

# STUDENT GRIEVANCE RESOLUTION

## Student Grievance Resolution

### Policy Scope

Grievances brought forward under this policy are those based on an alleged violation of any university rule or established practice such as the UNMC Code of Conduct ([https://wiki.unmc.edu/index.php/Code\\_of\\_Conduct/](https://wiki.unmc.edu/index.php/Code_of_Conduct/)), and grievances related to conditions that adversely impact the student's ability to successfully complete their program of study. These procedures shall not supersede any existing UNMC or University of Nebraska policies and procedures. **This procedure deals exclusively with College of Allied Health Professions student grievances against a UNMC faculty member and builds upon the UNMC Grievance Resolution Policy Statement.**

If a student is unsure if a grievance falls within the scope of this procedure, they can receive additional information and guidance from the student or academic affairs deans listed below:

- CAHP Dean for Student Affairs (<https://www.unmc.edu/alliedhealth/faculty/donnelly.html>)
- CAHP Dean for Academic Affairs (<https://www.unmc.edu/alliedhealth/faculty/webster.html>)

Grievances by College of Allied Health Professions students that may fall outside the scope of this procedure can be handled through other avenues, some of which are listed below under the section titled, *Resources*.

### Policy Statement

The following set of procedures is established for resolution of student grievances in the College of Allied Health Professions (CAHP).

### Procedures

In most cases an initial attempt should be made to address the issue through an informal resolution process.

### Informal Resolution First Course of Action

It is recommended that the first course of action involve a discussion between the student and the faculty member involved to resolve the issue. If discussion with the involved faculty member is not possible or cannot reach a resolution, the student should discuss the issue with their program of study director. If discussion with the Program Director is not possible or cannot reach a resolution, the student should discuss the issue with their Department Chair. If discussion with the Department Chair is not possible or cannot reach a resolution, the student should consider proceeding to a formal complaint. If the complaint is against a faculty member that dually serves as the Program Director and/or

Department Chair for the student's program of enrollment, the student may seek informal resolution through the CAHP Dean for Academic Affairs.

### Proceeding to Formal Complaint

If the issue cannot be resolved informally, and the student wants to proceed with an investigation of the incident(s), then the complaint may move to the formal level as outlined in Section 5.2 of this procedure.

### Formal Resolution

#### Filing a Complaint

#### Complaint Submission Process

The complaint must be submitted by the student via email to the CAHP Dean for Student Affairs within 30 business days after the incident occurred or 10 business days after informal resolution procedures have failed. "Business days" are defined as days when the University is open for classes, examinations, or administrative office activities according to the UNMC Academic Calendar (<https://catalog.unmc.edu/general-information/academic-calendar/>) sections relevant to CAHP students.

Under reasonable circumstances, the CAHP Dean for Student Affairs may permit a grievance to be submitted after 30 business days from which the incident occurred.

#### Content of the Complaint

The complaint should identify the following information: the student grievant; the respondent faculty member; any other person involved; the incident, including approximate date and time, and whether the incident is ongoing; the policy claimed to have been violated or the limitation imposed on the student; and a brief statement of the remedy sought.

#### Acknowledgement of Complaint Submission

The complaint submission will be acknowledged by email correspondence from the CAHP Dean for Student Affairs within 10 business days from receipt of the complaint. At this stage, the faculty member involved will be notified that a grievance has been filed against them, and the nature of the grievance.

### College of Allied Health Professions Student Grievance Panel Composition

Within 20 business days after receiving the formal complaint, the Dean for Student Affairs for the College of Allied Health Professions will select members for the grievance panel. The Dean for Student Affairs will make every effort to avoid perceived or actual conflicts of interests in selecting the panel. Within 10 business days of receiving the invitation to serve as a panel member, the member must disqualify themselves if they believe that they cannot review the grievance fairly and impartially or if there is a reasonable basis for others to perceive the member as being unable to review the grievance fairly and impartially. The Dean for Student Affairs will provide the list of panel members to the student and the faculty member in which the grievance has been filed. Within 10 business days of receipt of the panel names, the student or the faculty member may challenge any member of the panel on grounds of a lack of fairness or impartiality. The challenge must be submitted to the Dean of Student Affairs in writing. The Dean for Student Affairs will review and make determinations on any requests from the panel members, the student, or the faculty member to replace members and within 10 business days will notify the remaining panel members, the student, and the faculty member of any final changes to the panel membership.

When a formal grievance is filed, the Dean for Student Affairs will select two faculty members and two student members to serve on the ad hoc grievance "panel". The faculty members will include no more than one member from any one department. The student members will include no more than one member from any one department. A representative from the UNMC Division of Student Success will serve on the panel. The Chair of the Faculty Senate Professional Conduct Committee (or designee) will sit on the Grievance Panel as an observer without a vote, to prevent unnecessary duplication of investigation if the grievance results in the matter being referred to the Faculty Professional Conduct Committee through an appeal process.

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### **College of Allied Health Professions Student Grievance Panel Responsibilities**

The panel members will review the statements of both parties. They will interview the involved parties and any named witnesses, as appropriate. They will review other provided evidence. Panel members may seek advice and evidence from other university officials as necessary to conduct the investigation.

The Panel may, at their discretion, convene a hearing to meet with the involved student and the faculty. Each party will be given the opportunity to respond, to provide a statement and/or counterstatement, in order to provide additional information as warranted. The meeting will not be open to the public although the involved parties may bring another individual for support. This person may not speak or participate in the hearing.

The student and faculty names, identifying information, statements, and comments as well as any deliberations, advice, or evidence given during Student Grievance Panel deliberations are confidential. The members of the Student Grievance Panel are expected to abide by this duty. Any unauthorized release or carelessness in the handling of this confidential information is considered a breach of this duty to maintain confidentiality and is strictly prohibited.

