

# Grievance & Appeal Procedures

## Internal Grievance Procedures

The University is committed to the scriptural principles found in Matthew 18:15-17. Therefore, the student should first attempt to discuss the matter privately with the person in an effort to resolve the matter. However, the University understands the difficulty inherent in discussing an offense with persons in a position of authority.

A student may wish to present a grievance against a faculty or staff member, or another student, when the issues cannot be resolved informally or by use of other regular University procedures. A grievance is a concern related to an alleged illegal or improper action not otherwise addressed in policies contained within the Student, Staff, or Faculty Handbooks. Calvary has set procedures for all students who wish to present grievances. These procedures are listed below.

<b>Type of Grievance</b>	<b>Contact</b>	<b>Grievance Procedure</b>
Academic	Academic Office <a href="mailto:jackie.johnson@calvary.edu">jackie.johnson@calvary.edu</a> 816-425-6165	Submit appropriate grievance information (per the procedure below) to the Academic Office.
Student Life	Student Development Department <a href="mailto:student.deans@calvary.edu">student.deans@calvary.edu</a> 816-425-6162	Submit appropriate grievance information (per the procedure below) to Student Development Department.
Appeal of Disciplinary Action	Vice President of Student Affairs <a href="mailto:jeff.campa@calvary.edu">jeff.campa@calvary.edu</a> 816-425-6140	Submit appropriate appeal information (listed below). In the event that the VPSA was involved in the disciplinary investigation, appeals should be made to the President's Cabinet
FERPA Violation	Family Policy Compliance Office U.S. Department of Education 600 Independence Avenue, SW Washington, DC 20202-4605	See "Family Education Rights and Privacy Act (FERPA)" under <u>Campus Services</u> of <i>Calvary University Student Handbook</i> .
Gender-Based Misconduct (Title IX)	Samuel Tschetter Title IX Coordinator <a href="mailto:samuel.tschetter@calvary.edu">samuel.tschetter@calvary.edu</a> 816-768-6975	See "Procedures for Formal Complaints" under <u>Gender-Based Misconduct Policy (Title IX)</u> in <i>Appendices of Calvary University Student Handbook</i> .

Grievances against a VP	President's Office <a href="mailto:president@calvary.edu">president@calvary.edu</a> 816-425-6149	Submit appropriate grievance information to the President's Office.
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If the student is in a situation where they are unsure how to proceed, the student is encouraged to seek counsel from the Student Deans. The Student Deans are always available to provide advice and support for students who are uncertain as to how they should proceed in response to grievances.

For FERPA, Gender-based misconduct, and VP grievances, please contact the person listed above. For Academic and Student Life grievances, please contact the individual listed above and use the following procedure:

1. Grievances should be submitted as promptly as possible, within 12 months of the occurrence of the incident, and should include the following information.
  - a. The date and place of the incident.
  - b. A description of what took place.
  - c. Why it is considered a grievance.
  - d. The date on which the grievance was recorded.
  - e. The name and signature of the grievant.
2. An investigation of the grievance will be conducted and, if warranted, appropriate action will be taken.
3. The student will be notified of the decision and action taken.

Any students filing a written grievance may be required to meet with a staff member face-to-face or over the phone to answer questions and provide more contextual information related to the alleged incident. If the student chooses not to submit their grievance in writing and/or chooses not to meet with University staff when requested to do so, the University reserves the right to not respond to the filed grievance (except in gender-based misconduct), although a copy of the report will be left in the student's file.

When filing a complaint, it is important that the reporting party state the nature of the grievance, supply witnesses (if able), and be able to clearly state the facts, accusations, and situations. If the accusation against another student, staff, or faculty member is determined false or malicious, the student may be subject to discipline or expulsion. In all cases, confidentiality of the reporting party and responding party will be strictly adhered to except as required by applicable law. Any crimes violating federal, state, or local law will be referred to the appropriate enforcement agency.

## Appeal Procedures

All students have the right to appeal disciplinary decisions as well as decisions regarding their particular grievance. Appeals must be made within five (5) academic days after verbal or written notification of the sanction and/or decision.

Should anyone be dissatisfied with an action taken as a result of the investigation of a grievance or the disciplinary procedures, an appeal may be made to the appropriate Vice President (VP). The VP will then submit the appeal to the appropriate committee for evaluation (see chart below). In the event that the corresponding VP was involved in the grievance or disciplinary investigation, the appeal will be submitted to the President's Cabinet.

Type of Appeal	Vice President	Evaluating Committee
Appeal of Disciplinary Action Student Life Grievance Appeal	VP of Student Affairs	Student Life Committee
Academic Grievance Appeal*	Chief Academic Officer	Academic Curriculum Committee

\*For Non-Curriculum Academic Appeals, the Academic Office will ensure proper routing of the appeal. These appeals do not go to the Academic Curriculum Committee.

The written appeal must include the reason for the request. A student may appeal for three reasons which include:

1. The introduction of new information.
2. Failure to uphold the student's rights.
3. Appropriateness of the sanction.

To initiate the appeal process, the Appellant is to submit the following, in writing, to the appropriate VP:

1. A statement which includes all of the relevant issues and evidence to be considered. Issues/evidence not included in this statement will not be considered in the appeal hearing.
2. A list of material witnesses, if any, and the essence of their proposed contribution to the appeal hearing. Please note these are not character witnesses but individuals with first-hand knowledge of the situation in appeal. Their testimony will be limited to the specified matters.

