

Student Grievance and Complaint Policy

Contents

Section 1: Purpose.....	1
Section 2: Scope	1
Section 3: Definitions	2
Section 4: Process.....	5
Section 5: References	8
Section 6: Schedule for Reviews.....	9
Section 7: Effective Date and Approval	9
Section 8: Review and Revision History	9

Section 1: Purpose

The Student Grievance and Complaint policy and procedures provide a process for students to equitably and orderly resolve issues or concerns that may arise in college-related programs, processes, and/or activities not limited to academic issues, student services, and administrative concerns. This process exists as a means to provide a structured and fair process for students to address grievances, complaints, or disputes they may have with the institution, institutional policy, faculty, staff, or another student. Ensuring that students can present concerns about potential policy violations, unfair treatment, or academic issues without fear of retaliation, and allowing for proper investigation and resolution to reach an equitable outcome, essentially this policy protects students' rights and promotes a just learning environment. The student grievance and complaint policy does not preclude students from adherence to local policies resolutions.

Section 2: Scope

VPCC's Student Grievance and Complaint policy applies to academic and non-academic matters. This policy is applicable to all VPCC students inclusive of all campuses, educational sites, and all modalities of instruction

2.1 A student may submit a complaint for the following:

- 2.1.1 Dissatisfaction with any full time or part time faculty, staff, instructor, and/or student member of the VPCC community
- 2.1.2 Dissatisfaction with an experience and/or service at VPCC
- 2.1.3 Dissatisfaction with an environment, physical location, and/or space on VPCC campus

2.2 A student may submit a grievance for the following:

2.2.1 Final grade appeal

2.2.2 Issue with a faculty/instructor, staff member, or another student.

2.2.3 Issue with a class.

2.2.4 Issue with a college procedure or process.

2.3 The policy applies to complaints and grievances from VPCC students, across all campuses and within most educational programs. Certain policies and academic decisions are not covered under this grievance policy as they are governed by statutory regulations and external entities. These include, but are not limited to, decisions related to admissions, academic grading, and disciplinary actions that fall under the jurisdiction of state or federal laws, or other regulatory bodies, i.e. dismissal from the nursing program. Individuals should adhere to the specific processes outlined by those policies as listed in the Virginia Peninsula Community College processes, procedures, Student Handbook and College Catalog.

Section 3: Definitions

3.1 Appeal

An appeal is a review of a decision by a resolution to determine whether sufficient cause exists to invalidate the decision. The Student Grievance Governance Committee is the decision maker with regards to nonacademic appeals. The Vice President of Academic Affairs or their designee is the decision maker with regards to academic and grade related appeals for all credit bearing coursework. The Vice President of Workforce Development is the decision maker with regards to academic and grade appeals for all workforce and noncredit bearing coursework. An appeal is not a new hearing. Appeals shall be limited to the following grounds:

- A. a violation of due process
- B. bias of the hearing officer/board for reasons other than the stated rationale
- C. a deviation from the procedures adopted by the institution that had a material and significant impact on the outcome of the process.
- D. discovery of new and material information that was unavailable at the time of the hearing
- E. sanction(s) that are disproportionately severe or inappropriate for the violation.

3.2 Campus

Any (1) building or property owned or controlled by the College within the same reasonably contiguous geographic area of the College and used in direct support of, or in a manner related to, the College's educational purposes, and (2) any building or property that is within or reasonably contiguous to the area described in clause (1) that is owned by the College but controlled by another person or entity, and supports institutional purposes, such as a food or other retail vendor.

3.3 **Complaint**

An oral or written communication of dissatisfaction with a college-related service or experience that does meet the criteria of a complaint or grievance as defined below. The resolution of complaints follows the chain of command unless it is filed against a reviewer.

3.4 **Complainant**

A currently enrolled credit or non-credit (workforce) student, or any person previously enrolled, who submits a grievance or complaint within the appropriate time frame(s).

3.5 **Decision Maker**

The individual and/or committee responsible for making a final decision on a grievance or complaint at Level II or Level III.

