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STUDENT COMPLAINT AND GRIEVANCE PROCESS

Students, employees, and visitors at Galveston College, by nature of their citizenship and residence, have certain individual rights and freedoms established by the constitutions and laws of the United States, the State of Texas, and the respective communities in which they live. The possession of these personal rights and freedoms is neither increased nor diminished by reason of a person's association with Galveston College. Galveston College is an educational institution governed by the legally constituted Board of Regents of Galveston College. The freedom of students to receive an education at Galveston College, and the freedom of the College to provide such an education to students, will be protected by the Board of Regents and the administrative personnel it may select for the College.

Responsibilities

The Board of Regents of Galveston College expects employees, students, visitors, and guests of the College to accept the following responsibilities:

1. Compliance with and support of duly constituted civil authority.
2. Respect for the rights of others and cooperation to ensure that such rights are maintained, whether or not one agrees with the views of those exercising such rights.
3. Cooperation to ensure that the will of the majority is implemented after due consideration, but not to include the suppression to the minority.
4. To exercise disagreement in a responsible manner and within a framework compatible with the orderly resolution of differences.
5. Knowledge of and active support of college regulations.

Exclusions

Student complaints regarding grades, discipline, financial aid, discrimination, and harassment are covered by separate procedures.

Purpose

The grievance procedure at Galveston College shall serve two purposes: to determine whether an injury alleged by the grievant was the result of an error in the institution's policies and procedures or in their administration; and if an error is established, to determine an equitable redress for the grievant.

Grievable issues shall include all student-related policies, extracurricular activities, athletics, and/or other matters as appropriate. The purpose of the grievance procedure of Galveston College is to ensure that all persons involved receive fair and equitable treatment and that there is a clear trail of documentation for each case.

Representation

The student may be represented at any level of the complaint. Under extenuating circumstances, a student may designate, in writing, a person to represent the student.

Level One

All grievances voiced by students of Galveston College should first be aired in an informal meeting between the student and the College representative directly involved (i.e., instructor, coach, or administrator). At this face-to-face meeting, a bona fide attempt must be made to resolve the issue(s) in question.

It shall be the responsibility of the student grievant to:

1. Explain fully the nature of the grievance;
2. When and under what conditions the alleged grievance occurred; and
3. What redress is expected.

The College representative (instructor, coach, administrator, etc.) involved in the dispute shall have the responsibility to:

1. Hear the grievance;
2. Make an honest attempt to resolve the issue; or
3. If resolution is not possible at that level, to refer the problem to the appropriate supervisor.

It shall also be the responsibility of the College representative to document the meeting in writing to include the date, location, person(s) involved, issues discussed, and results achieved.

Level Two

If the outcome of the conference at level one is not to the student's satisfaction, the student has ten (10) working days to request a conference with the appropriate supervisor(s), who shall schedule and hold a conference. Prior to or at the conference, the student shall submit a written complaint that includes a statement of the complaint and any evidence in its support, the resolution sought, the student's signature, and the date of the conference with the appropriate supervisor or dean.

Level Three

If the outcome of the conference with the appropriate supervisor is not to the student's satisfaction, the student has ten (10) working days to submit an appeal to the Student Affairs Committee. The appeal must be a written statement of the complaint and any evidence in its support, the resolution sought, the date of the appeal, and the signature of the student. The Chair of the Committee shall set the appeal hearing in as timely a fashion as possible.

Level Four

If the matter is still not resolved by the Student Affairs Committee, the student may appeal to the appropriate Vice President within ten (10) working days. The Vice President will forward the appeal decision to the student within ten (10) working days of the receipt of the appeal document.

Level Five

If the outcome of the appeal to the Vice President is not to the student's satisfaction, the student may, within ten (10) working days of receiving notice of the decision, submit a written appeal to the College President. The written appeal at minimum must include a written reason for the appeal or a statement of the problem and/or complaint, and the expected resolution. The President may, at his/her sole discretion, choose to allow oral arguments on the petition. The President may act to affirm, modify, remand, or reverse the decision. If no action is taken within sixty (60) days, the Vice President's decision will be affirmed.

