



# SUNYADIRONDACK

**Policy Title:** Formal Student Complaints  
**Document #:** 4103  
**Effective Date:** 11/4/22  
**Category:** Student Affairs  
**Responsible Office:** Student Affairs

**This policy applies to:** Students, Employees, Affiliated Entities, Vendors

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**Summary:**

The United States Department of Education requires that each accredited institution of higher education maintain a record of student complaints received by the institution per federal regulation 34 CFR 602.16 (a)(1)(ix). The record will be reviewed by the Middle States Commission on Higher Education, SUNY Adirondack's accreditor, as part of the institution's Self Study and Periodic Review Report evaluations.

SUNY Adirondack is committed to an environment where concerns can be identified and resolved in a professional manner, constructively, quickly and fairly. The College makes every effort to resolve student complaints internally, using policies and procedures outlined in the College Catalog and Student Handbook.

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**Policy:**

SUNY Adirondack will provide, to enrolled and prospective students, a public location of contact information for filing complaints with the College's accreditor and with its New York State [NYS] approval/licensing entity and any other relevant NYS official or agency that would appropriately handle a student's complaint.

Complaints will only be received by students or prospective students. Parents, relatives, employers, agents, and other persons acting for or on behalf of a student are not considered students under this policy. All student related information will be considered confidential and protected under FERPA (Family Education Rights and Privacy Act).



Retaliation against a student for filing a complaint is harassment and will be addressed as described in the College's Non-Discrimination and Anti-Harassment Policy #3306.

This policy will be included on the college website and emailed to the students through the announce@wolfmail.sunyacc.edu account. An email account named, [studentcomplaints@sunyacc.edu](mailto:studentcomplaints@sunyacc.edu) will be created for student use.

#### Informal Complaints

Prior to filing a formal complaint (a concern or expression of dissatisfaction or disagreement that negatively impacts a student) against a College office or employee, students are encouraged to attempt a good-faith resolution of the complaint with the individual directly involved or with the head of the department/division in which the complaint arises.

A complaint covered by this policy cannot be a grievance for which a defined policy or process is provided [see Other Related Information Section below]

#### Formal Complaints

A formal student complaint, filed with the College, must:

- Be of sufficient substance
- Be in writing
- Identify the student making the complaint (not anonymous)
- Be filed electronically or submitted to the Dean for Student Affairs, preferably within thirty (30) days of the failed informal resolution, if applicable.

Complaints will be monitored and reviewed to enable the College to continually improve processes and services in support of student learning and success.

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#### Definitions:

Affiliated Entities. Per the Board of Trustees Policy Manual Section 9.1 - 9.3, the purpose, relationship, responsibility and agreements between the SUNY Adirondack Foundation, Faculty-Student Association and the Adirondack Housing Association, are outlined.

College. Use of this term explicitly refers to Adirondack Community College and/or the College's legal acceptable short name, SUNY Adirondack.

Employee. Any person who works for the College for wages, salaries or stipends including part-time and full-time faculty, staff and administrators. Excludes consultants such as instructors for the Office of Continuing Education. Students who are also employees will, in most instances, be categorized for purposes of the as a student. The Associate Vice President for Human Resources will make the determination based on the situation presented.

Prospective Student. A potential student in the future.

Student. Any individual who is currently, or has formerly taken, courses at SUNY Adirondack, full-time, part-time, credit and non-credit.

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#### Other Related Information:

Federal Regulations 34 CFR 602.16 (a)(1)(ix)  
<https://www2.ed.gov/policy/highered/reg/hearulemaking/hea08/34cfr602.pdf/>



College Catalog – Academic Regulations and Policies – Academic Grievance Procedure  
<http://catalog.sunyacc.edu/regulations/grievance>

Student Handbook - Academic Grievance Procedure/Code of Conduct  
<https://www.sunyacc.edu/sites/default/files/sunyadironackpdf.pdf>

Nursing Handbook [provided to nursing students from department chair]

Non-Discrimination and Anti-Harassment Policy #3306  
<N:/Policies, Processes, Procedures and Guidelines/Human Resources/3306 Non-Discrimination and Anti-Harassment.pdf>

Student Pregnancy Non-Discrimination and Accommodations Policy #3307  
<N:/Policies, Processes, Procedures and Guidelines/Human Resources/3308 Student Pregnancy Non-Discrimination and Accommodations.pdf>

Sexual Harassment Response and Prevention Policy #3303  
<N:/Policies, Processes, Procedures and Guidelines/Human Resources/3303 Sexual Harassment Response and Prevention.pdf>

