



Complaint Policy on Faculty Conduct

Mandl is dedicated to fostering a supportive and respectful academic environment. To uphold high standards of teaching and learning, we have implemented a comprehensive policy for addressing concerns related to faculty conduct. This policy applies to all modes of instruction and outlines various behaviors that may require attention and intervention. The following categories provide examples of conduct that could be subject to review (note, this list is not exhaustive):

1. **Gross Incompetence or Neglect of Duty:**

Failure to Meet Instructional Responsibilities: Faculty members are expected to adhere to the highest standards of teaching and professional conduct. Instances of gross incompetence or neglect of duty may include:

- **Arbitrary Denial of Access to Instruction:** Unjustifiably preventing students from accessing educational materials or opportunities necessary for their academic progress.
- **Significant Intrusion of Unrelated Material:** Introducing content into the curriculum that is irrelevant to the course objectives, thereby disrupting the learning process.
- **Failure to Adhere to Teaching and Supervision Requirements:** Not following established rules and guidelines for teaching and supervising students without legitimate reasons.
- **Inappropriate Evaluation Criteria:** Assessing student work based on criteria that do not accurately reflect course performance, leading to unfair grading practices.
- **Undue Delay in Evaluation:** Failing to provide timely feedback or administrative processing of student work, which can hinder academic progression.

2. **Physical or Mental Incapacity:**

Faculty members must be capable of performing their teaching duties effectively. Physical or mental health issues that significantly impair a faculty member's ability to meet their responsibilities and the needs of students and the institution will be addressed. The school is committed to supporting faculty through appropriate accommodations and resources while ensuring that students receive a quality education.

3. **Disruption, Interference, or Intimidation:**

- **Disruptive Behavior:** Engaging in or encouraging behavior that disrupts the learning environment, making it difficult for students to focus and participate in class activities. *Engaging in conduct unbecoming a member of the faculty.*
- **Interference with Academic Processes:** Actions that interfere with the smooth functioning of academic processes, such as administrative tasks, course delivery, and student evaluations.
- **Intimidation:** Using language or behavior that intimidates or threatens students, creating a hostile or uncomfortable learning environment.

Addressing Complaints

Mandl encourages students to address any concerns related to faculty conduct through a structured process designed to ensure fairness and confidentiality:

1. Initial Communication:

Students are encouraged to communicate their concerns directly with the faculty member involved. This approach often leads to an expedient and satisfactory resolution.

2. Academic Advising Assistance:

If direct communication is not feasible or does not resolve the issue, students should seek assistance from the Academic Advising Office. Advisors are trained to mediate conflicts and help students navigate their concerns effectively.

3. Escalation to Academic Administration:

If the issue remains unresolved, students may escalate the matter to the Dean of Academic & Student Affairs. The Dean may suggest further informal resolution efforts or refer the issue to the Vice President of Academics or the Vice President of Distance Education and Institutional Effectiveness for additional review.

Upholding Academic Freedom

Mandl respects the academic freedom of its faculty, particularly regarding the presentation of course material and teaching styles and will not interfere with it as it relates to the content or style of teaching activities. Indeed, academic freedom is and should be of paramount importance; however, the institution also prioritizes mutual respect and a positive learning environment. Complaints about faculty treatment of students that fall outside the protections of academic freedom will be addressed promptly and thoroughly.

Formal Complaint Procedure

If a student has attempted an informal resolution but did not achieve a satisfactory outcome, or if pursuing an informal resolution is not feasible, they may file a formal written complaint with the Vice President of Academics. Only students in a faculty member's class or present in another academic setting where the alleged conduct occurred may file complaints against that faculty member.

Timeline for Filing:

Formal complaints should be filed within 45 calendar days of the alleged behavior/incident. If an attempt at informal resolution made meeting this deadline impossible, an exception may be granted by the Dean of Academic & Student Affairs. In the absence of a conflict of interest, the Vice President of Academics, the Vice President of Institutional Effectiveness, or an appropriately ranked designee may assist in the investigation.

