

POLICY 3.02: STUDENT NON-ACADEMIC GRIEVANCE PROCEDURE

Policy

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

Procedure

The Grievance Reporting Form is intended for use by any student wishing to make a formal complaint about a person, policy, or College process. If a student feels that there has been a violation of the VFMC 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.
 1. 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. 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:

1. If the matter involves an academic decision, the Academic Grievance Procedure may be the applicable procedure.
 2. 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 College Services is responsible for administering this Non-Academic Grievance Procedure.
1. The Dean of College Service, in his or her sole discretion, can decide whether to refer a grievance brought under this procedure to another grievance process.
 - a. In cases involving student employment, the Dean of College Services may wish to consult with the Human Resources Department.
 - b. In cases involving allegations of sexual harassment, in particular, the Dean of College Services/Title IX Coordinator will determine as the most appropriate way to proceed.

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 taken to resolve the issue locally at an informal level without resorting to a formal grievance. Such efforts may continue even after the formal process is underway.

III. Formal Grievance

- A. 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.

- B. 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.
- C. The Dean of College Services will promptly initiate a review, which should normally be completed within seven (7) days. The Dean of College 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 College Services directs. The Dean of College 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.
- D. In undertaking this review, either the Dean of College Services 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.
- E. The Dean of College 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 College Services (or his or her designee), he or she may appeal to the Provost. The appeal should be filed in writing with the Provost within ten days of the issuance of the decision by the Dean of College Services (or his/her designee). A delay in filing the appeal may be grounds for rejection of that appeal.
- B. The Provost may attempt to resolve the matter informally. The Provost 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 Provost 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 College Services or Provost 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 College Services, the Provost, 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: www.vfmac.edu/titleix.
- 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 Provost on appeal, usually will be limited to the following considerations:
 - 1. The Dean of College Services exhibited unfair bias which influenced the decision rendered.
 - 2. 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.
 - 3. Substantial error in the conduct of the investigation which may have denied fundamental fairness to the appealing party

4. 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.

Policy Owner(s)

- Dean of College Services
- Provost

Policy Access and Publication

- Course Catalog
- Policy Manual

Policy Adoption and Revision History

- Adopted: 2019
- Revised: 2021
- Revised: 2022