



Complaint and Grievance Procedure for Nicolet College Students

Revisions Approved:
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Students have the right to contest a policy or practice of the college or college staff that is considered improper or unfair, or where there has been deviation from or misinterpretation or misapplication of a practice or policy. In keeping with Nicolet's efforts to maintain fair and impartial practices the college utilizes a two stage process to resolve student issues. The first stage is the complaint procedure which utilizes a more informal approach to reach a satisfactory resolution. The second stage is a grievance procedure which is more formal in nature.

All required meetings may take place in-person or via distance technology. Written materials may be submitted and shared as paper copies or electronically.

Complaint Procedure:

A student wishing to pursue a grievance must take the following steps to try to resolve the complaint prior to filing an official grievance:

1. The student will first try to resolve the matter with the appropriate Nicolet staff member. The student must initiate this process within ten (10) working days of the action causing the complaint. The Nicolet staff member will make his/her decision and respond to the student within two (2) working days of meeting with the student. The Nicolet staff member will also inform the student of the appeal process.
2. If the student wishes to appeal the decision of the Nicolet staff member, the student should appeal to the staff member's immediate supervisor or designee to resolve the complaint. The appeal must be initiated within five (5) working days of the staff member's decision and the supervisor must respond within two (2) working days of meeting with the student.
3. If resolution is not achieved at the supervisory level, the next level of appeal is with the supervisor's Vice President or designee. The appeal must be initiated within five (5) working days of the supervisor's decision. The Vice President or designee must respond with a written determination to the student within two (2) working days of meeting with the student. The Vice President or designee will also inform the student of the steps in the grievance process.
4. If the student disagrees with the decision, the student may file a grievance using the grievance form.

Grievance Procedure:

1. The grievance form must be filed with the Director of Human Resources or designee within ten (10) working days from the date of the Vice President's written determination. An investigation and an initial determination by the grievance committee will be completed within seven (7) working days of receipt of the grievance. Grievance forms may be filed in person, by U.S. mail, or through email. The student may withdraw the grievance at any point during the grievance procedure.
2. In accordance with Federal requirements, 34 CFR Ch. VI 602.16 (a)(1)(ix), Human Resources will create a record of the student's grievance and add it to a log of student grievances. The log will be maintained and updated through the remainder of the process.
3. Human Resources will monitor the grievance process.
4. Human Resources will send acknowledgement confirming the receipt of the grievance form to the student. Human Resources will notify the person(s) against whom the grievance has been filed (hereafter referred to as the staff member). The staff member will also receive a copy of the grievance.
5. A grievance committee will be appointed by Human Resources that will consist of one administrator, two faculty members, and two support staff members. If the grievant requests student representation, Human Resources will select one student to serve on the committee.

6. A Vice President, previously not involved in the process, or designee will serve as the investigating officer in the grievance.
7. The investigating officer will:
 - a. Meet with the student and the staff member.
 - b. Examine documentation and interview witnesses.
 - c. Consult with the staff member's supervisor.
 - d. Prepare a written investigative report.
8. The investigating officer may meet individually with the student and the staff member to discuss the report in the hope that a resolution can be reached. If a resolution is not achieved, copies of the investigative report will be forwarded to the grievance committee, the student, the staff member, and the appropriate administrator(s).
9. The grievance committee will review the grievance and the findings of the investigating officer and determine whether or not the facts warrant a hearing. The committee's decision will be limited to one of the following statements:
 - a. Based on the evidence presented, we determine a hearing is warranted; or
 - b. Based on the evidence presented, we determine a hearing is not warranted.The committee's written decision will be sent to Human Resources who will notify the grievant and the involved individuals of the decision.
10. If the grievance committee's decision is that no hearing is to be held, the student may submit a written appeal to the President within two (2) working days from the date of the committee's decision. The appeal must specify in detail what aspects of the investigative report or process are being appealed. The President will respond in writing within five (5) working days. The President may uphold the decision of the committee, and at that point no further appeals within the college will be considered. Or, the President may instruct the committee to go forward with the grievance hearing process.
11. If a hearing is warranted (in person or by distance technology), the hearing will be held within five (5) working days of the decision by the grievance committee or the President. The hearing will be conducted following these guidelines:
 - a. The committee will select a chair. The chair of the committee will establish a date for the hearing. A notice establishing the date, time, and place of the hearing will be provided to all involved parties.
 - b. The hearing will be conducted as expeditiously as possible and on successive days if possible.
 - c. The student and the staff member and any others the committee deems necessary to the proceedings will make themselves available to appear at the proceeding unless they can verify to the committee that their absence is unavoidable.
 - d. The student and the staff member will be permitted to have with him/her a party of his/her own choosing to act as advisor and counsel.
 - e. The hearing will be closed to all except those persons directly involved in the case as determined by the grievance committee. Statements, testimony, and all other evidence given at the hearing will be confidential and will not be released to anyone and may be used by the committee only for the purpose of making its decision(s).
 - f. The chair of the grievance committee will convene and regulate the proceeding. The members of the committee must be present during the proceeding unless excused by the chair for good cause. Failure of either the student or the staff member to appear without reasonable explanation will be grounds for defaulting that party's case. All parties will have the opportunity to present evidence and respond to evidence presented.
 - g. The grievance committee will file its determination with the President, the Vice President, the student, and the staff member after the conclusion of the hearing. The determination of the grievance committee is final.

12. After the final determination of the grievance committee, if the student believes there has been misinterpretation or misapplication of the policy or procedure, he or she may appeal to the Nicolet College Board of Trustees Chair for procedural review. The appeal must be in writing, specify in detail what aspect of the grievance procedure or process is being appealed, and be submitted to the Office of the President within ten (10) working days of receipt of the determination by the grievance committee. The written appeal will be forwarded to the Board Chair who will determine if review by the Board of Trustees is warranted. If warranted, the Board of Trustees review will be limited to determining whether the appeal process was properly followed by college staff.