

# COLLEGE of CHARLESTON

## OFFICIAL POLICY

**12.6.1                      Student Grievance/Complaint Policy and Procedures                      08/24/16**

### **Policy Statement**

Disputes may occasionally arise between members of the College of Charleston community over both academic and non-academic matters. While many issues can be resolved at the personal level between the two parties, a formal procedure is available for the resolution of disputes that cannot. The procedure which has been established presents a framework within which disputes may be settled. The formal procedure is not meant to change the character of a dispute but to ensure that all parties are treated fairly and that every attempt is made to arrive at a just resolution of the dispute.

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### **Policy Manager and Responsible Department or Office**

Division of Student Affairs, Office of Dean of Students

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### **Policy**

#### **1.0 INFORMAL RESOLUTION OF DISPUTE**

Since many disputes can be resolved in an informal manner, students having complaints about academic treatment or non-academic matters at the College are strongly urged to attempt to reconcile any differences informally with the faculty or staff member involved.

**(a)** Students should meet with the faculty or staff member to discuss their concerns openly, without fear of reprisal and as soon as possible during the academic semester, since ultimately delay may result in no viable resolution to the dispute.

**(b)** If the student is unable to meet with the faculty or staff member, or if his/her

attempt to discuss the issue with the faculty or staff member is not satisfactory, the student should meet with the department chair or program director.

**(c)** Students should continue attending the class in question throughout this process unless they have been instructed not to by the department chair or program director.

If the student elects not to pursue the matter informally directly with the other party, or if s/he does pursue an informal resolution and the parties cannot resolve their differences, the student may initiate the formal process. That process basically will be the same for academic and non-academic disputes and for disputes involving faculty, administrators, or staff.

## **2.0 FORMAL PROCEDURES**

### **2.1 FORMAL PROCEDURES: Student-Faculty Grievances**

#### **(a) Student Actions**

If the student elects to pursue the formal procedure for academic and non-academic grievances against faculty members, s/he must submit in writing to the faculty member's department chair or program director a written grievance which includes the following:

- (i) The act(s) complained of.
- (ii) Facts and evidence in support of the complaint.
- (iii) An account of attempts to resolve the complaint informally, if any, and the reason(s) those attempts have failed.
- (iv) Suggested resolutions to the problem which are acceptable to the student.

#### **(b) Department Chair/Program Director Actions**

The department chair or program director (in consultation with the department chair where appropriate and where consistent with the reporting lines) will have a maximum of 30 days to review the materials, investigate the complaint, and attempt to bring the parties to an agreed-upon resolution. The department chair or program director will notify the parties of his/her decision in writing.

#### **(c) Dean/Associate Dean Actions**

Should an agreed-upon resolution not be reached at this level, the grievance and all accumulated materials will be referred to the dean (or associate dean) of the school.

- (i) The dean (or associate dean) of the school will have a maximum of 30 days to investigate the complaint and attempt to bring the parties to an

agreed-upon resolution.

(ii) His/her investigation may include interviewing and taking statements from the parties and others, securing documents and evidence from any available sources, and other actions which s/he deems necessary in the circumstances.

(iii) Failing an agreed-upon resolution, s/he shall make a decision resolving the dispute and promptly notify the parties and the faculty member's department chair or program director of his/her decision in writing.

## **2.2 FORMAL PROCEDURES: Graduate Students Only**

Either party may appeal the decision of the graduate program director by presenting a written notice of appeal to the dean of the graduate school no later than five (5) working days from receipt of the written response from the graduate program director. The dean of graduate school will further investigate the complaint and attempt to bring the parties to an agreed-upon resolution. His/her investigation may include interviewing and taking statements from all parties and others, reviewing documents and evidence previously compiled, securing additional documents and evidence from any available sources, and other actions which s/he deems necessary in the circumstances. The graduate dean may affirm, reverse, affirm in part, and reverse in part the decision of the graduate program director. The graduate dean will promptly notify the parties, the faculty member's program director and the dean of the school of his/her decision in writing.

## **2.3 FORMAL PROCEDURES: All Students, Continued**

Either party may appeal the decision of the dean (or associate dean) of the school (in cases involving undergraduates) or the dean of the graduate school (in cases involving graduate students) by presenting a written notice of appeal to the executive vice president for academic affairs/Provost no later than five (5) working days from receipt of the decision by the dean (or associate dean). A copy of the original written grievance and the decisions of the department chair and dean should be attached to the notice of appeal. If the executive vice president for academic affairs determines that the notice of appeal has been filed in a proper and timely manner, s/he will promptly appoint an ad hoc College grievance panel as described below (see "College grievance panel composition") to consider the case. The Provost will notify the parties of the composition of the panel and will instruct the dean (or associate dean) of the school or dean of graduate studies to forward all materials accumulated thus far to the panel chair, who will be designated by the Provost.

