

Draft Student Advisor Complaint Procedure

Introduction:

The following is a proposal for a formal policy regarding the handling of complaints made against Student Advisors. This proposal was drafted in recognition of the necessity for a formalized complaint procedure that would be capable of dealing with complaints lodged by any member of the university community who has come into contact with the program: student, faculty member, administrator, staff, or otherwise. While the few complaints raised by students this past year have been resolved through conversations with the SGPS President and Vice President Internal (Graduate) without requiring recourse to more formal mechanisms, it is clear to all concerned that the current practice of handling faculty complaints against Student Advisors is inadequate and is in danger of poisoning the relationship between several key stakeholders in the program.

The proposed policy recognizes the expediency of resolving disputes at the lowest level of formality possible, while understanding that, in some circumstances, a more formal approach may be necessary. As such, it reflects the philosophy guiding dispute resolution mechanisms throughout Queen's University.

Students often feel particularly vulnerable when they come to a Student Advisor, and many of the students using the program may have limited access to other resources or social support networks. As such, the Student Advisor is placed in a position of trust and confidence that may give rise to certain duties and obligations.

Part of the mandate of the Student Advisor Program is to promote self-advocacy to students, to advocate on behalf of students if requested and if appropriate, and to assist them as necessary in addressing their concerns. Such concerns often include conflicts with faculty members. In such a situation the role of the Student Advisor includes, among other things, ensuring that a student is aware of his or her rights and of his or her options for exercising those rights. This role may from time to time bring a Student Advisor into a situation in which the Student Advisor is sitting "across the table" from faculty members or administrators.

Step 1: SGPS Vice President Internal (Graduate)

Any person wishing to make a complaint regarding a Student Advisor should first speak with or otherwise contact the Vice President Internal (Graduate) of the SGPS [“the VPIG”].

Any complaint made by a student or non-student party at this level may be made informally and orally. Such a complaint by a student may be made anonymously, but doing so will limit the scope of remedial action to be taken regarding the complaint.

The VPIG shall act by discussing the complaint with the Student Advisor(s) in question. The VPIG may arrange for any informal process of resolution the parties involved consider appropriate. If the complaint involves any allegation that may constitute a human rights issue, the VPIG shall advise the complaining party to contact the Human Rights Office.

An informal resolution may include:

- An oral statement of apology or explanation from the Student Advisor to the complaining party.
- A letter of apology or explanation from the Student Advisor to the complaining party.
- Another Student Advisor assuming responsibility for the file (with the consent of both Advisors and the complaining party).
- A meeting between the parties to resolve the issue(s) mediated by the VPIG and/or the SGPS Equity Commissioner.

Step 2: SGPS President

Any person who has made a non-anonymous complaint regarding a Student Advisor to the VPIG, and is not satisfied with the results of the informal process, may submit their complaint to the President of the SGPS [“the President”].

Any complaint made by at this level shall be made formally and in writing. No anonymous complaints will be received by the SGPS President.

The President shall act on the complaint by discussing the complaint with the VPIG and the Student Advisor(s) in question. If no Student Advisors is named in the complaint, it shall be treated as if they were all named in the complaint. The Student Advisor(s) shall be given the opportunity to respond to the complaint in writing, either individually or collectively, and a copy of that response shall be provided to the party making the complaint. The President may arrange a meeting of all parties to facilitate a resolution.

Given the special relationship of trust that Student Advisors have with respect to any graduate or professional students served by the program, if the party making the complaint is a student who has been served by the program, the President may exercise her or his discretion to accept an informal oral complaint from the student. In this circumstance, the President may act on the complaint by attempting to

facilitate an appropriate informal resolution, before requiring that the student make a formal written complaint.

Step 3: Arbitration Committee

If a satisfactory resolution has not been reached the complainant may, within a reasonable time, make a written request that the SGPS Vice President Internal Professional convene a meeting of the Arbitration Committee [“the Committee”]. At this time the complainant shall submit the formal written complaint to be considered by the Committee. The Committee and its members shall not consider any complaint that is not submitted in writing and signed by the person submitting the complaint.

The Arbitration Committee shall consist of the following voting members:

- The SGPS Vice President Internal Professional (Chair)
- The SGPS Equity Commissioner, or delegate
- A representative of the Human Rights office (who was neither involved in the dispute nor the hiring process of the Advisor(s) in question)
- A faculty volunteer (with no prior personal knowledge of the parties)

The Chair of the Committee may invite the Coordinator of Dispute Resolution Mechanisms to attend and observe the hearing and/or to advise the committee on matters of procedure.

The Committee shall provide a copy of the complaint to the President, the VPIG, and each Student Advisor named in the complaint. If no Student Advisors are named in the complaint, it shall be treated as if they were all named in the complaint. The Student Advisor(s) shall be given the opportunity to respond to the complaint in writing, either individually or collectively, and a copy of that response shall be provided to the Committee and to the party making the complaint.

After receiving the written response(s) of the Student Advisor(s), or if no such written response is received within 14 days, the Committee shall convene with all voting and observing members (or their delegates) present. The party making the complaint will be invited to attend this meeting and to present their complaint to the Committee in person. The Student Advisor(s) named in the complaint will be also invited to present his or her response to the Committee in person. Either party may bring other persons with direct knowledge of the matter at hand to address the committee. *Either or both parties may be represented by a Queen’s University Grievance Advisor.*

The Committee will discuss the matter in the presence of the parties, and may ask the parties questions. If the parties are unable to agree on an appropriate resolution to the matter, after hearing the case the Committee shall deliberate and based on the presentations and the documentation make a recommendation in writing that could include one or more of the following:

- Dismiss the complaint
- Request further information from any party
- Reprimand the Student Advisor
- Require that the Student Advisor refrain from handling a certain file
- Recommend that the Student Advisor participate in further training

- Recommend that the Student Advisor be suspended from all file work for a period of up to one month until such further training is completed
- Recommend that the Student Advisor be asked to resign
- Recommend that the Student Advisor be dismissed
- Make any other recommendation that is fair and appropriate in the circumstances

Any recommendation made by the Committee shall be submitted to the Steering Committee of the Student Advisor Program. The Steering Committee may implement the recommendation as it considers appropriate, in accordance with the Memorandum of Agreement and the Contract of Employment.