
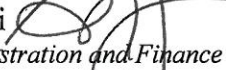




**AMERICAN SAMOA  
COMMUNITY COLLEGE  
VICE PRESIDENT OF ADMINISTRATION AND FINANCE**

October 18, 2021

To: Dr. Rosevonne Pato   
*President, American Samoa Community College*

From: Mr. Sonny J. Leomiti   
*Vice President of Administration and Finance*

Mrs. Letupu Moananu   
*Vice President of Academics, Community and Student Affairs*

Subject: ASCC Proposed Resolution Plan for OCR Case No. 10142001

Talofa President Dr. Pato,

Provided for your review and approval is the proposed plan to address the College's outstanding Office of Civil Rights (OCR) with reference to Case Number 10142001. Based on the clarification received from OCR Senior Attorney – Timothy Sell, the following actions shall be implemented by the College to address compliance and to bring to closure the outstanding case.

1. The College shall identify a Compliance Coordinator by name, email, phone number, and email address on the College Website as per USDE requirement – Section 504.
2. The College shall post its Grievance Procedure(s) on the College Website.

The following plan has been compiled:

Task: Updating of ASCC Website Information

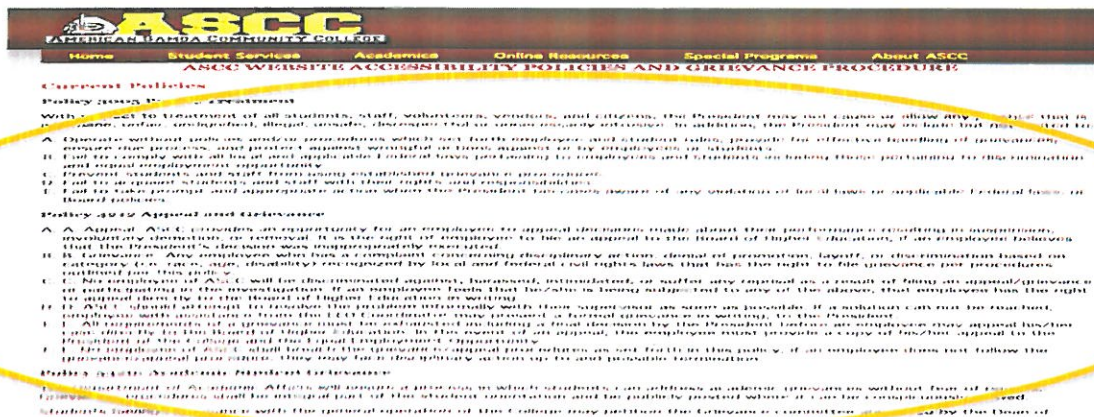
URL: <https://www.amsamoa.edu/accessibility.html> (Accessibility Page)

Responsibility: Information Officer

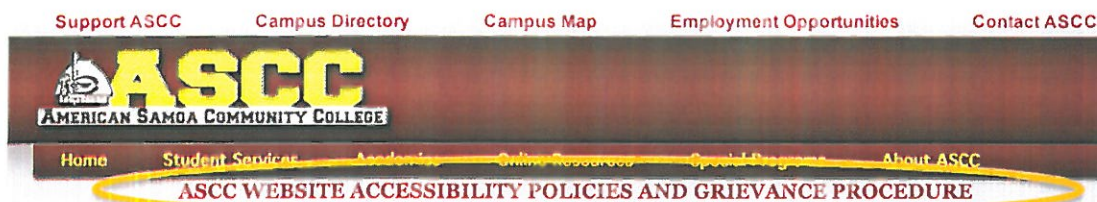
## Scope:

1. Remove all the Content available of the following ASCC Web Page:

<https://www.amsamoa.edu/accessibility.html>



2. To change the Title of the Page from ASCC Website Accessibility Policies and Grievance Procedures to Accessibility: Student Complaints and Grievances:



3. To include a General Narrative to describe the content of the Page:

The American Samoa Community College (ASCC) is committed to its Mission by ensuring accessibility services to the students and constituents it serves. As an open admissions College, each student is encouraged to pursue his/her academic studies without the hesitancy of unfair or improper treatment/action caused by any member of the ASCC community.

