

# Student Grievance Policy



ANTIOCH  
COLLEGE

<b>Policy Number:</b> 04.010	<b>Responsible Office:</b> Student Affairs	<b>Governing Body:</b> College Council	<b>Last Review Date:</b> 4/13/2022
<b>Scope:</b> This policy applies to all students of Antioch College.			

## I. Introduction

1. **Preface:** Fundamental to this process is the principle that all parties have made a good-faith effort to resolve the complaint prior to initiating the formal grievance procedure. The following procedures are intended to provide a process for resolving formal student grievances in a prompt and equitable manner without prejudice, discrimination, or malice toward the person or persons initiating the complaint.
2. **Purpose:** The purpose of this policy is to manage and resolve complaints of nonadherence to college policies.

## II. Definitions

1. **Student:** A student is defined as any person currently matriculated at Antioch College.
2. **Complaint:** A complaint is any accusation or allegation.
3. **Grievance:** A grievance is defined as a formal complaint or dispute of a student regarding the violation of written campus policies or procedures, or the misapplication or misinterpretation of College policies or procedures.
4. **Discrimination:** Any distinction, exclusion, restriction, or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise, on equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural, or any other field of public life.
5. **Harassment:** Harassment, broadly understood, is a pattern of unwelcome conduct or communication, including online, that unreasonably interferes with an individual's work or learning performance or creates an intimidating, hostile, or offensive work or learning environment.
6. **Academic Complaint:** an allegation or accusation brought against a faculty member by a student who seeks redress for an alleged wrong or injustice in a teaching and learning environment that does not involve a dispute with an assigned course grade or narrative evaluation.
7. **Grievant:** Grievant means a student (or applicant) who submits a grievance.

8. Respondent: Respondent means any Antioch College officer, administrator, faculty, employee, or staff member acting in their official capacity and alleged to be responsible for the violation(s) alleged in a grievance. Respondent also includes any Antioch College student alleged to be responsible for the violation(s) alleged in a grievance.
9. Senior-Level Administrators: Senior-Level Administrators are defined as Officers of Antioch College, as approved by the Board of Trustees, or employees whose direct supervisor is the President.
10. Administrator responsible: The direct supervisor of the Respondent(s) or their designee.

### III. Grievable Actions

1. A grievable action is an action that:
  - A. Is in violation of written campus policies or procedures, or
  - B. Constitutes misapplication or misinterpretation of College policies, regulations, rules, or procedures. Grievances may not be used to challenge policies or procedures of general applicability.
2. Non-Grievable issues include but are not limited to complaints between students, disciplinary decisions administered by Student Conduct, and decisions made by persons not employed by Antioch College. Non-Grievable issues are not grievable under the Formal Grievance Procedure.
3. Table I: Grievable Issues

Issue	Formal Action
1. Is your complaint about a violation of a written campus policy or procedure?	Contact the appropriate department supervisor to file a formal complaint
2. Is your complaint about an arbitrary, capricious, or unequal application or use of written campus policy or procedure?	Contact the appropriate department supervisor to file a formal complaint

4. Table II: Examples Formal Grievances

Student complaints should be resolved, if at all possible, in the department or unit where they arise. If the complaint can not be resolved within the department or unit they originate from, the parties listed below are responsible for the following;

Responding Party	Recipient of formal grievance
Complaints regarding the actions of the College President or Senior-Level Administrators	President
Complaints regarding Student Accounts or Student Health Insurance	VP of Finance and Administration

Complaints regarding Facilities or Information Technology	VP of Finance and Administration
Complaints regarding Residence Life, Dining Services, Health and Counseling Services, and any other function of Student Affairs	Dean of Students

