

## Response to Charge S-1712

### **S-1712 Procedures for Handling Student Complaints Against Rutgers Personnel:**

#### **A. Charge:**

Consider and make recommendations for improving procedures for handling student complaints against Rutgers personnel, as well as how those procedures are communicated to students and personnel.

#### **B. Background:**

There are student complaints that are not covered by Rutgers University policies, and that are handle in an ad-hoc manner by department chairs, deans and other administrators. For grade complaints there is an established policy in the course catalog for each campus. For issues related to the following policies there are established procedures for handling complaints: Policy Prohibiting Sexual Harassment, Sexual Violence, Relationship Violence, Stalking, and Related Misconduct by Employees and Third Parties Resources Supplement; Discrimination, Harassment, Workplace Violence, Sexual Misconduct, and Retaliation; Policy 60.1.12, Policy Prohibiting Discrimination and Harassment; Policy 60.1.13, Policy Prohibiting Workplace Violence; Policy 60.1.16, Conscientious Employee Protection Policy; Policy 10.3.12, Student Policy Prohibiting Sexual Harassment, Sexual Violence, Relationship Violence, Stalking, and Related Misconduct; Policy 10.2.11, Code of Student Conduct; RBHS Students Rights, Responsibilities and Disciplinary Procedures; and Student Life Policy Against Verbal Assault, Harassment, Intimidation, Bullying and Defamation.

A policy gap exists when the student complaint against a faculty member does not fall within the above list of policies. When a complaint is made that falls into this gap concerning an instructor, the department chair, dean or other administrator may make a decision concerning the complaint without consulting the instructor. There is a need to review existing policies, identify the policy gap concerning student complaints, and make appropriate recommendations.

#### **C. Reason for Policy**

To provide a grievance procedure for student complaints not covered under existing University Policies and provide a procedure for resolution of such complaints

#### **D. Discussion:**

The FPAC investigated how some Big 10 schools handle student complaints outside the areas of grade, harassment, violence and retaliation. The committee also had Mary Beth Daisey, Associate Chancellor for Student Affairs for the Camden campus review how Camden addresses student complaints which are not covered by existing policies. The Associate Chancellor for Student Affairs reviewed the processes for complaints both covered by existing policies and those that are not covered by university policy. The Camden campus has a protocol to handle complaints and works with faculty and departments to address student issues.

In effect, the Camden campus Associate Chancellor acts as an ombudsman coordinating student complaints through the chain of command (chair, assoc. dean, dean, etc.) -or- she refers students to the appropriate authority for complaint resolution. Further, based on information from FPAC members, the Rutgers Biological and Health Services School also uses the position of ombudsman to handle and respond to student complaints. The Camden Assistant Chancellor stated that in coordinating student complaints, both the student and the faculty member/ administrator listed in the complaint are given equal time to respond.

VP for HR Vivian Fernandez noted that complaints about poor teaching should be addressed at department and school level and should remain there.

The FPAC also reviewed current Rutgers policies to see how they might pertain to this charge:

- Policy 60.1.10 Complaints Against University Employees and Third Parties
- Policy 60.1.12, Policy Prohibiting Discrimination and Harassment
- Policy 60.1.13, Policy on Workplace Violence
- Policy 60.1.16, Conscientious Employee Protection Policy
- Policy 60.1.28, & 10.13.12: Policy Prohibiting Sexual Harassment, Sexual Violence, Relationship Violence, Stalking, and Related Misconduct by Employees and Third Parties
- Policy 60.3.1, Special Grievances Procedure for Specific Staff Employees

#### **E. Summary:**

Students and faculty would like a standard set of guidelines with a clear path for complaints that are outside of existing policies - that such a process should include the right for a faculty or administrator appeal/ response. It should also list the student affairs contacts on each campus (most students appear to have no knowledge of this office on their campus).

#### **F. Suggested Recommended Procedure:**

Student reporting of a complaint against Rutgers Personnel

##### 1. General Reporting Responsibilities

Any student member of the University community who has a complaint against a member of the administration or faculty and said complaint is not covered by existing Rutgers policies should promptly notify the designated individual on their campus for student complaints. Said individual should be listed as a member of the administration. Example: Associate Chancellor for Student Affairs. This office and contact information should be posted and public.

2. The designated administrative official shall immediately document the complaint and forward it to the appropriate department head, faculty department chair or other appropriate individual. That individual shall then respond to the complaint and ask the employee involved in the complaint for a response. Should this approach not be appropriate, the designated administrative official will advise the student of an alternate course of action. Normally this would be to carry the complaint to the department head or faculty chair, then to the appropriate VP or dean.

#### **G. Resolution:**

### **Be it Resolved That:**

the Rutgers University Senate urges the Rutgers Administration (and in particular the Human Resources function):

1. to designate an individual on each campus to be responsible for coordinating student complaints not covered by existing policies, and to publicize contact information for the designated individual
2. to institute and document a procedure for investigating such student complaints based on the following guidelines:
  - a. any student member of the University community who has a complaint against a member of the administration or faculty that is not covered by existing Rutgers policies should promptly notify the designated individual on their campus
  - b. the designated administrative official should immediately document the complaint and forward it to the appropriate department head, faculty department chair or other appropriate individual, who should then respond to the complaint and ask the employee involved for a response
  - c. should this approach not be appropriate, the designated individual should advise the student of an alternate course of action; for example, to refer the complaint to the appropriate VP or Dean.

**H. Members of the FPAC:  
Faculty and Personnel Affairs Committee 2017-2018**

**Markert, Joseph, RBS:N/NB (F), Co-Chair**

**Settles, Alexander, RSB:N/NB (F), Co-Chair**

Alizadeh, Farid, RBS:N/NB (F)

Ardeshna, Anil, RSDM (F)

Boruchoff, Susan, RWJMS (F)

Bugel, Mary Jo, RBHS At-Large (F)

Craig, Vicki, RWJMS (F)

Eastman, Wayne, RBS:UNB (F)

Eisenstein, Robert, RWJMS (F)

Fernandez, Vivian, VP Faculty/Staff Resources (non-Senator)

Filippelli, Anthony, PTL-RBHS (F)

Goldfarb, Sally, Law-C (F)

Gould, Ann, SEBS (F)

Ivanovski, Igor, SGS (S)

Langer, Jerome, RWJMS (F)

LaPointe, Eleanor, SAS-NB (F)

Leavy, Barbara, PTL-C (F)

Linz, Sheila, At-Large Camden (F)

Manyaga, Jacquelyn, SCI (S)

Marchick, Natasha, SMLR (S)

Minsky, Naftaly, SAS-NB (F)

Novelli, Dominic, PTL-N (F)

Pagan, Kevin, Newark Staff

Pandey, Virendra, NJMS (F)

Ponzio, Nicholas, NJMS (F)

Potter, Jonathan, SCI Dean (A)

Powell, Kristen, SSW (F)

Robinson, Joanne, Nursing-C Dean (A)

Saltzman, Cynthia, PTL-C (F)

Schneider, Laura, SAS-NB (F)

Shinn, Christopher, SB-C (S)

Steinberg, Marc, RBHS At-Large (F)

Thompson, Karen, PTL-NB (F)

Toney-Boss, Permelia, Newark Staff

Warburton, Joseph, CCAS (S)