

STUDENT RIGHTS AND RESPONSIBILITIES  
STUDENT COMPLAINTS

FLD  
(LOCAL)

**DEFINITION** A student grievance is a College District-related problem or condition that a student believes to be unfair, inequitable, discriminatory, or a hindrance to the educational process.

**SCOPE** The student grievance procedure is not intended to supplant the Student Code of Conduct, which allows the student procedural due process in disciplinary proceedings initiated by the College District. This student grievance procedure is designed to provide the student with the opportunity to file a grievance, as defined above, and to provide a process for resolution of the grievance. A student may file a grievance concerning a policy, procedure, rule, or grade if discrimination on the basis of race, color, religion, national origin, disability, or age is the basis for the grievance.

**EXCEPTIONS**

**SEXUAL MISCONDUCT** The student grievance procedure is not applicable to complaints of sexual misconduct, including complaints of sex/gender-based discrimination or harassment. Student grievances or complaints involving sexual misconduct shall be governed by FFDA(LOCAL) and DIAA(REGULATION).

**OTHER EXCEPTIONS** The student grievance procedure is not designed to address changes in policy nor does it apply to grading practices. Recommendations for initiating new policy or changing established policy are generally handled through normal administrative channels. A grade dispute that is not based on an allegation of discrimination is handled under FLDB(LOCAL).

**INFORMAL PROCEDURES** A student who wishes to file a College District-related grievance should, but is not required to, discuss it with the College District employee most directly responsible for the condition that brought about the alleged grievance. If the grievance is not resolved to the student's satisfaction, the student may appeal to the next level of authority. The student may consult with the administrative offices to determine the next level of authority. If an appeal does not resolve the grievance, the student may proceed to the appropriate vice president with a written presentation of the grievance. If the vice presidential level of appeal does not prove satisfactory to the student, the student may seek review under the formal procedures below.

**OTHER PROCEDURAL MATTERS** If a student files a grievance informally by discussing it with the College District employee most directly responsible, and the like, the following procedures shall apply. The student shall discuss the grievance fully at each level in the process. At each level of authority, a decision shall be made based on common sense and good judgment of a reasonable person. Each level may seek the

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appropriate authority, if necessary, to resolve the grievance. The entire informal procedure should take no longer than 30 days.

FORMAL  
PROCEDURES

Procedures for appeals are as follows:

1. A student who wishes a grievance to be heard by an appeal committee must submit a request in writing to the vice president of student development (VPSD) or the employee who is responsible for student development.
2. The VPSD or responsible employee will convene and chair the appeal committee.
3. The appeal must be heard by the committee within ten class days of the request unless extended with the agreement of both the student and the VPSD or responsible employee.
4. The committee will be ad hoc and will consist of two students, two faculty members, and one staff member who is either an administrator or a noncontractual employee. It is the responsibility of the College President or designee to appoint all committee members, and the appointer shall examine each member to ensure his or her impartiality.
5. The appeal committee will make findings and send its decision to the College President. A grievant may seek review of an adverse decision through the College President. The decision of the College President shall be final.

BOARD ACTION

By law, the Board is not required to take any action concerning a grievance but is required to listen if the grievance is presented at a public meeting. Under the Texas Constitution, any student may present a grievance to the Board regardless of the SCOPE of this policy.

APPEAL COMMITTEE  
PROCEDURES

Committee procedures for appeals are as follows:

1. If a student requests a hearing by an appeal committee, a grievance must be in writing and contain:
  - a. The student's name and address;
  - b. The nature of the grievance, including the date it occurred;
  - c. The corrective action sought; and
  - d. Any other relevant information.
2. A grievance filed, either informally or formally, will not be considered unless it is filed not later than 120 days after the event or occurrence giving rise to the grievance or knowledge of the

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event or occurrence. The entire formal procedure should take no longer than 30 days.

3. In conducting the appeal committee hearing, the VPSD or responsible employee is authorized to:
  - a. Require any student or employee to provide a written statement, along with any documents concerning the events and circumstances that may have given rise to the grievance;
  - b. Require any student or employee to appear and testify;
  - c. Question each individual who testifies; and
  - d. Copy all documents.

This is not an adversarial proceeding. The VPSD or responsible employee shall conduct a hearing in a professional and cooperative manner, and all participants are expected to do likewise.

The following guidelines shall apply:

1. Failure to comply with a summons or order from the VPSD or responsible person may result in disciplinary action.
2. The appeal committee shall base its decisions during a hearing and make a recommendation upon the common sense and good judgment of a reasonable person.
3. The VPSD or responsible employee shall ensure that all relevant evidence is obtained from parties during the hearing.
4. An attorney or other representative of a grievant may present a grievance to the appeal committee, but this presentation does not include questioning or cross-examining witnesses (including the grievant), objecting to testimony or documents, or similar actions undertaken by an attorney to represent a client.

RECORDS RETENTION Retention of records related to a grievance shall be in accordance with the College District's record retention procedures. [See CIA]