

## MACALESTER COLLEGE STUDENT COMPLAINTS & RESOLUTION POLICY

Macalester College maintains processes for the good faith review and resolution of student academic and non-academic complaints. The College's student complaint process will encourage informal resolution of alleged violations within the office or department involved in the complaint and allow for a formal resolution process if not resolved informally or when informal action is not allowable by federal regulations.

Students may bring complaints regarding Macalester's provision of education, academic services, and non-academic services affecting their role as students. Complaints must be based upon a claimed violation of a College policy, regulation, or established practice.

Student complaints do not include those regarding College employment, student conduct procedures under the Student Handbook, academic progress or grades, or admissions decisions.

Resolution under this policy may include student reinstatement or other corrective action for the benefit of the student, including refunds, but may not award monetary damages or, unless related to the dispute resolution and grievance procedures, direct disciplinary action against any employee of the College.

This policy does not limit the College's right to change policies, regulations, or practices related to the provision of academic or non-academic services and education.

### **Key Definitions**

**Student Academic Complaint:** Complaints brought by students regarding Macalester's provision of education and academic services affecting their role as students.

Academic complaints do not include grade disputes or curricular committee decision appeals, which are managed according to the Macalester College Faculty Handbook.

For the procedures regarding grade appeals and curricular committee decision appeals, refer to Faculty Handbook Section 4, Parts I. and V.D., <http://www.macalester.edu/provost/facultyhandbook/04curricularpolicies/curricular-policies.pdf>).

**Non-academic Complaint:** Complaints brought by students regarding Macalester's provision of non-academic services affecting their role as members of the Macalester community.

Non-academic complaints do not include admissions and financial aid decisions, on-campus room assignments, conduct findings, sexual misconduct, or harassment.

For procedures and information regarding student conduct, refer to the Macalester College Student Handbook section on student conduct process and procedures - <https://www.macalester.edu/studentaffairs/studenthandbook/04communityresponsibilities/04-03studentconductprocess.html>.

For procedures and information regarding sexual misconduct, refer to the Macalester College Sexual Misconduct Policy website - <http://www.macalester.edu/titleix/sexualmisconductpolicy/>.

For procedures and information regarding harassment, refer to the Macalester College Student Handbook section on harassment - <http://www.macalester.edu/studentaffairs/studenthandbook/05campuspolicies/05-22harassment.html>.

## **Procedures**

### **Informal Resolution for Student Complaints:**

The first step of any resolution should be within the office, residence hall, or department involved in the complaint, between the parties involved or the parties and an appropriate third party (e.g., other faculty, department chair, hall director, student organization advisor, staff member).

If no informal resolution is reached with the office, residence hall, student organization, or department involved in the complaint, a student may seek informal resolution by talking with staff in the Office of Student Affairs.

### **Formal Resolution for Student Complaints:**

If still unresolved after following the appropriate informal complaint process, a student may choose to officially document the complaint to seek formal resolution. Students may file complaints regarding academic matters, excluding grade appeals and curricular committee decisions, with the Provost's Office. Non-academic complaints, excluding admissions and financial aid decisions, on-campus room assignments, and student conduct findings, should be filed with the Office of Student Affairs. Students should consult with the relevant office to prepare a formal complaint.

Both the Provost's Office and Office of Student Affairs will follow these general procedures:

- Students must submit, in writing, an explanation of the concern or appeal, including (1) a full description of the matter, (2) a description of efforts that have been made to resolve the issue informally, and (3) a statement of requested remedy. Submissions must include accurate contact information. Copies of pertinent materials should be attached.

