

## DCTC Procedure 3.8.1 Student Complaints and Grievances

### Chapter 3 – Education/Instruction

#### Part 1. Use.

The complaint and grievance procedure is available for use if a student is alleging improper, unfair or arbitrary treatment by a DCTC faculty or staff member. This policy/procedure does not apply to those college rules or regulations or to board policies or procedures that include an appeal or grievance process. Separate but complementary policies, procedures and practices are used for other circumstances, such as:

- Academic Petition – Used when a student wishes to petition for exception to academic standards or program requirements.
- Discrimination and Harassment (DCTC Policy 1B.1) – Used when action that is of a discriminatory or harassing nature is directed toward a member of a protected class as identified by law.
- Grade Appeal – Used when a student wishes to appeal a grade received by an individual faculty member.
- Satisfactory Academic Progress – Used when a student wishes to appeal probation or suspension status.
- Sexual Violence (DCTC Policy 1B.3) – Used when there is a continuum of conduct that includes sexual assault, and non-forcible sex acts, as well as aiding acts of sexual violence.
- Student Code of Conduct – Used when a student is alleged to have violated acceptable modes of academic and/or social conduct.

#### Part 2. Complaints.

A complaint is an oral or written claim concerning a college issue brought by a student alleging improper, unfair or arbitrary treatment. Disagreement with an administrative decision or the outcome of an appeal of that decision is not a complaint unless it alleges improper, unfair or arbitrary treatment.

To make or resolve a complaint:

1. To resolve a complaint, the student should first contact the faculty or staff member with whom the complaint exists.
2. Although it is not required that a complaint be written, the student is encouraged to put in writing:
  - a. The reason for the complaint,
  - b. The factual summary of the complaint, and
  - c. The remedy sought before arranging a meeting with the appropriate individual to discuss the complaint.
3. If there is no agreement or resolution during the initial complaint process, the student may schedule a time to discuss the complaint with the faculty or staff member's direct supervisor. At this level, the College may ask the student to submit a complaint and its detail in writing for purposes of follow-up and required College recordkeeping.
4. The direct supervisor will review previous resolution steps, discuss the complaint with the student, the faculty or staff member involved, and other appropriate individuals and communicate an answer to the student.
5. If there is no agreement or resolution during the meeting with the direct supervisor, the student may seek resolution using the grievance process.

#### Part 3. Grievances.

A grievance is a written claim raised by a student alleging improper, unfair or arbitrary action by an employee involving the application of a specific provision of a DCTC or Minnesota State policy or procedure. Disagreement with an administrative decision or the outcome of an appeal of that decision is not a grievance unless it alleges improper, unfair or arbitrary action.

To file or resolve a grievance:

1. If a complaint is not satisfactorily resolved during the complaint process, and/or if the complaint addresses a violation of a specific policy, procedure or practice of DCTC or the Minnesota State system, the student may file a written grievance through a four step process, if necessary:

Step 1: To the employee being grieved.

Step 2: To the administrator to whom the employee reports.

Step 3: If the grievance involves a DCTC policy or practice, to the College President. The decision of the President is final and binding.

Step 4: If the grievance involves a Minnesota State Board Policy or the actions of the DCTC President, a student may further appeal the college decision to the Minnesota State Chancellor. The decision of the Chancellor is final and binding.

2. Faculty and staff identified in the grievance shall receive copies of the grievance and any supporting documentation. Faculty and staff may submit a written response to the grievance.

3. The appropriate administrator will review the material submitted by the student to see if the material constitutes a grievance. If the material does not constitute a grievance, the administrator will communicate in writing to the student and the involved faculty or staff member.

4. If the material does constitute a grievance, the administrator shall conduct a thorough review and provide a written statement of finding to the student and the involved faculty or staff member.

5. If the grievance process does not resolve the grievance, the student may consider filing an appeal through the four steps listed above, if necessary.

#### **Part 4. Time Limits for Complaints and Grievances.**

- The initial complaint or grievance must be presented within (20) business days after the first occurrence of the event giving rise to the complaint or grievance, or twenty (20) business days after the student, through the use of reasonable diligence, should have obtained knowledge of the first occurrence of the event giving rise to the complaint or grievance.
- All subsequent time limits (written response, appeal, final resolution, etc.) are limited to ten (10) business days.
- By mutual agreement of the student and college personnel, time limits may be extended due to extenuating circumstances approved by the appropriate dean or vice president. If a complaint or grievance is not presented within the established limits, it shall be considered waived.
- If a complaint or grievance is not appealed to the next step within the established time limits, it shall be considered settled on the basis of the last answer.
- If, after presentation at any step, a college staff member does not discuss and/or answer the complaint or grievance with the student within the established time limits, the student may treat the complaint or grievance as denied at that step and may appeal the complaint or grievance to the next step.

#### **Part 5. Retaliation Prohibited.**

No retaliation of any kind shall be taken against a student for

participating, or refusing to participate, in a grievance. Retaliation may be subject to action under appropriate student or employee policies.

**Part 6. Miscellaneous.**

Any student unsure of how to proceed or needing some guidance through this process is encouraged to visit a College counselor.

Any student wanting to use an official college form to document a complaint may do so using the attached forms.

**Part 7. Notification and Publication.**

DCTC will inform students of the established complaint and grievance policies and procedures. These policies and procedures shall be publicized to students annually.

**Related Documents:**

- Minnesota State Policy 3.8
- Minnesota State Procedure 3.8.1
- [Procedure](#)

**Procedure History:**

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**Date and Subject of Revisions:**

05/30/2017 – Updated title and history as well as changed MNSCU references to Minnesota State throughout document