

Subject: Student Grievance Policy  
Number: 539  
Issued by: Vice Chancellor for Student Development  
Date of Revision: August 8, 2022

The grievance process provides students a formal, standardized method for seeking resolution when the student believes they have been treated unjustly or improperly by a faculty or staff member. The grievance process is a venue for resolution of problems not otherwise addressed by university policy or procedure. It may not be used to appeal disciplinary decisions, state residency classification decisions, or any other type of decisions for which a clearly defined appeal process has already been established. *Grievances must be filed no later than the last scheduled final exam day of the term for which the student is appealing.*

### **Academic Grievance Policy**

The basis for a student academic grievance may include:

- A violation of Teaching Responsibility policies set forth in the Faculty Manual <https://www.uscb.edu/faculty-and-staff/pdfs/Faculty-Manual-Board-Approved-Copy.pdf>
- An instructor's failure to abide by university policies or failure to abide by written or stated course requirements in such a way as to adversely influence the student's academic standing
- A violation of the University policy on Academic Freedom <http://www.sc.edu/policies/ppm/staf628.pdf>.

A student who wishes to pursue an academic grievance shall first meet with the instructor concerned within thirty days of the incident that prompted the grievance. If the student is unsatisfied with the result of this meeting, then they should meet with the appropriate departmental or program head. A written grievance shall be forwarded to the Executive Vice Chancellor for Academic Affairs (EVCAA) if either the student or the instructor is dissatisfied with the previous administrative action. The EVCAA will convene the Honor Court to hear the case. <https://campuslife.uscb.edu/student-rights-and-responsibilities/index.html>

Once the Honor Court has reached a decision, the student will be informed both in person (immediately after the decision) and in writing. The results of the hearing will be forwarded to the Executive Vice Chancellor for Academic Affairs. The decision of the Honor Court is final.

### **Non-Academic Grievance Policy**

This Non-Academic Grievance Policy is designed to provide students with an opportunity to address non-academic complaints and problems that they have been unable to resolve through other channels. For purposes of this policy, a grievance is defined as dissatisfaction occurring when a student believes that a condition affecting him or her is unjust, inequitable, or creates an unnecessary hardship. Such grievances include, but are not limited to, the following:

- Abusive or improper conduct on the part of the instructor or staff member.

- Discrimination against students by faculty or staff on non-academic matters for reasons of race, color, national origin, religion, sex, age, handicap, or veteran status.
- Improper personal or professional behavior involving students, faculty or staff.
- Wrongful assessment and processing of fees.
- Records and registration errors.

### **Grievance Procedure**

The initial phase of the student grievance procedure involves a conference between the student and the instructor or staff member (an advisor of the student's choosing and the instructor's or staff member's supervisor may be present provided both parties are given notice of attendance). The conference must take place within five days of the incident that prompted the grievance. The purpose of this meeting is to attempt to resolve all differences in an informal, cooperative manner. If the student is not satisfied with the results of this conference, then the student must schedule a meeting with the appropriate authority—the Assistant Vice Chancellor for Academic Innovation (in the case of faculty) or the Assistant Vice Chancellor for Student Development (in the case staff)—within five days of the conference if the student wishes to pursue the grievance.

If either assistant vice chancellor is a party against whom the grievance is filed, then the Executive Vice Chancellor for Academic Affairs or the Vice Chancellor for Student Development shall hear the grievance. If the grievance is filed against a Vice Chancellor, the Chancellor of the university will hear the grievance. If the student is dissatisfied with the results of the meeting with the appropriate authority, the student may request the Executive Vice Chancellor for Academic Affairs (in the case of faculty), the Vice Chancellor for Student Development (in the case of staff), or the Chancellor (if the grievance is against a vice chancellor) to review the grievance in accordance with the procedure described below. If the student desires a review of the grievance, the student must file the request in writing within five days of the meeting with the appropriate authority. The student's written grievance statement must (a) state the grievance, and (b) state why the appropriate authority's response is unacceptable to the student. The written request must be filed through the appropriate vice chancellor's office and must contain the names of the principal parties involved in the grievance and include copies of any written materials that support the grievance. If a vice chancellor is grieved against, then the written grievance shall be filed through the Office of the Chancellor of USCB.

Upon receipt of the student's written grievance, the appropriate vice chancellor/chancellor shall provide a copy to the faculty or staff member identified in the grievance and request the faculty or staff member to submit a written response within five days. The student may request a hearing to share additional information. If requested, the vice chancellor/chancellor will schedule a hearing with the student, faculty/staff member, and/or other witnesses to gather more information. This hearing will be held within ten days of receipt of the faculty/staff member's written response. When a hearing is scheduled, the appropriate vice chancellor shall send written notice to the student and the faculty/staff member that contains

the following information: (a) a copy of the student's written grievance; (b) a copy of the faculty/staff written response; (c) the time and place of the meeting; and (d) a statement of the principal parties' right to bring witnesses and present evidence. The principal parties may be present for all testimony during the meeting, shall be afforded a reasonable opportunity to present witnesses and other evidence, shall be permitted to make statements on the matters discussed, and shall have an opportunity to rebut witnesses. An advisor may be present to advise the student during the hearing if the student wishes, but the advisor's participation shall be limited to counseling the student. The advisor shall not make arguments on behalf of the student or otherwise address the witnesses during the hearing.

The appropriate vice chancellor/chancellor shall inform the principal parties and the chancellor of their decision within ten days of the conclusion of the hearing. If the student does not request a hearing, the appropriate vice chancellor/chancellor shall inform the principal parties and the chancellor of their decision within ten days of receipt of the faculty/staff written response. The appropriate vice chancellor/chancellor's decision shall be final.