3.6 **Discrimination**

Adverse treatment of an individual based on one or more of the protected characteristics listed in this Policy. In a college setting, complaints of discrimination may arise in the employment context and the education context, in the following potential forms: Discriminatory disparate treatment is singling out or targeting an individual for less favorable treatment because of their protected characteristic. In the context of employment, the less favorable treatment must negatively affect the terms and conditions of employment. In the education context, to rise to the level of discrimination, the treatment must unreasonably interfere with or limit the student's ability to participate in or benefit from the institution's programs and activities. Examples include but are not limited to:

- A. Failing or refusing to hire or admit an individual because of their protected characteristic.
- B. Imposing more severe discipline on a student or employee because of their protected characteristic.
- C. Giving a negative performance evaluation or grade/academic assessment because of an individual's protected characteristic.
- D. Terminating, suspending, dismissing, or expelling an individual based on their protected characteristic.

3.7 **Discriminatory Harassment**

Unwelcome and offensive conduct that is based on an individual or group's protected status. Discriminatory harassment may be considered to violate this policy when it is so severe or pervasive, and objectively offensive, that it creates a work, educational, or living environment that a reasonable person would consider intimidating, hostile, or abusive and denies the individual an equal opportunity to participate in the benefits of the workplace or the institution's programs and activities. These factors will be considered in assessing whether discriminatory harassment violates this policy:

- A. Frequency of the conduct

- B. Severity and pervasiveness of the conduct
- C. Whether it is physically threatening
- D. Degree to which the conduct interfered with an employee's work performance or a student's academic performance or ability to participate in or benefit from academic/campus programs and activities.
- E. The relationship between the alleged harasser and the subject

3.8 **Discrimination/Discriminatory Action**

The unlawful treatment of another based on a protected class that excludes an individual from participation in, denies the individual the benefits of, or otherwise adversely affects a term or condition of an individual's education or participation in college program or activity.

3.9 **Education Program or Activity**

An education program or activity encompasses all the College's operations and includes locations, events, or circumstances over which the College exercises substantial control. Examples of education programs or activities include, but are not limited to, college-sponsored conferences, athletic events and sports teams, student organizations, and wi-fi networks.

3.10 **Final Decision**

A written document describing any resolution and remedies provided to the respondent and complainant, respectively, at the conclusion of the formal resolution process at either Level II (without appeal) or Level III (with appeal)

3.11 **Grievance**

3.11.1 Academic grievance: An academic grievance is an appeal of a final course grade or dismissal from an academic program. An academic grievance must be based on at least one (1) of the following arbitrary and/or capricious action(s) on the part of the faculty member:

- A. Assignment of a grade or dismissal from a program on some basis other than performance in the course or program.
- B. Application of standards different from those that were applied to other students in the same course or program.
- C. Assignment of a grade not in accordance with the grading protocol on the course syllabus; or,
- D. Dismissal from a program not in accord with the listed program standards.

3.11.2 Non-academic grievance: A non-academic grievance is a formal difference or dispute between a student and a college employee about the interpretation and/or application of the policies and procedures of the campus, the College, or the Virginia's Community

College that negatively affects the student. A non-academic grievance may be based on one (1) or more of the following claims:

- A. Arbitrary and/or capricious actions, meaning actions that are unreasonable, random, and/or with willful disregard for the facts and circumstances as presented, by a college employee or administrative office.
- B. Policy or procedure applied unfairly and/or in a different manner than is applied to others; or,
- C. Administrative error in the application of a policy or procedure.

3.12 Respondent

The individual whose decision, action, or inaction, is the subject of the grievance or complaint.

3.13 Retaliation

Any overt or covert act of reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment against one or more individuals for exercising their rights (or supporting others for exercising their rights) under this policy.

3.14 Student

A person currently or previously enrolled in credit or non-credit (workforce) courses, to include audit individuals and enrolled college employees.

3.15 Student Grievance Governance Committee

The entity tasked with focusing on all aspects of student conduct, and grievances, and complaints, as well as with enforcement of the Code of Student Conduct.

3.16 Support Person/Advisor

An individual of the respondent and/or complainant's choosing who provides support, guidance, and advice. Support persons may be present at any meeting or live hearing but may not speak directly on behalf of the complainant or respondent.

3.17 Workday

Any day, Monday through Friday, that the College is open for regular business, including days when classes are not held, but when employees are expected to be at work.

