

## CORPORATE POLICY

**PROCEDURE NUMBER:** SS-3204-2006

**PROCEDURE TITLE:** Student Complaint Procedure

**OWNER:** Director, Student Services and Success Initiatives

**APPROVED BY:** Mohawk College Council

**EFFECTIVE:** November 20, 2006

**REFERENCE:**

**LINKS TO OTHER PROCEDURES/POLICY:** Human Rights Policy; Incidents of Critical Behaviour Procedure

### BACKGROUND

The Student Complaint Procedure provides Mohawk College students with a process to make a complaint against a College employee whom they feel has behaved in an inappropriate manner. This procedure is applicable only to student concerns and in situations where other College policy and procedures, including Human Rights, do not apply.

### PROCEDURES

- P1.** Students wishing to make a complaint can contact the Student Issues Co-ordinator at [studentissues@mohawkcollege.ca](mailto:studentissues@mohawkcollege.ca), or at 905 575-2318 for advice on how best to proceed. Alternately, they may choose to follow the procedures outlined in Level 1 below.

Confidentiality will be maintained at all times during the complaint process.

## **P2. Level 1 Complaint Procedure**

### **Step A**

If possible, the student should, discuss the complaint, independently and informally, either by email, telephone or in person, with the College employee who is the source of the complaint. If not satisfied after this step, the student may move the complaint to Step B.

### **Step B:**

- (i) The student may contact the Student Issues Co-ordinator at [studentissues@mohawkcollege.ca](mailto:studentissues@mohawkcollege.ca) or at 905 575 2318. The student should provide the Student Issues Co-ordinator with a written statement of his/her complaint that carefully documents the nature of the complaint and the informal steps taken to resolve the situation, if applicable. The student must do this within 10 working days of the informal meeting/discussion with the College employee *or* within 10 working days of the incident that caused the concern.
- (ii) To resolve the complaint, the Student Issues Co-ordinator will offer the student the use of dispute resolution services such as mediation, facilitation or conciliation. If the student agrees to one of these options, the Student Issues Co-ordinator will contact the employee to attempt resolution of the complaint. If dispute resolution services are refused by the employee or are attempted and are unsuccessful, Step C will be introduced.

### **Step C**

- (i) If resolution is not achieved at Step B, the Student Issues Co-ordinator will notify the immediate supervisor of the employee involved.
- (ii) The immediate supervisor will convene a meeting of the student, employee and Student Issues Co-ordinator to attempt to resolve the complaint. The meeting will be held within 10 working days following the student's contact with the Student Issues Co-ordinator in Step B. Dispute resolution services may still be used at this stage.
- (iii) Following the meeting referenced above, the employee's immediate supervisor must provide a written description of the outcome of the meeting, i.e., resolution or non-resolution within 3 working days to the student and the employee.

## Step D

If resolution is not achieved after Step C, the employee's supervisor must advise his/her supervisor, i.e., the appropriate Vice President of the program or service or Director or *designate*, who will review the student complaint and decide on the terms of resolution within 10 working days of notification.

## Step E

- (i) The appropriate Vice President or Director or *designate* will outline the steps that will be taken to resolve the situation and provide this in writing to the student. If the student accepts the terms of the resolution, the process is complete.
- (ii) If the terms of resolution are not accepted or achieved, the appropriate Vice President or Director or *designate* will indicate this, in writing to the student, with a copy to the Student Issues Co-ordinator and the College employee.

The student and/or employee may then choose to proceed to Level 2.

## P3. Level 2 Complaint Procedure

- (i) The student or the employee involved may appeal the terms of the resolution or failure to achieve resolution to the **Student Complaint Committee** within 7 working days of receiving the communication. The appeal must be presented in writing to:

Rachel Matthews, Director,  
Student Services and Success Initiatives  
[rachel.matthews@mohawkcollege.ca](mailto:rachel.matthews@mohawkcollege.ca)  
905 575 2116

The Student Complaint Committee is chaired by the Director, Student Services and Student Success Initiatives *or designate*, and is made up of the following College members:

- One College Administration member
- One faculty or support staff member (as appropriate for the complaint)
- Two student members from the Mohawk College Students' Association or Mohawk College Association for Continuing Education Students (as appropriate for the complaint)
- One other student member
- A person may accompany the student and/or the employee involved to provide support

- (ii) **Conduct of the Hearing** A Hearing will be scheduled within 10 working days of the filing of the complaint with the Student Complaint Committee. The Committee Chair will determine the appropriate committee members to attend the

Hearing and will contact all parties involved, informing them of the date, time and location of the Hearing. The hearing can only proceed, at the very least, with a minimum Student Complaint Committee Panel of two student members, two College staff members, and the Committee Chair.

Both the student and the employee may bring a representative to the Hearing with the prior knowledge of the Committee Chair. The Committee Chair will be responsible for ensuring that the Hearing is conducted in a respectful manner.

Each of the Committee members, as listed above, will have no prior knowledge of the complaint. They will be given the information to review just before the Hearing begins. The student (complainant) will be present at all times during the Hearing. The College employee, employee supervisor, Associate Dean, Vice-Presidents and other students will be called to present their comments on the complaint and then asked to leave the Hearing.

Once the student and all other persons have presented, the complainant will be asked to leave and the Panel will make a decision. Any decisions by the Student Complaint Committee will be determined by a majority vote.

- (iii) The Committee Chair will communicate the committee decision in writing, including reasons for that decision, within 10 working days of the Hearing to all parties involved in the complaint.

#### **P4. Level 3 Complaint Procedure**

- (i) After the Student Complaint Committee has made a decision, the student or employee involved may appeal the Committee's decision within 10 working days to the College President. The President or *designate* will investigate the matter and his/her decision on the issue will be final and binding (subject to the existing Collective Agreements).
- (ii) The decision of the President or *designate* will be communicated in writing to all parties involved in the complaint within 10 working days.

#### **P5. Serving a Complaint**

To serve a complaint at any stage in this procedure, all correspondence must be delivered in writing by hand, email, or registered mail. A complaint can be withdrawn by the complainant at any time without prejudice or record. Time frames may be extended by the College under exceptional circumstances.

**P6. Record Keeping**

When a student has filed a complaint against an employee, the Student Issues Coordinator will retain the documentation on the decision made in connection with that complaint for five years.

**REVISION DATE:**

**ATTACHMENTS**

**SPECIFIC LINKS**