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| CHAPTER 4 | SECTION NO. |
| College Operations | 4.10 |
| REFERENCE | <i>Adopted: October 12, 2010</i> |
| 4.10.01 Grievance Procedures | <i>Reviewed: October 12, 2010; April 10, 2018</i> |
| | <i>Revised: April 10, 2018</i> |

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A student, employee or community member should notify the College’s Director of Human Resources, who has been approved by the President as this institution's Complaint Manager, if he or she believes that the Board of Trustees, its employees or its agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, Board Policy or has a complaint regarding any applicable State or federal law or regulation.

Right to Pursue Other Remedies Not Impaired

The right of a person to prompt and equitable resolution of a complaint filed hereunder shall not be impaired by the person’s pursuit of other remedies, e.g., criminal complaints, civil actions, etc. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. If a person is pursuing another remedy subject to a complaint under this policy, the College will continue with a simultaneous investigation under this policy.

Deadlines

All deadlines under this policy may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, days means days on which the College’s main office is open.

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with the Complaint Manager. The Complaint Manager may request the Complainant to provide a written statement regarding the nature of the complaint. The Complaint Manager shall assist the Complainant as needed.

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The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The Complaint Manager shall ensure both parties have an equal opportunity to present evidence during an investigation. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law or this policy, (2) as necessary to fully investigate the complaint or (3) as authorized by the Complainant.

The Complaint Manager will inform, at regular intervals, the person(s) filing a complaint under this policy about the status of the investigation. Within 30 days of the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the President. The Complaint Manager may request an extension of time. If a complaint of sexual harassment contains allegations involving the President, the written report shall be filed with the Board, which will make a decision in accordance with the following section of this policy. The President will keep the Board informed of all complaints.

Decision and Appeal

Within five days after receiving the Complaint Manager's report, the President shall mail his or her written decision to the Complainant and the accused by first class U.S. mail as well as to the Complaint Manager.

Within 10 days after receiving the College's decision, the Complainant or the accused may appeal the decision to the Board by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the Board. Within 30 days, the Board shall affirm, reverse or amend the President's decision or direct the President to gather additional information. Within five days of the Board's decision, the President shall inform the Complainant and the accused of the Board's action.

This policy shall not be construed to create an independent right to a hearing before the President or the Board. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.