Section 4: Process

Students who contend they have been treated unfairly have the right, without fear of reprisal, to use a written procedure in their attempt to right an alleged wrong. Student grievances and complaints are taken seriously; therefore, the concern must be of a compelling, substantive, and verifiable nature. As such, it is helpful to the resolution process for students filing a grievance or complaint to be as specific and detailed as possible in describing the bases for the grievance/complaint, as well as providing as many facts and/or evidence in support of such as are available to them at that time.

The Student Grievance and Complaint has three levels. Level I is an informal resolution. Level II is the formal Resolution. Level III is the appeal.

4.1 Level I - Informal Resolution

A first step for resolving most grievances and complaints is at the local level, between the parties involved (for instance, the student and the faculty member), and in some cases with an appropriate third party (for instance, a Department Chair). To initiate informal resolution, the student contacts the college faculty member or employee with whom the student has a difference or dispute. The student is to state – verbally or in writing – specifically what the concern is and what action is being requested to address the concern. A reasonable effort should be made by all parties to resolve the matter informally at this level. If the resolution proposed by the responding individual is satisfactory, the complaint ends here and written records of the matter are retained.

4.2 Level II - Formal Resolution

If the issue cannot be resolved informally, or engaging with the faculty or staff member involved at Level I would make the student uncomfortable, or would be inappropriate, the student will formalize the grievance or complaint by submitting the Student Grievance and Complaint Form. This form and all other forms associated with this policy may be found on the college's website. The Student Grievance and Complaints Form requires the student's information, a summary of the complaint/grievance and a description of the action being requested to rectify the grievance. The dean and/or their designee over the area in which the complaint/grievance is filed is the decision maker for formal resolutions. The student must remit the Student Grievance and Complaint Form within the timeframes noted below.

4.3 Level III - Appeal of Formal Complaint or Grievance Decision

If the student is unsatisfied with the formal grievance or complaint decision, the student may appeal in writing to the Chair of the Student Grievance Governance Committee by submitting the Student Appeal Form. Any appeal must be submitted within specified timeframe of the formal decision. The student must state the nature of the justification for the appeal.

4.3.1 An appeal is not a new hearing. An appeal is a review of a decision by a resolution to determine whether sufficient cause exists to invalidate the decision.

4.3.2 Academic Grievance appeals for credit bearing coursework are directed to the office of the Vice President of Academic Affairs (or VP' designee) as outlined in the Student Handbook. Academic Grievance appeals for noncredit bearing coursework are directed to the Vice President of Workforce Development.

4.3.3 The Student Grievance Governance Committee reviews the nonacademic appeals and shall provide a written response within specified timeframe.

- 4.3.4 The decision of the Vice President of Academic Affairs, Vice President of Workforce Development, (or VP' designee) and the Student Grievance Governance Committee is the final step in the internal VPCC grievance process.
- 4.4 In the interest of providing a fair process, preserving privacy, and preventing retaliation, the following principles will be observed:
- 4.4.1 **Impartiality.** All persons charged with responsibility for implementing these procedures will discharge their obligations with fairness, rigor, and impartiality.
- 4.4.2 **Due Process.** Due process is a right guaranteed by the Fifth and Fourteenth Amendments of the U.S. Constitution. Basic procedural due process guarantees that an individual receives notice of the matter pending that relates to the possible deprivation of a property or liberty interest and the opportunity to be heard. For example, students and employees facing suspension or expulsion/termination for disciplinary reasons must be given notice of the allegations against them prior to any hearing or determination of responsibility. Any disciplinary process must be fair and impartial. Additionally, the opportunity to respond must be meaningful.
- 4.4.3 **Confidentiality.** All actions taken to resolve grievances through this process will be conducted with as much privacy, discretion, and sensitivity as possible without compromising the thoroughness and fairness of the process. All involved are to treat the process with respect and courtesy. Virginia Peninsula Community College is committed to maintaining the accuracy and confidentiality of students' academic records in compliance with the Family Educational Rights and Privacy Act (FERPA) and other College, State and Federal regulations. FERPA is a federal law designed to protect the privacy of education records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate information.
- 4.4.4 **Privacy.** All activities under these procedures will be conducted with regard for the legitimate privacy and reputational interests of all parties involved. Once a formal complaint is filed, all parties, including witnesses, will be notified of the expectation that they keep information about the case – including any documents that they may receive or review – confidential. All parties will also be notified that sharing such information might compromise any investigation or may be construed as retaliatory. The parties remain free to share their own experiences, other than information that they have learned solely through the procedures and processes under this Policy. To avoid the possibility of compromising any investigation, it is generally advisable to limit the number of people in whom the parties confide.
- 4.4.5 **Respondents Are Presumed Not Responsible.** A respondent is presumed not to be responsible for an alleged violation until a final decision regarding responsibility is made.

