



SANTA ROSA JUNIOR COLLEGE

Faculty Rights and Responsibilities in the Student Complaint Process

- Please contact your union representative **immediately** if you do not understand the student complaint process or Board Policy 8.2.2P.
- If you are contacted about a student complaint, don't worry. General student complaints, absent of violations of law or College policy, at the Ombudsperson level will not jeopardize a faculty member's tenure process or employment status.
- The Ombudsperson cannot discipline a faculty member. The student complaint process is not intended to result in disciplinary action against any faculty member, but to encourage honest communication and resolve concerns that occurred while the student was enrolled in the class.
- Any student who believes that they have grounds for a complaint should make an attempt in good faith to first resolve their concerns with the faculty member who is the source of the complaint. If the student contacts the Ombudsperson for support, they should advise the student on this step of the policy. Barring harassment or discrimination, no complaint should escalate to the department chair level without first following this step.
- Student complaints regarding sexual harassment or discrimination (*Title IX or Title 5*) are managed by Human Resources. If the Ombudsperson receives a Title IX or Title 5 complaint, they will forward it to the appropriate HR District employee for further review, and HR will review the complaint to determine if it should be investigated. *See Board Policy 2.7P*
- After a student files a complaint, the Ombudsperson is there to facilitate a fair process for both the student and faculty member, and provide mediation services if deemed appropriate and both parties voluntarily consent. Students will be informed that, when a complaint is related to a grade dispute: in the absence of mistake, fraud, bad faith, or incompetency, all grades shall be final. *Ed Code 49066*
- Should the Ombudsperson be requested to mediate the student-faculty member discussion, the faculty member has the **choice** on how to engage in that meeting: via email, Zoom, telephone call or in-person. The faculty member also has the choice to **decline** to meet with the student and Ombudsperson, but the faculty has the responsibility to give a student a response to their complaint.
- The faculty member is not required to meet with the Ombudsperson prior to mediation with the student.

- Faculty are only required to participate in the resolution of the student complaint process during their contractual year. Faculty are not required to participate in student complaint meetings during the spring, summer, or holiday breaks. Summer Session is not included when making this determination, unless all parties agree. *See Board Policy 8.2.2P*
- Meetings to resolve a student complaint should not interfere with the faculty member's class time or teaching duties. The faculty member is encouraged to work with the Ombudsperson to find a mutually agreeable time to meet with the student.
- If the faculty member agrees to meet via Zoom, they can request that the meeting be recorded with the approval from the student. If the faculty member prefers to use email to formally document their conversations, all emails should be kept on file.
- Students are required to comply with the student code of conduct (*board policy 8.2.8P*) when filing the student complaint and during the student complaint process as it relates to:
 - A. Dishonesty, such as cheating, plagiarism, or knowingly furnishing false information to the District.
 - B. Forgery, alterations, or misuse of District documents, records, or identification.
 - C. Use of any electronic listening or recording device in any classroom without the prior consent of the instructor, except as necessary to provide reasonable auxiliary aids and academic accommodation to a student with a disability.
 - D. Making a video recording, audio recording, taking photographs, or streaming audio or video of any person in a location where the person has a reasonable expectation of privacy, without that person's knowledge and express consent.
 - L. Physical, verbal, written, or image based abuse of any person, or conduct which threatens or endangers the health or safety of any such person.-
 - U. Engaging in expression which is libelous or slanderous or which so incites others as to create a clear and present danger of the commission of unlawful acts on District premises or at District-sponsored or supervised functions, or the violation of lawful District administrative procedures, or the substantial disruption of the orderly operation of the District.
 - W. Continued disruptive behavior, failure to comply with directions of District officials acting in the performance of their duties, continued willful disobedience, habitual profanity or vulgarity, open and persistent defiance of authority or persistent abuse of District personnel requiring inordinate drains on staff time, resources and supervision.

Timeline

- The faculty member has ten (10) instructional days from when the student or Ombudsperson first contacted the faculty member to decide and notify the ombudsperson in what form they would like to meet.

Reminders

- The faculty member can find a detailed explanation of the difference between a student complaint and a student grievance can be found at: [BoardPolicy8.2.2P](#)
- A complaint involves the faculty member and department Chair.
- A grievance involves the supervising administrator or Dean
- The faculty member is not required to engage in the resolution process for a student complaint without full disclosure of the nature and contents of the complaint. Prior to an agreed upon mediation, the Ombudsperson will provide the faculty member with a copy of the complaint.