



STUDENT COMPLAINT POLICY

A. Purpose & Scope:

In order to comply with federal laws and regulations and PASSHE BOG Procedure/Standard #2016-26, California University of Pennsylvania must have a process by which students may seek resolution to complaints regarding the university. To submit a formal complaint, the student believes that he/she has been treated arbitrarily, unfairly or in ways which violate established university rules, policies, procedures or consumer protection rights based on legal precedents in Appendix A which enable students to achieve fair use of their educational investments.

It is hoped that minor differences can be successfully resolved via an informal process without recourse to the process listed below. However, some situations require a formal student complaint process as described in this policy.

This policy is also designed to track, store, and periodically review complaint requests and resolutions to determine if “modifications and improvements to the institution” should occur “as a result of information obtained in the handling of student complaints.”

A student who intends to file a formal complaint must follow the procedure in Section C.

B. Definition(s):

Informal Process – Many issues can be resolved through open and honest communication between the involved parties. Any student who experiences a problem should first try to resolve the issue informally with the individual(s) or office(s) most directly connected to the issue at hand.

Formal Complaint – If the problem is not resolved through an informal process, depending on the nature of the complaint, students should refer to the following to determine the appropriate steps for filing a formal complaint through existing policies.

- Academic Integrity:
https://www.calu.edu/inside/policies/_files/undergraduate/Academic%20Integrity.pdf
- Appealing a Grade or Other Academic Decisions:
https://www.calu.edu/inside/policies/_files/undergraduate/Appeal%20Grade%20Decision.pdf
- Anti-Hazing Policy:
https://www.calu.edu/inside/policies/_files/social-equity/hazing-policy.pdf
- Consensual Relations:
https://www.calu.edu/inside/policies/_files/social-equity/consensual-relationship.pdf
- Equal Education and Employment and Social Equity:
https://www.calu.edu/inside/policies/_files/social-equity/EEEEO-POLICYforweb.pdf

- Gender-Based/Sexual Misconduct (Title IX) Policy:
https://www.calu.edu/inside/policies/_files/social-equity/TitleIX.pdf
 - [Title IX Complaint Form](#)
- Global Online Student Complaint Process:
<https://www.calu.edu/online/state-authorization/complaint-process.aspx>
- Student Code of Conduct:
https://www.calu.edu/inside/policies/_files/general/Student%20Code%20of%20Conduct.pdf
- Teacher Education Complaints and Concerns Policy. “Candidate Handbook for Initial Teacher Certification:
https://www.calu.edu/inside/forms/_files/education/candidate-handbook.pdf

C. Procedure for Formal Complaint(s):

If the complaint is not related to one of the above policies, students may submit a formal complaint through the process provided below. Complaints submitted will be reviewed and categorized into three areas – Student Affairs, Academic Affairs, and Other Administrative Units.

1. The complaint must be submitted either through the online form or in writing with the “Student Complaint Petition Form” (Appendix B) of this policy, signed by the student, and received by the university designated student complaint officer.
2. A student complaint officer will forward the complaint to the *first (lowest) potential level* of resolution (e.g., academic department chairperson or administrative service director), respond to the student with the name and contact information of the first level officer, and will file a copy of the complaint in a designated student complaint folder.
3. The *first level officer* (e.g., chairperson or director) will review the complaint and:
 - a. Consider relevant evidence, hold a conference with the student (and student advocate if requested) to discuss the complaint, and prepare a written record of the conference and resolution to be read and signed by the student. The first level officer keeps a copy and the student keeps a copy. The first level officer files a copy in a designated student complaint folder and forwards a copy (with student ID information redacted) to the chair of the University Strategic Assessment Committee (USAC).
 - b. If the appeal with the first level officer is unsatisfactory to the student, the student may appeal to the second level officer (e.g., college dean) in that division within ten (10) working days.
4. The *second level officer* will review the complaint and the first level officer’s resolution, and:
 - c. Consider relevant evidence (including the conference record of the first level officer), meet with the student (and student advocate if requested) to discuss the

complaint, and prepare a written record of the conference and resolution to be read and signed by the student and the second level officer. The student keeps a copy and the second-level officer keeps a copy. The second level officer files a copy in a designated student complaint folder and forwards a copy (with student ID information redacted) to the chair of the USAC.

b. If the appeal to with the second level officer is unsatisfactory to the student, the student may appeal to the third level officer in that division (e.g. provost, vice president) within ten (10) working days.

5. The *third level officer* will review the complaint and the first and second level officers' resolutions, and:

a. Consider relevant evidence (including the conference records of the first and second level officers), meet with the student (and student advocate if requested) to discuss the complaint, and prepare a written record of the conference and resolution to be read and signed by the student and the third level officer. The third level officer keeps a copy and the student keeps a copy. The third level officer (or designee) files a copy in a designated student complaint folder and forwards a copy (with student ID information redacted) to the chair of USAC.

b. The third level officer (provost or other division vice president) is the final level of the appeal process.

D. Institutional Modifications and Improvements based on Student Complaints:

Federal law requires a process for making modifications and improvements to the institution based on student complaints. The University Strategic Assessment Committee (USAC) is charged with periodically reviewing student complaint petitions and resolutions from all levels to determine if modifications are needed to university policies, procedures or other areas to improve the institution. Recommendations will be provided to the highest-level institutional officer where the complaint originated and copied to the university President.

