

**Student Complaint Policy**

**This document can also be found in the MySVC section of the Skagit Valley College web site** [**www.Skagit.edu**](http://www.Skagit.edu).

Skagit Valley College provides a drug-free environment and does not discriminate on the basis of race, color, national origin, sex, gender identity, sexual orientation, disability, marital status, or age in its programs and employment.

Revised May, 2017

**Skagit Valley College**

**Student Complaint Process Overview**

# Student Complaint Policy

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**Student complaints.**

The purpose of this section is to protect enumerated rights outlined in WAC 132D-150-040 are guaranteed to each student within the limitations of statutory law and college policy which are deemed necessary to achieve the educational goals of the college:

These academic freedoms include:

1. Students are guaranteed the rights of free inquiry, expression, and assembly upon and within college facilities that are generally open and available to the public.
2. Students are free to pursue appropriate educational objectives from among the college's curricula, programs, and services, subject to the limitations of RCW 28B.50.090 (3)(b).
3. Students shall be protected from academic evaluation which is arbitrary, prejudiced, or capricious, but are responsible for meeting the standards of academic performance established by each of their instructors.
4. Students have the right to a learning environment which is free from unlawful discrimination, inappropriate and disrespectful conduct, and any and all harassment, including sexual harassment.

Students may follow the college policy on sexual harassment and/or may file complaints with outside agencies, as referenced in WAC 132D-305-005(10). Students should determine the time deadlines that apply to the filing of complaints with such outside agencies, as the college's internal processing of student complaints may not recognize such time periods.

**WAC 132D-120-240 Complaints excluded from this section.**

1. A student may not use the provisions of this section as the basis for filing a complaint based on the outcome of disciplinary proceedings described in sections of the code of student conduct.
2. Federal and state laws, rules and regulations, in addition to policies, regulations and procedures adopted by the state board for community and technical colleges or the board of trustees of Community College District No. 4 shall not be grievable matters. College personnel actions are considered confidential. Results may not be made available for review.

**Initial complaint.**

If a student believes he or she has been unfairly treated by an officer of the college, faculty member or a member of the college staff, the student may follow the complaint procedures in the order outlined below. The student must initiate proceedings with the college within thirty calendar days of the occurrence that gave rise to the complaint. The college may choose to take appropriate corrective action at any time based on a student report whether or not the student chooses to pursue the complaint process.

**Complaint procedure.**

1. The complaint procedures set forth in this section concern only those complaints that do not involve violation of Title IX of the Education Amendments of 1972 (sex discrimination) or section 504 of the Rehabilitation Act of 1973 (disability discrimination).
2. A student wishing to pursue a resolution to his or her concern may contact the office where counseling services are provided. That office will serve as a source of information and direction for complainants.
3. A student shall contact the faculty or staff member with whom he or she has a concern and attempt to resolve the matter through direct discussion. Students are expected to meet with their instructor about issues related to grades, assignments, class projects, group work, conflicts with classmates, and other classroom related issues. A student may ask a support person to accompany him or her in this discussion.

If a student is concerned about inappropriate or unprofessional instructor conduct, then the student should contact the instructor’s supervising Dean or Vice President.

1. If direct discussion does not resolve the concern to the student’s satisfaction, the student shall take the matter to the faculty member’s Division or Department Chair or the staff member’s immediate supervisor. The supervisor shall attempt to resolve the matter promptly and fairly. The student should provide to the supervisor any documentation to support the complaint, such as—but not limited to—the course syllabus, a copy of the student’s grades in the Learning Management System (e.g. Canvas), feedback from assignment, and written feedback and/or correspondence with the instructor.
2. If the issue is not resolved, the supervisor shall forward the complaint to the appropriate administrator who shall meet with the student and, within ten business days, write a letter to the student involved, copied to the faculty or staff member involved that details the resolution proposed. In appropriate cases, the student shall also be informed of his or her right to file a petition to have the complaint heard before the grievance review committee.
3. In order to have his/her complaint heard by the grievance review committee:
4. The student must submit this request to the office of the vice president for instruction within five business days of his/her receipt of the administrator's letter;
5. The student's complaint must fall into one of the following categories to be reviewed by the grievance review committee:
6. Alleged deviation from course grading policies as specified in the syllabus;
7. Alleged errors in applying grading procedures;
8. Alleged lowering of grades for nonacademic reasons;

The vice president of instruction shall have the authority to determine if a complaint meets the eligibility requirements to be forwarded to the grievance review committee. The vice president of instruction may request additional information or evidence from the student: in such cases, the student shall provide the additional information or evidence within 5 business days. Appeals to the vice president of instruction’s decisions regarding the eligibility of grade complaints shall be subject to the Brief Adjudicated Proceedings outlined in WAC 132D-150-130.

Other complaints about instructional issues (including the appeal of test questions, curriculum issues, and quality of instruction) and/or college employees will be considered and acted upon at the discretion of the appropriate administrator and are not eligible to be heard by the grievance review committee. Appeals regarding the validity of test questions and other curriculum issues are normally adjudicated at the department level, and the appropriate administrator will only review the appeal process to ensure fairness and impartiality.

