

## **Policy 3110 Student Complaint Log**

**Date of Current Revision: March 2022**

**Primary Responsible Officer: Vice President for Student Affairs**

### **1. PURPOSE**

This policy is designed to provide a standard for recording and collecting written student complaints across all divisions of the university.

### **2. AUTHORITY**

The Board of Visitors has been authorized by the Commonwealth of Virginia to govern James Madison University. See Code of Virginia § 23.1-1600; § 23.1-1301. The Board has delegated the authority to manage the university to the president.

#### **STATE OR FEDERAL STATUTE AND/OR REGULATION**

This policy has been developed in accordance with guidelines from JMU's regional accrediting body, the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), regarding student complaints filed against the university.

### **3. DEFINITIONS**

#### **Complaint Log**

A written record of collected student complaints maintained within the appropriate office. The log must contain the following elements: Date of complaint, name of complainant, description of the complaint, date of response, responder, and description of the response. An example of a student [Complaint Log](#) is displayed.

#### **Discrimination**

An adverse action or unequal treatment when such action deprives a person of a privilege or right (such as a benefit, an equitable evaluation, a grade, a position or a promotion) or otherwise adversely affects the person on the basis of a protected classification.

#### **Grade Review**

A complaint which involves a student request to review a grade assigned in a credit-bearing class.

#### **Harassment**

A form of discrimination consisting of unwelcome or offensive physical, verbal or written conduct that shows aversion or hostility toward a person on the basis of age, color, disability, gender identity, genetic information, national origin, parental status, political affiliation, race, religion, sex, sexual orientation or veteran status in the following situations:

- a. When submitting to or rejecting the conduct is made the basis for an evaluation, personnel action, or recommendation for a personnel action affecting an employee, or an evaluation, action or recommendation for an action affecting a student.

- b. When the conduct has the purpose or effect of unreasonably interfering with the performance of an employee or a student, and the conduct creates a hostile, intimidating or offensive learning or working environment.

Harassment specifically includes instances of sexual violence of any type perpetrated against a member of the university community.

### **Honor Code**

The James Madison University policy regarding honesty in all academic matters for students.

### **Judicial Code**

The James Madison University standards of conduct established by the university for students and detailed in the [Student Handbook](#) and website of the [Office of Student Accountability and Restorative Practices](#).

### **Protected Classification**

A person's age, color, disability, gender identity, genetic information, national origin, parental status, political affiliation, race, religion, sex, sexual orientation or veteran status. See Policy [1302](#) – Equal Opportunity.

### **Responding Office**

The university office which responds to the “student complaint.”

### **Student**

A currently enrolled student at the university, including part-time, full-time, for credit, not for credit, undergraduate, graduate or continuing education.

### **Student Complaint**

A written complaint submitted by a student under this policy related to the person's role as a student. Written complaints include emails sent from a university account that include the sender's name and contact information.

## **4. APPLICABILITY**

This policy relates to written student complaints made to the university that are not covered by other university procedures for filing complaints as noted in the exclusions section, but which concern the student's role as a student.

## **5. POLICY**

Any student may initiate a complaint alleging violation of existing policies or established practices as applied to the student concerning his or her role as a student; however, if a student's complaint is addressable by other procedures mandated by law and/or described in university policies or procedures, those must be followed. See the exclusions section.

Each division of the university must accept written student complaints.

All divisions, departments, and offices accepting complaints under this policy must maintain a complaint log of all written student complaints. The complaint log must be compiled in a format

that can be provided to the appropriate vice president upon request. See the [Student Complaint Log](#) for an example.

## **6. PROCEDURES**

Complaints shall be filed within six months of the most recent alleged violation, or they will be dismissed as untimely. Anonymous complaints and complaints filed on behalf of another person will be dismissed. Complaints that are appropriately handled by a different procedure on campus will be returned to the student with a referral to the appropriate office or procedure. Such a referral will be noted on the unit's student complaint log.

Each division determines the level (e.g., by office, by department, by academic unit) at which student complaints are collected and logged. It is the responsibility of each division to establish a policy articulating the level for collection of student complaints, the format of those complaints and who is responsible for managing and maintaining the log.

Each division shall establish a procedure to resolve complaints by students concerning their roles as students, and shall post such procedures so that students may access them.

The vice president may collect the student complaint log at any time.

Each division, department or office receiving a complaint under this policy shall note the complaint on its respective student complaint log, whether that complaint is sent by the complaining student directly or whether the complaint is referred by another division, department or office.

## **7. RESPONSIBILITIES**

Each division is responsible for developing and maintaining its own process for collecting and logging student complaints. This process must be documented and available for access by students.

It is the responsibility of the area which originally receives a student complaint to log that complaint and, as appropriate, refer the complainant to the appropriate office for resolution. When a complaint is referred, it is the responsibility of the receiving area to inform the original area when the complaint is resolved.

Vice presidents are responsible for ensuring that their respective divisions have a student complaint policy which includes a log of written student complaints. In addition, vice presidents will regularly collect the student complaint logs from within their areas for review with the submission of annual reports.

All departments, offices and employees that generate, receive, or maintain public records under the terms of this policy are also responsible for compliance with Policy [1109](#) - Records Management.

All complaint logs must be maintained in the responding office for a minimum of five years.

## **8. SANCTIONS**

Sanctions will be commensurate with the severity and/or frequency of the offense and may include termination of employment.

## **9. EXCLUSIONS**

Students complaining about actions concerning matters unrelated to their roles as students may complain directly to the appropriate office, but there is no requirement that any such office keep track of these types of student complaints.

Complaints based on Title IX: Sexual Harassment and/or Sexual Misconduct incidents should be directed to the university Title IX office. Responsibilities and procedures for addressing such incidents are described in university Policy [1340](#) – Sexual Misconduct.

Students complaining about actions covered under other policies and procedures, including grade review, discrimination, harassment, judicial code and honor code, are required to use those procedures.

Complaints registered through the Counseling Center, Intercollegiate Athletics and the University Health Center which involve confidential information (i.e., health records, medical information) will be handled according to established procedures and will not be reported in the divisional student complaint log.

## **10. INTERPRETATION**

While the authority to interpret this policy is granted to the president, it is generally delegated to vice president for student affairs.

**Previous version:** October 2019

**Approved by the president:** August 2012