Accessibility Services Office Student Handbook  
[ASO\\_Student\\_Handbook\\_2019-2020.pdf](ASO_Student_Handbook_2019-2020.pdf)

Tuition Refunds  
<https://www.sunyacc.edu/refunds>

Parking Regulations, Fines and Appeals Process Policy # 3702 [in development]

Student Records Retention and Disposition Policy #3006  
<N:/Policies, Processes, Procedures and Guidelines/Legal and Compliance/3006 Student Records Retention and Disposition.pdf>

Student Records - Family Education Rights and Privacy Act [FERPA]  
<http://catalog.sunyacc.edu/regulations/studentrecords>

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## **Processes and Procedures:**

### Filing a Complaint

1. A written or electronically filed complaint should include:
  - name, address and phone number of the student making the complaint;
  - identification of the office or employee against whom the complaint is brought
  - a description of the specific College action or individual behavior resulting in the complaint and its negative impact;
  - the date or period of time in which the incident occurred and the location of the incident;
  - a listing of all individuals who witnessed any part of the incident in dispute.
2. The complaint is provided to the Dean for Student Affairs, Associate Vice President for Academic Affairs and the Director of Compliance and Risk Management, who then determine that no other complaint resolution process is available for the subject matter of the complaint and that the complaint is sufficiently substantive.



- a. If the complaint is found to have another resolution process or is not sufficiently substantive, the Dean will communicate that determination, in writing to the student.
3. The complaint is delegated to the appropriate head of the department/division in which the complaint arises for review and proposed resolution.
4. Within five (5) business days (when the College is open), the Dean for Student Affairs confirms receipt of the complaint, in writing, to the student with an anticipated resolution timeframe.

#### Complaint Resolution

1. The head of the department/division will ensure that any employee named in the complaint receives a copy of the complaint and this policy as soon as practical.
2. The head of the department/division will take the necessary steps to propose a resolution in a reasonable time period by reviewing relevant documentation and conducting meetings with relevant employees, witnesses and/or the complainant.
3. Where meetings are held, the parties may, if they wish, be accompanied by a peer support person, which may be a union representative.
4. The proposed resolution will be provided to the Dean of Student Affairs, Associate Vice President for Academic Affairs and the Director of Risk Management who will make a decision, in relation to the complaint, in writing. When the resolution involves a College policy or procedure, it will be reviewed in order to prevent a recurrence.

#### Notification

The Dean for Student Affairs communicates the resolution, in writing, within 28 days of receiving the complaint, to the employee, the head of the department/division and the student, who will also be provided the appeals process available.

#### Appeals

If the student is dissatisfied with a resolution, an appeal may be brought to the Vice President or Executive (CIO, Advancement Officer, etc.) for the area most directly related to the complaint within five (5) College business days. The Vice President or Executive will consider the relevant documentation and may, at their discretion, consult the decision maker and/or interview any parties to the complaint. The Vice President or Executive will communicate their appeal decision, in writing, to the student, the employee, head of the department/division, Dean for Student Affairs, Associate Vice President for Academic Affairs and the Director of Compliance and Risk Management.

#### Record Keeping

The Director of Compliance and Risk Management maintains complaint records for six (6) years after resolution of the complaint. A summary of complaint areas [i.e. portal, advisement, enrollment and registration, tuition and payments, financial aid] will be provided in the annual risk assessment report to the Board of Trustees.

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#### Forms:

Formal Student Complaint Form *[on website with fillable form -- see sample attached page 6]*  
<https://www.sunyacc.edu/policies>

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#### Authority:

Authority to Approve: Vice President for Enrollment and Student Affairs  
Responsible for Oversight: Dean for Student Affairs



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**History:**

This is the first Student Complaint policy. This policy was approved by the President on 10/28/22.

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**Review:**

Annually in June.

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**Appendices:**

None.

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**[SAMPLE] FORMAL STUDENT COMPLAINT FORM [online]**  
**Office of Student Affairs**

First Name	
Last Name	
Wolfmail address	
Personal email address	
Student Banner ID	
Phone number	
Incident with Office/Department	
Date of Incident [or date range]	
Complaint <i>[description, names of potential witnesses, negative impact this incident has had on you]</i>	
Attempts at Resolution <i>[what steps have you already taken to address the situation?]</i>	
<i>Supporting documentation [insert Google Drive links to documents that will be helpful in investigating your complaint]</i>	

I attest that my statements above, and all supporting documentation, are true and accurate.

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Signature

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Today's date