

AY21-27-B and C

Student Complaint Procedure

The University subscribes to the following 1987 statement on professional ethics of the American Association of University Professors, according to which “As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors.” The University recognizes that the instructor has the authority to maintain appropriate classroom behavior and respects the academic freedom of the faculty (see Board of Visitors Policy 1403: Academic Freedom). The University will not normally interfere with content or style of teaching activities. The University recognizes the responsibility to establish procedures for addressing student complaints about faculty conduct that is not protected by academic freedom and not addressed in other procedures (see Board of Visitors Policy 1502: Student Rights and Freedoms).

This procedure describes how students may formally complain about inappropriate faculty behavior in the classroom or other formal academic settings. This procedure does not apply in other contexts, such as cases in which students may wish to appeal the decisions of faculty members in administrative roles. Student-initiated complaints in other areas, including grade appeals, sexual harassment, disability accommodations, and discrimination, are covered under separate policies and are not included in this procedure.

Deleted: Although the University and its Colleges have a variety of procedures for dealing with student-initiated complaints, including grade appeals, general harassment, sexual harassment complaints, disability accommodations, and discrimination, those procedures generally have not covered student complaints about faculty conduct in the classroom or other formal academic settings.

I. General Provisions Procedures

- A. **Determination of Appropriate Procedure.** The student is responsible for filing the complaint under the proper procedure. Complaints should only be filed using this procedure if there is no other provision available. *Failure to follow the appropriate procedures may result in the complaint not being heard.*
- B. **Student Complaints and Concurrent Procedures**
The act of filing a complaint under this procedure will not normally delay any pending process or procedure involving the student and/or faculty member. Normally, any concurrent process or procedure will move forward independently of the student complaint, though it may be delayed for good cause as determined by the appropriate University official(s).
- C. **Retaliation**
No student who files a complaint under this procedure shall be subject to any form of retaliation by any person, department, program or college.

II. Procedures

- A. **STEP 1 - Informal Resolution.** Students must first attempt to resolve complaints informally. Given the nature of complaints covered by this procedure, it is expected that in all but the most unusual circumstances, students will first raise the issue with the faculty member. In the event this is not feasible, the student will contact the Department Chair. In instances where there is no Department Chair, the student should contact the Program Director.
- B. **STEP 2 - Formal Complaint.** If the issue is not resolved informally, the student may contact the Department Chair or Program Director if there is no Chair. In instances where the Chair is the subject of the complaint, the student should contact the Dean of the College to which the chair is assigned. The student must contact the Chair (or Program Director if there is no Chair or Dean if the Chair is the subject of the complaint) within 30 business days of the action from which the complaint rises or the complaint will be barred. The Chair or Dean has the discretion to accept a complaint filed after this deadline for good cause.

The complaint must be [submitted in writing on the Student Complaint Procedure Formal Complaint Form](#) and contain:

- a. The student's name and University Identification Number
- b. The faculty member's name and the course subject area prefix and number
- c. A detailed description of the nature of the complaint
- d. A detailed description of attempts at informal resolution with the faculty member and Chair
- e. A detailed description of the relief sought

C. **STEP 3 - Investigation**

The Chair may designate a faculty member to investigate the complaint. If the Chair is the subject of the complaint, the student shall contact the academic Dean who will designate a faculty member to investigate the complaint. The person investigating the complaint will meet, either independently or collectively, with the student and the person who is the subject of the complaint within 10 business days from the filing of the complaint. The decision should be issued in writing to the student and the faculty member within 20 business days of the date the complaint is filed.

The complaint process is not intended to be an adversarial hearing and both the interviews of the student and the faculty member will usually be conducted without the other present.

- D. **STEP 4 - Appeal Procedure.** If the student is not satisfied with the resolution in Step 3, the student may file a formal appeal with the appropriate academic Dean. The appeal must be filed within five business days after the decision in Step 3 has been sent. The Dean has the discretion to accept a complaint filed after this deadline for good cause.

The appeal must be [submitted in writing on the Student Complaint Procedure Formal Appeal Form](#) and contain:

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- a. The student's name and University Identification Number
 - b. The faculty member's name and the course subject area prefix and number
 - c. A detailed description of the nature of the complaint
 - d. A detailed description of attempts at resolution with the faculty member and Chair or Program Director
 - e. A detailed description of the relief sought
 - f. A copy of the Chair's (or Program Director's) finding and supporting documents. (No new information is permitted.)
1. The Dean shall provide the faculty member and Chair or Program Director a copy of the appeal.
 2. The Dean may consider the appeal or appoint a faculty member to consider the appeal. The person appointed shall not have been involved as a decision maker in Steps 1-3 above.
 3. The person considering the appeal shall review the materials and issue the finding within 30 business days from the date the appeal is filed. The review of materials will generally occur outside the presence of the complainant and respondent, and it will be limited to a review of the record. The person considering the appeal may interview any person, such as the original decision-maker, as needed.
 4. The person making the decision shall first determine whether the conduct in question is protected by academic freedom and whether the student's complaint is best addressed by this process.
 5. At the end of the review, a written decision will be issued. A copy of the decision will be sent to the complaining student, the faculty member, and the Chair or Program Director.
 6. The decision by the designee or the Dean is final.

III. Records

- A. If the complaint concludes after Step 3 above, the Student Complaint Procedure Formal Complaint Form and all related documents will be kept in a secure location in the department chair's or programs director's office for a minimum of one year.
- B. If there is an appeal, the Student Complaint Procedure Formal Complaint Form, the Student Complaint Procedure Formal Appeal Form, and all related documents for each level of review will be kept in a secure location in the Dean's office for a minimum of one year.

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-Approved by the president
May 13, 2011