



NORTHWEST
MISSOURI STATE UNIVERSITY

STUDENT GRIEVANCE POLICY AND PROCEDURE

Policy Name:	Student Grievance Policy and Procedure
Effective Date:	September 8, 2016
Responsible Office:	Office of the Provost
Category:	Student Life

I. Purpose

The primary purpose of the Student Grievance Policy and Procedures is to ensure that University students have the opportunity to present grievances to the University regarding certain action or inaction by a member of the University community and that the University has a consistent way of resolving those grievances in a fair and timely manner.

II. Policy

For purposes of this Policy, a grievance is defined as any situation affecting the status of a student in which the student believes his/her rights have been compromised or denied because of an erroneous or arbitrary interpretation or application of rules.

This Student Grievance Policy and Procedures are only available to a student when no other specific procedure is available. For example, procedures for appealing grades are found in the "Appeal of a Grade" section and procedures for addressing sex discrimination and sexual harassment are published along with the University's Title IX: Non-Discrimination and Harassment Policy and Procedures. These types of issues will be resolved in accordance with those procedures rather than using this Student Grievance Policy and Procedures. Further, this Student Grievance Policy and Procedures cannot be used as an additional avenue for appealing an issue that has already been resolved pursuant to a different set of University procedures.

Students should make every attempt to informally resolve grievances, and should attempt to resolve any disputes regarding academic matters with the faculty involved. The following procedure is available to any student should a grievance arise between a student and a faculty member or other person (hereinafter called the involved party or parties) and another specific grievance procedure is not available. Should a grievance exist after attempting to resolve it informally, it is the student's responsibility to follow the proper sequence in the procedures outlined below.

Exhaustion Phase

Procedure:

- A. The student will make a good faith effort to resolve the conflict with the involved party within five academic days of the incident, if appropriate. The student is to meet with or make an appointment with the involved party to discuss the incident. The goal of this meeting is to agree upon a resolution to the incident.
- B. In the event that no resolution is found, the student should attempt to resolve the conflict with the University official at the next highest administrative level (if not already done with the first meeting). This meeting should be held within five academic days of the first meeting.
- C. In the event that no resolution is reached, the student should attempt to resolve the conflict with the University official at the next administrative level. This meeting should be held within five academic days of the meeting in paragraph B above.
- D. If the conflict has not been resolved after steps A-C above, and the student wishes to pursue the grievance further, the student will have the opportunity to present his or her grievance during a hearing before the [The Grievance Committee].

Grievance Phase

Procedure:

Throughout the entire grievance process both involved parties have procedural guarantees of due process as outlined herein. It is required that all steps be carried out within the prescribed time limits. Failure to do so on the part of the student may negate the grievance and/or render it outside of the scope of this Policy.

Step 1

The student will submit a typed statement of the grievance complaint to the Office of the Provost within five academic days of conclusion of the steps of the Exhaustion section above.

Upon receipt of this statement the appropriate associate provost will:

- A. Notify the student(s) of the right to select a faculty advocate, though selecting one is not required. In the instance of a grievance filed by a student group, the student group shall select two currently enrolled University students who will represent the group, and these students may be accompanied by a faculty advocate. Faculty advocates will have no vote in the Grievance Committee decision. The role of the faculty advocate is to support the student(s) in regard to procedural and/or substantive (relating directly to the allegation) areas. It is the student's responsibility to contact the advocate and obtain his/her consent to serve as an advocate;
- B. Organize a three person committee ("The Grievance Committee") to hear the grievance and identify a chairperson of the committee. Committee members will be trained at conducting grievance hearings in accordance with this Policy.
- C. Forward the grievance complaint to the appointed Chairperson of the Grievance Committee. If the involved party is the Chairperson, a replacement Chairperson for the hearing will be appointed; and
- D. Forward a copy of the Grievance complaint to the involved party/ies.

Step 2

The Chairperson will schedule a hearing date and time with the other committee members and the parties involved in the grievance.

