



**AUHS POLICY AND PROCEDURE REGARDING:  
RESPONDING TO STUDENT COMPLAINTS THAT A PROFESSOR IS NOT  
IMPLEMENTING AN APPROVED ACADEMIC ADJUSTMENT**







A student to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in other acts to hinder the investigation may result in the dismissal of the Complaint because of a lack of evidence to support the allegations. Similarly, the Professor ator with documents or other evidence related to the allegations in the complaint, failure to participate in the investigation, or engagement in other acts to hinder the investigation may result in a finding that the Professor automatically violated his or her obligation to implement all approved academic adjustments to the student.

The investigation must be completed within 30 calendar days after receiving a Complaint. This time period maybe extended by the Provost upon a showing of good cause that additional time is necessary to conduct a fair investigation. However, it is

calendar-day time period. If an extension is needed, the Provost will notify the student and the Professor in writing of the extension and the reason for the extension.

### **3.2 Written Report**

Within 10 calendar days after the completion of an investigation, the Investigator will provide a written report of the investigation to the Provost and, if applicable, the Dean in charge of the Professor. The written report will include a summary of the allegations, a description of the investigation, a description of the relevant information gathered, and a determination of whether or not the Professor improperly failed to implement2(inves)11(ti)-3(ETOf)-0( )



performed, the outcome of the investigation, and any remedies provided to the student. In order to maintain privacy rights, the Provost is not required to disclose every detail about the nature of any corrective action taken against the Professor. However, the Complainant Notice will include the consequences imposed on the Professor that relate directly to the subject of the complaint.

The Complainant Notice shall advise the student that if he or she continues to be denied approved academic adjustments he or she should immediately report such incidents to the Investigator. Further, the Investigator will follow up with the student within 30 calendar days of the Provost to see if there have been new incidents or retaliation for making a complaint. The Investigator will keep a record of his or her findings and promptly investigate any further allegations and will notify the Provost in writing of the further allegations and investigation within 10 calendar days of learning of the further allegations.

If the outcome of the investigation is that there was no failure to implement an approved academic adjustment, the Complainant Notice will also include the student right to appeal the decision of the Provost within 15 calendar days of the date of the Complainant Notice. The Complainant Notice will include the procedures for initiating such an appeal.

Within eight calendar days after receiving the report from the Investigator, the Provost will send a separate notice of the outcome to the Professor (Accused Notice). The Accused Notice shall state the outcome of the investigation, whether the allegations were substantiated and what, if any, corrective action will be taken to prevent recurrence of the issue and to correct its effects. The Professor will have the opportunity to appeal any finding that he or she violated the obligation to implement approved academic adjustments by filing an appeal within 15 calendar days of the date of the Accused Notice. The Accused Notice will include the procedures for initiating such an appeal.

Should no request for an appeal be initiated within the time to appeal, the decision of the Provost will be final and binding.

#### **4. Appeal Process**

To appeal a decision of the Provost, the appealing party must provide written notice calendar days of the date of the Complainant or Accused Notice by the Provost. The Notice of Appeal must include the specific reasons for the appeal and any evidence the appealing party would like considered as part of the appeal. Within three school days of receiving the Notice of Appeal, the Dean of Students will provide notice to the non-appealing party of the appeal and the basis for the appeal. The non-appealing party will have 15 calendar days to respond to the statements in the appeal.



The appeal process will be limited to determining (1) whether the decision was supported by a preponderance of evidence; (2) whether the findings of the Investigator as to whether or not the incidents occurred are supported by a preponderance of the evidence; and (3) whether the investigation was conducted in a fair and impartial manner.

The appeal will be decided by an impartial panel selected by the President. The panel shall consist of three impartial persons who have received training in the legal obligations of Section 504 of the Rehabilitation Act. The President will appoint one person to chair the panel. The panel will receive and review the Notice of Appeal, a copy of the investigation notes, the report by the investigator, and the Complainant and Accused Notices. The chairperson will arrange meetings of the panel to discuss the appeal and render a decision.

The written appeal decision shall include a summary of the issues raised on appeal, a