

Conflict Resolution Process for Student Academic Complaints: Twin Cities

Introduction and purpose

This procedure implements Board of Regents Policy: Conflict Resolution Process for Student Academic Complaints and outlines the student conflict resolution process for the Twin Cities campus.

The goal of this procedure is to provide a simple and fair process that allows for both informal and formal resolution of conflicts.

Scope and Relief Available

This procedure applies to "student academic complaints," which are complaints brought by students regarding the University's provision of ~~education and academic services~~ and education affecting their role as students.

Student academic complaints

must be based on a claimed violation of a University rule, policy, or established practice

- ~~• if alleging discrimination in the University student relationship, may be filed under this procedure or with the Office of Equal Opportunity and Affirmative Action, but not both~~

This procedure does not limit the University's right to change rules, policies, or practices.

Complaints Not Covered. This procedure does not apply to student

complaints regarding:

- grades;
- University admission decisions;
- ~~their University employment at the University; or,~~
- disciplinary action under Board of Regents Policy: *Student Conduct Code*
- ~~grades~~
- ~~applicant complaints regarding University admission decisions~~

Complaints regarding discrimination, sexual misconduct, nepotism, or related retaliation. Complaints of this nature must be filed with the Office of Equal Opportunity and Title IX. If a student is filing related complaints under both this policy and with the Office of Equal Opportunity and Title IX, the college may delay the start of the academic complaint review until the resolution of the complaint by the Office of Equal Opportunity and Title IX.

Retaliation. Retaliation against good faith efforts to pursue the complaint resolution process is prohibited. Reports of retaliation are reviewed, investigated, and resolved in the same manner in which other concerns of misconduct are handled (UMN Policy: Reporting Suspected Misconduct).

Degree Requirements. The resolution process (including appeal if applicable) does not relieve the student from their obligation to timely meet course or degree requirements. The student should continue to fulfill course and degree requirements following submission of the complaint and throughout the time required for resolution. Additionally, the student academic complaint process does not pause or otherwise delay University actions taken for academic or other reasons and which may impact student status or eligibility for University services or resources.

Relief available under this procedure. Resolution of complaints under this procedure may include student reinstatement or other corrective

action for the benefit of the student, including refunds, but may not include the award of monetary damages, or take disciplinary action against any employee of the University.

~~Process for Resolving Student Academic Complaints¶~~

~~1. Informal Resolution at the Lowest Level~~

The first step of any resolution should be at the lowest unit level, between the parties involved or the parties and an appropriate third party (e.g., other faculty, department chair, director of graduate studies, administrator). Students should may wish to consult the Student Conflict Resolution Center or similar support services for advice and possible mediation. If no informal resolution is reached at the lowest unit level, a student may seek informal resolution at the collegiate level with the other party and/or higher level administrators. If the issue is not resolved informally, the student may seek formal resolution as outlined below.

If the college or unit offers an appeals process, the student must exhaust that process before proceeding under this procedure. If the issue cannot be resolved through these efforts, the student may seek resolution through the Student Academic Complaint process, as outlined below.

~~2. Formal Resolution of Student Academic Complaints~~

If no informal resolution can be has been reached through conflict resolution efforts and/or an official appeals process within the student's unit or college, colleges and administrative units will provide a review process appropriate to the issue raised by the student academic complaint, as described below.

~~Within Colleges¶~~

~~The College Appoints an Academic Complaint Officer. Each collegiate unit must appoint an Academic Complaint Officer who will be a faculty member who holds no other administrative appointment. The Academic Complaint Officer may be appointed for a set term or when a complaint arises. The Academic Complaint Officer may not have a direct interest in the dispute.~~

1. The Student Files a Complaint.

A student must file a *written* student academic complaint to the Dean's Office in the college where the incident is alleged to have occurred.

For ~~professional program graduate~~ students, the appropriate college is the home college of their graduate/professional program. For all other graduate students, the appropriate college unit is the Graduate School. An official list of all research and professional programs is available [here](#).

For students in dual research and professional programs, the home college for the professional program will hear the complaint.

Undergraduate students submit their complaint to the Dean of the college in which the complaint occurred.

The student ~~must~~ *may* use the ~~complaint form~~ *complaint form (DOC)* attached to this procedure, ~~or submit a written complaint letter~~ which must identify the student; the respondent; the individual(s) involved; the incident; the rule, policy, or established practice alleged to have been violated; and a brief statement of the remedy the student is seeking. The complaint must be filed within ~~60~~ *30* calendar days from the occurrence or notice of the action being challenged *or from the conclusion of an established appeals process within the student's unit or college.*

From the time of filing the complaint through the conclusion of the academic complaint process, students may work with an advocate of

their choosing.

