

McLennan Community College

POLICIES AND PROCEDURES

Reference:	G-XIII	Effective Date:	01/15/2021
Subject:	Student Grievance Procedure		
Source:	President		
Approval Authority:	President	Approval Date:	01/15/2021
History:	Previously effective 03/17/2017, replaced policy dated 09/24/2018		
Remarks:			

Purpose and Scope

These procedures are established to provide students with an opportunity to be heard in grievances involving general concerns, selective program admission, or other alleged violations of law or college policies. Inquiries regarding discrimination should be directed to the Chief Compliance Officer. In this policy, the terms grievance and complaint shall have the same meaning.

It is against the law for McLennan Community College (MCC) to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance. The Chief Compliance Officer should be notified immediately if anyone associated with the grievance process is subjected to retaliation as a result of that person's participation in the grievance process.

Administrator Contact Information:

Dr. Drew Canham
Chief of Staff for Diversity, Equity & Inclusion/Chief Compliance Officer
Administration Building, Room 408
dcanham@mclennan.edu
254-299-8645

Informal Grievance Process

1. MCC encourages anyone with concerns to first discuss the matter with the person directly and immediately involved in the dispute (faculty, supervisor, administrator, etc.).
2. If the concern is still unresolved after consulting the party directly involved, individuals may contact the immediate supervisor of the individual involved in the complaint (such as a division chair, director, dean or vice president).
3. If the concern is still unresolved after consulting the parties directly involved (chain of command), individuals may contact the Chief Compliance Officer to request assistance facilitating a resolution (254-299-8645).

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The purpose of the informal process is to make a good faith effort to resolve the issue quickly and efficiently. Grievances should be addressed informally as soon as possible in order to meet formal grievance procedure timelines, should that become necessary (see below).

Upon receiving notice of a grievance, the Chief Compliance Officer shall issue a written decision related to the informal complaint within 15 business days. However, individuals may implement the formal process at any time during the informal resolution process. If the student has completed the informal process and the grievance still exists, he/she may initiate the formal grievance procedure.

Formal Grievance Procedures

Formal discrimination claims shall be administered using the *Discrimination Resolution Process* (Policy F-V-s). All other grievances shall follow this procedure.

1. A formal grievance must be filed with the Chief Compliance Officer within 21 business days of the date of the informal written decision, if applicable, or within 30 calendar days of the occurrence of the issue, whichever is later. The grievance must be in writing and include the following:
 - The grievant's name, address, email address and phone number;
 - A full description of the situation;
 - A description of the efforts which have been made to resolve the issue informally, if any; and
 - A statement of the requested remedy (e.g. outcome desired).
2. The Chief Compliance Officer (or designee) will review the grievance for timeliness and appropriateness under this policy and notify the student if the grievance has been accepted. If the request is disapproved, a reason for the denial will be communicated to the student in writing.
3. The Chief Compliance Officer (or designee) will attempt to quickly resolve the matter if possible, or will select at least one trained investigator who will promptly initiate an investigation. The investigator will be an individual who is trained on civil rights issues and investigation protocols. In undertaking the investigation, the investigator(s) may interview, consult with and/or request a written response to the issues raised in the grievance from any individual the investigator believes to have relevant information, including but not limited to employees, students, and visitors to MCC. All parties will have an opportunity to provide the investigator with information or evidence that the party believes is relevant to his or her grievance. All parties involved will receive a fair and

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equitable process and be treated with care and respect. The investigator will, to the extent possible, respect the privacy of all parties.

The investigation should be completed within thirty calendar days of the filing of the written complaint. If additional time is required, the investigator(s) will advise the Chief Compliance Officer who may extend the deadline for completion of the investigation. All parties will be kept informed about the timeline. At the request of the grievant, the Chief Compliance Officer will determine whether the formal grievance process can and should be expedited.

Findings and Notifications

Within five business days of the completion of the investigation, the investigator(s) will make a recommendation regarding appropriate actions to be taken. The investigator will summarize the evidence that supports the recommendation. After receiving the investigative report from the investigator(s), the Chief Compliance Officer (or designee) shall determine the appropriate action to be taken on the grievance, and written notice of the outcomes will be sent the grievant and to other parties involved, if appropriate.

Appeal

Within five business days of receiving the determination from the Chief Compliance Officer (or designee), the grievant or the party against whom the grievance is directed, if any, may appeal the determination. To appeal, the party must file a written request for review with the President (or designee). The written request for appeal must be based on the grounds of improper procedure, or new evidence that was unavailable at the time of the investigation.

If the appeal has standing, the President (or designee) will assign the appeal to an Appellate Review Board (a three-person team that has received investigation and civil rights training). The Appellate Review Board (ARB) shall be provided with a copy of the complete record of the grievance and shall make its decision based on the record presented. The ARB will present its findings and recommendations or request for further investigation, which the President will either accept or reject. The President (or designee) will provide the person appealing with a copy of the written appellate decision within five business days of the filing of the appeal. Written notice of the outcomes will be sent to other parties involved, if appropriate.

The appeal decision will be the final determination of MCC, subject to the right of either party to request a review of the grievance by the Board of Trustees of the College. Such request shall be made in writing through the President. The matter will be placed upon the Board's agenda and the student may address the Board in accordance with the Board's policies. The record of the proceedings shall be made available to the Board for its review prior to the meeting. The Board shall advise the President and Grievant of its

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decision either orally or in writing, or of further proceedings or actions, if any, desired by the Board.

If the Board takes no action, the decision shall be final. Any decision or action of the Board of Trustees shall be final.

Note: If the grievance is about the Chief Compliance Officer, students may file a grievance directly with the Office of the President. The processes in this policy will be followed as directed by the President (or designee).