### **Student Complaint Procedures and Form** **State Authorization Reciprocity Agreement (SARA)**

South Carolina participates in the State Authorization Reciprocity Agreement (SARA). The South Carolina Commission on Higher Education serves as the state's portal agency for SARA and is the final authority for SARA-related complaints. If an out-of-state student enrolled in an SC institution via distance education wishes to file a complaint, he or she may complete and submit the Commission's complaint form below.

### **Guidelines for Filing a Student Complaint**

In absence of mitigating circumstances, students must submit a complaint to the Commission within two calendar years of exhausting the appeals process at the institution.

**Step 1:** If a student has concerns related to classroom situations or administrative actions, he/she should contact the faculty or staff member(s) with whom he/she has a conflict. It may be possible to resolve the concerns without the need for formal institutional action. However, if the student's complaint is not resolved satisfactorily, or if the complaint cannot be resolved by contacting the faculty or staff member(s), the student should proceed to Step 2.

**Step 2:** The student should file a complaint through the institution's complaint process. Information about the process can usually be found in the institution's academic catalog, student handbook, or website. Many institutions have an ombudsman to mediate on behalf of the student. If the student is still unable to resolve the complaint, the student should proceed to Step 3.

**Step 3:** Investigate to where assistance may be available from other entities.

- **SC Public Technical Colleges:** Students enrolled at a South Carolina technical college should contact the SC Technical College System office. Website: <http://www.sctechsystem.edu/students/student-complaint-form.html>
- **Independent Nonprofit Institutions:** Students enrolled at an in-state independent nonprofit institution should contact the SC Independent Colleges and Universities. Website: <http://www.scicu.org/contact/>
- **Nursing:** Students enrolled in nursing licensure programs should contact the SC Department of Labor, Licensing, and Regulation, Board of Nursing. Website: <http://www.llr.state.sc.us/POL/Nursing/index.asp?file=STAFF.HTM>
- **Barbering:** Students enrolled in barbering programs should contact the SC Department of Labor, Licensing, and Regulation, Board of Barber Examiners. Website: <http://www.llr.state.sc.us/POL/Barber/>
- **Cosmetology:** Students enrolled in cosmetology, nail tech, or esthetic programs should contact the SC Department of Labor, Licensing, and Regulation, Board of Cosmetology. Website: <http://www.llr.state.sc.us/POL/Cosmetology/>
- **Distance Learning:** Students enrolled in distance learning programs should contact the state authorization agency in the home state of the institution. Each institution includes state authorization information on its website. Website: <http://www.nasasps.org/listing-of-regular-members>
- **Discrimination:** If a student believes that an institution has acted in a discriminatory manner, they may wish to contact the South Carolina Human Affairs Commission or the U.S. Department of Education's Office for Civil Rights. SCHAC Website: <http://www.schac.sc.gov> USED Website: <http://www2.ed.gov/about/offices/list/ocr/index.html>
- **Disabilities Accommodation:** If a student believes that an institution has not complied with the requirements of Section 504 of the Rehabilitation Act of 1973 or Title II of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability, contact the U.S. Department of Education, Office for Civil Rights. Website: <http://www2.ed.gov/about/offices/list/ocr/transition.html>
- **SC Financial Aid:** If a student has been denied South Carolina state-based financial aid, he or she may file an appeal with South Carolina Commission on Higher Education, Division of Student Affairs. Website: <http://www.che.sc.gov/Students,FamiliesMilitary/Appeals.aspx>
- **Federal Financial Aid:** For student issues related to federal financial aid, contact the Ombudsman Group of the U.S. Department of Education for disputes related to Direct Loans, Federal Family Education Loan (FFEL) Program loans, Guaranteed Student Loans, and Perkins Loans. Website: <https://studentaid.ed.gov/repay-loans/disputes/prepare/contact-ombudsman>
- **The Office of the Inspector General (OIG)** is charged with investigating and detecting fraud, waste, abuse, mismanagement, misconduct, or violations of state or federal law, and wrongdoing in the Executive Branch. OIG only has investigative authority over the Executive Branch of South Carolina State Government, which includes state-supported colleges and universities. Website: <http://oig.sc.gov/Pages/default.aspx>

**Step 4:** If the complaint cannot be resolved through the above channels, the student may file a complaint with the Commission. Complete and submit the Commission's complaint form found [here](#).

### **Commission Procedures for Reviewing a Student Complaint**

- After receiving a complaint, Commission staff will review the submitted materials, and contact the complainant for any required additional information or clarifications.
- The Commission staff will then send a copy of the complaint to the institution against which the complaint has been filed and request a response, due within 30 calendar days.
- After receiving the response, Commission staff will determine whether the institution's complaint process has been followed and exhausted and what additional steps or follow-up may be taken. The Commission may outsource the investigation to another government agency.
- If it is concluded that the allegations do not establish a violation of standards or any serious deviation of educational standards imposed by the Commission, a letter is sent to the complainant confirming this, along with a copy of the institution's response.
- If it appears that a standard has been violated or that the institution has not complied with the institution's established policies, staff will attempt a settlement through mediation.
- If there is evidence that the institution may no longer be maintaining minimum standards, an investigation may be made to determine other actions.
- Results of the investigation are sent to both the complainant and institution.

### **Mail the complaint and required documentation to:**

SC Commission on Higher Education  
Academic Affairs  
Attn: Student Complaint  
1122 Lady Street, Suite 300  
Columbia, SC 29201  
or E-mail: [submitcomplaint@che.sc.gov](mailto:submitcomplaint@che.sc.gov)

### **History of Revisions**

August 8, 2022 – Update format to mirror University Bulletin