

# GOUCHER | college

## Student Grievance Procedure

---

The purpose of this procedure is to establish a process for students to express and resolve misunderstandings, concerns, or grievances that they have with any college employee in a prompt, fair, and equitable manner. This procedure emphasizes informal resolution.

### I. GRIEVABLE MATTERS

A student may use this procedure if the student believes that a college employee has violated a college policy or has otherwise acted in a manner resulting in unfair treatment of the student.

### II. NONGRIEVABLE MATTERS

A student may not use this procedure for grievances related to the following matters:

- A. Actions of other students, which are handled under the Student Code of Conduct.
- B. Grade appeals, which are handled under the Grade Appeal Policy.
- C. Allegations of discrimination or other conduct that falls within the jurisdiction of the Sexual Misconduct or Non-Discrimination Policies.
- D. The outcomes of student disciplinary proceedings.
- E. Matters covered under other college policies that contain grievance, hearing and/or appeal procedures, such as Goucher's FERPA policy, financial aid appeal procedures, and the Academic Honor Code.
- F. Matters concerning the student in his or her capacity as an employee of the College, which are resolved in accordance with applicable personnel policies through the Department of Human Resources.
- G. Billing disputes.

### III. CAMPUS SOURCES OF SUPPORT

Prior to initiating an informal or formal grievance under this policy, a student may choose to contact a campus consultant to assist him or her in making decisions about how to address the situation of concern and whether to pursue an informal or formal grievance under this policy. Consultants will maintain confidentiality to the extent reasonably possible. The following people will serve as consultants under this policy:

- Tom Ghirardelli, assistant professor of psychology
- Donna Lummis, assistant director of the Center for Teaching & Learning Technology

#### IV. PROCEDURE

Any student alleging a grievable matter shall pursue the grievance as follows:

##### Step 1. Informal Discussion with College Employee

In many cases, informal actions can be taken to resolve a dispute between a student and a college employee. The student may choose to meet with the employee and make a good faith effort to resolve the dispute promptly and fairly. This discussion should be initiated within fourteen (14) working days of the grievable event or as soon thereafter as reasonably possible.

If this conversation does not resolve the issue, or if the student does not feel that he or she can discuss the matter with the employee, the student may, but is not required to, contact one of the consultants identified in Section III above to discuss the situation.

##### Step 2. Discussion with Supervisor or Department Chair

If a satisfactory resolution is not reached after direct discussion with the employee, or if the student chooses not to discuss the matter informally with the employee, the student shall, within fourteen (14) working days of the informal discussion or grievable event, or as soon thereafter as reasonably possible, meet with the employee's supervisor or the individual to whom such employee reports, who will attempt to mediate a resolution. If a faculty member is the subject of a grievance, the student should ordinarily discuss the matter with the department chair. At his or her discretion, the chair may consult with or refer the matter to the associate provost for undergraduate studies.

The supervisor, department chair, or associate provost for undergraduate studies shall notify the employee that a grievance has been raised by the student, provide information about the nature of the grievance, and indicate that mediation will be attempted to resolve the grievance. The supervisor, department chair, or associate provost for undergraduate studies shall attempt to mediate the grievance, then summarize the results of the mediation and provide a copy of this summary in writing to the student and the employee who is the subject of the grievance. Mediation shall occur and the written summary shall be provided within thirty (30) working days of the date the student initially contacts the supervisor or department chair, or as soon thereafter as reasonably possible.

##### Step 3. Formal Grievance

If the matter is not resolved through the informal process, the student may submit a written statement of the grievance to the provost within ten (10) working days after the informal process has ended. The statement shall contain:

- a) a complete narrative of the circumstances giving rise to the grievance;
- b) identification of the parties involved, including names, addresses, and contact information;

- c) a statement of the remedy requested. Remedies under this procedure are generally limited to restoring losses suffered by the student or making changes in college policy, practice, or procedure. Monetary damages, fines or penalties, or disciplinary action against the individual who is the subject of the grievance are not remedies available to the student under this policy.

The provost shall notify the appropriate vice president, dean, or other administrator that a formal grievance is pending in his or her area of responsibility. The employee shall also be notified of the grievance. Written copies of the grievance statement will be provided to the appropriate vice president, dean, or other administrator, and to the employee.