- 4.4.6 **College Mission, Values, and Culture of Care.** The procedures for this Policy are to be construed in accordance with broader College policies, including the College Mission, Values, Culture of Care and Student Rights and Responsibilities.
- 4.4.7 **Clarity and Visibility.** All members of the College community are expected to be aware of the College's Non-Discrimination Policy, understand what conduct is prohibited under the Policy, and understand what their rights and responsibilities are under the Policy and Procedures.
- 4.4.8 **Transparency.** Throughout the course of the Level II and Level III process updates to both the complainant (the person bringing the complaint) and the respondent (the person about whom the complaint has been made) as requested.
- 4.4.9 **Avoiding Conflict of Interest.** The College commits to eliminating any conflicts of interest in the process. In situations where either the complainant or the respondent names as a party or witness the College official(s) who are designated as facilitating or overseeing any stage in the processes, the Student Grievance Committee Chair in consultation with appropriate administrators, will determine a designee to assume those responsibilities in place of the named College official(s).
- 4.4.10 **Available Support and Remedies.** All members of the College community may seek supportive measures should they experience, or witness, conduct prohibited under this Policy. A party may seek supportive measures and resolution through informal processes under this Policy or other College procedures, and they remain free to pursue a formal complaint under this Policy without prejudice.

Section 5: References

- 5.1 VPCC Procedure 601.01 Student Grievance and Complain Procedures
- 5.2 [VCCS Grievance Policy 6.5.0.1](#)
- 5.3 [SACSCOC 12.4 Student Complaints](#)
- 5.4 [SCHEV § 8VAC40-31-100 - Student Complaints](#)
- 5.5 [Virginia Peninsula Community College Catalog](#)
- 5.6 [Virginia Peninsula Community College Student Handbook](#)
- 5.7 [Title IX of the Education Amendments of 1972](#)
- 5.8 [Title IV of the Civil Rights Act of 1964](#)
- 5.9 [Family Educational Rights and Privacy Act of 1974 \(FERPA\)](#)
- 5.10 [Age Discrimination Act of 1975](#)
- 5.11 [Title II of the Americans with Disabilities Act of 1992](#)
- 5.12 [Section 504 of the Rehabilitation Act of 1963](#)

Section 6: Schedule for Reviews

It is the responsibility of the Vice President of Enrollment Management and Student Success to conduct periodic reviews, at least annually, of the Student Grievance and Complaint Policy. It is the responsibility of VPCC's SACS-COC Liaison to ensure the policy and procedures outlines remain up to date with any changes made to SACS-COC 12.4 Student Complaints, VCCS Grievance Policy, and SCHEV policy.

Virginia Peninsula Community College is required by SACS-COC, SCHEV, and VCCS to have in place student complaints policy and procedures that are reasonable, fairly administered, and well-publicized. It is the responsibility of the Vice President for Enrollment Management and Student Success to ensure that policy is reviewed at least annually and aligns with SASCO, SCHEV, and VCCS updates.

When the Vice President of Enrollment Management is notified of approved changes, they will notify and convene the Student Grievance Governance Committee. The Student Grievance Governance Committee will lead Virginia Peninsula Community College's efforts to align with changes and community to the campus community.

Section 7: Effective Date and Approval

This policy, version 1 of 1, becomes effective upon approval by College President, Dr. Towuanna Porter Brannon on February 18, 2025.

Section 8: Review and Revision History

Version	Date	Description of Change	Reviewed by	Approved by
1	02/18/25	Initial draft proposed by Vice President for Enrollment Management and Student Success, Daniela Cigularova.	College Council, College Support Staff Association, Council of Mid-Level Managers, Faculty Senate, VPCC Executive Cabinet	Dr. Towuanna Porter Brannon, College President
2	08/28/2026	Administrative updates completed by Chief of Staff Ada Badgley to follow the updated Policy and Procedure Templates approved as part of the 801.01 Policy on Policies effective 08.11.26.		Dr. Towuanna Porter Brannon, College President