E. Student Complaints About the University President

Student complaints about the university president should be directly submitted to the university provost (vice president for academic affairs). The provost will meet with the student (and advocate if requested) to discuss the complaint, consider relevant evidence and prepare a written record of the conference and **proposed** resolution to be read and signed by the student and provost. The provost keeps a copy and the student keeps a copy.

The provost redacts the student name and discusses the complaint with the president. If the president agrees with the proposed resolution, the provost notifies the student. If the president does not agree with the proposed resolution, she/he may modify the resolution which will be shared with the student by the provost.

F. Effective date:

Approved: 6-30-2020

by: President's Cabinet

Appendix A: Student University-Related Consumer Protection Rights

Court Precedent Regarding Institutional Regulations

- Right to protection from arbitrary or capricious decision-making.
- Right to have universities follow their own rules.
- Right to adherence to university bulletins and circulars.
- Right to adherence to university regulations.
- Right to adherence to university course catalogs.
- Right to adherence to adherence to university student codes.
- Right to adherence to university handbooks.

Court Precedent Regarding Student Rights in Recruitment

- Right to basic institutional facts and figures before admission.
- Right to protection from ability discrimination in academic recruitment.

Court Precedent Regarding Student Rights in Admissions

- Right to protection to from ability discrimination in admissions.
- Right to protection from racial discrimination in admissions.
- Right to protection from sex discrimination in admissions testing.
- Right to protection from racially segregating testing policies.
- Right to race conscious affirmation action in admissions to correct for discrimination.
- Right to protection from reverse discrimination.
- Right to protection from different testing requirements.
- Right to protection from admissions quotas based on demographics.
- Right to adherence to registration materials.

Court Precedent Regarding Student Rights in Academic Advising

- Right to fulfillment of university written and verbal promises by advisors.
- Right to a continuous contract during a period of continuous enrollment.
- Right to notice of degree requirement changes.
- Right to protection from arbitrary or capricious decision-making.

Court Precedent Regarding Student Classroom Rights

- Right to adherence to class syllabi.
- Right to advertised level of course content and instruction.
- Right to attention to course objectives.
- Right to the advertised content covered in sufficient depth.

- Right to uniformity across university class sections.
- Right to protection from the misuse of time.
- Right to effective teaching.
- Right to protection from written or verbal abuse.
- Right to protection from ability discrimination in learning.
- Right to ability accommodation in classroom facilities.
- Right to protection from testing policies which racially segregate.

Court Precedent Regarding Student Group Rights

- Right to equality in the provision of student activities.
- Right to the disclosure of athletics plans and expenditures.

Court Precedent on Student Residence or Residence Hall Rights

- Right to have visitors in residence hall rooms
- Right to sexual equality in housing standards.
- Right to protection from gender segregation in residence.
- Right to disability accommodation in residence facilities.
- Right to protection from age discrimination in residence.
- Right to protection from dorm search and seizure.

Court Precedent on Student Privacy Rights

- Right to privacy in higher education.
- Right to privacy of student records.
- Right to approve of release of student information.
- Right to notice of information disclosures.
- Right to use of pseudonyms on public internet forms.

Court Precedent on Student Information Rights

- Right to basic information facts and figures before admission.
- Right to financial information disclosures.
- Right to information about the full cost of attendance.
- Right for information about the full cost of loan repayment.
- Right to detailed federal student loan information.
- Right to standards terminology in financial aid forms.
- Right to detailed third-party federal student loan information.
- Right to financial aid awareness campaigns for underrepresented students in higher education.

- Right to information on the use of student fees.
- Right to the disclosure of athletics plans and expenditures.

Court Precedent on Student Rights and Campus Police

- Right to protection from unwarranted search and seizure.
- Right to arrest by official police officers.
- Right to protection from entrapment.
- Right to protection from illegal dorm search and seizure.
- Right to clearly defined terms of dorm search and seizure.

Court Precedent on Student Safety Rights

- Right to limited fiduciary care (institutional care in the student's best interest).
- Right to care regarding the safety of students.
- Right to a grievance filing process.
- Right to protection from injury on campus.
- Right to protection from injury in facilities under campus jurisdiction.
- Right to protection from foreseeable crime on campus.
- Right to protection from injury caused by other students.

Court Precedent on Student Employment Rights

- Right to protection from sex discrimination in the workplace.
- Right to equal pay for sexes in the workplace.
- Right for protection from forced pregnancy leave.
- Right to protection from sexual harassment in the workplace.
- Right to protection from ability discrimination in employment recruitment.
- Right to protection from ability discrimination in workplace discipline and dismissal.
- Right for protection from age discrimination.
- Right for protection for race discrimination in employment.
- Right for protection from discrimination based on national origin in employment.

Resolution Sought: Please explain, in detail, the resolution sought. Also, explain how this resolution might correct the perceived inequity of the incident.

Institution Officer Conference Notes:

Level 1 Level 2 Level 3

Institutional Officer's Resolution:

Level 1 Level 2 Level 3

Student's Signature: _____

For Complainant Petition Form Recipients' Use Only

Date of the Receipt of the Complainant Petition Form: _____

Institutional Officer Signature: _____ Conference Date: _____