

AIMS COMMUNITY COLLEGE PROCEDURE

STUDENT GRIEVANCE PROCESS

Scope: Aims Community College provides this grievance procedure for its students. A grievance may arise in any matter which the grievant believes violates or inequitably applies written Aims' policies or procedures. The grievant must be personally affected by such violation or inequitable action. Matters that are not grievable include those matters which the College is without authority to act, academic decisions, grades, and disciplinary actions. Academic decisions or other matters which are believed by the grievant to be the result of discrimination on a prohibited basis or harassment should be submitted to Legal Affairs, in writing, according to Aims Community College Procedure 4-101 B.

Informal Resolution: A Grievant is encouraged to resolve the issue informally by use of the process described in Procedure 5-601D, the MAAP process. If that process fails or is impracticable, the grievant should proceed by discussing the concern with the person, or the person's supervisor, who is believed to have caused or contributed to the matter on which the grievance is based (hereafter called the respondent). A respondent may be an Aims' employee, faculty member, student, volunteer, contractor, or client.

Formal Resolution: If informal resolution fails, the grievant may file a written statement of the matters complained of and the remedy sought within twenty (20) calendar days of the incident. Matters filed after this timeframe will be time-barred from consideration and appeal. The written complaint must be filed with the Dean for Student Services. After receipt, the Dean for Student Services will determine whether or not the situation presents a grievable matter. The grievance will be dismissed if the matter is determined not grievable and the grievant will be notified of the reasons. A dismissal of a grievance may be appealed to the President, unless time-barred.

If the matter is determined to be grievable, the Dean for Student Services or designee shall conduct a hearing and establish reasonable rules for the grievance procedure. Fact finding will be conducted which will give the grievant and responding Aims' personnel, who were named in the grievance, an opportunity to explain what they know about the matters surrounding the grievance and to review any related evidence. The Dean for Student Services or designee may choose to hear the information in individual meetings or in a records review. If the grievant is a minor or incapacitated, an advisor of the grievant's choosing may assist the grievant in presenting his or her case. Representation by an attorney during the proceedings is not permitted, except in the case where civil or criminal actions concerning the student are pending, and in that case the attorney's role shall be advisory only and the College's Attorney will also be present. The grievant is responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing except when the grievant is under 18 or incapacitated.

Considering the oral and written statements and comments, the Dean for Student Services or designee shall issue a decision within ten (10) calendar days of the close of the hearing. The decision shall reject the grievance or grant the grievance and make recommendation(s) to resolve

the issue(s). Copies of the decision shall be given to the President's Office, grievant and the respondent either personally or by certified mail to the addresses on file in the Admissions and Records Office.

Appeal Process: The decision of the Dean for Student Services or designee is final unless a Petition for Review by the President is filed with the President, in writing hard-copy, within five (5) calendar days of notification of the decision.

The Petition for Review by the President may be filed only on the following basis:

1. A violation of this procedure; or,
2. The decision was arbitrary and was not based on the facts of the grievance; or,
3. The Grievant or Respondent can provide newly discovered information that was not available during the meetings or hearings conducted in earlier stages of the grievance procedure.

The Petition for Review by the President must clearly articulate which of the above three grounds review is sought or the Petition will be summarily dismissed and the matter will be time barred. The President will not perform a de novo review of the matter.

Upon receipt of a petition, the President will review the record and issue a written decision within ten (10) calendar days of the receipt of the petition. The College President's decision is subject to review by the Board of Trustees pursuant to Policy 0-1100, according to the process detailed below. A Petition for Review by the Board of Trustees must be filed by either party, in writing hard-copy, with the Board Liaison in the President's Office within ten (10) days of notification of the decision by the President.

The Petition for Review by the Board of Trustees may be filed only on the following basis:

1. A violation of this procedure; or,
2. The decision was arbitrary and was not based on the facts of the grievance; or,
3. The Grievant or Respondent can provide newly discovered information that was not available during the meetings or hearings conducted in earlier stages of the grievance procedure.

The Petition for Review by the Board of Trustees must clearly articulate which of the above three grounds review is sought or the Petition will be summarily dismissed and the matter will be time-barred from any further review. The Board of Trustees will not perform a de novo review of the matter.

Review by the Board of Trustees shall be limited to only the written information provided in the above steps. At the Board of Trustees's discretion, after review of the written record, the Board of Trustees may invite either party to a meeting with the Board of Trustees to clarify which of the three grounds is the basis of the appeal or clarify content provided relating to the three grounds listed above. If such a meeting is held, the College's Attorney will be present and the filing-party may bring a person of his or her choosing. Any such meeting will be held in Executive session of a regular or special Board meeting. The filing-party will be required to address the Board of Trustees and may not have their attendee state their case or answer questions on their

behalf. The role of the attendee is advisory only and he or she may only confer with the grievant.

Such a meeting will be limited to thirty minutes and will be limited to questions by the Board of Trustees to clarify matters relative to the three grounds for review detailed above. The Board of Trustees, at their sole discretion, may permit the filing-party to briefly state their case before the questioning. At the conclusion of the meeting, the filing-party and attendee will be dismissed and the Board of Trustees may discuss the matter and render a decision at that time or at a later time. Within thirty days (30) from the meeting with the filing-party, the Board of Trustees will render their decision, in writing hard-copy, to both parties and the President's Office. The President is authorized to take any steps necessary to implement the Board of Trustees' decision.

The scheduling timelines described above may, for good cause, be extended.

FINAL APPROVAL: Dr. Marsi Liddell
Aims Community College President

Date: February 13, 2004

Revised: September 21, 2009
October 21, 2013