



Student Grievances Procedure

Procedure Number: 608P

Responsible Office Vice President of Student Affairs

Forms: [Student Grievance - Discrimination Form \(125-021-D\)](#), [Student Grievance - Non-Academic Form \(125-021-N\)](#), [Student Grievances - Academic Form \(125-021A\)](#)

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1. Purpose

Northern Virginia Community College is committed to providing an equitable and orderly process to resolve student grievances.

2. Definitions

Academic Grievance: An academic grievance is an appeal of a final course grade or dismissal from an academic program for grade related reasons. An academic grievance of a final course grade or dismissal (for grade related reasons) must be based on at least one of the following: arbitrary and/or capricious action on the part of the faculty member, or application of standards different from those that were applied to other students in the same course or program; the assignment of a final course grade not in accord with the grading protocol on the course syllabus; or dismissal from a program not in accord with the program standards.

Complainant: The complainant is the student who has the grievance.

Discrimination Grievance: A discrimination grievance is based on inequitable treatment of a student based on one or more of that person's protected characteristics or statuses, excepting any treatment permitted or required by law. The College prohibits discrimination on the basis of the following protected characteristics/statuses: race, color, sex, age, (except where sex or age is a bona fide occupational qualification), religion, disability, family medical or genetic information, national origin, marital status, pregnancy, veteran or military status, political affiliation, sexual orientation, gender identity, shared ancestry or other non-merit factors.

Harassment Grievance: A harassment grievance is based on unwelcome conduct directed against a student based on one or more of that person's protected characteristics or statuses, where conduct is so severe or pervasive that it interferes with an individual's employment, academic performance or participation in College programs or activities, and creates a working, learning, program or activity environment that a reasonable person would find intimidating, hostile or offensive.

Non-Academic Grievance: A non-academic grievance is a formal difference or dispute between a student and a college employee about the interpretation and/or application of the policies and procedures of the campus, the College, or the Virginia Community College System that negatively affects the student. A non-

academic grievance must be based on one of the following claims: arbitrary and/or capricious actions by a college employee or administrative office; policy or procedure applied unfairly and/or in a different manner than it was applied to others; administrative error in the application of the policy or procedure.

Respondent: The respondent is the faculty or staff member whose decision or action is the subject of the grievance.

Retaliation: Any overt or covert act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against one or more individuals for exercising their rights (or supporting others for exercising their rights) under this policy.

3. Procedure

A. Time Constraints - Discrimination & Harassment Grievances

- i. A discrimination or harassment grievance should be raised formally or informally within thirty (30) calendar days following the event giving rise to the grievance. The longer a complainant waits to notify the college of a discrimination grievance can impact the ability of the college to gather evidence or take certain corrective actions.
- ii. Every effort will be made to resolve grievances related to alleged discrimination and harassment promptly. Time limitations specified in this policy may be extended by either written mutual agreement of the parties or upon request if requested in advance of the expiration of a time limit and for good cause shown.
- iii. If there is no written mutual agreement to extend the time limits or no approved request for one, and if the student fails to appeal to the next level within the specified time limits, the grievance will be deemed closed and the last decision rendered will be final and not appealable.
- iv. If the College fails to act on a grievance at the Level I (Formal Process) or to notify the student of the decision at the Level I (Formal Process) within the specified time limits, the student will be permitted to appeal to Level II within the time that would have been allotted had the decision been timely communicated.
- v. Concurrent grievances: If the same incident or circumstance is the subject of another grievance process the student may initiate both processes at the same time. However, the College reserves the right to consolidate the grievances into a single process to fully resolve all issues with the precedent being to resolve any allegations of discrimination or harassment first to the extent it does not conflict with another policy (i.e. Title IX).

B. Retaliation Prohibited - Discrimination & Harassment Grievances

- i. Retaliation against a student or witness for filing or participating in the investigation of a discrimination grievance is prohibited.
- ii. The College will investigate any reports of retaliation and take appropriate disciplinary action.



C. Confidentiality - Discrimination & Harassment Grievances

- i. All actions taken to resolve discrimination grievances through this process will be conducted with as much privacy, discretion and confidentiality as possible without compromising the thoroughness and fairness of the process. All persons involved are to treat the process with respect.

