

Student Grievance Procedures

Any student who has a grievance against any other student or against a member of the WCCS faculty, staff, or administration concerning any form of race discrimination (Title VI, Civil Rights Act of 1964), sex discrimination (Title IX of the Educational Amendments of 1972), sexual harassment (Title VII), or violation of the rights of the disabled (Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990) should first attempt to informally resolve the matter with the individual involved and should contact the Dean of Students. (**Discrimination and Harassment Policy**)

Appropriate corrective action will be taken immediately; however, if the grievance cannot be informally resolved, the formal procedures listed below should be followed. These procedures attempt to protect the student's right to file a grievance and provide the right of due process for all parties involved in the grievance.

Responsibilities of the President and the Dean of Students

The Dean of Students, as the President's designee, has the responsibility of officially convening the Grievance Committee for the purpose of dealing with acts of race discrimination, sex discrimination, sexual harassment, or violation of the rights of the disabled. *Note: In the event that a grievance is filed against the Dean of Students, the President will designate another person to serve in lieu of the Dean of Students in the procedural due process outlined.*

The Dean of Students will convene the Grievance Committee only after the following procedures have been implemented:

1. Grievance charges made by the student(s) must be submitted in writing to the Dean of Students. The grievance must be signed and as detailed as possible.
2. If charges so warrant, the Dean of Students may recommend that the President suspend, with pay, the faculty member, staff member, or administrator being charged until a hearing decision is rendered on the grievance charges.
3. The Dean of Students will notify the student(s) or member of the WCCS faculty, staff, or administration of the charges(s) against him or her within five days (excluding Saturday, Sunday, and holidays). The notification will be in writing and will be mailed certified/return receipt mail.
4. The accused must set up an appointment with the Dean of Students who will provide documentation of the charges.
5. After meeting with the Dean of Students, the student or member of the WCCS faculty, staff, or administration who is charged may request a Grievance Committee hearing.
6. The Dean of Students will contact the President and inform him of the request made by the accused. The Grievance Committee will consist of two faculty members and one administrator or staff member named by the President to serve along with the Dean of Students who is a non-voting member of the committee.
7. After the Grievance Committee members are named, the Dean of Students will notify the complainant(s) and the accused of the time, date, and location of the Grievance Committee hearing. The notification will be in writing and delivered by certified/return receipt mail. A student(s) who has demanded a hearing before the Grievance Committee and who fails to appear at the designated date, hour and place of the hearing, after notice thereof, shall be deemed to have waived the right to a hearing and the right to appear before the Grievance Committee. The Grievance Committee may then proceed with the hearing. In the event the accused student(s) shall be unable to attend the hearing for good cause at the appointed time, prior written notice of the inability to attend shall be submitted to the Dean of Students whereupon a new date shall be set by the Dean of Students. Only one such extension shall be granted except where failure to grant additional extension would cause undue hardship to the student(s).

8. All parties involved may be advised by a counsel during the hearing. Counsel will not be allowed to ask or answer questions.
9. Refusal by the student(s), faculty member, staff member, or administrator to answer questions will not be construed as an admission of guilt.
10. At the conclusion of the hearing, the Grievance Committee will render a decision by a majority vote and make recommendations.
11. The Dean of Students will forward to the President, within five working days, a copy of the written decision and recommendations issued by the Grievance Committee.
12. The President has the final authority to accept, reject, or modify the decision of the Grievance Committee. The President's decision will be forwarded to the accused within ten working days.

Right of Appeal

If the President's decision does not satisfy the complainant and should the grievance allege race discrimination (Title VI), sex discrimination (Title IX), sexual harassment (Title VII), or violation of the rights of the disabled (Section 504 and ADA), the complainant may file a written grievance with one or more of the following:

1. The Chancellor as defined in the State Policy and Procedure Manual.
2. The regional office of the Office of Civil Rights of the U.S. Depart. of Education within 180 days of the act.
3. The Equal Employment Opportunity Commission within 180 days of the decision issued by the institution.

Reference

Title VI of the Civil Rights Act of 1964 states, "No person in the United States shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

Title IX of the Educational Amendments of 1972 states, "No person in the United States shall on the basis of sex, be excluded for participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

Section 504 of the Rehabilitation Act of 1973 as amended in 1974 states, "No otherwise qualified disabled individual in the United States, as defined in Section 706 (6) of this title, shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits or, or be subjected to discrimination under any program or activity receiving federal financial assistance."

The Americans with Disabilities Act of 1990 states in part: "No covered entity shall discriminate against a qualified individual with a disability because of the disability of such individual in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment. No qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a State or local government. No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of goods, service, facilities, privileges, advantages, and accommodations of any place of public accommodation. ...shall ensure that interstate and intrastate telecommunications relay services are available for the hearing-impaired and speech-impaired individuals in the United States."