

COLLEGE OF MICRONESIA-FSM
BOARD POLICY No. 4903

Student Complaint Policy

Date Adopted: 24 August 2010

Date Revised:

Date Reviewed: 24 March 2014

References:

College of Micronesia-FSM welcomes your opinions and feedback about our policies, programs, and services in order to make changes that contribute to your success, development, and goal attainment.

The Informal Complaint Process

A student with a complaint -- a concern that a policy or procedure of the College has been incorrectly or unfairly applied in his/her particular case, or a formal charge against a person's behavior -- has recourse through complaint procedures. In most instances, complaints can be resolved through an informal process beginning with talking to the individual and his/ her supervisor if necessary.

The Informal Complaint Process is outlined below:

Complaint Against or About: Contact:

Staff Person or the Area Supervisor Regular Faculty member, then the Division Chair Adjunct Faculty (part-time) Administrator Faculty member, then the Division Chair, then the Dean of Academic Programs Administrator or next level Administrator

Grade Instructor, then the Division Chair Customer Service Area Supervisor Security/Safety Campus Security Chief, Director of Facilities/Security

The Formal Complaint Process

If you have followed the Informal Complaint Process but the issue has not been resolved, you may file a formal complaint in writing with the appropriate campus administrator.

College-Related Complaints from Students

College of Micronesia-FSM, in its goal to provide quality instruction and service, provides students access to appropriate College staff and administration to resolve questions, concerns, or complaints against COM-FSM staff, policies, procedures, or other actions or inactions of the College.

Students are strongly encouraged to resolve any concern informally through the appropriate department or division administrator. If needed, the Office of the Vice President of Student Services and Vice President of Instructional Affairs will direct the student to the appropriate department or division administrator to initiate the informal process.

The administrator will work with the student to resolve the student's question, concern, or complaint. If the student is not satisfied with the discussion and any suggested resolution, the student may file a formal complaint. The student may contact either the Vice President for Instructional Affairs, Vice

President of Student Services or the Campus Dean to proceed with a formal written complaint.

A. Informal Complaint (Other than Faculty or Grade-related)

The goal of the informal complaint process is to provide information to the student that answers the student's questions and concerns and/or to come to a resolution agreeable to the student and the College. The student discusses the complaint informally with the appropriate administrator. If the concern is in regards to the administrator, the student may discuss the concern with the appropriate Vice President.

To address complaints in a timely fashion, student must begin the informal process within thirty (30) College working days of the alleged complaint. If the student believes the discussion and any suggested resolution through the Informal Process did not provide a resolution, the student may file a formal complaint with the Vice President of Instructional Affairs, the Vice President of Student Services or the Campus Dean.

B. Formal Complaint (Other than Faculty or Grade-Related)

If the student believes the decision offered through the Informal Process did not provide a resolution, the student may then use the Formal Complaint Process. Students may file a formal written complaint against the College. The formal complaint must be filed within thirty (30) College working days from the date the decision was offered to the student.

The Student Complaint Information Packet is available in the Office of the Vice President of Instructional Affairs, Vice President of Student Services or the Campus Dean. Students may call either one of the offices and have this information given to them.

The formal complaint must contain the following information:

1. Name of the student(s) filing the formal complaint.
2. Name of the staff member complaint is against.
3. Statement of facts and nature of the formal complaint.
4. Date(s) of the incident(s).
5. Resolution being sought by the student(s).
6. Student's signature.

The student will submit the formal written complaint to the appropriate administrator. The administrator will have ten (10) College working days to work with all parties to affect a resolution.

If the resolution presented by the administrator is not agreed to, the student may appeal the resolution to the appropriate vice President. The Vice President shall, within ten (10) College working days after the first receipt of the formal complaint, cause an investigation to be made of the unresolved complaint. The appropriate Vice President or Campus Dean shall, within twenty (20) College working days after receipt of the formal complaint, inform the student of the results of the investigation and the decision in writing. The Vice President/Campus Dean may recommend one or more of the following actions:

1. Offer a resolution to the complaint.

2. Dismiss the complaint.
3. Take appropriate action.

NOTE: Any time limit herein may be extended by five (5) College working days with notice to the student. Timeline may be further modified by mutual agreement. The student may appeal to the President. The President will review documentation submitted with the appeal and from the Vice President's investigation and make a final decision within five (5) days of receiving the student's appeal. The President will send a written notice to the administrators involved and student of the final decision.

Part-time & Full-time Faculty-Related Complaints from Students (not grade-related)

A. Informal Complaint

The goal of the informal process is to provide information to the student that will assist the student and instructor in mutually resolving the concern or problem.

The student may discuss the complaint informally with the faculty member, or the faculty member's supervisor. To address complaints in a timely fashion, students must begin the informal process within thirty (30) College working days of the alleged incident.

When discussing concerns or complaints with an instructor it is most effective to arrange a time when the instructor is available for a confidential conversation. Full time instructors have posted office hours. At most campuses adjunct faculty may meet a student in an office provided by the adjunct faculty department. It may also be helpful for the student to organize his or her thoughts by writing down the concerns prior to the meeting. It is important to note that breaks in a faculty member's instructional service time may affect the resolution timeline (i.e., Christmas Holidays and/or spring break).

If the student chooses to meet with the faculty member's supervisor, he or she should visit the instructional area or call the division to set up an appointment to talk with the instructor's supervisor. Information on where to find the instructor's supervisor is available at the Office of Dean of Academic Programs or Campus Dean's office. If the student is not satisfied with the discussion and suggested resolution, the student may file a formal complaint against the faculty member. Any formal complaint must refer to actions of the Faculty member within the course and scope of his/ her employment. A grade change request based strictly upon academic considerations shall not be considered a complaint against a Faculty member.

