

# SDT008. Complaint Process For Online Students

**Procedure Category:** Student

**Subject:** Online Student Complaint Processes

**Procedure Owner:** Associate Vice President of Mulvane and Online Operations

**Related Procedures:** Distance Education

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## Scope

This procedure addresses the process for voicing any complaint for an online student. Through this procedure, students may define, submit, and potentially appeal decisions relevant to complaints concerning the entire teaching and learning process.

### I. Procedure Purpose

This procedure applies to student complaints about any aspect of the teaching and learning process and the broad provision made by the college to support that process.

- a. This procedure may not be used:
  - i. Where the complaint can be dealt with under miscellaneous general policies that provide a specific process for resolution of complaints, i.e. Title IX, EOE, Grade Appeal.
  - ii. To challenge the academic judgment of faculty.
- b. No action will be taken on anonymous complaints
- c. A complaint must be based on evidence that the complainant honestly and reasonably believes to be substantially true. Those responsible for resolving complaints under this procedure must take all reasonable steps to ensure that the complainant is protected against any subsequent recrimination or victimization.
- d. Students and employees involved in the consideration and resolution of concerns and complaints have various rights and responsibilities, which are outlined in the appendix to the policy.

### III. Definitions

Definitions in this policy according to [State Authorization Reciprocity Agreements Policies and Standards \(SARA\)](#).

*Complaint:* A formal assertion in writing that the terms of this agreement, or of laws, standards or regulations incorporated by this agreement, are being violated by a person, institution, state, agency or other organization or entity operating under the terms of this agreement.

*Distance Education:* Instruction offered by any means where the student and faculty member are in separate physical locations. It includes, but is not limited to, online, interactive video, or

correspondence courses or programs.

*Administrator:* President, Vice-President, Associate Vice-President, Executive Director

*Military Student:* A student who receives VA or military tuition assistance, a Military Spouse Career Advancement Accounts Scholarship recipient, a dependent receiving VA tuition benefits.

*Non-Military Student:* Any student who does not fall in the designation above

#### **IV. Procedure**

##### **A. Complaint Process Information**

For assistance in determining the appropriate complaint or grievance procedure for initiating a complaint against Cowley College, enrolled or prospective students should contact either:

Eddie Andreo – AVP of Distance Learning and Site Management  
[eddie.andreo@cowley.edu](mailto:eddie.andreo@cowley.edu)  
Shelby Huddleston – Director of Instructional Technology  
[shelby.huddleston@cowley.edu](mailto:shelby.huddleston@cowley.edu)  
125 S. 2<sup>nd</sup> Street  
Arkansas City, KS 67005  
1-800-593-2222

Students should attempt to resolve a complaint utilizing Cowley Colleges' grievance or complaint process.

##### **B. Student Complaint**

1. Continuing with its commitment to students first, Cowley College has adopted this procedure to assist students in the resolution of student concerns and complaints in a fair, consistent, and equitable manner.
2. Where minor concerns arise, students are encouraged to take a reasonable approach and address them directly with the applicable employee, with the aim of resolving the concern at the lowest possible level and without undue formality. However, where informal discussions have not generated a satisfactory resolution, or where the matter is more serious, the following procedure provides for a more formal process to be pursued.
3. Complaints made under this policy will be monitored and reviewed to enable the college to continually improve processes and services in support of student learning.

##### **C. Informal resolution of concerns**

1. Before making formal written complaints, students are encouraged to seek resolution to any concerns by raising and discussing them informally with the applicable employee/student who is most directly associated with the matter.

2. An employee with whom a concern is raised by a student is expected to deal with the matter in an open and professional manner and to take reasonable and prompt action to try to resolve it informally.

3. A student who is uncertain about how to seek informal resolution of a concern is encouraged to seek advice from the contact listed at the top of this procedure.

4. If the grievance is resolved by all parties, then matter is deemed closed.

#### D. Formal complaint procedure

1. Where it has not been possible to resolve a concern informally, a student may make a formal complaint.

2. A student who wishes to make a formal complaint must submit it in writing, on the appropriate form as outlined in the Student Handbook.

3. The written complaint must be submitted within the designated timeline as indicated in the Student Handbook.

4. The administrator receiving the formal complaint must acknowledge the student complaint in writing within three working days. He or she must also maintain a file of all documentation in relation to the consideration of the complaint.

5. The administrator must ensure that any employee member named in the complaint receives a copy as soon as practicable.

6. The administrator must consider the complaint in accordance with the principles of fair play, and must ensure that all parties to the complaint are accorded the full benefit of those principles.

7. The process may include meetings with relevant employee and/or the complainant. Where meetings are held, the parties may, if they wish, be accompanied by a peer support person.

#### E. Resolution of complaints

1. The administrator overseeing the formal complaint must make a decision in relation to the complaint and must communicate his or her decision to the parties, in writing, within 28 calendar days of receiving the complaint.

2. If the complaint involves a college policy or procedure and if, in the opinion of the administrator, the complaint has substance, the administrator must arrange for the relevant policy or procedure to be reviewed, with a view to preventing a recurrence and ensuring continued improvement.

