

## STUDENT GRIEVANCE PROCEDURES (GENERAL)

The College promotes open exchange of ideas among all members of the CVCC community, including students, faculty, staff, and administration. An environment conducive to open exchange of ideas is essential to intellectual growth and positive change. However, CVCC recognizes that, at times, people may have differences that they are unable or unwilling to resolve themselves.

The procedures described below are available to a CVCC student only after the student has made every reasonable attempt to resolve his/her problem with the appropriate College official or representative. In the case of a student who has made a good faith effort to resolve a problem and who has been unable to resolve the matter informally, CVCC offers the following grievance procedure as the appropriate course of action for settling disputes and resolving problems.

A student with a complaint must begin his/her attempt to resolve the situation by bringing it to the attention of the appropriate College official or representative as stated above. If a discussion between the student and the respective College official or representative results in a determination that the complaint is valid and can be resolved immediately, the College official or representative will take appropriate action to resolve the complaint.

This Grievance Procedure is not intended to be used by a student with a complaint about a strictly academic matter nor for complaints related to Civil Rights Violations.

### Initial Steps to Resolve a Complaint

- 1. Students:** Any student of the College who wishes to make a complaint shall report that complaint in writing to the Director of Student Development. If the complaint is about a specific occurrence, the complaint shall be made within ten (10) business days of the occurrence. . The written grievance statement shall include at least the following information:
  - Date the original complaint was reported;
  - Name of the person to whom the original complaint was reported;
  - Facts of the complaint; and
  - Action taken, if any, by the receiving official to resolve the complaint.
- 2. Plan of Resolution:** If the student's complaint cannot be resolved immediately but requires instead a "plan of resolution," the Director of Student Development shall submit a written report to the Dean of Student Services. The report shall be submitted within ten (10) working days of the receipt of the complaint and shall detail the complaint and the plan to resolve the complaint.

- 3. Investigation, Hearing, and Findings:** The College shall have thirty (30) calendar days from the date of the receipt of the complaint by the Director of Student Development to conduct an investigation of the allegation(s), hold a hearing (if requested) on the grievance, and submit a written report to the Grievant of the findings arising from the hearing. The Director of Student Development shall report the hearing findings to the Grievant by either personal service or certified mail sent to the Grievant's home address. The findings will also be provided to the President.
- a. **Investigation Procedures:** In the event that the Grievant does not request a hearing, the Director of Student Services shall prepare a report and a recommendation for resolution of the complaint to be filed with the Dean of Student Services as well as provide a copy to the Grievant and Respondent. In order to prepare said report, the Director of Student Development shall conduct a factual investigation of the grievance allegations and research any applicable regulations or policies that may relate to the grievance. The Director of Student Development shall, for the hearing record, present publications containing relevant regulations or policies. The factual findings of the investigation shall be made a part of the hearing record, in the event that a hearing is requested by the Grievant. Each of the parties shall have the opportunity to file written objections to any of the factual findings and to make their objections a part of the hearing record.
- b. **Hearing Procedures:** In the event that the Grievant requests a hearing, the Director of Student Services shall notify the Student Grievance Committee and conduct a grievance hearing. The Director of Student Development, serving as committee chair, shall notify the Grievant and each Respondent of the time and place of the hearing at least seventy-two (72) hours prior to the scheduled hearing.

At the hearing, the Grievant and the Respondent shall be read the grievance statement. After the grievance is read into the record, the Grievant will have the opportunity to present such information or supporting evidence as he/she shall deem appropriate to his/her claim. Each Respondent shall then be given the opportunity to present such information or supporting evidence as he/she deems appropriate to the response to the claim. In the event that the College or the administration of the College at large is the party against whom the grievance is filed, the Dena of Student Services shall designate a representative to appear at the hearing on behalf of the Respondent.

Any party to a grievance hearing shall have the right to retain, at the respective party's cost, the assistance of legal counsel. However, the respective attorney(s), if any, shall not be allowed to address the committee or question any witnesses. In the event that the College at large is the Respondent, the College representative shall not be an attorney or use an attorney unless the Grievant is assisted by an attorney.

The hearing shall be recorded either by audio tape or by other electronic recording medium. In addition, all items offered as support information by the shall be marked and preserved as part of the hearing record.

- c. **Report of Findings:** Following the hearing, the committee chair shall submit a written report of the committee's findings to the Dean of Student Services. The report shall contain at least the following:
- Date and place of the hearing
  - The name of each member of the hearing committee;
  - A list of all witnesses for all parties to the grievance;
  - Findings of fact relevant to the grievance, including regulations or policies that support the findings of fact; and
  - Any recommendation(s) to the President arising from the grievance and the hearing thereon.

The Director of Student Development shall submit a copy of the completed report to the Grievant and the Respondent(s) by personal delivery or certified mail.

