

Statement of Policy:

The grievance procedure may be used to resolve any student complaint except those that are covered by a specific college procedure (e.g. College Code of Conduct Process, Student Academic Grievance Procedures, Harassment Policy, etc.)

No disciplinary or other unfavorable action may be taken against any student or anyone who may represent a student using the grievance procedures.

Scope of Policy:

The Grievance Reporting Form is intended for use by any student wishing to make a formal complaint about a person, policy or university process. If a student feels that there has been a violation of the Valley Forge Military College Code of Conduct, then the appropriate form to use is the Student Grievance Form, which is available online at <https://www.vfmac.edu/student-grievance-form/>

Administrative Guidelines:

**I. *Applicability***

A. It is perhaps inevitable in any college that some students may at times feel improperly treated, and that concerns about unfairness (including potential discrimination and harassment) may also at times arise.

In this regard (and although this grievance procedure is not limited to concerns of discrimination), the VFMC Nondiscrimination Policy provides in part: "VFMC is an equal opportunity/affirmative action employer and educational institution. The College does not discriminate against any person on the basis of race, color, religion, national origin, age, sex (including pregnancy, childbirth, and related medical conditions), disability, genetics, citizenship status, military service, or any other status protected by law. Non-discrimination is observed in the admission, housing, and education of students and in policies governing discipline."

B. At VFMC, there are two grievance procedures through which students can raise and seek redress for what they believe to be unfair, improper or discriminatory decisions, actions, or treatment:

If the matter involves an academic decision, the *Academic Grievance Procedure* may be the applicable procedure.

If the matter involves a non-academic decision, the *Non-Academic Grievance Procedure* may be the applicable procedure.

C. The purpose of the *Non-Academic Grievance Procedure* is to provide a process for students to seek resolution of disputes and grievances that may not fall within the scope of one of the Academic Grievance processes.

D. The Dean of Student Services is responsible for administering this *Non-Academic Grievance Procedure*.

1: The Dean of Student Services may be contacted at:

- 610-989-1467
- Medenbach Hall

2: The Dean of Student Services, in his or her sole discretion, can decide whether to refer a grievance brought under this procedure to another grievance process.

In cases involving student employment, the Dean of College Services may wish to consult with the College's Human Resources Department.

In cases involving allegations of sexual harassment, in particular, the Dean of Student Services will act in his capacity as Title IX Coordinator.

## **II. *Informal Resolution***

A: As a general proposition (and although particular circumstances may warrant an exception), the student should first discuss the problem and seek a solution with the individual(s) most directly involved.

B: If no resolution results (or if circumstances make discussion inappropriate with the person most directly involved), the student should then consult with the individual at the next (higher) administrative level in the department, school, residence or College administrative unit. Serious efforts should be made to resolve the issue locally at an informal level without resort to a formal grievance; such efforts may continue even after the formal process is underway.

## **III. *Formal Grievance***

If informal means of resolution prove inadequate, the student should set forth in writing with the *Non-Academic Grievance Report Form*, the substance of the complaint, the grounds for it and the evidence on which it is based, and the efforts taken to date to resolve the matter. It is at this stage that the complaint becomes a formal grievance.

The grievance document should be submitted to the Dean of College Services, who will review the case and, if any VFMC staff or faculty are involved, consider it a formal grievance. A grievance should be filed in a timely fashion, i.e., within five (5) days of the event in which the action that is the subject of the grievance occurred. Except in extraordinary circumstances, delay in filing a grievance will be grounds for rejection of that grievance.

The Dean of Student Services will promptly initiate a review, which should normally be completed within seven (7) days. The Dean of Student Services may attempt to resolve the

matter informally and may refer the matter (or any part of it) to a designee, who will look into and/or address the matter as the Dean of Student Services directs. The Dean of Student Services may also, in appropriate cases, remand the matter to the appropriate administrator (including to the administrative level at which the grievance arose) for further consideration.

In undertaking this review, either the Dean of Student Services or his or her designee may request a response to the issues raised in the grievance from any individuals believed to have information the reviewer considers relevant, including faculty, staff, and students.

The Dean of Student Services (or his or her designee) will issue his or her decision in writing and take steps to initiate such corrective action as is called for (if any). Conduct meriting discipline will be brought to the attention of the appropriate disciplinary process.

#### **IV. *Appeal***

A. If the student is dissatisfied with the resolution by the Dean of Student Services (or his or her designee), he or she may appeal to the Chief Academic Officer. The appeal should be filed in writing with the Chief Academic Officer within ten days of the issuance of the decision by the Dean of Student Services (or his or her designee); a delay in filing the appeal may be grounds for rejection of that appeal.

B. The Chief Academic Officer may attempt to resolve the matter informally. The Chief Academic Officer may also, in appropriate cases, remand the matter to the appropriate administrator (including to the administrative level at which the grievance arose) for further consideration.

C. The Chief Academic Officer should normally complete his or her review of the appeal and issue his or her decision in writing within fourteen (14) days. That decision is final.

#### **V. *General Provisions***

A. *Time Guidelines*—The time frames set forth herein are guidelines. They may be extended by the Dean of Student Services or Chief Academic Officer as applicable, in his or her discretion for good cause (including for reasons relating to breaks in the academic calendar), and will nearly always be extended during summers and the winter closure.

B. *Advisers*—A student initiating or participating in a grievance under this procedure may be accompanied by an adviser in any discussion with the Dean of Student Services, the Chief Academic Officer or their designees, any adviser must be a current VFMC faculty, staff member or student.

C. *Sexual Harassment and Sexual Assault*—For information and resources concerning Sexual Misconduct, Sexual Harassment, Sexual Exploitation, Stalking, Dating Violence, and Domestic Violence, students should refer to the Title IX Information page of the VFMC website:

[https://www.vfmac.edu/wp-content/uploads/2018/09/Notification-of-Title-IX-Grievance-Procedures\\_9.20.18.pdf](https://www.vfmac.edu/wp-content/uploads/2018/09/Notification-of-Title-IX-Grievance-Procedures_9.20.18.pdf)

D. *No retaliation*—VFMC prohibits retaliation or reprisals against individuals based on their pursuit in good faith of a grievance under this procedure, or their participation in good faith in the grievance process.

E. *Standards for Review*—If the grievance involves a decision that is being challenged, the review by the Dean of College Services, as well as the review by the Academic Dean on appeal, usually will be limited to the following considerations:

The Dean of Student Services exhibited unfair bias which influenced the decision rendered.

The discovery of new evidence which (i) was unavailable at the time of the decision being appealed, and (ii) could substantially alter the decision rendered.

Substantial error in the conduct of the investigation which may have denied fundamental fairness to the appealing party

The sanctions recommended or imposed substantially and materially depart from the standards of VFMC for the type of offense involved.

F. *Policy Evaluation*—The Dean of College Services will conduct an annual evaluation of the effectiveness of the College Grievance Policy and submit a report of that evaluation to the Compliance Committee along with recommendations for adjustments to the Grievance Policy. These recommendations will be evaluated by the PRC and presented to the Provost for approval. The Provost will present recommendations along with his endorsement to the President for final approval.