The American Samoa Community College Board of Higher Education emphasizes the importance that the community be made aware of the College's procedures regarding online information and accessibility through its policies and College Governance in pursuant to the requirements of the Office of Civil Rights as federally mandated.

Board Policies: *(Please refer the ASCC Policy Governance Manual in the College Resources and Forms Section)*

- Policy 3005 People Treatment, p. 33
- Policy 4209 American with Disabilities Act (ADA) Compliance, p. 57
- Policy 4209.1 Reasonable Accommodation, p. 57
- Policy 4210 Non-Discrimination, p. 57
- Policy 4211 Harassment or Sexual Harassment, p. 58
- Policy 4212 Appeal and Grievance, p. 58
- Policy 5320 Academic Student Complaint/Grievance, p. 78



- Policy 5321 Student Appeal, p. 78

The College's Student Grievance Procedure(s) is to be used when a student has been unfairly treated by a member of the College community that includes: student(s), instructor, administrator, or staff. The College identifies two separate procedures for grievances that may occur on Campus:

- A. General Student Grievances: General Student Grievances include complaints about non-academic matters that include discrimination based on sex, religion, disability, color, age, and other allegations or forms of harassment such as bullying, threats, and abuse as listed in the College Catalog, pp. 31-34. Student complaints about non-academic matters should be submitted in writing to the Dean of Student Services.
- B. Academic Student Grievances: Student complaints regarding academic matters should be submitted in writing to the Dean of Academic Affairs and the Dean of Student Services. (Referencing Student Handbook, p. 16).

College Resources and Forms:

- a. ASCC Policy Governance Manual
- b. ASCC Student Handbook
- c. ASCC General and Academic Student Grievance Procedures (*Appendix 1*)
- d. ASCC General and Academic Student Grievance Flow-Charts (*Appendix 2*)
- e. ASCC Student Complaint Form (*Appendix 3*)
- f. ASCC Request for Accommodation Form (*Appendix 4*)

4. To include the College Title IX General Statement:

Title IX is a federal (national) law in existence for combating campus violence. This requires that colleges receiving federal funding to combat gendered-based violence and harassment to ensure that all students have equal access to education.

“No person in the United States shall, on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

Contact Information:

ASCC Title IX Coordinator: Mr. Tauvela Fale  
 Phone: +1 (684) 699-7834 or +1 (684) 782-3381  
 Email: [t.fale@amsamoa.edu](mailto:t.fale@amsamoa.edu)  
 College Website: <http://www.amsamoa.edu/>  
 College Accessibility Web Page:  
<https://www.amsamoa.edu/accessibility.html>

## APPENDIX 1

## STUDENT GRIEVANCE & PROCEDURES

### **General Student Grievance**

A student who encounters a non-academic problem is encouraged to seek an informal resolution of the matter with the college employee(s) involved. If the attempt to reach an informal resolution is not successful or not advisable, then the student can file his/her complaint with the Dean of Student Services by following this procedure.

#### **Step One: *Initiating a Formal Complaint***

- ⇒ The student has five (5) working days from the date of the incident to file the complaint by filling out a Student Complaint form from the Student Services Office at the MPC, 2<sup>nd</sup> floor. The complaint will include the reason for the complaint, factual summary of the complaint and the informal resolution sought.
- ⇒ The Dean of Student Services (or designee) shall review the submitted complaint and shall call a meeting with the person(s) to whom the complaint is addressed (respondent) to inform the respondent(s) that a student has filed a formal complaint.

#### **Step Two: *Informal Resolution***

- ⇒ The Dean of Student Services after reviewing the complaint shall attempt to resolve the matter by scheduling a meeting to allow for an opportunity between the student and the respondent to reach an informal resolution. If a satisfactory resolution is reached through the infor-

mal meeting, both the students and the respondent shall sign a written summary report from the Dean of Student Services (or designee) that verifies the resolution of the complaint. However, if the student does not agree to meet or is not satisfied with the informal meeting resolution with the respondent, the student may submit a written notice of dissatisfaction to the Dean of Student Services (or designee) within three (3) working days and request to proceed to the next step.

