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[www.midwestbarbercollege.com](http://www.midwestbarbercollege.com)

# 2020-2021

**STUDENT GRIEVANCE PROCEDURE  
&  
COMPLAINTS ALLEGING DISCRIMINATION BASED ON  
RACE, COLOR, NATIONAL ORIGIN, SEX,  
DISABILITY OR AGE**

*Mission Statement: To inspire its students by creating and maintaining a student-centered occupational environment which culminates in gainful employment.*



**STUDENT GRIEVANCE PROCEDURE**  
**For**  
**COMPLAINTS ALLEGING DISCRIMINATION BASED ON**  
**RACE, COLOR, NATIONAL ORIGIN, SEX,**  
**DISABILITY OR AGE**

Discrimination is prohibited by statutes and regulations enforced by the Office of Civil Rights and state regulations. Therefore, it is the policy of MBC that unlawful discrimination against students is prohibited. “Discrimination” is the illegal treatment of a person or a group of persons based on a prohibited factor, such as race, color, national origin, sex, disability, or age.

“Harassment” is unwelcome conduct that is based on race, color, national origin, disability, sex, and age, or any other basis protected by federal, state, or local law, ordinance, or regulation. Harassment is physical, verbal, and visual conduct that creates an intimidating, offensive or hostile environment which interferes with an individual’s education.

“Sexual harassment,” as prohibited under federal and state law, is defined as unwelcome conduct of a sexual nature, and may include unwelcome sexual advances, sexual assaults, or requests for sexual favors. This and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- A. submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s academic standing/student status.
  - B. Submission to or rejection of such conduct by an individual is used as the basis for academic decisions affecting such individual; or
  - C. such conduct is sufficiently serious that it has the purpose or effect of unreasonably interfering with an individual’s academic performance or creating an intimidating, hostile, or offensive academic environment.
- MBC applies these definitions in and out of the classroom.

The procedures described below are to be used to address complaints alleging discrimination and/or harassment carried out by employees, other student or third parties.

No student is required to report or make a complaint of discrimination to the person who is allegedly engaging in the problematic conduct. Complaints should be presented as promptly as possible after the alleged incident occurs through the following avenues for this institution.

The school has designated a Discrimination Coordinator (listed below) to assist applicants and students with problems regarding possible discrimination based on race, color, national origin, sex, disability, or age.



## **STUDENT GRIEVANCE PROCEDURE**

**Title:** Student Grievance

**Purpose:** The purpose of the grievance is to provide an orderly and efficient method by which students may communicate and resolve their complaints about conditions and policies within the school.

**Policy:** Every student has the right to voice concerns about policies, conditions, or personnel at the institution which creates an adverse effect on the education being pursued.

### **General Provision**

### **DEFINITION OF GRIEVANCE**

A grievance is a student complaint about the conditions or policies within an Occupational School or a complaint about the actions of employees, students, or instructors within the college that affect the college environment for the aggrieved student. A disciplinary action taken by the college administration against the student is not considered a grievance. ALL grievances should be presented within 30 days from the date the grievant became aware of the cause of such grievance.

### **PROCEDURE:**

A student grievance may consist of a variety of issues. This procedure addresses grievances concerning discrimination and/or harassment or grievances concerning other issues related to the college. The following procedures address both types of grievance issues as indicated in each section:



**Title: Nondiscrimination Coordinator and Counselor**  
**Location: Administrative Office / Shawna Phifer**  
**901 SW 37<sup>th</sup> Street, Topeka, Kansas - Contact Number: 785-266-2500**

All grievances should be presented within **(30) days** from the date the grievant became aware of the cause of such grievance. MBC *will* not coerce, intimidate, threaten, retaliate against, or interfere with any person who attempts to assert a right protected by the laws above or cooperates with investigation and enforcement proceedings under these laws - *Title VI (Race, Color, National Origin), Section 504 (Disability) and Title IX (Sex)*.

### **INFORMAL PROCEDURES: (COMPLAINTS)**

The grievant should try, if possible, to resolve the problem first by discussing the problem with the individual who is the cause of the complaint. If it is inappropriate to present the complaint directly to that individual, then the grievant should discuss the complaint with the appropriate individual as follows: If the complaint is against a student, discuss the problem with the student's instructor or department head in which the student is enrolled. If the complaint is about an instructor or other college employee, discuss the problem with that individual's immediate supervisor.

1. Any student who believes he/she has been a victim of discrimination, including but not limited to sexual harassment, or other, harassment by another student enrolled in the same program area should discuss this with
2. his/her instructor or the department head of that department. If the student is uncomfortable discussing this with these individuals, he/she should discuss the matter with the Nondiscrimination Coordinator.
3. Any student who believes he/she has been the victim of discrimination, including but not limited to sexual harassment, or other, harassment by another student in a different department or by an instructor or an employee of the college or a third party should discuss the matter with the Nondiscrimination Coordinator.
4. The student should present the complaint as promptly as possible after the alleged incident occurs. Every effort will be made to keep the discussion confidential.
5. Steps will be taken, in an attempt to alleviate the problem so no further action will be required. A brief synopsis of the complaint will be noted in case the matter is not resolved at this level and filed with the Nondiscrimination Coordinator. The synopsis should include the name of the complainant(s), the name(s) of the alleged offenders, the date, time, and discrimination and/or harassment reported.



