

- b. An obligation to make restitution or reimbursement.
- c. A suspension or termination of particular student privileges.
- d. Disciplinary probation.
- e. Suspension from the college.
- f. Expulsion from the college.
- g. Any combination of the above.

V. Procedures for Hearings before the Student Appeals Committee

A. Procedural Duties of the Chief Student Services Officer

1. At least seven working days prior to the date for hearing before the Committee, the Chief Student Services Officer shall send written notice to all involved and a certified letter to the student's last known address providing the student with the following information:
 - a. A restatement of the charge or charges.
 - b. The time and place of the hearing.
 - c. A list of all witnesses who might be called to testify.
 - d. The names of Committee members.
 - e. A statement of the student's basic procedural rights. These rights follow:
 1. The right to counsel. The role of the person acting as counsel is solely to advise the student. The counsel shall not address the Committee. Payment of legal fees is the responsibility of the student.
 2. The right to produce witnesses on one's behalf.
 3. The right to request, in writing, that the President disqualify any member of the committee for prejudice or bias. (At the discretion of the President, reasons for disqualification may be required.) A request for disqualification, if made, must be submitted at least two working days prior to the hearing. If such disqualification occurs, the appropriate nominating body shall appoint a replacement to be approved by the President.
 4. The right to present evidence. The Committee may determine as to what evidence is admissible.
 5. The right to know the identity of the person(s) bringing the charge(s).
 6. The right to hear witnesses on behalf of the person bringing the charges.
 7. The right to testify or to refuse to testify without such refusal being detrimental to the student.
 8. The right to appeal the decision of the Committee to the President who will review the official record of the hearing. The appeal must be in writing and it must be made within seven working days after receipt of the decision.
2. On written request of the student, the hearing may be held prior to the expiration of the seven-day advance notification period, if the Chief Student Services Officer concurs with this change.

B. The Conduct of the Committee Hearings

1. Hearings before the Committee shall be confidential and shall be closed to all persons except the following:
 - a. The student and the person who initiated the charges; however the hearing may be conducted without either party present if either party ignores the notice of the hearing and is absent without cause.
 - b. Counsels for the student and the college.
 - c. A person, mutually agreed upon by the student and

the Committee, to serve in the capacity of recorder.

- d. Witnesses who shall:
 1. Give testimony singularly and in the absence of other witnesses.
 2. Leave the committee meeting room immediately upon completion of the testimony.
2. The Committee shall have the authority to adopt supplementary rules of procedure consistent with this code.
3. The Committee shall have the authority to render written advisory opinions concerning the meaning and applications of this code.
4. The conduct of hearings before this Committee is unaffected by charges of local, state or federal authorities against the student for acts that are the same, or similar to, charges of misconduct to be heard by the Committee. Two separate jurisdictions are involved in such cases. Therefore, hearings may be held and decisions rendered independent of any resolution by the court system.
5. In addition to written notes, the hearing may be tape recorded, except for the Committee's deliberations. After the conclusion of the hearing, the tape will be kept in the office of the Chief Student Services Officer. The student may listen to the tape of his/her hearing under the supervision of the Chief Student Services Officer or designee. The student is not entitled to a copy of the tape or a written transcript of the hearing.
6. Upon completion of a hearing, the Committee shall meet in executive session to determine concurrence or non-concurrence with the original finding and to impose sanctions, if applicable.
7. Decisions of the Committee shall be made by majority vote.
8. Within two working days after the decision of the Committee, the Chairperson shall send a certified letter to the student's last known address providing the student with the committee's decision and a summary of the rationale for the decision.

C. Appeal to the President

When the student appeals to the President, the President, whose decision is final, shall have the authority to:

1. Receive from the student an appeal of the Committee's decision.
2. Review the findings of the proceedings of the Committee.
3. Hear from the student, the Chief Student Services Officer, and the members of the Committee before ruling on an appeal.
4. Approve, modify or overturn the decision of the Committee.
5. Inform the student in writing of the final decision within 10 working days of the receipt of the appeal.

❖ The Student Grievance Procedure for the South Carolina Technical College System

I. Purpose

The purpose of the student grievance procedure is to provide a system to channel student complaints against faculty or staff, concerning the following:

- A. Alleged discrimination on the basis of age, gender, race, disability or veteran's status, excluding sexual harassment complaints. Because of the sensitive nature of this type of complaint, a conference with the Chief Student Services Officer may replace the first step of the grievance procedure. The Chief Student Services Officer will counsel with the student to determine the appropriate action that is required.
- B. Alleged sexual harassment complaints should be directed to the

Chief Student Services Officer. Because of the sensitive nature of this kind of complaint, a conference with the Chief Student Services Officer will replace the first step of the grievance procedure. The Chief Student Services Officer will counsel with the student to determine the appropriate action that is required.

If the grievance is not resolved after this meeting, then the remainder of the grievance procedure will be followed.

- C. Academic matters, excluding individual grades except when the conditions in items A or B above apply.

II. Definitions

When used in this document, unless the content requires other meaning:

- A. "College" means any college in the South Carolina Technical College System.
- B. "President" means the chief executive officer of the college.
- C. "Administrative Officer" means anyone designated at the college as being on the administrative staff, such as the President, Chief Academic Officer, Chief Student Services Officer, etc.
- D. "Chief Student Services Officer" means the Administrative Officer at the College who has overall management responsibility for student services or his/her designee.
- E. "Chief Instructional Officer" means the Administrative Officer at the College who has overall management responsibility for academic programs and services or his/her designee.
- F. "Student" means a person taking any course(s) offered by the college.
- G. "Instructor" means any person employed by the college to conduct classes.
- H. "Staff" means any person employed by the college for reasons other than conducting classes.
- I. "Campus" means any place where the college conducts or sponsors educational, public service or research activities.