CI. Informal Resolution (Required) – Discrimination & Harassment Grievances

- i. As the first step, the student (Complainant) is encouraged to meet with the direct supervisor of the college employee (Respondent) with whom the student believes to be engaging in the discriminating or harassing conduct. A student should not have to meet with the person they perceive to be discriminating or harassing them to engage in the informal resolution process. At the meeting, the student must clearly present the facts giving rise to the concerns regarding the issue and the resolution that is being requested. The supervisor should make every reasonable effort to resolve the matter informally at this level and document the outcomes of any action taken. The supervisor working to resolve the discrimination matter informally should consult with the Equal Opportunity Investigator in the Office of Student Affairs who can provide information or direct the supervisor to other resources. If the student wishes to skip the informal resolution process at any time, the student should be directed to the [Student Grievance - Discrimination Form \(125-021-D\)](#)

CII. Formal Resolution (Level One in Maxient) - Discrimination & Harassment Grievances

- i. The formal process must begin within thirty (30) calendar days following the event given rise to the complainant OR within 14 calendar days of an attempted informal resolution process.
- ii. The college official receiving the discrimination grievance notice via the online case management system (Maxient) will notify the respondent and complainant within seven calendar days and send a request to meet with each person individually. The college official is required to review evidence, statements from the complainant, respondent, and other information to make a preliminary assessment of the presence of discrimination or harassment. The appropriate college official is required to provide both parties with a written response of their preliminary evaluation within 10 calendar days after the initial meetings conclude. The appropriate college officials who are required to respond to formal discrimination grievances as a Level One decision maker are outlined as follows:
 - In discrimination matters that concern gender expression, pregnancy status, sex, or sexual orientation the appropriate college official is the Title IX Coordinator. If the grievance is about the Title IX Office, the grievance should be routed to the Equal Opportunity Investigator.
 - In discrimination matters that concern age, color, disability status, marital status, national origin, political affiliation, race, religion, shared ancestry, or other matters not falling under subparts (i)-(iii) above, the appropriate college official is the college Equal Opportunity Investigator. If the grievance is about the Equal Opportunity Investigator, the grievance should be routed to the Vice President of Student Affairs. In the event

the discrimination grievance concerns an active MOA issued by the college, the Director of Accommodations and Accessibility will be consulted by the decision-maker.

- iii. The role of the decision-maker is to chair the meetings with the complainant, respondent, or any witnesses, review evidence, and conduct an adequate, reliable, and impartial investigation to determine whether the justifications for discrimination or harassment (per the policy definitions) are supported by evidence and then render a decision on the matter. The standard for deciding is preponderance of the evidence, meaning the evidence shows it more likely than not (51%) that discrimination or harassment (per the policy definitions) occurred.
- iv. The decision maker should consult with the Office of System Counsel as needed.
- v. With respect to the process used for the meetings:
 - Each party may present witnesses and other evidence. If either party wishes to have a witness present, they should provide advanced notice of this request. No attorneys or other advisers are allowed to be present to represent either party.
 - No recording will be permitted during the meeting.
 - The decision-maker may conduct follow-up inquiries after the meeting if necessary.
 - The decision-maker will prepare a written report of the outcome of the discrimination grievance within ten (10) calendar days after the meetings conclude and will provide copies to the complainant and the respondent. The letter should indicate the justification for the decision and how the Complainant can appeal the decision at Level II if they would like to exercise this option.

