



LEARNER COMPLAINTS POLICY AND PROCEDURE

INTRODUCTION

This policy outlines the administrative process through which learners may seek resolution of complaints during their enrollment at Florida A&M University (FAMU) in the College of Pharmacy and Pharmaceutical Sciences, Institute of Public Health (CoPPS, IPH).

Section I defines the complaints threshold requirement and the eligibility to use these procedures.

Section II describes the informal pathways and the formal pathway for complaints.

Section III outlines the hearing process before the Professional Conduct Committee (PCC).

This policy provides learners with the procedure to seek redress (corrective action) for believed unfair, improper, or unfounded decisions or actions affecting them directly or their matriculation through the program. Furthermore, the policy affirms the learner's right to seek administrative relief in matters of fairness and equity as promptly as possible.

Retaliation. All learners have the right to address complaints without fear of coercion, harassment, intimidation or reprisal from faculty, staff, administrators, or other learners in the College. Therefore, no retaliation of any kind shall be taken against a learner who articulates a complaint.

False charges/allegations. It should also be completely understood that false charges or allegations made against another learner, faculty, or staff member will not be tolerated. If it is believed that a learner has brought forth false allegations, the matter will be referred to the University's Office of Student Conduct and Conflict Resolution for appropriate action.

Purpose

The purpose of the learner complaint policy is to ensure that learners enrolled in the FAMU CoPPS, IPH understand their right to have a structured process for resolving issues related to the execution of institutional policies. The following procedures apply only to cases involving a perceived impropriety.

SECTION I. Complaints - Definitions and Eligibility

Definition of a Complaint

A complaint is an oral or written claim by a learner who believes he or she has been wronged due to an improper action, unfair decision, or arbitrary treatment. A complaint is often resolved informally or through mediation, although resolution may be sought before the PCC under limited circumstances.

Eligibility

These procedures for complaints may only be used by learners regarding academic matters during their enrollment in the College of Pharmacy and may not be used by applicants for admission.

Filing a Complaint

I. A complaint may be filed for actions resulting in:

- 1) unfair, inequitable, unprofessional treatment
- 2) classroom management style that impedes instruction and/or
- 3) improper application of College policies and/or procedures

II. A complaint may not be filed under this policy for actions resulting in:

- 1) discrimination
- 2) sexual harassment
- 3) violations of the Americans with Disabilities Act (ADA)
- 4) compliance complaints, and/or
- 5) other complaints or issues which fall under the rules and regulations of Federal, State, and local laws.

The Office of Student Affairs should be contacted for these issues and the matter will be referred to the appropriate University department.

Withdrawal or Resolution of Complaint

A learner may withdraw a complaint at any time in writing on the Resolution of Complaint Form.

SECTION II. Learner Complaint Process

Pathways for Complaints

The complaints process in CoPPS, IPH engages two pathways: 1) an informal pathway and 2) a formal pathway. It is preferred that resolution can be achieved in the informal pathway wherein misunderstandings and concerns could be resolved through productive discussions.

Definitions/Terminology

The basic terminology used for these processes include the following:

- **Complainant:** the author of a complaint.
- **Respondent:** the person against whom the complaint is filed against.
- **Professional Conduct Committee (PCC):** the designated body in the College that is responsible for receiving and potentially resolving learner complaints.
- **Investigating Officer:** the Associate Dean of Student Affairs or designee assigned to investigate a complaint.
- **Timeline:** the time frame for these procedures are working (business) days rather than calendar days. The timeline indicated at each step in the process shall be considered a maximum time, however every effort will be made to expedite the process before this maximum time is attained. The time frames set forth may be extended by the relevant officer in his or her discretion for good cause (e.g. illness, medical emergency, etc.).

STEP 1 - THE INFORMAL PATHWAY

The College encourages all parties to participate in good faith discussions and other activities that are designed to bring amicable resolution to the issue(s) giving rise to a complaint. Interactions between both parties should remain professional at all times and under all circumstances.

