

Policy Title: STUDENT GRIEVANCE PROCEDURES

East Central Community College defines a student grievance as a claim raised by a student, alleging improper, unfair, arbitrary, or discriminatory action by an employee involving the application of a specific provision of a college policy or a state or federal law. A grievance against the College and/or a College official arises when a student believes, based on established administrative policies and procedures, he or she has been subjected to discriminatory behavior by a department or College representative (faculty or staff) acting within their role and duty. A grievance of personal misconduct by a faculty member or other College employee arises when a student believes he or she is the subject of inappropriate behavior outside of the employee's role and duties within the College. Students who wish to file a grievance concerning any of the issues listed above should follow the procedures herein. Student grievances related to sexual misconduct should follow procedures outlined in Policy 740.1, SEXUAL MISCONDUCT.

Informal Grievance Resolution

Prior to bringing a formal grievance forward against the College or a College official acting within his/her role or duty, students are encouraged to attempt a good-faith resolution of the grievance. This attempt may be made with the party directly involved with the disputed matter, or with the chairperson of the department or division in which the grievance arises. Please note that there are cases when it is appropriate to go directly to the formal grievance resolution process. Attempts at informal resolution should be initiated within thirty (30) calendar days of the incident in dispute.

Formal Grievance Resolution

Should a situation arise in which a student is unable to resolve his or her grievance informally, the college's formal student grievance process presented in this policy may be employed. The Vice President for Instruction or the Vice President for Student Services will address the student grievance based upon the nature and content of the grievance.

**Discrimination Related Grievance
(Title VI/Title IX other than Sexual Misconduct)**

A student grievance related to discrimination and perceived non-compliance with provisions of Title VI of the Civil Rights Act of 1964 and its amendments or Title IX of the Higher Education Act of 1965 and its amendments should be presented to the Vice President for Instruction within thirty (30) calendar days of the occurrence of the incident upon which the grievance is based. Failure to give such written notice to the Vice President for Instruction within this timeframe shall constitute a waiver by the student to present his/her grievance. The written grievance must be signed by the student and contain, at a minimum:

1. name, address, and contact information of the student filing the grievance;
2. the identity of the individual or office against whom the grievance is brought;
3. a description of the specific action(s) or behavior(s) resulting in this grievance including date(s);
4. an explanation of how a law identified above or a college policy was allegedly violated by the action(s) or behavior(s);
5. a brief summary of the evidence supporting the allegation(s) including witness(es), if any; and

6. the remedy sought by the student.

The written student grievance must either be delivered in person or mailed to the Vice President for Instruction, East Central Community College, P. O. Box 129, Decatur, Mississippi 39327; telephone (601) 635-2111, ext. 203.

Disability-Related Grievance (ADA/Section 504)

A student grievance related to a disability and perceived non-compliance with provisions of Section 504 of the Rehabilitation Act of 1973 and its amendments and/or the Americans with Disabilities Act of 1990 and its Amendments should be presented to the Vice President for Student Services within thirty (30) calendar days of the occurrence of the incident upon which the grievance is based. Failure to give such written notice to the Vice President for Student Services within this timeframe shall constitute a waiver by the student to present his/her grievance. The written grievance must be signed by the student and contain, at a minimum,;

1. name, address, and contact information of the student filing the grievance;
2. the identity of the individual or office against whom the grievance is brought;
3. a description of the specific action(s) or behavior(s) resulting in this grievance including date(s);
4. an explanation of how a law identified above or a college policy was allegedly violated by the action(s) or behavior(s);
5. a brief summary of the evidence supporting the allegation(s) including witness(es), if any; and
6. the remedy sought by the student.

The written student grievance must either be delivered in person or mailed to the Vice President for Student Services, East Central Community College, P. O. Box 129, Decatur, Mississippi 39327; telephone (601) 635-2111, ext. 204 or 205.

Investigation of a Student Grievance

Upon receipt of a formal grievance by a student (herein after "the Grievant") under the provisions of this policy, the appropriate Vice President will conduct an investigation to determine if there is reasonable cause to believe a specific provision of a college policy or a state or federal law has been violated by the College or an official of the College. The investigation conducted by the appropriate Vice President may involve interviewing witnesses, meeting with the parties involved, requesting written statements from the witnesses and/or parties, and/or making any other appropriate inquiries. Before any determination is made, the individual whose actions are the subject of the grievance (herein after "the Respondent") will be informed as to the nature of the grievance and will have an opportunity to respond. The investigation is designed to provide a fair and reliable determination about whether the College's nondiscrimination policy or a state or federal law has been violated. Following the conclusion of the investigation, the appropriate Vice President will meet with the Grievant and the Respondent to inform each of the results of the investigation. If, based on the preponderance of the evidence, a violation has been confirmed, the College will implement a prompt and effective remedy designed to end the action(s) or behavior(s) that are the subject of the grievance, prevent its recurrence, and address its effects. In addition, the Vice President will notify any other college officials, as appropriate, of the outcome of the investigation to determine a course of action against the Respondent.

