

Student Complaint Procedure - Academic or Instructional Related Issues

Step One: Faculty/Student

- a. Complaints must be filed within 10 working days following the incident or no later than 10 working days after the grade has been posted.
- b. The student meets with the faculty member to discuss the complaint.
- c. The student must provide any supporting material or evidence.
- d. If the faculty member involved no longer works at the college, the student may begin at Step Two.
- e. If the complaint is not resolved, the student has 10 working days after the meeting to move to Step Two.

Step Two: Department Chair of Faculty/Student

- a. If the complaint is not resolved in Step One, the student has 10 working days from the meeting in Step One to request that the student and faculty member meet with the appropriate department chair.
- b. If the faculty member is the department chair, the meeting will be conducted by the chair of another department. If the complaint is not resolved, the student has 10 working days after the meeting to move to Step Three.
- c. The aggrieved student may appeal within 10 working days of the meeting.

Step Three: Dean of Instruction/Department Chair/Faculty/Student

If the efforts of the department chair or immediate supervisor also fail to satisfy the grievance, the supervisor shall forward the complaint to the Dean of Instruction who shall, within 10 working days, decide how best to resolve the grievance. The Dean shall issue a written opinion.

However, in the event the faculty member student disagrees with the Dean of Instruction's decision, he/she may appeal to the Academic Grievance Committee that consists of the following five members: one tenured faculty member appointed by Treasure Valley Education Association (TVEA), one nondepartmental tenured faculty member appointed by the TVEA, one tenured faculty chair appointed by the Dean of Instruction or TVEA, one degreed professional staff appointed by the President, and one Dean appointed by the President acting as chair and voting only in a tie situation.

Step Four: Grievance Review Committee Procedures

- a. Any grievance not resolved informally may be appealed to the grievance review committee for a hearing. The grievant shall petition the committee by obtaining an official grievance form from the student services office. That petition shall be made within 10 working days of the notice of the decision in the informal proceedings.
- b. When a petition for review is filed, the student shall either: be assigned an advocate, or waive his or her right to an advocate, or notify the College of his or her retention of an attorney. Where the student is represented by an attorney, the College may also be represented by legal counsel.
- c. The student's completed official grievance form shall be distributed to all members of the grievance review committee.

Step Five: Final Decision Regarding the Appeal Procedure

- a. Where the student is not satisfied by the grievance review committee's decision, he or she may appeal that decision to the President of the College, provided that such appeal is made within 10 working days of the student's receipt of notice of the decision.
- b. The President will review the record of the case prepared by the committee, together with any appeal statement and will deliver a written acceptance of the grievance review committee's decision or directions as to what other course of action shall be taken, within 10 working days after receiving the appeal.
- c. This decision shall constitute final action by the College.
- d. A student who was granted a formal hearing by the President of the College and who feels aggrieved by the institution's final decision, may petition for judicial review of that decision.

In each of the above steps, meetings should be held on campus. At any level, the student bringing the complaint may be accompanied by a representative of the student's choice. Records should be kept of the meeting(s) stating the student and staff involved, other persons present, the student's case, the staff's case, and any decision reached. The parties present should sign and date the record to verify their presence at the meeting and the discussion that took place. Signing the record does not necessarily signify agreement with the decision made.

Nature of Grievance Proceedings

All hearings growing out of a student-initiated grievance, including appeals to the office of the President, shall remain closed unless all parties to the grievance agree to an open hearing.

Withdrawal of Grievance

1. At any time during the grievance procedure, the grievant may officially withdraw the grievance in writing.
2. In the event the grievant or appellant fails to appear for any scheduled hearing without prior notification or evidence of extenuating circumstances, this shall be considered to constitute withdrawal of the grievance or appeal.

Grievances Excluded From this Regulation

1. A student may not use the provisions of this section as the basis for filing a grievance based on the outcome of summary or other disciplinary proceedings described in earlier sections of the student rights and responsibilities code.
2. Federal and state laws, rules and regulations as well as policies, regulations and procedures adopted by the State Board of Education, Department of Community Colleges and Workforce Development, TVCC Board of Education or TVCC Administrative Regulation shall not be grievable matters.

Grievances involving sexual harassment, discrimination or handicapped discrimination will follow the general college student grievance process (JFHA-AR(2)).