

Hocking College

Student Grievance Procedure

Purpose

The purpose of the Hocking College Student Grievance Procedure (Procedure) is to provide a system for the internal administrative review of student concerns, with the goal of a fair and equitable resolution of the issue(s) including academic affairs, student affairs, business operations, and disabilities. The Student Grievance Procedure is designed for students who believe they have been treated unfairly regarding any college issue(s), denial of due process rights, discrimination/discriminatory treatment, and/or any action by College employees, students or third parties which has had an unfair and adverse impact on a student's learning experience. Throughout this process, the position of all parties will be evaluated in a fair and impartial manner. Steps will be taken to prevent any recurrences of discrimination, harassment, or any other conduct that is inconsistent with the mission of the College.

Definitions

Student: A student is defined as any person currently enrolled at Hocking College.

Grievance: A grievance is defined as a complaint or dispute of a student regarding the College including, but not limited to the following:

1. The interpretation and application of the policies and procedures of the College.
2. Academic complaints.
3. Acts of reprisal as a result of utilization of the grievance procedure.
4. Complaints of discrimination lodged against staff or faculty on the basis of the protected rights of race, color, creed, political affiliation, age, disability, national origin, or gender.
5. Acts of malicious intent to violate the constitutional rights of individuals.

Academic Complaint: An academic complaint is an allegation or accusation brought against a faculty member by a student who seeks redress for an alleged wrong or injustice in a teaching and learning environment that does not involve a dispute with an assigned course grade or narrative evaluation. The Grade Appeal Process can be found in the College Catalog at:

<https://www.hocking.edu/registrar#catalog>

Calendar Day: A calendar day is defined as any day the College is open as specified in the College Academic Calendar.

Student Grievance Process

The grievance process is used when a student has a complaint, other than grade appeals, that the student believes is fundamentally unfair. In addition, complaints of discrimination can be resolved through the grievance process if they cannot be addressed through other channels such as the Sexual Harassment and Misconduct procedures. It is intended that this Procedure provides a problem-solving atmosphere which emphasizes "resolution" and reflects the best interests of the grievant and the College.

Our goal is to resolve student concerns informally through direct communication between the student and the appropriate College personnel.

Complaints may be filed with the Office of Civil Rights or other entities at any time.

Step One: Informal Resolution

Before filing a formal complaint, the student is encouraged to send an email requesting a meeting with the College employee within ten (10) calendar days with whom the student has a complaint or dispute. In a situation where the grievance does not concern a specific employee, the student should send an email to the College employee with administrative responsibility for the policy or procedure. Every reasonable effort should be made to resolve the matter informally. If the student is not sure who to contact they should send an email to the Hocking Ombudsman at ombudsman@hocking.edu for assistance.

The Informal Resolution Step is voluntary and not required to be taken prior to making a formal complaint in Step Two.

Step Two: Formal Complaint

In the event that the matter cannot be resolved informally, or the student chooses to proceed immediately to Step Two, the student can submit a formal complaint/grievance at <https://www.hocking.edu/report-it>. Click on *Report Complaint/Grievance* within ten (10) calendar days of meeting with the College employee in Step One.

The following information is required for the grievance report:

- a) The name and position of the party or parties against whom the grievance is filed;
- b) The date of meeting that took place in Step One;
- c) A concise statement of the nature of the grievance;
- d) Subject matter of the complaint:
 - a. Academic Affairs
 - b. Student Affairs
 - c. Human Resources
 - d. Admissions
 - e. Financial Aid
 - f. Senior Level Administrator
 - g. Other
- e) The stated rule, policy or procedure which the College has allegedly misapplied or misinterpreted;
- f) How it was misapplied or misinterpreted;
- g) Who the person met with to attempt to resolve the issue;
- h) What the student has done to attempt to resolve the issue; and
- i) The proposed resolution being sought by the student.

The report will be forwarded to the appropriate staff members according to the subject matter of the issue as follows:

- **Academic Affairs**
Complaints regarding academic affairs will be forwarded to the Dean, or designee of the respective program who follow the *Academic Complaint Procedure* included below.
- **Student Affairs**
Complaints regarding general policies, procedures, governance, residence life, or any other Student Affairs functions will be forwarded to the Vice President of Student Affairs, or designee.
- **Human Resources**
College staff, consultants, or part-time personnel: Complaints regarding College staff, consultants, or part-time personnel will be forwarded to the Director of Human Resources.