F. Formal Resolution (Level Two in Maxient) - Discrimination & Harassment Grievances

- i. If the Complainant is not satisfied with the outcome of the grievance/ at Level One in the Formal process, the student may file a written appeal by using the online [Student Grievance - Discrimination Form \(125-021-D\)](#) indicating they wish to appeal a decision made at Level One. Within the online form, the student is required to submit the letter of the decision at Level I as part of the appeal process. An appeal must be done within ten (10) calendar days of the notice of determination at Level One. In most cases, the appropriate person at Level II will be the Vice President of Student Affairs or appropriate employee with AIC designee.
- ii. The decision-maker at Level II will review collect relevant information from all parties and review the online record of previous actions. In addition, the decision-maker at Level II will provide the complainant and respondent with an opportunity to submit new information.
- iii. If, in the judgment of the decision-maker at Level II, the appeal and record of previous actions have resolved the grievance or do not warrant further action, he/she will notify the student and the respondent within ten (10) calendar days of receiving the request for an appeal. The notice will be set via the online case management system, Maxient, and the case file will be updated by the decision-maker. The Vice President of Student Affairs's determination is final. The



standard for deciding an appeal is preponderance of the evidence, meaning the evidence shows it more likely than not (51%) that a violation occurred. Both complainant and respondent should be provided an opportunity to submit any new material or evidence that was not considered.

- iv. If the request for an appeal regarding the discrimination grievance warrants further action, the Level I decision can be overturned, and the decision maker can bring the matter for further evaluation via a formal hearing. The hearing should be attended by the Vice President of Student Affairs (who serves as chair of the hearing panel), one member of NOVA's DEI Council, and one additional member of Admin Council. Within twenty (20) calendar days after the panel has been appointed, the chair of the panel will set a time and place for a hearing and notify the student and the respondent in writing at least 48 hours prior to the hearing. The hearing will be held within twenty (20) calendar days after the panel has been appointed, and no later than thirty (30) calendar days after the submitted written appeal.
- The chair of the Panel is responsible for conducting the hearing in an orderly, efficient, and equitable manner.
 - Both the student and the respondent may have an adviser present at the hearing; however, each party must so inform the chair of the panel five (5) calendar days prior to the hearing. Either party may consult with their own adviser; however, the adviser may not speak for the party or address the members of the panel. The chair of the panel may disallow a particular adviser in cases where the adviser might be a witness or where such adviser's presence, in the chair's sole determination, would be obstructive to the process or for other good cause. Advisors who fail to abide by these rules will be excluded from the hearing and the party whom they were to advise will not be permitted to delay the hearing for purposes of obtaining a new advisor.
 - At the panel hearing, the student and the respondent will each have the opportunity to present any information relevant, including witnesses to the discrimination grievance.
 - The panel is responsible for reviewing the discrimination grievance appeal considering College policies and procedures. The panel must use the preponderance of the evidence standard and the definitional standards for discrimination and harassment as defined in the policy. The panel can neither change nor formulate College policies and procedures, nor can it commit state resources. The panel can consult with the Office of System Counsel (as needed) prior to voting. The panel will make its decision by simple majority vote.
 - The chair of the panel will prepare a written report of the outcome of the hearing to the complainant and respondent. The decision and recommendations of the hearing panel, including action the college must take to address substantiated findings of discrimination or harassment is final.

G. Time Constraints - Non-Academic Grievances

- i. Every effort will be made to resolve grievances related to non-academic matters promptly. Time limitations specified in this policy may be extended by either written mutual agreement of the parties or upon request if requested in advance of the expiration of a time limit and for good cause shown. A non-academic grievance should be raised formally or informally within thirty (30) calendar days following the event giving rise to the grievance. The longer a complainant waits to notify the college of a non-academic grievance can impact the ability of the college to gather evidence or take action.
- ii. If there is no written mutual agreement to extend the time limits, and if the student fails to appeal to the next level within the specified time limits, the grievance will be deemed settled on the basis of the last decision rendered.
- iii. If the College fails to act on a grievance or to notify the student of the decision at any level within the specified time limits, the student will be permitted to appeal to the next level within the time that would have been allotted had the decision been communicated within the appropriate time limit.
- iv. Concurrent grievances: If the same incident or circumstance is the subject of another grievance process the student may initiate both processes at the same time. However, the College reserves the right to consolidate the grievances into a single process to fully resolve all issues with the precedent being to resolve any allegations of discrimination or harassment first to the extent it does not conflict with another policy (i.e. [Title IX](#)). Students with non-academic grievances that also involve discrimination should be advised to complete the [Student Grievance - Discrimination Form \(125-021-D\)](#) in addition to the [Student Grievance - Non-Academic Form \(125-021-N\)](#) so the discrimination aspects of their non-academic grievance are addressed by the appropriate college official.

