

AP 470 - Equal Opportunity Grievance Procedure

Associated Board Policy: 470.00

Procedure Owner: Executive Director of Student Services

Related Procedures: None

I. Procedure Scope and Purpose

This procedure addresses the processes for concerns of discrimination. Any person who feels that they have been discriminated against by College policies or personnel may seek relief through the following procedures and no others:

As a prerequisite to filing such petition, the petitioning student waives any right to file suit or claim of any kind whatsoever which suit or claim attempts to establish legal liability against the individual members of the Committee for decisions rendered by the Committee in good faith.

This procedure applies to student complaints about discrimination from the admissions to any course or courses, participation in any College sponsored activity or by College policies or personnel.

- a. This procedure may not be used for:
 - i. An appeal of a course grades. Students should use Policy 402.00
 - ii. An appeal of an administrative withdraw from a class or expulsion from the college due to disciplinary reasons. Students should use Policy 405.00
 - iii. An appeal of a disciplinary action as a result of a violation or an appeal of a fine or penalty as a result of a violation. Student should use Policy 404.00
- b. No action will be taken on anonymous complaints
- c. A complaint must be based on evidence that the complainant honestly and reasonably believes to be substantially true. Those responsible for resolving complaints under this procedure must take all reasonable steps to ensure that the complainant is protected against any subsequent recrimination or victimization.
- d. Students and employees involved in the consideration and resolution of concerns and complaints have various rights and responsibilities.

II. Definitions

- *Complainant*: The individual bringing forth the concern or complaint.
- *Aggrieved*: The individual expressing grief, injury, offense or suffering from an infringement or denial of legal rights.
- *Complaint*: A formal assertion in writing that the terms of this agreement, or of laws, standards or regulations incorporated by this agreement, are being violated by a person, institution, state, agency or other organization or entity operating under the terms of this agreement.

- *Respondent*: The individual who is responding to the complaint or whom the complaint is against.
- *Confidentiality*: Participants in the complaint resolution process should respect the matter as confidential. All information revealed and all discussions held shall be as confidential as reasonably possible within legal requirements and responsibilities, and within limits allowing for the review to occur.
- *Discrimination*: To treat a person differently, or less favorably, for some reason. Discrimination can include preventing participation in a class, event or activity.
- *Retaliation*: The student shall not be retaliated or discriminated against because of the filing of or participating in the review of a complaint. Retaliation means taking any action which may have an adverse impact including such as giving students failing grades, preventing students from participating in school activities, and threatening expulsion. It can also include, but is not limited to intimidating, threatening, coercing behavior.
- *Affirmative Action Officer of the College** - Executive Director of Student Services

III. Procedure

The complainant should seek to resolve his or her issue with the department supervisor of the area the original charge was administered. If there is no resolution or the complainant is not comfortable with an informal discussion, an official grievance may be filed.

1. The aggrieved party must first present his/her complaint in writing, to the individual being charged with discrimination within five (5) days of the alleged occurrence stating the substance and date of the alleged occurrence.
 - a. A copy of the complaint must be forwarded to the Affirmative Action Officer. *
2. In the event that the complaint persists, after having made reasonable effort to resolve it with the responsible individual, the aggrieved party may file a written appeal with the Affirmative Action Officer* (using COWLEY COLLEGE OFFICIAL GRIEVANCE APPEAL FORM)
 - a. To be considered by the Affirmative Action Officer, such an appeal must be filed within fourteen days of the alleged occurrence.
3. Within five (5) days after receipt of a written appeal, the Affirmative Action Officer will schedule a conference with the parties to the complaint. It is required that a "good faith" effort be made to resolve the complaint at this meeting. Said Affirmative Action Officer must, within five (5) days from the date of this meeting, provide both parties with written decision concerning the complaint.
4. If the grievance is not resolved in the conference convened for this purpose, the aggrieved party may, within five (5) days, file a written appeal with the Affirmative Action Officer for an Administrative Review.
5. Following such an appeal, an Administrative Review by a panel selected by the Affirmative Action Officer shall be conducted, at which time all parties to the complaint may be heard. Within five (5) days following the conclusion of the Administrative Review, a written decision of the review panel shall be presented to all parties by the Affirmative Action Officer.

6. After all administrative recourse has been exhausted, the aggrieved party may, if done so within ten (10) days of notification of the decision rendered by the Administrative Review panel, petition for a hearing by the Board of Trustees (using the Cowley College Final Complaint Process Form). Procedures for such a hearing will be established by the Board of Trustees upon the advice of legal counsel.

