

Any student at Carteret Community College who reasonably believe that they have been injured by an act or omission of the College or its employees, or have had an action taken against them that was executed incorrectly or unfairly have the right to lodge a grievance. Grievances generally fall into two categories, complaints and appeals.

### Student Complaints

In cases where a student complaint is about a situation or event with which the student disagrees, but there is no injury to the student, the student should request a meeting with the person with decision-making authority over the situation or event to express the concern or present alternate opinions. If the student is unclear about with whom the student needs to meet or unsure how to present the concern, a student advocate can assist the student.

A student complaint resulting from an act of another student or faculty or staff member of the college that violates college policy, student conduct rules, or the law; or, an omission of the college or its employees when the complainant is injured by the act or omission is resolved in a two-stage process; **Stage 1**, Informal Resolution and **Stage 2**, Formal Resolution.

**Exceptions:** Complaints involving unlawful harassment, stalking, or sex offenses are reported to the Title IX Coordinator and follow the procedures for Resolution of Sexual Offenses. **Students reporting these offenses are not required to confront the student, faculty, or staff member involved with the situation.**

#### Stage 1- Informal Resolution

1. Depending on the circumstances or area of concern, the student must request a conference with the staff or faculty member whose act or omission is the subject matter of the complaint. Such conference should be held quickly with the full cooperation of all parties.
2. If the staff or faculty member can resolve the complaint to the satisfaction of the student, the matter should be settled. If the matter cannot be resolved to the satisfaction of the student, the student must meet with a Student Advocate who will

assist the student and mediate the complaint.

3. The student and the Advocate must request a conference with the staff or faculty member whose act or omission is the subject matter of the complaint. Such conference should be held quickly with the full cooperation of the student and college employees.
4. If the staff or faculty member can resolve the complaint to the satisfaction of the student, the matter should be settled informally.

#### Stage 2- Formal Resolution

If the staff or faculty member cannot resolve the complaint, the student complainant (with the assistance of an advocate) shall, **within ten (10) business days of the conference:**

1. Put the complaint in writing, containing a concise statement of the complaint, and a short, plain statement of the supporting facts (including the date of the required conferences referenced above, if applicable).
2. Send the written complaint by certified mail, return receipt requested, restricted delivery, email from the student's college account, or hand-deliver to the supervisor of the college employee whose act or omission is the subject matter of the complaint, the Dean of Student Services, or the designated grievance officer depending on the nature of the complaint.
3. The supervisor, dean, or grievance officer so served shall make a final decision and shall notify, in writing, the student, student advocate, and college employee **within five (5) business days of the receipt of the complaint.**
4. The student may appeal the final decision using the **Procedures for Student Appeal** set out below.

#### Resolution of Sexual Offenses

The student and/or responsible employee (as defined in Carteret Community College's Title IX Policy and Procedures) shall:

1. Put the complaint in writing, containing a concise statement of the complaint, and a short, plain statement of the supporting facts. The College prefers and official [Carteret Community College Title IX Complaint Form](#) to be used when submitting a complaint.
2. All Title IX related complaints are to be sent to the Title IX Coordinator.
3. The Title IX Coordinator shall convene the complaint to the Dean of Student Services, appropriate Vice President, and other need-to-know administrative personnel. An action plan meeting will be held to determine the scope of the complaint and needed investigation.
4. The investigation team will conduct an impartial investigation. The goal is to complete an investigation as quickly as possible. However, a case will not be considered complete until it has been thoroughly investigated.
5. If disciplinary action is recommended by the investigation team, the Dean of Student Services shall convene an adjudication team of employees trained in Title IX, to conduct a formal hearing. All parties may attend the hearing and have an advisor present. Additional questions and evidence may be presented at the hearing by the accused. The Adjudication team will make a decision based on a preponderance of evidence.
6. The Dean of Student Services will notify in writing all parties **within five (5) business days of the receipt of the complaint.**
7. Either party may appeal the final decision using the **Procedures for Student Appeal** set out below.

### Student Appeals

Before beginning any appeal process, the student should contact a Student Advocate for assistance with the preparation and presentation of the appeal and to answer questions during the appeal process.

All student appeals of Academic Action, Disciplinary Action, or Policy Application shall follow the procedures outlined below.

### Appeal of Academic Action Grounds for Appeal

A student may appeal an Academic Action for the following reasons:

1. College policy or grade issued was arbitrary, capricious, or contrary to written instructions;
2. Appellant was not fully informed of the College's dissatisfaction with student's academic or clinical progress; or
3. Academic Action poses a threat to impending graduation, continued enrollment, or withdrawal of financial aid.