#### **Step Three: *Formal Resolution***

- ⇒ If the nature of the complaint is determined to require more than a resolution between the student and the respondent, The Dean of Student Services shall prepare a written statement summarizing the actions prior to the referral and submit this along with a copy of the Complaint Form to the appropriate Dean/Supervisor:

A. If respondent is faculty or adjunct member: refer the student and the respondent to the Dean of Academics within three (3) working days. The Dean will meet with the faculty member and the student in an attempt to resolve the complaint; or

## *Student Grievance & Procedures –Cont'd*

B. If respondent is a college employee(s): refer the student and the employee to the appropriate supervisor within three (3) working days. The supervisor will meet with the college employee and the student in an attempt to resolve the complaint;

*If respondent(s) is a contract employee or campus visitor:*

1. The student is encouraged to seek resolution/response through an informal meeting with the respondent(s) if it was a satisfactory response/resolution the Dean of Student Services (or designee) will prepare a written response statement of the resolution. A copy will be provided to the student within three (3) working days and a copy will be forwarded to the affected ASCC contract employee or campus visitor via email. A copy will also be filed with the original ASCC Complaint Form at the Dean of Student Services office.
2. If the student finds the response/resolution unsatisfactory, the student may submit a written notice of dissatisfaction to the Dean of Student Services (or designee) within three (3) working days. The Dean of Student Services (or designee) will then schedule a meeting with the student and the respondent in an attempt to resolve the complaint.
3. If the student is still dissatisfied with the attempted resolution, the student may submit a written notice to the Dean of Students Services (or designee) to pro-

ceed to Step Four (4).

### ***For Step 3(A) and (B) above:***

*If a resolution was reached:*

- The appropriate Dean/Supervisor, will prepare a written response of the resolution of the complaint to the student within three (3) working days. A copy will be submitted to the affected ASCC employee within four (4) working days. A copy will also be provided to the Dean of Student Services (or designee) to file with the original Complaint Form.

*If a resolution was not reached:*

- The appropriate Dean/Supervisor will refer the student and or the affected employee to the Vice President of Academic and Student Affairs (ASA) and Vice President of Administration and Finance (AF). The referral will include a copy of the Complaint Form and the Dean's/Supervisor's written summary report of the unresolved complaint. The student referral must be made within four (4) working days.



## *Student Grievance & Procedures —Cont'd*

⇒ **Step Four: Resolution by the Vice-Presidents of ACSA and AF**

- Upon receipt and review of the Complaint Form and summary report of the unresolved complaint by the student, The VPs will schedule a meeting with the student(s) and affected ASCC employee/contract employee/campus visitor in an attempt to resolve the complaint. As a result the VPs shall make a final decision and shall seek the advice of the President if relevant. The VPs will provide a memorandum of the final decision to the student and the respondent within five (5) working days.
- Time constraints: If ASCC is not in session during part of these proceedings or in instances where additional time may be required because of unforeseen complications and complexities of the case or the unavailability of the parties or witnesses, any of the time periods specified herein may be changed accordingly by the Dean of Student Services. If changes occur the student(s) and respondent(s) shall be informed by any means possible to reach them.

### **Academic Grievance**

Students encountering issues that are academic in nature and are in violation of Student Rights such as, but not limited to: grading issues, course content, course syllabus, course grading criteria that occurs prior to the posting of the final grade, academ-

ic misadvising, etc. Students having academic complaints should utilize the following procedures:

Before an academic grievance is filed, the student must first discuss and seek to resolve the issue with the instructor of the course and the appropriate Department Chairperson. If the matter cannot be resolved, the procedures outlined below should be followed:

1. A letter describing the nature of the complaint and all supporting documents should be submitted to the Dean of Student Services and to the Dean of Academic Affairs. These documents may be the course syllabus outline, evaluation procedures, and exams with grades, term paper assignments with grades, quizzes or other pertinent supporting documents.
2. The Dean of Student Services will call a meeting of all available parties involved (instructor, Department Chairperson, Dean of Student Services, and the Dean of Academic Affairs) to review the submitted documents and find a possible solution.

