

## POLICIES AND PROCEDURES MANUAL

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|------------------------|------------------------------|
| <b>TITLE</b>           | <b>Complaint Resolution</b>  |
| <b>LEGAL AUTHORITY</b> | <b>President and Cabinet</b> |
| <b>DATE APPROVED</b>   | <b>August 1, 1995</b>        |

The following procedures for complaint resolution shall be construed to protect the substantive rights of Lawson State Community College faculty, staff, students, and community members to meet appropriate due process standards. These procedures allow complaints to be addressed and resolved first on an informal basis, after which, formal action must be taken.

### Procedures for Reporting Complaints

1. Any member of the college community who believes that he or she has been subjected to discrimination prohibited by Title VI, Title VII, Title IX, ADA, or under Section 504 of the Rehabilitation Act may bring the matter to the attention of any academic or administrative officer, dean, associate dean, director, supervisor or advisor. When the complaint has been reported to any of these individuals, the recipient of the complaint will forward the complaint to the compliance officer. The President of the institution, vice-President, appropriate dean, and where appropriate the Vice-Chancellor for Legal and Human Resources, must be kept informed regarding the progress and results of the investigation of the complaint.
2. The complainant should present the complaint as promptly as possible after the alleged discrimination occurs. The complainant should submit a written statement of the allegation(s).

NOTE: Retaliation against a student or employee for bringing a complaint is prohibited. Retaliation is itself a violation of State Board of Education Policy and may be grounds for disciplinary action.

3. It is the intention of State Board of Education policy to resolve complaints of discrimination as quickly as possible. Except in extraordinary cases, all INFORMAL complaints will be investigated and resolved within forty-five (45) days of receipt. Every possible effort shall be made to ensure confidentiality of information received as part of the investigation. Complaints will be handled on a "need to know" basis with a view toward protecting the interests of both parties.

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4. The investigation record shall consist of formal and informal statements from the alleged victim, the alleged offender, witnesses, and others deemed by the investigator to have pertinent knowledge of the facts involved in the complaint. The investigation will afford the accused a full opportunity to respond to the allegations. If the results of the investigation and informal resolution of the complaint are accepted by the alleged victim and he or she desires no further action, the complainant will sign a statement requesting that no further action be taken.

### Formal Action

1. If the complaint cannot be resolved on an informal basis, the complainant may file a FORMAL complaint with the compliance officer. Each complainant has the right to proceed with the formal complaint procedure once it has been submitted. The issues involved in the complaint should not be changed once the charge has been made. However, administrative procedures may be revised to accommodate issues arising during the investigation which were not known to the complainant or the institution when the initial complaint was filed.
2. The appropriate dean will notify the accused in writing of the decision to take formal action. Formal action will consist of the procedures set forth in **Grievance Procedure 620.01 of The Alabama Community College System Policy Manual** for complaints against college employees. A copy of this procedure may be obtained from the Office of the President.

NOTE: Only those grievances involved alleged Title IX violations are reported to the Chancellor of Postsecondary Education, and only these decisions may be appealed to the Chancellor.

3. Complaints against students will be handled according to usual and customary student disciplinary procedures in effect at the institution.
4. The complainant has the right to proceed with or withdraw from the INFORMAL complaint procedure once it has been submitted. To do so, the complainant must submit a written statement to the President, vice-President, appropriate dean or

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compliance officer. However, this may not necessarily preclude further investigation by the college.

5. The complainant and the accused will be notified via certified mail of the findings or results of the investigation. A copy of the findings will become part of the investigation record.
6. It is the intent of the State Board of Education policy to provide for a prompt and thorough investigation of any complaints. The time limits set forth within the guidelines are subject to change as needed to ensure a satisfactory conclusion to the investigation.