

PROFESSIONAL GRADUATE NURSING PROGRAM GRIEVANCE PROCEDURE

UNIVERSITY OF NEBRASKA MEDICAL CENTER COLLEGE OF NURSING

Professional Graduate Nursing Program Grievance Procedure

Subsection: **Appendix W2**

Section 5.0 - Appendices

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Responsible Reviewing Agency:
Professional Graduate Nursing
Affairs Committee

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Related documents:

5.3.12 Professional Graduate
Nursing Student Academic Appeal
and Grievance Policy
Graduate Student Grievance
Resolution Procedure
Chapter 5 Bylaws of the Board of
Regents
UNMC Code of Conduct

Purpose

Under the provision of the Bylaws of the Board of Regents, UNMC and College of Nursing (CON) students may report a grievance. This appendix details the procedure to report a grievance against a faculty or staff member.

Scope

This applies to professional graduate students. The guidelines for grievances shown below do not apply to CON PhD students. The appropriate procedures are contained in the Graduate Student Grievance Resolution Procedure.

Definitions

University Day: The term "University Day" means a weekday on which the campus offices are open. Check the academic calendar on the campus website to determine the days on which the campus offices are closed.

Email Address of Record: The term "Email Address of Record" means the student's University assigned email address. Because important notices may be sent to students by email, it is extremely important that students make sure they check that email regularly.

Grievance Resolution Procedure

Informal Grievance Resolution

1. Student believes they have grounds to file a grievance against faculty or staff for violations of the UNMC Code of Conduct, other relevant policies, or conditions that adversely impact the student's ability to successfully complete the professional graduate program.
2. Determine if the grievance involves sexual harassment, UNMC or Nebraska Medicine staff, issues regarding research integrity and research misconduct, violations of federal, state, or local laws, or campus security and safety issues.

- a. All allegations of sexual harassment, including sexual violence, for which the student wishes the University to officially acknowledge and investigate should be reported to the Title IX Coordinator or the Chief Student Affairs Officer.
 - b. Grievances against UNMC or Nebraska Medicine staff are managed through the relevant policy/procedures by the UNMC human resources.
 - c. Issues regarding research integrity and research misconduct are managed through the relevant policy/procedures by the Research Integrity Officer.
 - d. Violations of federal, state, or local laws may be managed through the relevant policies and procedures by the Office of Compliance and/or departments having oversight over the applicable law/regulation. Contact the UNMC Chief Compliance Officer.
 - e. Campus security and safety issues are managed by the UNMC Campus Security or the Omaha Police Department.
3. It is recommended that the first course of action involve a discussion between the student and the faculty member involved to resolve the issue. Faculty and student reserve the right to record any meeting that discusses these topics or have a third-party present to take notes regarding the meeting, with both parties having given consent and are aware of the recording. If discussion with the involved faculty member is not possible or is not effective, the student should discuss the issue with their faculty advisor or specialty coordinator.
 4. If no resolution is reached, the student will be referred to the Associate Dean for Academic Programs (ADAP), whose role is one of neutral objective information sharing and consultation.
 5. If no resolution is reached in the meeting with the ADAP, the student will be counseled on the formal resolution procedure and may choose to file a formal grievance.

Formal Grievance Resolution

1. If the student wants to proceed with a formal grievance and an investigation of the incident(s), then the student submits a written complaint to the ADAP received within 30 university days of the incident. The complaint should identify the following:
 - the student grievance
 - the faculty member or any other person(s) involved
 - the incident including approximate date and time, and whether the incident is ongoing
 - the policy claimed to have been violated,
 - a brief statement of the remedy sought
2. The grievance will be acknowledged through email from the ADAP within 5 university days. The faculty member involved will be notified that a grievance has been filed against them and the nature of the grievance.
3. Upon submission of a grievance by the student, a faculty member from the CON will be assigned by the ADAP to the faculty member involved for the duration of the grievance process as a support person.
4. Within 10 university days of the acknowledgement of the complaint, the ADAP will meet with the student and the faculty involved separately to determine whether a preliminary resolution can be reached. All meetings between the ADAP and the involved parties will be recorded.
5. If a preliminary resolution cannot be achieved, the ADAP, in consultation with the PGNA chair, will appoint an ad-hoc grievance committee. The ad-hoc grievance committee will comprise no fewer than five individuals: 1 appointed faculty chairperson, 2

- faculty members, and 2 student representatives. Two student representatives will be from a specialty area different from the student who has filed the grievance. All members of the ad-hoc appeals committee will be equal voting members and will not have a conflict or competing interest in the outcome.
6. The hearing must be held within 10 university days after receiving the formal written grievance. The names of the hearing committee members must be provided to the student and persons involved at least 5 university days before the hearing so they can decide whether to challenge any of the members on grounds of lack of fairness or impartiality.
 7. The ad-hoc grievance committee chair will request submission of materials pertaining to the grievance from both student and persons involved. Materials or witnesses that either the student or persons involved intend to use in the formal hearing needs to be submitted to the ad-hoc committee within 5 university days of the request. This will be the only time materials and witness names can be submitted. The committee may request additional clarification.
 8. The student may be assisted by an advisor of their choice. The student must inform the committee chair of the advisor's name at least 24 hours before the hearing. The student advisor may assist the student in formulating the case, and they may be present at the hearing, but they may not actually participate in the proceedings unless the chair specifically permits.
 9. The ad-hoc appeals committee chair will convene and record the hearing. Minutes will be kept of the proceedings.
 10. It is the chair's responsibility to ensure that the hearing is conducted fairly. The chair will invite the involved parties to offer their testimony separately. The chair will determine the order of presentation and the relevancy of any evidence submitted and will direct the questioning of any witnesses.
 11. Ad-hoc members determine if there was misconduct. The ad-hoc committee chair will immediately notify the PGNA chair and ADAP of the decision, and within 2 university days submits a confidential report which describes the decision-making process, steps taken in the deliberation, and the decision.
 12. If the ad-hoc grievance committee identifies misconduct, the ADAP is responsible for timely corrective action in coordination with the faculty member's division assistant dean, taking into consideration the recommendations of the ad-hoc grievance committee. Within 10 university days, the ADAP will distribute the conclusion and non-confidential recommended action(s) to the student.
3. The Vice Chancellor of Academic Affairs will determine if additional steps are needed to ensure resolution. The determination of the Vice Chancellor of Academic Affairs is final.

Grievance Resolution Appeal

1. The student and the persons involved under question have the right to file a written appeal to the CON dean within 10 university days of receiving the ad-hoc committee's decision.
2. Students who are not satisfied with the dean's decision have the right to file a written appeal to the UNMC Vice Chancellor for Academic Affairs within 10 university days of receiving the dean's determination. The student must show:
 - there is evidence that the grievance processes were not followed, and the failure to follow processes resulted in a decision adverse to the student, or
 - there is evidence that their decision was based on an obvious error in interpreting the evidence or applying law and policy, and the error was material to the outcome of the grievance.