

## STUDENT COMPLAINT PROCEDURES

### Introduction

CIIS is an academic community committed to fostering intellectual inquiry in a climate of academic freedom and integrity. Its community members are expected to uphold these principles and exhibit tolerance and respect for others. Thus, the Institute works to promote tolerance, dignity and respect.

- Any student who believes that he or she has a valid complaint regarding a decision by or on behalf of the Institute has access to the **General Student Complaint Procedure**, Section A. below. Students are requested to first try informal means to resolve problems and complaints. A student's good-faith initiation of a complaint under this process and participation in the process will not be the basis of any adverse decisions by the Institute concerning that student.
- CIIS has separate procedures for complaints of sexual and other unlawful harassment, discrimination and retaliation. Please read the Policy Against Sexual and Other Unlawful Harassment and Discrimination set forth in the Student Handbook on p. 39-40. Please also read **Complaint Procedure for Complaints of Sexual and Other Unlawful Discrimination, Harassment or Retaliation**, Section B. below, for a brief introduction to those procedures.
- Academic assessment of students resides with the faculty. In issues relating to academic evaluation brought by a student with respect to a decision or evaluation by a faculty member, department, or program, including a grade or pass/fail decision with regard to a course or other program activity. The complaint procedure is limited to assuring that the assessment was made based on academic criteria. This procedure is a separate process; see **Grade Appeal Procedure**, Section C below. Any academic sanctions imposed on a student, such as expulsion, suspension, probation and revocation of any degree or honor, shall be appealed in accordance with the **General Student Complaint Procedure**, Section A. below.

### A. GENERAL STUDENT COMPLAINT PROCEDURE

It is the policy of the Institute to resolve student complaints through the General Student Complaint Procedure. This process resolves in a final and exclusive manner any complaint of violations of Institute policies and procedures contained in this Handbook and any and all other unresolved student complaints based on the Institute's policy against discrimination, harassment and complaints challenging a final grade. Any other complaint or controversy which relates to the interpretation or the application of the Handbook or of other publications of the Institute related to students shall be finally exclusively resolved by the General Student Complaint Procedure. This procedure is not for complaints against other students.

## **Step 1: Informal Resolution**

a.) The student should discuss the matter with the individual responsible for the decision or action complained of. If no resolution results, the student should consult with the appropriate unit head, department chair or program director. If the matter remains unsettled, the student must notify and consult with the Dean of Students who may involve other administrators. Every effort should be made to resolve the matter at this informal resolution level before initiating further action. Discussion aimed at informal resolution generally lasts for no more than thirty (30) days following the end of the semester when the incident occurred.

b.) In cases that are deemed by the Dean of Students to warrant assistance by an ombudsperson selected by the Institute, the matter can be referred to an ombudsperson upon agreement of the student and the Dean of Students. This referral shall occur no sooner than thirty (30) days following notice to and consultation with the Dean of Students as set forth in paragraph (a) above and before sixty (60) days have elapsed.

The ombuds process is an informal process designed to make appropriate inquiries into the facts, to provide options for resolution and is conducted in accordance with the Code of Ethics adopted by the International Ombudsman Association which requires independence, impartiality, and confidentiality. The ombudsperson shall be appointed by the President but shall not reveal information considered by the Ombuds to be confidential unless the party providing the information consents or unless such information suggests imminent risk of serious physical harm. The ombudsperson shall make recommendations where appropriate, but all decisions by the Institute concerning the matter shall be made by the President with the assistance of the Dean of Students and/or other administrators as deemed appropriate.

## **Step 2: Formal Resolution**

Within fifteen (15) calendar days of the conclusion of the Informal Resolution stage, a student dissatisfied with the informal resolution may seek formal resolution by transmitting to the Dean of Students Office a written statement documenting the basis of the complaint, all persons involved, adverse consequences, informal efforts at resolution made to date and corrective action sought. In addition, in cases that are deemed by the Dean of Students to warrant formal review, the Dean may refer the matter to the Formal Resolution stage within thirty (30) days following the notice to the Dean of Students that Informal Resolution efforts have failed. The Dean of Students shall notify all concerned that the Formal Resolution process has begun.

The Dean of Students will transmit the written complaint to the Academic Vice President or senior Institute person designated by or on behalf of the Academic Vice President, who shall appoint a Reviewing Officer. This Reviewing Officer shall be chosen among faculty or staff and shall be a person with relevant knowledge and capable of making a

thorough and unbiased inquiry into the matter. The Reviewing Officer will afford the Complainant and the administration a reasonable opportunity to present their respective views, relevant facts and information and to identify persons having pertinent information. The Reviewing Officer or other senior Institute administrator may utilize the assistance of an independent fact finder in conducting an investigation.

