

**Complaint Policy and  
Procedures for Students**

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# **Complaint Policy and Procedures for Students**

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## **I. Philosophy and Purpose**

Frederick Community College (“FCC” or the “College”) strives to create and maintain a teaching and learning environment where effective communication enhances integrity, justice, and civility. The purpose of this Complaint Policy and Procedures for Students is to provide a method of recourse to students who wish to formally address a final class grade or a particular action on the part of a College employee(s).

Students must first attempt to resolve issues covered under these procedures informally by communicating directly with the employee with whom the issue originated.

If informal resolution is not possible between the student and the employee with whom the issue originated, students have the right, using this Complaint Policy and Procedures, to appeal final class grades, contest a policy or practice of the College, or the action of a College employee that is considered improper or unfair. This Complaint Policy and Procedures may also be used to contest situations where they believe there has been deviation from or misapplication of a policy or practice unrelated to discrimination or sexual harassment.

Students who want to file a complaint alleging any act of discrimination or sexual harassment should refer to the College [Non-Discrimination Policy and Procedures](#) or the [Title IX Sexual Harassment Policy and Procedures](#) and [Title IX Pregnant and Parenting Accommodations, Policies, and Procedures](#), available on the College website. Student athletes who want to file a complaint related to athletic programs and activities should refer to the College [Student Athlete Concerns about Athletic Programs and Activities](#).

## **II. Application and Scope of Jurisdiction**

- A. This Policy and Procedures is applicable to all students as defined in Section III, Bullet L.
- B. A complaint may be filed only by a student on their own behalf (with the exception of youth programs), and only after efforts to address the matter through informal means were unsuccessful. The Program Manager/Department Chair/Supervisor will facilitate the informal resolution as needed.
- C. Throughout all steps of the Complaint Procedures, all parties should expect that confidentiality shall be maintained in accordance with the Family Educational Rights and Privacy Act (FERPA) and any other applicable laws. Students filing grade and non-grade complaints will be protected against reprisals related to the filing of the complaint.
- D. The Complaint Procedures for Students, whether disputing final class grades or other treatment, may not be used to address allegations of discrimination, or sexual harassment. When a student believes that they have been discriminated against due to their age, ancestry, citizenship status, color, creed, ethnicity, gender identity and expression, genetic information, marital status, mental or physical disability, national origin, pregnant and/or parenting, race, religious affiliation, sex, sexual orientation, or veteran status, the appropriate Frederick Community College Procedure is the [Non-Discrimination Policy and Procedures](#) or the [Title IX Sexual Harassment Policy and](#)

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[Procedures](#) and [Title IX Pregnant and Parenting Accommodations, Policies, and Procedures](#).

- E. Records of all final class grade complaints will be maintained by the Office of the Provost and Vice President of Teaching, Learning, and Student Success. Records of all non-grade complaints will be maintained by the Office of the Vice President for Student Affairs using the Secured College Tracking System. Seven (7) years is the minimum for retention of final class grade and non-grade complaint reports.
- F. There will be an institutional review conducted twice per year by the President's Cabinet of all student complaints. The review will focus on modifications and improvements needed as a result of information obtained in the handling of complaints.

### **III. Definitions for the Purpose of this Policy and Procedures**

- A. **“Program Manager/Department Chair/Supervisor”** refers to the College employee who supervises the responding party. However, student complaints directed towards full-time faculty are referred to the Department Chair. The Program Manager/Department Chair/Supervisor may appoint a designee or have one appointed if they are the subject of the complaint.
- B. **“Final Class Grade”** refers to the final grade assigned by the instructor and entered on the student's transcript.
- C. **“Final Class Grade Complaint”** refers to any complaint directly relevant to the final grade assigned in a class due to extenuating circumstances or inconsistent standards applied to the student.
- D. **“Formal Complaint”** refers to the formal complaint initiated by a student following the steps outlined in this policy and procedure.
- E. **“Grievance”** refers to a formal complaint related to a Final Class Grade, which has progressed to the level of review by the Student Final Class Grade Grievance Committee.
- F. **“Informal Complaint Process”** refers to written communication and initial meetings, outside of class time, between the parties directly involved in a grade or non-grade issue (as described in this policy and procedure) where there is a good faith effort to resolve the issue prior to the filing of a formal complaint.
- G. **“Non-Grade Complaint”** refers to any complaint not directly related to the assigning of a final class grade.
- H. **“Preponderance of Evidence”** refers to evidence that is of greater weight or more convincing than the evidence to the contrary; evidence which shows that something is more likely than not to be true or 50.1% likely to have occurred.
- I. **“Responding Party”** refers to the person or office against whom a complaint is directed.

