GRIEVANCE PROCEDURE

Discrimination/Sexual Harassment Complaints

I. INTRODUCTION

This Administrative Procedure is written to establish a grievance procedure for the resolution of discrimination and sexual harassment complaints.

II. APPLICABILITY

This Administrative Procedure applies to any applicant for admission, enrolled student, applicant for employment, or employee of Walla Walla Community College (WWCC).

III. PROCESS

A. Any applicant for admission, enrolled student, applicant for employment, or employee of WWCC who believes he/she has been discriminated against in violation of the affirmative action and equal employment opportunity policy or who believes he/she is/has been subjected to sexual harassment, may lodge a formal institutional grievance according to the following process:

1. STEP 1: Informal Meeting. In an attempt to informally resolve the concern, the complainant may request a meeting with the individual believed to have committed the discriminatory or sexual harassment act or with the appropriate supervisor, as determined by the Human Resource Director. Students complaining of disability discrimination should consult with the Disabilities Support Services Coordinator on their campus [Walla Walla - Dr. Claudia Angus (509) 527-4543; Clarkston - Carol Bennett (509) 758-1718].

   a) The time period for informal resolution of concerns shall not exceed thirty (30) days from the time the concern is lodged.

2. STEP 2: Official Hearing. If not satisfied by the results of the informal meeting or if the informal meeting has been waived, the complainant may request in writing a meeting with the Vice President of Instruction, the Vice President of Student Services, or the Human Resource Director. Students complaining of disability discrimination should file their written complaint with Wendy Samitore, Vice President of Student Services, Section 504 Compliance Officer.

   a) The request for an Official Hearing must be made in writing and set forth the specific grievance raised by the complainant.

b) Within thirty (30) calendar days of receiving the written request, the appropriate administrator (identified in Step 2 above), shall arrange a meeting to hear the complaint. It shall be at the discretion of the complainant to determine whether the person to whom the complaint has been directed shall meet with the complainant and the administrator separately or in a single meeting. If the complainant requests a single meeting, the meeting shall be attended by the complainant; the person to whom the complaint is directed; and, the administrator, who shall chair the meeting.

   i. Following the hearing and within thirty (30) calendar days of receiving the written request, the administrator will report his/her findings in writing to both the complainant and the person to whom the complaint has been directed.

3. STEP 3: Presidential Appeal. If the complaint is not resolved as a result of the hearing conducted by the administrator in Step 2, either the complainant or the person to whom the complaint has been directed may request an appeal to the College President.

   a) The request must be made in writing within ten (10) days after receipt of the written result of the Official Hearing.

   b) Within fifteen (15) days after receiving the request, the College President or the President's designee will conduct the Presidential Appeal hearing and report the findings in writing to both the complainant and the person to whom the complaint is directed.

   c) Attendance at the Presidential Appeal hearing shall be limited to the College President or his/her designee; the administrator who conducted the Official Hearing; the complainant; and, the person to whom the complaint is directed, unless otherwise mutually agreed by the parties. The College President or his/her designee shall preside.

   d) Either the complainant or the person to whom the complaint is directed may call witnesses, at the direction of the person presiding.

   e) The written findings of the Presidential Appeal will be considered final. No further intra-institutional appeal exists.

B. While individuals are encouraged to file complaints with the College for prompt resolution, individuals may file complaints directly with the agencies listed below in accordance with the timelines and policies of each agency:

   1. Regional Director, Office of Civil Rights, Department of Education, 915 Second Avenue, Room 3310, Seattle, Washington, 98174-1099, (206) 553-1636.

   2. Equal Employment Opportunity Commission, 2815 Second Avenue, Suite 500, Seattle,

Washington, 98121.

3. Human Rights Commission, 711 South Capitol Way, Suite 402, P.O. Box 42490, Olympia, Washington, 98504-2490.

IV. CONFIDENTIALITY AND NON-RETALIATION

A. To the extent possible, grievances will be handled in a discreet and sensitive manner. Anonymity and complete confidentiality cannot be guaranteed once a complaint is made or unlawful behavior is alleged. Files pertaining to the complaints will be maintained in confidence to the fullest extent of the law. WWCC cannot, however, guarantee complete confidentiality.

B. In the event that claims of discrimination and/or harassment have been substantiated, the College will take steps to prevent recurrence and correct discriminatory effects.

C. In all cases, retaliation by, for or against any participant (accused, accuser or witness) is expressly prohibited. Retaliatory action of any kind taken against individuals as a result of seeking redress under the applicable procedures or serving as a witness in an investigation dealing with harassment/discrimination is prohibited. Any person who thinks he/she has been the victim of retaliation should contact the Human Resources Director immediately.

V. AUTHORITY

The WWCC Board of Trustees approved a Grievance Policy for the College on January 21, 2004. This Administrative Procedure supersedes the 01/21/04 Policy, as well as the version dated November 16, 2010. The authority for this Administrative Procedure comes from the Board of Trustees Delegation of Authority Policy approved April 20, 2005.

This Administrative Procedure was reviewed by the Diversity Committee, Faculty Senate, College Council and Administrative Council.

Authorizing Signature: _____ 12/14/2011
(Date)

Grievance Policy – 01/21/04
Grievance AP – 11/16/10 (updated with new formatting & name/telephone number changes)
Grievance AP – 12/2012 (updated with name/telephone number changes)