



FLETCHER TECHNICAL COMMUNITY COLLEGE
Policy 2.004

Student Affairs Grievance Policy and Procedures

Authority: Fletcher Technical Community College Chancellor

Effective Date: 08/20/2019
Last Revision: 06/25/2020

PURPOSE:

Fletcher Technical Community College deems the right to due process for all students. All LCTCS institutions are committed to upholding and instilling in all students the highest standards of academic, personal, professional, and social integrity.

POLICY STATEMENT:

Fletcher Technical Community College establishes policies and regulations governing student conduct and publish such policies and regulations on the college's website and in the appropriate college publications. These policies and regulations shall acknowledge students' rights as well as responsibilities, provide due process (notice and an opportunity to be heard) in disciplinary matters, including the right to appeal, and provide for appeal of the college's decision in disciplinary matters to the Louisiana Community and Technical College System (LCTCS) Office after all due process procedures at the college-level are exhausted, in accordance with the procedures stated below.

POLICY/PROCEDURE:

Process for Student Affairs Grievances filed BY A STUDENT:

- I. For students filing against a fellow student or a faculty or staff member for non-academic reasons to include *but not limited to*:
 - a. Dismissal from a program for non-academic reasons
 - b. Violation of a student affairs policy between students and/or faculty and students
 - c. Student violation of rights
 - d. Harassment of the student by another student/faculty
 - e. Financial aid (after doing SAP appeal)
 - f. Enrollment processes
 - g. Advising

- II. If the grievance is with a staff member, the student begins with speaking with the staff member's department manager.
 - A. If no resolution is reached,
 - i. The student speaks with Director of Student Affairs
 - B. If with a fellow student, begin here:
 - i. A resolution is sought through informal investigation and mediation.
- III. The student files a formal grievance with the Director of Student Affairs.
 - A. A formal investigation occurs within 10 school calendar days.
 - B. The Director of Student Affairs will then perform the following procedures:
 - i. The Director of Student Affairs will interview all impacted parties.
 - ii. The Director of Student Affairs will gather the facts.
 - iii. A Formal Review Board is formed. This will include two staff members, two faculty members and one student who are non-biased parties to the incident.
 - iv. In all grievance matters referred to the Board of Review, all parties involved shall have the following rights:
 - 1. To be given notice in writing of the situation.
 - 2. To be allowed adequate time in which to prepare for the administrative hearing. This is normally interpreted to be at least three (3) school calendar days from the time of notification of the administrative hearing. Circumstances can justify a shorter period.
 - 3. To have the grievance considered by the Board of Review. The student may waive this right and accept the judgment of the Director of Student Affairs.
 - 4. To be given information on the nature of the evidence on which the grievance is based. If written or video documents are to be introduced as evidence, the student has a right to receive copies of the documents three (3) school calendar days before the hearing. The student is also entitled to receive a list of all the witnesses who will be participating. If, however, the student wishes to cross-examine any College witnesses, he or she must submit a written request containing the names of the witnesses to the Director of Student Affairs.
 - 5. To have a separate hearing before the Board of Review. When two or more students are involved in the grievance with the same circumstances, one or more of the students may make a written request for a joint hearing. The decision on a joint hearing will be made by the committee chair on the merits of each situation. Thus, the written request should show why a joint hearing will help ensure a fair and reasonable due process hearing for the grievance.
 - 6. To be presumed innocent until proven guilty and to have the Board of Review decide guilt solely on the basis of clear and convincing evidence presented during the hearing, with the College bearing the burden of proof of guilt.
 - 7. To retain all rights as a College student while the charges are being considered and, if found guilty, all rights of appeal have been exhausted as

established in this code. Exceptions based on programmatic requirements may be upheld (i.e., removal from clinical sites, etc.)

8. To appeal decisions and recommendations of the Board of Review or of the administrative officer who hears the case. This must occur within five (5) days of the decision.
- v. Results of investigation are reported within 2 school calendar days. Results are final.
- vi. If due process was not followed an appeal may be submitted to the College Chancellor for consideration.

