Grievance Procedure

Grievance is a complaint by a student against a policy or practice of the College or College staff that is considered improper or unfair, or where there has been deviation, misinterpretation, or misapplication of a practice or policy.

- A. A student wishing to pursue a grievance must take the following steps to try to resolve the grievance prior to filling out an official complaint form:
 - 1. The student will first try to resolve the matter with the appropriate BTC staff member;
 - 2. If resolution is not achieved between the student and the BTC staff member, the student will ask the staff member's immediate supervisor to resolve the grievance;
 - 3. If resolution is not achieved at supervisory level, the student will ask the supervisor's Vice President to resolve the grievance;
 - 4. If resolution is not achieved at this point, the student may file a complaint using the appropriate complaint forms (An appointment must be made with the Vice President of Student Services or a designee to obtain the necessary forms and information).
- B. Notification of the problem/complaint must be filed with the Vice President of Student Services or a designee.
- C. Complaints must be filed within 20 school days or the date of the action causing the complaint.
- D. The Vice President of Student Services or a designee will monitor the grievance process.
- E. The student will receive acknowledgement of the filing of a formal, written complaint. The student may withdraw the complaint at any point during the formal procedure. The Vice President or a designee will notify the person(s) against whom the complaint has been filed (hereafter referred to as the staff member). The staff member will also receive a copy of the complaint.
- F. A grievance committee will be appointed annually by the President and will consist of five (5) individuals representing the various College constituencies. The committee will be made up of one (1) administrator, two (2) faculty members, and two (2) support staff members. The complainant may request student representation on the committee. If requested, the President may select two (2) students to substitute for a like number of existing members of the committee. Members of the grievance committee will remove themselves from the process if they deem themselves biased or personally interested in the outcome of grievance.
- G. The Vice President of Student Services or a designee will serve as the investigating officer in the complaint.
- H. The investigating office will:
 - 1. Meet with the student and the staff member.
 - 2. Examine documentation and interview witnesses.
 - 3. Consult with the appropriate vice president, or equivalent unit head and/or other appropriate administrator.
 - 4. Prepare a written investigative report.

- I. The investigating officer may meet individually with the student and the staff member to discuss the report in the hope that a resolution can be reached. If a resolution is not achieved, copies of the investigative report will be forwarded to the grievance committee, the student, the staff member, and the appropriate administrator(s).
- J. The grievance committee will review the complaint and the findings of the investigating officer and determine whether or not the facts warrant a hearing. The committee's decision will be limited to one of the following statements:
 - 1. Based on the evidence presented to us, we find probable cause for believing that an improper or unfair practice or act has been committed; or
 - 2. Based on the evidence presented, we find no probable cause for believing that an improper or unfair practice or act has been committed.

The committee will make its report in writing to the Vice President of Student Services or a designee after receipt of the report by the investigating officer. The deliberations of the committee will not be disclosed to anyone except the Vice President of Student Services or a designee who will hold them confidential.

- K. If no probable cause is found, the matter will be considered concluded. However, the student may submit a written appeal to the Vice President of Student Services within ten (10) working days from the date the decision is made. The appeal must specify in detail what findings, recommendations, or other aspects of the report or decision were not acceptable. The appeal should also include what corrective action the student desires after consideration of the appeal by the President. The Vice President of Student Services may uphold the decision of the committee, and at that point no further appeals within the College will be considered. Or, the Vice President of Student Services may instruct the committee to go forward with the grievance hearing process.
- L. If probable cause is found, a hearing will be held.
 - 1. The committee will select a chair. The chair of the committee will establish a date for the hearing. A notice establishing the date, time, and place of the hearing will be provided to all involved parties.
 - 2. The hearing will be held within thirty (30) working days from the time of the hearing notice.
 - 3. The student and the staff member will each have the privilege to challenge one member of the committee without cause (stated reason). Unlimited challenges may be issued if it is felt that a member of the committee is biased. In the case of a challenge for bias, a majority of the grievance committee members must be satisfied that a challenged member cannot hear the case impartially before the member can be disqualified. In the case of removal of a member through the challenge process, the President will restore the committee to full membership.
 - 4. The hearing will be conducted as expeditiously as possible and on successive days if possible.
 - 5. The student, staff member, and any others the committee deems necessary to the proceedings will make themselves available to appear at the proceeding unless they can verify to the committee that their absence is unavoidable.
 - 6. The student and the staff member will be permitted to have with him/her a party of his/her own choosing to act as advisor and counsel.
 - 7. The hearing will be closed to all except those persons directly involved in the case as determined by the grievance committee. Statements, testimony, and all other evidence given at the hearing will be confidential

- and will not be released to anyone and maybe used by the committee only for the purpose of making its findings and recommendations to the President.
- 8. The chair of the grievance committee will convene and regulate the proceeding. The student, the staff member, and the members of the hearing panel must be present during the preceding unless excused by the chair for good cause. Repeated failure, without reasonable explanation, of either the student or the staff member to appear will be grounds for defaulting that party's case. The student will have the burden of presenting the case and the staff member will have the burden of challenging the evidence presented.
 - a. All parties will have the opportunity to present evidence, respond to evidence presented, and examine and cross examine witnesses.
 - b. The hearing panel will be empowered to: examine witnesses and receive evidence; exclude any person(s) felt to be unreasonable disruptive of the proceedings; hold conferences for the settlement of the issues involved; make decisions or proposals for decisions; and take any other actions authorized by the rule consistent with this procedure.
 - c. No individual will be compelled to divulge information in any form which she/he could not be compelled to divulge in, or in connection with, court proceedings.
- 9. Any legal opinion or interpretation given to the grievance committee by the parties may be shared with all parties to the case.
- 10. The grievance committee will file its findings and recommendations with the Vice President of Student Services, the student, and the staff member after the conclusion of the hearing. If the findings and recommendations of the grievance committee are acceptable to the student and the staff member, the President may direct implementation of the recommendations.
- M. If the student or staff member objects to the findings and recommendations and wishes to appeal, a written appeal may be submitted to the President within ten (10) working days from the date the finding is issued. The appeal must specify in detail the findings, recommendations, or other aspects of the report or decision that are not acceptable. The appeal should also include what corrective action the student or staff member desires after consideration of the appeal by the President.
- N. After considering an appeal, the President will issue a written decision to the parties involved. The decision of the President will be final and no further appeals within the College will be considered.