

University Policies

Policy Name: Student Complaints and Grievances	Effective Date: July 1, 2008
Custodian of Policy: Associate Vice President for Student Affairs and Enrollment Management	Last Review: May, 2001
	Next Review: September, 2013

Policy:

Minnesota State University, Mankato has a commitment to a respectful learning environment. Students have the right to seek a remedy for a dispute or disagreement when they believe a campus office/department or a Minnesota State employee treated them in an improper, unfair or arbitrary manner. Examples include, but are not limited to: bullying, condescension, inattentive planning, intimidation, particularistic treatment, poor customer service, rudeness and undefined course expectations. This policy does not apply to Minnesota State, Mankato or MnSCU System rules or regulations that include an existing appeal or grievance process, including policy or procedure change.

Procedures:

For certain situations, other policies and procedures must be followed. Further information may be obtained from the designated office or online at <http://www.mnsu.edu/acadaf/policies/>

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| 1. Discrimination or harassment complaints | Affirmative Action Office |
| 2. Alleged student misconduct | Office of the Associate Vice President for Student Affairs and Enrollment Management |
| 3. Student employee concerns | Department Head or Human Resources |
| 4. Grade appeals | Office of the Vice President for Academic and Student Affairs |
| 5. Academic suspension appeals | Office of the Vice President for Academic and Student Affairs |
| 6. Policy or procedure change | Minnesota State Student Association |
| 7. Parking | Office of Parking and Traffic Services |
| 8. Recognized Student Organization concerns | Minnesota State Student Association |

This policy does not apply to Minnesota State or MnSCU System rules or regulations that include an appeal or grievance process.

Definitions

Complaint – an oral or written claim of improper, unfair or arbitrary treatment (MnSCU policy 3.8.1) submitted by a student for possible informal resolution. For full consideration, the complaint should be filed during the term in which the concern arises or within the first two weeks of the subsequent term.

Grievance – a written claim raised by a student alleging improper, unfair, or arbitrary action by an employee involving the application of a specific provision of a college or university rule/regulation or a board policy or procedure (MnSCU policy 3.8.1), submitted by a student on the student grievance form if the initial complaint is not resolved informally. The grievance form must be submitted within 14 business days of receiving the outcome of the complaint.

Appeal – The outcome of a grievance may be appealed by the student or the employee(s) named in the grievance if either party offers new information or evidence of procedural errors in the handling of the grievance that substantially impacted the outcome.

Retaliation prohibited

No retaliation shall be tolerated as a result of any individual's participation in the student complaint or grievance process.

Records

Records shall be protected under the Family Education Rights and Privacy Act, Minnesota Government Data Practices Act and the Student Records Policies and Procedures of Minnesota State. Additional information about data privacy at MSU is available at <http://www.mnsu.edu/supersite/administration/privacy/public.html#online>.

Informal resolution procedure

Step 1

The student will present an oral or written complaint to the office, department or employee(s) involved. Matters can often be resolved through direct, informal conversation discussing the basis of the concern and offering the employee(s) an opportunity to respond. If the complaint is resolved, the process is complete.

- a. The student may ask someone from the University community to serve as a support person or witness at a meeting with the employee. This individual cannot participate directly in the process but may advise the student.
- b. Prior to meeting with the employee(s), the student will inform the employee(s) of the identity of any support person planning to attend the meeting. An employee may also be accompanied by a support person or witness who cannot participate directly in the process but may advise the employee.
- c. Students seeking advice may contact the Minnesota State Student Association.

Step 2

Following the meeting, the department, office or employee(s) shall provide an oral or written response to the student within 14 business days unless an extension of time is agreed upon by both parties.

Formal grievance procedure

If a concern is not resolved informally, the student may proceed to the formal grievance procedure.

Step 1

The student obtains an official grievance form, either from the Minnesota State Student Association or online, located at the end of the policy (http://www.mnsu.edu/acadaf/policies/Studentcomplaintsandgrievances_2008.pdf) and submits the form to the Department Head, Dean or Vice President with direct responsibility for the employee(s), office or department involved in the complaint.

- a. Employees named on the grievance form will receive copies of the submitted form and any supporting materials, including a copy of the letter determining if the claim documented on the form constitutes a grievance.
- b. Employees named on the grievance form may submit a written response to the Department Head, Dean or Vice President.

Step 2

The Department Head, Dean or Vice President or designee determines if the claim documented on the grievance form constitutes a grievance (as defined by MnSCU policy 3.8.1) and notifies the student within 14 business days unless reasonable cause for delay exists. No further action is taken if the claim documented on the grievance form does not identify alleged improper, unfair, or arbitrary action by an employee involving the application of a specific provision of a college or university rule/regulation or a board policy or procedure.

Step 3

If the grievance form provides evidence of alleged improper, unfair, or arbitrary action by an employee involving the application of a specific provision of a college or university rule/regulation or a board policy or procedure, the Department Head, Dean or Vice President will appoint a designee to review the grievance within 21 business days of receipt unless reasonable cause for delay exists. The selected designee will review the grievance and report her/his findings to the Department Head, Dean or Vice President.

- a. If a meeting is held as part of the review process, both the student grievant and the respondent may be accompanied by a support person who will not be permitted to participate directly in the process but may advise the person who invited her/him.

Step 4

Within 14 business days of receiving the designee's findings, the Department Head, Dean or Vice President will inform the student grievant and the respondent of a decision. This response will support the student's proposed remedy, suggest an alternative remedy, or find the grievance without merit.

This policy is not an employee disciplinary process. The decision to initiate disciplinary action, resulting from information collected while investigating a student grievance, must conform to the procedures included in the appropriate collective bargaining agreement or personnel plan.

Appeals

The outcome of a grievance may be appealed by the student grievant or the employee(s) named in the grievance if either party has new information or evidence of procedural errors in the handling of the grievance that substantially impacted the outcome. Appeals are reviews of process, not a second hearing on contested issues.

Appeals must detail the grounds for appeal and identify a suggested remedy. Appeals are to be filed with the administrator responsible for the Department Head, Dean, or Vice President who responded to the grievance form, no later than 7 business days after the parties receive notice of the outcome of a grievance. The administrator reviewing the appeal, or designee, may request a meeting or additional

information, if needed. A written decision will be provided to all parties within 21 business days of receiving the appeal unless reasonable cause for delay exists.

If the grievance involves a MnSCU System Board policy or the actions of the University president, a student may further appeal the University decision to the MnSCU chancellor. The decision of the chancellor is final and binding.

Minnesota State University, Mankato Student Grievance Form

Name: _____

Phone number: _____

Email address: _____

Mailing address: _____

This process used to resolve grievances may be initiated only after the informal process used to resolve complaints has not resulted in a satisfactory resolution. According to MnSCU policy 3.8.1, a grievance is “a written claim raised by a student alleging improper, unfair, or arbitrary action by an employee involving the application of a specific provision of a college or university rule/regulation or a board policy or procedure. This policy does not apply to those college/university rules or regulations or to board policies or procedures that include an appeal or grievance process.” A disagreement with an administrative decision is not a grievance unless it includes improper, unfair or arbitrary action. The entire Student Complaints and Grievances policy can be found online at http://www.mnsu.edu/acadaf/policies/Studentcomplaintsandgrievances_2008.pdf.

To request a formal review of a grievance:

1. Attach a written summary of your grievance, including the previous steps taken to resolve this matter informally.

2. Identify the remedy that you are seeking.

3. Attach any documentation you deem appropriate.

Student Signature

Date Submitted

Submit this form and attachments to the Department Head, Dean or Vice President with direct responsibility for the employee(s), office or department involved in the complaint.