3. If the resolution of the complaint involves potential disciplinary action for an employee, the administrator must follow the appropriate disciplinary procedures for employees. If the administrator does not have authority over the employee, then he/she may forward a recommendation for disciplinary action to the appropriate supervisor.

## F. Appeals

1. Any party to a student complaint who is dissatisfied with a decision by the administrator under this procedure has the right to appeal.
2. The appeal must be submitted in writing within two weeks of the letter communicating the decision.
3. A committee will be convened by the administrator, comprised of at least three faculty, staff or administrative members relevant to the appeal. The committee will consider the relevant documentation and may, at their discretion, consult the administrator about the decision. The committee may also interview any parties to the complaint.
4. If the committee determines that the complaint process has been conducted in accordance with this procedure and the outcome is appropriate, the committee may dismiss the appeal and uphold the original decision. Otherwise, they will decide the appeal in consultation with any other parties.
5. The committee will communicate his or her appeal decision in writing to the parties.

## G. Confidentiality

All student related information will be considered confidential and protected under [FERPA \(Family Educational Rights & Privacy Act\)](#). Records relating to employees and other records that do not include student information are not confidential.

## H. Rights and Responsibilities of Parties to a Student Complaint

1. Parties to a student complaint have the right to
  - Be treated with courtesy at all times
  - A fair and timely investigation process
  - Express their points of view without fear of recrimination
  - Receive full information at all stages of the complaint process
  - Be advised in writing of all decisions made in relation to the complaint
  - Appeal the outcome as outlined in this policy
  - Legal counsel
2. Parties to a student complaint have a Responsibility to
  - Treat all parties with courtesy at all times
  - Respect the points of view of others
  - Respect the rights of all parties to the complaint with respect to confidentiality
  - In the case of the complainant, ensure that the complaint is made in good faith and complies with the requirements of the Student Complaint Policy
  - Provide full and accurate information to the person investigating the complaint
  - Not take any action that may prejudice the situation or be regarded as an act of recrimination against any other party

## I. Distance education complaint process

1. Federal regulations require an institution of higher education to provide its students and prospective students with contact information for filing complaints with the institution's accreditor and with the institution's State approval or licensing entity.
2. If a student's complaint remains unresolved after exhausting available institutional grievance or complaint processes, a student may submit a written complaint to the Kansas Board of Regents (KBOR) in accordance with the [KBOR complaint process](#) or to the [Higher Learning Commission complaint process](#).
3. Students who are enrolled in distance education courses or programs offered by Cowley College and who do not reside in Kansas should first contact the above-identified Cowley College administrator to resolve any complaint arising from the student's participation in distance education courses or programs.
4. If a complaint by a non-military student who is enrolled in a distance education course or program remains unresolved, a complaint may be submitted with the authorizing agency in the state where the student resides. This option is available regardless of whether Cowley College is required to be registered in that state.
5. To find the complaint form for your state's Department of Higher Education, open the online document below, then locate and select the link for your home state. [Student complaint information by state and agency](#)

**NOTE:** If an agency is not listed for your state, you may contact the Department of Education, Department of Higher Education, or the Attorney General's office in your home state.

**NOTE\*** -This list is subject to change and the college is working with a number of national organizations to update it as needed.

6. If a complaint by a military student who is enrolled in a distance education course or program remains unresolved, a complaint may be submitted with the authorizing agency in the state where the student resides. This option is available regardless of whether Cowley College is required to be registered in that state. [Student complaint information by state and agency](#).

#### J. Cowley College Response

1. Cowley College is currently working cooperatively with higher education authorities in other states and U.S. jurisdictions to ensure compliance with the authorization requirements that govern online courses and programs offered in those states or jurisdictions.
2. Cowley College continuously monitors authorization requirements the states and jurisdictions in which it enrolls online students, and, if authorization or licensure is or becomes necessary, works with those jurisdictions to obtain approval. In addition, Cowley County Community College complies with federal regulations by publishing complaint processes on its campus website.

3. There is a complicated collage of state laws, which are continually evolving. The laws vary by state, and vary based on varying factors such as faculty residence, marketing, housing of technology, etc. There are multiple states that do not regulate distance education at all.

4. Kansas is part of the [State Authorization Reciprocity Agreement](#) through the [MHEC](#), and the [Kansas Board of Regents](#) has joined MHEC-SARA. Cowley College joined and became a SARA institution 01/15/2015. Updated list of states and where they are in the process for [SARA membership](#).

K. LINKS

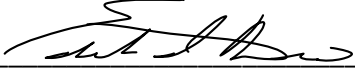
[Higher Learning Commission \(HLC\)](#)

[Department of Defense \(DOD\) Postsecondary Education Complaint System](#)

V. **Effective Date(s)**

This procedure first became effective December 1, 2014. This procedure was reviewed on 02/01/2018.

VI. **Signature and Title**

This procedure is implemented by:  \_\_\_\_\_

Title: Associate Vice President of Distance Learning and Site Management