

CON500 COMPLAINT AND GRIEVANCE PROCEDURE DISABILITY

Scope: Faculty, Staff, Students

Purpose: To establish a formal process for resolution of complaints/grievances regarding student disability accommodations

First Issue: July 2015

Last Review: August 2021

Effective: September 2021

POLICY GUIDELINES

GSC supports you in your right to file a grievance when you believe you have been denied equal access in the form of appropriate accommodations, modifications, auxiliary aids, or effective communication or suffered discriminatory harassment as described in Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, as amended, and Section 4112-5-09 of the Ohio Administrative Code. This policy applies to all disability discrimination complaints, including complaints challenging dismissals, that allege any action prohibited by Section 504 carried out by GSC employees, students, or third parties.

DEFINITIONS

NA

PROCEDURE

Informal Procedure for Filing a Grievance:

1. Before filing a written grievance, students are encouraged to discuss their concerns in a pre-grievance meeting with the 504 coordinator in an effort to seek an informal resolution to the situation at issue.
2. The informal resolution process is strictly voluntary and is not a prerequisite to filing a formal grievance.

Formal Procedure for Filing a Grievance:

If a matter cannot be resolved informally or if the student prefers to file a formal grievance, a written grievance must be submitted to the College Compliance Officer within 15 days of the situation.

Step 1: All formal grievances shall be written and submitted to the College Compliance Officer via the online student complaint form located in the MyGSC portal on the Students

page within 15 days of the date that the conflict or issue arises. Any formal grievance filed beyond 15 days will be handled in a case by case basis. The written grievance will include detailed description of any informal resolution.

College Compliance Officer:

Dr. Terri Pullen

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Good Samaritan College of Nursing and Health Science

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Cincinnati, OH 45220-2489

If the College Compliance Officer is alleged to be central to the grievance, the College Compliance Officer will be recused from the grievance process and a non-involved Dean will perform all duties assigned to the College Compliance Officer.

Step 2: Upon receipt of the grievance, the College Compliance Officer will contact the grievant within seven days to coordinate an interview with the student to confirm and/or clarify the information documented in the student complaint form. Student may be asked for additional information based on the interview/meeting between the student and the College Compliance Officer. Any additional documentation requested should be submitted within seven days.

Step 3: The College Compliance Officer will compile and evaluate all information and evidence for a review of the information with the involved parties. Any potential violation of procedures or policies will be handled separately according to the appropriate protocols. The parties identified in the student complaint form will be asked to respond in writing. The respondents will be given the option to reach out to the student/grievant for a meeting.

The meeting and any discussion are not mandatory. The grievant may decline the invitation for the meeting and request that the college administrator/Dean issue a written response to the grievance within seven days of the grievant's request. If the written response does not resolve the issue, the student may take it up to a Grievance Committee.

Step 4: The student's grievance and the college administrator/Dean's written response will be submitted to a Grievance Committee. The purpose of the Grievance Committee is to evaluate the evidence objectively according to stated policy and supporting documents. The Grievance committee will consist of the College Compliance Officer/College administrator acting as an ex officio non-voting chair of the committee and three (3) GSC faculty members, two (2) chosen by the grievant, and one (1) randomly selected from a defined pool of faculty members. The grievant will promptly be notified of the Grievance Committee's composition.

Step 5: The Grievance Committee (or the Committee's designee) will conduct a prompt and impartial investigation into the grievance. The investigation shall allow the grievant and other

interested parties to identify witnesses to be interviewed and/or submit evidence pertinent to the grievance. The Grievance Committee will make every effort to maintain the confidentiality of the investigation.

The Grievance Committee will issue a written decision within fifteen days after the grievance and the college administrator/Dean's written response is submitted to the Grievance Committee.

Step 6: If the grievant is not satisfied with the Grievance Committee's decision, the grievant may appeal the decision by submitting a written appeal to the area leader in which there is a conflict. The area leader will issue a written decision in response to the appeal no later than fifteen (15) days after the appeal is submitted. The area leader decision shall be final.

GSC prohibits retaliation against anyone who files a grievance or otherwise complains or seeks any resolution of any conflict. This prohibition of retaliation similarly extends to anyone who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing relating to a grievance or complaint under this section.

All documents, witness statements, evidence, and written submissions associated with a grievance under this section will be confidentially and appropriately maintained according to the nature of the grievance, to the extent permitted by law, in the student's electronic college record. Any request by a student to review the documents, witness statements, evidence, and written submissions associated with his or her grievance under this policy should be submitted to the College Compliance Officer/college administrator

Step 7: After the resolution of the grievance, GSC will take all necessary steps to prevent the recurrence of discrimination or harassment (if it is found to have occurred) and will correct the effects of the discrimination or harassment on the grievant or others.

Clarifications:

1. Any time limits herein specified are a guide for the process and are exclusive of holidays and vacations of the involved student and/or College personnel.
2. The final resolution or decision must be documented in writing and distributed to all parties involved.
3. In the case of a non-educational grievance or a grievance involving a Dean, the President will serve in Step 5.
4. The role of the College Compliance Officer in all grievance or appeals panels and processes is as an ex officio impartial non-voting member of the Ethics and Compliance Committee to assure all policies and procedures of the college are adhered to and that each individual's complaint is handled in a fair and equitable manner. This includes providing guidance to students in the filing of a complaint/grievance and their rights and responsibilities; investigation of facts; and guidance to deciding panels regarding their role, responsibilities, and authority, and the fair hearing of all the parties involved.
5. If the student is unable to resolve the complaint/grievance in this manner, the student should contact the Ohio Department of Higher Education using the online



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complaint form <http://www.ohiohighered.org/students/complaints>. Please note that the complaint must be received by the Ohio Department of Higher Education within two years of the completion of the College's complaint process.

RESOURCES

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FORMS

An electronic complaint form is located on the MyGSC portal as a widget on the Students landing page.

https://forms.office.com/Pages/ResponsePage.aspx?id=gpNSoxVmS0GHHUCP_xDyrEwVb7a_8EtPhMq3sSk1fiZUNE1CSTMxTkpKMU80TTVCOEJJQjhOVes4Wi4u