



## Ohio Administrative Code

### Rule 3342-4-02.3 Administrative policy and procedure for student academic complaints.

**Effective: March 1, 2015**

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(A) Purpose. This administrative policy and procedure is established to provide an appropriate framework and method to resolve student complaints of an academic nature. As such, this policy is specifically designed to maintain the integrity of the academic environment and to ensure that the rights of students in such matters are clearly stated and protected.

(B) General guidelines.

(1) In initiating a complaint and throughout the formal appeals process, students may seek the counsel of the office of the student ombudsman. The student ombudsman will provide information, clarify procedures, and facilitate communication as requested.

(2) This student academic complaint policy, upon its approval, will become a part of each departmental/independent school unit's handbook as the applicable student complaint policy and procedure for the unit.

(3) It is understood that some issues may involve one or more policies which, because of either the nature of the complaint or the status of the complainant, may be related to university offices which have separate responsibilities for such policies. For example, an allegation of discrimination or sexual harassment could be reviewed separately by the office of affirmative action.

(4) There shall be no retaliation or abridgment of a student's rights resulting from the use of this policy.

(C) Regional campus academic complaints filed at a regional campus are covered by rule 3342-8-01.4 of the Administrative Code.

(D) Definition of terms.



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- (1) "Student" means any person enrolled at the university in a course offered for credit. \
- (2) "Instructor" means any person authorized by appointment to teach in any course offering of the university; or who is involved in a professional capacity as a committee member or in other types of assessment or evaluation of student academic work.
- (3) "Chair" means the chief administrative officer of a department, school, or program whose position is that of a first organizational level academic leader with a teaching faculty. In the case of undergraduate programs in an independent school, an assistant dean shall serve in the capacity of chair with regard to this procedure. In the case of graduate programs in an independent school, the dean serves in the capacity of chair with regard to this procedure.
- (4) "Dean" means the chief administrative officer of a college who has programmatic administrative authority for the unit in which the action took place. The deans of the graduate school of education, the graduate school of management, and the graduate college shall be the appropriate dean for those respective graduate programs. The dean may designate an assistant or associate dean to fulfill the duties required by this procedure.
- (5) "Department" means an academic unit headed by a chair, a dependent school headed by a director, or for purposes of implementation of this policy, an independent school headed by a dean.
- (6) "College" means an academic unit headed by a dean and made up of several departments or dependent schools.
- (7) "Student academic complaint" is defined as a formalized complaint regarding those aspects of the educational process involving student performance, evaluation, or grading in courses.
- (8) "Student complaint procedure" is defined as the process by which a student may resolve an academic complaint.
- (9) "Respondent" is defined as that person or persons named by the student when filing a written complaint.



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- (10) "Complainant" is defined as that person who files a complaint.
- (11) "Student academic complaint committee" refers to the department committee whose responsibility is to review and make recommendations to the chair with regard to student academic complaints.
- (12) All references to "days" refer to weekdays during fall and spring semesters in which classes are conducted, excluding examination week.
- (13) "Student ombudsman" is the university official charged with the responsibility to assist students by providing an individualized information and referral system. The student ombudsman informs students of procedures for processing student complaints and acts as a facilitator upon request.
- (E) Departmental/independent school student academic complaint committee.
- (1) Each academic unit shall establish a standing student academic complaint committee which shall be composed of departmental faculty and at least one student. The departmental faculty advisory committee, with the addition of at least one student, may constitute the student academic complaint committee; or, the faculty advisory committee may designate or create another standing committee as the student academic complaint committee. All members shall participate fully in committee deliberations and shall vote on the recommendation to be forwarded to the chair.
- (2) At the beginning of each academic year the student academic complaint committee shall elect one of its members to serve as chairperson.
- (3) In the case of units where the faculty advisory committee is a committee of the whole, the departmental faculty will select three to five of its members to serve as the student academic complaint committee.
- (4) The student member(s) of the committee will be selected by the chairperson from at least two nominees chosen by the departmental student organization that the chairperson and the faculty advisory committee identify as being most reflective of the academic mission of the department. Two undergraduate nominees and two graduate nominees who are majors in good standing in the



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unit shall be forwarded to the chairperson on or before September fifteenth of each year. In the event the nominations are not received, the chairperson shall select an undergraduate and a graduate student, who is a major in good standing, to serve. The undergraduate student will sit on complaints from undergraduate courses, and the graduate student will sit on complaints from graduate courses.

(5) If a spouse or a relative of any member of the committee is named as a respondent or complainant, that member shall be excluded from deliberating or voting on that complaint. In such cases, the members of the committee, through its chairperson, may replace any member excluded by this provision.

(6) When sitting as the student academic complaint committee, the chairperson (independent school assistant dean for undergraduate complaints/independent school dean for graduate complaints) is not a member of the committee, nor does the chairperson participate in its deliberations.

(7) In each individual case brought before the committee, the student complainant may bring a non-attorney adviser to observe, assist, and counsel. Such advisers shall not participate directly in the hearing.

(F) Complaint procedure.

(1) Informal resolution.

(a) The student is expected first to review the matter with the instructor in an attempt to resolve the issue immediately.