If a grievance complaint is filed against a member of the committee, that committee member will only participate in the hearing as an involved party and will not participate as a member of the committee for determining the outcome of the grievance. A student may also raise the issue of a potential conflict of interest by filing a written declaration of such with the Chairperson. Members of the committee are also expected to discuss recusal with the Chairperson if they have a conflict of interest that could reasonably lead to bias or the perception thereof. The Chairperson has the final say on all potential conflicts of interest that are raised. All members of the committee are expected to participate in a grievance hearing unless recused due to a conflict of interest or for some other extenuating circumstance (with the absence being discussed and approved by the Chairperson in advance).

The hearing will be scheduled no later than fifteen academic days following the Chairperson's receipt of the written grievance. The Chairperson may extend this time period for extenuating circumstances or for scheduling purposes. The Chairperson will initiate communications with the student and involved party within five academic days of the time that the grievance is filed to set the hearing date and time. The Chairperson may seek advice on procedural matters about the grievance from the appropriate associate provost and/or the University's counsel.

Step 3

The purpose of the hearing is to gather pertinent information in a fair and impartial manner and for the committee to recommend to the associate provost an appropriate course or courses of action to resolve the grievance. Within three academic days of receipt of the meeting notification from the Chairperson of the hearing all involved individuals will provide the Chairperson and the committee with:

1. A copy of any and all documentation regarding the issue that the student identified in the grievance statement;
2. The names of witnesses to the grievance who the parties wish to call at the hearing to provide testimony. The student and the involved party will be responsible for notifying their witnesses of the date, time and place of the meeting in which they are to testify. Prior to the hearing, the student and the involved party will be provided a list of the members on committee, and the opportunity to review all of the documentation and the list of witnesses submitted to the committee by all involved parties. In the event that the documentary evidence or the names of witnesses are not available by the deadline, both parties will be given adequate time at the beginning of the hearing to review the material submitted. All parties will be invited to be present during the hearing in which the student's grievance is addressed. Witnesses may be present only during the time that their testimony is required. However, the individual against whom the grievance is filed is not required to give evidence and will be so informed at the beginning of the proceeding. The role of the faculty advocate during the hearing process is to support the student. This faculty advocate may not question any witnesses or hearing members.
3. Each party will be given an opportunity to present his or her side of the grievance and to provide all supporting, relevant, or other evidence and/or information they would like the committee to consider when making a determination. Each party will also be given an opportunity to ask questions of his or her witness(es) and other the witness(es) of the other party.
4. After the conclusion of the hearing and after the hearing is adjourned, the committee will deliberate amongst itself and review the information presented. It will have an opportunity to ask either party to provide any additional information and/or to seek clarification from the parties, if necessary.

The purpose of the hearing is to gather pertinent information in a fair and impartial manner and for the committee to recommend to the associate provost an appropriate course or courses of action to resolve the grievance. Each party will be afforded equal rights at the hearing.

Step 4

The Chairperson of the committee will be responsible for composing and forwarding a written summary and recommendations of the committee to the associate provost within three academic days after completing deliberations. The written summary and recommendations of the committee are advisory in nature and will not be provided to the student who filed the grievance or the other involved party(ies).

The associate provost will make a final ruling on the grievance based on the information presented by the parties at the hearing, taking into account the recommendation of the committee. The associate provost will issue a final written determination, including the basis for the decision, to each party within five academic days of receiving the committee's report.

Appeal Phase

Procedure:

If either party is dissatisfied with the decision of the associate provost, this decision may be appealed to the Vice President of Student Affairs within five academic days of receiving the written decision. Appeals must be made in writing and shall set forth the full basis for the appeal. The Vice President of Student Affairs will review the appeal, summary and recommendation from the committee, final written determination, and any other information as necessary and may seek consultation if appropriate, including from the parties. If the Vice President of Student Affairs meets with one party during the appeal process, the other party will also have the option to meet with the Vice President of Student Affairs. A written final decision of the Vice President of Student Affairs will be provided to each party within five academic days of concluding his or her review of the record in accordance with this section. This decision is final and is not appealable.