The written complaint must be as detailed as possible. The Dean, or a designated representative, will initiate the investigation process. This will involve meeting with the faculty or staff member in question.

Neutral Investigation:

Filing a formal grievance does not automatically imply wrongdoing. The accused will be informed of the complaint and that an open investigation does not presuppose any wrongdoing.

In cases where there is strong preliminary evidence that a student's complaint is meritorious and that the student may suffer immediate and irreparable harm, the individual handling the complaint may provide appropriate interim relief to the complaining student pending the completion of the investigation. The affected faculty member may appeal such interim relief to the Vice President of Academics.

Protection Against Retaliation:

The accused will be explicitly informed that no retaliatory action may be taken against the student.

Impartiality in Investigation:

Either party may object in writing to the individual conducting the investigation if they believe the process may be biased. The letter must provide detailed reasons for requesting a new investigator. The Dean will then consult with the Vice President of Academics, the Vice President of Distance Education and Institutional Effectiveness, or the President of the College. If the request is deemed legitimate, a new investigator will be appointed.

Investigation Meetings:

The investigator will meet with both the accused faculty or staff member and the student, either separately or together, as appropriate. The investigator will exercise full discretion and professional judgment to protect the student from any adverse actions. The goal of these meetings is to discuss the facts of the complaint and seek a mutually acceptable resolution, if possible. If a resolution is not feasible, the investigator may need to interview other individuals familiar with the situation or behavior being investigated. These individuals may include other students, faculty members, or any college community members with knowledge of the alleged incident/behavior. The investigator will maintain confidentiality and not reveal the identity of the student filing the complaint when questioning relevant parties.

Follow-Up Meetings:

The investigator may request additional meetings with the student or faculty member to clarify any points of their accounts as needed.

Support Person:

The student filing the complaint may request to have a support person present during meetings with the investigator.

Academic Freedom:

The investigator will determine if the conduct in question is protected by academic freedom. The investigator will then compile a written report outlining the findings of the investigation and recommendations.

A comprehensive written report will be prepared based on the investigation's findings.

Timely Completion:

Unless there are well-documented and substantiated extenuating circumstances, the final report should be completed within 30 calendar days of initiating the investigation.

By adhering to these guidelines, Mandl ensures a fair and thorough process for resolving formal complaints, upholding the integrity and respect within the academic community.

Appeal Process

If either party is dissatisfied with the findings of the report, they may file a written appeal to the Vice President of Academics within 14 calendar days of receiving the notification. The Vice President will assemble a panel of senior faculty and staff members, consisting of no fewer than five members (three faculty members and two staff members).

This appointed group will thoroughly review the findings and recommendations of the report. Their primary responsibility is to determine whether the conduct in question is protected by academic freedom. The group will not conduct a new investigation; instead, they will evaluate the existing facts to ascertain the correctness of the initial conclusions and determine if they should be upheld or overturned.

If, during their review, the group identifies factual errors, they will instruct the original investigator to reconsider the case or may appoint a new person to assist in rectifying the factual inaccuracies. The group will issue a written decision within 14 calendar days of receiving the appeal. This written decision will be communicated to the student, the faculty member, and the Vice President of Academics.

This process ensures that appeals are handled with fairness, impartiality, and thoroughness, providing a structured avenue for addressing concerns about the initial findings.

Upon receiving the written reports, the Vice President of Academics will determine the appropriate next steps. If the reports indicate that the faculty member acted inappropriately and outside the protections of academic freedom, the Vice President may place the investigation report in the faculty member's HR file. Additionally, the Vice President of Academics may initiate further disciplinary action against the faculty member based on the investigation's findings.

In cases of particularly egregious misconduct, the college may expedite the process by suspending the investigation and initiating disciplinary proceedings against the faculty member immediately. All disciplinary actions will be conducted in accordance with the procedures outlined in the faculty handbook.

This approach ensures that the resolution process is thorough, fair, and consistent with institutional policies and standards.