5. Table III: Non-Grievable Issues

Complaints regarding...	Alternative Action
Financial aid decisions, rules, and regulations	Submit appeal for Financial Aid decisions, rules, and regulations are to the Director of the Financial Aid
College policies and procedures	Students can issue informal complaints through Student Affairs, ComCil or College Council. For the policy revision process, see the Developing, Revising, and Organizing Policies policy.
Teaching or learning environment that does not involve a dispute with a course grade or narrative evaluation	Refer to the Academic Complaint Policy: <a href="https://antiochcollege.smartcatalogiq.com/en/Current/Curriculum-Catalog/Academic-Policies-and-Regulations/Academic-Complaint-Policy">https://antiochcollege.smartcatalogiq.com/en/Current/Curriculum-Catalog/Academic-Policies-and-Regulations/Academic-Complaint-Policy</a>
A course grade or narrative evaluation	Refer to the "Grade Mediation: Appealing a Grade or Narrative Evaluation" section in the Curriculum Catalog: <a href="https://antiochcollege.smartcatalogiq.com/Current/Curriculum-Catalog/Academic-Policies-and-Regulations/Evaluation-of-Academic-Performance-Grades/Grade-Mediation-Appealing-a-Grade-or-Narrative-Evaluation">https://antiochcollege.smartcatalogiq.com/Current/Curriculum-Catalog/Academic-Policies-and-Regulations/Evaluation-of-Academic-Performance-Grades/Grade-Mediation-Appealing-a-Grade-or-Narrative-Evaluation</a>
Sex-based discrimination and harassment	Allegations of discrimination that fall under the sexual harassment or non-discrimination policy are handled by the Title IX Coordinator. At any time you may also seek advice from the campus SOPP Advocate. Contact information is on the college website: <a href="https://antiochcollege.edu/campus-life/sexual-offense-prevention-policy-title-ix/">https://antiochcollege.edu/campus-life/sexual-offense-prevention-policy-title-ix/</a>
Discrimination and harassment based on any distinction, exclusion, restriction, or preference based on race, color, descent, or national or ethnic origin	Report a violation of the RDPP by filling out the form on the website: <a href="https://antiochcollege.edu/campus-life/rdpp/">https://antiochcollege.edu/campus-life/rdpp/</a> . Refer to the Racial Discrimination Prevention Policy and procedures which are handled by the Associate Director of Gender Equity Programs & Education
Discrimination and harassment based on a disability or regarding a denial of an accommodation for a qualified disability	Refer to the Nondiscrimination on the Basis of Disability policy for complaint procedures. You may also file complaints with the Student Success Services Coordinator or the Dean of Students.
Complaints regarding employee conduct	Refer to "Employee Complaint Policy"

6. Table IV: Examples of other informal resolution options for complaints outside of the informal grievance procedure.

Complaints regarding...	Informal Resolution Option
Concerns related to Student Life or any other concerns that are not listed below	Notify a member of the Student Affairs staff for a complaint to be included in the Complaint Log

Health Services or Counseling Services	<ol style="list-style-type: none"> <li>1. The student may discuss their complaint directly with the health care professional concerned, or the providers' supervisor or department head</li> <li>2. The student can request that a Student Affairs Staff member discuss the complaint with the health care professional and inform the student of the outcome;</li> <li>3. The student may request that a Student Affairs Staff member be present when they discuss the complaint with the health care professional concerned</li> </ol>
Student Accounts or Student Health Insurance	Review student health insurance information or Student Accounts FAQ supplied by the Finance office. If you still have questions or complaints, direct them to the staff accountant responsible for Student Accounts.
Facilities	Submit a work order request to your RA or report problems with facilities service to the Facilities department
Computer equipment or technology	Email or call the IT Helpdesk for technology support needs. IT Helpdesk: 937-319-1148 or support@antiochcollege.edu

#### **IV. Student Complaint Log**

A Student Complaint Log will be maintained within the Office of Student Affairs. The complaint log can include grievable and non-grievable complaints. All departments that have been subject to a formal grievance will notify the Dean of Students and provide the grievance submission and its outcome to be maintained in the log. Student Grievance Logs will be reviewed annually by the President and the College's leadership.

#### **V. Informal Procedure**

1. Any student who believes they have grounds for a grievance shall make an attempt in good faith to resolve the problem through early informal discussion of the matter with a member of the department directly involved. A timely response to the student's complaint should occur within two (2) weeks of initial contact. Flexibility should be given or considered during times when school is not in session, during breaks, blocks, and if extenuating circumstances exist (e.g. medical emergencies, sabbaticals, weather events). If this confrontation about the complaint is not feasible or unsafe, there are more formal avenues open to students, depending upon the nature of the complaint.
2. Any student issuing an informal complaint should be educated about formal grievance procedure and this policy. This ensures that if a complaint should be made formally, the student has the information to do so.
3. If the student is not satisfied with the early informal discussion of the matter with the individual or department directly involved, they may file a formal grievance.