III. Procedures

A. First Step

The student must go to the instructor or staff member where the alleged problem originated. An attempt will be made to resolve the matter equitably and informally at this level. The conference must take place within 10 instructional weekdays of the incident that generated the complaint.

B. Second Step

If the student is not satisfied with the outcome of the informal conference, the student may file a written grievance. The Chief Student Services Officer, or designee, shall make a grievance form available to the student and explain the grievance process to the student.

The completed grievance form must be presented to the Chief Student Services Officer, or designee, within 10 instructional weekdays after satisfying the first step in the grievance process. The Chief Student Services Officer, or designee, shall give written acknowledgment of receipt of the grievance form. This acknowledgment shall be given immediately or no later than two instructional weekdays after receipt of the student's grievance form. The Chief Student Services Officer, or designee, will then refer the grievance to the immediate supervisor involved. The supervisor shall respond in writing to the student within ten instructional weekdays of receipt of the grievance form. As a part of the effort to resolve the issue, the supervisor will consult with the accused and Chief Administrative Officer of the division or component concerned.

C. Third Step

If the supervisor's written response does not resolve the matter, the student may request to appear before the Student Grievance Committee. The student must submit a written request within five instructional weekdays after receiving the supervisor's written response. The request shall include a copy of the original grievance form and the reason why the supervisor's response was unsatisfactory. The student must attach a copy of the supervisor's response to the request. The Chief Student Services Office shall immediately notify the President who shall ensure that the Committee is organized in a manner consistent with Section IV. A of this procedure. The Chief Student Services Officer, or designee, will send copies of the appeal to the members of the Committee, the employee, and the employee's supervisor. The employee against whom the grievance was filed shall be given an opportunity to respond in writing to the chairperson of the Committee.

The Student Grievance Committee's meeting(s) shall be conducted between five and 15 instructional weekdays following the date of the request. The chairperson may grant a postponement if either party submits a written request no later than five instructional weekdays prior to the scheduled meeting.

D. Fourth Step

If either party is not satisfied with the Committee's decision, that person may submit an appeal to the President of the college within 10 instructional weekdays of the Committee's decision.

The President shall review the Committee's findings, conduct whatever additional inquiries are deemed necessary and render a decision within 10 instructional weekdays of receipt of the appeal. The President's decision is final.

IV. The Student Grievance Committee

A. The Student Grievance Committee shall be composed of following:

1. Three students recommended by the governing body of the student body.
2. Two faculty members recommended by the Chief Instructional Officer.
3. One Student Services staff member recommended by the Chief Student Services Officer.
4. One administrator, other than the Chief Student Services Officer, to serve as the Committee's chairperson.
5. The Chief Student Services Officer, or designee, who serves as an ex-officio, non-voting member of the committee.

The President must approve all recommended members.

B. Purpose and Function of Grievance Committee

1. All student grievance committees are ad hoc and shall be formed to hear specific complaints. A new committee may be formed every time that a grievance covered under this procedure is filed.
2. Whenever a committee is formed, it may adopt additional rules and guidelines not in contradiction with these procedures.

C. Rights of the Parties Involved in a Grievance

When a grievance committee meeting is scheduled, the parties involved are entitled to:

1. A written notice of the complaint that shall be forwarded to all parties at least five instructional weekdays prior to the meeting unless the student filing the complaint waives this requirement. This notice shall include the following:
 - a. A brief description of the complaint, including the name of the person filing the complaint;
 - b. the date, time and location of the meeting; and

- c. the name of any person who might be called as a witness.
2. Review all available evidence, documents or exhibits that each party may present at the meeting. This review must take place under the supervision of the Chief Student Services Officer or his/her designee.
3. Appear in person, present information on his or her behalf and present additional evidence to the committee, subject to the Committee's judgment that the evidence is relevant to the appeal.
4. Call witnesses who are dismissed after providing testimony and responding to questions posed by the Committee and either party in the appeal.
5. An advisor who shall not address the Committee or ask any witness a question. Payment of legal fees is the student's responsibility.

D. Hearing Procedures

1. Hearings are closed to the public. When testimony is being given, only the committee members, the student and his/her advisor, the employee and his/her advisor and the witness giving testimony may be present. During deliberations, only the members of the Committee may be present.
2. Hearings are informal and a tape recording of the testimony presented during the appeal hearing may be made. The Committee's deliberations are not tape-recorded. After resolution of the appeal, the tape recording will be kept for three months in the office of the Chief Student Services Officer. Either party in the appeal may listen to this tape recording under the supervision of the Chief Student Services Officer or designee.
3. The Committee may question the student and the employee. The Committee may also question the employee's supervisor and any additional witnesses that it considers necessary to render a fair decision. Questions must be relevant to the issues of the appeal.
4. Both parties to the appeal may ask questions of the other during the meeting. These questions must be relevant to the issues of the appeal. The Chairperson of the Committee will determine the appropriateness of the questions.
5. The student shall bear the burden of proof.
6. The Committee shall decide the solution of the grievance by a majority vote. In case of a tie, the chairperson shall vote and thus break the tie.
7. The chairperson shall forward a copy of the Committee's decision to all parties involved and to the office of the President of the college within two instructional weekdays of the Committee's decision. This letter will include a rationale for the Committee's decision.

GRIEVANCE FORM

File Date _____

I. Name of Grievant: _____

Phone Number: _____

Address: _____

II. Name of Person against Whom Grievance Is
Being Filed:

III. Nature of Grievance:

IV. Desired Solutions:

V. Action Taken by Grievant to Date:

**Attach all pertinent written documentation and
forward to appropriate supervisor**

SIGNATURE

DATE