Process for Grievance filed AGAINST A STUDENT (by faculty or staff member):

- i. For faculty and/or staff member filing against a student for non-academic reasons to include *but not limited to*:
 - A. Violation of student affairs policies (drug, alcohol, violence, etc.)
 - B. Student behavior in a classroom or otherwise
- ii. Process
 - A. The faculty or staff member speaks with the student. It is recommended that a witness is present. Documentation of the discussion should be sent through e-mail after the discussion to hold record of the conversation. If there is a programmatic formal process (via handbook, policy guidelines, etc.) this should be followed. If the matter is not resolved,
 - B. The faculty or staff member speaks with the Director of Student Affairs.
 - i. A resolution is sought through informal investigation and mediation.
 - C. The faculty or staff member files a formal grievance with the Director of Student Affairs.
 - i. A formal investigation occurs within 10 school calendar days.
 - ii. The Director of Student Affairs will interview all impacted parties and will gather the facts.
 - iii. A formal hearing board is formed. This will include two (2) staff, two (2) faculty and one (1) student who are non-biased parties to the incident.
 - iv. In all grievance matters referred to the Board of Review, the all parties involved shall have the following rights:
 1. To be given notice in writing of the situation.
 2. To be allowed adequate time in which to prepare for the administrative hearing. This is normally interpreted to be at least 3 school calendar days from the time of notification of the administrative hearing. Circumstances can justify a shorter period.
 3. To have the grievance considered by the Board of Review. The student may waive this right and accept the judgment of the Director of Student Affairs.
 4. To be given information on the nature of the evidence on which the grievance is based. If written or video documents are to be introduced as evidence, the student has a right to receive copies of the documents 3

school calendar days before the hearing. The student is also entitled to receive a list of all the witnesses who will be participating. If, however, the student wishes to cross-examine any College witnesses, he or she must submit a written request containing the names of the witnesses to the Director of Student Affairs.

5. To have a separate hearing before the Board of Review. When two or more students are involved in the grievance with the same circumstances, one or more of the students may make a written request for a joint hearing. The decision on a joint hearing will be made by the committee chair on the merits of each situation. Thus, the written request should show why a joint hearing will help ensure a fair and reasonable due process hearing for the grievance.
 6. To be presumed innocent until proven guilty and to have the Board of Review decide guilt solely on the basis of clear and convincing evidence presented during the hearing, with the College bearing the burden of proof of guilt.
 7. To retain all rights as a College student while the charges are being considered and, if found guilty, all rights of appeal have been exhausted as established in this code. . Exceptions based on programmatic requirements may be upheld (i.e., removal from clinical sites, etc.)
 8. To appeal decisions and recommendations of the Board of Review or of the administrative officer who hears the case. This must occur within five (5) days of the decision.
- v. Results of investigation are reported within 2 school calendar days. Results are final.
 - vi. If due process was perceived as not followed an appeal may be submitted to the College Chancellor for consideration.

How to prepare for a hearing:

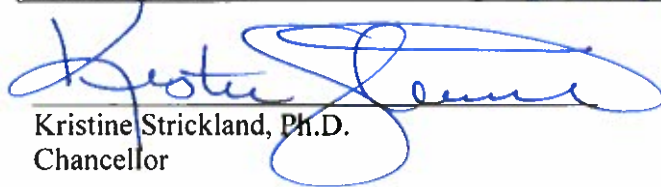
- I. Gather your evidence. This will include written documentation. Creating a timeline will often help you present your case. Please work with the Director of Student Affairs to assist with this process.
- II. Gather your witnesses if you have any. You may also have an advisor present. However, that person serves strictly as support for you and will not address the board.
- III. Review the documentation provided to you in the 3 days prior to the hearing so you can address any questions the hearing board may have.
- IV. Prepare your presentation. Practice what you are presenting. Bring notes in a format that you can easily read.
- V. Dress appropriately. Formal attire is not required but consider professionalism in your appearance.
- VI. Be non-confrontational and calm. You will be more successful in presenting your case in a calm and professional manner.

Reference: Fletcher Technical Community College's student handbook.

Distribution: Distributed Electronically via College's Internet.

APPROVAL:

Reviewing Council/Entity	Approval Date
Other (if applicable)	
College Council	8-20-19
Executive Cabinet	8-20-19



Kristine Strickland, Ph.D.
Chancellor

6/30/20
Date