2. **The College Appoints an Academic Complaint Officer (ACO) and a Complaint Coordinator (CC) Receives and Attempts to Informally Resolve the Complaint.**

Each collegiate unit must appoint an ~~The college~~ Academic Complaint Officer (ACO), who must be an Associate Dean, or an appointed faculty member within the college, and a Complaint Coordinator (CC) for each complaint. The ACO and CC may not have a direct interest in the dispute, including an active administrative appointment that could be seen as a conflict of interest. Each college must have an established process for appointment and training ACOs and CCs. ~~will review the complaint. The Academic Complaint Officer will meet as needed with the student and the respondent or other individuals involved to try again to reach a satisfactory, mutually acceptable informal resolution.~~

3. **The ACO Academic Complaint Officer Determines Whether if the Complaint Falls Within the Scope of this Procedure.**

If the ACO ~~Academic Complaint Officer is unable to informally resolve the student academic complaint, the student is entitled to a hearing, assuming the complaint is covered as defined by this procedure. If the Academic Complaint Officer determines that a complaint or any portion of the complaint it is not a "student academic complaint" subject to this procedure, the ACO~~ ~~Officer~~ must ~~will~~ notify the student of that decision in writing within 10 business days of being assigned the complaint by the college. The student may appeal that decision to the senior academic administrator, following section 11 below. Following this determination, the ACOs role is concluded. ~~paragraph 10 below.~~

4. **The Respondent Provides a Written Response.**

If the ~~ACO~~ ~~Officer~~ concludes that the complaint or any portion of it falls within the scope of this procedure, the ~~college~~ ~~Officer~~ will

require ~~the respondent(s) to provide~~ a written response to the complaint. The **respondent must provide** a response ~~is due~~ within **10 business** ~~15 calendar~~ days after notice that a response is required, unless there are compelling reasons for delay.

Requests for an extension will be reviewed and approved by the CC overseeing the complaint. This decision is not subject to appeal.

~~**The College Arranges for a Hearing.** The Academic Complaint Officer will refer the matter to the College, which is responsible for getting a hearing scheduled before a college hearing panel. Preparation for the hearing may include a prehearing conference to address such questions as the issues at stake, the witnesses expected to testify, the documents to be reviewed and exchanged between the parties, and other matters that will help the hearing proceed in a focused and efficient manner.~~

5. The Hearing Panel is Set:

A hearing panel will be established **by the CC** to hear the complaint. ~~Members of t~~The hearing panel will **have at least three members, including a Chair, and must** be drawn from faculty, students, and/or academic staff.

~~The~~A chair, ~~who~~ must be a faculty member **and,** will be appointed to **the role by the CC.** ~~lead the hearing panel.~~ Training for chairs will be available upon request by the Office for Conflict Resolution. ~~The hearing panel will have a minimum of three and a maximum of five members.~~

On a panel of three, one will be a student. If membership exceeds three, **the panel** ~~it~~ may include more than one student. In the case of graduate/professional school complaints, the student member(s) will be graduate/professional school students. In the case of undergraduate complaints, the student member(s) will be undergraduates.

~~Parties~~ The complainant and the respondent must be notified of the hearing panel membership and given an opportunity to object to members ~~who they allege have a~~ on the basis of bias or ~~unfair~~ conflict of interest. ~~in the case.~~ Disputes about the membership of the panel will be formally decided by the ~~dean~~ collegiate Dean, who will respond to the objecting party in writing within 10 business days of receipt of the objection. This decision is not subject to appeal.↵

Panelists will serve as neutrals, not advocates, and none will have a direct interest in the dispute. Panelists will give the **complainant's** ~~student~~ and the respondent's ~~presentations~~ **cases** open-minded, fair consideration. **All matters of the panel and complaint are confidential.** Panelists will not have private conversations about the complaint with the parties, **the parties'** ~~their~~ advisors, or **any** witnesses. ~~attorneys.~~

Once the hearing panel is set, the CC is responsible for scheduling a hearing before the hearing panel, as well as a pre-hearing conference.

