



## 502.0 - Student Grievance and Appeal

### Purpose:

The purpose of this operational procedure is to ensure prompt, fair, and efficient resolution of student grievances and appeals through clearly defined processes.

Matters such as financial aid eligibility, program handbook, course drop/withdrawal appeals, transfer credit evaluations, academic grades, academic standing, student employment, and student conduct violations are governed by their respective policies and procedures. If a matter has a designated procedure, it will be referred directly to that process for resolution.

### Definitions:

**Appeal:** An appeal is a formal request for the reconsideration of a decision or sanction resulting from the application of a College policy or procedure.

**Business Day:** A business day refers to any weekday (Monday through Friday) when the College is officially open for operations, excluding weekends, state or federal holidays, and days when the institution is closed.

**Designee:** An individual who is officially appointed to act in place of another person within a procedure or process when the original individual is unavailable or unable to fulfill their responsibilities.

**Grievance:** A grievance is a formal complaint regarding the perceived unfair, inequitable, or discriminatory interpretation, application, or impact of a College policy or procedure.

### Procedure:

#### General Grievance/Appeal Procedure:

**Informal Process:** The informal process is designed to encourage resolution of grievances or appealable decisions through direct communication and problem-solving between the parties involved. The steps are as follows:

##### 1. Initial Discussion

The student should first attempt to resolve the issue by discussing the issue directly with the individual believed to be responsible for the grievance or who made the appealable



decision. This conversation should occur within **10 business days** of the incident or situation.

**Formal Process:** The formal process is designed to encourage resolution of unresolved informal grievances or for students desiring a formal grievance process of their issue. The steps are as follows:

**1. Transition to Formal Process**

If the issue is not resolved through the informal process, the student may present the issue to the next individual in the supervisory chain to initiate the formal grievance process. This must occur within **5 business days** of the informal resolution attempt.

If that individual is not known to the student, the student may connect with BSC Human Resources for information: 701-224-5531 or [bsc.humanresources@bismarckstate.edu](mailto:bsc.humanresources@bismarckstate.edu).

**2. Delayed Formal Initiation**

If the student fails to initiate either process within **10 business days** and the supervisor determines the seriousness of the matter requires the formal process, the supervisor may initiate.

**Formal Grievance:**

**1. Submission of Formal Grievance/Appeal**

The student must submit a written grievance or appeal to the next appropriate individual in the supervisory chain overseeing the area where the decision or action originated.

The written complaint should include:

- A clear and concise statement of the grievance or appeal,
- The specific remedy or resolution being sought,
- A request for a meeting with the involved individual(s).

**2. Initial Meeting and Response**

Upon receiving the written grievance or appeal of the informal process, the supervisor shall schedule a meeting with the student within **5 business days** to discuss the matter. Following the meeting, the supervisor must provide a written response to the student, outlining the outcome of the discussion and any actions to be taken. This response will be attached to the original grievance or appeal documentation and provided to the student within **5 business days** of the meeting.



## Appeal Procedure:

### **1. Appeal of Formal Grievance Outcome**

If the student believes issue has not resolved through the formal process, the student may appeal to the next individual in the supervisory chain to initiate the appeal process. This must occur within **5 business days** of the formal resolution response. If that individual is not known to the student, the student may connect with BSC Human Resources for information: 701-224-5531 or [bsc.humanresources@bismarckstate.edu](mailto:bsc.humanresources@bismarckstate.edu).

### **2. Submission of Appeal**

The student must submit a written appeal to the next individual in the supervisory chain responsible for the area in which the decision or action occurred.

The written appeal must contain the reason for the appeal. The process of appeal is not for retrying or rehearing a case. Appeals must meet one of three criteria:

- New evidence exists, which was not presented at the hearing because it was not reasonably known at the time, and which is sufficiently relevant such that it could alter the decision,
- The College's failure to follow its own processes and procedures, or
- The severity of the outcome/sanction was not consistent with the severity of the issue.

### **3. Initial Meeting**

Upon receiving the written appeal of the formal process, the supervisor shall review all case information and shall schedule a meeting with the student within **5 business days** to discuss the matter.

### **4. Presentation of Case**

The student will be given every reasonable opportunity to present their case, including written and oral testimony. The student may be accompanied by one advisor of their choice, which can be legal counsel. Legal counsel or representation sought in relation to an appeal is not provided at the expense of the college. All parties involved will have the right to be assisted during the proceedings.

### **5. Finding**

Following the meeting, the supervisor must provide a written response to the student, outlining the outcome of the discussion and any appeal actions to be taken. The decision may be upheld, overturned, or modified. This response will be attached to the original grievance documentation and provided to the student within **5 business days** of the meeting. This determination will serve as the final decision and will conclude any further discussions or appeals.



#### **Notice of Nondiscrimination:**

Bismarck State College is an equal opportunity institution that does not discriminate on the basis of race, color, sex, gender, gender identity, national origin, age, religion, sexual orientation, information protected by the Genetic Information Nondiscrimination Act (GINA), marital status, disability, veteran's status or any other status protected by law in its admissions, student aid, employment practices, education programs or other related activities.

#### **References:**

[SBHE Policy: 514 Due Process Requirements for Student Conduct That May Result in Suspension or Expulsion](#)

#### **History of This Procedure:**

First policy draft June 19, 1978.

Revisions - April 2, 1982; June 21, 1982; February 22, 1983; October 22, 1985; November 4, 1985; August 11, 1987; December 28, 1987; July 2, 1990; July 17, 1990; October 22, 1991; August 1, 1992; July 27, 1994; June 6, 1998; January 13, 2004; Approved by the President's Cabinet on March 27, 2001, effective May 14, 2001; May 31, 2005; June 11, 2009; June 9, 2010; April 8, 2011; September 8, 2014; February 23, 2015; June 5, 2015; September 9, 2016; January 13, 2017; September 20, 2019.

Approved by Kaylyn Bondy on January 6, 2026.