



Ohio Administrative Code

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

Effective: August 25, 2022

(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 ombuds. The student ombuds will provide information, clarify procedures, and facilitate communication as requested.

(2) This student academic complaint policy, upon its approval, will become a part of the handbook for each academic unit and regional campus as the applicable student complaint policy and procedure for the unit.

(3) The appropriate jurisdiction for initiating an academic complaint (i.e., where a complaint is filed and which academic unit or regional campus controls the complaint process) is determined first by the academic unit or campus scheduling the course offering. Academic complaints concerning courses scheduled by an academic unit will be initiated with the academic unit offering the course. Academic complaints concerning courses scheduled by a regional campus will be initiated with the regional campus offering the course. In the case of a course scheduled by an academic unit which is cross-listed with other academic units, an academic complaint will be initiated with the academic unit of the instructor. In the case of a course scheduled by a regional campus that is cross-listed with another campus, an academic complaint will be initiated with the primary campus of the instructor of record.

(4) It is understood that some issues student academic complaints may involve one or more policies which, because of either the nature of the academic complaint or the status of the complainant, may



be related to university offices with separate responsibilities for such policies. An allegation of discrimination or sexual harassment should be referred to the office of compliance, equal opportunity, and affirmative action. Appeals of sanctions applied for cheating or plagiarism should be addressed under rule 3342-3-01.8 of the Administrative Code. Non-academic student complaints should be addressed under rule 3342-4-02.102 of the Administrative Code.

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

(C) Definition of terms.

(1) "Student" is defined as any person enrolled at the university in a course offered for credit.

(2) "Instructor" is defined as any person who is authorized to teach any course offering of the university, who is involved in a professional capacity as a thesis or dissertation committee member, or who evaluates student academic work.

(3) "Academic unit" is defined as an academic department headed by a chair, a school headed by a director, or a college without departments or schools headed by a dean.

(4) "Regional campus" is defined as a campus of Kent state university other than the Kent campus.

(5) "Local administrator" is defined as the chief administrative officer of an academic unit or regional campus whose position is that of a first organizational level academic leader with a teaching faculty (i.e., the chair of a department, the director of a school, the dean of a college without departments or schools, or the dean of a regional campus). In the case of a college without departments or schools or a regional campus, and with the exception of the role identified for the local administrator in paragraphs (E)(2)(g) and (E)(2)(h) of this rule, the dean may delegate the role of the local administrator to a college or campus administrator with faculty rank.

(6) "Faculty advisory body" is defined as the faculty advisory committee of a department or school, the college advisory committee of a college, or the faculty council of a regional campus.



(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 academic complaint.

(10) "Complainant" is defined as the student who files an academic complaint.

(11) "Student academic complaint committee" is defined as the academic unit or regional campus committee whose responsibility is to review and make recommendations to the local administrator with regard to student academic complaints.

(12) "Student ombuds" is defined as the university official charged with the responsibility to assist students by providing an individualized information and referral system. The student ombuds informs students of procedures for processing student complaints and acts as a facilitator upon request.

(13) "Academic administrator at the next level of governance" is defined as the college dean (or their designee) in the case of a department chair/school director, the provost (or their designee) in the case of a dean of a college without departments or schools, or the chief administrative officer for regional campuses (or their designee) in the case of a regional campus dean.

(14) All references to "days" refer to weekdays during fall and spring semesters on which classes are conducted, excluding examination week.

(D) Student academic complaint committee.

(1) Each academic unit and regional campus shall establish a standing student academic complaint committee which shall be composed of three to five full-time faculty members from the academic unit or regional campus and one to two students. All members shall participate fully in committee



deliberations and shall vote on the recommendation to be forwarded to the local administrator.

(2) In all cases, faculty members of the student academic complaint committee will be selected by the faculty advisory body of the academic unit or regional campus at the end of the Spring semester for the next academic year.

(3) At the beginning of each academic year the student academic complaint committee shall elect one of its full-time faculty members to serve as chairperson.

(4) The student member(s) of the committee will be selected by the local administrator after consultation with the faculty advisory body and relevant student organizations. As applicable, undergraduate student(s) and graduate student(s) in good standing shall be appointed by the local administrator on or before September fifteenth of each year. The undergraduate student(s) will sit on complaints about undergraduate courses, and the graduate student(s) will sit on complaints about graduate courses.

(5) If a member of the student academic complaint committee or a spouse, domestic partner, or 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 student academic complaint committee, through its chairperson, may replace any member excluded by this provision.