### Timing and Form of Appeal

The appeal of an instructor's academic action involving the award of a final grade shall be made in writing, within ten (10) business days of the date that the final course grade is posted to Web Advisor.

The appeal of a removal from a course for reasons other than academic dishonesty shall be made in writing, within five (5) business days of notification of being dropped, be it a written or verbal notification.

The letter of appeal shall:

1. Clearly state the student's grounds for appeal and any supporting information;
2. Be sent certified mail, return receipt requested, restricted delivery, by email from the student's college account, or hand-delivered; and
3. Be directed to the appropriate Dean for the instructional area in which the grade was given. If the Dean issued the grade, the appeal shall be directed to the Vice President of Instruction and Student Support.
  - a. The college official receiving the appeal shall note the date of receipt on the face of the appeal.
  - b. If the letter of appeal is hand-delivered, a copy of the letter, signed and dated by a college official, shall be proof of delivery.

- c. The Dean or Vice President to whom the appeal is directed will also be responsible for notifying, in writing, the instructor and all line supervisors concerning the appeal.

The Dean or the Vice President to whom the appeal is directed shall investigate the facts and determine whether the action should be upheld or reversed.

### Dismissal Pending Appeal

If a student appeals an academic action leading to dismissal from a course, activity, or program, the student is not to be dismissed from the course, activity or program, if applicable, until the appeal process is complete unless:

1. In the case of a clinical affiliate or other off-campus contractor providing cooperative experiences, immediate removal is required by the contractor or cooperative agency;
2. The student's continued participation in the activity would pose a threat to the student, the College, or others; or
3. College Policy would be violated.

### Erroneous Academic Action

If, at any point in the appeals process, based on the evidence, it is determined that an erroneous academic action has been taken, the Dean or the Vice President to whom the appeal is directed, the instructor, and the student shall meet **within five (5) business days** from the date of such determination to agree on corrective action. If circumstances make it impractical for the parties to meet within five (5) business days, then the Dean or the Vice President may extend this meeting date to a date agreeable to both parties, but in no event shall the extension be more than thirty (30) calendar days.

### Notification of Decision

The Dean or the Vice President to whom the appeal is directed shall:

1. Notify the student of a decision in writing, either by hand-delivery, certified mail, return receipt requested, restricted

delivery, or email to the student's college account within ten (10) business days from the date of receipt of the notice of appeal; and

2. Send copies of the decision to the instructor and all line supervisors of the instructor. A copy of the decision must also be sent to the parents if the appellant is under the age of 18 and is not an emancipated minor subject to FERPA.

### Appeal from Decision of a Dean to a Vice President

If a student's appeal is denied by a Dean, the student may appeal this decision to the appropriate Vice President be it the Vice President of Instruction and Student Support or the Vice President of Corporate and Community Education.

The appeal shall be made in writing **within five (5) business days** of the date of the receipt of the denial.

The letter of appeal shall:

1. Clearly state the student's grounds for appeal and any supporting information; and
2. Be sent certified mail, return receipt requested, restricted delivery, emailed to the student's college account, or hand-delivered.

The decision of the Vice President will be made **within 10 (ten) business days** of the receipt of the letter of appeal.

### Notification of Decision of Vice President

The student shall be notified in writing of the decision through certified mail, return receipt requested, restricted delivery, email to the student's college account, or hand-delivery.

### A decision on an appeal of an academic action made by the Vice President is final.

If the final appeal is resolved against the student, the academic action shall be permanently recorded. In the event that a student is dismissed from the College, tuition credits will be made according to state guidelines.

### Appeal of Disciplinary Action

#### Grounds for Appeal

A student may appeal a disciplinary action for the following reasons only:

1. The action taken was arbitrary, capricious, and contrary to published college policy, or
2. Insufficient evidence exists to sustain the disciplinary action.

#### Timing and Form of Appeal

The appeal of a formal written Disciplinary Action shall be made in writing to the Dean of Student Services.

The appeal must be submitted within **ten (10) business days** of the receipt of written notification of the disciplinary action.

The letter of appeal shall:

1. Clearly state the student's grounds for appealing and any supporting information; and
2. Be sent certified mail, return receipt requested, restricted delivery, email from the student's college account, or hand-delivered.

#### Duties of the Dean of Student Services

The Dean shall be responsible for notifying, in writing, the instructor, the staff member, and all line supervisors concerning the appeal.