4. **Available Appeals:** The Grievant shall have the right to appeal the decision of the committee to the Dean of Student Services provided that:
1. A notice of appeal is filed with the Dean of Student Services within fifteen (15) calendar days following the Grievant's receipt of the committee report.
  2. The notice of appeal contains clear and specific objection(s) to the finding(s), conclusion(s) or recommendation(s) of the committee.

If the appeal is not filed by the close of the business on the fifteenth (15) day following the Grievant's receipt of the report, the Grievant's right to appeal shall be forfeited.

The Dean of Student Services shall have thirty (30) calendar days from his/her receipt of the notice of appeal to review and investigate the allegations contained in the original grievance, to review the hearing record, and to file a report of the findings of fact. The Dean of Student Services shall have the authority to (1) affirm, (2) reverse, or (3) affirm in part and reverse in part the findings arising from the grievance hearing. The Dean of Student Services' report shall be personally delivered or sent via certified mail to the Grievant and Respondent(s) at their respective home addresses. The decision of the Dean of Student Services is final.

## **STUDENT GRIEVANCE PROCEDURES (CIVIL RIGHTS)**

This grievance procedure is established to provide recourse for any student who feels that his/her civil rights have been violated as set out in the following legislation:

- Title VI and Title VII of the Civil Rights Act of 1964 (as amended by the Equal Employment Opportunity Act)
- Title IX of the Education Amendments of 1972
- Section 504 of the Rehabilitation Act of 1973 The Americans with Disabilities Act of 1990.

The purpose of this procedure is to secure at the lowest possible level, equitable solutions to the problem that may arise affecting students in their dealings with this institution. These proceedings will be kept as informal and confidential as may be appropriate at any level of the procedure. For the purpose of this procedure, a grievance is a claim by a student or prospective student who cites a failure of the institution to comply with civil rights legislation.

### **Steps to be Followed in Processing Civil Rights Grievance Procedure**

Within ten (10) working days of an alleged violation, the complainant may arrange for a conference with the Director of Student Development of the institution, and thereby try to resolve the complaint immediately and informally. If the complaint is not resolved to the satisfaction of the Grievant, the following steps may be taken:

1. The Grievant shall file the original and two copies of Grievance Form A with the President or his designee within thirty (30) calendar days following the date of the alleged civil rights violation(s). The alleged violation(s) must be clearly and specifically stated (Grievant is advised to keep a copy of all forms used).
2. The President of the institution or his designee will have thirty (30) calendar days following date of receipt of Grievance Form A to investigate and study Grievant's allegation, hold a formal hearing, and make a written report of findings to Grievant. **This report must be mailed to grievant by certified mail, return receipt requested.**
3. Grievant must, within fifteen (15) calendar days, following receipt of report, file with the President or his designee written notice of acceptance or appeal of the report. If a notice of appeal is filed, appeal Form B must be used. Grievant must state clearly and specifically on Form B the objections to the findings and/or decisions of the President or his designee. Copies of Form B must be provided to the President or his designee and the Chancellor of the Postsecondary Education Department. If the Grievant fails to file notice of appeal by 5 p.m. on the fifteenth (15th) calendar day following receipt of the President's report, the right to further appeal will be forfeited. If a settlement is not reached at the local level, a student grievant may also contact the College's accrediting agency (address available from the Director of Student Development). If the last day for filing notices of appeal falls on either Saturday, Sunday, or legal holiday, a Grievant will have until 5 p.m. the first working day following the fifteenth (15th) calendar day period to file.
4. The Chancellor or his designee will have thirty (30) calendar days following date of receipt of Grievant's notice of appeal to investigate and study Grievant's allegations and the report of the President or his designee of the institution and make a written report of findings to grievant. **Grievant's copy must be mailed to his/her home address by certified mail, return receipt requested.**

**NOTE:** Grievant has the right to further appeal to the proper court or to the Office of Civil Rights of the U.S. Department of Education. All parties shall have the right to legal counsel and to produce witnesses in their own behalf.

**FORM A**

DATE: \_\_\_\_\_

TO: Dr. Glen Cannon, President  
Chattahoochee Valley Community College  
2602 College Drive  
Phenix City, Alabama 36869

FROM: \_\_\_\_\_

ADDRESS: (home) \_\_\_\_\_

SUBJECT: ALLEGED VIOLATION

DESCRIPTION OF ALLEGED VIOLATION:

On \_\_\_\_\_, \_\_\_\_\_, my Civil Rights, in my estimation, were violated in the following manner:

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Signature: \_\_\_\_\_

**APPEAL  
FORM B**

DATE: -----

TO: Dr. Mark Heinrich, Chancellor  
Department of Postsecondary Education  
P. O. Box 302130  
Montgomery, Alabama 36130-2130

FROM: \_\_\_\_\_

ADDRESS: (home) \_\_\_\_\_

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SUBJECT: ALLEGED VIOLATION

GRIEVANCE; \_\_\_\_\_

INSTITUTION: \_\_\_\_\_

Appeal Statement(s):

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Signature: \_\_\_\_\_