

# Student Grievance Policy

<b>POLICY:</b> Student Grievance Policy			
<b>POLICY NUMBER:</b>	700.06	<b>CUSTODIAN:</b>	Academic Dean
<b>APV'D DATE:</b>	8/11/2020	<b>REVIEW DATE:</b>	August 2020
<b>EFFECTIVE DATE:</b>	8/11/2020		
<b>REFERENCES:</b> The Program Integrity Rule of the Higher Education Act (HEA), Grade Appeal, Student Handbook, Student Code of Conduct, Employee Handbook, Title IX Policy			

## Part 1. Policy Background and Purpose

The Program Integrity Rule of the Higher Education Act (HEA) requires, among other things, that each college authorized to offer post-secondary education in one or more states ensure access to a complaint process that will permit student consumers to address the following:

1. Alleged violations of State consumer protection laws that include but are not limited to fraud and false advertising.
2. Alleged violations of State laws or rules relating to the licensure of post-secondary institutions; and
3. Complaints relating to the quality of education or other Tribal, State or accreditation requirements.

White Earth Tribal and Community College (WETCC) is committed to provide post-secondary education, is committed to full compliance with the Program Integrity Rule and provides this complaint process to allow complainants to have their issues heard and resolved.

## Part 2. Definitions

The term "grievance" is defined as: A statement lodged by a student or staff member expressing a complaint, resentment, or accusation about a college circumstance which is thought to be unfair or inappropriate.

- Alleged violation of consumer protection laws that include but are not limited to fraud and false advertising
- Alleged violation of State laws or rules relating to the licensure of WETCC as a post-secondary institution
- Complaints relating to the quality of education or other Tribal, State or accreditation requirements
- Grades: Any academic circumstances warranting a possible change of grade
- Harassment: By a WETCC employee or a student, including abusive language or sexual harassment
- Discrimination: Discrimination based on race, color, national origin, age, disability, religion, gender, familial status, and sexual orientation, or gender

- orientation
- Violation: Of an academic contract entered by a student and instructor  
Retaliation: Against an individual who has filed a grievance
- Disputes: Any other dispute between school employees and/or students which any party considers non-compliant with WETCC policies and/or procedures.

Complainant is a student who has an accusation about a college circumstance which is thought to be unfair, inappropriate, or in non-compliance with policies, procedures, regulations or laws applicable to WETCC.

### **Part 3. Responsibility**

The Associate Dean of Student Services is responsible for assisting students in the process of filing a grievance.

Academic Dean is responsible for assisting students with faculty grievances.

The Human Resources technician is responsible for assisting students with grievances if filed against the Academic Dean or President.

### **Part 4. Policy**

#### **Subpart A.**

The procedures of the Grievance Process begin with discussion between the parties involved. WETCC encourages everyone to bring problems to attention of the applicable party as soon as possible. Open communication can often resolve most problems that arise in a timely manner.

#### **Subpart B.**

If the matter cannot be resolved through informal discussion, a written statement regarding the grievance should be filed with the appropriate staff member:

For a complaint against a student the grievance is filed with the Associate Dean of Student Services.

For a complaint against a faculty member the grievance is filed with the Academic Dean.

For a complaint against a staff member, including a Dean of WETCC, the grievance is filed with the Human Resources Department.

For a complaint against the President of WETCC the grievance is filed with the Chairperson of the Council of Trustees.

~~The Associate Dean of Student Services, Academic Dean and/or Human Resources are~~

all available to assist a complainant through the process.

**Subpart C.** Upon receipt of a grievance, the Associate Dean of Student Services, Academic Dean, or Human Resources department is responsible to conduct a timely review of the matter and render a decision within 10 working days.

**Subpart D.** At the discretion of the Associate Dean of Student Services, Academic Dean, or Human Resources department, a hearing may be scheduled to gather facts in a matter. The process for a hearing:

1. Hearings are closed, unless both parties request an open hearing.
2. Hearings are informal but may be tape recorded in which case a recording shall be made available to the parties involved upon request.
3. Records pertinent to the grievance will be made available in the hearing.
4. Both parties will have access to any documents presented in the matter.
5. Both parties will be allowed to present testimony and a rebuttal.
6. The Associate Dean of Student Services, Academic Dean, or Human Resources Department shall conduct the hearing as determined by who the grievance is against.
7. The Associate Dean of Student Services, Academic Dean or Human Resources Department responsible for the grievance may elect to have one or two other Cabinet Members present to hear the issue and provide guidance on a resolution.

If the grievance is founded, the appropriate remedy/or action will be taken by the supervisor in consultation with the human resources department and utilizing the Employee Handbook or Student Handbook, as appropriate.

A written decision will be sent to the parties involved within ten days after the written grievance has been filed.

Any party involved has a right to file an appeal on the decision resulting from a grievance. To appeal a decision made by the Associate Dean of Student Services, the Academic Dean, or the Human Resources Department, an appeal can be filed with the President, or the Chairperson of the Council of Trustees if the grievance involves the President within 10 days of the decision rendered.

Sexual harassment has a separate process and is detailed in the Title IX Policy.

**Subpart E.** LOG: A log will be kept in the Human Resource office. The log will include the written complaint/ grievance, any hearings held, the steps taken to resolve, and the resolution of the complaint or grievance.