

PROCEDURE

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LEGAL AUTHORITY	P6Hx23-4.362	2/27/17 Revision #17-2

P6Hx23-4.362 PROCEDURE: STUDENT OMBUDSMAN OFFICE

I. STUDENT'S ACCESS TO COURSES AND CREDIT GRANTED TOWARD A DEGREE: THE OFFICE OF THE STUDENT OMBUDSMAN

- A. Assistance. The Office of the Student Ombudsman may assist a student at any time in matters related to the student's access to courses and credit granted toward his or her degree.
- B. Investigation and Appeal of Decision. The Student Ombudsman shall have the authority to receive a student's appeal, and to investigate and review the denial of the student's request for access to courses or for credit granted toward the student's degree, as set forth below.

II. APPEAL TO THE STUDENT OMBUDSMAN

- A. A student who believes that his/her rights to access a course or to credit granted toward their degree has been wrongfully abridged may appeal to the Office of the Student Ombudsman to request an investigation and review under this Procedure provided the following has occurred:
 - 1. In the case of an appeal of an academic request concerning access to a course or academic credit, the student has first met with the Dean to present his or her request and seek resolution. Such matters may include, but are not limited to, decisions regarding audit to credit, multiple attempts in a course, and determinations regarding extenuating circumstance.
 - 2. In the case of a non-academic appeal or request related to access to a course, including, but not limited to, admission or readmission, the student has first met with the Associate Provost to present his or her appeal or request and to seek resolution. Such matters may include, but are not limited to, decisions regarding admissions, return from suspension or dismissal, and

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determinations regarding removal from, or return to, a course or program for non-academic reasons.

3. A student seeking assistance regarding an appeal with either the Dean or campus Associate Provost, as appropriate in a particular situation, may receive guidance from the Student Ombudsman Office.
 4. Upon receipt of a written denial of the request by the Dean or the Associate Provost setting forth the reasons for the denial, the student shall be provided a copy of the Student Grievances and Appeals Procedure and the Student Ombudsman Office Procedure.
- B. The student has the option to pursue an appeal of a denial of a request related to access to a course or credit through the Student Grievances and Appeals Procedure, P6Hx23-4.36, or, in the alternative, request in writing an appeal to the Student Ombudsman within 10 working days of receipt of a denial of a request, and include the reasons supporting the request. Once the student has chosen to appeal through the Student Ombudsman, the student waives any right to another appeal or grievance process on that matter.
- C. In the case of filing an appeal with the Ombudsman, the student shall provide copies of such appeal to the Dean or Associate Provost, as appropriate.
- D. The Student Ombudsman determines that one or more of the following reviewable grounds of appeal exist:
1. Inappropriate disparate treatment of this student as compared to other students in the program.
 2. Failure to follow established College policy and procedure.
 3. The student previously received, or had reasonably relied upon, inappropriate or misleading information

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given by a College official who the student reasonably believed was qualified to give the information.

4. The student has presented substantial evidence of undue hardship and the action taken by the Student Ombudsman would not substantially alter the program, its requirements and/or adversely affect the rights of other students.

III. APPEAL PROCEDURE BEFORE THE OMBUDSMAN

- A. As outlined above, the student may appeal to the Student Ombudsman who shall serve as the reviewing officer and final decision maker. The student may provide additional relevant information, statements and materials related to the request with the written appeal. The Student Ombudsman shall provide adequate notice of the investigation and review to the student and the Dean or Associate Provost, as appropriate, and receive the record of any request, decision or appeal into the Student Ombudsman Office record for review.
- B. The Dean or Associate Provost shall receive copies of the appeal and any related records, and may file a written response to the appeal within 5 working days of the receipt of the appeal by the Ombudsman. Where filed, the Ombudsman shall review the written response of the Dean or Associate Provost as part of the investigation, and shall provide the student with a copy.
- C. Upon conclusion of the investigation and review, and within 20 working days of the timely receipt of the appeal, the Student Ombudsman shall make a determination and send the student, and Dean or Associate Provost, a copy of the written determination stating the reasons for the decision. The Ombudsman's decision under this process shall constitute final action on the matter.

IV. TIME LIMITATIONS

- A. For Appeal

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The failure of the student, Dean or the Associate Provost to seek timely review or appeal as provided herein shall constitute a waiver of any rights of further review or appeal.

B. For Decisions

The person whose duty it is to make a decision shall do so within the time limitations set forth herein above, however, may be extended as determined reasonably necessary at the discretion and approval of the Student Ombudsman.

C. Alternative Procedure/Election

In lieu of bringing a student grievance or appeal, or appealing to the Student Ombudsman under this Procedure, a student may use an alternate procedure for matters which may be appealed or are otherwise grievable under the Board of Trustees' Rules and College Procedures, such as the Discrimination Procedure, Disciplinary Procedure, or request for a fourth attempt in a course. In such case, the student shall be deemed to have made an election of which process is to be used and shall not be permitted to thereafter pursue another alternative appeal procedure or grievance in the same matter or appeal.

V. APPOINTMENT OF THE STUDENT OMBUDSMAN

The President shall appoint the Student Ombudsman, who shall be accountable to the President.

VI. NOTIFICATION TO STUDENTS

The College website and student handbook shall outline the availability of the Office of the Student Ombudsman to assist students with access to courses and credit granted toward their degree, and of a student's right of appeal to the Student Ombudsman of an adverse decision related to the student's access to courses or credit granted toward their degree.

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