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- J. **“Secured College Tracking System”** refers to the official College system used to record and track reports of complaints.
- K. **“Senior Leader”** refers to a member of the President’s Senior Leadership Team, which includes the President; the Chief of Staff to the President; the Vice President (VP) for Finance and Administration; the Provost and VP for Teaching, Learning, and Student Success; the VP for Student Affairs; the VP for Talent and Culture; the Executive Director of the Office of Institutional Advancement/FCC Foundation; and the Special Assistant to the President for Institutional Effectiveness.
- L. **“Student”** refers to an individual who is registered at the College, either full or part-time, in a credit or continuing education class or classes, who has either paid or made arrangement for payment of tuition and/or fees.
- M. **“Student Final Class Grade Grievance Committee”** refers to a hearing panel to whom students may appeal final class grades as described under this procedure. The Provost will appoint a designee to chair the student final class grievance committee, which will be composed of two representatives from the student body and two faculty. Student Final Class Grade Grievance Committee members will be trained in appeal hearing procedures.
- N. **“Support Person”** refers to a person chosen to accompany and assist a student or faculty member through an appeal hearing before the Student Final Class Grade Grievance Committee. The Support Person is a non-participant who is present to assist the student or faculty member by taking notes or providing nonverbal emotional support and reassurance. They are not permitted to speak as part of the hearing process. Accommodations for people who require verbal support and reassurance can be requested through Disabilities Access Services.
- O. **“Workdays”** refers to Monday through Friday and does not include weekends, holidays, scheduled breaks, or other days the College is closed.

### **IV. Responsible Senior Leader and Responsible Office**

The Vice President for Student Affairs, Student Affairs

Provost and Vice President for Teaching, Learning, and Student Success, Provost

### **V. Entities Affected By This Policy and Procedures**

FCC currently and recently enrolled students

FCC faculty, staff, and administrators

### **VI. Grade Complaints Prior to the Posting of a Final Class Grade**

Students should attempt to resolve any grade concerns with their instructor informally prior to the conclusion of the semester, and before filing a final class grade complaint.

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The Program Manager/Department Chair/Supervisor of the faculty (contact information can be found on the class syllabus) can assist the student in seeking an informal resolution of any class grade issues. All resolution attempts should take place outside of regular scheduled class time. If you need assistance with this process, please contact the AVP for Student Affairs at [avpstudentaffairs@frederick.edu](mailto:avpstudentaffairs@frederick.edu).

### **VII. Final Class Grade Complaints**

This process is solely for complaints about final class grades. Other complaints should utilize the non-grade complaint process. See section VIII of this document. All final class grade concerns should follow the process listed below. Deviations from this process will delay resolution of the complaint.

#### **A. Informal Complaint Process**

The College relies on and endorses the instructor's right to pass expert judgment on all submitted student work. The College also recognizes the instructor as the sole evaluator of all work submitted by students for/in a specific class. Students are expected to work informally with the instructor to resolve a Final Class Grade Complaint. The Program Manager/Department Chair/Supervisor will facilitate the informal resolution at the request of the student.

#### **B. This informal process should include written communication from the student indicating the nature of the complaint and the inclusion of any and all evidence justifying a change in the final class grading. Justification for a final class grade change may include:**

1. The assignment of a final class grade to a student on some basis other than performance in the class; or
2. The assignment of a final class grade by an undocumented unannounced departure from the instructor's previously articulated standards as represented by the syllabus of record; or
3. The assignment of a final class grade to a student by using standards different from those which were applied by the same instructor to other students in that class; or
4. Relevant extenuating circumstances that impacted the student's grade.

The student must submit a written complaint regarding a final class grade to the instructor, through the student's official FCC e-mail, within ten (10) workdays of the official final class grade posting date.

The instructor must respond in writing to the student's complaint within five (5) workdays and copy their response to the appropriate Program Manager/Department Chair/Supervisor. The response should either be sent to the student's official address or to their official FCC email address. The student should contact the Program Manager/Department Chair/Supervisor if the instructor has not provided the response to the student within the five (5) workdays. The Program Manager/Department Chair/Supervisor has five (5) workdays to attempt a resolution.

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### C. Formal Complaint Process

A student may appeal the response of the instructor within five (5) workdays of receiving the response to the Program Manager/Department Chair/Supervisor using the [Student Final Class Grade Appeal Form](#). In the event that the instructor does not respond, the student should still complete the Student Final Class Grade Appeal Form to move the process forward. Submission of this form initiates the formal complaint process.