Prior to filing a formal written complaint as outlined in Step 2, learners are encouraged to first address their complaint informally with the party involved, and if a course, then with the course coordinator if necessary, as soon as possible, preferably within 10 business days. In the event there is concern by either party with meeting alone, the complainant or respondent may request that an academic advisor, the course coordinator, faculty, staff, or Division Director be present for the meeting.

If the issue is resolved, the course coordinator and/or faculty, staff, or administrator, the Associate Dean of Student Affairs or designee, and the learner should submit an “Informal” Resolution of Complaint Form to the Office of Student Affairs for filing in the learner’s records within 10 business days of resolution.

If there is no resolution after the initial meeting, the next step in the informal process is for the learner to meet with the faculty, staff, or administrator, and the appropriate Division Director. If the issue is resolved, the Division Director, the course coordinator and/or faculty, staff, or administrator, Associate Dean of Student Affairs or designee, and the learner should submit an “Informal” Resolution of Complaint Form to the Office of Student Affairs for filing in the learner’s records within 10 business days of resolution.

If no resolution is found, the learner should proceed to follow the formal pathway noted below.

STEP 2 - THE FORMAL PATHWAY VIA THE OFFICE OF STUDENT AFFAIRS

The following steps are required for the formal filing of a complaint:

1. The complainant (learner) should obtain a Learner Complaint Form from the CoPPS, IPH website or the Office of Student Affairs in the College of Pharmacy and fill in the relevant information within 10 business days of final informal non-resolution and submit to the Office of Student Affairs electronically through the FAMU CoPPS, IPH website ([insert website link here](#)).
2. The Associate Dean of Student Affairs or designee (Investigating Officer) shall convene a meeting with the respondent (faculty, staff, or administrator), appropriate Division Director, and applicable learner advisor to assemble all relevant information to resolve the matter within 10 business days from submission of complaint by the complainant. A joint meeting with the parties may be held, if warranted. During this process, if the issue is resolved, an “Informal” Resolution of Complaint Form will be submitted to the Office of Student Affairs and placed into the learner’s records. If not resolved, the matter should be forwarded to the PCC for formal adjudication (hearing) by the Investigating Officer.
3. The Division Directors of fourth professional year Doctor of Pharmacy learners on rotations will forward unresolved matters directly to the PCC for formal hearing and will copy the Associate Dean of Student Affairs on all correspondences.

STEP 3 - PROFESSIONAL CONDUCT COMMITTEE (PCC) HEARING

The Investigating Officer shall consult with the PCC and forward all relevant documents to the PCC related to the specific complaint. Within 10 business days, the Chair of the PCC will notify the learner of the date and time for the formal hearing and will identify the specific complaint. This notification shall be sent via university email to the learner's most recent address of record on file in the Office of the Registrar.

HEARING GUIDELINES

1. The learner may inspect all information that will be presented at least three (3) business days before the disciplinary hearing.
2. The learner may present information on his/her own behalf during the hearing.
3. The faculty/staff/administrator will then present information during the hearing.
4. The learner may have an advisor of their choice at the hearing who is authorized to have access to the learner's academic files as designated on a properly executed FERPA form. The learner must provide notice of the attendance of such person at least 72 hours (3 business days) prior to the hearing. If no notice is given, the hearing will be rescheduled to allow proper notice of attendance by an outside party, if necessary. This allowance will not be abused.
5. An advisor is not allowed to address the committee during the hearing and shall not be allowed to attend an initial meeting between the faculty member and/or administrator and the learner. He/she is not allowed to deliberate or delay the proceedings.
6. If the learner presents with legal counsel, official notice must be provided in writing to the University's General Counsel and the Office of Student Affairs of CoPPS, IPH at least three (3) business days before the disciplinary hearing. A copy of such notice must also be sent to the Office of the Provost by the learner.
7. After the committee hears all evidence, a resolution will be determined and communicated to the learner and their academic advisor within 10 business days.
 - a. A summary table is to be constructed by the committee and forwarded to the Dean, Executive Assistant to the Dean, and the Associate Dean of Academic Affairs by the PCC Chair. The summary table should include the following:
 - i. Learner Name/Campus
 - ii. Degree program
 - iii. Year
 - iv. The allegation
 - v. Committee ruling

COLLEGE APPEAL PROCESS The granting of an appeal is not automatic. A learner who wishes to appeal the decision rendered by the PCC must write a formal business letter to the Dean of the College outlining the reasons for and nature of the appeal. This letter must have an "Complaint Letter of Appeal" in the subject line and be delivered to the Dean of the College within 10 business days from the date of the PCC resolution letter. The PCC Committee Chairperson is to be copied on the message and letter.

