

Grievance Process

The Bryan College of Health Sciences (BCHS) Student Grievance Process outlines the process by which students may express and resolve a grievance that they have with any BCHS employee or fellow student. The process for resolving a grievance allows all parties to be heard. It is important for students to be aware of this process should they be involved in a conflict, disagreement, or misunderstanding.

The Student Grievance Process may also be used for grievances involving a third party associated with the College. However, in these instances, the College has discretion to resolve the matter under College contracts, agreements, policies, or laws applicable to the third-party entity, rather than involving the third party in the Student Grievance Process.

The Student Grievance Process in its entirety is an internal process and legal counsel is not permitted. It is not intended to create an adversarial or court-like proceeding but is designed to facilitate fact-finding and to review incidences, actions, or decisions that have negatively affected or raised a serious concern for a student. No retaliatory action will be taken against any participants because they have participated in this process.

Each step in the formal Student Grievance Process indicates who will receive notification of the decision. All decision notifications will be delivered electronically via the College-provided email accounts. Failure of the student to initiate the next step in the process within the specified period of time indicates acceptance of the decision and waives the student's right to further review or appeal. Time limits may be changed by mutual agreement of the involved parties and approval by the College. Typical reasons for a timeline to be extended include: 1) If College employees are not responding to the student in a timely manner or 2) To allow time for the student to determine whether or not an attempted resolution has rectified the issue. If a resolution of the grievance is obtained in any given step, the resolution is considered final.

The academic status of the student will not be altered until resolution of the grievance is obtained in any given step. Students who are grieving matters that will affect progression may progress to subsequent semester classes while the grievance process is in progress. Should the resolution result in an upheld decision and the student is not allowed to progress, the student will be administratively withdrawn from the course and receive a full refund for tuition paid for that course. ***For grievances regarding final grade appeal, please refer to the grade dispute policy in the academic catalog.***

The Provost and Dean of Students are integral to facilitating the review process and have responsibility for making determinations in the process. The Provost facilitates the process for academic matters and the Dean of Students facilitates the process for non-academic matters. If the matter has both academic and non-academic elements, the Provost and Dean of Students will discuss the case and decide who will facilitate the Student Grievance Process. The Provost/Dean of Students will name a designee in the event that they are unavailable. If the Provost or Dean of Students is named as an involved party in the grievance, the College President will designate an alternative leader to facilitate the process.

Step 1: Informal Process

Every reasonable effort should be made by all parties to resolve the concerns informally before a formal grievance is filed. At this stage, no written records of the matter will be placed in the student's official file. The student may initiate Step 2, a formal Departmental Review, if they determine that informal discussions have not resulted in resolution or that they do not wish to engage in informal discussions.

The initial contact person for the informal process depends on the issue.

- For matters involving a College employee or fellow student, the student with a concern should contact the person(s) with whom there is a difference or dispute.
- For matters involving a third party associated with the College, the student with a concern should contact their academic advisor to determine a plan for informal resolution of the issue. Students may choose a faculty member other than their assigned academic advisor to act as an advisor if desired.

In some cases, the student may wish to discuss the concern initially with the Program Dean, Provost, or Dean of Students, who may also assist in attempting to reach an informal resolution. However, contacting the Program Dean, Provost, or Dean of Students does not serve as a substitute for meeting directly with the appropriate initial contact person.

All parties should work toward resolution within a reasonable timeline. The student should send an email requesting to meet with the initial contact person within 10 business days of the point of time when the student has knowledge of the issue being grieved. The initial contact person should work with the student to schedule a meeting to resolve the matter. The meeting should take place within five (5) business days from the receipt of the student's email. At the meeting the initial contact person and the student should discuss the student's concern and work toward a mutually agreeable resolution.

Step 2: Formal Departmental Review Process

If the student determines that informal discussions have not resulted in a timely or satisfactory resolution or if the student does not wish to engage in informal discussions, the student may initiate the formal Student Grievance Process by submitting the [Student Grievance Form](#). The Student Grievance Form should be completed within 15 business days of the point of time when the student has knowledge of the issue being grieved.

The Formal Grievance process begins with a Departmental Review. However, if the student has reason to believe that a Formal Departmental Review would result in a biased outcome, the student may request to move directly to Step 3, Formal Grievance Board Review. The Provost/Dean of Students makes the decision either to continue with a Formal Departmental Review or proceed directly to a Formal Grievance Board.

Upon receipt of a Student Grievance Form, the Provost/Dean of Students will designate an appropriate department leader to investigate the grievance. A designated leader should be someone with decision-making authority over the matter, unless they are named as an involved party in the grievance. The designated leader will initiate an inquiry into all facts relevant to the case and notify involved parties that a Formal Departmental Review Process is being conducted. The inquiry typically includes meetings with the student who submitted the grievance, other parties involved, and relevant witnesses. In some cases this may mean meeting with involved parties at the same time. Any involved party may submit additional written statements during the review. Any involved student may choose a faculty or staff member to act as an advisor throughout this process if desired.