H. Retaliation Prohibited - Non-Academic Grievances

- i. Retaliation against a student or witness for filing or participating in the investigation of a non-academic grievance is prohibited. The College will investigate any reports of retaliation and take appropriate disciplinary action.

I. Confidentiality - Non-Academic Grievances

- i. All actions taken to resolve a non-academic grievance through this process will be conducted with as much privacy, discretion and confidentiality as possible without compromising the thoroughness and fairness of the process. All persons involved are to treat the process with respect.

J. Informal Resolution (Required) - Non-Academic Grievances

- i. As the first step, the student (Complainant) is encouraged to meet with the employee (Respondent) OR the direct supervisor of the Respondent with whom the student has a non-academic grievance with. At the meeting, the student must clearly present the facts giving rise to the concerns regarding the issue and the resolution that is being requested. The Respondent or supervisor should make every reasonable effort to resolve the matter informally at this level and document the outcomes of any action taken. If the student wishes

to skip the informal resolution process at any time, the student should be directed to the online form for filing a formal [Non-Academic Grievance](#).

K. Formal Process (Level One in Maxient) - Non-Academic Grievances

- i. The formal process must begin within thirty (30) calendar days following the event given rise to the complainant OR within 10 calendar days of an attempted informal resolution process.
- ii. The notice of the non-academic grievance will initially go to the appropriate Admin Council members associated with the Non-Academic Grievance Area, as outlined in the online Maxient form. The Admin Council member will assign a direct report to do the Level One Formal review. The Admin Council member will be responsible for ensuring the Non-Academic Grievance is received by the reviewer via the online case management system (Maxient).
- iii. Within ten (10) calendar days of receiving the notice of a non-academic grievance, the appropriate college official (the decision-maker) will schedule a meeting with to discuss the non-academic grievance. This can be done with each party separately, meeting individually with each person. Please note, the meetings may occur after the ten (10) calendar days, but its date should be established within this time frame.
- iv. The role of the decision-maker is to facilitate the discussion, conduct an adequate, reliable, and impartial investigation, determine whether the justifications for the non-academic grievance are supported by evidence, and render a decision on the matter. The standard for deciding is preponderance of the evidence, meaning the evidence shows it more likely than not (51%) that a violation occurred.
- v. With respect to the process used:
 - Each party may present witnesses and other evidence.
 - No attorneys or other advisers are allowed to be present to represent either party.
 - No recording will be permitted during the meeting.
 - The decision-maker may conduct follow-up inquiries if needed.
 - The decision-maker will prepare a written report of the outcome of the non-academic grievance within ten (10) calendar days after the meetings conclude and will provide copies to the student and the respondent. The letter should indicate the justification for the decision and who the student should contact if they wish to appeal the decision. The letter should be sent to the complainant (or student who submitted the grievance), and documentation of the investigation should be stored within the online case management system, Maxient.