The Reviewing Officer shall, within twenty (20) days after all information is obtained, issue a summary written report and recommendations, a copy of which shall be sent to the Complainant and the original to the Dean of Students or Academic Vice President of the Institute. The Academic Vice President or Dean of Students will review the report and accompanying recommendations and will submit a proposed final decision to the President with a copy to the Complainant. The President will issue the final and binding decision.

### **Step 3: Arbitration**

The formal resolution at Step 2 is final, except in cases of dismissal of the student and such other matters as determined by the Institute on a case-by-case basis. If the student does not accept the formal resolution in such situations, s/he may request neutral arbitration by submitting a letter to the Academic Vice President within thirty (30) calendar days of receipt of the formal resolution.

The neutral arbitrator shall be selected by mutual agreement of the student and the Academic Vice President. If they cannot agree on an arbitrator, they will submit the matter to the American Arbitration Association (AAA), San Francisco, for selection of an arbitrator qualified and experienced in higher education institution academic matters. The matter shall proceed to arbitration if the student and the Institute shall execute a written agreement providing for final and binding arbitration, a decision within thirty (30) days of completion of hearing, and that any award rendered shall be conclusive and judgment thereon entered in any state or federal court having jurisdiction.

The arbitrator shall have no power to add to, subtract from, alter or ignore the provisions of any Institute policy. The Arbitrator shall not be authorized to determine damages beyond those necessary to compensate for actual losses.

The cost of the administrative fee and professional fees of the arbitrator shall be borne equally by CIIS and the student, unless the student substantially prevails on the merits, in which case CIIS shall pay all such fees of the arbitrator.

## **B. COMPLAINT PROCEDURE FOR COMPLAINTS OF SEXUAL AND OTHER UNLAWFUL DISCRIMINATION, HARASSMENT OR RETALIATION**

Any students or other person who believe they have been subjected to sexual or other unlawful harassment, discrimination, or retaliation in the course of an Institute-administered program, job, or activity, or wishes to report awareness of such conduct, should provide as soon as possible a written or oral complaint to any Institute officer

and/or the Director of Diversity and Human Resources. Please read the Policy Against Sexual and Other Unlawful Harassment and Discrimination set forth in the Student Handbook.

The person making the complaint (the Complainant) should include details of the incident(s), name of the person alleged to have engaged in the conduct (the Respondent), and the names of any witnesses.

Institute core faculty, officers, supervisors and managers have a duty to report any conduct they believe may constitute unlawful harassment or discrimination to the Director of Diversity and Human Resources and, at their option, to their supervisor.

The Institute's inquiry into the complaint will be timely and thorough. The Institute will take prompt and effective corrective action for any unlawful conduct.

### **C. GRADE APPEAL PROCEDURE**

Appeal of a course grade must be based only on evidence of instructor bias or factual error in compilation of a grade. Course grades involve the objective and subjective evaluation of a student's academic performance by the instructor. It shall be assumed that the grade assigned is correct and thus the student appealing the grade must justify the need for a change of the grade assigned. The student must make his/her request for a grade appeal no later than the last day of the semester following the one in which the course was completed (excluding summer). The process must be completed by the end of the semester following the initial filing (excluding summer).

- a.) Questions and concerns about course grades should always first be discussed with the faculty member who taught the course. Normally, grade appeals are resolved informally between the student and the faculty member involved.
- b.) If successful resolution with the instructor is not accomplished, a formal appeal may be filed with the Program Director provided that the basis for the appeal is perceived bias or error by the instructor. The Program Director may contact both parties to determine whether informal resolution is possible. If the appeal concerns a grade given by the Program Director, the student files the formal appeal with the Academic Vice President who brings it to the Program Directors in the appropriate school. The School Program Directors designate one of their group to respond.
- c.) An appeal about a course grade may go forward to the Program Committee (or to an ad hoc Appeal Committee) for review only if the appeal includes factual evidence and a clear position statement to support the student's belief that error or bias has occurred. The student should take care to state why s/he believes the grade reflects bias or error. Supporting documentation must be attached.
- d.) The Program Committee may review the appeal or refer it to an ad hoc Appeal Committee. The faculty member whose grade is under dispute will not participate in

the appeal deliberations. The committee considering the appeal will talk with both the student and the faculty member.

e.) The committee makes its recommendation to either keep or change the desired grade and so notifies the student and the faculty member. If the grade is to be changed, the committee forwards the grade change to the Registrar with a copy of the grade change sent to the student. The decision of the committee is final.