- **Admissions**
Complaints regarding admissions will be forwarded to the Director of Enrollment.
- **Financial Aid**
Complaints regarding admissions will be forwarded to the Director of Financial Aid.
- **Senior-level Administrators**
Complaints regarding senior-level administrators will be forwarded to the Office of the President.
- All other issues will be forwarded to the Vice President of Student Affairs to determine the appropriate staff member to manage the complaint.

Alternate Contact Person

Whenever the subject of the complaint is the person to whom it is assigned, the student may contact the Office of the Vice Presidents at (740) 753-7137 for assistance. The Vice President of Academic Affairs and the Vice President of Student Affairs will collaborate and shall designate an alternate member of the administration to receive and hear the grievance

Meeting

After receiving the written grievance, the appropriate administrator, or designee, will schedule a meeting with the grievant with ten (10) calendar days of the date the complaint was submitted, and the person about whom the complaint is made, if appropriate. The grievant and the complainant may each, if they choose, be accompanied at the meeting by an advisor, but the administrator must be notified 72 hours in advance if an advisor is to be present. The administrator may be assisted at the meeting by someone designated by a Cabinet member. At the meeting, the grievant shall make a statement regarding their grievance, ask questions and present any documentary evidence he or she wishes, including signed written statements from other parties.

Academic complaints shall be processed pursuant to the *Academic Grievance Process* outlined below.

Witnesses and Other Evidence

The parties may bring witnesses to the meeting to give information on relevant facts and circumstances. The meeting may be adjourned and rescheduled at the discretion of the administrator, and the administrator reserves the right to set limitations as to the length of the meeting. Within ten calendar days of the meeting, the administrator will provide a written response on the grievance to the parties.

Record Retention

Records related to complaints will be kept for a period of seven years.

Retaliation

The College will not tolerate retaliation against an individual who makes a report or participates in any proceedings under this Procedure.

Student Grievance Log

A Student Grievance Log will be maintained within the Office of Community Standards and Accountability. Student Grievance Logs will be reviewed annually by Cabinet.

Academic Grievance Process

Hocking College requires faculty and students to uphold the highest principles of academic integrity and to act in a manner that preserves freedom of inquiry and intellectual exploration. The Hocking College faculty is composed of individuals whose professional skills enhance the learning process and who, by their commitment to advancing knowledge, are expected to apply common principles of good teaching, strong mentoring, and fair evaluation of student performance in a course of study or work experience.

The assessment and evaluation of student performance is the responsibility of the faculty. The faculty member is the sole judge of student performance and only the faculty renders and evaluation of student work and progress in a course or work experience. Students who have reason to believe that a violation of professional ethics has occurred or that the assessment of their work was the result of error or capriciousness or was evaluated by criteria other than those stated in the course syllabus or appropriate for the course or work experience have the right to file an academic complaint, or to appeal a course grade or narrative evaluation.

Simple disagreement with the instructor's professional judgment about the quality of the work does not constitute legitimate grounds for filing a complaint. Before filing an official complaint, students should speak with the faculty member regarding their concerns. This conversation will provide clarification and better understanding and may result in grade mediation and no need to file a formal complaint.

This Academic Complaint Procedure does not replace or require changes to any other policies/procedures governing faculty behavior as specified in the Employee Handbook Personnel Policies, such as the Sexual Harassment Policy and Workplace Harassment and Civility Policy; and so on. Each of these policies/procedures has their own processes for reporting and resolving alleged violations. This Academic Complaint Procedure does not cover appeals for the change of assigned course grades or narrative evaluations.

Procedure

For the purposes of this procedure, an academic complaint is an allegation or accusation brought against a faculty member by a student who seeks redress for an alleged wrong or injustice in a teaching and learning environment that does not involve a dispute with an assigned course grade or narrative evaluation. An academic complaint is an allegation or accusation brought against a faculty member by a student who seeks redress for an alleged wrong or injustice in a teaching and learning environment that does not involve a dispute with an assigned course grade or narrative evaluation. The Grade Appeal Process can be found in the College Catalog at: <https://www.hocking.edu/registrar#catalog>

At any step in the complaint process procedure, the student or the faculty member may invite another community member to accompany them to any of the meeting to help resolve the complaint. The time periods given in each step below are flexible in order to accommodate the academic calendar.