The letter should include instructions about appealing to the Dean and the requirement of a business letter. In addition, the learner's academic advisor is to immediately contact the learner to ensure that he/she knows of the components of a business letter (see Appendix G).

No person may hear or decide an appeal if they conducted or participated in the proceeding being reviewed on appeal. Deference is given to the original hearing body's outcome; thus, the burden is on the learner filing an appeal to demonstrate cause to alter the decision of the hearing body.

The written appeal must specify the reason(s) why consideration should be granted and are limited to the following:

- i. The learner's due process rights, as outlined in University Regulation 2.013, were violated in the conduct proceeding;
- ii. New information exists that was not known to the learner and could not have reasonably been known or discovered at the time of the original proceeding and which

- would have substantially affected the outcome of the proceeding. This does not include statements from an individual or learner who did not appear for a proceeding;
- iii. The information presented during the proceeding does not support the decision; or
- iv. The sanction(s) imposed is not commensurate with the violation(s), with consideration given to any aggravating and mitigating circumstances.

The Dean of the College may uphold the decision and/or sanction(s); modify the decision and/or sanction(s); remand the case to the original hearing body for reconsideration of the decision and/or sanction(s) subject to any instructions, or remand the case for a new hearing.

The Dean will respond to a letter of appeal to acknowledge receipt and schedule an appeal meeting within ten (10) business days. Upon receipt of the appeal, the PCC Chair is to send to the dean all information used in its hearing. Scheduling occurs only after the receipt of an appeal in the form of a business letter with an acceptable basis for the appeal. The following factors will determine the scheduling of learners:

1. Order of committee ruling.
2. The proximity of APPE or NAPLEX examination – this is a compelling factor that will shift a learner ahead of others.
3. Date and time of appeal submission.
4. Should a hearing be scheduled for a learner becomes affected by legitimate factors such as graduation certification and matriculation, the Dean may then schedule another learner whose case is ready to be heard.

The final decision concerning the decanal appeal shall be communicated to the learner, Executive Associate Dean, Associate Dean, Academic Affairs, Associate Dean of Student Affairs, and professor/instructor involved within 10 business days of the scheduled meeting with the Dean.

PROFESSIONAL CONDUCT COMMITTEE RESPONSIBILITIES

1. Conduct hearing after reviewing the documentation
2. Call and question witnesses
3. Render decisions on complaint allegations
4. File Hearing Resolution form with the Office of Student affairs

The College reserves the right to modify or make exceptions to this policy and apply any such modification, or exception applicable to any learner without regard to the date of application, admission, or enrollment. This policy is neither a contract nor an offer to enter into a contract. Each learner is responsible for knowledge of the College’s policies as well as for changes promulgated by the College as addenda to this Policy. This policy supersedes all previous versions of this Policy. Any changes made in the College’s Learner Handbook or University’s Honor Code will automatically be incorporated into this policy.

Policy and Procedure Review and Revision History	
Creation Date:	
Reviewed Date:	
Revised Date:	
Approval Date:	
Effective Date:	

APPENDIX A: RECORD OF LEARNER COMPLAINTS

Accreditation Council for Pharmacy Education (ACPE) Standard 15.2

Accreditation Council for Pharmacy Education (ACPE) is the national agency for the accreditation of professional degree programs in pharmacy and providers of continuing pharmacy education.

