



Procedure 503-05 Student Complaint

Sponsor: Academic and Student Affairs

Purpose

This procedure describes the process by which a student may grieve a non-academic complaint concerning an alleged violation of college policy, infringement of student rights, and other such problems dealing with college employees, services, and authorized college activities.

Definitions

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) – is a Federal law that protects the privacy of student education records.

Non-Academic Complaint – A complaint, filed by a student, regarding a non-academic matter that concerns a college policy, infringement of student rights, and such problems dealing with college employees, services, and authorized college activities.

Personal Records - Records which are kept in the sole possession of the maker of the records, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the records.

State Authorization Reciprocity Agreement (SARA) – Is an agreement between institutions, states and higher education regional compacts for the delivery of distance education across state borders. Institutions are reviewed and approved to participate by each state's SARA Portal Agency.

Procedure

The Student Complaint procedure is to be used for a complaint not already addressed through other specific College policy and procedures, including grade appeals, academic violations, student discipline, or financial aid appeals. If another procedure exists for the complaint in question, the staff member, faculty member, or administrator will refer the student to the appropriate procedure. Potential intervention by third parties or examination of educational records during the non-academic complaint process is subject to the Family Educational Rights and Privacy Act of 1974 (FERPA) as amended. Students who pursue appeals under false pretenses may be subject to disciplinary action under the Code of Student Conduct procedure (503-01).

Failure to begin the informal complaint process within the timeframes set forth in this Procedure shall constitute a waiver of the complaint. Failure at any step of this Procedure to appeal to the next level within the specified timelines described herein shall be deemed acceptance of the decision rendered at that step and there shall be no further right of appeal.

Level 1 Informal Complaint Process:

The goal of the informal complaint process is to provide information to the student that answers their question(s) and concern(s) and/or to come to a resolution agreeable to the student and the College.

To address non-academic complaints in a timely fashion, the student must begin the informal process within ten (10) College working days of the alleged incident.

Every effort will be made to resolve the appeal at the lowest level. When a student wishes to resolve a non-academic complaint, they should attempt to resolve the issue by:

1. First, conferring directly with the college employee with whom they have the complaint and attempting to resolve the complaint.
2. Second, conferring with that employee's immediate supervisor if the employee does not address the complaint to the satisfaction of the student (see table below).

Complaint Against or About:	Contact:
Staff	Area Supervisor
Part-Time Faculty	Lead Faculty
Full-Time Faculty	Academic Dean
Administrator	Next Level Administrator
College Policy or Procedure	Dean of Student Affairs

Students, faculty, and supervisors (when applicable) will each take notes regarding the informal resolution and keep those notes in their personal records.

Level 2 Formal Complaint Process:

If the student has followed the informal complaint process and the complaint was not resolved to their satisfaction, they may file a formal written complaint with the Dean of Student Affairs within ten (10) College working days of a resolution being offered.

The formal complaint must contain the following information:

1. Name of the student(s) filing the formal complaint.
2. Name of the employee the complaint is against or the College Policy/Procedure it 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 Dean of Student Affairs will forward a copy of the formal complaint to the respondent (the person against whom the student has the complaint) and the appropriate supervisor(s). The Dean of Student Affairs will work with all parties involved to mediate the complaint in a timely manner. In order to mediate the complaint, the Dean may engage faculty or staff members relevant to the complaint in an informal discussion. Within ten (10) College working days, the Dean of Student Affairs will notify the student in writing of the outcome. If all parties accept the decision, the decision will be considered final.

The Dean of Student Affairs will take notes of the formal complaint proceedings and keep them in their personal records.

Level 3 Appeal Procedure:

Within ten (10) College working days of the Level 2 resolution being offered, a student or respondent (the person against whom the student has the complaint) wishing further action on the complaint must submit a copy of their completed complaint resolution form and any additional evidence to support the appeal to the Provost. Within twenty (20) College working days of receipt of the complaint resolution form, the Provost will complete an investigation of the unresolved complaint, render a decision, and inform the student and the person against whom the student has the complaint, Dean of Student Affairs and vested Administrator(s) of the decision in writing. The Provost may take one or more of the following actions:

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

The Provost will take notes of the appeal proceedings and keep them in their personal records.

Distance Education Students Residing outside Arizona:

The Arizona SARA Council has jurisdiction over Arizona SARA approved institutions regarding non-instructional complaints for distance education students. Upon completion of the institution's and AC4's complaint process, a student may register a complaint with the Arizona SARA Council. Visit the AZ SARA Complaint Process website for more information: <https://azsara.arizona.edu/complaints>.

References

Procedure 503-01: Code of Student Conduct
20 U.S.C. § 1232g; 34 CFR Part 99: The Family Educational Rights and Privacy Act (FERPA)

Procedure History

04/06/2004	New
09/14/2011	Revised
12/19/2014	Revised (updated for compliance with WIA)
02/25/2021	Revised, Renamed (Student Grievance) and approved by Executive Leadership Council
07/14/2021	Updated to reflect changes to complaint process for students residing outside Arizona or non-residents of Arizona
12/15/2021	Revised and approved by Executive Leadership Council
07/28/2022	Updated SARA link

Legal Review

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