L. Formal Process (Level Two in Maxient) - Non-Academic Grievances

- i. If the Complainant is not satisfied with the outcome of the grievance at Level One in the Formal process, the student may file a written appeal by using the online [Student Grievance - Non-Academic Form](#) and indicating they wish to appeal a decision made at Level One. This must be done within ten (10) calendar days of the determination at Level One. In most cases, the appropriate person will be the Administrative Council member (Provost/Vice President) with responsibility for the area of the Non-Academic Grievance. If the non-academic grievance is filed against an Administrative Council member, another Administrative Council member must serve as the reviewer of the issue at Level II.
- ii. The Administrative Council member will collect and review relevant information from all parties and review the online record of previous actions performed at Level One.
- iii. If, in the judgment of the Administrative Council member, the appeal and record of previous actions have resolved the non-academic grievance or do not warrant further action, he/she will notify the student and the respondent within ten (10) calendar days of receiving the request for an appeal. The Administrative Council member's determination that the non-academic matter does not warrant further action is final. The letter should be sent to the student Complainant, and documentation of the investigation should be stored within the online case management system Maxient.
- iv. If, in the judgment of the Administrative Council member the grievance warrants further action, they can decide to overturn the Level I decision and bring the matter for evaluation via a formal hearing.
 - If used, the panel will consist of three members, including the Admin Council member (who serves as Chair), one faculty or staff member, and one student. At the request of the student bringing the appeal, a faculty or staff member may replace the student panel member. In no case may an individual involved in an earlier level of the process serve on the panel.
 - Within ten (10) calendar days after the panel has been appointed, the chair of the panel will set a time and place for a hearing and notify the student and the respondent in writing at least 48 hours prior to the hearing. The hearing will be held within twenty (20) calendar days after the panel has been appointed, and no later than thirty (30) days after the written appeal has been submitted to the Administrative Council member.
 - The chair of the Panel is responsible for conducting the hearing in an orderly, efficient, and equitable manner.
 - Both the student and the respondent may have an adviser present at the hearing; however, each party must so inform the chair of the panel five (5) calendar days prior to the hearing. Either party may consult with their own adviser; however, the adviser may not speak for the party or address the members of the panel. The chair of the panel may disallow a particular adviser in cases where the adviser might be a witness or where such adviser's presence, in the chair's sole determination, would be obstructive to the process or for other good cause.

- At the panel hearing, the student and the respondent will each have the opportunity to present any information relevant to the non-academic grievance appeal.
- The panel is responsible for reviewing the non-academic grievance appeal in light of college policies and procedures. The panel can neither change nor formulate College policies and procedures, nor can it commit state resources. The panel will make its decision by simple majority vote.
- The chair of the panel will prepare a written report of the outcome of the hearing and provide it to the student and the respondent within ten (10) calendar days after the conclusion of the hearing. The vote and decision of the panel is final. The report should be sent to both parties, and documentation of the hearing should be stored within the online case management system Maxient.

M. Time Constraints - Academic Grievances

- i. Every effort will be made to settle grievances related to academic matters promptly. Time limitations specified in this policy may be extended by either written mutual agreement of both parties or upon request if requested in advance of the expiration of a time limit and for good cause shown. An academic grievance must be raised within thirty (30) calendar days following the event giving rise to the academic grievance.
- ii. If there is no written mutual agreement to extend the time limits or no approved request for one, and if the student fails to appeal to the next level within the specified time limits, the grievance will be deemed closed and the last decision rendered will be final and not appealable.
- iii. If the College fails to act on an academic grievance or to notify the student of the decision at any level within the specified time limits, the student will be permitted to appeal to the next level within the time that would have been allotted had the decision been communicated within the appropriate time limit.
- iv. Concurrent grievances: If the same incident or circumstance is the subject of another grievance process the student may initiate both processes at the same time. However, the College reserves the right to consolidate the grievances into a single process to fully resolve all issues with the precedent being to resolve any allegations of discrimination or harassment first to the extent it does not conflict with another policy (i.e. [Title IX](#)).

N. Retaliation Prohibited - Academic Grievances

- i. Retaliation against a student or witness for filing or participating in the investigation of an academic grievance is prohibited.
- ii. The College will investigate any reports of retaliation and take appropriate disciplinary action.

O. Confidentiality - Academic Grievances

- i. All actions taken to resolve an academic grievance through this process will be conducted with as much privacy, discretion and confidentiality as possible without compromising the thoroughness and fairness of the process. All persons involved are to treat the process with respect and follow FERPA.

