

Faculty Senate: March 19, 2020  
AA Policy, Student Complaint

*Julia Shadoan, Chair*

Senate Recommendation 2020-03-06 Student Complaint Policy

Proposal Date:

**Office of the Provost  
Division of Academic Affairs  
Proposal to Revise an Academic Policy  
(Action Item)**

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Identification of proposed policy revision:

**1. Catalog statement of existing policy:**

Student Complaint Procedure — The student complaint procedure for resolving a complaint concerning a faculty member is outlined below in four steps.

**Step 1 (Faculty Member)**

The first step is for the student to discuss the complaint with the faculty member involved. If the faculty member is no longer employed by the University, the student should go directly to the department head who will contact and represent the former faculty member. If the complaint involves a grade, the student must take the complaint to the faculty member within the first two weeks of the first regular semester (fall; spring) following the assignment of the grade. It is hoped that the complaint may be satisfactorily dealt with at this level.

**Step 2 (Department Level)**

If the student and the faculty member are unable to resolve the complaint, the student may take the complaint to the faculty member's department head. Written notification of the complaint must be given to the department head within two weeks after the meeting with the faculty member. It is the responsibility of the department head to arrange for a conference where the student, faculty member and the department head will be present for discussion. Neither the faculty member nor the student will be allowed representation at the conference. The department head shall hear both sides of the complaint and shall attempt to mediate a settlement. The department head shall keep a written record of the proceedings, including the recommended solution. The department head's recommended solution is to be considered by both the faculty member and the student as a recommendation and not as a decision that is binding.

**Step 3 (College Level)**

Should the student be unable to receive the satisfaction desired at the departmental level, the complaint may be taken to the college level. Written notification of the complaint must be submitted to the college dean or his designated representative within two weeks after the conference with the department head (Step 2). Upon receipt of the notification, the college dean or his/her representative shall provide the student a copy of the procedural guidelines to be followed by the College Complaint Committee. The procedural guidelines shall provide for a conference with both the student and the faculty member present for joint discussion of the complaint with the committee.

The College Complaint Committee will be responsible for scheduling the conference within two weeks following the submission of a written complaint to the chair of the College Complaint Committee, including as much detail as the student cares to include. The written complaint should clearly state what is considered to be unreasonable and/or unfair practices or procedures. Neither the faculty member nor the student will be allowed representation at the conference. The College Complaint Committee shall hear both sides of the complaint and render a decision. The decision shall be sent in writing to the Provost and Vice-President for Academic Affairs, with a copy being sent as a matter of record to the student, faculty member, faculty member's department head and the faculty member's college dean. The Office of the Provost and Vice-President for Academic Affairs shall be responsible for enforcing the decision of the college committee. The Office of the Provost and Vice-President for Academic Affairs shall not enforce the decision until two weeks after the decision is made by the college committee. The purpose of the two week delay is to provide either the student or the faculty member an

opportunity to submit a formal written notice of appeal to the University Complaint Committee.

#### **Step 4 (University Level)**

Should the student or the faculty member desire to appeal the decision of the College Complaint Committee, a formal written notice of appeal may be submitted to the University Complaint Committee chair, with a copy to the Provost and Vice-President for Academic Affairs, within two weeks of the decision of the College Complaint Committee. The chair of the University Complaint Committee will provide the student and the faculty member involved with a copy of the University Complaint Committee's Procedural Guidelines. The University Complaint Committee will secure copies of the written proceedings from the department head and the College Complaint Committee. The University Complaint Committee will schedule a conference where the faculty member and the student jointly discuss the issue.

Neither the faculty member nor the student will be allowed representation at the conference. The committee's decision will be sent to the Provost and Vice-President for Academic Affairs, with a copy being sent as a matter of record to the student, faculty member, faculty member's department head and the faculty member's college dean. The Office of the Provost and Vice-President for Academic Affairs will see that decisions of the University Complaint Committee are carried out. The University Complaint Committee's decision is final.

