

Grievance Policy

This policy applies to all students, faculty, and staff. It also covers grievances involving contractors or third parties associated with the College. It excludes complaints covered by other internal procedures.

- Former employees may file grievances within two weeks of resignation. Employees terminated for cause may file grievances within two weeks of separation but may not use this process to contest termination.

Definition of Grievance

A grievance is a formal complaint alleging a violation, misapplication, or discriminatory enforcement of college policy or procedure. It must contain a substantial issue and not merely reflect personal dissatisfaction.

Grievable issues include:

- Academic freedom violations
- Unsafe work assignments or conditions
- Misapplication of College policies
- Discriminatory or harassing treatment based on protected categories (e.g., age, race, disability)

Academic judgment itself is **not** subject to grievance.

Confidentiality & Non-Retaliation

All grievance proceedings are confidential and restricted to those with a legitimate need to know. Retaliation against any participant is strictly prohibited and subject to disciplinary action.

Student Publications

Students may not publicize grievance matters—including names, decisions, or details—via any medium. Violations may lead to **dismissal**.

Burden of Proof & False Grievances

- The complainant must prove their case by a *preponderance of the evidence*.
- Knowingly filing a false grievance may lead to disciplinary action.

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Process for Grievance Resolution

1. Informal Resolution

Step 1: Direct Discussion

Grievant must attempt to resolve the matter directly with the other party within **14 days** of the incident.

Step 2: Appeal to College President

If unresolved, a written request should be submitted to the President or if the grievance is against the President, a designee within **5 business days**. The President or their alternate may recommend resolution or declare the grievance lacks merit.

Step 3: Mediation

If still unresolved, the Grievant may request mediation within **5 business days**. Mediation will involve all parties and be coordinated by the President (or designee). This suspends the process for up to **30 days**.

2. Formal Resolution

Step 1: Filing a Formal Grievance

Must be submitted in writing within **5 business days** of failed mediation. The complaint should include:

- Grievant's and Respondent's names and contact info
- Description of the grievance and supporting documentation
- Summary of informal efforts and outcomes
- Desired resolution
- Names/contact of up to **5 witnesses**
- Hand-signed document (not emailed)

Step 2: Grievance Hearing Panel Formation

Within 14 days, the President (or designee) appoints a five-member Hearing Panel and notifies key personnel. To ensure fairness, the President may include employees from Pierce Mortuary Colleges, Inc. or their institutions.

Step 3: Initial Review by Panel

The Panel determines if the complaint qualifies under the policy. If not, a written decision is issued. If so, a formal hearing is scheduled.

Step 4: Hearing Process

- Both parties may present up to **5 witnesses**

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- Cross-examination and panel questioning permitted
- A support person may attend but not participate
- A majority vote determines outcome
- Findings and recommendations sent to the President (or designee).

Step 5: Final Decision The President (or designee) reviews the recommendation and issues a final decision within **14 days**.

Appeals

1. Appeal of Grievability Decision

If the panel finds the issue non-grievable, the Grievant may appeal to the President or designee within **5 business days**. The President's or designee's decision is final.

2. Appeal of Final Decision

If either party contests the hearing outcome, they may appeal to the President or designee within **5 business days**. The final written decision will be issued within **14 days**.

Online and Distance Learners

Grievances involving off-campus or online individuals may be resolved through virtual means (e.g., Microsoft Teams). Coordination rests with the President or a designee.

Timelines

All steps must follow the specified timelines. Extensions may be granted due to academic calendars or exceptional circumstances, subject to Presidential approval.

Arbitration

If grievance is not resolved through the procedures outlined above, the matter shall be submitted to binding arbitration. The resulting decision will be final, binding, and not subject to appeal, except in cases involving good faith applications for injunctive relief, which may be brought before a court.

All parties agree that any dispute related to this policy will be arbitrated in accordance with the Rules of the American Arbitration Association. Each party will bear its own costs and attorneys' fees.

A panel of three arbitrators will conduct the arbitration at a location mutually agreed upon by the Grievant and the Institution, within 25 miles of the Institution's physical location. The Grievant and the Institution will each select one arbitrator. A third arbitrator will be jointly agreed upon by legal counsel for both parties.

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Distance Education Grievances – SARA Compliance

This section applies to all students enrolled in distance education courses under the State Authorization Reciprocity Agreement (SARA). These students are entitled to specific complaint procedures outlined under SARA policies, in addition to the College's standard grievance process.

Stepwise Grievance Process for Distance Learners

1. **Institutional Resolution Required First**

All students enrolled in SARA-covered distance education must exhaust the College's internal grievance procedures outlined in this policy before elevating complaints to external SARA bodies.

2. **Institutional Policy Access Points**

To ensure accessibility and transparency, Pierce Mortuary Colleges, Inc. will publish its full grievance procedures in the following locations:

- The College Catalog;
- A clearly marked and searchable Distance Education/SARA webpage on the College's website.

3. **External SARA Complaint Resources**

If a distance education student's grievance is not resolved satisfactorily at the institutional level, they may file a complaint with the SARA portal agency using the following:

- **NC-SARA Student Complaint Policy and Procedures:**
<https://nc-sara.org/sara-student-complaints-o>
- **GA-SARA Online Student Complaint Form:**
<https://gnpec.georgia.gov/student-resources/student-complaints/ga-sara-online-student-complaint-form>