P. Informal Resolution (Required) - Academic Grievances

- i. As the first step, the student (Complainant) is required to meet with the course instructor or the campus Associate Dean assigned to the discipline of the course to try to resolve their concerns about the academic grievance. At the meeting, the student must clearly present his or her case regarding the issue and the resolution that is requested. The course instructor or campus Associate Dean should make every reasonable effort to resolve the matter informally at this level. If the matter cannot be resolved informally the course instructor, Associate Dean, or appropriate college official should share with the student how to file a formal academic grievance. If there is a discrimination claim within the grievance, the student does not have to meet with the person who they allege is responsible for discrimination actions to complete the informal resolution process.
- ii. In the case of academic grievances, the respondent is the course instructor or whoever assigned the final course grade being challenged, and the student is the complainant. In matters where a student is dismissed from an academic program; the respondent is the college official who issued the notice of dismissal to the student.
 - If the course instructor who issued the grade is no longer at the College or the Associate Dean is otherwise unavailable for an informal resolution discussion, the student will complete the [Student Grievances - Academic Form \(125-021-A\)](#) to advance to Level One-Formal Process.
 - If a student contacts a NOVA Online staff member regarding a course offered through NOVA Online, the staff will refer the matter to the appropriate course instructor or division dean.
 - In cases involving NOVA Online, the student may also contact the Associate Vice President of eLearning to help facilitate communication between the student and instructor or Associate Dean at this informal stage of the process.
 - In cases involving Dual Enrolled students taking courses at the high school, the student may contact the Director of Dual Enrollment (DE) to facilitate communication between the student and DE instructor or campus Associate Dean at this informal stage of the process.
 - In the case of an academic grievances when a student alleges that discrimination is related to the incident, the student should complete the online discrimination form and the [Student Grievance - Discrimination Form \(125-021-D\)](#). The student will not be required to make direct contact with the alleged employee responsible for discrimination to resolve the matter informally. The evaluation of an allegation of discrimination should occur first and inform the decision on the academic grievance.

Q. Formal Process (Level One in Maxient) - Academic Grievances

- i. The formal process must begin within thirty (30) calendar days following the event given rise to the complainant OR within 10 calendar days of an attempted informal resolution process. The documentation of an attempt at informal resolution is required.
- ii. The college official receiving the academic grievance notice via the online case management system (Maxient) will notify the respondent and complainant within seven calendar days and send a request to meet with each person individually. The college official is required to review evidence, syllabi, statements from the complainant, respondent, and other information to assess the academic grievance. In Academic Grievances, the responsible party who should respond to Level One Academic Grievances is the Dean.
- iii. The appropriate college officials (Academic Deans) who are required to respond to formal academic grievances as a Level One decision maker are outlined as followed:
 - In an academic grievance, the decision-maker at Level One is always the campus dean of the division in which the course is taught or in which the program is offered.
 - If the course involves NOVA Online, the decision-maker should consult with Vice President of eLearning.
 - If the course involves dual enrollment, the decision-maker should consult with Director of Dual Enrollment.
 - If the academic grievance concerns a matter of discrimination, the decision-maker should provide written guidance to the complainant (students) to complete the [Student Grievance - Discrimination Form \(125-021-D\)](#) and wait for consultation from the Equal Opportunity Investigator, Chief Institutional Effectiveness & Inclusion Officer, or Title IX Officer before rendering a decision at Level One.
- iv. Within twenty (20) calendar days of receiving the formal academic grievances or receiving the results of a discrimination grievance, the decision-maker will meet with both parties individually to discuss the academic grievance. The meetings may occur after the twenty (20) calendar days, but its date should be established within this time frame.
- v. The role of the decision-maker is to facilitate the discussion, conduct an adequate, reliable, and impartial investigation, determine whether the justifications for the academic grievances are supported by evidence and render a decision on the matter. In regard to the process:
 - Each party may present witnesses and other evidence.
 - No attorneys or other advisers are allowed to be present to represent either party.
 - No recording will be permitted during any meeting.
 - The decision-maker may conduct follow-up inquiries after the meeting.

- The decision-maker will prepare a written report of the outcome of the academic grievances within ten (10) calendar days after the meeting and will provide copies to the student and the respondent. The letter should be sent, and documentation of the investigation should be stored within the online case management system Maxient. The letter should indicate the justification for the decision, and how the student can appeal the decision at Level II if they would like to exercise this option.
- In the case of academic grievances, the final course grade will be changed only if the dean and the instructor agree that the change is warranted; if the dean and the instructor disagree, the matter automatically goes to Level Two.

