



## **STUDENT GRIEVANCE POLICY AND PROCEDURE**

STUDENT SUPPORT | 600.608

### **Last Evaluation**

1/2/2024

### **Executive Staff Approval**

3/11/2024

### **Board Approval**

3/20/2024

---

### **1. Policy Purpose**

The purpose of the Student Grievance Policy and Procedure is to provide an equitable and orderly process to resolve grievances by students.

### **2. Policy & Procedure Statement**

This document outlines the processes followed when a student has made a complaint or grievance.

### **3. Definitions**

**Complaint** - An oral or written expression of dissatisfaction with a situation, decision, or action.

**Due Process** - The *Fourteenth Amendment* guarantees a person's basic rights to liberty or property, without due process of law. Due process ensures policies, procedures, plans and processes established by the college are applied consistently and without bias, and that any disciplinary actions or sanctions imposed on students are proportionate to the alleged misconduct.

**Grievance** - A formal complaint from a student or employee against Mountainland Technical College (MTECH) involving a violation of an MTECH policy or federal or state law.

**Academic Grievance** - A formal complaint by a student regarding grading, evaluation, classroom procedures, faculty behavior, or other college-related academic matters.

**Non-Academic Grievance** - A formal complaint by a student regarding student conduct, campus facilities, administrative procedures, financial aid, alleged discrimination or harassment by a college employee or student, or other college-related non-academic matters.

**Discrimination Grievance** - A formal complaint by a student alleging that an individual, office, program, or institution has engaged in improper conduct on the basis of the complainant's connection or perceived connection to the following protected classes and characteristics: race, color, sex, religion, ethnicity, national origin, age, disability, genetic information, status as a protected veteran, and any other characteristic protected by state and federal law.

**Protected Activity** - Activities related to the procedural administration of this policy. Opposing or reporting any violations of this policy, or participating in any manner in an investigation or proceeding under this policy. Protected activities also include external reporting or assisting others in making a report, and a refusal to participate in proceedings under this policy.

**Retaliation** - An action, performed directly or through others, that is aimed to dissuade a reasonable person from engaging in a protected activity or is done in retribution for engaging in a protected activity. Action in response to a protected activity is not retaliatory unless (1) it has a materially adverse effect on the working, academic, or other MTECH-related environment of an individual and (2) it would not have occurred in the absence of (but for) the protected activity.

**Student** - An individual enrolled in a program, course or activity at MTECH.

#### 4. References

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq.

Civil Rights Act of 1964, Title VII, 42 U.S.C. §§ 2000e et seq. (1964)

Education Amendments of 1972, Title IX, 20 U.S.C. §§ 1681-1688

Rehabilitation Act of 1973, § 504, 29 U.S.C. § 794

U.S. Const. Amend. XIV. §1

---

#### 5. Policy

During enrollment at MTECH, a student shall have the opportunity to make a complaint or file a grievance.

- 5.1 This policy applies to a student when enrolled in any MTECH program, course, or activity.
- 5.2 Complaints and grievances receive due process.
- 5.3 The student is notified of the resolution of the claim.

## 6. Procedures

### 6.1 Academic Complaints:

- 6.1.1 Many concerns can be resolved informally in a discussion between the student(s) and the instructor(s). All parties are urged to make a sincere effort to resolve the issue at this level.
- 6.1.2 If the outcome of any discussion(s) between the student(s) and the instructor(s) is not satisfactory to the student(s), or if the student does not feel comfortable interacting directly with the instructor as a first step, the student can initiate a discussion with the Program Coordinator/Lead.
- 6.1.3 If the outcome of any discussion(s) between the student(s) and the Program Coordinator/Lead is not satisfactory to the student(s), or if the student does not feel comfortable interacting directly with the Program Coordinator/Lead, the student can initiate a discussion with the Program Director.
- 6.1.4 If the outcome of any discussion(s) between the student(s) and the Program Director is not satisfactory to the student(s), or if the student does not feel comfortable interacting directly with the Program Director, the student can initiate a discussion by submitting a grievance with the appropriate Associate Vice President (AVP).

### 6.2 Academic Grievances:

- 6.2.1 If the issue cannot be resolved informally at any of the above levels, an academic grievance can be submitted to the appropriate AVP and should clearly outline:
  - 6.2.1.1 the details of the grievance, including time and location (if appropriate), and the alleged violation of MTECH policy or federal or state law.
  - 6.2.1.2 the reason(s) the outcome of any previous attempts to resolve the situation, if taken, were not satisfactory.
  - 6.2.1.3 the desired outcome(s) the student(s) wishes to see occur and the reason(s) for those outcome(s).
- 6.2.2 The AVP must meet with the student(s) within a reasonable period of time to review the grievance and potential outcomes. This meeting will be attended by another staff member for taking

minutes and acting as an unbiased third party witness. The student has the right to bring an advocate to the meeting.