The VP will take the appeal to the appropriate committee. The Committee will, within ten (10) working days of the receipt of the appeal request, review and evaluate the information that the Appellant has presented. Based on the nature of the appeal, the Committee has the discretion

whether or not to call the Appellant and/or his/her witnesses to appear before the Committee. If the Appellant and/or the witnesses will be called, they will be notified at least two (2) days in advance of the appeal hearing date. The Committee may audio-record the appeal hearing.

It is also important to note that in respect to appeal proceedings, formal rules of evidence are not followed, and past conduct may be considered in the appeal process. No particular model of procedural process is required; however, the Committee will attempt to structure the procedure so as to facilitate a reliable determination of the truth and be fair and reasonable. During periods other than regular semesters (summer, Christmas, etc.), the University reserves the right to alter the timing of the appeals process as necessary, due to faculty/staff/student availability.

The Committee will review and render a judgment for the appeal. The VP will issue the Committee's decision in writing to the parties involved within a reasonable time (usually within ten (10) working days) of the conclusion of the appeal process. Once the committee renders a judgment, no other appeals are possible at an institutional level.

## **External Grievance Procedures**

Calvary University students enrolled in online as well as on-campus courses should attempt to resolve complaints by following the Grievance Procedure in the CU Student Handbook. Students may also seek external assistance through the channels below.

### Online & Distance Students Outside of Missouri

#### *State Authorization Reciprocity Agreement Grievance Procedures (SARA)*

Students enrolled in distance education courses (online classes) or online programs, who are residents of states other than Missouri, and when such state is a SARA participating state, may, after exhausting their options under Calvary's grievance procedures, appeal the institution's decision to the SARA Portal Agency, the Missouri Department of Higher Education (MDHE). Only complaints that do not involve grades or student conduct may be appealed within two years of the incident to the Missouri Department of Higher Education.

### **Leroy Wade**

Assistant Commissioner  
Missouri Department of Higher Education  
205 Jefferson Street  
P.O. Box 1469  
Jefferson City, MO 65102-1469  
573.751.2361  
[leroy.wade@dhe.mo.gov](mailto:leroy.wade@dhe.mo.gov)

If MDHE receives a complaint about a Missouri institution, the complainant will be contacted by MDHE staff to determine if the complainant has exhausted the grievance process at Calvary University. If the institutional grievance process has been completed, MDHE will provide appropriate forms to file a formal complaint against the institution. If the complainant has not

utilized the institutional remedies available, the individual will be directed to contact Calvary University to seek resolution.

The formal complaint must be submitted in writing using the form provided by MDHE. The complaint may be mailed or faxed and must include supporting materials as well as documentation verifying that all institutional remedies have been exhausted. MDHE staff will acknowledge receipt of the formal complaint in writing.

SARA-related complaints that fall within the jurisdiction of MDHE will be investigated and resolved as appropriate by MDHE. SARA applies only to those complaints resulting from distance education courses offered by participating institutions to students in other SARA states. It does not apply to distance education activity inside Missouri or to on-ground campuses. Complaints concerning criminal misconduct will be referred to local law enforcement authorities. Complaints relating to violations of federal law will be referred to the federal agency having jurisdiction over the matter in question.

Calvary University will provide a response to the complaint within ten working days of official notification by MDHE. All parties to the complaint will be notified of its resolution by mail. MDHE will keep a log of all complaints, record the date received, the name of the complainant, the institution against which the complaint is made, a brief description of the complaint, and the date and nature of its disposition.

#### For Students in Missouri

##### *Missouri Department of Higher Education*

The Missouri Department of Higher Education (MDHE) has been assigned to serve as the clearinghouse for complaints concerning colleges and universities.

The State of Missouri recognizes that, “many issues fall within areas that generally are within the sole purview of an institution and its governing board.” Furthermore, “issues or complaints are generally more speedily and appropriately resolved within the grievance channels available at the institution.”

Missouri encourages students and prospective students with complaints to use all available informal means to resolve them. In other words, a complainant should first follow scriptural principles found in Matthew 18: 15-17, before proceeding to more formal steps. Calvary University’s Grievance Procedures can be found in our undergraduate catalog: <http://www.calvary.edu/university-catalog/>, starting on page 333.

According to the State of Missouri, “Exhaustion of all informal and formal institutional processes, including both campus processes and any applicable system processes, is a prerequisite to filing any formal complaint with the MDHE.” Simply stated, the MDHE expects you to have followed Calvary’s procedures, prior to contacting them.

In the event that, “a mutually agreeable resolution can’t be reached at the institutional level, the student or prospective student may proceed with the MDHE’s formal complaint process. Prior to initiating this formal process, complainants must first call the MDHE at 573-526-1577 to indicate their desire to file a complaint.”

The MDHE will screen calls to ensure that Calvary’s complaint process has been followed. If the MDHE accepts the complaint, a complainant will be sent a form to be filled out and returned. Supporting documentation should be included in the formal complaint.

The MDHE will acknowledge receipt of your complaint. “If there is no indication that institutional remedies have been exhausted, the complaint will be returned for that purpose.”

Complaints that fall within jurisdiction will be investigated and resolved by the MDHE. Some complaints may need to be forwarded to another State Agency, or Calvary’s accrediting body. “All parties to the complaint will be notified of its resolution by mail.”

#### Accreditation Complaints

Students and prospective students of Calvary University may file complaints with our Accreditors: HLC <http://www.hlcommission.org/HLC-Institutions/complaints.html>, ABHE <http://www.abhecoa.org/forms.abhe.org/webdocs/Policy%20on%20Complaints.pdf>, or the State’s designated agency.