing officer of the Committee.

Meeting(s) shall be conducted between five and twenty working days following the date of the request. A postponement may be granted by the Chair upon written request of either party if the reason stated justifies such action.

The Committee shall hold interviews with the grievant, the employee and the supervisor. 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/complaint. In case of a tie, the chairperson will vote, thus breaking the tie. The Chair shall forward a copy of the Committee's decision to all parties involved and to the President within two working days.

**4. Fourth Step**

The Committee's decision may be appealed to the President within three working days of the Committee's decision by either party involved.

The President shall review the Committee's findings, conduct whatever additional inquiries deemed necessary and render a decision within ten working days of receipt of the appeal.

**Student Grievance Committee**

The Disciplinary Review Committee shall serve as the Student Grievance Committee.

**Rights of Parties Involved in a Grievance**

When a Student Grievance Committee meeting is scheduled, the parties shall be entitled to:

1. A written notice of the complaint;
2. A written notice of the time and place of the meeting, as forwarded to all parties through their JCC official email account at least three working days prior to the meeting unless waived;
3. Review of all available evidence, documents or exhibits that each party may present at the meeting;
4. Access to the names of the witnesses who may testify;
5. Appearance in person and presentation of information, call

witnesses and submit questions for witnesses to the hearing panel, which will determine whether the questions will be asked.

6. Right to counsel, with the person acting solely to advise the client and without privilege of addressing the Committee. (Sexual misconduct hearings will follow guidelines outlined in the Sex Discrimination and Harassment policy).
7. In cases of sexual misconduct, the complainant and the respondent can have an advisor of their choice present during the hearing.
8. Time Period and Limitations – Reasonable efforts shall be made by all parties to expedite the grievance process. A time limitation specified for either party may be extended by mutual agreement, and the parties are encouraged to work together to reach mutual agreement. If there is no mutual written agreement to extend the time limits, and if a decision at one level is not appealed by the student to the next level of the procedure within the time limits specified, the right of the student to further appeal is terminated.

#### **Related Forms**

- Student Grievance Form: COM – 9.10-A