6. The College Holds a Pre-Hearing Conference

A pre-hearing conference among the parties and the Panel Chair is necessary to help to clarify the issues, determine what information or witnesses each side intends to present, establish ground rules and procedures for the hearing, and answer any other questions. In general, a pre-hearing conference eliminates surprises at the panel hearing and helps the parties prepare. The parties, their advocates, the hearing chair, and staff support will attend the prehearing conference.

Parties must submit a witness list and any relevant documents for consideration at the hearing prior to the pre-hearing conference. The CC will ensure that all documentation and evidence is made available to all parties. The Panel Chair will rule on any objections or issues that arise during the pre-hearing conference.

7. Hearing Rules and Overview

The college will strive to complete a hearing within two months of the student's submission of the academic complaint. This timeline may be impacted by holidays, faculty contract terms, or periods when the University is closed.

Complainants may represent themselves or be represented by an advocate or lawyer. In the event the complainant is represented by a lawyer, the respondent will be represented by an attorney from the University's Office of the General Counsel.

If either party, or their designated representative, is unable to attend the formal hearing, they should make every effort to inform the CC as soon as possible. Should a compelling reason (e.g., illness or injury) prevent the attendance of either party, the hearing may be postponed at the Panel Chair's discretion.

Should either party fail to attend the hearing without an approved reason for their absence, the hearing may be held in their absence.

Hearings are typically scheduled for one half day and will typically be held via an online platform.

8. ~~The Hearing Panel Hears the Complaint and Issues Recommendations.~~

The hearing panel will provide an ~~fair~~ opportunity for the ~~complainant student~~ and the respondent(s) to present their views and information. The panel ~~should~~ ~~may follow its own hearing procedures or may follow the~~ procedures outlined ~~insimilar to the~~ *Guidelines for Colleges: Panel Hearings Under the Conflict Resolution Process for Student Academic Complaints.* ~~appended hereto.~~

The burden of proof is on the student to show that it is more likely than not that the action(s) presented for resolution violated a University rule, policy, or established practice.

- The hearing panel will review the complaint, ~~and the response, information presented, and will review information and hear testimony where appropriate. Panel hearings are not court cases, and the rules of evidence do not apply, but t~~
- The panel will exercise reasonable judgment in deciding the information to permit and to rely on in making a decision. ~~Panel hearings are not court cases, and the rules of evidence used in court proceedings do not apply.~~
- Each party is responsible for presenting its own information, ~~arguments, and witnesses. and arguments and obtaining the appearance of its own witnesses. A party presenting documents must bring a sufficient number for each party and panel member.~~
- Witnesses ~~may only be~~ are present ~~only~~ at the hearing when ~~providing during their own~~ testimony.
- The hearing panel may also be advised by the Office of the General Counsel, and in the case where the Office of the General Counsel is representing the respondent, a different attorney from the Office of the General Counsel will be appointed to advise the hearing panel. ~~Parties may be present throughout the hearing. Students may bring or be represented by an advocate or lawyer. In the event the student is represented by a lawyer, the respondent will be represented by the Office of General Counsel.~~

~~The burden of proof is on the student to show that it is more likely than not that the action complained of violated a University rule, policy, or established practice.~~

9. The Hearing Panel Issue Recommendations

The panel will prepare a written report, ~~articulating~~ ~~recommending~~ findings and ~~recommending~~ a resolution of the matter.

The panel must submit its report within ~~10 business~~ ~~15 calendar~~ days of the close of the hearing, ~~unless there are compelling reasons for delay.~~

The panel chair will send the report to the ~~d~~Dean of the college, who will distribute the report to the parties. ~~For graduate students, the report is submitted to the Vice Provost and Dean of Graduate Education.~~ If the complaint challenged an action personally engaged in by the ~~d~~Dean, the ~~senior academic administrator responsible for the college (either the Executive Vice President and Provost, or designee, the Vice President for Clinical Affairs and Dean of the Medical School)~~ will appoint another administrator to fulfill the ~~d~~Dean's role under this procedure.

10. **Decision by the Dean:**

The ~~d~~Dean will review the panel's report and may review any other parts of the hearing record. The ~~d~~Dean has full discretion to accept, or modify, ~~or reject~~ the panel recommendations. If the Dean opts to modify the panel's recommendation, they must provide their justification in writing. Within ~~10 business~~ ~~15 calendar~~ days of receipt of the panel report, the ~~d~~Dean will issue a decision to the parties, unless there are compelling reasons for delay. The ~~d~~Dean must inform the student of the right to appeal. ~~an adverse decision.~~

11. **Appeal:**

~~If any party is not satisfied with the dean's decision, the~~ ~~Either~~ party may appeal to the ~~appropriate senior academic administrator (either the Executive Vice President and Provost, or designee, the Vice President for Clinical Affairs).~~ ~~the~~ ~~sole~~ purpose of the appeal is to determine whether the parties have been afforded due process.