The Dean shall then investigate the facts and determine whether the disciplinary action should be upheld or reversed.

The Dean shall notify the appealing student of the decision in writing, either hand-delivered, or by certified mail, return receipt requested, restricted delivery, or email to the student's college account **within ten (10) business days of receipt of the letter of appeal.**

A copy of the decision shall be sent to the instructor or staff person and all line supervisors. A copy shall also be sent to the

student's parents if the student is under the age of 18 and not an emancipated minor.

If the disciplinary action is upheld, the notice of decision will include the nature of the charges, general findings which substantiate the charges, proposed disciplinary action to be taken, and the further due process available to the student.

#### Erroneous Disciplinary Action

If, at any point in the appeals process, it is determined that an erroneous disciplinary action has been taken, the Dean of Student Services, the instructor or staff member and the student shall meet **within five (5) business days** to agree on a corrective action. If circumstances make it impractical for the parties to meet within five (5) business days, the Dean of Student Services may extend the meeting date to an agreeable time for both parties. **In no event shall this meeting take place more than thirty (30) calendar days** after the determination of erroneous disciplinary action.

#### Dismissal Pending Appeal

If a student appeals a disciplinary action which would lead to dismissal from a course, activity, or program, the student is not to be dismissed from the course, activity or program, if applicable, until the appeal process is complete unless

1. In the case of a clinical affiliate or other off-campus contractor providing cooperative experiences, immediate removal is required by the contractor or cooperative agency;
2. The student's continued participation in the activity would pose a threat to the student, the College, or others; or
3. College Policy would be violated.

#### Appeal to the Student Appeals Committee

A student may appeal the decision of the Dean of Student Services to the Student Appeals Committee. A notice of appeal and request for hearing before the Student Appeals Committee must be:

1. In writing and addressed to the appropriate Vice President **within ten (10) business days** of the student's receipt of the

decision from the Dean of Student Services;

2. Clearly set forth the grounds for the appeal and any supporting information; and
3. Be sent to the appropriate Vice President by certified mail, return receipt requested, restricted delivery, emailed, or hand-delivered.

#### **Duties of the Vice President**

The Vice President or designee shall note on the face of the written request for a hearing the date on which it was received.

The Vice President shall be responsible for notifying, in writing, all parties who received copies of the original notice of action, that an appeal to the Student Appeals Committee has been filed.

**Within five (5) business days** of the receipt of such written notice of appeal and request for hearing, the Vice President shall schedule a hearing by the Student Appeals Committee to be held with all due speed, but in no event longer than thirty (30) calendar days from the date of receipt of the written notice of appeal and request for a hearing.

The Vice President shall serve written notice to the student, to the student's parents, if applicable, to all members of the Student Appeals Committee and to the Dean as to the time and place of the hearing. Notice to the student about the hearing shall be by certified mail, return receipt requested, restricted delivery, or by acknowledged hand-delivery.

#### **Membership of the Student Appeals Committee**

The Student Appeals Committee shall consist of two (2) members of the staff and faculty (For all Health Sciences students, one faculty member will be from the Health Sciences Division) appointed by the Vice President and three (3) students appointed by the president of the Student Government Association or the Student Activities Coordinator for a total of five (5) members. The Student Appeals Committee shall hear the appeal.

The Vice President shall appoint an individual from among the College employee appointees to the

Student Appeals Committee to serve as chairperson who shall conduct the hearing.

If for any reason the student component of the Student Appeals Committee shall not be fully constituted, the president of the Student Government Association or the Student Activities Coordinator shall randomly select students having no connection to the incident or parties to serve on the Committee.

#### **Hearing Procedures**

It shall be the responsibility of the Dean of Student Services to:

1. Notify the members of the Student Appeals Committee of a pending appeal and supply them with such documentation as shall be necessary to hear the case;
2. Schedule a meeting of the committee prior to the hearing if necessary; and
3. Appoint a Student Advocate if one is not already working with the student.

A hearing before the committee shall be structured but informal, giving the student and the College a full opportunity to present the appeal. The order of the presentations shall be as follows:

1. The student has the first opportunity to be heard.
2. The College is heard from next.
3. The student is then allowed to rebut the College's case.

The student shall have the right to:

- a. Present witnesses and evidence on the student's behalf; and
- b. Question adverse witnesses.

***The student may bring one or more parents, one friend, or a lawyer to act in the capacity of advisor. The College will provide a Student Advocate assigned to advise the student; however, students must be prepared to advocate for themselves as neither the advisor nor the advocate may speak or***