B. Formal Complaint

If the student believes the decision offered by the faculty member or the faculty member's supervisor through the Informal Process did not provide a resolution, the student may then use the Formal Complaint Process. A student may file a formal written complaint against a faculty member. The formal complaint must be filed within thirty (30) College working days from the date the decision was provided to the student. The formal written complaint must be as well defined, objective as possible and contain the following information:

1. Name of the faculty member.
2. Statement of facts and nature of the formal complaint.

3. Date(s) of the incident(s).
4. Resolution being sought by the student(s).
5. Name of the student(s) filing the formal written complaint.
6. Signature of the student(s) and the date submitted.

The student must submit the formal written complaint to the faculty member's Division Chair.

The faculty member's supervisor will have ten (10) College working days from the receipt of the formal written complaint to work with all parties to achieve a solution unless the faculty member is not available due to semester break and vacations. In those situations, the ten (10) days allowed for resolution will start and stop based on faculty contracts. If the resolution presented is not agreed to, the appropriate Vice President shall, within ten (10) College working days after receipt of the formal complaint, cause an investigation to be made of the unresolved complaint. During the Chair's investigation, he/she shall meet separately with the different parties who may, if they desire, have a representative with them. The formal investigation shall include the Chair, the faculty member, the student and/or any other person who has first-hand knowledge of the subject matter of the complaint, and/or each party's representative.

The appropriate Chair shall, within twenty (20) College working days after receipt of the formal complaint, inform the student and all other parties of his/her decision in writing.

The Chair may recommend one or more of the following actions:

1. Offer a resolution to the complaint.
2. Dismiss the complaint.
3. Take appropriate action.

The student may appeal to the President. The President will review documentation submitted with the appeal and from the Chair's investigation and make a final decision within five (5) days of receiving the student's appeal. The President will send a written notice to the Chair and student of the final decision.

Grade Complaints from Students

A. Informal Complaint

(Working days are defined as the College's regular hours of operation: Monday - Friday, 8:00 a.m. - 5:00 p.m.) The goal of the informal complaint process is to provide information to the student that answers the student's questions and concerns and/or to come to a resolution agreeable to the student and the college. A student who believes college academic regulations including college grading procedures and/or grading criteria have not been followed must attempt to resolve the issue by discussing the differences of opinion with his/her instructor as a first step.

If the student is unable to reach agreement with the instructor, the student may take the complaint to the department chair and then, if no resolution is reached, to the Dean of Academic Programs and finally to the Vice President of Instructional Affairs. Based upon professional judgment, the instructor is solely responsible for the semester/session grade assigned. No instructor may be directed to change a grade unless a mistake, fraud or bad faith by the instructor is proven; the burden

of proof for the existence of mistake, fraud or bad faith on the part of the instructor is the responsibility of the student. If resolution is not reached through the informal process, the student may file a Formal Complaint (form included in this packet). In cases where the instructor cannot be contacted by registered mail, the Division Chair for the same subject area, the Vice President of Instructional Affairs and the Registrar may certify grade changes.

B. Formal Complaint

The Formal Complaint procedure for Academic and Grade Regulations must be completed within 90 calendar days of the conclusion of the semester or session during which the student was enrolled in the course in which the grade is being challenged.

The student submits to the instructor's Division Chair or appropriate supervising administrator a written request asking for a meeting to resolve the complaint. The written request must include a detailed description of the grade complaint and appropriate documentation. The student must initiate this request within seven (7) working days of the student's meeting with the instructor. The Division Chair or appropriate supervising administrator will convene a Mediation Hearing Committee within fourteen (14) working days of receipt of the formal request and relevant data supplied by the student.

The Mediation Hearing Committee is composed of the faculty member, the student and the Division Chair who serves as chair of the committee.

The faculty member and the student may have an on-campus representative if they choose. Meetings of the Mediation Hearing Committee will be closed to observers.

If the issue cannot be resolved to the satisfaction of the instructor and the student at this step, the Mediation Hearing Committee Chair becomes responsible for deciding if the grade complaint is valid and what appropriate action will be taken. The Committee Chair's written decision and proposed action will be sent to the Vice President of Instructional Affairs within seven (7) working days of the meeting date. Copies of the decision and proposed action will be sent to the student and instructor involved. If there is no appeal by either party, the action proposed by the committee chair will be taken.

If either student or the instructor is dissatisfied with the decision or proposed action by the Mediation Hearing Committee Chair, an appeal may be made within seven (7) working days to the Vice President of Instructional Affairs or designee. This appeal will be a written memorandum outlining the nature of and the basis for dissatisfaction with the decision or action taken. A copy of the appeal is to be given to the committee chair and the student or instructor, as appropriate. Once the Vice President of Instructional Affairs or designee has received the appeal and a written answer from the committee chair, the Chair will meet with the student and instructor, separately or together, at the Chair's discretion within fourteen (14) working days to discuss the matter.

After reviewing the appeal with the President, the Vice President of Instructional Affairs has discretionary power to uphold, reverse, or modify the recommendation of the Mediation Hearing Committee Chair. The Vice President of Instructional Affairs will prepare a written decision that will be sent to the student, to the committee chair, and to the appropriate instructor. The decision of the Vice President of Instructional Affairs is final and completes the procedure for a complaint about academic, or grading practices at College of Micronesia-FSM. The Office of the Vice President of

Instructional Affairs will be the official repository of records regarding decisions or actions involving an Academic or Grade Regulations complaint.