#### **Important Complaint Exceptions:**

- Student Disability regarding denial of accommodations, report to Student ADA Compliance Officer and follow WKU policy #6.1010
- Discrimination and Harassment concerns, see below reporting process and follow WKU policy #0.2040 and #0.2070
  - Discrimination is always reported to the Office of Equal Opportunity Employment (EEO)
  - Student-to-student harassment is reported to Office of Student Conduct or the WKU Title IX Coordinator
  - Student-to-faculty/employee harassment is reported to the Office of Equal Opportunity Employment (EEO)

## **2. Catalog statement of proposed policy:**

### **Student Academic and Grade Change Procedure**

#### **The student complaint procedure for resolving an academic or grade complaint:**

##### **Step 1 (Faculty Member)**

- The student must attempt to discuss the academic issue with the faculty member involved within 15 workdays after the issue has occurred or the grade within the first 15 workdays of the first regular semester (fall; spring) following the assignment of the grade.
- If the faculty member is no longer employed by the university, the student should go directly to that faculty member's department head, who will attempt to contact the former faculty member concerning the academic issue or grade assigned. If the department head is unable to facilitate communication between the former faculty member and the student, the student may proceed to step 2.
- If the faculty is employed by the university and declines to discuss the academic issue or grade with the student, the student may proceed to step 2.

##### **Step 2 (Department Level)**

- If the student and the faculty member are unable to resolve the complaint, the student may take the complaint to the faculty member's department head. Written notification of the complaint must be given to the department head within two weeks after the meeting with the faculty member. If the faculty member is also the department head, proceed to Step 3.
- The written notification to the department head should clearly state what the student believes are the faculty member's unreasonable and/or unfair practices or procedures, and include any available documentation.
- The department head may attempt to resolve the complaint by meeting with the student and faculty member separately to mediate the issue.

- If the department head is unable to resolve the complaint in this way, a meeting will be arranged where the student, faculty member, and the department head will be present for discussion.
  - Neither the faculty member nor the student will be allowed representation at the meeting.
  - The department head shall hear both sides of the complaint and attempt to resolve the matter.
  - If the department head is unable to bring about an agreed upon resolution between the student and the faculty member, the department head will issue a recommendation.
  - The department head shall create a written record of the meeting, including his/her recommendation. A copy of this record shall be provided to the student and the faculty member at the time the department head's recommendation is issued to them.
  - If the faculty member is no longer with WKU or refuses to participate, the decision of the department head shall be followed.

### **Step 3 (College Level)**

- Should the student remain dissatisfied with the outcome of the academic issue or grade complaint at the departmental level, the student may continue the complaint to the college level.
- The student should notify the Dean of the College, or the Dean's designee, in writing, within two weeks following issuance of the department head's recommendation, that the complaint remains unresolved.
- The written notification to the Dean of the College should include a copy of the department head's record and recommendation, and clearly state what the student believes are the faculty member's unreasonable and/or unfair practices or procedures, and include any available documentation.
- The dean or dean's designee may attempt to resolve the complaint by meeting with the student, faculty member, and department head.
- If those meetings do not resolve the student's concern(s), the Dean or Designee shall notify the College Complaint Committee:
  - It is expected that a meeting will be scheduled to take place within two weeks after the submission of a written notification to the Dean of the College.
  - The committee shall be composed of at least three faculty members and two student representatives and shall not include representation from the department of the faculty member mentioned in the complaint.
  - If the notification is submitted at the end of a semester and convening the committee is not feasible within the stipulated two weeks period, the committee must be convened within the first two weeks of the first regular semester (fall; spring) following the Dean's receipt of the written complaint.
  - Neither the faculty member nor the student will be allowed representation at the conference.
  - All material presented at the meeting is considered subject to FERPA and confidential.
  - The College Complaint Committee shall hear both sides of the complaint, and shall create a written record of the meeting. The student and faculty member may elect to remain in the meeting while the other presents his or her side of the complaint. The decision and its rationale shall be reduced to writing, with copies sent to the Dean of the College, the student, faculty member, and the faculty member's department head.
  - If neither party has appealed the Committee's decision after two weeks, the decision will be final. The Dean's office will be responsible for taking action required by the decision, if any.

