

STUDENT GRIEVANCE PROCEDURE

I. Grievance Process

- A. Northern Wyoming Community College District has established the grievance process to ensure that the student's rights are protected and the College community functions in an orderly manner. A student has the right to grieve issues arising from actions other than those take under recognized student disciplinary procedures by following the proper procedures.
- B. A grievance is a dispute of policy and/or procedure with any other member of the College community.
- C. The following documents outline the formal steps the student grievance committee and Chief Student Affairs Officer shall follow to ensure that all parties involved in the process receive fair and equitable treatment.

II. Student Grievances

- A. The basic outline of the procedure shall be included in the student handbook. The grievance procedure is not intended to replace current informal procedures, but only provides an additional avenue of dialog for students. It is also not intended to follow the traditional hearing type proceeding.
- B. The student grievance committee shall provide a prompt, fair, and equitable hearing for each grievance filed and submits a written recommendation to the CSAO or designee for rendering a final decision. In some cases, the committee may determine, based on written evidence, that the grievance does not meet the definition of a grievance and shall so recommend a summary judgment to the CSAO without convening an internal hearing.
- C. It must clearly be understood that neither the grievant, the respondent, any member of the committee, nor any other party to the grievance shall suffer any retribution for his/her part in the action, but shall have access to a new grievance should retribution be evident.

III. Procedure

- A. Receiving grievance and informal resolution phase:
 - 1. The student who has a grievance must first meet with the CSAO or designee within five (5) days in order to resolve the issue informally. If, after inquiry, the CSAO or designee determines student's grievance has merit, the student(s) and/or the employee(s) and the CSAO or designee will meet within five (5) working days of the complaint to determine potential informal resolution alternatives.

2. If appropriate resolution alternatives are developed, they will be presented to all principles involved within three (3) working days of the informal resolution meeting. After one alternative has been agreed upon by all involved parties, a notice of resolution acceptance will be prepared by the appropriate administrative personnel and signed by the grieving student(s) and or the college employee(s) involved. Final agreement and implementation of the resolution will be documented by the administrative supervisory personnel within five (5) working days.
3. If the efforts to resolve informally fail, the student may obtain a student grievance form and procedure from the CSAO or designee and file a written complaint to be delivered to the CSAO or designee within five (5) working days of the alleged unfair action.
4. After the written complaint is filed the grievance enters the formal hearing phase and is remitted to the Student Grievance Committee.

B. Hearing Phase

1. Within three (3) working days after the informal resolution meeting, the CSAO or designee will provide copies of the formal complaint to all parties involved.
2. Within three (3) days the CSAO or designee will appoint a grievance committee.
3. The grievance committee shall be composed as follows: the committee shall have at least one (1) professional staff and one alternate selected by professional staff council chair, one (1) faculty member from faculty-at-large and one alternate selected by the Faculty Senate President, and one (1) student and one (1) alternate selected by the Student Senate President. The chair of the committee will be appointed by the CSAO or designee and shall have voting privileges. The committee reserves the right to appoint a substitute member, who is acceptable to both parties, if a committee member and the alternate are unavailable to serve. The three committee members shall constitute a quorum.
4. Within five (5) working days of receipt of the formal complaint, the office or individual whose action is being grieved may submit a written response to the student grievance committee.

5. Within two (2) working days of receipt of the written response the student grievance committee will review the complaint and determine if the complaint constitutes a grievance. In some cases the grievance committee may determine, based on the written evidence, the grievance does not meet the definition of grievance and shall recommend to the CSAO or designee the claim be dismissed.
6. Within the next five (5) working days the student grievance committee will hold a hearing at which both the student who filed the grievance and the accused party shall have an opportunity to participate and present relevant information.
7. Within two (2) working days after the hearing, the committee shall submit written findings to the CSAO or designee. The student grievance committee will confer with the CSAO or designee and make recommendations to resolve the grievance. The CSAO or designee will make the final decision on the grievance within five (5) days. Copies of this recommendation will be given to all parties involved.
8. The decision of the grievance committee will be final and shall not be appealable.

IV. Student Grievance Hearing Guidelines

- A. The following guidelines will govern the student grievance hearing. The hearing will be conducted in a closed session and be recorded by the committee.
- B. The student grievance hearing is not a "court hearing" and is not meant to substitute for any external legal proceedings. Hence, the rules are flexible and follow the standards of internal procedures, as agreed upon the members of the student grievance committee. No legal counsel for either party will be allowed to be present or participate in the hearing.
- C. Each party may have an advisor who shall not be an attorney who will be allowed to witness the presentations and advise the student. He/she may not communicate directly with the committee.
- D. Either party who wishes to bring in witnesses must submit the list of witnesses to the CSAO or designee at least two (2) working days prior to the hearing.
- E. All witnesses shall be excluded from the hearing except when called for giving testimony.
- F. Each party to the grievance will be allotted the same amount of time for making a presentation, if they so choose.

- G. The grievant will present the case first; the respondent will present after the grievant's presentation.
- H. A brief time, as determined by the chair, will be allotted to each party to offer any arguments in rebuttal.
- I. The only persons allowed to present the case or argue will be the grievant and the respondent. The person making the presentation may only address the committee.
- J. The committee reserves the right to question, cross examine, or to recall either party or witnesses, in order to gather additional information.
- K. Procedural decisions not addressed in this document shall be the responsibility of the student grievance committee (duly recorded in writing and signed by all members of the committee and provided to all parties to the grievance). Such records shall be retained along with other pertinent files.

V. Grade Appeals

- A. Complaints or grievances filed in connection with assigned grades represent a special case within the grievance procedure. Grading reflects careful and deliberate assessment of a student's performance by the instructing professional(s). As such, decisions are necessarily judgmental; the substance of those decisions may not be delegated to the grievance process. Nevertheless, the College recognizes that in rare cases the process of grading may be subject to error or injustice.
- B. A student who alleges an error or injustice in the grading process may file a grievance under the student grievance procedure. For purposes of a grade appeal, the Chief Academic Officer of the College, or his/her designee, shall serve at the student grievance officer throughout the grade appeal process.
- C. If the faculty member who assigned the challenged grade is no longer employed by the College or is not available within the timelines specified, the student may initiate his/her complaint with the chief administrator of the appropriate instructional division (who shall be identified by the Chief Academic Officer).
- D. If at any point substantial evidence of error is produced, the grading process may be remanded to the instructor of record for reassessment. If the instructor of record is no longer available, the chief administrator of the appropriate instructional division or his/her designee shall instead reassess the grading process.
- E. Final determinations are to be sanctioned formally by the grievance committee or, in some cases, made by the Chief Academic Officer.