

6.5.3p. OFTC Student Grievances Procedure

Definitions

A. Grievable issues: Issues arising from the application of a policy/procedure to the student's specific case are always grievable. Specifically, grievable issues are related to student advisement, improper disclosure of grades, unfair testing procedures and poor treatment of students; this is a representative list and is not meant to be exhaustive.

B. Non-grievable issues: Issues which have a separate process for resolution (i.e. disciplinary sanctions, FERPA, financial aid, academic grades, discrimination, harassment etc.) are not grievable and a student must take advantage of the process in place.

C. Business days: Weekdays that the college administrative offices are open.

D. Vice President for Student Affairs (VPSA): The staff member in charge of the student affairs division at the college.

E. Retaliation: Unfavorable action taken, condition created, or other action taken by a student/employee for the purpose of intimidation directed toward a student because the student initiated a grievance or participated in an investigation of a grievance.

F. Grievant: the student who is making the complaint.

Procedure

For all timelines established herein, if a student will need additional time, an extension may be granted at the Vice President of Student Affairs' discretion.

- 1) Informal Grievance Procedure: Students with grievable issues should resolve those issues, if possible, on an informal basis without the filing of a formal grievance.
 - a) A student has 10 business days from the date of the incident being grieved to resolve the matter informally by approaching their instructor, department chair or any other staff or faculty member directly involved in the grieved incident.
 - b) Where this process does not result in a resolution of the grievable issue, the student may proceed to the formal grievance procedure below.
- 2) Formal Grievance Procedure: where a student cannot resolve their grievance informally, he or she may use this formal grievance procedure.

- a) Within 15 business days of the incident being grieved, the student must file a formal grievance in the office of the Vice President for Student Affairs with the following information:
 - i) Name, ii) Date, iii) Brief description of incident being grieved, iv) Remedy requested, v) Signed, and vi) Informal remedy attempted by student and the outcome.
 - b) If the grievance is against the VPSA, the student shall file the grievance with the technical college President.
 - c) The VPSA, or the technical college president's designee will investigate the matter and supply a written response to the student within 15 business days.
 - d) If the grieved incident involves possible unlawful harassment, discrimination or retaliation for reporting unlawful harassment/discrimination, the investigation will be handled pursuant to the Procedure: Unlawful Harassment and Discrimination of Students.
 - e) If the grieved incident is closely related to an incident being processed through the harassment/discrimination or disciplinary procedures, the proceedings under the Unlawful Harassment and Discrimination of Students procedure will take precedence, then the disciplinary procedure and then the student's grievance will be addressed. The grievance will not be processed until after the other procedures have run their course.
 - f) The VPSA, or the technical college president's designee, shall be granted an additional 15 business days to investigate the grievance upon notice to the grieving student.
- 3) Appeal: The student may appeal the decision from the VPSA or the technical college president's designee. Only the student has the right to appeal.
- a) A student shall file a written appeal to the President within 5 business days of receiving the response referenced above.
 - b) The appeal will be decided based entirely on documents provided by the student and the administration, therefore the student must ensure that he or she has provided all relevant documents with his or her appeal.
 - c) At the sole discretion of the President, grievance appeals at the institution may be held in one of the following ways:
 - i) The President may review the information provided by the student and administration and make the final decision; or
 - ii) The President may appoint a cross-functional committee to make the final decision.
 - iii) The decision of either the President or the cross-functional committee shall be made within 10 business days of receipt of the appeal.
 - iv) Whichever process is chosen by the President the decision of the grievance appeal is final.

Retaliation against a student for filing a grievance is strictly prohibited.

Records Retention

Documents relating to formal grievances including investigations, dispositions and the grievance itself shall be held for 5 years after the graduation of the student or the date of the student's last attendance in the Vice President of Student Affairs Office.

Adopted: April 19, 2011

Reviewed: March 22, 2012; February 28, 2013; February 24, 2014; March 19, 2015; March 17, 2016; March 23, 2017; March 21, 2018

Revised: August 2, 2012; May 23, 2019