

ANA G. MÉNDEZ UNIVERSITY STUDENT CONSUMER INFORMATION STUDENT COMPLAINT AND GRIEVANCE POLICY

Introduction/Purpose

Ana G. Méndez University (“AGMU” or the “University”) allows students the opportunity to issue feedback, complaints, and grievances in a timely manner without retaliation. The purpose of this policy is to provide students with an avenue to express such concerns or to file a complaint, and to outline the process for doing so.

Scope

This policy applies to all Students and addresses the process to make a Complaint. Because no policy is one-size-fits-all, the University reserves the right to deviate from this policy if the circumstances of a particular complaint or investigation call for additional flexibility.

This policy does not apply to complaints related to Student Code of Conduct, academic policies (including grade grievances), discrimination policies (including allegations related to Title IX), and appellate review of university decisions -- such complaints will be resolved under other applicable University policies.

Definitions

Complainant: Student filing the complaint.

Complaint: a written or oral claim by a Student relating to improper, unfair, or arbitrary treatment or action taken by a Student or Employee.

Complaint Administrator: The University employee charged with administering the Complaint process under this policy.

Respondent: person or persons against whom a Complaint is filed.

Student: an individual that is either registered for, enrolled in, or attending a University course on campus or online.

Procedure

A Student has the right to seek a remedy for a Complaint in accordance with the procedures outlined below. Students should use available informal means to address concerns whenever possible. Retaliation against an individual for making a Complaint or for participating in an investigation of a Complaint under this policy is prohibited.

Students may file a Complaint within ten (10) business days of the first occurrence of the event giving rise to the Complaint, or within ten (10) days after the Student, through the use of reasonable diligence, should have had knowledge of the first occurrence giving rise to the Complaint.

1. Students are encouraged to use available informal means to resolve concerns before filing a Complaint, but it is not required.
2. If informal means does not result in a resolution, or a Student decides not to informally address their concerns, a Complaint can be submitted in writing or orally to the Dean of Student Affairs. The Dean of Student Affairs shall designate a Complaint Administrator to administer the Complaint process in accordance with this policy.
3. The Complaint must contain a brief explanation of the facts and allegations, including all pertinent facts and documentation that the Student wishes to be considered. If the Complaint is filed verbally, the Director of Student Affairs shall create a record of the discussion and request that the Complainant sign the document. If the Complainant refuses to sign, such refusal shall be documented.
4. The Complaint Administrator may seek to resolve the complaint informally by meeting with the parties to dialogue with them about the situation presented and seeking a resolution.
5. If the Complaint is not informally, the Complaint Administrator will initiate an investigation. The extent and components of the investigation will vary depending on the allegations and circumstances. For purposes of illustration, an investigation may include the following, as appropriate: reviewing the Complaint and documentation submitted, gathering additional documentation, interviewing witnesses, or convening a committee to review the matter and provide a report.
6. Upon completion of the investigation, the Complaint Administrator will report the findings of the investigation and issue a determination. AGMU shall seek to complete the investigation and provide a written decision within fifteen (15) business days of receipt of the Complaint.
7. The Complaint Administrator reserves the right to forward the results of the investigation to other University officials for appropriate administrative or disciplinary action.
8. The Complaint Administrator's decision shall constitute a University Decision. Students may appeal the Complaint Administrator's decision in accordance with the Appeal of University Decision Policy.

General Provisions

- The form to file a Complaint is available on the University’s website under Student Information in the Student Consumer Information section.
- The University wishes to create an environment in which individuals feel free to discuss concerns. All information submitted under this policy will be stored securely and will only be shared with other University personnel on a need-to-know basis.
- If the Complainant decides not to participate in the investigation or decides to withdraw from it, the investigative process may continue until the end. The lack of interest of the Complainant may be considered, as well as the available evidence.
- The Complainant and Respondent may select an advisor to assist them during the proceeding. The advisor may consult and interact privately with the Complainant or the Respondent during proceedings. However, the advisor is not permitted to have a verbal role in the proceedings or to represent or speak on behalf of the Complainant or Respondent. An advisor can be excused from meetings if they interfere or disrupt in any way.