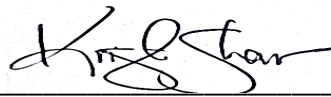
V. Effective Date(s)

This procedure first became effective December 1, 2014.

This procedure was revised on October 8, 2024.

VI. Signature and Title

This procedure is implemented by: _____



Title: Executive Director of Student Services

COWLEY COLLEGE OFFICIAL GRIEVANCE APPEAL FORM

Policy 470.00 Equal Opportunity

Initial complaint: Any person who feels that they have been discriminated against by College policies or personnel may seek relief through the following procedures, and no others: The complainant must first present their complaint in writing, to the individual being charged with discrimination within five (5) days of the alleged occurrence stating the substance and date of the alleged occurrence. A copy of the complaint must be forwarded to the Affirmative Action Officer. *

Written Grievance: In the event that the complaint persists, after having made reasonable effort to resolve it with the responsible individual, the aggrieved party may file a written appeal with the Affirmative Action Officer. To be considered by the Affirmative Action Officer, such an appeal must be filed within fourteen days of the alleged occurrence.

*All fields are required

Name of Complainant: _____

Circle the role the best identifies your relationship with Cowley College.

Current Student Previous Student Parent of Student under 18 Other

Address (City, State, Zip Code)

Phone: _____ **Email:** _____

Dates of Attendance at Cowley (if applicable): _____

Alleged Occurrence: _____

Dates of Alleged Occurrence: _____

Copy of Initial Complaint Sent to Affirmative Action Officer: YES No **Date:** _____

Please describe your complaint in detail, including the names of any college or faculty or staff you spoke to about the complaint. Include additional pages, if necessary: _____

Please send this appeal form and copies of any documents that support your above complaint to:

Contact Information Affirmative Action Officer:

Kristi Shaw
Executive Director of Student Services
Nelson Student Center
Arkansas City, KS
Kristi.shaw@cowley.edu
620-441-5206

Mailing address:

Cowley College
ATTN: Executive Director of Student Services
2nd St, P.O. Box 1147
Arkansas City, KS 67005

By submitting this form, I affirm that I am a current or former student of the institution named above or the parent or guardian of a current or former student of that institution who is currently under age 18 and/or under my legal guardianship.

Printed Name (Student)

Date

Student Signature Legal Guardian Signature (If student is under age 18 and/or under my legal guardianship.)

COWLEY COLLEGE FINAL COMPLAINT PROCESS FORM

Complainant Information

*All fields are required

Please note that the Cowley College Board of Trustees cannot act on anonymous complaints.

Name of Complainant: _____

Circle the role the best identifies your relationship with Cowley College.

Current Student Previous Student Parent of Student under 18 Other

Address (City, State, Zip Code)

Phone: _____ **Email:** _____

Dates of Attendance: _____ **Dates of Complaint:** _____

Have you gone through Cowley College's formal complaint process?

Yes No

If you answered "Yes", please submit documentation showing that you have exhausted your appeals at the institutional level. Please see below on how to send in such documents.

If you answered "No", please explain in your detailed complaint description below why you were unable to complete the complaint process. Note that the Board will normally only address complaints after a student has exhausted his/her appeals at the college or university level.

Please describe your complaint in detail, including the names of any college or university faculty or staff you spoke to about the complaint.

Please give titles and contact information for the individuals (if any) you mentioned above.

How would you like your complaint to be addressed? (Please note that the Board cannot, by law, review complaints related to course grades, academic sanctions or discipline/conduct matters.)

Will you be submitting additional documentation (such as e-mails from school officials, transcripts, course syllabi, contracts, brochures, catalogs and/or tuition bills) that substantiates your complaint?

Yes No

Please send copies of any documents that support your above complaint and/or show that you have gone through your institution's complaint procedure to:

Cowley College Board of Trustees
ATTN: Complaints
125 S 2nd St, P.O. Box 1147
Arkansas City, KS 67005

By submitting this form, I affirm that I am a current or former student of the institution named above or the parent or guardian of a current or former student of that institution who is currently under age 18 and/or under my legal guardianship. I agree to allow the Cowley College Board of Trustees to submit a copy of my complaint and supporting materials to the above-named institution for a response, as well as to the state agency responsible for complaints in the state in which the institution is located or in which I live if not Kansas. I further authorize the institution to transmit student records related to me or to the individual(s) under my guardianship affected by the institution's actions to the Board for review. I understand that I may have to submit an information release form to the institution. Additionally, I recognize that my complaint may be subject to Kansas Open Records Act (KORA). I certify that the information I have provided to the Board is complete, true, and correct to the best of my knowledge and belief.

Printed Name (Student)

Date

Student Signature

Legal Guardian Signature (If student is under 18)