Step One – Faculty Meeting

The student must send an email to the faculty member requesting a meeting discuss a resolution to the issue within ten (10) calendar days of the date of the incident that is the subject matter of the complaint. In the case of adjunct faculty, visiting faculty, or faculty no longer employed at the College, the student shall schedule a meeting with the Program Manager.

Step Two – Academic Advisor/Program Manager/Dean

If a mutually satisfying resolution is not found, the student shall send an email to their academic advisor within ten (10) calendar days of the date of the meeting with their faculty member in Step One to schedule an appointment to discuss their concerns.

Alternate Contact Person - If the academic advisor is a party to the complaint, the student shall contact the Program Manager, if the academic advisor is also the Program Manager, the student shall contact the Dean of the department. If the student is not comfortable talking to any staff within the School they may contact the Ombudsman at ombudsman@hocking.edu

The student shall present to their academic advisor specific concerns and any supporting documentation. The academic advisor shall make every effort to resolve the complaint. The advisor may request the complaint in writing. The academic advisor will:

- a) Mediate a resolution in consultation with the faculty member and the student.
- b) If the complaint cannot be resolved at this level within two weeks, the advisor will forward the complaint to the to the Dean of the department with a written report stating what was done and why the complaint could not be resolved at the faculty level. A copy of the report will be emailed to the student, as well.

Step Three – Dean/Academic VP

If a mutually satisfactory resolution is not found at the divisional level, the student must send a formal letter via email to the Dean with supporting documentation within ten (10 days) of the date of the meeting in Step Two including all of the following:

- 1) The nature of the complaint,
- 2) The efforts taken to resolve the complaint including the names of the staff members the student met with, and
- 3) A proposed solution.

The Dean, or their designee, will implement the following process and respond to the student with a decision within ten (10) calendar days of receipt of the formal letter via email.

- a) The Dean, or their designee, will:
 - Mediate a resolution in consultation with the faculty member and the student.
 - Request information from parties other than those named in the complaint. Requests for information from parties other than those named in the complaint must be conveyed in writing with copies of the request forwarded to the student and faculty member. Any additional information gathered and used in the complaint process must be submitted in writing, signed by the person releasing it, and made available in complete form to all parties involved in the complaint. Either party to the proceedings may respond in writing to this additional information. The Dean will then review the file and communicate the results of the investigation in writing to the student and faculty member within ten (10) days of the receipt of the complaint.
- b) The Dean, or their designee, may:
 - Dismiss the complaint if it is found to be illegitimate or unfounded. If the complaint is dismissed, not letter will be placed in the file of the faculty member. Bothe the student and faculty member will be notified in writing as to the reasons the complaint was dismissed.

- Make a final decision and act administratively to resolve the complaint while respecting the prerogative of the faculty member with respect to evaluation and crediting of student work. Any actions taken by the Dean or their designee to resolve the complaint will be communicated in writing to both the student and the faculty member. It is the Dean's or their designee's responsibility to assure that the complaint is followed to resolution.

Alternate Contact Person - If the complaint involves the Dean in their role as an instructor, the Vice President of Academic Affairs will review the complaint and will be empowered to function as the Dean would.

Disability Grievance Process

Through policy and practice, Hocking College is committed to providing to all enrolled students equal access to campus programs, services and activities. The College supports you in your right to file a grievance when you believe you have been denied equal access in the form of appropriate accommodations, modifications, auxiliary aids or effective communication or suffered discriminatory harassment as described in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990. The grievance procedures listed below applies to all disability discrimination complaints alleging any action prohibited by Section 504 or Title II carried out by College employees, students or third parties.

The College will provide measures determined to be necessary to restore or preserve the complainant's equal access to the College's education programs or activities. If discrimination or harassment is found to have occurred, steps will be taken to prevent the recurrence of discrimination or harassment and to correct its effect if appropriate. Remedies will be determined and monitored by the Accessibility Resource Office ("ARO") throughout the Complainant's enrollment with the College.

