

Proposed Policy for Queensborough Community College

Policy and Process for Student Complaints Related to Faculty in Academic Settings

Whereas; The University and its Colleges have a variety of procedures for dealing with such matters as grade appeals, academic integrity violations, student discipline, disclosure of student records, student elections, sexual harassment complaints, workplace violence, disability accommodations, discrimination and violations of Board Bylaws or the Collective Bargaining Agreement. One area not generally covered by other procedures concerns student complaints about faculty conduct in the classroom or other formal academic settings.

Whereas; The University and the College respects the academic freedom of the faculty. Indeed, academic freedom is and should be of paramount importance. The “AAUP has long stood for the proposition that violations of professional standards, like the principles of neutrality or nonindoctrination, are best remedied by the supervision of faculty peers. It is the responsibility of the professoriate, in cooperation with administrative officers, to ensure compliance with professional standards.” Statement on Academic Bill of Rights.

<http://www.aaup.org/AAUP/About/committees/committee+repts/CommA/academicbillof+rights.htm>

Whereas; At the same time the College also recognizes its responsibility to provide students with a procedure for addressing complaints about faculty treatment of students that are not protected by academic freedom and are not covered by other procedures.

Be it resolved that; the following be adopted as policy and procedure for the College when students make complaints about the conduct of faculty.

PROCEDURES FOR HANDLING STUDENT COMPLAINTS ABOUT FACULTY CONDUCT IN ACADEMIC SETTINGS

Determination of Appropriate Procedure. Students should consult with the chief student affairs officer, the Vice President of Student Affairs, for assistance in determining the applicable procedure to follow for a particular complaint. In particular, the dean of students should advise a student if some other procedure is applicable to the type of complaint the student has.

Informal Resolution. Students are encouraged to attempt to resolve problems informally with the faculty member or to seek the assistance of the department chairperson to facilitate informal resolution.

Formal Complaint. If the student does not pursue informal resolution, or if informal resolution is unsuccessful, the student may file a written complaint with the department chairperson or, if the chairperson is the subject of the complaint, with the Vice President of Academic Affairs.

- A. The complaint shall be filed within 30 calendar days of the alleged conduct unless there is good cause shown for delay, including but not limited to delay caused by an attempt at informal resolution. The complaint shall be as specific as possible in describing the conduct complained of.
- B. The department chairperson or, if the chairperson is the subject of the complaint, the Vice President of Academic Affairs shall promptly send a copy to the faculty member about whom the complaint is made, along with a letter stating that the filing of the complaint does not imply that any wrongdoing has occurred and that a faculty member may not retaliate in any way against a student for having made a complaint. During the period of time that the complaint is being reviewed academic work of the class shall continue but there will be no grades assigned to the student complainant until after the conclusion of the complaint process. The department chairperson or, if the chairperson is the subject of the complaint, the Vice President of Academic Affairs, shall also send a copy of the written complaint to the Vice President of Academic Affairs and Vice President of Student Affairs.

- C. The department chairperson or, if the chairperson is the subject of the complaint, the Vice President of Academic Affairs shall meet with the student and faculty member, either separately or together, to discuss the complaint and to try to resolve it. If resolution is not possible, and there are factual issues in dispute, an investigation shall be conducted. The department of the faculty member concerning whom the student is making the complaint will elect a Select Faculty Committee of three, preferably tenured, faculty to review the complaint. This will be a committee similar in composition and operation to a committee to review student complaints concerning grades. The Select Committee will interview the complaining student, the faculty member and other persons with relevant knowledge and information and shall also consult with the Vice President of Student Affairs. The complaining student and the faculty member shall have the right to have a representative (including a union representative or attorney) present during any meetings with the Select Committee or any College officers.
- D. At the end of the investigation, the Select Faculty Committee shall issue a written report setting forth its findings and recommendations and send a copy to the complaining student, the subject faculty member, the department chairperson, and the Vice President of Academic Affairs and the Vice President of Student Affairs. In ordinary cases, it is expected that the investigation and written report should be completed within 30 calendar days of the date the complaint was filed.

Appeals Procedure. If either the student or the faculty member is not satisfied with the report of the Select Faculty Committee, the student or faculty member may file a written appeal to the Vice President of Academic Affairs within 10 calendar days of receiving the report. The Vice President of Academic Affairs shall review the manner in which the complaint had been handled and the observance of the procedure for insuring due process, but shall not conduct his or her own investigation or overturn any factual findings contained in the report. The Vice President of Academic Affairs shall determine if the process was properly observed and that there were no misrepresentation of facts or policies or procedures, if the process was without violation of due process or misrepresentations, then the decision of the Select Faculty Committee will stand, or, if there was a departure from or violation of due process or misrepresentations, then the Vice President of Academic Affairs shall order the process to be started over. The Vice President of Academic Affairs shall issue a written decision within 20 calendar days of receiving the appeal. A copy of the decision shall be sent to the student, the faculty member, the department chairperson and the Vice President of Student Affairs and the College President.

Subsequent Action. Following a student complaint under these procedures, the College President shall decide the appropriate action, if any, to take. For example, the College President may decide to place a report in the faculty member's personnel file or to bring disciplinary charges against the faculty member. Disciplinary charges may also be brought in extremely serious cases even though the college has not completed the entire investigative process described above; in that case, bringing of disciplinary charges shall automatically suspend that process. Any action taken by the College President must comply with the Bylaws of the University and the collective bargaining agreement between the University and the Professional Staff Congress. If the student complaint is judged to have been frivolous, then action may be taken against the student for a disruption in the teaching and learning process.