#### Step 4. Investigation of Grievance

The provost will gather any material deemed necessary for review and will meet with all parties directly related to the grievance, in order to gather facts and information needed to make a fair and equitable decision. The student and the individual against whom a grievance is filed may be advised or accompanied by another person at any stage of the grievance procedure, except that practicing attorneys may not participate in any meetings as a representative of any party.

This stage of the grievance procedure shall be completed within twenty-one (21) working days after the provost receives the grievance, or as soon thereafter as reasonably possible.

#### Step 5. Grievance Decision

Within seven (7) working days after completion of the investigation, the provost shall issue a written finding as to whether the employee has violated a college policy or has otherwise acted in a discriminatory or arbitrary manner, resulting in unfair treatment of the student, and, if so, what remedies should be made available to the student as described in Step 3(c). A copy of the decision will be sent to the vice president or dean in the appropriate administrative area, as well as to the student and the employee.

The decision of the provost shall be final.

### V. GRIEVANCES AGAINST CERTAIN ADMINISTRATORS

Grievances against the provost or president of the college shall be addressed as described below, but shall otherwise follow the procedures of this policy to the greatest extent practicable.

Provost. Grievances against the provost shall be reported to the president of the college, who shall direct the Vice President for Human Resources or designee to conduct an investigation and report written findings and recommendations to the president. The president shall issue a written decision, which may be appealed by the provost or student to the Compensation Review Committee of the Board of Trustees. The Committee's decision

represents the final decision of the college. The president shall notify the chair of the Board of Trustees about the grievance, and shall keep the chair informed throughout the grievance process.

President. Grievances against the president shall be reported to the chair of the Compensation Review Committee of the Board of Trustees. The Compensation Review Committee chair shall notify the Board chair about the grievance, and shall keep the Board chair informed throughout the grievance process. The chair shall appoint a panel of three tenured faculty members, who shall conduct an investigation and report findings and recommendations to the Committee, which shall issue a written decision. The decision of the Committee may be appealed by the student or president to the Executive Committee of the Board of Trustees. The Executive Committee's decision represents the final decision of the college.

#### VI. DISCIPLINARY ACTION

Although disciplinary action against the employee is not a remedy available to a student who files a grievance under this policy, the college reserves the right to impose discipline on its employees as a result of determinations made through the grievance process. Any such discipline will be imposed only after a final decision has been issued and/or the appeal period has run with no appeal being filed.

If the employee is a staff member, the employee's supervisor, in consultation with the vice president for human resources, shall determine whether disciplinary sanctions should be imposed. If the employee is a faculty member, the provost shall determine whether disciplinary sanctions should be imposed.

The imposition of disciplinary sanctions may not be appealed by the employee under this policy. Faculty members may grieve the imposition of disciplinary sanctions under the faculty grievance procedure in the Faculty Legislation.

#### VII. CONFIDENTIALITY

All parties to the proceedings held or actions taken under this policy shall maintain the confidentiality of the proceedings and all written reports to the extent reasonably possible. Original records, documents, and reports shall be maintained in the office of the provost, and a duplicate copy shall be maintained in the office of the general counsel.

#### VIII. NON-RETALIATION

No person against whom a grievance is filed or any other person shall intimidate, threaten, coerce, or discriminate against any individual for filing a grievance under this policy. Complaints of such retaliation or interference may be filed and processed under this procedure.

#### IX. TIME GUIDELINES

If the college is not in session during part of these proceedings, or in instances where additional time may be required because of the complexity of the case, unavailability of the parties or witnesses, or other extenuating circumstances, any of the time periods specified herein may be extended by the provost, at the request of any party or individual involved in the grievance procedure. If a period is extended, the student and the person against whom the grievance has been filed will be so informed.

#### X. MISUSE OF POLICY

The purpose of this policy is to provide a mechanism to address legitimate student complaints and grievances. Any student member of the college community is encouraged to use the procedures provided in this policy, not only for the benefit and protection of that individual but ultimately of the entire college community. However, fabricated grievances undermine the purpose and effectiveness of this policy. Accordingly, persons who knowingly fabricate grievances may be subject to disciplinary action. Allegations of fabricated grievances must be reported within ninety (90) days of the date the grievance was brought. Such allegations may be reported to the administrator handling the grievance, who shall investigate the allegations and take any appropriate action. The fact that a grievance may not result in a finding that an employee has violated a college policy or has otherwise acted in a manner resulting in unfair treatment of a student is not alone evidence that the grievance was fabricated.

Revised July 2017