*If a solution is agreed upon by the student and instructor, the Deans will provide a written summary stating the resolution and signed by both the student and faculty.*

***Complaint to Grievance:***

1. If the matter remains unresolved, the Dean of Student Services will refer the submitted written grievance to the Academic Grievance Committee (Dean of Student Services, Dean of Academic Affairs, one counselor, one faculty member, and a student representative) for appropriate action and to schedule a hearing.

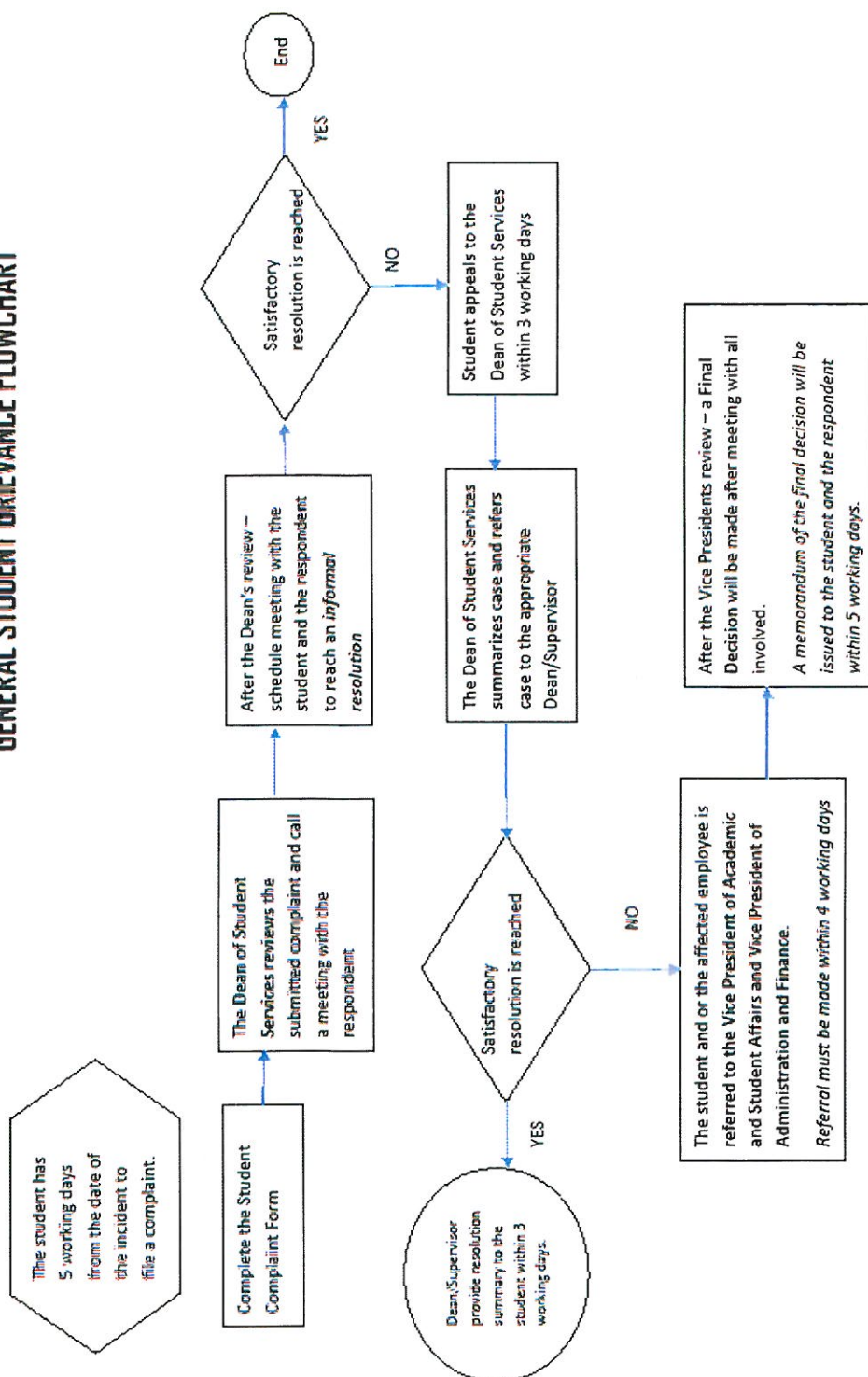
2. The Academic Grievance Committee (AGC) will investigate the grievance and will move into a confidential meeting to discuss the case in detail. The Academic Grievance Committee will notify the student in writing within three (3) working days of the hearing outcome. All recommendations made by the Grievance Committee are final.