(6) Neither the local administrator nor any administrative delegate thereof is a member of the student academic complaint committee, nor does the local administrator or any administrative delegate thereof participate in its deliberations.

(E) Complaint procedure.

(1) Informal resolution.

(a) The student is expected first to review the matter with the course 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 local administrator of the academic unit or regional campus offering the course before lodging a formal complaint.

(c) The student may also consult with the student ombuds.

(2) Formal complaint.

(a) If attempts at informal resolution are unsuccessful, the student may lodge a formal complaint by submitting said complaint, in writing, local administrator. (See paragraph G of this rule for time limits.) In the case where a complaint is lodged against the local administrator, the complaint will be submitted to the chair of the student academic complaint committee.

(b) 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.

(c) Upon receipt of the complaint, the local administrator shall refer it 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. A copy of the respondent's written response shall be forwarded to the complainant.

(d) If the committee determines that two or more complaints against an instructor are substantively the same, the committee may, with the concurrence of the complainants, choose to combine the complaints.

(e) 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 complainant 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.

(f) In each case brought before the committee, the student complainant may bring a non-attorney adviser (e.g., a parent, fellow student, another instructor) to observe, assist, and counsel. Such advisers shall not participate directly in the hearing.

(g) After completion of its review and examination and following appropriate deliberation, the committee shall forward to the local administrator a written recommendation, which becomes part of the record.

(h) Upon receipt of the written recommendation from the student academic complaint committee, the local administrator shall provide a written decision to the complainant and the respondent, with a copy going to the members of the committee and the academic administrator at the next level of governance. In arriving at a decision, the local administrator, besides reviewing the recommendations provided by the committee, may consult with the parties to the complaint or others who the local administrator believes may assist in the review of the matter. The written decision should contain a summary of the complaints and of the committee's recommendation, and the reason(s) for the decision rendered.

(i) In the event that the decision requires a change in a student's academic record, and neither party appeals the decision of the academic unit or regional campus, it is the responsibility of the local administrator to initiate such a change, following established university procedures.

(F) Appeal of academic unit or regional campus decision.

(1) The complainant or respondent may appeal the decision made at the academic unit or regional campus level to the academic administrator at the next level of governance.

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



(3) A copy of the appeal statement must be sent to the other party (complainant or respondent) and the local administrator of the academic unit or regional campus.

(4) The review of any appeal by the academic administrator at the next level of governance will normally consist of the review of the written documents. At the discretion of the academic administrator at the next level of governance, the review may include interviewing the principal parties, discussing the matter with the local administrator and members of the student academic complaint committee, and/or consulting with any others deemed relevant to the review of the appeal.

(5) Upon completion of the review, the academic administrator at the next level of governance will make the final decision.

(G) Time limits.

(1) 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 local administrator to assess such circumstances and causes and determine the nature or extent of any such modification. If the local administrator determines that modification is required, the parties shall be informed immediately by the local administrator.

(2) 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 from the start of the next semester to submit a complaint to the local administrator. 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 complaint must be filed within thirty days following the last day 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.

(3) The local administrator 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.



(4) The respondent has ten days from the date of receipt of the complaint, if the complaint was submitted during the fall or spring semesters, or ten days from the start of the next semester, if the complaint was submitted during the summer or winter breaks, to provide a written response to the local administrator, with a copy to the complainant and to the members of the student academic complaint committee.

(5) The student academic complaint committee is expected to conduct its review as expeditiously as possible. In no case, however, is the committee expected to conduct its review outside of the regular academic year (fall and spring semesters). The student academic complaint committee, through its chair, must forward a written recommendation to the local administrator within fifteen days of completion of its review.

(6) The local administrator will normally provide a written decision within ten (10) days of receipt of the student academic complaint committee's recommendation.

(7) If either party decides to appeal the local administrator's recommendations, the appeal must be submitted in writing to the appropriate academic administrator at the next level of governance within ten days of receipt of the academic unit or regional campus decision. A copy of the written appeal must also be sent to the other party and to the local administrator of the academic unit or regional campus.

(8) Unless extensive further review is required, the academic administrator at the next level of governance 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 local administrator.

(H) Records. The records and disposition of any complaint, including those appealed to the academic administrator at the next level of governance, shall be maintained by the academic unit or regional campus in a student academic complaint file for a minimum of seven years.

(I) Exceptions. It is recognized that, because of 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 to the attention of the office of the provost the case of complaints originating on the Kent campus, or the



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chief administrative officer for regional campuses in the case of complaints originating on a regional campus.