### D. Response to Student Final Class Grade Appeal

The Program Manager/Department Chair/Supervisor or designee will facilitate a formal attempt at resolution. They will review the appeal, interview the student and the instructor, and/or request additional information during this step. If the Program Manager/Department Chair/Supervisor or designee has already conducted this review as part of the informal complaint process it does not need to be repeated. If the Program Manager/Department Chair/Supervisor or designee believes that there is substantial evidence the final grade has been assigned in error, the Program Manager/Department Chair/Supervisor or designee will recommend that the instructor change the final grade. If the Program Manager/Department Chair/Supervisor or designee believes that there is not substantial evidence and the final grade was correctly assigned, they will recommend that the final grade stand. The Program Manager/Department Chair/Supervisor or designee will then follow up with the faculty member and student to determine if both accept the resolution. Neither the class instructor or student is required to accept the recommendation of the Program Manager/Department Chair/Supervisor or designee.

If the Program Manager/Department Chair/Supervisor or designee was involved in the informal complaint process, a second review is required.

The Program Manager/Department Chair/Supervisor or designee will formally notify the student of the outcome of their resolution attempt ten (10) workdays of receipt of the [Student Final Class Grade Appeal Form](#). The student and faculty member will receive a copy of their Student Final Class Grade Appeal along with a summary of the resolution process.

In cases where the instructor is the Program Manager/Department Chair/Supervisor or designee, the supervisor of the Program Manager/Department Chair/Supervisor or designee will review the appeal.

### E. Appeal to Student Final Class Grade Grievance Committee

1. Within five (5) workdays of the response of the Program Manager/Department Chair/Supervisor or designee, a student may appeal a final class grade to the Student Final Class Grade Grievance Committee. The student must submit an appeal to the Student Final Class Grade Grievance Committee utilizing their existing [Student Final Class Grade Appeal Form](#). All information on the form must be completed. Incomplete forms will not move forward in the process. The form is submitted to the Office of the Provost and Vice President of Teaching, Learning and Student Success.

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A date for an appeal hearing with the Student Final Class Grade Grievance Committee will be scheduled by the Office of Academic Affairs, Continuing Education, and Workforce Development within five (5) workdays of receipt of the form. The student will be notified in a timely manner and given adequate advance notice. The hearing will be conducted within twenty (20) workdays of receipt of the [Student Final Class Grade Appeal Form](#).

Failure of the student to appear for the appeal hearing without prior notification or evidence of extenuating circumstances waives their right for further appeal and the recommendation of the Program Manager/Department Chair/Supervisor, designee, or their supervisor will stand.

2. The appeal hearing shall be closed to the public and will be recorded. Transcriptions will be made available if accommodations are required.
3. The student and the responding party (instructor or designee) shall attend the appeal hearing. Parties can attend remotely with the approval of the chair of the Student Final Class Grade Grievance Committee.
4. Representation by legal counsel is not allowed in the appeal hearing. However, the student or faculty member may have a Support Person of their choice.
5. Appeal hearings before the Student Final Class Grade Grievance Committee shall not be subject to the formal rules of evidence. The Student Final Class Grade Grievance Committee will make its own determination by a preponderance of the evidence. In all cases, the hearing shall be conducted in a fair and impartial manner.

Appeal hearings are not disciplinary actions against faculty or students, and results are kept confidential. The purpose of the appeal hearing is for a committee of peers to decide the outcome of a grade grievance.

6. The Student Final Class Grade Grievance Committee will either affirm or reject the final class grade appeal of the student and inform the student and the responding party in writing within five (5) workdays of the appeal hearing. The decision of the Student Final Class Grade Grievance Committee shall be final.
7. All members of the student Final Class Grade Committee must have received formal training within the last two years to be eligible to serve. In the event the members have not received training, the authorization of the Provost and Vice President for Teaching, Learning, and Student Success is required to serve.

### **F. Timeline Appeal**

Timelines above are approximate and may be extended due to extenuating circumstances with the approval of the relevant Executive Director/Associate Vice President.