The College will not tolerate retaliation against an individual who makes a report or participates in any proceedings under this Procedure. Hocking College Procedure prohibits the College or others from intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Section 504 or Title II or because an individual has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under those laws.

The general grievance procedures, which apply to all students, are available to students with disabilities. The grievance procedures listed below are additional procedures that apply to students with disabilities who feel their rights have been violated under 504 and ADA.

Request for Accommodations

Enrolled students should submit any request for accommodations to the Accessibility Resources Office located in Davidson Hall 114 for consideration. It is expected that prior to the consideration of such requests, students will provide recent professional documentation that speaks to the nature and severity of the specific disability and the requested accommodations. Granted requests for academic accommodations will be specific to the documented needs of the individual student. Additional information regarding academic accommodations can be obtained in the Accessibility Resources Office in Davidson Hall 114.

Steps to Resolution

If a student has reason to believe that they have been denied equal access to any campus program, service or activity including requests for academic accommodations, there are mechanisms in place to assist in bringing about a timely resolution, as follows:

Independent Resolution

Students are encouraged first to attempt to resolve concerns independently by initiating a meeting with the staff member, faculty member or student with whom there is a concern or disagreement. Concerns may be related to the response for a requested academic accommodation or to the belief that one's rights as a student with a disability have been denied. Many times, when both parties have the advantage of directly sharing their concerns, the matter can be resolved without further assistance. However, when the matter cannot be resolved independently, students are strongly encouraged to address such instances through the following steps.

Reporting a Complaint

Students who believe that their rights as defined under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 have been denied should report such instances to the Accessibility Resources Office located in Davidson Hall 114. The complaint should be submitted by email to the Director of Academic Support and Disability Services at bowalde@hocking.edu. It is important that concerns are reported within 30 days of the alleged incident or situation, or when an independent resolution with the faculty member, staff member, office, or student in question cannot be achieved. Timeliness in addressing concerns helps to ensure expedient resolution and minimal disruption to the student's academic schedule. Any student bringing forth a complaint has the right to be assisted by a support person of his or her choosing from Hocking College; however, the complainant is responsible for presenting his or her information. Advisors are not permitted to participate directly in the resolution process.

In the event that the grievance is with the Accessibility Resources Office, the complainant should submit their complaint to the Office of Vice Presidents located in John Light 148. Within 10 work days of receiving the complaint, a designated representative from the Office of Vice Presidents will evaluate the complaint, determine an appropriate resolution, and issue a decision to the complainant via email.

Students may submit a grievance with The Office of Civil Rights (OCR) or The Department of Justice (DOJ) or the Department of Education at any time during the grievance process. These entities will take complaints and investigate when appropriate.

Following the informal resolution process is voluntary and not required before making a formal complaint.

Informal Resolution

Within 10 work days of submission of the written statement, the Director of Academic Support and Disability Services will meet with the complainant and then, if necessary, jointly with both parties with the intended goal of seeking a mutually agreeable solution that preserves the student's right to equal access and participation in services, programs, and activities at the College while maintaining the College commitment to academic standards of excellence within a residential community.

Formal Resolution

Unresolved complaints shall be forwarded to the Accommodations Review Board in the event of an unsuccessful informal resolution meeting. Complaints must be forwarded in a timely manner and in writing, including the name and campus address of the student initiating the complaint, the name(s) and

address (es) of the individuals who allegedly denied the student rights, and a descriptive statement of the problem and its potential impact on the complainant.

Accommodations Review Board

The role of the Accommodations Review Board (ARB) is to formally hear and resolve disability related complaints that have not been resolved independently or through informal measures. The burden of proof that a reasonable accommodation was wrongly denied must be sustained by the student. Membership on the Accommodations Review Board includes three members made up of Faculty, Program Managers and/or Deans appointed by the Vice President of Academic Affairs. The Director of Academic Support and Disability Services serves in ex-officio capacity except in the event the grievance is with the Accessibility Resources Office. Under these circumstances, the Vice President of Academic Affairs will serve on the Accommodations Review Board in an ex-officio capacity.

