

13.02.99.C0.02 Student Complaints Regarding Staff/Employees

Approved: March 21, 2016
Revised: March 21, 2016
Next Scheduled Review: March 21, 2021



PROCEDURE STATEMENT

Texas A&M University-Corpus Christi students are vital members of the campus community and the University is committed to fostering intellectual inquiry within a climate of academic freedom and integrity. Students, faculty and staff are expected to promote these goals in the context of inclusiveness, mutual respect, and tolerance for others.

REASON FOR PROCEDURE

This procedure provides students with a process for addressing complaints of staff conduct that is not addressed by other complaint procedures (i.e. Civil Rights). TAMUCC recognizes its responsibility to provide students with a procedure for addressing complaints about treatment by staff that are not covered by other procedures (i.e. Civil Rights). This conduct may include: failure to show appropriate respect; misuse of authority, or other staff conduct that adversely affects the learning environment. It is intended that all problems be resolved, whenever possible, before the filing of a complaint. Open communication between students, staff and faculty members is encouraged so that resorts to the formal complaint procedure will not be necessary. Students found to have intentionally made false or materially misleading allegations under this procedure will be subject to discipline in accordance with Student Code of Conduct.

Students shall have protection from retaliatory action based upon the filing of a complaint and or participation of a witness.

PROCEDURES AND RESPONSIBILITES

1. Complaint Process

1.1 Students are encouraged to attempt to resolve complaints informally with

the staff member to facilitate resolution of their concerns and/or complaint.

- 1.2 If a satisfactory resolution cannot be found at the student-staff level, or if the staff member is unavailable or no longer with the university, or the student elects to not proceed with section 2.1, the student should submit the complaint in writing, to the appropriate department supervisor. The complaint should be as specific as possible. Complaints against supervisors will be submitted directly to the next level supervisor in the leadership chain.
- 1.3 The complaint must be submitted within seven (7) business days of the alleged conduct unless there is good cause shown for delay.
- 1.4 The department supervisor will review and resolve the complaint within 15 business days. Upon completion of the review, the Department supervisor will inform their respective supervisor and forward a summary of the complaint, parties, and resolution to the Employee Development & Compliance Services Department for inclusion in the campus complaint resolution database.

2. Appeal Process

- 2.1 If the student believes the matter is not satisfactorily resolved the student may file an appeal via the TAMUCC confidential on-line Complaint Resolution Forum (<http://www.tamucc.edu/marcom/complaints/>) or by visiting the Employee Development and Compliance Services (EDCS) department.
- 2.2 The appeal should be as specific as possible.
- 2.3 The appeal must be filed within seven (7) business days of the communication of the unsatisfactory resolution by the department supervisor, unless there is good cause shown for delay.
- 2.4 Within five (5) business days of receipt, the Employee Development & Compliance Services (EDCS) Department will forward the appeal to the appropriate Vice President for resolution, and also send notice that the complaint has been filed to the staff member, and the department head.

3. Appeal Investigation

- 3.1 The Vice President of the respondent staff member's division is the designated authority for the investigation and resolution of complaints under this procedure.

- 3.2 The Vice President may delegate responsibility for conducting the investigation to the Employee Development & Compliance Services Department, or to another employee within their division.
- 3.3 As occasioned, the investigator(s) may recommend interim appropriate actions in support of the student's academic success to the Vice President for Student Engagement & Success pending the completion of the investigation.

4. Findings/Action Required

- 4.1 Upon concluding the investigation, the investigator(s) shall issue a written report to the Vice President setting forth findings based on a preponderance of the evidence standard. A preponderance of the evidence is defined as enough evidence to convince the investigator(s) to decide in favor of one side or the other based on the evidence's probable truth and/or accuracy.
- 4.2 In ordinary cases, it is expected that the investigation and written report shall be completed within fifteen (15) business days of the date the appeal was filed. However, the Vice President may approve extensions as appropriate. The student (complainant), staff member (respondent), Department Head, and Vice President for Student Engagement & Success will be informed of these extensions.
- 4.3 Upon receipt of the investigation report and findings, the Vice President will review the report, make a determination, and inform the complainant and respondent within five (5) business days. The staff member may be subject to appropriate reprimand, discipline, and/or training, as deemed necessary based upon the findings. The Vice President's decision will be final and communicated in writing to both the student complainant and staff member respondent, with courtesy copy communication to the staff member's supervisory chain, Vice President for Student Engagement & Success, and Employee Development & Compliance Services Department.

5. Training/Education/Information

Information regarding this procedure will be provided in the Student Handbook, student, staff and faculty orientations and regular department meetings, and on the TAMU-CC complaint resolution webpage. Additionally, periodic notices about TAMU-CC's procedures will be sent to students, all employees and supervisors, and will include specific information about this complaint procedure.

6. Monitoring/Compliance Review

TAMU-CC will monitor the implementation of this procedure on a bi-annual basis. Information provided through the complaint process is collected according to number and type of complaint received, timeframes for assessment and action, complaint decisions/outcomes and other information quarterly.

Reports of the data and the complaint resolution process will be evaluated and provided to the President's Cabinet each semester. Complaint files will be retained in the Compliance Services Department in accordance with the appropriate records retention requirements.

RELATED STATUTES, POLICIES OR REQUIREMENTS

System Policy 13.02, Student Rights and Obligations
System Regulation 10.02.01 Control of Fraud, Waste and abuse.
System Policy 07.01, Ethics
System Policy 08.01, Civil Rights Protections and Compliance
System Regulation 08.01.01, Civil Rights Compliance
TAMUCC Procedure 13.02.99.C0.01 Student Complaints Regarding Faculty (Non-Academic /Non Civil Rights)
Texas Higher Education Coordinating Board (THECB) rule regarding student complaints.

CONTACT OFFICE

Contact for interpretation and clarification: Employee Development & Compliance
Services Department
(361) 825-5826