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### **VIII. Non-Grade Complaints**

A. Students should attempt to resolve non-grade issues informally with the College employee in question and/or their Program Manager/Department Chair/Supervisor. If a student does not know the employee's supervisor, the student may contact the Associate Vice President for Student Affairs (AVPStudentAffairs@frederick.edu). After attempting unsuccessfully to resolve a non-grade issue informally with a College employee the student should attempt to resolve the issue with the College employee's Program Manager/Department Chair/Supervisor, unless they have already attempted to do so. If the attempt at resolution is unsuccessful, the student may submit a [Student Non-Grade Complaint Form](#) regarding an action or decision by a College employee that they believe is improper, unfair, or is a deviation from a policy or practice unrelated to discrimination or sexual harassment. Submission of this form initiates the formal complaint process. The student's complaint should present any and all evidence that a substantial non-grade issue has occurred. Substantial evidence of an issue is defined as:

1. The action performed by a College employee toward a student represented a substantial or unreasonable departure from approved College Policy or Procedure; or
2. The action set unreasonable standards different from those which were applied by the College to other students in similar situations.

The student's complaint will be submitted on the [Student Non-Grade Complaint Form](#) to the Office of the Vice President for Student Affairs within ten (10) workdays after the attempt at informal resolution was deemed unsuccessful by the student.

#### **B. Responding Party**

The Office of the Vice President for Student Affairs will refer the Student Non-Grade Complaint Form to the appropriate designated supervisor and Senior Leader of the employee or office which is the responding party in the complaint. Within ten (10) workdays, the appropriate designated supervisor will establish a timeline for an investigation. In the case of complaints involving faculty, the appropriate Associate Vice President/Executive Director will serve as the designated supervisor.

The complaint will be investigated, and the complainant, responding party, and immediate supervisor should be interviewed as part of this process. The appropriate designated supervisor will respond by email or letter to the student, as well as through the [Student Non-Grade Complaint Form](#), providing copies to the Senior Leader and Office of the Vice President for Student Affairs, as well as the supervisor of record and responding party.

#### **C. Appeal to the Senior Leader**

A student may appeal the response of the supervisor. The appeal must be requested by using the [Student Non-Grade Complaint Form](#) again, this time by checking the box on the form requesting an appeal of the supervisor's response from an original complaint. The Student Non-Grade Complaint Form requesting an appeal should be



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submitted within ten (10) workdays of the supervisor's response. The Office of the Vice President for Student Affairs will refer the appeal request to the appropriate Senior Leader. The Senior Leader will respond to the student's request for an appeal within ten (10) workdays of the date of the request for an appeal. The student will be contacted if more time is needed to investigate the complaint. Once the appeal decision is made, the Senior Leader will notify the Office of the Vice President for Student Affairs of the decision. The action of the Senior Leader will be final.

### **D. Notification**

The Senior Leader will provide in writing, the final decision regarding the complaint to the student, the responding party, and all relevant supervisors.

## **IX. Related Policies and Procedures**

[Academic Standards](#)

[Code of Conduct for Visitors, Guests, and Volunteers](#)

[Code of Student Conduct](#)

[Employee Code of Ethics](#)

[Employee Misconduct](#)

[Non-Discrimination](#)