Level Six

If the outcome of the appeal to the President is not to the student's satisfaction, the student may submit to the College President, within ten (10) working days of the President's decision, a written request to place the matter on the agenda of the Board. The College President or designee shall inform the student of the date, time, and place of the meeting. (The posting of the Board's agenda shall be considered adequate notice to the student.)

The Board Chair shall establish a reasonable time limit for complaint presentations. The Board shall listen to the student's complaint and take whatever action it deems appropriate.

The Board's consideration shall be based on the complaint records developed at the administrative reviews, and no new evidence shall be received by the Board. Each side shall be entitled to make oral arguments based on the complaint record within the time restrictions established by the Board.

Closed Meeting

If the complaint involves complaints or charges about an employee, it will be heard by the Board in a closed meeting, unless the employee complained about requests it to be public.

DISCRIMINATION AND/OR HARASSMENT

Discrimination and/or Harassment by Students

Students shall not engage in discrimination and/or harassment toward another student or a College employee. A substantiated charge of discrimination and/or harassment against a student shall result in disciplinary action. Discrimination and/or harassment may be motivated by race, color, religion, national origin, or disability. Harassment may include unwanted and unwelcome verbal or physical conduct of a sexual nature, whether by word, gesture, or any other sexual conduct, including requests for sexual favors.

Sexual Harassment by Employees

District employees are prohibited from sexually harassing students. [See Policy FLDA (LEGAL) and Policy DHA (LEGAL).]

Procedures for Reports, Investigations, Resolution, and Appeals

1. Any student who believes that he/she has been subjected to harassment and/or a discriminatory action shall report the incident to any administrator within 90 calendar days of the incident. The administrator receiving the complaint shall report the incident in writing to the Vice President of Student Services. If the complaint is against an employee of the College, the administrator receiving the complaint shall also notify the Title IX Coordinator in writing, who in turn shall take the appropriate actions in accordance with College Policy as it relates to an employee of the institution. (Under no circumstances shall this procedure require a student bringing a complaint to present the matter to a person who is the subject of the complaint.)
2. Upon the receipt of an allegation, the Vice President of Student Services shall ascertain the facts and shall seek redress as appropriate through an informal process and/or mediation. If during the course of the investigation, the Vice President determines that disciplinary action against a student or students may be warranted, the Vice President shall take appropriate action through the College's disciplinary process.
3. If the Vice President makes a decision to resolve the issue and the complainant is not satisfied with the results, the complainant may formally appeal the decision of the Vice President to the Student Affairs Committee (See Student Complaints and Grievance Process). Or, if the Vice President determines that the evidence warrants further review, a hearing may be called, and the student bringing the allegations as well as any individuals named in the complaint will be notified of the time, date, and place of the hearing.
4. At the hearing, the student will have the opportunity to articulate his/her allegations and present substantiating evidence. In turn, those named in the complaint will have the same opportunity to rebut the allegations.
5. Once all evidence has been heard, the Committee will meet in closed session to consider the evidence and to reach a decision.
6. The Committee shall make a decision as soon as possible and shall communicate its decision to all parties. The Vice President shall be responsible for communicating the decision of the Committee to all parties and for enforcing student discipline as it relates to these matters.
7. Should the student not be satisfied with the Committee's decision, further appeals are possible in accordance with College policy.

Protection from Retaliation

The District shall not retaliate against a student who in good faith reports perceived discrimination, harassment, sexual harassment, or sexual abuse.

Complaint Process

For the purposes of the following complaint process, "days" mean working days.

Level One-Investigation and Informal Resolution

Upon the receipt of an allegation, the Vice President of Student Services shall ascertain the facts and shall seek redress as appropriate through an informal process and/or mediation. If during the course of the investigation, the Vice President determines that disciplinary action against a student or students may be warranted, the Vice President shall take appropriate action through the College's disciplinary process. If the complaint is against an employee of the College, the Vice President shall notify the Title IX Coordinator who in turn shall take the appropriate actions in accordance with College Policy as it relates to an employee of the institution. (Under no circumstances shall this procedure require a student bringing a complaint to present the matter to a person who is the subject of the complaint.)