

## **CNCC Student Complaint Procedure**

### **Reporting a Concern, Incident, Grievance, or Hazard and/or Making a Complaint**

The Colorado Community College System (CCCS) is governed by the State Board for Community Colleges and Occupational Education (SBCCOE). The SBCCOE governs the 13 state system colleges.

#### **Definitions**

*Complaint* – any issue a student has about any process or service provided by the college and/or incident or concern that should be reported to the college, and includes, but is not limited to anything from poor service of a college department, sexual misconduct, or a threat from another student.

A complaint can be filed regarding any alleged action which violates or inequitably applies CCCS State Board Policies, System President’s Procedures or Colorado Northwestern Community College Procedures.

The student filing the complaint must be personally affected by the violation. The student complaint process is not intended to supplant the Student Code of Conduct, which allows the student procedural due process in disciplinary proceedings initiated by Colorado Northwestern Community College.

This student complaint process is designed to provide the student with the opportunity to file a complaint, as defined above, and to provide a process for resolution of the grievance. A student may file a complaint, concerning a policy, procedure, rule, or grade if discrimination on the basis of race, color, religion, national origin, disability, or age is the basis for the grievance.

*Sexual Misconduct* - The student grievance procedure is not applicable to complaints of sexual misconduct, including complaints of sex/gender-based discrimination or harassment. Student grievances or complaints involving sexual misconduct shall be governed by CCCS Policy (SP4-120A). To review the System Policy (SP4-120A): <https://www.cccs.edu/policies-and-procedures/system-presidents-procedures/sp-4-120a-sexual-misconduct/>

*Non-grievable complaint* - Matters over which the college has no authority to act; grades and other academic decisions unless there is an allegation that the decision was motivated by discrimination and/or harassment. Associate Dean of Students & Campus Life – The person at CNCC to whom student complaints are initially directed and who will assure that the complaint is communicated to the appropriate party for investigation and resolution.

#### **Informal Complaint Process**

Students are encouraged to resolve concerns through direct communication with the individuals or offices involved. If the grievance is not resolved, the student may appeal to the next level of authority. If an appeal does not resolve the complaint, the student may proceed to the appropriate vice president with a written complaint.

The student shall discuss the complaint or grievance fully at each level in the process. At each level of authority, a decision shall be made based on common sense and good judgment of a reasonable person.

Each level may seek the appropriate authority, if necessary, to resolve the complaint. The entire informal procedure should take no longer than 30 days. If an informal process is not successful or if the student or the college chooses not to utilize an informal process, then the complaint should be reported under the formal procedures below.

### **Formal Complaint Process**

All complaints should be filed as soon as possible after the occurrence. A significant delay in reporting can make it more difficult to investigate and address a concern. The formal complaint must be submitted in writing to the Associate Dean of Students & Campus Life through the incident form via the college's website at <https://www.cncc.edu/report-an-incident-or-concern>

1. The complaint must include the name and contact information for the student who is communicating the concern. The complaint should clearly describe the concern. Supporting materials should be submitted in writing as soon as possible, including information on any informal efforts to resolve the issue.
2. Once a timely complaint is filed with the Associate Dean of Students & Campus Life, the complaint will be directed to the Crossing Points Team (CPT). The CPT will determine if the complaint can be addressed by the college. If it is determined that the concern is non-grievable, the student who filed the complaint will be notified.
3. The formal complaint must be heard by the CPT within ten class days of the request unless extended with the agreement of both the student and the VPSS or appropriate Vice President.
4. If the matter can be addressed by the college, the CPT will request a meeting with the student filing the complaint and with the individual(s) to whom the complaint is directed. Both parties will be given the opportunity to discuss the allegations and offer documentation, witnesses or other information pertinent to the complaint. The CPT may also request meetings with other relevant individuals as part of the investigation. Neither party is allowed representation in the meetings as they are administrative and not legal proceedings.
5. The Crossing Points Team (CPT) will send its decision to the Colorado Northwestern Community College President. A complaint may seek review of an adverse decision through the College President. The decision of the College President shall be final.

CNCC has established a Crossing Points Team (CPT). The Crossing Points Team meets as needed to review formal complaints. This team serves as a review team to make sure concerns and complaints are addressed according to the formal process and within ten class days. The team consists of representations from Campus Life, Human Resources, Title IX Coordinator, Student Affairs, Academic Affairs, Administrative Services and Director of Student Support. Once a quarter or as needed the CPT will meet with the VPSS to make sure all concerns, complaints, grievances, and code of conduct issues are going through the proper processes. Please refer to the CCCS System President's Procedure SP 4-31 for additional information: <https://www.cccs.edu/policiesand-procedures/system-presidents-procedures/sp-4-31a-civil-rights-grievance-and-investigation-process/>

If you have any questions or need assistance filing a complaint, please contact the Vice President of Student Services or Associate Dean of Students & Campus Life at 970-675-3215 or 970-675-3229.

### **Complaint Appeals Criteria**

An Appeal can be filed no later than 7 days after the formal complaint process is complete. The original findings and outcomes will stand if the appeal is not timely or substantively eligible, and the decision is final. A student may appeal only upon one or more of the following grounds:

- Established procedures not following formal complaint process, resulting in findings, outcomes, or both, not being reasonable.
- New information that would have affected the outcome, had the information been presented at the CPT meeting. The new information must be included with the student's request for appeal. The student must show the new information was not known to the individual appealing at the time of the original CPT meeting.

### **Complaint Appeals Process**

Appeals must be filed in writing with the appropriate Vice President based on the complaint (academic or departmental) within seven (7) business days of the notice of the outcome from the formal complaint process. Students may file written appeals by submitting the ***student petition form***. Appeals must be student's original work, not written by a third party. An appeal will not be considered unless it meets one or more of the appeal criteria. The entire appeals process procedure should take no longer than 30 days after the formal complaint process is complete.

1. If a student requests an appeal, the appeal must be in writing and contain: The student's name, S-number and address; The nature of the complaint, including the date it occurred; The corrective action sought; formal complaint process outcome/decision and proof of new information or/and failure to follow formal complaint process.
2. After the appropriate Vice President receives the appeal and if the appeal meets the limited grounds and is timely, they will have 10 days to conduct an appeal hearing/investigation. In conducting the appeal investigation, the VP is authorized to: Require any student or employee to provide additional written statements, along with any documents concerning the events and circumstances that may have given rise to the complaint; require any student or employee to appear and testify; question each individual who testifies; and copy all documents.
3. The VP will send its recommendation to the Colorado Northwestern Community College President. The President can decide to uphold the new decision, remand it to the original decision or, conclude a final decision. The decision of the College President shall be final. The student will be informed of the outcome in writing when the appeal process has been completed.