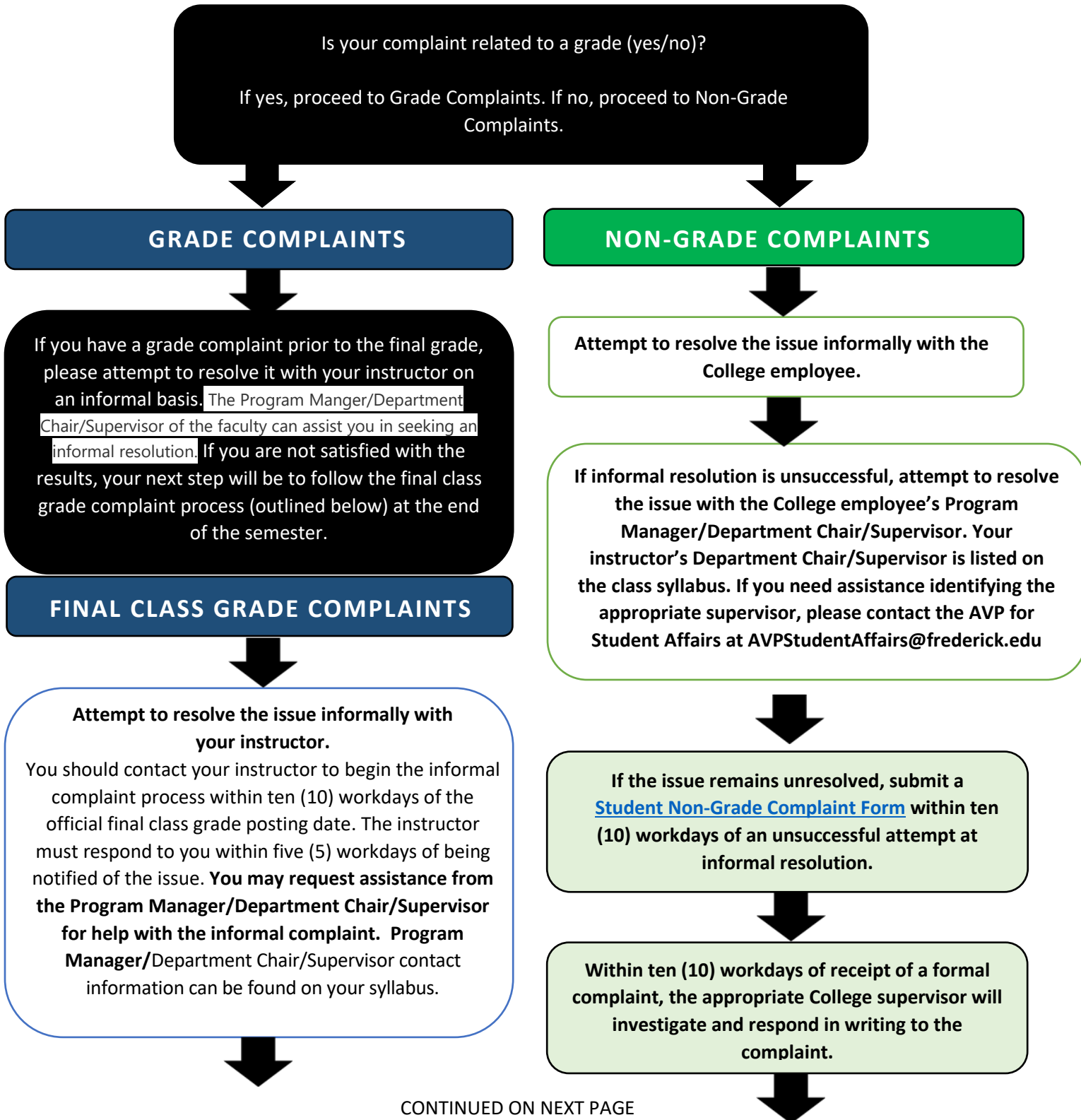
[Student Athlete Concerns about Athletic Programs and Activities](#)

[Title IX Sexual Harassment](#)

[Title IX Pregnant and Parenting Accommodations Policy and Procedures](#)

# For Students: How to Navigate the Complaint Process

Please see [FCC Complaint Policy and Procedures for Students](#) for additional information and instructions. All complaints related to [Non-Discrimination, Title IX](#), or [Student Athlete Concerns about Athletic Programs and Activities](#) should be filed separately at the time of the occurrence. If you are uncertain about which complaint policy is appropriate for your issue your assigned advisor or the Associate Vice President (AVP) for Student Affairs can help you make that determination. Program Managers/Department Chair/Supervisor contact information can be found on your syllabus.



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If the instructor does not respond within five workdays, you should contact the Program Manager/Department Chair/Supervisor to help facilitate a resolution within five workdays



If you wish to appeal the response of the instructor, or if you have contacted the Program Manager/Department Chair/Supervisor and they have not responded please complete the Student Final Course Grade Appeal Form. Select the 'Appeal to the Department Chair/Supervisor Option. They will have five workdays to facilitate a resolution of the complaint and notify the student and faculty member.



**You will receive a formal e-mail notification of the resolution status of your complaint. If a satisfactory resolution was not agreed upon, you may appeal to the Student Grade Grievance Committee. Select the 'Appeal to the Student Grade Grievance Committee' option found in the form linked in your formal e-mail notification within five (5) workdays.**



**An appeal hearing with the Student Final Class Grade Grievance Committee will be scheduled within ten (10) workdays of receipt of the Student Final Class Grade Appeal Form.**



**The Student Final Class Grade Grievance Committee will issue a ruling and inform you, the Program Manager/Department Chair/Supervisor or their designee, and instructor within five (5) workdays of the appeal hearing. The decision of the committee is final.**



**If you wish to appeal the response, you have ten (10) workdays to go into the original [Student Non-Grade Complaint Form](#) and check the appropriate box to indicate that you are appealing the previous decision.**



**Within ten (10) workdays an appeal decision will be made by a College Senior Leader, who will provide you, the responding instructor or College employee, and all relevant supervisors with a copy of the decision. The decision of the Senior Leader will be final.**