#### **VI. Formal Grievance Procedure**

1. Initiation of Procedure: Students are urged to go directly to the person(s) concerned and discuss the source of their problem as openly as possible. In a situation where the grievance does not concern a specific individual, the student should contact the College employee with administrative responsibility for the policy, procedure, or regulation. If this confrontation about the complaint is not feasible or unsafe, or the informal process leads to a resolution that the student is not satisfied with, there are more formal avenues open to students, depending upon the nature of the complaint. For examples of the types of complaints and applicable information, see Tables I and III. At times, a grievance may involve a number of different areas and students may feel uncertain which procedure to follow; in this case they should seek advice from the Office of Student Affairs. At any stage in the process, students are welcome to seek counsel and support from employees as well as the student body and should feel free to bring a support person to any meetings they may have as part of an adjudication process.
2. Timing of Grievance Submission: A grievance must be filed with the Administrator responsible no later than 30 days after the occurrence of the action on which it is based.
3. Grievance Submission: In the event that the matter cannot be resolved informally to the student's satisfaction, the student should present a typed, signed letter to the appropriate person. This submission may also be made through the Formal Student Grievance Form. The following information should be included in a grievance letter:
  - A. Name(s), email address(es) and telephone number(s) of Grievant(s);
  - B. The nature, date, and a detailed description of the alleged violation(s);
  - C. The name(s) of the individual(s) or department responsible for the alleged violation(s);
  - D. The requested relief or corrective action; and
  - E. Any background information the Grievant(s) believe(s) to be relevant.
4. Alternatives for the Responsible Administrator: In the event that the Dean of Students or other Senior-Level Administrator is central to the grievance, the grievance should be submitted to the President (or their designee). Upon receipt of the grievance, the President (or their designee), shall send the respondent(s) a copy of the grievance and ask for a response. The President (or their designee) shall conduct a prompt and impartial investigation of the grievance as required by the "Investigation" section of the Grievance Procedure, issue the written decision, and maintain the files as required. Appeals of investigations conducted under this paragraph shall be submitted to the President (or their designee, different from the person who made the initial decision) within 14 calendar days of receipt of the decision.
5. Determination of Grievability: The Administrator responsible will determine whether a grievable issue, as defined in this policy, is alleged in the grievance submission. A finding that no grievable action is alleged will conclude the proceedings. This determination can not be appealed. If the Administrator responsible finds that a grievable action is alleged, they will

initiate an investigation. All parties involved in the grievance will be notified in writing, by the Administrator responsible, as to the determination of grievability.

6. Notification of Respondent(s): Upon receipt of a grievance, the Administrator responsible shall send the respondent(s) a copy of the grievance and ask the respondent(s) to prepare a response within 14 calendar days. The respondent(s) will be specifically instructed not to retaliate against the Grievant(s) in any way. Unlawful retaliation will subject the respondent(s) to disciplinary action. The response should include any denial, in whole or in part, of the charges, if the respondent chooses to deny.
7. Investigation: The Administrator responsible shall conduct a prompt and impartial investigation of the grievance. The investigation shall afford interested persons, including the Grievant(s) and respondent(s) an opportunity to identify witnesses to be interviewed and/or submit evidence relevant to the grievance. Each Administrator will maintain the files and records of the grievances relating to their designated area and will maintain the confidentiality of the Grievant(s) to the degree possible given the nature of the grievance.
8. Determination of Responsibility and Corrective Action
  - A. The Administrator responsible will determine whether a grievable issue is found to have occurred as defined in these guidelines. The determination shall be made on the basis of whether it is more likely than not (preponderance of the evidence).
  - B. In the event that a grievable issue is found to have occurred, a written decision issued will be provided to Grievant(s) and notify Grievant(s) of the steps that will be undertaken by the College.
9. Appeal
  - A. Within two (2) weeks after receipt of the decision, either party to the grievance may appeal the decision to the appropriate Senior-Level Administrator. If a Senior-Level Administrator is the Administrator responsible, the appeal is the responsibility of the President (or their designee). The decision of the Administrator responsible may be appealed on the grounds that:
    - a) The investigation was not conducted fairly and in conformity with prescribed procedures which made it unfair. However, deviations from designated procedures will not be a basis for submitting an appeal unless significant unfairness results,
    - b) the decision was not supported by substantial information; that is, the facts of the case were not sufficient to establish that a grievable action occurred,
  - B. The appeal must be submitted in writing, must indicate the grounds in which they are appealing, and provide a clear rationale for appealing. The Administrator responsible will share relevant information and records of the hearing. There is no requirement that the

person handling the appeal meet with the grievant or the respondent. The division Senior-Level Administrator, college President, or their designee will make a final decision on the grievance within three (3) weeks after receiving the appeal. This decision will be in writing. The President or division Senior-Level Administrator can uphold, modify, or decide to reinvestigate parts of the grievance.