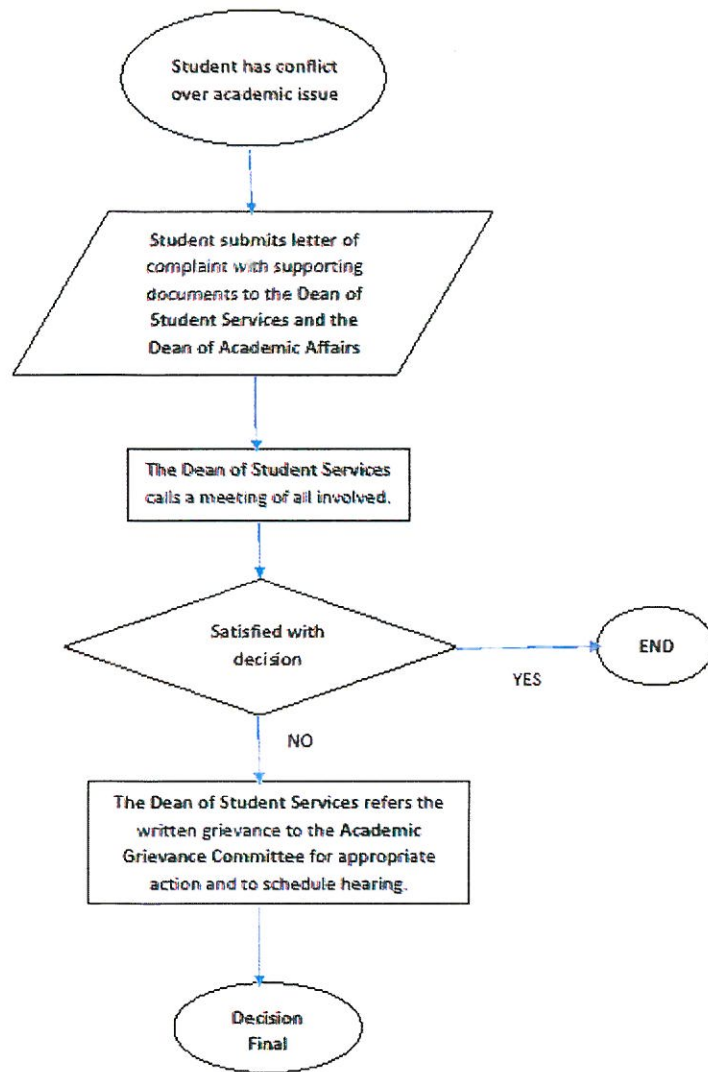


## APPENDIX 2

## GENERAL STUDENT GRIEVANCE FLOWCHART



## Academic Grievance Flowchart





## APPENDIX 3

## STUDENT COMPLAINT FORM

**PURPOSE:** Any student(s) may file a complaint using this form concerning any issues or actions that has affected the student's academic record or status.

**INSTRUCTIONS:** Prior to filing a complaint with an employee or visitor on campus, the student may discuss the matter with the appropriate faculty, employee(s), or administrator(s). Should the matter not be resolved or if you disagree with the decision then use this form to express your concern to the relevant supervisor, administrator and or department chair. The student(s) may carry it no further unless a complaint falls within the definition of a grievance, ASCC General Catalog 2020-2022, pages 33-34.

A complaint may constitute a grievance if the issue is not mutually resolved, and the complaint falls within the definition of a grievance.