The colleges and schools of pharmacy have an obligation to respond to any written complaints by learners lodged against the college or school of pharmacy, or the pharmacy program that are related to the standards and the policies and procedures of ACPE. The college or school of pharmacy shall establish, implement, and maintain a learner complaint procedure that affords the complainant fundamental procedural due process. The college or school of pharmacy should communicate the complaint policy to learners. The college or school of pharmacy, or the pharmacy program, shall maintain a file that contains the written complaint, a written record of each step of the complaint procedure, and the outcome, except as otherwise prohibited by state or federal law. The files shall be made available for inspection to ACPE at on-site evaluations or otherwise at ACPE's written request. The findings of this inspection, and the resulting implications(s) to the accreditation of the professional program, shall be noted in the Evaluation Team Report.

Complaints relative to ACPE standards will be handled using the grievance procedures of the College. ACPE has an obligation to assure itself that any institution which seeks or holds a pre-accreditation or accreditation status for its professional program(s) conducts its affairs with honesty and frankness. Complaints from other institutions, learners, faculty, or the public against a college or school of pharmacy, including tuition and fee policies, and as related to ACPE standards, policies or procedures, shall be placed in writing in detail by the complainant and submitted to the ACPE office. The complaint shall be submitted to the institution for response. Requests for confidentiality shall be respected to the extent any such information is not necessary for the resolution of the complaint.

The Executive Director shall, based upon the complaint, the response, and information from such further investigation deemed necessary, promptly determine the facts surrounding the issue, determine the validity of the complaint, and resolve the issue; provided, however, where the Executive Director deems it necessary or appropriate, the matter shall be considered at the next regular meeting of the Council. The time frame for resolution is generally within six months. A record of complaints regarding a specific college or school of pharmacy, including learner complaints received or made available, is kept for consideration on file at the Council office. Such record of complaint is considered during scheduled evaluations, or a special evaluation, as the case may require.

The procedure shall provide for treatment of complaints in a timely manner that is fair and equitable to all parties. The complainant shall be advised of the decision or action as soon as possible. When ACPE has cause to believe that any institution with which it is concerned is acting in an unethical manner or is deliberately misrepresenting itself to learners or the public, it will investigate the matter and provide the institution an opportunity to respond to the allegations. If, on the basis of such investigation, after notice to the institution and opportunity for institutional response, ACPE finds an institution has engaged in unethical conduct or that its integrity has been seriously undermined, ACPE will either:

- a. request that the institution show cause, within a stated time period, why adverse action should not be taken, or
- b. in extreme cases, immediately discontinue its relationship with the institution by denying or withdrawing pre-accreditation or accreditation status.

A complaint against a college or a school of pharmacy must be related to the standards or the policies and procedures of ACPE and must be submitted in writing to the Executive Director. Under existing practices, when a complaint is received, it is submitted to the college or school affected for response. If, thereafter, based upon the complaint and the response, the Executive Director determines that a complaint is not related to the standards or policies, the complainant is so advised in writing with a copy to the school or college, and the matter is treated as resolved.

Anonymous complaints pertaining to accreditation matters are retained and may or may not be forwarded to the school or college involved, depending on circumstances, and the severity of the complaint. This decision is made by the Executive Director. Where a complainant has threatened or filed legal action against the institution involved, ACPE will hold complaints in abeyance pending resolution of the legal issues and the complainant is so advised.

If the Executive Director finds a complaint to be extremely serious in nature, charging egregious conduct that may warrant adverse action by the Council, or involves an interpretation which the Executive Director believes should be made by the Council, the complaint will be submitted to the Council for determination at the next regular meeting. Extraordinary remedies available for complaints covering extreme cases are set forth in paragraphs (a) and (b) above.

ACPE has an obligation to respond to any complaints which may be lodged against it by any institution, learner, faculty or third party in respect to the application of ACPE's standards, policies, and procedures where the complaining party is directly affected thereby. Any such complaint shall be submitted in writing. The Executive Director shall promptly determine the facts surrounding the issues and shall attempt to resolve the matter in consultation with the Public Interest Panel established pursuant to Article V of the ACPE By-Laws. Complaints which cannot be resolved by the Executive Director shall be considered and resolved at the next regular meeting of the Council. The time frame for resolution is generally within six months.

