

## **POLICY FOR HANDLING STUDENT'S COMPLAINT**

**Policy Name:** Handling of Student's Complaint at AIMU

**Policy Reference Number:** COR-GOV-POL-20171013-0004-00

**Previous Version of Policy:** N/A

**Policy Date:** 13<sup>th</sup> October 2017

**Responsible Office:** Associate Dean of Students

**Responsible Officer:** Associate Dean-Student + Dean, SOM, SON

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### **Policy Statement:**

The American International Medical University (AIMU) holds that activities at the College should be guided by written policies and that all members of the University Community, staff, students, suppliers and casual visitors should be familiar with and adhere to all AIMU's policies. AIMU is also committed to:

- a. Establishing policies that do not discriminate against any person on any basis whatsoever;
- b. Adopting only policies that are consistent with the laws of Saint Lucia and with the academic bye-laws of university;
- c. Updating its policies in a manner consistent with most recent and relevant knowledge;
- d. Ensuring that all members of the University become familiar with its policies;

### **Objectives of Policy:**

The major objectives of this policy are as follows:

1. To furnish clear and unambiguous guidelines for handling students' complaints against fellow students, faculties or facilities and services provided by AIMU.
2. To provide guidelines for handling complaints received from students in informal and formal way whichever is necessary.
3. To ensure that the said guidelines are strictly reflected in the Faculty Handbook, Student Handbook and that there no bias in favor of or against any student or faculty.
4. To provide clear guidelines allotment of administrator or faculty to investigate the matter of complaint and guidelines to decision making.

### **Who would be affected by the policy:**

This policy requires strict compliance by the teaching faculty, administration, and students.

### **Effective Period:**

This policy will remain in force for till there is a major amendment in the policies contained hereunder.

### **Guidelines for Handling Student Complaints:**

For the purposes of this policy, a student complaint is "an expression of dissatisfaction by one or more students about a university's action or lack of action, or about the service provided by or on behalf of the university."

- 1) ***Introduction.*** American International Medical University (AIMU) has a variety of procedures for dealing with student-related issues. Student complaints about the conduct of fellow students, faculties or any other academic concerns and non-academic are dealt with through the Dean's office or Vice-President of Administration. The University respects the academic freedom of faculty and will not interfere with that freedom as it relates to the content or style of teaching activities. Indeed, academic freedom is and should be paramount. At the same time, the University recognizes its responsibility to provide students with a procedure for addressing complaints about faculty treatment of students that are not protected by academic freedom and are not covered by other procedures. Examples might include incompetent or inefficient service, neglect of duty, physical or mental incapacity and conduct unbecoming a member of the staff. Any complaints regarding fellow students may be considered based on the nature of the complaints.
- 2) ***Determination of Appropriate Procedure.*** If students have any question about the applicable procedure to follow for a particular complaint, they should consult with the Associate Dean of Students. In particular, the Associate Dean Student affairs should advise a student if some other procedure is applicable to the type of complaint the student has.
- 3) ***Informal Resolution.*** Students are encouraged to attempt to resolve complaints informally with the fellow colleagues and the faculty member or to seek the assistance of the Dean or Associate Deans to facilitate informal resolution.
- 4) ***Formal Complaint.*** If the student does not pursue informal resolution, or if informal resolution is unsuccessful, the student may file a written complaint with the Associate Dean or, if the Associate Dean is the subject of the complaint, with the academic dean or a senior faculty member designated by the Management Council. If the Student has a complaint against a fellow student, then the matter can be taken to the Associate Dean of Student's office with a written complaint of matter. If the complaint is regarding a faculty, only students in a faculty member's class or present in another academic setting where the alleged conduct occurred may file complaints against that faculty member.
  - i) The complaint shall be filed within 30 calendar days of the alleged conduct unless there is good cause shown for delay, including but not limited to delay caused by an attempt at informal resolution. The complaint shall be as specific as possible in describing the conduct complained of.

