

**SOUTH FLORIDA STATE COLLEGE
ADMINISTRATIVE PROCEDURES**

PROCEDURE NO. 1095

TITLE: STUDENT COMPLAINT / GRIEVANCE PROCEDURE

BASED ON POLICY: 1.09 GRIEVANCE PROCEDURES

OFFICE OF PRIMARY RESPONSIBILITY: VICE PRESIDENT FOR ACADEMIC
AFFAIRS AND STUDENT SERVICES

I. Purpose:

To provide, at the lowest possible level, equitable resolution for student complaints and grievances

II. Procedure

A. Definitions

1. Complaint - An informal allegation by a student(s) that there has been:
 - a. A breach, misinterpretation, or improper application of College policies and procedures
 - b. Violation or misapplication of any law, statute, or constitutional guarantee, an arbitrary or capricious application of, or a failure to act pursuant to the written policies and procedures of the College
 - c. An arbitrary, improper, or capricious practice which results in unjust or inequitable treatment of the student
 - d. Violation of policy as stated by the District Board of Trustees (DBOT)
2. Grievance - An formal written allegation by a student(s) that there has been:
 - a. A breach, misinterpretation, or improper application of College policies and procedures
 - b. Violation or misapplication of any law, statute, or constitutional guarantee, an arbitrary or capricious application of, or a failure to act pursuant to the written policies of the College
 - c. An arbitrary, improper, or capricious practice which results in unjust or inequitable treatment of the student
 - d. Violation of policy as stated by the District Board of Trustees (DBOT)
3. Complainant or Aggrieved - the person(s) against whom mistreatment has been allegedly practiced
4. Respondent - the person(s) who allegedly practiced or whose actions allegedly resulted in mistreatment against the complainant

B. Informal procedure

The informal procedure, outlined below, shall be utilized first by the student(s) to address a complaint. The procedure shall be conducted without the use of any recording device. In the event that a student or students believe there is a basis for a complaint, they shall:

1. Make an appointment and informally discuss the complaint with the respondent concerned within 14 College workdays of the date of the alleged mistreatment.
2. If the complainant is dissatisfied with the decision, or is unwilling to discuss the matter with the respondent, the student shall, within seven College workdays, informally discuss the complaint with the appropriate department chair, director, or division dean.
3. If the complainant is dissatisfied with the decision, he/she shall, within seven College workdays, informally discuss the complaint with the dean, student services, if they have not done so already.
4. If the complainant is still dissatisfied, they shall begin the formal procedure within seven College workdays of the discussion with the dean, student services.

C. Formal procedure

1. If, as a result of the informal procedure, the complainant is still dissatisfied with the decision, the student(s) may invoke a formal grievance procedure by outlining the complaint in writing. Two copies of the grievance, signed by the student(s) concerned and dated, shall be filed with the dean, student services.
2. Within seven College workdays of the receipt of the formal written grievance, the dean, student services shall transmit the written grievance to the appropriate division dean. The dean, within seven College workdays of receipt of the written grievance, shall hold a formal meeting with all parties, to review the written grievance and to hear the grievance in person. The meeting(s) shall be audio recorded.
3. Within seven College workdays of the end of the formal hearing, the dean shall indicate his/her decision in writing with regard to the disposition of the grievance to the complainant and respondent with copies to the dean, student services and to the vice president, academic affairs/student services (VPAA/SS).
4. Within seven College workdays of the decision of the dean, student services, the complainant or respondent may appeal the dean's decision in writing to the VPAA/SS.
5. The VPAA/SS will meet with complainant and respondent within 14 College workdays to review the written appeal and to hear the appeal in person.
6. The VPAA/SS shall indicate his/her decision in writing within seven College workdays of the appeal hearing. The decision of the VPAA/SS

is final.

7. No reprisals or retaliation of any kind shall be taken against any student or any others for participating in any complaint/grievance process.
8. Nothing contained in this procedure shall be construed to deny any student any rights or benefits guaranteed by law.
9. The number of days indicated at each level of discussion shall be considered as maximum and every effort shall be made to expedite the process. However, the time limit may be extended if circumstances warrant.
10. The student(s) filing the complaint/grievance may withdraw a complaint/grievance at any level at any time during the grievance procedure.
11. All documents, forms, communications, and records dealing with a complaint shall be filed separately from the permanent record files of the participants, and shall be kept confidential under Family Educational Rights and Privacy Act (FERPA) regulations. A copy of the complaint, all documents, forms, communications, records as well as the final disposition shall be filed in the Office of the Dean, Student Services in a locked file cabinet located in a locked room.
12. Complainants and/or respondents may have legal counsel present for consultation during any or all parts of the formal grievance process; however, legal counsel may not speak for or represent their client in any of the meetings or hearings. Complainants and respondents shall be responsible for all fees connected with legal counsel.

HISTORY: Adopted: 12/08/20

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Reviewed:

Revised: