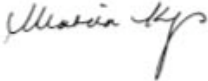


MEMORANDUM

To: York College Faculty, Staff and Students

From: Marcia V. Keizs 
President

Date: December 3, 2007

Subject: York College Procedure for Handling Student Complaints
about Faculty Conduct in Formal Academic Settings

On February 1, 2007, the procedure for handling student complaints about faculty conduct in formal academic settings was adopted by the CUNY Board of Trustees. The procedure addresses student complaints about faculty conduct that is not protected by academic freedom and not addressed by other procedures (i.e. sexual harassment, academic standards, to name a few).

The University and its colleges felt it was their responsibility to have a procedure that covered the way students were treated by faculty in academic settings. Some examples might be, inefficient service, neglect of duty, physical or mental incapacity and/or conduct unbecoming a member of the faculty.

Attached to this memorandum are three documents to be used to facilitate the process of handling complaints.

- Attachment #1 is a brief description of what the procedure entails.
- Attachment #2 is entitled the **Student Complaint Form**, which is filled out by the student when he/she is filing a formal complaint against a faculty member. This form is then submitted to the department chairperson or academic dean.
- Attachment #3 is entitled **Notification of Student Complaint**. It is used by the chairperson or academic dean to notify the subject of the complaint (faculty member) that there has been a complaint filed against him or her.

Initially copies of the forms will be located in the offices of each academic department, divisional deans, and Compliance Programs and Legal Affairs (CPLA). Additionally, one can access a copy of the University's procedure for handling student complaints in its entirety on the CUNY portal or York College's CPLA website.

York College

Procedure for Handling Student Complaints

The procedure for handling student complaints about faculty conduct in formal academic settings was adopted by the Board of Trustees effective February 1, 2007. The University and its Colleges view academic freedom as being very important, but at the same time want to recognize their responsibility to provide students with a procedure for addressing complaints about faculty treatment of students that are not protected by academic freedom. Examples might include inefficient service, neglect of duty, physical or mental incapacity and conduct unbecoming a member of the staff. Thus far, there are a variety of procedures for dealing with student-related issues, including grade appeals, academic integrity violations, student discipline, disclosure of student records, student elections, sexual harassment complaints, disability accommodations, and discrimination.

- (i) **Informal Resolution.** Students are encouraged to attempt to resolve complaints informally with the faculty member, for example, make an appointment to meet with the faculty member during office hours or where appropriate the academic dean.
- (ii) **Formal Complaint.** In an effort to make the formal complaint process seamless, the following documents were developed to be used where there is a complaint filed by a student.
- A. The student may file a written complaint with the department chairperson (“Fact Finder”). The formal complaint has to be filed within thirty (30) calendar days of the alleged conduct unless there is good cause shown for delay. The complainant should be as specific as possible in describing the conduct complained of. The complaint should be filed on the Student Complaint Form. (*Attachment 2*)
 - B. The Fact Finder shall promptly send a copy to the 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 faculty member must not retaliate in any way against a student for having made a complaint. (*Attachment 3*)
 - C. The Fact Finder meets with the complaining student and faculty member, either separately or together, to discuss the complaint and try to resolve it.
 - D. If resolution is not possible, and the Fact Finder 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, he or she shall issue a written report dismissing the complaint and setting forth the reasons for dismissal and send a copy to the complaining student, the faculty member, the chief academic officer, the chief student affairs officer, and the legal affairs office (CPLA).
 - E. At the conclusion of investigation, the “Fact Finder” shall issue a written report setting forth his or her findings and recommendations. A copy of the report shall be sent to the complainant, the faculty member, the chief academic officer, the chief academic student affairs officer, and the legal office (CPLA). The process should be completed within 30 days after date it was filed.

***The link to the full text on the procedure for handling student complaints about faculty conduct in formal academic settings is available on the CUNY portal or the York College’s CPLA website.**