R. Formal Process (Level Two in Maxient) - Academic Grievances

- i. If the student is not satisfied with the outcome of the academic grievance at Level One, the student may file a written appeal via the Student Grievance Form-Academic (125-021-A) within ten (10) calendar days of the determination at Level One. Within the online form, the student is required to submit the letter of the decision at Level I as part of the appeal process. An appeal must be done within ten (10) calendar days of the notice of determination.
- ii. The appropriate person at Level II will be the Administrative Council member (Provost/Vice President) with responsibility for the respondent division, in other words, the supervisor of the Academic Dean who rendered a decision at Level One.
- iii. The Administrative Council member will collect relevant information from all parties and review the online record of previous actions. In addition, the decision-maker at Level II will provide the complainant and respondent with an opportunity to submit new information.
 - If, in the judgment of the Administrative Council member, the appeal and record of previous actions have resolved the grievance or do not warrant further action, he/she will notify the complainant (student) and the respondent (faculty member) within ten (10) calendar days of receiving the written appeal. The Administrative Council member's determination that the grievance does not warrant further action is final. The letter should be sent, and documentation of the investigation should be stored within the online case management system Maxient. The letter should indicate the justification.
- iv. If, in the judgment of the Administrative Council member, the academic grievance warrants further action, the decision-maker should appoint an academic grievance Panel. The panel must be appointed, or a decision rendered within twenty (20) calendar days of receiving the written appeal.
- v. If used, the panel will consist of three members, including the Administrative Council member (who will serve as chair), one FT teaching faculty member, and one student. At the request of the student bringing the appeal, a faculty or staff member may replace the student panel member. In no case may an individual involved in an earlier level of the process serve on the panel.
 - Within twenty (20) calendar days after the panel has been appointed, the chair of the panel will set a time and place for a hearing and notify the student and the respondent in writing

at least three (3) calendar days prior to the hearing. The hearing will be held within fifteen (15) calendar days after the panel has been appointed, and no later than thirty (30) days after the written appeal has been submitted to the Administrative Council member.

- The chair of the panel is responsible for conducting the hearing in an orderly, efficient, and equitable manner.
- Both the student and the respondent may have an adviser present at the hearing; however, each party must so inform the chair of the panel five (5) calendar days prior to the hearing. Either party may consult with their own adviser; however, the adviser may not speak for the party or address the members of the panel. The chair of the panel may disallow a particular adviser in cases where the adviser might be a witness or where such adviser's presence, in the chair's sole determination, would be obstructive to the process or for other good cause.
- At the panel hearing, the student and the respondent will each have the opportunity to present any information relevant to the academic grievances. The panel may also request information from other sources.
- The panel is responsible for reviewing the academic grievances considering college policies and procedures. The panel can neither change nor formulate College policies and procedures, nor can it commit state resources. The panel will make its decision by simple majority vote.
- The chair of the panel will prepare a written report of the outcome of the hearing and provide it to the student and the respondent within ten (10) calendar days after the conclusion of the hearing. The vote/decision of the hearing panel is final. A report should be sent to both parties, and documentation of the hearing should be stored within the online case management system Maxient.

S. Academic Progress - Academic Grievances

- i. When a student grieves a dismissal from an academic program or a final grade that has the effect of preventing the student from continuing in a program or course sequence, the student may be permitted to continue in the academic program or course sequence until the process is concluded, with the following exceptions:
 - a. The student is in a health sciences, nursing, veterinary or other clinical program where the student's continuation in the program may pose a health or safety risk to the student, patients or others; or the student is in an internship where the sponsoring employer has determined that the student is not meeting workplace expectations.
- ii. If the original grade or program dismissal is upheld, the student will immediately be removed from the program or course sequence in accord with the original grade or dismissal. Students should be aware that the resulting reduction in credits may affect eligibility for financial aid.

T. Management of Records - Discrimination/Harassment Grievances, Non-Academic Grievances, Academic Grievances

- i. The College will maintain a record of every discrimination, non-academic, and academic grievance that proceeds to Level One (Formal) or beyond. Records will be maintained in the college's case management system (Maxient) for five years.
- ii. The Responsible Offices for this procedure will work to ensure those who need access to Maxient have the proper training and also provide an annual update to Admin Council on the efficiency of using the online database (Maxient) for case management purposes and record purposes for matters that concern student grievances.