# Student Complaint Procedure for Adjunct Faculty and Instructors

The purpose of this procedure is to promote the just, prompt, and efficient resolution of student complaints containing allegations regarding the assigned academic duties, including grade appeals, of adjunct faculty and instructors who are not covered by the University of Montana or Missoula College Collective Bargaining Agreements1.

## Informal Complaint Procedure

Before a student may file a formal complaint, the student must first attempt to resolve the issue with the instructor, the department, and the Dean’s office.

## Formal Complaint Procedure

A complaint under this procedure must be initiated within thirty (30) working days from the date of the act or omission that caused the complaint, or from the date that the student knew or reasonably should have known of such act or omission.

To initiate a complaint, the student must bring the matter to the ASUM Student Resolution Officer (SRO) or designee. The SRO will assist the student to complete a complaint form which contains the following information:

* name of student complainant
* date(s) of the act(s) or omission(s) that caused the complaint
* name of the instructor involved in the complaint (respondent)
* summary and explanation of the facts which form the basis of the complaint
* names of potential witnesses
* list and attachments of supporting documents
* description of remedy requested
* signature of complainant and date (“initiation date”)

The SRO, within fifteen (15) working days of the initiation date, will schedule a meeting with the respondent. The student and the respondent may each bring a witness to this meeting. The student’s witness, the SRO, will serve as an advocate for the student. The respondent may also have an advocate at the meeting. The parties should make an effort to resolve the complaint during this meeting.

If the complaint is not resolved within twenty (20) working days of the initiation date, either the student or SRO should submit the written complaint to the Provost and request a hearing before the Student Complaint Committee. If the SRO does not submit the request for a hearing to the Provost, the student’s request must include the reason that the SRO did not submit the complaint to the Provost. The Provost or designee will then forward the complaint to the respondent, to the SRO, if the SRO did not submit it, and to the Chair of the Student Complaint Committee.

Within fifteen (15) working days of the date the request for a hearing is received by the Provost, the Student Complaint Committee will hold a hearing on the complaint. The hearing must be conducted pursuant to procedures to be developed in a preliminary meeting attended by, and where procedures are subject to mutual agreement by the Committee Chair, the SRO (if the SRO is advocating for the student), the respondent, and the student complainant and if requested by any of these attendees, the University Legal Counsel. If either party is represented by legal counsel, the University Legal Counsel will be present.

The purpose of the hearing is to determine findings of fact and recommend either dismissal of the complaint, or a specific remedy limited to curing the act or omission for which the complaint was filed, or discipline.

During the course of its deliberation, the Committee may confer with the parties to the complaint and may confer with other individuals at the Committee’s discretion.

The Committee will make its decision by open majority vote. The Committee will provide its written decision to the parties and to the Provost, together with any written minority reports within fifteen (15) working days of completion of the hearing.

The Provost or designee will review the case within five (5) working days of receipt of the written report(s) and either approve the majority report or remand the case to the Committee together with objections and a suggested alternative resolution. The Committee must, within five (5) working days of receipt of the Provost’s suggested alternative resolution, either accept it or forward its own suggested alternative resolution to the University President.

The University President may accept or reject the Committee’s suggested alternative resolution. Implementation of a specific remedy rests with the University President, whose decision is the final campus disposition of the complaint. The President must provide the Committee, the Provost, and the parties, with a rationale for the final campus disposition, should it differ from that suggested by the Committee. The President will send copies of the final decision to all parties involved.

Upon receipt of the President’s decision, any party may exercise appeal rights consistent with Board of Regents Policy No. 203.5.2.