The appeal of the decision of the dean (or associate dean) of the school or dean of the graduate school may be on either procedural or substantive grounds and shall constitute a de novo determination of the issues.

**(a) Student Actions:** Within ten (10) working days after submission of the notice of appeal to the executive vice president for academic affairs, the student may

submit to the executive vice president any additional evidence, including written affidavits and other items deemed pertinent to the issues.

**(b) Faculty Actions:** Within ten (10) working days of notification of an appeal, the faculty involved may submit to the executive vice president for academic affairs any additional evidence, including written affidavits and other items deemed pertinent to the issues.

**(c) Material Presented:** Those materials reviewed or considered by the panel in reaching a decision shall be made available to the parties for their inspection except where confidentiality is required by law.

**(d) Panel Actions:** The panel shall review all materials made available to it. It may also conduct its own investigation and secure further evidence it deems necessary in order to make a decision.

(i) It may hear live testimony if it wishes or may ask the parties to orally present their sides of the matter; both parties shall be given an opportunity to attend panel sessions called for these two purposes.

(ii) Whenever the parties appear before the panel, they may be accompanied by an advisor or an attorney; such person may only advise and cannot address the panel.

(iii) Those materials reviewed or considered by the panel in reaching a decision shall be made available to the parties for their inspection.

**(e) Panel Decision:** The panel may affirm, reverse, affirm in part, or reverse in part the decision of the dean (or associate dean) of the school or dean of the graduate school or may remand the case to the dean of the graduate school, the dean of the school, or to the faculty member's department chair or program director for a new and final attempt at informal reconciliation which, if the informal reconciliation fails, may not be pursued further. The panel's decision will be sent in writing to the parties, the faculty member's department chair or program director, the dean of the school or the dean of the graduate school, and the executive vice president for academic affairs.

**(f) Request Review of the Decision:** If not satisfied with the panel's decision, either party may, within three (3) working days of receipt of the decision, request that the executive vice president for academic affairs review the decision. If the Provost decides that extraordinary circumstances exist justifying his/her review of the case, s/he will review all accumulated materials and may take any of the actions which were available to the panel. His/her decision will be final.

Any informal reconciliation which is reached at any level of these procedures will result in the purging of all formal records; all that will remain is a signed document setting forth the agreement.

## **2.4 FORMAL PROCEDURES: Student-Staff or Student-Administrator Grievances**

The same procedure will be followed except that the immediate supervisor of the staff person or administrator involved in the dispute will substitute for the department chair or program director, and the appropriate college vice president will substitute for the dean (or associate dean) of the school or dean of the graduate school. If conflicts of interest arise or the person designated cannot proceed for any reason, it shall be the responsibility of the executive vice president for academic affairs to appoint persons to fulfill the responsibility of the immediate supervisor and the vice president for purposes of these procedures.

## **3.0 College Grievance Panel Composition**

### **3.1 Undergraduate Students**

For grievances filed by undergraduate students, the panel will be composed of:

Two student members of the Honor Board, drawn by lot; and if the dispute is

**(a)** Academic – three faculty members of the academic standards committee, drawn by lot.

**(b)** Non-academic, involving a faculty member or administrator -- three faculty members of the student affairs and athletics committee, drawn by lot.

**(c)** Involves a staff person – three supervising personnel selected by the executive vice president for academic affairs in consultation with the vice president for human resources.

### **3.2 Graduate Students**

For all grievances filed by graduate students, the panel will be composed of:

**(a)** Two student members chosen by lot from the graduate student conduct committee. Members of this committee will consist of one student from each graduate program, to be designated by the program director (or the dean of the school of education in the case of graduate education programs).

**(b)** Two faculty members selected by lot from the roster of graduate faculty members of the College.

**(c)** One member of the supervising staff of the College, selected by lot from the roster of the academic staff by the executive vice president for academic affairs.

As panel members are selected, any designee who is found to be in a conflict of interest in the case will be excused and an alternate will be selected.

These panels will be ad hoc, and a separate panel will be selected for each dispute or set of related disputes.

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**Departments/Offices Affected by the Policy**

All Academic and Administrative Offices, Undergraduate and Graduate.

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**Procedures Related to the Policy**

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**Related Policies, Documents or Forms**

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<b>Issue Date: 08/24/16</b> <b>Date of Policy Revision: 08/24/16</b>
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<b>Next Review Date: 08/24/17</b>
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**POLICY APPROVAL**

**(For use by the Office of the Board of Trustees or the Office of the President)**

Policy Number: 12.6.1

President or  
Chairman, Board of Trustees

*Glenn F. McConnell, Pres.* Date: 8/24/16