

November 30, 2006

**RESOLUTION OPPOSING THE ADOPTION OF THE PROPOSED CUNY
“PROCEDURES FOR HANDLING STUDENT COMPLAINTS ABOUT
FACULTY CONDUCT IN ACADEMIC SETTINGS”**

Passed Unanimously

Whereas CUNY already has many policies and procedures allowing students to make formal complaints or appeals concerning specific issues; and

Whereas these already adopted policies and procedures specify the issue(s) about which students may make formal complaints or appeals (e.g. grade appeals, discrimination, disclosure of student records, academic integrity, sexual harassment, violent behavior); and

Whereas the proposed student complaint procedures do not refer to any specific faculty conduct, but speak only of “complaints about treatment of students;” and

Whereas there is no antecedent policy to which these proposed student complaint procedures are attached, including no definitions of what conduct might fall within and outside the scope of this set of procedures; and

Whereas these proposed student complaint procedures set no standards for judging which faculty conduct is to be addressed through these procedures; and

Whereas the proposed student complaint procedures apply to “academic settings,” a term that is not defined and subject to interpretation; and

Whereas the proposed student complaint procedures will require a multi-level investigative and appeal process; and

Whereas the proposed student complaint procedures will require department chairs (as the “Fact Finder”) to conduct an investigation if a dispute persists, which shall include “interview[ing] the complaining student, the faculty member and other persons with relevant knowledge and information and shall also consult with the chief student affairs officer...” and issuing “a written report setting forth his or her findings and recommendations...;” and

Whereas the proposed student complaint procedures set forth no standards or guidelines upon which to base “findings” and “recommendations;” and

Whereas the proposed student complaint procedures set forth an “appeals procedure” and contemplates “subsequent action,” again without appropriate

standards or specific guidelines as to what constitutes inappropriate conduct;
and

Whereas all of these investigations, appeals processes and the possible issuance of several written reports are all to occur without any guarantee of confidentiality; and

Whereas CUNY has not demonstrated a need for implementing such a set of student complaint procedures; and

Whereas CUNY students already have access to policies and procedures to bring complaints against inappropriate faculty conduct; and

Whereas the PSC is always willing to work with students to address legitimate issues concerning inappropriate faculty conduct; and

Whereas these student complaint procedures themselves will become an invitation to politicize the classroom and intimidate faculty and students; and

Whereas these student complaint procedures will themselves become a catalyst for conflict and threaten academic freedom in the classroom by fraying trust between students and teachers and creating a climate of intimidation; and

Whereas it is in the best interests of the students, faculty and the academic enterprise to uphold and protect academic freedom in the classroom; now therefore

Be it resolved, the PSC Delegate Assembly calls on the CUNY Board of Trustees and the Chancellory to withdraw from consideration the proposed “Procedures for Handling Student Complaints about Faculty Conduct in Academic Settings.”