## FORMAL PROCEDURES (FILING A FORMAL COMPLAINT):

If a satisfactory solution to a complaint of discrimination and/or harassment is not reached using informal procedures, or should the student wish, a formal complaint can be filed for resolving the matter through the Student Grievance Procedure as follows:

1. The grievant submits, in writing, to the School Director, a detailed narrative of the problem. This narrative included the following:
  - a. Name of the grievant submitting the grievance and date submitted.
  - b. Date(s), time(s), and location(s) when problem occurred.
  - c.) Name(s) of individual(s) involved.
    - (d) Witness (es) who observed activity, if applicable.
    - (e) Problems caused by this activity.
  - (f.) Any steps taken prior to this formal grievance to stop problem, and
  - (g.) Solution to the problem the student is seeking.

Upon receiving the grievance, the School Director will try to resolve the issue to the students' satisfaction. If not resolved to the students' satisfaction the student is advised to contact the Kansas Board of Barbering and/or the Council on Occupational Education.

2. Within three (3) school days of receiving the grievance, a certified letter will be sent to both parties and to any witnesses being called by the committee. This letter will include the date and time of the hearing, a copy of the written grievance and notification to each party of the right to call witnesses.

Within seven (7) school days of receiving the grievance, the committee will conduct an inquiry, call witnesses, and gather whatever information it deems necessary in reaching a determination as to the merits of the allegations.

After the hearing has been completed, the findings and recommendations of the committee will be submitted, in writing, to the school Director the day after the hearing.

The School Director will submit his/her decision, in writing, by certified mail to both parties within ten (10) school days of receiving the report from the committee. If the complainant or respondent wishes to appeal the findings of the committee and/or the ruling of the School Director, the complainant or respondent must file his/her appeal, in writing, within five (5) days of being notified of the findings and ruling.

This appeal must be made to the Administrator Within five (5) days of receiving the appeal, the Administrative notifies, in writing, all parties to the grievance **and the School Director** of his/her ruling on the appeal.

A copy of the first-level appeal and the Administrator's ruling is to be filed in the appellant's file and in the Grievance, Files maintained by the **Administrative** Office.

If the complainant or respondent wishes to appeal the ruling of the Administrator -, the complainant or respondent must file his/her final appeal to the MBC **Board of Trustees** in **writing within five (5) days** of being notified of the Administrative ruling. A final appeal may be filed for the following reasons **only**: new evidence has been brought to light – not available by duly diligent effort at the time of the hearing or established procedures have not been followed. Within ten (10) days of receiving the appeal, the Administrator **notifies, in writing, all parties** to the grievance, the committee members, the School Director, and the **Instructor of Record** of her ruling on the appeal.

Copies of the second-level appeal and the Administrator's ruling are filed in the Grievance Files.



**Board of Trustees  
Midwest Barber College**  
901 SW 37<sup>th</sup> Street  
Topeka, Kansas 66611

[www.midwestbarbercollege.com](http://www.midwestbarbercollege.com)

**Kansas Board of Barbering**  
700 SW Jackson Suite #1004  
Topeka, KS 66603  
785-296-2211

[www.kbob.kansas.gov](http://www.kbob.kansas.gov)

**Kansas Board of Regents**  
1000 SW Jackson Suite #520  
Topeka, KS 66612

[www.kansasregents.org](http://www.kansasregents.org)

**Council on Occupational Education**  
7840 Roswell RD Building 300, Suite 325  
Atlanta, GA 30350  
800-917-2081/T-770-396-3898/F-770-396-3790

[www.council.org](http://www.council.org)

**State of Kansas - Vocational Rehabilitation Services**  
Contact your VR counselor

**Veteran's Administration - Vocational Rehabilitation Services**  
Contact your VR counselor

**Veteran's Administration - GI BILL**  
[www.Gibill.va.gov](http://www.Gibill.va.gov)

**United States Department of Education**  
400 Maryland AVE, Southwest Washington, D.C. 20202  
1-800-872-5327



**Midwest Barber College, Topeka, Kansas**  
**Student Grievance Form**

Student name: \_\_\_\_\_

Program /department: \_\_\_\_\_

Please use this form to describe the nature and desired resolution of your grievance. Midwest Barber College will attempt to resolve this issue as quickly and fairly as possible. Students and employees must complete the grievance form within five (5) business days of when the allegation occurred and provide this and any supporting information to the instructor of the class, or director of the program in which the complaint originated, as set forth in the grievance procedure. Attach additional pages or supporting documentation as appropriate. No complainant shall be retaliated against for participating in any grievance procedures brought against Midwest Barber College concerning alleged discrimination.

Please describe the nature of your grievance:

Please list any other parties who have knowledge of this situation:

Please describe your desired resolution of this situation:

Please direct this form to the instructor of the class, program Director, or placement officer of the school as set forth in the Grievance Procedure.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Lucy Opit-Administrator of College

\_\_\_\_\_  
Date

November 18, 2017

\_\_\_\_\_  
Date

**Remember - For assistance with any of the consumer information discussed herein, prospective, and current students may contact the School Director during regular business hours.**