The unsatisfied party must file a written appeal to the Provost, or

designee, ~~senior academic administrator~~ within 10 business calendar days of receipt of the decision by the ~~d~~Dean. The party must explain the basis for the appeal. The Provost or designee-~~senior academic administrator~~ has the discretion to decide how to process the appeal. ~~The appeal may be handled by written submissions or oral presentations to the senior academic administrator or delegate, or the senior academic administrator may set up an appellate hearing panel to hear the appeal and provide a recommendation before making a decision. In any case, the senior academic administrator will provide a written decision to the parties.~~ The Provost or designee ~~senior academic administrator~~ will issue a written decision within 30 business calendar days of the filing of the appeal, unless there are compelling reasons for delay.

This same process applies to appeals from a college's Academic Complaint Officer finding that a complaint falls outside the scope of this procedure under ~~section 3 paragraph 4~~ above. The ~~Provost or designee senior academic administrator~~ may reverse the ~~ACO's Officer's~~ decision and return the complaint to the college for a hearing, or ~~the senior academic administrator may~~ affirm the decision by the ~~ACO Officer~~ that the complaint is outside the scope of this procedure.

The decision of the ~~Provost or designee senior academic administrator~~ is final and cannot be appealed further within the University.

Forms/Instructions

- UM 1698 - *Student Academic Complaint*  [um1698.doc](#)

Responsibilities

Academic Complaint Officer

Comply with the Conflict Resolution Process for Student Academic Complaints procedures.

Chancellor

Ensure that campus has processes consistent with policy.

College

Schedule a hearing should the Academic Complaint Officer refer the matter to a College Hearing Panel.

Complaint Coordinator

Comply with the Conflict Resolution Process for Student Academic Complaints procedures.

Office of the General Counsel

Provide legal advice to the University and provide legal representation to the University respondent when the student is represented by a lawyer.

Executive Vice President and Provost

Ensure that campus has processes consistent with policy.

Within Administrative Units.¶

Because of the variety of potential student complaints regarding the provision of education and academic services (e.g., complaints regarding residency determinations for tuition purposes, denials of tuition refunds, provision of disability accommodations, etc.), there is no single avenue for review of student academic complaints originating in administrative units. Administrative units may establish their own review processes for student academic complaints within their area, consistent with this procedure.¶

1. **The Student Files a Complaint.** A student must file a written student academic complaint to the appropriate administrator in the administrative unit where the incident is alleged to have occurred.

~~The complaint must include the information required by the unit, and should generally identify the student, the respondent, the individuals involved, the incident, the rule/policy/established practice alleged to have been violated, and a brief statement of the remedy the student is seeking. The complaint must be filed within 30 calendar days after the incident occurred.¶~~

- ~~2. **The Unit Applies Fair Review Procedures.** The administrative unit must apply review procedures that are fundamentally fair to the parties. Due process does not always require a full evidentiary hearing, but must allow a fair and reasonable opportunity for the parties to present their respective cases. The parties should have fair notice of the issues to be heard and the nature of the information to be presented at the hearing or review. They should have sufficient notice to give them an opportunity to prepare for the hearing or review. The decision by the review body must be based on the record.¶~~
- ~~3. **The Student Receives a Written Decision.** The student must receive a written decision from the administrative unit.¶~~
- ~~4. **Appeal.** If any party is not satisfied with an administrative unit's decision, the party may appeal to the appropriate senior academic administrator. If the unit has its own appellate procedures, those procedures must first be exhausted. The purpose of the appeal is to determine whether the parties have been afforded due process. The student must file a written appeal to the senior academic administrator within 10 calendar days of receipt of the last decision of the administrative unit. The student must explain the basis for the appeal. The senior academic administrator has the discretion to decide how to process the appeal. The appeal may be handled by written submissions or oral presentations to the senior academic administrator or delegate, or the senior academic administrator may set up an appellate hearing panel to hear the appeal and provide a recommendation before making a decision. In any case, the senior academic administrator will provide a written decision to the parties.~~

~~The senior academic administrator will issue a decision within 30 days of the filing of the appeal, unless there are compelling reasons for delay.¶~~

~~The decision of the senior academic administrator is final and cannot be appealed further within the University.¶~~

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