COMPLAINTS

To file a complaint with the ACPE, email:

csinfo@acpe-accredit.org (regarding a professional degree program)

ceinfo@acpe-accredit.org (regarding a continuing education provider)

In addition, you may also contact ACPE at:

135 S. LaSalle Street

Suite 4100

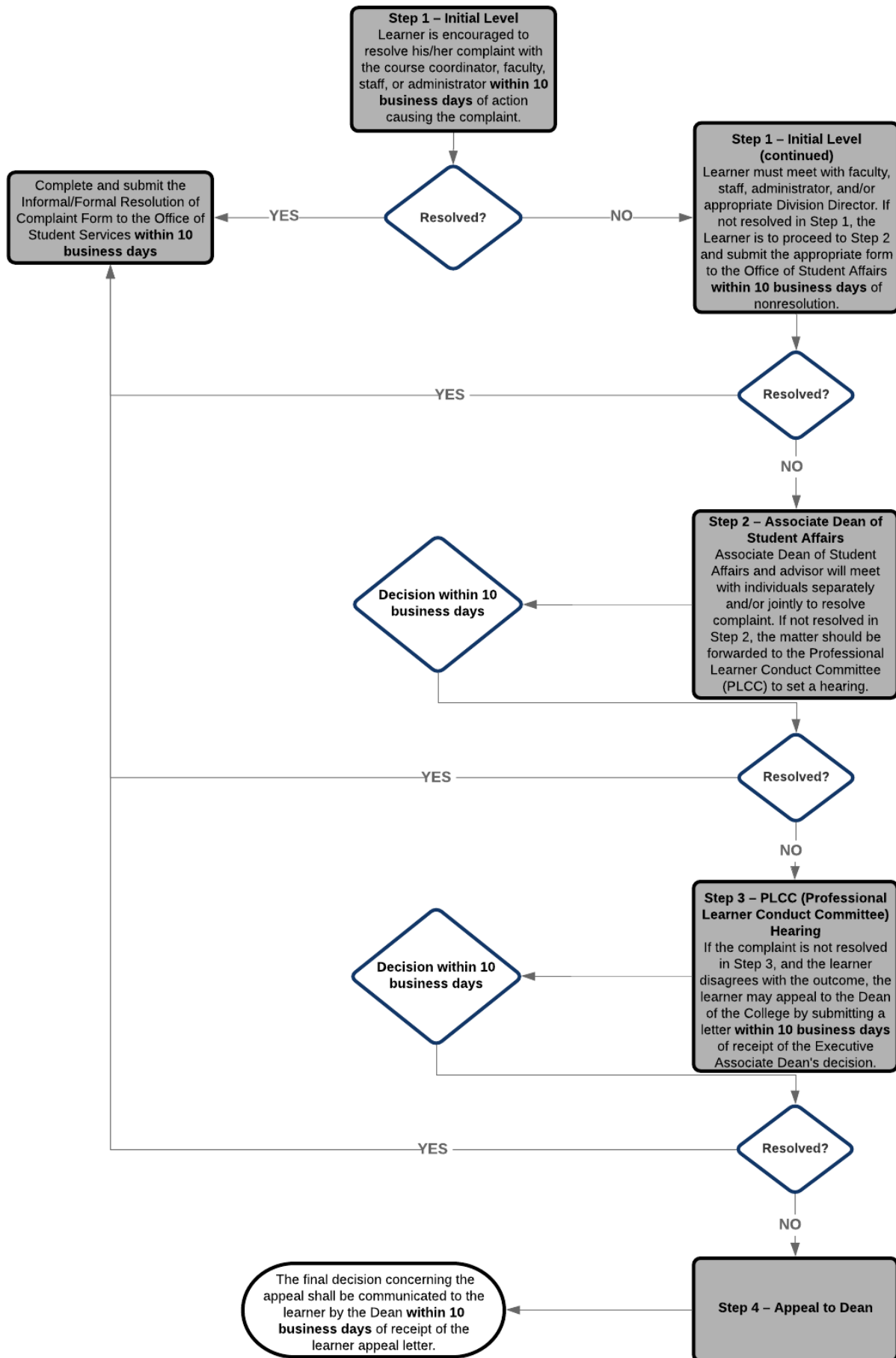
Chicago, IL 60603-4810

Phone: (312) 664-3575

Fax: (312) 664-4652

info@acpe-accredit.org

APPENDIX B: Complaint Flow Chart and Response to Incident



APPENDIX C: Complaint Form



COMPLAINT FORM

What may be disputed: Actions that may be disputed under this procedure include but are not limited to:

- 1) unfair, inequitable, or unprofessional treatment and
- 2) improper application of College policy or procedure.