- 6.2.3 An investigation will take place by the appropriate AVP, which may include meeting with the instructor(s) or other personnel as needed, to gain understanding of the specific situation and reviewing applicable college policies and procedures.
  - 6.2.4 After the investigation, the AVP will provide a written letter to the student(s) indicating what specific step(s) will be taken regarding the grievance. The student will have an opportunity to meet with the AVP to clarify anything from the letter.
  - 6.2.5 If a student is not satisfied with the decision of the AVP, the student may appeal the decision to the Vice President of Instruction
    - 6.2.5.1 The decision of the Vice President of Instruction is final.
  - 6.2.6 All academic grievance documentation is kept on file with the Vice President of Instruction.
- 6.3 Non-Academic Complaints
- 6.3.1 Many concerns can be resolved informally in a discussion between the student(s) and involved parties. All parties are urged to make a sincere effort to resolve the issue at this level.
  - 6.3.2 If the outcome of any discussion(s) between the student(s) and the involved parties is not satisfactory to the student(s), or if the student does not feel comfortable interacting directly with the Instructor as a first step, the student can initiate a discussion with an Academic Counselor.
  - 6.3.3 If the outcome of any discussion(s) between the student(s) and the Academic Counselor is not satisfactory to the student(s), or if the student does not feel comfortable interacting directly with the Academic Counselor, the student can initiate a discussion with the Director of Student Success.
  - 6.3.4 If the outcome of any discussion(s) between the student(s) and the Director of Student Success is not satisfactory to the student(s), or if the student does not feel comfortable interacting directly with the Director of Student Success, the student can initiate a discussion by filing a grievance with the Director of College Rights and Advocacy.

6.4 Non-Academic Grievances:

6.4.1 If the issue can not be resolved informally at any of the above levels, an academic grievance can be submitted to the appropriate AVP and should clearly outline:

6.4.1.1 the details of the grievance, including time and location (if appropriate), and the alleged violation of MTECH policy or federal or state law.

6.4.1.2 the reason(s) the outcome of any previous attempts to resolve the situation, if taken, were not satisfactory, and

6.4.1.3 the desired outcome(s) the student(s) wishes to see occur and the reason(s) for those outcome(s).

6.4.2 Non-academic grievances will be filed with the Office of College Rights and Advocacy for proper triage procedure. If discrimination standards are determined to be in question, matters will proceed as a discrimination grievance under 500.537 Non-Discrimination Policy.

6.4.2.1 If discrimination standards are not violated, the grievance will be triaged to the AVP of Student Affairs.

6.4.3 The AVP must meet with the student(s) within a reasonable period of time to review the grievance and potential outcomes. This meeting will be attended by another staff member acting as an unbiased third party witness. This staff member will also keep minutes. The student has the right to bring an advocate to the meeting.

6.4.4 An investigation will take place, which may include meeting with the respondent as needed to gain understanding of the specific situation and reviewing applicable college policies and procedures.

6.4.5 After the investigation, the AVP will provide a written letter to the student(s) indicating what specific step(s) will be taken regarding the grievance. The student will have an opportunity to meet with the AVP to clarify anything from the letter.

6.4.6 If a student is not satisfied with the decision of the AVP, the student may appeal the decision to the Vice President of College Relations.

6.4.7 The decision of the Vice President of College Relations is final. Results from this step serve as the final step for the student(s).

6.4.8 All non-academic grievance documentation is kept on file with the Vice President of College Relations.

## 7. Unsatisfactory Resolution(s)

- 7.1 The student may contact the Utah System of Higher Education (USHE) with their grievance if they are not satisfied with the final decision at the college level:

Utah System of Higher Education  
The Gateway  
60 South 400 West  
Salt Lake City, UT 84101  
1-801-646-4784

- 7.2 Students retain the right to contact the Commission of the Council on Occupational Education (COE), in cases where they believe that their grievance has not been satisfactorily settled. COE can be reached at:

The Council on Occupational Education  
7840 Roswell Road, Building 300  
Suite 325, Atlanta, GA 3050  
By phone: Toll-free (800) 917-2081, ext. 21  
Website: [www.council.org](http://www.council.org)

- 7.3 For grievances relating to discrimination, the student has the right to contact the Office of Civil Rights (OCR), Denver office:

US Department of Education  
Cesar E Chavez Memorial Building  
1244 Speer Boulevard Suite 310  
Denver, CO 80204-3582  
Phone (303) 844-5695 (TDD: (800) 877-8339, Fax: (303) 844-4303,  
Email: [OCR.Denver@ed.gov](mailto:OCR.Denver@ed.gov)

---

## 8. Evaluation History

Last Evaluation	Executive Staff Approval	Board Approval	Employee Evaluation
		8/15/2018	
4/20/2019   no changes	6/10/2019		
2/15/2020	2/18/2020	3/25/2020	3/5/2020
4/13/2020	4/13/2020	8/19/2020	

4/14/2021	4/19/2021	5/19/2021	
7/19/2021	7/26/2021	8/18/2021	
3/4/2022	3/7/2022	3/16/2022	3/31/2022   staff
5/4/2023	5/8/2023	5/17/2023	
7/25/2023	8/7/2023	8/16/2023	8/4/2023
1/2/2024	3/11/2024	3/20/2024	3/29/2024