#### **VII. Retraction of Grievance submission**

Nothing in these procedures is intended to prevent the Grievant(s) and respondent(s) from resolving their grievance amicably by signing a written statement of agreement and submitting it for review and approval by the Dean of Students, if appropriate. If the agreement is approved, the pending grievance shall be deemed dismissed.

#### **VIII. Disciplinary Action**

Disciplinary action is not a remedy available to a student who files a grievance under these guidelines, the College reserves the right to impose discipline on its employees as a result of determinations made through the Employee Complaint Policy. Information provided through Student Grievances may be used by Human Resources during the Employee Complaint Procedure. Such information is confidential and will not be shared with the Grievant(s).

#### **IX. Confidentiality of Grievances**

All information in the grievance process is confidential and protected by the Federal Family Educational Rights and Privacy Act, and cannot be further disclosed. Materials developed in the course of the grievance investigation and hearing will be placed in a confidential file maintained by the Dean of Students. None of these materials may be removed from the file or copied unless needed for compliance with appropriate administrative or legal requirements.

#### **X. False Grievances**

The purpose of these guidelines is to provide a mechanism to address legitimate student complaints and grievances. However, false grievances undermine the purpose and effectiveness of this policy. Accordingly, persons who knowingly bring false grievances may be subject to disciplinary action through the Office of Student Conduct. Allegations of false grievances must be reported within 30 working days after the grievance was resolved. The fact that a grievance did not result in sanctions against an employee is not sufficient information to dismiss allegations of a false grievance.

#### **XI. Filing a Complaint Outside of Antioch College**

Some student concerns or complaints may pertain to alleged violations of state consumer protection laws (such as fraud and false advertising), alleged violations of state laws or rules related to the licensure of postsecondary institutions, and complaints related to the quality of education or other state or accreditation requirements.

It is expected that students will fully use the College's administrative procedures to address concerns or complaints in as timely a manner as possible. However, a student may believe that these administrative procedures have not adequately addressed concerns identified. In those cases, a student may file a complaint at the state, regional, or national level with the following agencies:

1. The Office of the Ohio Attorney General receives and reviews consumer complaints. (Please review more information about Consumer Protection or file a complaint.)

<https://www.ohioattorneygeneral.gov/Individuals-and-Families/Consumers/File-a-Complaint>

2. The Ohio Department of Higher Education (ODHE) reviews Ohio institutions' academic programs and makes recommendations regarding institutional authorization and program approval to the chancellor of the ODHE. This agency is responsible for responding to formal complaints against public, independent non-profit and proprietary institutions of higher education in Ohio. While the ODHE has limited authority over colleges and universities and cannot offer legal advice or initiate civil court cases, the ODHE will review submitted complaints and work with student complainants and institutions.

See the ODHE Student Complaint Process <https://www.ohiohighered.org/students/complaints>

3. The Higher Learning Commission of the North Central Association of Colleges and Schools (NCA-HLC) is an independent body responsible for the accreditation of programs offered by Antioch College. When a complaint raises issues regarding an institution's ability to meet accreditation criteria, the HLC will forward a copy of the complaint to the institution and request a formal response. Information about the HLC Complaint process can be found here:

<https://www.hlcommission.org/Student-Resources/complaints.html>

4. The U.S. Department of Education's Office of Civil Rights (OCR) ensures equal access to education and promotes educational excellence through vigorous enforcement of civil rights in our nation's schools. Complaints about civil rights violations or discrimination can be made through the regional offices or online. OCR Complaint processes can be found here:

<https://www2.ed.gov/about/offices/list/ocr/complaints-how.html>

## **XII. Related Policies**

1. 02.002 Sexual Harassment and Discrimination Policy
2. 02.003 Employee Complaint Policy
3. 04.016 Racial Discrimination Prevention Policy
4. 04.017 Nondiscrimination on Basis of Disability
5. 05.001 Academic Complaint Policy
6. 05.037 Notification of Student Rights under FERPA