Attach a description of the facts and circumstances that led to filing of this complaint.

Note: Your description may not exceed two pages (no smaller than 12 point font with 1” margins).

What may not be disputed: Actions that may not be disputed under this procedure include:

- 1) discrimination
- 2) sexual harassment,
- 3) Americans with Disabilities Act (ADA),
- 4) compliance complaints, and
- 5) other complaints/issues which fall under and regulations of Federal, State, and local laws.

The Office of Student Affairs should be contacted for these complaint issues.

Complete this Section When Filing a Complaint

What condition is being alleged? **At least one condition must apply to your complaint.**

- The instructor violated a specific University rule or policy. (Note: you must identify the specific violated policy in the statement that you attach to this complaint.)
- Classroom management style that impeded instruction.
- Other: _____

What resolution are you seeking? _____

I hereby certify that this complaint contains a complete, accurate, and truthful statement of the facts in this matter.

Learner Signature: _____ Date: _____

APPENDIX D: Informal/Formal Resolution of Complaint Form



Informal/Formal (circle one) Resolution of Complaint

The following describes the resolution agreed upon by all parties:

We acknowledge that a resolution has been obtained from this meeting.

Professor/Course Coordinator _____ Date _____

Learner Name _____ Date _____

Associate Dean of Student Affairs (or designee) _____ Date _____

APPENDIX E: Complaint Resolution Appeal Form I



Complaint Resolution Appeal Form I

I, _____, acknowledge meeting with _____ regarding an issue I wish to resolve, which unfortunately, has not been obtained from this meeting.

The following describes the specific incident in which the learner is disputing:

I do acknowledge that Step I of the complaint process has been completed by the Learner.

Professor/Course Coordinator _____ Date _____

Learner Name _____ Date _____

Associate Dean of Student Affairs (or designee) _____ Date _____

APPENDIX F: Complaint Resolution Appeal Form II



Complaint Resolution Appeal Form II

The Office of Student Affairs received a Complaint Resolution Appeal Form I from Learner _____.

We acknowledge *(by initialing)* the following:

_____ *Form I was properly signed, and documentation was provided by the professor/course director, staff, or administrator and the learner.*

_____ *There is an issue able to be disputed that the learner is presenting and has been clearly outlined with documentation from the learner in an objective way (i.e. grade miscalculation, unfair treatment, course text, etc.)*

The following describes the incident that is still unresolved between the parties:

*We acknowledge that a resolution has **not** been obtained from this meeting and that Step II of the dispute process has been completed by the learner.*

Professor/Course Coordinator _____ Date _____

Learner Name _____ Date _____

Associate Dean of Student Affairs (or designee) _____ Date _____

APPENDIX G: Student Business Letter Template

[Insert return address of letter writer]

[Insert Date]

Johnnie L. Early, II, PhD, RPh, Fellow NPhA
Dean and Professor
Florida A&M University
College of Pharmacy and Pharmaceutical Sciences
Institute of Public Health
1415 S. Martin Luther King, Jr. Blvd.
Tallahassee, FL 32307

Dear Dr. Early:

RE: ACADEMIC [ADD APPEAL TYPE, I.E., SUSPENSION, DISMISSAL, DISHONESTY, GRADE, COMPLAINT, ETC] APPEAL

[Insert the body of your letter. When writing a business letter, be careful to remember that conciseness is very important. In the first paragraph, consider a friendly opening and then a statement of the main point.]

[The next paragraph should begin justifying the importance of the main point.]

[In the next few paragraphs, continue justification with background information and supporting details.]

[The closing paragraph should restate the purpose of the letter and, in some cases, request some type of action.]

[Enclosures, if any]

Sincerely,

[Your signature goes here in blue ink]

[Insert your name]

[Insert your title]