



## **Complaints and Grievances**

## **Student Complaints**

Wagner University provides a means by which a student may file a grievance or an appeal for academic and student life issues, excluding violations of the Standards of Conduct. Examples include the appeal of an academic dismissal, academic integrity violation, or denial of a request for a grade change.

An appeal is a student-initiated response to a faculty or university determined decision. A justifiable cause for a grievance shall be defined as 1) any act by any university employee that, in the opinion of the student, adversely affects the student and is perceived by the student as malicious, prejudicial, or arbitrary, or 2) an arbitrary or unfair imposition of sanctions.

### **Initial Grievance and Appeal Procedures**

The grievance process described below should be used after the following means have been exhausted.

1. In the area of academics, student concerns must be taken up first with the faculty member within 15 business days after the incident occurred. Outside of academic matters, the student should first address his/her concerns with the Dean (or Chief Operations Officer if the Dean is the subject of the concern) within 15 business days after the incident.
2. Failure to resolve an academic grievance after meeting with the faculty member requires an appeal in writing to the Dean (or Chief Operations Officer if the Dean is the subject of the concern) within five business days of the decision if the student wishes to pursue the complaint.
3. Failure to resolve a non-academic grievance after meeting with the Dean (or Chief Operations Officer, if the Dean is the subject of the concern) requires an appeal in writing to the Vice Chancellor within five business days of the decision if the student wishes to pursue the complaint.

## **Guidelines for Filing a Grievance**

In the event that the above procedures fail to resolve the problem, the student will indicate, in writing, the nature of the grievance, the evidence upon which it is based, and the redress sought. This letter, along with all supporting document(s), should be submitted to the Chancellor. The supporting documents should include a written response from the Dean (or Chief Operations Officer if the Dean is the subject of the concern). At that time, the Chancellor will convene a Grievance Committee and proceed according to the guidelines stated below.

1. Filing a grievance shall be initiated only after other attempts to resolve the matter have been exhausted. The student has no more than 10 working days after meeting with the individual he/she believed to have given him/her cause for grievance (e.g., final meeting with the Dean) in which to file his/her written statement. The time limit may be extended by the Chancellor at his/her sole discretion upon presentation of good cause.

2. The grievance process is initiated by submission of a written statement to the Vice Chancellor. The grievance document should be a complete set of materials that the student would like the Grievance Committee to review. Additional materials will be accepted later only in extenuating circumstances, at the discretion of the committee chair. The grievance statement must include:

- a. Names of the parties involved.
- b. A clear statement of the nature of the grievance.
- c. A narrative of the incident including:
  - i. What occurred
  - ii. When it occurred
  - iii. Where it occurred
  - iv. Who was present
- d. Evidence on which the grievance is based including supporting documents.
- e. Why this constitutes malicious, prejudicial, or arbitrary action on behalf of a staff or faculty member.
- f. What has been done to resolve the grievance per the “Initial Grievance and Appeal Procedures” above.

- g. The desired outcome(s).
- h. Written permission from the student authorizing distribution to members of the Grievance Committee any relevant information from the student's education record.

3. The chair of the Grievance Committee will submit a copy of the grievance to each person who will serve on the Grievance Committee for this incident, as well as to the faculty or staff members involved, and the Dean or Chief Operations Officer, as appropriate.

4. A meeting of the Grievance Committee will be scheduled by the chair within 10 working days of the date on which the petition was filed.

5. Meetings of the Grievance Committee shall be attended only by the parties named in the grievance, members of the Grievance Committee, witnesses invited by the Grievance Committee, and the Dean or Chief Operations Officer. No one other than members of the Grievance Committee may be present during deliberations, but a staff member may be present when necessary.

6. The student shall not bring legal counsel nor have a student or faculty represent him/her as counsel. Likewise, the Grievance Committee shall not have legal counsel present.

7. If a committee member is approached prior to a meeting by anyone, including the student whose case is to be heard, the member shall refuse to discuss the issue and should disclose, at the time of the meeting, that he/she has been approached.

8. Any committee member who has a potential conflict of interest, or who holds a bias or preconceived notion as to the facts of the case and has formed an opinion about them, or who may hold ill will toward the grieving student or the party alleged to have given cause for the grievance, must disclose to the chair, the nature of such feelings, bias, or potential conflict. He or she must be excused from participation upon request by such member, or at the discretion of the chair, and replaced by the chair with a substitute committee member of comparable station to the extent possible under the circumstances. The names of the Grievance Committee

members will be reviewed in advance of the committee meeting with the student, who can confirm that he/she is not aware of any bias against him/her on the part of any of the committee members.

If a student wishes to pursue a complaint against Wagner University, after exhausting all available appeals described in this handbook, he or she may file a complaint with the Colorado Department of Higher Education. Information on how to do so may be found at <https://highered.colorado.gov/Academics/Complaints/ComplaintPrivateInst.html>