- ii) The Associate Dean shall promptly send a copy to the student/faculty member about whom the complaint is made, along with a letter stating that the filing of the complaint does not imply that any wrongdoing has occurred and that a student/faculty member must not retaliate in any way against a student for having made a complaint. If either the student or the faculty member has reason to believe that the Associate Dean may be biased or otherwise unable to deal with the complaint in a fair and objective manner, he or she may submit to the Academic Dean a written request stating the reasons for that belief; if the request appears to have merit, the Academic Dean may, in his or her sole discretion, replace the Associate Dean as the assigned person to find facts. The Associate Dean may also submit a written request for recusal for good cause to the Academic Dean to review such requests. If a recusal request is granted, The Academic Dean will designate a different senior faculty to conduct the investigation, or, if no other faculty is available, an administrator designated shall serve in the faculty's stead. Further, the Management Council may re-assign investigations as necessary, including but not limited to situations in which an assigned member has not completed an investigation in a timely manner. In addition, during any time that no faculty is available to investigate a complaint, the College President may assign an administrator to investigate.
- iii) The Associate Dean shall meet with the complaining student and target student/faculty member, either separately or together, to discuss the complaint and to try to resolve it. The Associate Dean may seek the assistance of the Dean or another appropriate person to facilitate informal resolution.
- iv) If resolution is not possible, and the Associate Dean concludes that the facts alleged by the student, taken as true and viewed in the light most favorable to the student, establish that the conduct complained of is clearly protected by academic freedom, the Associate Dean shall issue a written report dismissing the complaint and setting forth the reasons for dismissal and will send a copy to the complaining student, the faculty member, and the Academic Dean. Otherwise, the Associate Dean shall conduct an investigation. The Associate Dean shall separately interview the complaining student, the faculty member and other persons with relevant knowledge and information and shall also consult with other faculties and, if appropriate, the Dean. The Associate Dean shall not reveal the identity of the complaining student and the faculty member to others except to the extent necessary to conduct the investigation. If the Associate Dean believes it would be helpful, he or she may meet again with the student and faculty member after completing the investigation in an effort to resolve the matter. The complaining student and the faculty member shall have the right to have a representative present during the initial meeting, the interview and any post-investigation meeting.
- v) In cases where there is strong preliminary evidence that a student's complaint is meritorious and that the student may suffer immediate and irreparable harm, the

Associate Dean may provide appropriate interim relief to the complaining student pending the completion of the investigation. The affected faculty member may appeal such interim relief to the Academic Dean.

- vi) At the end of the investigation, the Associate Dean shall issue a written report setting forth his or her findings and recommendations, with particular focus on whether the conduct in question is protected by academic freedom, and send a copy to the complaining student, the faculty member, and the Academic Dean. In ordinary cases, it is expected that the investigation and written report should be completed within 30 calendar days of the date the complaint was filed.
- 5) **Appeals Procedure.** If either the student or the faculty member is not satisfied with the report of the Associate Dean, the student or faculty member may file a written appeal to the Academic Dean within 10 calendar days of receiving the report, which time period may be extended for good cause shown. The Academic Dean shall convene and serve as the chairperson of an Appeals Committee, which shall also include the Associate Deans, two faculty members selected by the Dean one student selected by the Dean, preferably from the Student Government Association. The Appeals Committee shall review the findings and recommendations of the report, with particular focus on whether the conduct in question is protected by academic freedom. If the Appeals Committee decides to reverse the assigned investigator in a case where there has not been an investigation because the investigator erroneously found that the alleged conduct was protected by academic freedom, it may refer the matter to the investigator for further proceedings. The committee shall issue a written decision within 20 calendar days of receiving the appeal. A copy of the decision shall be sent to the student, the faculty member, the department chairperson and the president.
- 6) **Subsequent Action.** Following the completion of these procedures, the appropriate college official shall decide the appropriate action, if any, to take. For example, the academic dean may decide to place a report in the faculty member's personnel file or the management council may bring disciplinary charges against the faculty member. Disciplinary charges may also be brought in extremely serious cases even though the college has not completed the entire investigative process described above; in that case, the bringing of disciplinary charges shall automatically suspend that process. Any action taken by a college, whether interim or final, must comply with the bylaws of the University and with the laws of Saint Lucia.
- 7) **Implementation.** The university shall implement these procedures and shall distribute them widely to administrators, faculty members, and students and post them on the college website.

**Number of pages:** This document consists of Four (4) pages.