### **Step 4 (University Level)**

- Should the student or the faculty member be dissatisfied with the decision of the College Complaint Committee, either may appeal the decision to the University level.
- The appealing party should deliver a written appeal to the Office of the Provost within two weeks following issuance of the College Committee's decision.
- The written appeal should include a copy of the College Committee's decision, and clearly state the basis for the appeal, including but not limited to, any unreasonable and/or unfair practices or procedures, and include any available documentation. Copies of the appeal should be delivered by the appellant to the party not appealing the College Committee decision.
- The Office of the Provost will coordinate and convene the University Complaint Committee.
  - The student and faculty member will be provided with a copy of the University Complaint Committee's procedural guidelines.

- The University Complaint Committee will secure copies of the recommendations rendered by the department head and the College Complaint Committee.
- The University Complaint Committee will schedule a conference where the faculty member and the student are present and will discuss the issue.
- Neither the faculty member nor the student will be allowed representation at the conference.
- All material presented at the meeting is considered subject to FERPA and confidential, and no new materials may be presented at this meeting. If new material is presented, the appeal will be referred back to the College Complaint Committee.
- The University Complaint Committee shall hear both sides of the complaint, and shall create a written record of the meeting. The decision and its rationale shall be reduced to writing, with copies sent to the Provost, the Dean of the College, the student, faculty member, and the faculty member's department head.
- The Office of the Provost will see that decisions of the University Complaint Committee are carried out. **The University Complaint Committee's decision is final.**

### **Out of State Distance Learners**

Students enrolled in distance learning courses at WKU will follow the university complaints procedure outlined in this policy and may access additional resources through WKU Online <https://www.wku.edu/online/srp/studentcomplaint.php>. Students may also review information in the WKU Student Handbook. If the issue is not resolved at the institution level, distance students may file a complaint with the Kentucky Council for Postsecondary Education [http://cpe.ky.gov/campuses/consumer\\_complaint.html](http://cpe.ky.gov/campuses/consumer_complaint.html). For out-of-state distance learning students, the next level in the complaint process is with the National Council for State Authorization Reciprocity Agreements (NC-SARA) <https://nc-sara.org/student-complaints-process>. Additionally, students may file a complaint with WKU's accrediting body, The Southern Association of Colleges and Schools Commission on Colleges (SACS) by downloading the SACS Complaint Procedures Form (<http://sacscoc.org/pdf/081705/complaintpolicy.pdf>). Student complaints related to grades or student conduct may not be appealed to Kentucky Council for Postsecondary Education.

### **Supplements**

Supplements to this procedure may be issued during the school year to keep the University community advised of newly adopted programs and policies.

### **Important Complaint Exceptions:**

- Student Disability regarding denial of accommodations, report to Student ADA Compliance Officer and follow WKU policy #6.1010
- Discrimination and Harassment concerns, see below reporting process and follow WKU policy #0.2040 and #0.2070
  - Discrimination is always reported to the Office of Equal Opportunity Employment (EEO)
  - Student-to-student harassment is reported to Office of Student Conduct or the WKU Title IX Coordinator
  - Student-to-faculty/employee harassment is reported to the Office of Equal Opportunity Employment (EEO)

### **3. Rationale for proposed policy revision:**

The Office of the Provost collaborated with the Office of General Council to make necessary updates to the Student Complaint Procedure based upon a recommendation from the state. The policy should be implemented consistently throughout the colleges; therefore, guidance is provided within the policy on college committee requirements. In addition, information is provided on how to proceed with a complaint if the faculty member is no longer at WKU or the faculty member refuses to communicate with the student. The initial complaint timeline was extended to 15 workdays to allow an extra week for student complaints. Finally, the policy clearly states the documents and written notifications utilized during the complaint procedure are confidential but also subject to FERPA.

**4. Impact of proposed policy revision on existing academic or non-academic policies:**

4.1 Impact on policies: None

4.2 Impact on populations that may be affected:

Colleges should refer to the revised student complaint procedure in establishing college complaint committees and ensure the approved timelines are followed.

**5. Proposed term for implementation: Fall 2020**

**6. Dates of prior committee approvals:**

University Senate

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