Appeal to a Student Grievance Committee

If the Grievant is not satisfied with the results of the investigation, he/she may submit an appeal of the decision of the Vice President and request a hearing before a Student Grievance Committee. The appeal must be in writing and signed by the Grievant and must be submitted within three (3) working days of notification of the Vice President's decision. The appeal must either be delivered in person or mailed to the appropriate Vice President using the mailing address and contact information above. Failure to give such written notice to the appropriate Vice President within the timeframe described above shall constitute a waiver by the Grievant of any further consideration of the grievance. The letter of appeal regarding a student grievance should contain, at a minimum,;

1. name, address, and contact information of the student filing the appeal; and
2. reason (s) for filing the appeal.

Upon receipt of an appeal in the case of a student grievance, the appropriate Vice President will inform the President. At that time, the President will appoint a three (3)-member Student Grievance Committee to hear the student's appeal of the grievance. The Student Grievance Committee will be made up of one (1) member of the faculty, one (1) member of the professional staff or administration, and (1) currently enrolled student. No member of the Committee may be personally or professionally associated with the grievance. The appropriate Vice President will schedule a hearing before the Student Grievance Committee within ten (10) days of the receipt of the appeal.

At the hearing of the Student Grievance Committee, the appropriate Vice President will serve as the Chairperson of the hearing and shall not cast a vote. As chairperson, the Vice President will be responsible for the conduct of the hearing which may include limiting questioning and testimony to relevant issues. During the hearing, the Grievant and the Respondent shall have the following rights:

1. The right to be advised by a personal advisor of their choice, at their expense, and to be accompanied by that advisor at the hearing. Please note that an advisor may only consult and advise the Grievant or Respondent, but not speak at the hearing. These procedures are entirely administrative in nature and are not considered legal proceedings. The College may remove or dismiss an advisor who becomes disruptive or who does not abide by the restrictions on their participation as explained above. Also, if the Grievant or Respondent will be accompanied by an advisor, he/she must inform the Vice President at least five (5) calendar days before the schedule date of the hearing.
2. The right to present the testimony of witnesses as well as other evidence relevant to the grievance;
3. The right to cross-examine witnesses; and
4. The right to examine all submitted documents and other evidence, subject to confidentiality protections that may apply.

During the hearing, the Student Grievance Committee may ask questions of the Grievant, the Respondent, and any witnesses in order to gather additional information about the grievance. The Student Grievance Committee is not bound by federal or state rules of evidence, but shall make all decisions based on the relevant evidence submitted and/or presented as part of the proceeding. The Vice President conducting the hearing will appoint a college employee to take minutes during the hearing before the Student Grievance Committee.

Upon the conclusion of the hearing, the Student Grievance Committee shall enter into Executive Session and determine whether the preponderance of the evidence submitted or presented as part of the proceeding demonstrates that the Respondent has violated the policy and/or law at issue. Within ten (10) calendar days of the hearing, the Student Grievance Committee will issue a brief written statement to the Vice President as to their determination. If a majority of the Student Grievance Committee finds that no policy or law has been violated, the Committee shall dismiss the grievance and the Vice President shall

inform the Grievant and the Respondent of the outcome. If a majority of the Student Grievance Committee finds that the Respondent has violated the policy and/or law at issue, the Vice President shall inform the Grievant and the Respondent of the outcome. In addition, the Vice President will notify any other college officials, as appropriate, of the outcome of the Student Grievance Committee so that a prompt and effective remedy can be formulated to end the action(s) or behavior(s) that are the subject of the grievance, prevent its recurrence, address its effects, and determine an appropriate course of action against the Respondent.

Appeal to the President

If the Grievant is not satisfied with the determination of the Student Grievance Committee, he/she may submit an appeal to the President of the College. The appeal must be in writing and signed by the Grievant and must be submitted within three (3) working days of notification of the Student Grievance Committee's decision. The appeal must either be delivered in person or mailed to the President, East Central Community College, P. O. Box 129, Decatur, Mississippi 39327; telephone (601) 635-2111, ext. 201. Failure to give such written notice to the President within the timeframe described above shall constitute a waiver by the Grievant of any further consideration of the grievance. The letter of appeal regarding a student grievance should contain, at a minimum,:

1. name, address, and contact information of the student filing the appeal; and
2. reason (s) for filing the appeal.

Upon receipt of an appeal in the case of a student grievance, the President shall consider the record of the hearing before the Student Grievance Committee in making his/her decision. However, the President, in his/her discretion, may require the submission of additional evidence prior to making a decision on the student's appeal or may schedule a meeting with the Grievant and the Respondent to discuss the grievance. In any meeting with the Grievant and the Respondent to discuss the grievance, the chairperson of the Student Grievance Committee, or the chairperson's designated representative, shall represent the Committee.

The decision of the President shall be transmitted within three (3) working days, in writing, to the Grievant and the Respondent. The decision of the President of East Central Community College on the appeal of a student grievance will be deemed final.

The above steps shall exhaust full recourse available at the College for all student grievances. Documentation of grievances filed under this policy shall be maintained in the office of the appropriate Vice President as described in Policy 822.

Complaint to the State

After exhausting the College's grievance policy, a student who did not receive a satisfactory resolution at the College may follow the State complaint process of the Mississippi Commission on College Accreditation (MCCA). Information about the State complaint process can be found at www.mississippi.edu/mcca/student_complaint_process.asp. Students who wish to initiate and file a complaint at the State level must do so at this website. Please note that according to the MCCA, in order for an investigation to be initiated, the student must have exhausted all available grievance procedures established by the institution.

(Revised 2/13/07; 8/11/15; Reviewed 3/8/16; Revised 4/9/19; Revised 5/14/19)