

Student Complaint Procedure

Spoon River College Policies and Procedures Manual

9.1.10 Student Grievance Procedure

POLICY: Spoon River College has established grievance procedures to resolve academic and non-academic issues and to maintain campus safety and preserve the integrity of the College and its educational environment.

NOTE: Students must use the complaint (aka grievance) procedure located in the College's Anti-Harassment Policy to report incidents of discrimination or harassment including problems related to the discrimination of any student on the basis of sex under Title IX of the Educational Amendments of 1972.

SCOPE:

This policy applies to all Spoon River College students.

DEFINITIONS:

Grievance: A grievance is a formal allegation or complaint that an unjust, improper and/or unfair individual action or activity occurred, which is harmful to the student or students.

Academic Grievance: A concern expressed by a student regarding classroom management and/or conduct, instructional methods, grades, teaching effectiveness or evaluation.

Non-Academic Grievance: A concern expressed by a student regarding any issue other than academic such as: code of conduct, services, or any other student related issues.

Judicial Council: A committee comprised of between three and five students, faculty, and staff to hear a student's first appeal of a decision made by the Dean of Student Services as described below.

DETAILS:

1. If a final decision results in student dismissal, students may appeal for reinstatement by following the *Reinstatement of a Student after Dismissal* policy.
2. Students are expected to:
 - a. First attempt to resolve their concerns with the faculty.
 - b. If such resolution is unsuccessful, the student must contact the appropriate academic dean or designee who will determine what resolution/remedy, if any, is necessary. If resolution is unsuccessful at this level, the student must submit a formal grievance in writing to the Dean of Student Services.

PROCEDURES:

1. **Conference:**
 - a. *Informal:* The Dean of Student Services requests a meeting with the student for a preliminary conference where the student is apprised of his/her basic rights as stated in these rules. Depending upon the nature of the situation, the Dean of Student Services proceeds accordingly in the best interest of the College.
 - b. *Formal:* The Dean of Student Services requests a meeting with the student, in writing, within seven (7) business days for a preliminary conference where the student is apprised of his/her basic rights as stated in these rules. The student is extended the opportunity for an explanation of the conduct in question, but must also provide the Dean of Student Services with a detailed written explanation. Failure of the student to meet with the Dean of Student Services within the prescribed timeframe does not prevent the process of collecting information or the decision to move forward.
2. **Investigation:** The Dean of Student Services, in consultation with an Instructional Dean, considers all evidence, determines the facts, renders a decision, and imposes disciplinary sanction(s) as appropriate. The Dean of Student Services, in writing, identifies the claimed misconduct, infraction, or offense, presents a statement of the full penalty or sanction, and presents a statement of the student's right to due process. This information is provided to the student via personal delivery or by certified, return receipt mail to the last specified address in the student's permanent file.
3. **First Appeal:** To the Vice President or designee. A student may appeal the decision made by the Judicial Council within seven (7) business days from the receipt of notification to the student or attempt to deliver by the College. The appeal must be in writing, with full explanation for the student's appeal, to the Vice President. Any student acquitted of charges after this appeal will be provided an opportunity to make up class work that may have been missed as a result of suspension during the procedural action.
 - a. The Vice President considers all evidence, determines the facts, upholds previous decisions, denies requests, or rescinds the decision and makes appropriate disciplinary sanctions as necessary within seven (7) business days.
 - b. Any student acquitted of charges after this appeal will be provided an opportunity to make up class work that may have been missed as a result of suspension during the procedural action.
 - c. The Vice President notifies the student, by certified mail, of his/her decision regarding the appeal.

Second Appeal: Hearing before Judicial Council. A student may appeal the decision made by the Vice President within seven (7) business days from the receipt of notification to the student or attempt to deliver by the College. A request for an appeal must be made in writing to the Judicial Council Chair. The Dean of Student Services provides the Judicial Council Chair the documentation of alleged misconduct and the nature of all the evidence. Upon receipt of a request to appeal, the student is advised, in writing and by certified mail, on the right, methods, time and place of the hearing at least seven (7) business days prior to the hearing. It is the responsibility of the student to make up class work that may have been missed because of suspension during the procedural action. In all disciplinary hearings conducted, the following procedures shall be observed:

- a. The student is advised of the breach of rules or regulations of which he/she is charged;
 - b. The student is advised of the following rights:
 - 1) The right to present his/her case;
 - 2) The right to call witnesses in his/her behalf; and
 - 3) The right to call witnesses against the accused.
 - c. The Judicial Council holds a hearing, observes the procedures described above, considers all evidence, determines the facts, upholds previous decisions, denies requests, or rescinds the decision and makes appropriate disciplinary sanctions as appropriate.
 - d. Hearing Procedures for Appeal with Judicial Council.
 - 1) The hearings go forward unless the accused notifies the Chair of the Judicial Council a minimum of 24 hours in advance of their impending absence and will give the reason for that absence. Failure by the accused to appear at the hearing will not prevent the Council from hearing evidence or deciding the case.
 - 2) The Chair calls the session to order and reads the breach of rules as charged.
 - 3) The Chair will give an opportunity to the student and the Dean of Student Services to make an opening statement.
 - 4) The Dean of Student Services presents all pertinent information and/or witnesses regarding the claimed breach of rules as related to misconduct.
 - 5) The student, after hearing all evidence presented, may question the accuser or witnesses.
 - 6) The student has the opportunity to present his/her case, including all evidence, witnesses, and no more than two (2) character witnesses from student body, faculty, or staff.
 - 7) The Dean of Student Services has the right to question the student and/or witnesses.
 - 8) The Judicial Council has the right to question the student and/or witnesses.
 - 9) The Judicial Council meets in private to render a verdict.
 - 10) The Judicial Council notifies the student by certified mail that his/her petition has been granted or denied within seven (7) business days of the decision.
4. Decisions at this level are final.