

# Student Complaint & Grievance Policy & Procedures

The purpose of the Student Complaint and Grievance Policy is to provide equitable and orderly processes to resolve complaints and grievances by students at Garden City Community College. A complaint is defined as a difference or dispute between a student and a faculty or staff member, supervisor, or department head related to services rendered. An unresolved complaint is raised to the level of a grievance when the student completes and submits a Student Grievance form. The Student Grievance process must be initiated during the semester the alleged incident or issue occurred or the regular academic semester (Fall or Spring) that follows.

## Complaint Resolution

GCCC encourages students to resolve concerns that affect their college experience as informally as possible. In some cases, students may discuss a concern with the faculty or staff member, supervisor, or department head. Often, such concerns can be resolved informally; however, if resolution is not obtained, he or she should proceed with the Student Complaint and Grievance Procedure outlined below.

Recognizing that students and staff all have rights when differences arise, GCCC sets forth the following complaint and grievance procedure. In some instances, the findings may result in a conclusion that the complaint is not against an employee, but rather a GCCC procedure or process.

### First Step: Complaint Resolution

First, the student should directly contact the staff member with whom the student has a difference or dispute. Most differences can be resolved at this first step, and students benefit when they learn to advocate for themselves. If the complaint is so serious or controversial that it cannot reasonably be discussed or resolved with the staff member alone, students should seek resolution by contacting the Department Head's office and requesting the name of the appropriate supervisor, or, in exceptional circumstances at the Department Head's discretion, another appropriate administrator to hear the complaint.

### Second Step: Department Level Resolution

The student should contact the appropriate supervisor or administrator within three (3) working days following the discussion with the staff member or contact with the Department Head.

Within ten (10) working days of being contacted by the student, the supervisor or administrator will discuss the issue with the student and the staff member involved, either individually or collectively, in an effort to resolve the issue. Every reasonable effort should be made by all parties to resolve the matter at this level. The administrator serving as the mediator will complete a written notification of the complaint and subsequent actions to the Department Head.

### Third Step: Grievance

If the complaint is still unresolved, the student may complete a written grievance form within three (3) working days.

The grievance form is located at: [Complaint & Grievance Form](#).

The student may receive assistance in completing the form at the Department Head's office. The Department Head's office will notify the Dean of Student Services or applicable Dean of the grievance procedures and follow up with subsequent actions taken in response to the grievance. The Student Grievance form must be completed within three (3) working days after the informal resolution session is completed. Reasonable attempts will be made to contact the parties concerned, either individually or collectively, in order to resolve the grievance. The Dean of Student Services or applicable Dean will apprise the Vice President for Instruction and Student Services of the grievance and all relevant information. The Dean of Students will then make a determination on the case and contact the parties concerned to announce the decision. The Department Head will return a written decision to the student who filed the grievance, indicating the resolution with any recommended action. Copies of this decision will be given to the staff member against whom the grievance has been lodged, the appropriate supervisor, and Human Resources. If it is deemed that a code of conduct violation or gross misconduct has occurred further action may be taken by the Human Resources Department.

### Fourth Step: Appeal

Either the student or staff member may appeal the Dean of Students or applicable Dean decision by making a written request for an appeal to the Vice President of Instructional and Students Services within three (3) working days of receipt of the Dean's written disposition of the grievance. The Vice President of Instruction and Student Services will determine if the appeal process is warranted by determining if new information is provided or if there is a question of due process. If an appeal is granted, the Vice President of Instruction and Student Services may make a determination on the appeal or they may refer to the appeal to the Appeals Committee. The Vice President of Instruction and Student Services or the Appeals Committee will meet with the student and staff member within ten (10) working days of receipt of the written request for an appeal and will render a written decision to the student, the faculty or staff against whom the grievance was lodged, the Department Head, and Human Resources within ten (10) working days of the conclusion of those meetings.

## **Fifth Step: Contacting External Agencies**

Students concerned with the grievance procedure, after exhausting the college's appeal procedure, may contact:

- Consumer protection and/or fraud complaints may be -led with the Kansas Attorney General's office.
- Discrimination complaints may be filed with the Human Rights Commission
- Complaints regarding State Authorization Reciprocity Agreement (SARA) courses delivered by SARA member community colleges may be filed by students enrolled in those courses with the Kansas Board of Regents office.  
[http://kansasregents.org/resources/PDF/Academic\\_Affairs/3257-ComplaintForm\\_SARAINstitutions.pdf](http://kansasregents.org/resources/PDF/Academic_Affairs/3257-ComplaintForm_SARAINstitutions.pdf)
- Kansas Community Colleges are regionally accredited by the North Central Association of the Higher Learning Commission on Colleges and Universities (NCAHLC). Complaints regarding an institution's ongoing ability to meet the Criteria of Accreditation may be filed by following the guidelines at <https://www.hlcommission.org/HLC-Institutions/complaints.html>

## **Burden of Proof**

In all cases, the burden of gathering evidence sufficient to reach a determination rests with the institution.

## **Standard of Proof**

The college uses the preponderance of the evidence (also known as "more likely than not") as a standard of proof of whether a violation occurred. In campus resolution proceedings, legal terms like "guilt," "innocence," and "burdens of proof" are not applicable, but the college never assumes a responding party is in violation of college policy. Campus resolution proceedings are conducted to take into account the totality of all evidence available, from all relevant sources.

## **Extension of Time**

It is important for good relationships that grievances be initiated and processed as rapidly as possible. Every effort will be made by all parties to expedite the process. The time limitations specified herein may be extended by written mutual agreement initiated by either party. If either party is unavailable during the intervening months between semesters, the process can be delayed by the Department Head until the beginning of the new semester.

## **Effect of students, or staff member's failure to appeal within time limit**

If there is no written mutual agreement to extend the time limit set herein, and if a decision at the first step is not appealed to the next step of the procedure within the specified time limit, the complaint will be deemed settled on the basis of the last decision rendered.

## **Effect of administrative failure to respond within the time limits**

Failure at any level of the grievance procedure to initiate communication of a decision to the student within the specified time will permit the lodging of an appeal at the next step of the procedure within the time which would have been allotted had the decision been communicated by the final day.

## **False/Malicious Complaint**

It shall be considered a violation of college policy for any student to knowingly file a false or malicious complaint under this procedure and will be subject to appropriate disciplinary action.

## **Non-retaliation**

No employee or student shall retaliate or discriminate against a student because of the student's filing of or participation in the review of a complaint. The student is assured that retaliation due to filing or participation in the review of a complaint under this procedure is strictly prohibited by this college policy