- A student must begin the informal resolution process within 30 days of the end of the semester during which the concern arises and must submit, if applicable, an officially documented complaint no later than 30 days after the first day of classes of the semester immediately following the semester during which the concern arose.
- If the complaint contains confidential medical information, the College will maintain confidentiality of that information and will not release it without the student's consent, except as allowed by law.
- Academic complaints should be submitted to the Provost. Non-academic complaints should be submitted to the Vice President of Student Affairs. Upon receipt, the institutional officer will review the complaint for timeliness and appropriateness under this complaint procedure, notify the student if the complaint is accepted for further investigation, and provide a copy of the complaint to the individual against whom it has been made.
- The institutional officer will complete or designate someone to complete an investigation of the matter. The investigator may interview, consult with, and/or request a written response to the issue(s) raised in the complaint from any individual that the investigator believes to have relevant information, including faculty, staff, and students. All parties will have the opportunity to provide the investigator with information or evidence that the investigator believes is relevant to the complaint. The investigator will respect the privacy of all parties, to the extent possible.
- The College will inform the student and the party against whom the student has filed a complaint that the institution will not tolerate real or implied retaliation, will take steps to prevent retaliation, and will take appropriate responsive action(s), up to and including termination of employment, if an employee is found to have retaliated. Students will be held accountable for retaliation through the Student Handbook and related disciplinary procedures. Individuals should immediately notify the appropriate institutional officer should retaliation occur.
- If a non-academic complaint involves a faculty member, the Vice President of Student Affairs will inform the Provost of the complaint, the determination of the investigator, and any appeal. Academic and non-academic complaints that involve a faculty and/or staff member will be reported to the Director of Employment Services.
- All investigations will be completed within 30 working days of the filing of the written complaint. The deadline may be extended by the Provost or Vice

President of Student Affairs for good cause. At the request of the complainant, the institutional officer may determine the formal process can and should be expedited.

- The institutional officer will prepare a written report, including findings and a final resolution of the matter. The officer will submit the report within 30 calendar days of receipt of the formal complaint, unless there are compelling reasons for delay. The institutional officer will send the report to all interested parties. If the complaint challenges an action personally engaged in by the institutional officer, the President will appoint another administrator to fulfill the officer's role under this procedure.
- Decisions made by institutional officers are final and may not be appealed.

### **Institutional Records of Student Complaints**

To comply with federal regulations, Macalester College will maintain records of formal, written academic and non-academic student complaints filed with the Provost's Office or the Office of Student Affairs. The records will include information about the disposition of the complaints, including those referred to external agencies for final resolution. These records will be available to the Higher Learning Commission (HLC) comprehensive evaluation teams for review.

The College understands that the U.S. Department of Education expects HLC evaluation teams to be aware of major complaints or categories of student concerns that may or may not be addressed in Macalester's self-study report. One source of that information will be a historical record of student complaints and their dispositions.

The College has determined that this federally-mandated obligation for record-keeping will be limited to academic and non-academic complaints made formally in writing, signed by a student, and addressed to and submitted to the Provost or the Vice President of Student Affairs. The assumption underlying this policy is that when one of the primary officers named above becomes involved, the complaint has not been satisfactorily resolved either at any other institutional level or by other Macalester personnel.

The tracking system for academic complaints will be maintained in the Provost's Office; the tracking system for non-academic complaints will be maintained by the Office of Student Affairs. The tracking systems will contain the following information:

- the date that complaint was first formally submitted;
- the nature of the complaint;
- the steps taken by the institution to resolve the complaint;
- the institution's final decision regarding the complaint, including referral to outside agencies;

- any other external actions initiated by the student to resolve the complaint, if known to the institution.

Macalester College will only track complaints from students. Complaints from parents, employers, etc., need not be tracked for the purposes of this policy, even where those complaints might relate to a student(s).

The College has established this system so that the record provided to any external team insures anonymity. In addition, Macalester College will avoid mentioning by name any other individuals involved in the facts of complaints. The College will inform students and institutional personnel that it must share information about complaints with its accreditor but that individual identities will be protected.

Only written complaints mailed or delivered to the Provost or the Vice President of Student Affairs are considered formal complaints. Of course, the College will continue to respond to information communications from students made through various means without including these exchanges within the tracking system. Records of complaints will be maintained for at least 10 years.

### **Policy Review**

This policy will be reviewed and revised as necessary every four years or more frequently as laws or regulations change.

*Approved by the Macalester College Provost & Dean of the Faculty and Vice President of Student Affairs on September 15, 2015*