

STUDENT GRIEVANCE/ COMPLAINTS

(Minnesota State Policy 3.8 (<https://www.minnstate.edu/board/policy/308.html>) and Minnesota State Procedure 3.8.1 (<https://www.minnstate.edu/board/procedure/308p1.html>))

Part 1. General Statement of Policy. A student has the right to seek a remedy for a dispute or disagreement, including issues of institutional or program quality such as an institution's compliance with the standards of an accrediting agency, or a claim of consumer fraud or deceptive trade practices, through a designated complaint or grievance procedure. Each college and university shall establish procedures, in consultation with student representatives and others, for handling complaints and grievances. These procedures shall not substitute for other grievance procedures specified in board, college, or university policies or procedures, regulations or negotiated agreements. This policy does not apply to academic grade disputes. Grade appeals must be handled under a separate college/university academic policy.

Part 2. Procedures. The chancellor shall establish procedures to implement this policy. The student grievance policy and procedures of colleges and universities shall comply with Policy 3.8 and Procedure 3.8.1.

Procedure 3.8.1 Student Complaints and Grievances for Board Policy 3.8

Part 1. Definitions.

For the purposes of Policy 3.8 and Procedure 3.8.1 the following definitions apply:

- **Subpart A. Appeal.** A request for reconsideration of a grievance decision under Policy 3.8 and Procedure 3.8.1.
- **Subpart B. Complaint.** An oral or written claim concerning a college or university issue brought by a student alleging improper, unfair, or arbitrary treatment.
- **Subpart C. Grievance.** 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 college or university rule/regulation or a board policy or procedure. This policy does not apply to those college/university rules or regulations or to board policies or procedures that include an appeal or grievance process.
- **Subpart D. Retaliation.** Retribution of any kind taken against a student for participating or not participating in a complaint or grievance.
- **Subpart E. Student.** An individual who is enrolled in a college or university, a group of such individuals or the campus student government.

Part 2. Notification and Publication.

Each college and university shall inform students of the established complaint and grievance policies and procedures. These policies and procedures shall be publicized to students at least annually and include information for students about how and where to obtain grievance forms.

Part 3. Complaints.

Colleges and universities shall establish procedures that provide for informal resolution of complaints by requiring that a student discuss a complaint with the employee(s), and/or administrator(s). If not resolved

through this informal discussion, a complaint may become a grievance if the complaint involves the application of a college/university rule or regulation or a board policy or procedure.

Part 4. Grievances.

Subpart A. Timeframe. The college or university shall develop and publish a timeframe that establishes reasonable time requirements for each step of the grievance process.

Subpart B. Grievance process.

1. The college or university shall develop a grievance form which will provide an explanation of the grievance step procedures and timelines.
2. A grievance shall be submitted in writing.
3. At the conclusion of the grievance process, the response of the college or university shall be in writing and sent to the grievant. The response shall include notification to the student of the opportunity for appeal and the process for appealing.

Subpart C. Appeals.

1. The grievance procedure shall include an opportunity for a student to appeal a grievance decision. The individual to whom an appeal is directed should be identified by the college or university for the issue(s) in question.
2. If the grievance involves a college or university rule or regulation, a student may appeal an official grievance through procedural steps up to the president. The decision of the president is final and binding.
3. If the grievance involves a board policy, the actions of a college or university president, an issue of institutional or program quality such as an institution's compliance with the standards of an accrediting or licensing agency, or a claim of consumer fraud or deceptive trade practice, a student may further appeal the college or university decision to the chancellor. The decision of the chancellor is final and binding.

Part 5. SMSU Grievance/Complaint Policy and Procedure.

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.

1. Students shall first attempt to resolve complaints informally at the point of the dispute.
2. If the dispute cannot be resolved informally, students shall submit, in writing, their grievance/complaint to the Office of the Provost and Vice President for Academic and Student Affairs.
3. The Provost and Vice President for Academic and Student Affairs may refer a grievance/complaint to an appropriate staff member ("designee") for investigation and/or disposition of the grievance/complaint.
4. The Provost and Vice President for Academic and Student Affairs or her/his designee will meet with the student within ten (10) class days to discuss the student's grievance/complaint.
5. The grievance/complaint will be investigated and resolved in a timely manner. Only in exceptional circumstances will this take more than thirty (30) class days. All documentation regarding the grievance/complaint shall be kept in the Office of the Provost and Vice President for Academic and Student Affairs.

6. Once an inquiry into a grievance/complaint has reached a conclusion, the Provost and Vice President for Academic and Student Affairs or her/his designee will meet with the student and inform him/her of the outcome of the grievance/complaint.
7. If a student wishes to file an appeal of a grievance/complaint, that student will have to do so within five (5) class days of the closing meeting. Appeals from this grievance procedure shall be routed to the Office of the President for consideration.
8. Following the determination by the university President, a student wishing to further pursue an appeal may do so by contacting the System Director for Policy and Procedure at Gary.Hunter@minnstate.edu or by contacting the Higher Learning Commission at www.hlcommission.org/Student-Resources/complaints.html (<http://www.hlcommission.org/Student-Resources/complaints.html>)
5. The log will only be used to track current and recent student complaints, not parents, employees, etc., even if the complaint relates to a student.
6. Individual students' identities and names will not be included on the log and will not be shared with the visiting HLC team.
7. A formal written and signed student complaint includes complaints received by email or fax as long as the address and/or phone number and the name of the complainant are included.

Institutional Record of Student Complaints

((<http://catalog.smsu.edu/policies-procedures/institutional-record-student-complaints/>)SMSU Policy G-011 (<http://catalog.smsu.edu/policies-procedures/institutional-record-student-complaints/>)) (<http://catalog.smsu.edu/policies-procedures/institutional-record-student-complaints/>)

Policy: To comply with federal regulations and the Higher Learning Commission (HLC) of the North Central Colleges and Schools, Southwest Minnesota State University will maintain a record of formal written and signed student complaints. The complaints tracked are those filed with a University Officer with the responsibility to handle the complaint. The records provided to the federal government and the HLC include summary information that is in compliance with the Data Practices Act and FERPA.

Procedure:

1. Students with complaints about any aspect of academic and non-academic programs may take those complaints to the Office of the Provost and Vice President for Academic and Student Affairs (FH 214).
2. University employees that receive a signed, written student complaint regarding any aspect of academic and/or non-academic programs will send a record of the complaint along with the resolution to the Office of the Provost and Vice President for Academic and Student Affairs (FH 214). Actual complaint and supporting documents will remain in the initial office.
3. The Office of the Provost and Vice President for Academic and Student Affairs will establish a method of logging formal signed, written student complaints and resolutions that have been filed with any university employee.
4. The log will include:
 - The date the complaint was first formally submitted to the appropriate employee.
 - Nature of the complaint (e.g. grade dispute, allegation of sexual harassment, etc.).
 - The steps taken by the institution to resolve the complaint.
 - The institution's final decision regarding the complaint, including referral to outside agencies.
 - Any other external actions initiated by the student to resolve the complaint, if known to the institution (e.g. lawsuit, EEOC investigation, etc.).

Note: While every effort is made to ensure accuracy, SMSU reserves the right to correct any clerical errors herein. Also, you can submit feedback.