

Policy and Procedure

Policy Number: 303 Rev2

Date: 12/23/1998

Revision Date: 02/21/2014

Division/Department: Student Affairs

Author(s): Phil Schroeder/Jay Hutchins, revision 2 – Paula Hoffman

Subject: Student Complaints and Reporting

Authorities: MnSCU policy 3.8 Student Grievances and procedure 3.8.1

Purpose: To give each student at Pine Technical College (the College) clear understanding and due process regarding complaints and appeals that may affect academic standing, participation in programs or activities, or access to any of the college services.

Policy: In accordance with MnSCU policy 3.8 and procedure 3.81, a student has the right to seek a remedy for a dispute or disagreement, including issues of institutional or program quality such as an institution's compliance with the standards of an accrediting agency, or a claim of consumer fraud or deceptive trade practices, through a designated complaint or grievance procedure. The College has established procedures for handling complaints and grievances. These procedures do not substitute for other grievance procedures specified in board or college policies or procedures, regulations or negotiated agreements.

Responsibilities:

Dissemination: Student Handbook, web page,

Reviewed by Campus Roundtable: 3/10/2014

Reviewed by Faculty Shared Governance: N/A

Reviewed by Managers Meeting: reviewed for comment 3/3/2014

Reviewed by Student Senate:

Approved: 3/10/2014

Robert L. Musgrove, Ph.D., President

Appendix

Procedure:

Part 1. Definitions. For the purposes of this policy and procedures the following definitions apply:

Appeal

A request for reconsideration of a grievance decision under Policy 3.8 and Procedure 3.81.

Complaint

An oral or written claim concerning a college or university issue brought by a student alleging improper, unfair, or arbitrary treatment.

Grievance

A written claim raised by a student alleging improper, unfair, or arbitrary action by an employee involving the application of a specific provision of a college policy or procedure, rule or regulation, or a board policy or procedure. This policy does not apply to those college rules or regulations or to board policies or procedures that include an appeal or grievance process.

Retaliation

Retribution of any kind taken against a student for participating or not participating in a complaint or grievance.

Student

An individual who is enrolled in a college or university, a group of such individuals or the campus student government.

Part 2. Complimentary Policies and Procedures

The complaint and grievance policy is used when a student is alleging improper, unfair or arbitrary treatment by faculty or staff. Separate policies and procedures are used for other circumstances, such as:

Petition Policy and Procedures (Policy 311) – used when a student wishes to petition for exception to an established academic or other college policy, procedure or practice.

Grade Disputes (Policy 236) - grading is the sole prerogative of the faculty and is governed by a separate policy.

Discrimination and Harassment (MnSCU policy 1B.1 and College policy 1.B1) – used when action that is of a discrimination or harassment nature directed toward a member of a protected class as defined by law.

Student Code of Conduct (Policy 314) – used when a student or student group is alleged to have violated acceptable academic or social conduct.

Decisions or exit from academic programs with established appeal process – if an academic program has an established procedure and practice, which includes an appeal process, it is the practice of the college to follow the appeal and due process outlined unless a student alleges improper, unfair or arbitrary treatment in the use of the established procedure and practice.

Part 3. Complaints

A complaint is an oral or written claim concerning a college or system issue brought by a student alleging improper, unfair or arbitrary treatment impacting the student's education at

the college. If the complaint is not alleging improper, unfair or arbitrary treatment the complaint may be not be carried past this level within the process.

A. To make or resolve a complaint

1. A student should first attempt to resolve a complaint or concern with the faculty or staff member directly involved or with whom the complaint exists.
2. If the student is uncomfortable approaching the faculty or staff member he/she may select an advocate (other faculty or staff, advisor, counselor, etc.) or make an appointment with the direct supervisor to clarify or seek resolution.
3. Complaints are not required to be written but students are encouraged to write down a) the reason for the complaint, b) a factual summary of the complaint, c) a possible solution or remedy. This documentation may be required if no resolution is found and the complaint proceeds through the complaint and grievance process.
4. If no resolution or agreement is found after the initial complaint, the student has the right to schedule a time to meet with the staff or faculty member's direct supervisor.
5. The direct supervisor will review previous resolution steps, discuss the complaint with the student, the faculty or staff member involved, other appropriate individuals and communicate the answer to the student.
6. Confidentiality requests can be supported but not completely assured.
7. Nothing in this procedure precludes a student from seeking legal counsel at any step.
8. If the complaint is not satisfactorily resolved or addressed, the student may initiate the grievance process.

B. Grievance Procedure

1. If there is no resolution through the complaint procedure and the complaint alleges improper, unfair or arbitrary application of a college or MnSCU policy or procedure, a student may initiate a written grievance. The written grievance must be submitted to the administrator who oversees the faculty, staff or department where the complaint allegedly occurred. The written grievance must include:
 - a. A summary of the incident/violation/complaint,
 - b. Facts of the incident upon which the grievance is based, and
 - c. Steps taken towards resolution and the nature of the resolution that is requested.
2. The administrator shall:
 - a. Seek information from all parties involved
 - b. Provide a written response to the student(s) who initiated the grievance and to the employees who were grieved. Included in the response shall be information on the right to and the process for a grievance appeal.

C. Grievance Appeals

1. A student has the right to appeal a grievance decision by appealing to the President. The decision of the President is final and binding.
2. If the grievance involves a MnSCU policy, the actions of the college President, an issue of institutional or program quality such as the college's compliance with the standards of

an accrediting or licensing body, or a claim of consumer fraud or deceptive trade practice, a student may further appeal the college's decision to the chancellor.

D. Complaint and Grievance Time Frames

1. The initial complaint or grievance must be presented within twenty (20) business days after the first occurrence of the event giving rise to the complaint or grievance or twenty (20) business days after the student, through use of reasonable diligence, should have obtained knowledge of the first occurrence.
2. Lack of awareness on part of the student of posted policies, procedures or deadlines shall not be considered a reason for a complaint or grievance.
3. Each subsequent process step thereafter must be conducted within ten (10) business days. If the college is unable to respond within the ten (10) business days, the grievant shall be notified in writing of an extension which must include a reasonable response date. The student(s) and college may agree upon extending the deadlines by mutual agreement, approved by the appropriate Administrator.
4. If the employee or college fails to provide a response or a notice of extension within ten (10) business days, the grievant may proceed to the next step in the process.
5. If the grievant fails to appeal within ten (10) business days, the grievance shall be considered resolved.

E. Retaliation Prohibited

1. No retaliation of any kind shall be taken against the student for participating in or refusing to participate, in a grievance. Retaliation may be subject to action under appropriate student or employee policies.

F. Record Keeping

1. The College respondent shall submit a copy of any written complaint or grievance to the Chief Student Affairs Officer for record keeping. These records will be periodically reviewed to determine trends or patterns that would be addressed as part an institutional improvement process.