

Student Policy - Student Grievance and Appeal

Policy:

Bismarck State College recognizes the importance of providing prompt and efficient procedures for fair and equitable resolutions of a student grievance or appeal. The following are procedures to follow for resolving a grievance or appeal.

Definitions:

Grievance: A grievance is an alleged unfair, inequitable, or discriminatory interpretation, application, or implementation of college policy or procedure.

Appeal: An appeal is a request for reconsideration of a decision or sanction of the application of a college policy or procedure. Appealable decisions include sanctions/actions taken for student conduct, housing, or parking violations. Academic grades and financial aid decisions are also appealable.

Specific Procedures:

Grade Appeals: Students who receive a grade that they believe does not correctly reflect their performance should discuss the grade with the instructor. If the matter is not resolved, it should be discussed with the appropriate department chair. If the matter is still not resolved, it should be discussed with the appropriate Academic Dean. If the matter remains unresolved, the student may appeal the issue to the Standing Committee on Grade Appeals. Information relating to the appeal process is available in the appropriate Academic Deans office.

Financial Aid Appeal: Students who have a grievance or concern about a financial aid decision must present their appeal or grievance directly to the Financial Aid Committee. Information relating to the appeal process is available in the Financial Aid Office.

General Grievance/Appeal Procedure:

Informal Process: The purpose of the informal procedure is to allow the parties involved in a grievance or appealable decision to attempt to resolve the problem themselves through the following steps:

1. The student should attempt to discuss the complaint with the person who appears to be the source of the grievance or who made the appealable decision. This should be done within 10 class days of the incident or situation.
2. If the problem is not resolved in the first step, the student should take the complaint to the respondent's immediate supervisor.
3. If the problem is not resolved in to the satisfaction of the student through the informal process, the student may enter the formal grievance process. This should take place within 5 class days after talking to the supervisor in step 2.

4. If the student does not initiate the informal process within 10 class days of the incident or situation but at a later date, either the student or the respondent may refer the issue to the formal grievance process.

Formal Grievance/Appeal Process:

1. The student shall submit a complaint in writing to the appropriate college Director, or Department Chair, and Academic Dean (respondent) of the area responsible for the action which forms the basis of the grievance or appeal. The complaint shall contain a clear and concise statement of the grievance or appeal, the remedies sought and a request for a meeting with the involved person or persons. The complaint must be submitted within 10 class days of the event, unless there are extenuating circumstances.
2. The respondent shall schedule a meeting with the student within 10 class days of receiving the written grievance or appeal, to discuss the matter. A written reply by the respondent to the student indicating the results of the meeting and including further action, if any, to be taken shall be attached to the written grievance or appeal.
3. If the student is not satisfied, the student may appeal in writing to the Chair of the Standing Committee on Student and Campus Relations. The grievance or appeal must be filed within 5 class days after the decision of the Director, Department Chair or Dean. The Committee Chair will inform the student and committee members of the specific time and place of the meeting which must be held within 7 class days of receipt of the request.
4. The student shall be given every reasonable opportunity to present the case, including the presentation of written and oral testimony, alone or by witnesses, and all parties will have the right to be assisted by an advisor, friend or counsel.
5. The Committee Chair shall submit a written report of the proceedings to the student within 2 class days of the decision. The report must include all matters upon which the final recommendations are made.
6. The student may appeal the committee decision to the Provost and Vice President for Academic and Student Affairs of the College. The appeal must be in writing and within 5 class days of receipt of the committee decision. The appropriate Provost and Vice President for Academic and Student Affairs will uphold, modify or reject the committee decision, and this will become the final campus decision on the grievance or appeal. A written reply by the Provost and Vice President for Academic and Student Affairs to the student indicating the results of the meeting and including further action, if any, to be taken shall be attached to the written grievance or appeal. The student and appropriate college officials shall be notified in writing of the decision within 10 class days after the last consideration of the grievance or appeal.

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, genetic information, 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.

Concerns regarding compliance with Title VI, Title VII, Title IX, Section 504 of the Rehabilitation Act, Americans with Disabilities Act, and the Age Discrimination and Employment Act may be referred to Rita Lindgren, Chief Human Resources Officer, Bismarck State College, BSC

Meadowlark Building, 1700 Schafer Street, Bismarck, ND 58501, (701) 224-5427, rita.lindgren@bismarckstate.edu or to the Office for Civil Rights/Chicago, U.S. Department of Education, Citigroup Center, 500 W Madison Street, Suite 1475, Chicago, IL 60661. Telephone: (312) 730-1560, Fax: (312) 730-1576, TDD: (800) 877-8339, email: OCR.Chicago@ed.gov, website: <http://www.ed.gov/ocr/>.

History of This Policy:

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.