

## ADMINISTRATIVE PROCEDURE

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**TITLE: Student Complaint / Grievance**

**ADMINISTRATIVE PROCEDURE # 5535**

**RELATED TO POLICY # 5532 INSTITUTIONAL RECORDS OF STUDENT COMPLAINTS AND GRIEVANCES**

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The purpose of this procedure is to provide a prompt and equitable means of resolving a student complaint or grievance. All efforts will be made to route the report to the appropriate office to best handle the complaint or grievance.

### **I. Matters in which a complaint will not be heard include the following:**

- A. Federal and State laws, which the College abides.
- B. Administrative Procedures Act ([ORS Chapter 183](#))
- C. Employment and personnel decisions
- D. Policies of the Board of Education
- E. Rules and procedures adopted by the [Oregon Higher Education Coordinating Commission](#).
- F. Matters that have an independent appeal, or other process, established, such as grade appeals, Title IX, Student Conduct, or other such processes.

### **II. Complaint Process**

- A. Students, whenever possible, should make an effort to resolve a complaint with the individual or department for which the complaint is against. Due to the nature of the complaint, if the student does not feel comfortable speaking to the person whom they have the complaint against, the student is encouraged to speak to that individual's supervisor or other administrator who has direct oversight of the area.
- B. If the student does not feel that the issue has been resolved through this informal discussion, a complaint may be filed through the student complaint form.
- C. Academic Program Separation: Separations of students from an academic program will be referred to a Review Panel (see section titled Review Panel) and will be considered an appeal of the decision.

- D. All Other Complaints: formal student complaints will be routed to the appropriate office which could include:
1. Academic Services – For most complaints relating to things such as the professor or a class.
  2. Student Services – For most non-academic complaints, such as an advising or registration issue.
  3. Human Resources – For complaints of a serious nature which involve an employee.
- E. When a complaint is forwarded to an office which has a process independent from this one (Student Conduct, Title IX, Human Resources, etc.) that office will follow their process.
- F. Receipt: The individual to whom the complaint is assigned should reach out to the student to affirm receipt of the complaint and to gather any additional information needed.
- G. Desired Outcome: The individual to whom the complaint is assigned should determine from the complainant what their desired outcome is. In cases where the student only wishes to be heard and does not wish further action taken, this should, when possible, be honored. Exceptions might include times when the complaint contains concerns for which the College must take action or when the complaint makes the College aware of concerning patterns of behavior that the College feels compelled to pursue. While confidentiality cannot be guaranteed, when possible, the student's privacy will be maintained through the process.
- H. Complaint Validity: The person assigned the case will, as appropriate/needed, work to assess the validity of the complaint. This could include speaking with the individual filing the complaint, with the individual whom the complaint is made against, with witnesses or other parties to gather additional information, or other approaches as deemed appropriate.
- I. Complaint Resolution: The person assigned the complaint will work to appropriately resolve the complaint. Resolutions could include:
1. Listening to the complainant and helping them to feel heard;
  2. Speaking with the individual whom the complaint was filed against to inform them of the complaint and discuss it with them;
  3. Communicate with appropriate individual/s in the department or office, supervisor, etc. to find a resolution;
  4. Work to educate the complainant, or the individual/s whom the complaint is pertaining to, regarding policies, procedures, processes, or laws as appropriate.

5. In cases involving Human Resources and possible violations of employee Standards of Conduct, appropriate disciplinary processes in accordance with any applicable Collective Bargaining Agreement will be followed.
- J. Once the complaint process has finalized, all directly involved parties (i.e., complainant and/or the respondent) should be notified that the process has been completed.
- K. In cases where the student does not feel that this process has resolved their concerns they may request an appeal, in writing, within 5 business days of notice that the complaint process has finalized. Appeals will be heard by a Review Panel appropriate to the nature of the appeal. The Review Panel's decision is final.

### **III. Review Panel**

- A. When an appeal is received by the Review Panel, the chair of the panel will acknowledge receipt of said appeal and work to gather any additional information needed from the student, program, or other sources as appropriate to provide to the Panel.
- B. The Review Panel will consist of four College employees and a chair. Panel members will include two faculty members, a student, and either a classified or administrative employee. The makeup of the Review Panel may vary based upon availability of individuals and/or the nature of the complaint. In the case where the Review Panel is reviewing removal from a program, if possible, one of the faculty members on the panel should be from the program from which the student was removed. If a faculty member from the program cannot serve on the panel due to a conflict of interest, then, whenever possible, a faculty member from a similar or related program can substitute. In the case where the Review Panel is hearing a complaint/appeal regarding an academic matter, whenever possible the Instructional Dean of the Division will chair the panel. When the Instructional Dean cannot serve in this matter an alternate Instructional Dean may serve as the chair. When the Review Panel is hearing a complaint not related to an academic matter the Chief Student Success Officer, or designee, will determine an appropriate individual to serve as the chair. At least three individuals need to be present for a quorum. The chair will only vote in the case of a tie.

The Review Panel's decision is final.

### **IV. Grievance**

- A. A formal process for when a student feels that the college violated its own Board policies and/or procedures in a grievous manner. A formal grievance process should generally only occur when other avenues have been exhausted, or in the rare case that another process would not be appropriate, and it is deemed appropriate to move directly to a grievance process. Examples of reasons that an issue may rise to the level of a grievance could include:

1. Egregious and/or intentional violations of Board policy which could not reasonably be handled at the complaint level.
  2. When there is evidence to suggest that a process has not been conducted fairly.
  3. Matters of an extremely sensitive nature which may not be appropriate to go through a complaint process.
  4. Other matters which the College determines need to be considered at this level.
- B. A student can file a complaint form via the College webpage and indicate that they would like this to be heard as a formal grievance. Alternately they may report a desire for a grievance directly to the office of the Chief Student Success Officer or the Vice President.
- C. When the request for a grievance is received it will be evaluated by the Chief Student Success Officer, the Vice President or, if one or both is unable to serve in the matter, a designee to determine whether it is appropriate for a Grievance process. The Chief Student Success Officer, Vice President or designee/s may:
1. Refer to a more appropriate process.
  2. Deny the request for a grievance.
  3. Hear the grievance.
- D. Reasons for denial of a grievance could include:
1. The grievance request is determined to be regarding the outcome of a process, without clear evidence to suggest that the process was not fair.
- E. If the grievance is accepted the student will be informed. While confidentiality cannot be guaranteed, whenever possible, the student's privacy will be maintained through the process.
- F. The Chief Student Success Officer, Vice President, or designee/s, will work towards a resolution and/or to make a final determination on the matter.
- G. Once the grievance process has finalized, when possible, the student should be notified that the process has been completed.

**RESPONSIBILITY:**

The Chief Student Success Officer is responsible for implementing and updating this procedure.

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**NEXT REVIEW DATE: 2024-2025**

**DATE OF ADOPTION: 4/7/2020 by CC**

**DATE(S) OF REVISION: 1/17/2024 by CC; 5/3/2023 by CC**

**DATE(S) OF PRIOR REVIEW:**