Students are provided the opportunity for an advocate to assist in case compilation. A person serving in an advisory or advocate capacity may not participate directly in a hearing or address the board on behalf of the student unless, in the sole discretion of the Accommodations Review Board, there exists a communication difficulty sufficiently severe as to prevent a fair hearing or in extenuating circumstances, acknowledged by the Accommodations Review Board.

The student may present witnesses, witness statements or other evidence to the Accommodation Review board.

Notification of Outcome

The Accommodation Review Board shall meet in a timely manner (within 10 work days) upon receiving notification that a formal complaint has been filed. The Accommodations Review Board shall review the written formal complaint and related documentation and, if need be, call either or both parties for points of clarification or additional information. Written notification of the outcome should be provided to both parties once a decision is reached. The decision of the Board is final.

Maintenance of all documentation of disability grievances and proceedings will be maintained within the Accessibility Resources Office in a drive shared with the Vice President of Academic Affairs.

Additional Avenues for Resolution

Filing a complaint within the College grievance system in no way precludes an individual's right to file a grievance with the Office of Civil Rights, Department of Education or Department of Justice.

Student Grievance Appeal Process

Students have a right to appeals decision made under this Procedure. To appeal a decision under this Procedure, the student must submit an official appeal by completing the *Student Grievance Appeal Form* located at: <https://www.hocking.edu/student-affairs> within ten (10) calendar days of notification of the decision made by the respective College employee. The written request must state the grounds on which the appeal is made and the desired outcome or ideal solution.

The grounds for appeals are limited to the following reasons:

1. **Arbitrary or Unreasonable:** The decision is not in accordance with the facts presented and/or it is based on individual discretion or judgment; not based on any objective distinction.
2. **Substantial Procedural Error:** The specified error must have substantially altered the decision in such a way that the accused student was denied a fair process or prevented the staff person from making a fair decision.
3. **Presence of New Information:** New information has come to light that was not present or available at the time of the meeting. This information must be substantial enough in nature to alter the decision.

The student may request assistance from Student Affairs to complete the necessary documentation. The completed form, with documentation attached, will be forwarded to the office of the Vice President of Student Affairs to present to the Student Grievance Appeal Committee.

An appeal will be limited to a review of the records of the initial meeting/hearing (if applicable) and supporting documents except when explaining the basis of new information was not available at the hearing.

If an appeal is denied, the original decision is implemented.

Decisions

The Appeal Decision will be presented in writing to the parties involved, within ten (10) days of the date the appeal was submitted. The Student Grievance Appeal Committee may:

- Return the matter to the appropriate employee with a recommendation to revise the decision;
- Affirm the decision on which the appeal is based and implement the original decision; or,
- Dismiss the appeal.

In considering the original evidence presented at the initial meeting, in light of alleged new evidence, the Vice President of Student Affairs (or designee) will order a new meeting only if the new evidence is of such a nature to change the outcome of the original decision.

Contact Information

The Hocking College Directory can be found at: <https://hocking.edu/directory>

Accessibility Resource Office

Erin Bowald
Director of Academic Support and Disability Services, Hocking College
Davidson Hall 114
3301 Hocking Pkwy
Nelsonville, OH 45764
Phone: 740-753-7103
bowalde@hocking.edu

504 Compliance Officer

Jacqueline C. Hagerott, J.D., LL.M., Vice President
John Light Hall 151
3301 Hocking Pkwy
Nelsonville, OH 45764
Phone: 740-753-7006
hagerottj@hocking.edu

Ohio Civil Rights Commission

Phone: 614-466-2785
TTY: 614-752-2391

Department of Justice

Phone: 202-514-2000
TTY: 800-877-8339

Department of Education

Phone: 800-872-5327
TRS: dial 7-1-1 to access telecommunications relay services

Office of Community Standards and Accountability

Erick Smith, J.D.
Manager of Student Affairs and Services, Hocking College
John Light Hall 192
3301 Hocking Pkwy
Nelsonville, OH 45764
Phone: 740-753-7103
smithe39668@hocking.edu

Hocking College Ombudsman

Email: ombudsman@hocking.edu

Phone: (740) 753-7137

Non- Academic Affairs

Jacqueline C. Hagerott, J.D., LL.M., Vice President of Academic Affairs

Academic Affairs

Hannah Guada, Vice President of Student Affairs