The designated leader will notify the student who submitted the grievance of the results of the Formal Departmental Review. This notification will occur within 10 business days of receipt of the Student Grievance Form.

1. If the grievance is upheld, the designated leader will attempt to identify a resolution.
2. If possible, the resolution will be communicated at the same time as the Formal Departmental Review decision and completed within 15 business days of the decision.

If the matter is resolved to the satisfaction of the student who brought the grievance, the grievance will be considered closed. If the grievance was not upheld or was not resolved to the satisfaction of the student who brought the grievance, the student may proceed with Step 3, a Formal Grievance Board Review.

Step 3: Formal Grievance Board Review

If the student is not satisfied with the outcome of the Formal Departmental Review Process or believes the Formal Review Process would result in a biased outcome, the student may request a Grievance Board Review. The student should submit the Grievance Board Review Request to the Provost (for academic matters) or Dean of Students (for non-academic matters) within five (5) business days of receiving a Departmental Review decision. The student's Grievance Board Review Request must be submitted by e-mail and include rationale for why the Grievance Board Review is requested.

Upon receipt of the Grievance Board Review Request, the Provost/Dean of Students will meet individually with involved parties and explain the Grievance Board Review process. The Provost/Dean of Students will arrange the Grievance Board Review Meeting within 10 business days of receiving the Grievance Board Review Request.

The Grievance Review Board will be comprised of two faculty members, one professional staff member, and two students who will be trained in the Grievance Review process by the Provost/Dean of Students. A list of potential, non-conflicting Grievance Review Board members will be reviewed with both parties to ensure that there is no conflict of interest. The Provost/Dean of Students will select the Grievance Review Board members from the list.

The original Student Grievance Form, the Formal Departmental Review results (if applicable), and any material that any involved party will bring forth at the Grievance Board Review Meeting must be submitted to the Provost/Dean of Students three (3) days prior to the Grievance Board Review Meeting. All written materials submitted will be available for review by all

parties involved in the Grievance Review Board Meeting. Materials will be available for review during the College's office hours and will be checked in and out. All materials are confidential and should not be shared or discussed with anyone, including other members of the Grievance Review Board.

Any involved student may elect to have witness(es) present information at the Grievance Review Board, and may be accompanied by one non-testifying Bryan College student or employee as an advocate. The Provost/Dean of Students will determine the appropriateness and involvement of witnesses. Witnesses may be deemed appropriate for either party.

The Provost/Dean of Students will serve as the nonvoting chairperson of the Grievance Review Board and will conduct the meeting utilizing the Grievance Review Board agenda. Confidentiality will be maintained by the Grievance Review Board. All involved parties will have the right to be present at the Grievance Review Board Meeting. All involved parties will have the opportunity to speak according to the agenda. The Grievance Review Board Meeting is not open to the public. No legal representation will be present. The hearing will be recorded. Recordings will be the property of and secured by Bryan College of Health Sciences. The Grievance Review Board will deliberate in private, and such deliberation will not be recorded. The Grievance Review Board will determine if "it is more likely than not," that the alleged grievance occurred and/or resulted in unfair and/or inequitable treatment. The decision will be made by a secret ballot majority vote of the members of the Grievance Review Board. The ballot results will be shared with the Grievance Review Board at the conclusion of the voting.

Any changes in the scheduled Grievance Review Board meeting must be requested in writing to the Provost (academic issues) or Dean of Students (non-academic issues) at least 24 hours before the appointed meeting time. Unless the College determines that extraordinary circumstances justify a different outcome, failure of the student to appear at the Grievance Review Board meeting will nullify the process and the outcome of the last step will stand. If the other involved parties do not attend the scheduled meeting, they will have forfeited their right to be present and the Grievance Board Review will proceed without them.

The Provost or Dean of Students will notify all involved parties of the Grievance Review Board's decision within three (3) business days of the Grievance Review Board's decision.

[Grievance Board Review Request](#)

Step 4: Formal Appeal to the College President

A decision reached by the Grievance Review Board may be appealed to the President of the College by either the student or the other involved parties. A written appeal must be delivered to the Provost (for academic matters) or Dean of Students (for non-academic matters) within five (5) business days of receiving the decision. The appeal will be limited to a review of the record and supporting evidence of the Grievance Review.

Acceptable reasons for appeal are:

- To determine whether the Grievance Review was conducted fairly in light of the complaint and evidence presented and conformity with prescribed procedures.
- To determine whether the decision reached was based on substantial evidence, that is whether the facts in the Grievance Review were sufficient to meet the criterion of "it was more likely than not."
- To consider new information to alter a decision or other relevant facts not brought out in the Grievance Review, because the student or College personnel appealing did not know such information at the time of the Grievance Review. Use the [Student Grievance Form B](#) and submit.

The President will make an appeal decision within 10 business days of receiving the record and supporting evidence from the Grievance Review Board. The decision of the President is final.