

Student Complaint Policy

Introduction

Consistent with its commitment to students first, Dakota College at Bottineau has adopted this policy to assist both students and employees in the resolution of student concerns and complaints constructively, quickly and fairly.

Where minor concerns arise, students are encouraged to take a common-sense approach and raise them directly with the relevant employee, with the aim of resolving the concern at the lowest possible level and without undue formality. However, where informal discussions have not yielded a satisfactory resolution, or where the matter is more serious, the following policy provides for a more formal process to be pursued.

Complaints made under this policy will be monitored and reviewed to enable the college to continually improve processes and services in support of student learning. Student rights and responsibilities in relation to this policy are set out in the appendix to this policy.

Policy

1. Definitions in this policy:

Complaint is an allegation by a student that there has been an arbitrary or unfair application of, or failure to act pursuant to, the policies of Dakota College at Bottineau in relation to students. The complaint should be a written statement submitted by a student about a matter that requires formal consideration and resolution by the college in the terms set out in this policy. Fair play means the right to have a decision made by an unbiased decision maker who observes fair and impartial procedures.

2. Application and scope

- 1) This policy applies to student complaints about any aspect of the teaching and learning process and the broad provision made by the college to support that process.
- 2) This policy may not be used:
 - a. where the complaint can be dealt with under: the Computing Policy and Procedures, the Student Senate Bylaws, other club and student organization bylaws, the Student Conduct Policy, the Grade Appeal Process, the All College Student Conduct Committee, the Sexual Assault Policy, the Student Athlete Handbook and the Harassment Policy, or other general policies that provide a specific process for resolution of complaints.
 - b. to challenge the academic judgment of faculty.
- 3) No action will be taken on malicious or anonymous complaints
- 4) A complainant must be able to demonstrate that the complaint is brought without malice and is based on evidence that the complainant honestly and

reasonably believes to be substantially true. Those responsible for resolving complaints under this policy must take all reasonable steps to ensure that the complainant is protected against any subsequent recrimination or victimization.

- 5) Students and employees involved in the consideration and resolution of concerns and complaints have various rights and responsibilities, which are outlined in the appendix to the policy.

3. Informal resolution of concerns

- 1) Before making formal written complaints, students are encouraged to seek resolution to any concerns by raising and discussing them informally with the relevant employee who is most directly associated with the matter.
- 2) An employee with whom a concern is raised by a student is expected to deal with the matter in an open and professional manner and to take reasonable and prompt action to try to resolve it informally.
- 3) A student who is uncertain about how to seek informal resolution of a concern is encouraged to seek advice from the Associate Dean for Student Affairs, located in Room 118, Thatcher Hall (Student Services).

4. Formal complaint procedure

- 1) Where it has not been possible to resolve a concern informally, a student may make a formal complaint.
- 2) A student who wishes to make a formal complaint must submit it in writing, on the prescribed form (found at the end of this policy), to the Associate Dean for Student Affairs.
- 3) The written complaint must be submitted within one month after the occurrence of the action or matter that has given rise to the complaint, unless the Associate Dean for Student Affairs agrees to receive it beyond this time frame.
- 4) If the complainant prefers not to address the complaint to the person recommended in subsection (2), it may be addressed to the Campus Dean.
- 5) The Associate Dean for Student Affairs must acknowledge the student complaint in writing within three working days. He or she must also maintain a file of all documentation in relation to the consideration of the complaint.
- 6) The Associate Dean for Student Affairs must ensure that any employee member named in the complaint receives a copy as soon as practicable.
- 7) The Associate Dean for Student Affairs must consider the complaint in accordance with the principles of fair play, and must ensure that all parties to the complaint are accorded the full benefit of those principles.
- 8) The process may include meetings with relevant employee and/or the complainant. Where meetings are held, the parties may, if they wish, be accompanied by a peer support person.

5. Resolution of complaints

- 1) The Associate Dean for Student Affairs must make a decision in relation to the complaint and must communicate his or her decision to the parties, in writing, within 28 calendar days of receiving the complaint.
- 2) If the complaint involves a college policy or procedure and if, in the opinion of the Associate Dean for Student Affairs, the complaint has substance, the Associate Dean for Student Affairs must arrange for the relevant policy or procedure to be reviewed, with a view to preventing a recurrence and ensuring continued improvement.
- 3) If the resolution of the complaint involves potential disciplinary action for an employee, the Associate Dean for Student Affairs must follow the appropriate disciplinary procedures for employees. If the Associate Dean for Student Affairs does not have authority over the employee, then he/she may forward a recommendation for disciplinary action to the appropriate supervisor.

6. Appeals

- 1) Any party to a student complaint who is dissatisfied with a decision by the Associate Dean for Student Affairs under this policy may appeal to the Campus Dean or nominee of the Campus Dean. The Campus Dean's office is located in Thatcher Hall.
- 2) The appeal must be submitted in writing within two weeks of the letter communicating the decision.
- 3) The Campus Dean or nominee will consider the relevant documentation and may, at his or her discretion, consult the Associate Dean for Student Affairs about the decision. The Campus Dean may also interview any parties to the complaint.
- 4) If the Campus Dean determines that the complaint process has been conducted in accordance with this policy and the outcome is appropriate, the Campus Dean may dismiss the appeal. Otherwise, he or she will decide the appeal in consultation with any other parties. Subject to subsections (6), the decision of the Campus Dean or nominee under this section is final.
- 5) The Campus Dean will communicate his or her appeal decision in writing to the parties.
- 6) If the original complaint was addressed to the Campus Dean under section 4(4), any appeal must be made to the Campus Dean. That appeal will be considered and decided, in accordance with appeal processes consistent with those set out in this policy, by the Campus Dean or a nominee of the Campus Dean.

7. Confidentiality

All student related information will be considered confidential and protected under FERPA (Family Educational Rights & Privacy Act). Records relating to employees and other records that do not include student information are not confidential.

8. Report to the Student Complaint Log

All employees must submit a report to the Student Complaint Log, including an overview of the student complaint and decisions made regarding the complaint.

Appendix Rights and Responsibilities of Parties to a Student Complaint

- Parties to a student complaint have the right to
- Be treated with courtesy at all times
- A fair and timely investigation process
- Express their points of view without fear of recrimination
- Receive full information at all stages of the complaint process
- Be advised in writing of all decisions made in relation to the complaint
- Appeal the outcome as outlined in this policy

Parties to a student complaint have a Responsibility to

- Treat all parties with courtesy at all times
- Respect the points of view of others
- Respect the rights of all parties to the complaint with respect to confidentiality
- In the case of the complainant, ensure that the complaint is made in good faith and complies with the requirements of the Student Complaint Policy
- Provide full and accurate information to the person investigating the complaint
- Not take any action that may prejudice the situation or be regarded as an act of recrimination against any other party.