(b) If the matter is not resolved immediately, the student may discuss the matter with the departmental chairperson before lodging a formal complaint.

(c) The student may also consult with the student ombudsman in an attempt to achieve informal resolution.

(2) Formal complaint. If the attempts at informal resolution are unsuccessful, the student may lodge a formal complaint by submitting said complaint, in writing, to the department chairperson. In the case



where a complaint is lodged against the department chair, the complaint will be submitted to the chair of the student academic complaint committee.

- (a) The written complaint submitted by the student should include the nature of the complaint, the facts and circumstances leading to the complaint, reasons in support of the complaint, and the remedy or remedies requested. The complaint statement submitted by the student becomes the basis for all further consideration of the matter. The written complaint should also note what attempts were made at informal resolution and should include any evidence pertinent to the issues identified.
- (b) Upon receipt of the complaint, it shall be referred to the student academic complaint committee for consideration. A copy will be made available to the respondent(s) who shall respond in writing to the complaint and include any information or documentation related to the response.
- (c) The conduct of matters brought before the student academic complaint committee shall be non-adversarial in nature. The committee shall examine and evaluate fully the written allegation and response, including any supporting documentation submitted by the appellant or respondent. The complainant and the respondent will be invited to appear before the committee. The committee may also invite testimony from any other persons who, in the judgment of the committee, may assist in its examination and evaluation of the complaint.
- (d) After completion of its review and examination and following appropriate deliberation, the committee shall forward to the department chairperson a written recommendation, which becomes part of the record.
- (e) Upon receipt of the written recommendation from the student academic complaint committee, the department chair shall provide a written decision to the complainant and the respondent, with a copy going to the members of the committee and the dean. In arriving at a decision, the department chairperson, besides reviewing the recommendations provided by the committee, may consult with the parties to the complaint or others who the department chairperson believes may assist in the review of the matter. The written decision should contain a summary of the complaints, of the committee's recommendation, and the reason(s) for the decision rendered.
- (f) In the event that the decision requires a change in a student's academic record, and neither party



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appeals the department decision, it is the responsibility of the chairperson of the department to initiate such a change, following established university procedures.

(G) Appeal of department decision. The complainant or respondent may appeal to the appropriate dean the decision made at the department level.

(1) The appellant shall clearly state in writing to the dean the reasons why the departmental decision is being appealed. The appeal must be based on procedural reasons or substantive issues that were not properly dealt with in the original appeal. In no case will the appeal be a complete rehearing of the original complaint.

(2) A copy of the appeals statement must be sent to the other party and the chairperson of the department.

(3) The review by the dean of any appeal will normally consist of the review of the written documents and may, at the discretion of the dean, include interviewing the principal parties, discussing the matter with the department chairperson and members of the student academic complaint committee, and/or consultation with any others who the dean believes may assist in the review of the appeal.

(4) Upon completion of the review, the dean will make the final decision.

(H) Time limits. The following time limits pertain to all parties. If conditions or causes exist requiring a modification of the time limits, it shall be the responsibility of the chairperson to assess such circumstances and causes and determine the nature or extent of any such modification. If the chairperson determines that modification is required, the parties shall be informed immediately by the chairperson.

(1) Following an unsuccessful attempt at informal resolution, a written complaint must be submitted within fifteen days after the occurrence of the event. If the event occurs at or after the end of a regular semester or during a summer session, a student will have up to fifteen days at the start of the next semester to submit a complaint to the department. An exception to this rule is in effect if the student is scheduled to graduate and the event does not delay graduation. In such cases, the written



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complaint must be filed within thirty days following the last of finals week, if the event occurs during the regular semester or within thirty days following the last day of classes of the final summer session, if the event occurs during summer session.

(2) The department chairperson must provide a copy of the complaint to the respondent and members of the student academic complaint committee within ten days of receipt of the complaint.

(3) The respondent has ten days from the date of receipt of the complaint to provide a written response to the department chairperson, with a copy to the complainant and to the members of the student academic complaint committee.

(4) The student academic complaint committee is expected to conduct its review as expeditiously as possible. The student academic complaint committee, through its chair, must forward a written recommendation to the department chairperson within fifteen days of completion of its review.

(5) The chairperson will normally provide a written decision within ten days of receipt of the student academic complaint committee's recommendation.

(6) If either party decides to appeal the chairperson's recommendations, it must be submitted in writing to the appropriate dean within five days of receipt of the departmental decision. A copy of the written appeal must also be sent to the other party and to the chairperson of the department.

(7) Unless extensive further review is required, the dean shall normally provide a decision to the appellant within fifteen days. A copy of the decision shall be sent to the other party and to the department chairperson.

(I) Records. The records and disposition of any complaint, including those appealed to the dean, shall be maintained by the department in a separate student academic complaint file for a minimum of seven years.

(J) Exceptions. It is recognized that because of organizational structure, the nature of a complaint, or the possibility of persons normally involved in the process being subject to a complaint themselves, exceptions to these procedures may have to be made. In any such case, the matter should be brought



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to the attention of the office of the provost and vice president for enrollment management and student life for disposition.