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OHIO LEGISLATIVE SERVICE
COMMISSION
DOCUMENT #524306

Ohio Administrative Code

Rule 3349-5-30 Learning environment concerns rule.

Effective: June 26, 2026

(A) Purpose

The university is committed to maintaining a professional and welcoming learning environment in which all students are treated with respect and dignity. This environment should promote interactions based on individual strengths and characteristics to encourage constructive, thoughtful, respectful, sensitive behavior, consistent with the standards of the various health professions in which our students are being trained.

(B) Scope

(1) A complaint or concern within the learning environment of mistreatment, inappropriate professional interaction, or bias may be made by any student against any other member of the university community, so long as it relates to the educational activities of university. Student complaints of mistreatment, inappropriate professional Interactions, or bias about course instructors, teaching methods, evaluations or course related matters are to be handled in accordance with this rule.

(2) This rule will not be interpreted, administered or applied to infringe upon the academic freedom of any faculty member of the university. The frank discussion of controversial ideas, the provision of constructive criticism related to educational performance, the pursuit and publication of controversial research, and the study and teaching of material with controversial content do not constitute mistreatment, provided these activities are conducted in an atmosphere of respect.

(3) This rule is not to be interpreted, administered or applied in such a way as to detract from the rights and obligations of those in an evaluative role to manage and discipline students, subject to the university's policies and procedures.

(4) A student may not use this rule to review the decisions or recommendations of the committee on academic and professional progress ("CAPP"). These decisions may only be reviewed in accordance with the university rule on "CAPP."

(5) This rule does not govern situations where students believe that they have been subjected to sexual misconduct, sexual harassment, discriminatory treatment or other illegal activity. Complaints of that nature are addressed under separate university rules.

(C) Definitions

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(1) "Complainant" refers to any person who seeks recourse pursuant to this rule because he/she has reasonable cause to believe he/she has experienced mistreatment or inappropriate professional interaction.

(2) "Inappropriate Professional Interaction" refers to conduct that is offensive, uncivil, and generally disrespectful to a reasonable professional in the field.

(3) "Mistreatment" refers to words, gestures or actions that tend to alarm, intimidate or demean another.

(4) "Respondent" refers to a person or person against whom an allegation of mistreatment or inappropriate professional interaction has been made.

(5) "University-related activity" refers to all activities operated under the auspices of the university on the Rootstown campus or in any affiliated institution, program or agency.

(6) "Learning environment" refers to any location where NEOMED academic activities including, but not limited to, didactic, simulation, laboratory, or clinical, associated with your program of study, take place.

(7) "Bias"refers to a completed, attempted or threatened incident where abusive or hostile acts against a person or persons where such acts manifest evidence that the target was intentionally selected on the basis of the target's actual or perceived age, class, color, disability, ethnic/regional/national origin group, gender, gender identity, gender expression, race, religion, sex or sexual orientation, including any hate crime.

(D) Body of the rule

(1) All students of the university community are encouraged to resolve complaints informally. Students who feel they have experienced mistreatment, inappropriate professional interaction, or bias should discuss the matter with their faculty advisor, personal advisor, or the chief student affairs officer. These individuals will:

(a) Provide students a forum for expressing concerns and exploring options for addressing the concern at issue;

(b) Advise students on both informal and formal

(c) Discuss the student's concerns, with the permission of the student, with the person about whom the student has an issue (e.g., faculty member, resident, etc.).

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If one of the individuals identified in this rule believes that mistreatment, an inappropriate professional interaction, or bias has occurred, the individual has the responsibility to discuss the issue with his/her respective vice dean, even if the student does not wish to file a formal complaint.

(2) Unless a formal complaint is filed, no further action will be taken by the university other than what is set forth in this rule.

(3) Formal complaint

(a) A complaint becomes formal when a complainant completes the learning environment form online and it is received by one of the members of the university community designated to receive such complaints.

Upon receipt, all formal complaints are forwarded to the dean of students (or designee). The the dean of students (or designee) investigates and adjudicates the matter or convenes an investigation committee, if necessary.

(b) Students may file a formal complaint in accordance with the above procedure within thirty calendar days of the last alleged incident of mistreatment, inappropriate professional interaction or bias in the learning environment.

(c) Copies of the concern form shall be included in the NEOMED compass and on the university website.

(4) Investigation process for a formal complaint

(a) The investigation shall be conducted by the dean of students or their designee, with the assistance of other university faculty or staff, as appropriate. In certain circumstances, the dean of students may delegate the investigatory duties set forth below to appropriate personnel within the college. The dean of students (or designee) will consult the general counsel on all matters of evidence, rule interpretation and/or procedure.

(b) The dean of students (or designee) may, for good cause shown, exercise discretion in delaying the investigatory phase of a formal complaint if dealing otherwise would compromise the investigation or adversely affect the student's matriculation.

(c) The investigation process will include one or more of the following steps as appropriate:

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(i) Confirm name, year, and college of the complainant;

(ii) Identify name, title and role of the respondent;

(iii) Develop a thorough understanding of the professional relationship, degree of control and amount of interaction between the complainant and respondent; and

(iv) Determine the frequency/severity and type of alleged mistreatment, inappropriate professional interaction or bias.

(5) Discipline and sanctions

(a) Failure to cooperate with the investigation or resolution of a formal complaint is considered a violation of this rule and may be grounds for discipline or sanctions.

(b) Disciplinary sanctions related to faculty will be undertaken in accordance with the faculty rules. In addition, the respondent may be required to participate in a special education or counseling experience.

(c) When criminal conduct is suspected or has occurred, the dean of students (or designee) will refer the matter to the general counsel as appropriate.

(d) If the investigation reveals that the allegation was frivolous, vexatious or malicious, the dean of students (or designee) may recommend sanctions against the complainant.

(e) Each party will be informed in writing of the final decision. The final decision and the report of the dean of students (or designee) will be placed in the appropriate personnel file or student file if the respondent is found to have violated this rule.

(6) Documentation of student complaints

(a) University is required by the higher learning commission ("HLC") to track all student formal complaints. The dean of students (or designee) will maintain all formal complaints, along with the final written discussion of such complaints as set forth below. Students should understand the university is required to share information about complaints with each college's respective accreditation agencies. Every effort shall be made to treat the information with discretion and privacy to protect the individual identities regarding such complaints.

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(b) The dean of students (or designee) will maintain a database on formal complaints in accordance with the respective accreditation standards for each college.

(7) Discretion in releasing complaints or formal investigation records

(a) Other university personnel shall be made aware of the allegations, investigations, and outcome on a need-to- know basis. These persons may include, but are not limited to, the complainant, the respondent, and any witnesses or persons involved in the formal or informal investigation of the complaint.

(b) Records created as a result of any formal complaint or investigation will be maintained and released in accordance with state and federal law.