

<b>Reviewed by MCAEC:</b> 4/11/18 – 4/21/18	<b>Responsible University Officer:</b> Dean of Student Affairs
<b>Approved by Dean’s Executive Committee:</b> 5/2/18	<b>Policy Owner:</b> Dean of Student Affairs
<b>Dean’s Final Approval:</b> 5/2/18	<b>Policy Contact:</b> Dean of Student Affairs

### Student Complaints

POLICY HISTORY	
<b>Review Date:</b>	<b>Change Description:</b>
3/26/18	Reformatted from University policy
<b>Review History:</b>	<b>Change Description:</b>
	N/A

#### POLICY STATEMENT

Any student who would like to register a complaint regarding Upstate Medical University or any of its schools or colleges may file a formal complaint with the Dean of Student Affairs within 90 days of the occurrence or event giving rise to the grievance.

#### REASONS FOR POLICY

LCME Element 9.9 Student Advancement and Appeal Process

A medical school ensures that the medical education program has a single standard for the advancement and graduation of medical students across all locations and a fair and formal process for taking any action that may affect the status of a medical student, including timely notice of the impending action, disclosure of the evidence on which the action would be based, an opportunity for the medical student to respond, and an opportunity to appeal any adverse decision related to advancement, graduation, or dismissal.

#### PROCEDURES

Students’ complaints can be filed with the Dean of Student Affairs or the appropriate College Dean. All matters to do with academic programs and progress should be directed to the appropriate College Dean while all other matters related to the student experience may be filed with the Dean of Student Affairs. Alternatively, who so wish, may file a complaint anonymously via the “Student Complaint Form” located at: <http://www.upstate.edu/currentstudents/index.php>

Complaints may be made in person, by telephone, or in writing. Complaints may need to be documented, at some point, if not initially filed in writing. Complainants may be asked to discuss concerns with a responsible university/college representative best be able to resolve the issues. “Other Complaint Procedures” (below) outline particular processes for given issues/concerns. In response to a complaint, the deans or their delegates will investigate the allegations and respond to the complainant within ten business days or sooner, depending on the allegation. Should the need arise, Upstate may contact the complainant for further information or clarification of the complaint. The complaint may be referred to a different responsible campus official for resolution (if appropriate or necessary) and any final determination of a formal complaint will be made by an individual not directly involved in the allegation.

The University will maintain a record of the complaint and its resolution or disposition, including appropriate documentation, for one year after the filing student has graduated or otherwise separated from the University. The file will be retained in the Office of the Dean of Student Affairs and will not be part of the student’s academic file.

If a complainant wishes, he/she may also file a formal written complaint with the New York State Education Department in accordance with their guidelines. The State Education Department recommends that the complainant try to resolve the complaint with the institution prior to filing a complaint with the Department. An official complaint form and guidelines are available on their web site at: <http://www.highered.nysed.gov/ocue/spr/COMPLAINTFORMINFO.html>.

Retaliation

Retaliation is an adverse action taken against an individual as a result of the filing of a complaint, exercising a legal right, and/or participating in a complaint investigation as a third-party witness. Any student who files a complaint has the right to do so without fear of or actual retaliation. It will be made clear to all parties that retaliation against a student participating in a University sponsored program or affiliated activity, who has filed a complaint, or against any witness or other participant in this process, will result in appropriate sanctions or disciplinary action as covered by Upstate Medical University policies or applicable collective bargaining agreements. These sanctions will be invoked for retaliation regardless of the merits of the original complaint.

Participants who experience retaliation should contact the Dean of Student Affairs and/or Title IX Coordinator.

Other Complaint Procedures: Academic Matters, Discrimination, & Sexual Violence

Prior to filing a complaint, please note that each individual college or school has specific procedures for resolving academic complaints regarding assignment of grades (including individual exam/assignment or course grades), academic dismissal, or other academic matters. The established procedure, which is in the Student Handbook under the section for each individual school/college, should be reviewed before filing a formal complaint.

Specific procedures for filing of complaints of Discrimination, which are handled by the Upstate Medical University Office of Diversity & Inclusion, and complaints regarding sex discrimination and sexual violence, which are handled by the Upstate Medical University Title IX Coordinator, are also located in the Student Handbook and here:

- [http://www.upstate.edu/currentstudents/document/equal\\_opp\\_title\\_ix.pdf](http://www.upstate.edu/currentstudents/document/equal_opp_title_ix.pdf)
- <http://www.upstate.edu/currentstudents/document/sexassaultdomviostalk.pdf>

**DEFINITIONS**

There are no definitions associated with this policy.

**FAQ**

There are no FAQ associated with this policy.

**APPENDICES**

Student Complaint Form: [http://cfbanner.upstate.edu/forms/index.cfm?action=NEW&type\\_id=6](http://cfbanner.upstate.edu/forms/index.cfm?action=NEW&type_id=6)

**RELATED INFORMATION**

LCME Functions and Structure of a Medical School: <http://lcme.org/publications/>

**SIGNATURE**



5/2/18

Signature Dean of the College of Medicine

Date