Dispute Resolution Policy and Procedures

Introduction
IEP School of Commercial Studies Dispute Resolution Policy and Procedures are available to IEP students who have a dispute or disagreement with faculty or staff about the equity and fairness of decisions or procedures that affect their academic standing and progress toward the degree. Such issues may arise regarding fair and equal treatment in the conduct of a class, in the grading or evaluation of academic work or research. Other issues may concern the equity and fairness of program, department or IEP policies.

Academic dispute resolution is a means for resolving disputes and achieving a workable outcome for all parties, within the IEP integrity policies. Resolutions are not imposed, but result from agreement of all parties.

Scope of the policy
The IEP Dispute Resolution Policy applies to disputes IEP students may have with faculty or staff regarding equity and fair treatment that may have an impact on grading or evaluation, or other treatment that affects academic standing. This policy may not be used to appeal grade-related or other academic sanctions imposed as a result of any action taken under any honor code or academic integrity policy.

Other IEP policies and procedures apply to allegations of faculty and staff misconduct; such matters will be governed by appropriate policies administered under other IEP units:

- Complaints that a member of the faculty or staff has engaged in research misconduct will be handled by the Management Team for Research.

- Complaints that a member of the faculty or staff has violated the University's non-discrimination and harassment policies will be investigated by the Management Team.
• Claims that a member of the faculty or staff has violated employment contracts will be investigated by Human Resources.

A graduate student who alleges misconduct by a faculty or staff member must pursue the complaint in the most appropriate forum; a student may not pursue the same allegation in different venues. Students who agree to have a dispute mediated under this policy agree not to pursue the same matter in any other forum within the IEP.

Dispute resolution principles and responsibilities
Adherence to principles of impartiality, confidentiality, timeliness, and effective communication are important to successful dispute resolution. The IEP Management Team is to ensure that these principles are understood and observed in the dispute resolution process. The Management Team will appoint one member of the team to be a Resolution Officer.

1. Impartiality
A Resolution Officer will remain impartial. A Resolution Officer will recuse him/herself for a conflict of interest. Such circumstances include if the Resolution Officer has a personal or professional relationship with any party in the dispute that would impede his or her impartiality. In such instances, the Management Team may ask another impartial and qualified staff or faculty member to handle the dispute resolution process.

2. Confidentiality
• A student may meet informally to discuss an issue with any Lecturer or Counselor. While these discussions will remain confidential to the extent permitted by law, confidentiality will not be maintained if the Resolution Officer believes that disclosure is necessary to avoid an imminent risk of serious harm or is required by law.

• All parties implicated in the complaint have the right to know the details of the issues that give rise to the dispute. A student may not anonymously request a formal dispute resolution process.

• Records summarizing the resolution of disputes will be archived by the Management Team. These records will be a resource for IEP. Personal information in these records will be kept confidential.
3. Timeliness
Timely address to disputes is important for successful resolution. Normally, resolution conferences will be held within ten business days from the time the case is received. The academic calendar may make it difficult to always adhere to this schedule, but the conference should be convened within a reasonable time.

4. Communication
IEP should maintain and make public dispute resolution procedures. IEP should also publicize these procedures to students, faculty and staff. Resolution Officers are available to speak with a student about the purpose and principles of these procedures, and the implications of proceeding with a formal dispute resolution conference, including potential outcomes. The student must be kept fully informed at every step and participate in reaching a resolution.

The academic dispute resolution process
In many cases, academic disputes can be quickly and effectively resolved when addressed informally at the local level. Misunderstandings, miscommunications and disagreements often can be resolved through such conversations.

1. A student may talk with the Lecturer as an initial step. The student may also consult informally with the Student Service Officer of the school who can offer impartial advice and suggest steps to resolve the issue.

2. All students are encouraged to seek information and advice from an appointed IEP Counselor, who can offer neutral advice about how to address and resolve disputes.

3. If informal discussion does not resolve the disagreement, the student may seek a formal resolution conference within the school.

4. The Resolution Officer of the school or college will notify relevant parties and include a summary of the issue at disagreement.

5. Through the dispute resolution process, the parties will develop a resolution plan to which the parties consent. The Resolution Officer will summarize the key points of the agreed resolution in
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1. Resolution conferences for new cases or reconsiderations will be held within ten working days of the initiation of the case.

2. The Resolution Officer will invite all parties to submit written statements. The Resolution Officer may interview other persons who may be able to contribute to an understanding of the dispute, or ask them to provide written statements.

3. For new cases only (i.e., not reconsideration cases), the Resolution Officer may determine that, on the basis of this inquiry, the claims of the student are without merit. In this case, no further action will be taken.

4. A resolution conference will be conducted for the purpose of understanding the causes of the dispute and for producing a solution.

5. The parties in the dispute have the right to respond to claims made by others, either in writing or at the conference itself.

6. The conference will not be recorded.

7. The parties will be encouraged to seek a resolution to the dispute by agreeing on a course of action. The Resolution Officer will summarize the key points of the agreed resolution in a memo of understanding. The parties to the dispute will sign the agreement, signaling their consent to the terms of the resolution. Copies of the agreement will be documented.

8. If the parties are unable to reach a resolution through the conference process, they will be asked to submit a summary statement no more than two pages in length. Upon review of the
Resolution Officer’s report and of statements submitted by the parties, the Director will determine a resolution outcome based on the preponderance of the information presented.

**Procedure for Student Disputes:**

1. When a concern arises, the student should address the concern with the staff member most directly involved. If the student is not satisfied with the outcome at this level, the student should put his/her concern in writing and deliver it to the Educational Administrator.

2. The Educational Administrator will arrange to meet with the student to discuss the concern and desired resolution within five school days of receiving the student’s written concern, or as soon as is practicable.

3. Following the meeting with the student, the Educational Administrator will conduct whatever enquiries and/or investigations are necessary and appropriate to determine whether the student’s concerns are substantiated in whole or in part. Those inquiries may involve further discussion(s) with the student either individually or with appropriate IEP Personnel.

4. The necessary enquiries and/or investigations shall be completed no later than 10 school days following the receipt of the student’s written concerns. The Educational Administrator will do one of the following within 10 days of receiving the student’s written concerns:

5. Determine that the student’s concerns are not substantiated; or

6. Determine that the student’s concerns are substantiated in whole or in part;

7. Determine that the student’s concerns are frivolous and vexatious.

8. The student and the institution’s personnel involved shall receive a written summary of the above determination. A copy of all documentation relating to every student’s complaint should be signed by all parties. A copy shall be given to the student, a copy will be placed in the school’s Student File, and the original will be placed in the student file.

9. If it has been determined that the Student’s concerns are substantiated in whole or in part the Educational Administrator shall include a proposed resolution of the substantiated concern(s).

10. If the student is not satisfied with the determination of the Faculty Administrator, the student must advise the Educational Administrator within 48 hours of being informed of the determination. The Educational Administrator will immediately refer the matter to the Managing...
Director. The Managing Director will review the matter and meet with the student within 5 working days.

11. The Managing Director shall either confirm or vary the determination of the Senior Educational Administrator. At this point the School’s Dispute Resolution Process will be considered exhausted.

12. If the issue is of a serious nature the Board of Directors may, at their sole discretion and cost, engage the services of a third party mediator to assist in the resolution of the dispute.