<b>Section A: Student information (please print)</b>			
Last Name	First Name	MI	Student ID#
Email		Current Address	
Contact Numbers: Home phone		Cell phone #	
Term Year: Fall _____ Spring _____ Summer _____			Date submitted:
Complaint applies to (against):			
<b>Section B: Reason(s) for Complaint</b> Describe your complaint in detail. Include dates of occurrence, be as specific as possible. Describe actions you have taken to resolve the issue (Attach additional sheets, if necessary) along with any documentation that will help describe and substantiate the complaint as well as any eye witnesses who should be interviewed.			
<b>Section C: Describe the outcome you hope to achieve.</b>			
<b>Section D: Student Certification:</b>			
By signing this form, I understand that the information contained in this complaint will be held confidential to the extent possible. Complaint information may be shared with appropriate college officials in order to conduct further reviews of the complaint. I hereby declare that the information on this form is true, correct and complete to the best of my knowledge. I understand that misrepresentation of the facts or documentation may be sufficient cause for automatic denial of this filed complaint and may violate the Student Code of Conduct.			
Student Signature: _____			Date: _____





## APPENDIX 4

**ASCC Department of Student Services**

**Counseling Division**

**Request for Accommodation**

Name: First	Last	ASCC ID#
Cell Phone:	Email:	Address:
High School / Year Graduated	Anticipated year of graduation from ASCC:  _____	Transfer Student <input type="checkbox"/>  VA Student <input type="checkbox"/>
Scholarship Recipient (circle answer)  Yes      No	Major(s):	Career Objective(s):

**Please indicate your disability. Check all that apply**

**In as much detail as possible, describe how the diagnosed condition impacts you as a student and/or in an educational setting.**

**What types of accommodations have been helpful to you in the past?\***

**Have you required any of the following services?**

\_\_\_\_ NOTE TAKER      \_\_\_\_ DOCUMENT CONVERSION OR ALTERNATIVE TEXT (I.E. BRAILLE, ENLARGED TEXT  
AUDIO FORMAT  
\_\_\_\_ SIGN LANGUAGE INTERPRETER    \_\_\_\_ CAPTIONING/TRANSCRIBING    \_\_\_\_ PRIVATE TUTORS  
\_\_\_\_ PERSONAL CARE ATTENDANT      SERVICE/ASST. ANIMAL      Other

**What types of accommodations and/or services are you requesting at ASCC?**

**Are you a client of the American Samoa Office of Vocational Rehabilitation?**

**Confidentiality Statement**

*The Department of Student Services [DOSS] is responsible for receiving and maintaining personal /disability-related documentation and information for students with personal issues / disabilities at ASCC. All documentation in the student's file is treated confidentially and will not be released to anyone including student's parents/guardian/caregiver without the student's written consent or confidentiality release signed by the student.*

Student Signature: \_\_\_\_\_ Today's Date: \_\_\_\_\_

## ACADEMIC DEGREES and CERTIFICATES

### **Bachelor of Education Degree in:**

#### **1. Elementary Education**

### **Associate of Arts Degree with an Emphasis in:**

1. Business Administration
2. Elementary Education
3. Human Services
4. Music
5. Political Science
6. Pre-Law
7. Samoan Studies
8. Visual Art

### **Associate of Science Degrees in:**

1. Accounting
2. Agribusiness
3. Architectural Drafting
4. Auto Body Repair
5. Automotive Technology
6. Business Management
7. Carpentry
8. Civil Engineering Technology
9. Computer Technical Support
10. Criminal Justice
11. Electronics
12. Electrical Technology
13. Family and Consumer Science
14. General Agriculture
15. Health Science
16. Marine Science
17. Natural Resources
18. Nursing
19. Welding

### **Certificates of Proficiency in:**

1. Accounting
2. Air-Conditioning and Refrigeration
3. Architectural Drafting
4. Auto Body Repair
5. Advanced Automotive Technology
6. Basic Automotive Technology
7. Business Management
8. Carpentry
9. Civil Engineering Technology
10. Diesel
11. Electronics-Consumer
12. Electronics- Communications
13. Electronics-Computer Systems
14. Electrical Technology
15. Elementary Education
16. Guidance and Counseling
17. Information Communication Technology
18. Public Health
19. Marine Option Program (MOP)
20. Networking and Computing
21. Practical Nursing
22. Welding

### **Certificates of Completion in:**

1. Auto Body Repair
2. Basic Electrical Theory
3. Carpentry Fundamentals
4. Early Childhood Education
5. Fundamentals of Automotive
6. Nurse Aide
7. Welding Fundamentals