

**FROSTBURG STATE UNIVERSITY**

**DISTANCE EDUCATION STUDENT COMPLAINTS**

(Approved June 7, 2016, revised 6/4/20)

**I. POLICY**

- A. Frostburg State University participates in the Federal student aid programs that are authorized under Title IV of the Higher Education Act of 1965. Participating institutions must be legally authorized to operate within the state in which it is located.
- B. Title 34 CFR §600.9 requires states to have a "process to review and appropriately act on complaints concerning the institution including enforcing applicable State laws." Title 34 CFR §668.43(b) requires that institutions: "make available for review to any enrolled or prospective student upon request, a copy of the documents describing the institution's accreditation and its State, Federal, or tribal approval or licensing. The institution must also provide its students or prospective students with contact information for filing complaints with its accreditor and with its State approval or licensing entity and any other relevant State official or agency that would appropriately handle a student's complaint."
- C. This policy ensures that Frostburg State University operates in compliance with the provisions of the HEOA Act concerning Title 34 CFR §600.9, which requires institutions to provide a process to review and appropriately act on complaints concerning the institution, including applicable State laws.

**II. PURPOSE**

The purpose of this policy is to establish a procedure for students enrolled in distance education courses and programs to formally submit complaints that do not have a mechanism for complaint and resolution within already existing university policies. Additionally, the policy outlines the various methods by which students are notified of the student complaint policy.

**III. SCOPE**

This policy applies to all credit-bearing distance education courses and programs offered by Frostburg State University. This policy does not apply to grade appeal related to distance education courses. Students who would like to appeal a course grade should follow the university grade appeal policies outlined in the undergraduate and graduate academic policies.

#### IV. STUDENT COMPLAINT PROCESS AND PROCEDURES

##### A. Process for Submitting Complaint and Resolution

###### i. Step One

Typically, most complaints can be resolved informally through communication between the individual and appropriate University personnel. As a first step, the individual should meet or discuss via phone or email with the University employee with whom the individual has a complaint or dispute. Should that not be appropriate or feasible, the individual should contact the employee's supervisor. In the discussions, the individual should identify the complaint and the specific action being sought for resolution. In a situation where the complaint does not concern a specific employee, the individual should contact the University employee with administrative responsibility for the policy, procedure, or operational issue of concern. Every reasonable effort should be made to resolve the matter informally and in a timely manner. Should that not be possible or appropriate, the individual may proceed to Step Two. If an individual is unsure who to contact or needs help and guidance with the process of internal resolution, the individual should contact the SARA representative on campus:

Dr. Sara Beth Bittinger  
SARA Representative  
sbittinger@frostburg.edu  
301.687.3130

###### ii. Step Two

If the complaint cannot be resolved through the process described in Step One, the individual should file a written complaint/appeal with the SARA representative on campus within 5 workdays. If the complaint/appeal directly involves the SARA representative, the complaint should be filed with the Office of the Provost, which will hear the complaint/appeal. This complaint/appeal should be provided in writing and should include the following information:

- a. the name of the individual filing the complaint/appeal,
- b. a concise statement of the nature of the complaint/appeal, and the parties/departments involved
- c. reasons for dissatisfaction with the outcome or decision from Step One
- d. the specific action or resolution sought by the individual.

After receiving the letter, the SARA representative will:

- a. review the complaint/appeal,
- b. consult with all internal parties as necessary
- c. interview the parties, as necessary,
- d. call a hearing to gather additional information if necessary, and
- e. issue a resolution to the student in writing.

Within 10 workdays of receiving the complaint/appeal, the administrator will provide a written decision on the complaint/appeal to the individual or call a hearing. This time limitation may be extended by mutual agreement. If a hearing is called, the administrator will contact the individual to arrange a date.

B. Hearing

If a hearing is deemed necessary, the individual and University may each, if they choose, be accompanied at the hearing by legal counsel. The individual must notify the University in advance of his or her wish to be accompanied by legal counsel. The individual and University may present evidence in the form of documentation and/or witness testimony. The administrator reserves the right to set reasonable limitations as to the length of the hearing.

Within 10 workdays following the hearing, the administrator will provide a written decision on the complaint/appeal to the individual. This time limitation may be extended by mutual agreement. All documents considered at Level Two shall constitute the record of the complaint/appeal.

C. Step Three – Final Appeal

If the individual is not satisfied with the decision of the SARA representative at Step Two, the individual may appeal that decision to the Provost. The appeal shall be made in writing and delivered to the Provost within 5 workdays of the individual's receipt of the administrator's written decision from Step Two. The final appeal shall include:

- a. the written complaint/appeal described in Step Two,
- b. a concise explanation of the basis of the final appeal, and
- c. the action/resolution being sought.

The Provost will review the record from Step Two, interview parties as necessary, and issue a decision. The Provost's review will be based upon the record of the complaint/appeal. The Provost, may, in his or her discretion, request the parties to give a brief written or oral summary of their contentions if deemed necessary to understanding the facts/issues in the case. The Provost's decision is final and shall be made in writing to the parties within 10 workdays. This time limitation may be extended by mutual agreement.

**V. GENERAL PROVISIONS**

A. Student Notification of Policy

All FSU students enrolled in online programs will be notified of the policy for student complaint at the time of notification of admission. All FSU students, staff, and faculty will have access to the policy on the university's website.

B. Time Periods and Limitations

Reasonable efforts shall be made by all parties to expedite the complaint/appeal process. If there is no mutual written agreement to extend the time limits, and if a complaint/appeal is not taken to the next step within the specified time period of this policy, the right of the individual to further appeal is terminated.

C. Complaint Log

Frostburg State University maintains a comprehensive record of all written complaints/appeals. Vice Presidents and Directors are responsible for ensuring that all written complaints/appeals filed in their respective areas are documented and forward to the SARA representative to be included in the complaint log. The University uses the complaint log to assess complaint/appeal patterns for indications of institutional policy, process, or quality issues. The following information regarding complaints/appeals is recorded in the Complaint Log:

- a. date of receipt,
- b. individuals involved in resolving the complaint,
- c. category of the complaint,
- d. summary of the complaint/appeal with general details, and
- e. final resolution.

The Complaint Log is protected to ensure the maintenance of privacy and confidentiality. Informal complaints are not documented in the Complaint Log.

D. Grade Appeals

This policy does not address grade appeals. Refer to the undergraduate or graduate academic policies for grade appeal policies and processes located in the respective catalogs.

Graduate: <http://www.frostburg.edu/grad/catalog/>

Undergraduate: <http://www.frostburg.edu/fsu/assets/File/ungrad/catalog/intro.pdf>

E. Complaint Timeline

Individuals are encouraged to raise a complaint/appeal within five (5) workdays following the event or decision giving rise to the complaint on a matter. A work day is defined as any day the University is in operation as specified in the University academic calendar.

**VI. RESPONSIBLE DEPARTMENT**

The University's Office of the Provost through its Office of Graduate Services (x4595) is responsible for implementing this policy and may be contacted regarding questions about the policy or to make reports concerning this policy.