**Grievance procedure‑-Sex and disability discrimination.**

Skagit Valley College provides a drug-free environment and does not discriminate on the basis of race, color, religion, national origin, sex, gender identity, sexual orientation, disability, marital status, or age in its programs and employment. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Associate Vice President of Human Resources and Title IX Coordinator

2405 E. College Way, Mount Vernon, WA 98273

(360) 416-7794

**Grievance review committee procedures.**

1. Any complaint meeting the eligible criteria not resolved by an administrator may be appealed to the grievance review committee for a hearing. The complainant or respondent shall petition the committee by obtaining an official complaint form from the office of the vice president of instruction. That petition shall be made within five business days of the notice of decision in the previous proceedings.
2. When a petition for review is filed, the student shall either:
3. Be assigned a process advisor by the vice president of instruction or choose an advisor of his/her own; or
4. Waive his or her right to an advisor; or
5. Notify the college of his or her retention of an attorney at least one week prior to a scheduled grievance hearing. Where the student is accompanied by an attorney, the college may be represented by an assistant attorney general.
6. The student's completed official complaint form shall be distributed to all members of the grievance review committee.
7. The vice president of instruction shall appoint a chair the grievance review committee and its members shall be chosen as follows:
8. The Chair;
9. Two faculty members appointed by the vice-president of instruction; and
10. Two students appointed by the president of the associated students of Skagit Valley College; and
11. Two classified or exempt staff members appointed by the classified staff designated leadership or the president.
12. Hearings may be heard by a quorum of four members of the grievance review committee so long as one faculty member and one student are included on the hearing panel. Committee action may be taken upon a majority vote of all committee members attending the hearing.
13. Members of the grievance review committee shall not participate in any case in which they are a party, complainant, or witness, in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity. Any party may petition for disqualification of a committee member pursuant to RCW 34.05.425(4).
14. The grievance review committee may call any witnesses and hear any testimony needed to reach a prompt, fair resolution of the complaint. The proceedings before the committee shall not be considered a formal trial-type hearing.
15. Within five business days of the conclusion of the hearing, the committee shall issue a written decision to all involved in the case.
16. If a student feels that his/her case was not handled according to the procedures set forth in this section, he/she may request that it be reviewed by the vice president of instruction. The vice president will review the process carried out by administrators and the grievance review committee together with any appeal statement and will deliver a written acceptance of the grievance review committee decision or directions as to what other course of action shall be taken, within ten business days after receiving the appeal.

**Final decision regarding process review‑-Extra-institutional appeals.**

1. Where the student is not satisfied by the vice-president's decision, he or she may appeal that decision to the president of the college provided that such appeal is made within five business days of the student's receipt of notice of the decision.
2. The president’s review will be limited to the process used in decision making. The president will deliver a written acceptance of the vice-president's decision or directions as to what other course of action shall be taken, within ten business days after receiving the appeal.
3. This decision shall constitute final agency action by the college.
4. A student who feels aggrieved by the institution's final decision, may petition for judicial review of that decision according to the provisions of RCW 28B.19.150.
5. For further review in sexual or disability discrimination cases, the grievant may send appeals or inquiries to:
6. U.S. Department of Education

 Office for Civil Rights Region X

 915 Second Avenue, Room 3310

 Seattle, WA 98174

 206-220-7900

1. Washington State Human Rights Commission

 Third Avenue

 Seattle, Washington 98101

 206-464-6500

1. Department of Justice Civil Rights Division

 1424 New York Avenue, Room 5041

 Washington, D.C. 20005

 202-307-0818 (TTD), or 800-514-0383 (voice)

Skagit Valley College is accredited by the Northwest Commission on Colleges and Universities (http://www.nwccu.org/). If you feel that your concerns have not been adequately addressed by the college, you can file a complaint with the Northwest Commission by mail at 8060 165th Avenue NE Suite 100, Redmond, WA 98052 or by telephone (425) 558-4224. The college is regulated by the State Board for Community and Technical Colleges (http://www.sbctc.edu) which you can reach by mail at PO Box 42495, Olympia, WA 98504-2495, ballinder@sbctc.edu, 360-704-4315 or visit sbctc.edu.

The Higher Education Act (HEA) prohibits an institution of higher education from engaging in a “substantial misrepresentation of the nature of its educational program, its financial charges, or the employability of its graduates.” 20 U.S.C. §1094(c)(3)(A). Further, each state must have “a process to review and appropriately act on complaints concerning the institution including enforcing applicable state laws.” 34 C.F.R. § 600.9. The Washington State Board for Community and Technical Colleges (SBCTC) maintains a process to investigate complaints of this nature brought by community and technical college students in the state of Washington. For information, contact SBCTC Student Services, PO Box 42495, Olympia, WA 98504-2495, ballinder@sbctc.edu, 360-704-4315 or visit sbctc.edu.

**Nature of grievance proceedings.**

All hearings growing out of a student-initiated complaint, including appeals to the office of the president, shall remain closed unless all parties to the grievance agree on an open hearing.

**Withdrawal of grievance.**

1. At any time during the complaint or grievance procedure, the complainant may officially withdraw the grievance in writing.
2. In the event the complainant or appellant fails to appear for any scheduled hearing without prior notification or evidence of extenuating circumstances, this shall be considered to constitute withdrawal of the grievance or appeal.

**Administrative, faculty and staff grievances.** Any administrator, faculty member or staff member who is the subject of a student's complaint and who is dissatisfied with the results of any level of the student complaint proceedings may file a grievance under the appropriate grievance procedure established by Skagit Valley College.