The Panel shall deliberate privately at the close of the hearing. A majority vote will be the approach used to determine if the grievance has merit.

The Panel will provide a written report summarizing the obtained evidence, detailed proceedings, and a determination if the grievance has merit to the CAHP Dean for Student Affairs.

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### **Report**

#### ***Report Submission & Findings***

The Panel will submit a formal report to the CAHP Dean for Student Affairs within 10 business days following the conclusion of the hearing.

If the Panel finds that the allegations are supported by a preponderance of the evidence and the grievance has merit, within 10 business days, the CAHP Dean for Student Affairs is responsible for forwarding the findings to the UNMC Office of Academic Affairs, the Dean of the College of Allied Health Professions, and the Department Chair for resolution of the grievance. The UNMC Office of Academic Affairs will work with the Dean of the College of Allied Health Professions and the Program Director for grievances involving a faculty member or the Department Chair for grievances involving the Program Director to determine corrective action and communicate the resolution to the CAHP Dean for Student Affairs and the faculty member within 20 business days from receipt of the report. Within 10 business days of receipt of the resolution, the CAHP Dean for Student Affairs will distribute the findings and any non-

confidential resolution(s) by the UNMC Office Academic Affairs, the Dean of the College of Allied Health Professions, and the Department Chair to the student.

If the Panel finds that the allegations are not supported by the preponderance of the evidence and merit has not been established, within 10 business days of receipt of the full report from the Grievance Panel, the CAHP Dean for Student Affairs will distribute the findings of the Panel to the faculty member and the Department Chair. The CAHP Dean for Student Affairs will also distribute the findings and any non-confidential resolution action(s) to the student.

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### **Appeal**

Within 10 business days following notification of the Panel's findings, if either the student or the faculty member wishes to appeal a determination of the merit of the grievance and/or any resolutions rendered by the investigation, a request for appeal may be submitted to the CAHP Dean for Student Affairs. The Dean for Student Affairs will forward the written request for appeal to the Chair of the UNMC Faculty Senate Professional Conduct Committee within 10 business days of receipt of the request. The decision of the UNMC Faculty Senate Professional Conduct Committee (<https://info.unmc.edu/blog/facultysenate/committees/#PCC>) is considered final. Within 20 business days, the Committee will notify the student, faculty member, CAHP Dean for Student Affairs, and the UNMC Office of Academic Affairs of their determination of the grievance merit. The UNMC Office of Academic Affairs will manage the resolution of the grievance following the Committee's decision where applicable.

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### **Resources**

#### **Academic Decisions**

Academic decisions such as awarding of grades, suspension, or dismissal are to be managed through the processes found in the UNMC College of Allied Health Professions policies related to Student Success and Academic Standing ([https://www.unmc.edu/cahphandbook/index.php/Student\\_Success\\_and\\_Academic\\_Standing/](https://www.unmc.edu/cahphandbook/index.php/Student_Success_and_Academic_Standing/)) or Appeals of Academic Evaluations ([https://www.unmc.edu/cahphandbook/index.php/Student\\_Success\\_and\\_Academic\\_Standing/](https://www.unmc.edu/cahphandbook/index.php/Student_Success_and_Academic_Standing/)). Students may contact the CAHP Dean for Academic Affairs (<https://www.unmc.edu/alliedhealth/faculty/webster.html>) for more information and assistance.

#### **Sexual Harassment**

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 (<https://www.unmc.edu/titleix/>) or the Associate Vice Chancellor for Student Success (<https://www.unmc.edu/student-success/about-us/directory.html>). For additional information please review UNMC Response to Allegations of Student Sexual Misconduct ([https://www.unmc.edu/titleix/\\_documents/Student-Sexual-Misconduct-Procedures.pdf](https://www.unmc.edu/titleix/_documents/Student-Sexual-Misconduct-Procedures.pdf)).

#### **Grievances against UNMC Staff & Administrators**

**Student** grievances involving UNMC staff or administrators should be reported to the CAHP Dean for Student Affairs who will work with the student and the UNMC Department of Human Resources to identify the appropriate course of action for reporting a grievance.

**Grievances against non-UNMC Affiliates**

Student grievances involving non-UNMC faculty such as clinical staff or satellite personnel not holding an adjunct appointment with UNMC should be reported to the CAHP Dean for Student Affairs who will work with the student, the Program Director of the program of study, and the UNMC Office of Academic Affairs to identify the appropriate course action for reporting a grievance.

**Policy Contact:** Amber Donnelly, [addonnelly@unmc.edu](mailto:addonnelly@unmc.edu)

**Research Integrity**

Issues regarding research integrity and research misconduct are managed through the relevant policy/procedures by the UNMC Chief Compliance Officer (<https://www.unmc.edu/human-resources/resources/orientation/compliance.html>). For additional information please review Research Integrity ([https://wiki.unmc.edu/index.php/Research\\_Integrity/](https://wiki.unmc.edu/index.php/Research_Integrity/)).

**Violations of Law**

Violations of federal, state, or local laws may be managed through the relevant policies and procedures by the Office of Compliance (<https://www.unmc.edu/human-resources/resources/orientation/compliance.html>) and/or departments having oversight over the applicable law/regulation. For additional information please review Academic Affairs – Compliance (<https://www.unmc.edu/academicaffairs/compliance/>).

**Campus Security and Safety**

Campus security and safety issues are managed by the UNMC Campus Safety (<https://www.unmc.edu/aboutus/public-safety/>) or the local police department.

**Retaliation and False Accusations**

Retaliation against student complainants or others involved in the grievance process is strictly prohibited. Incidents of retaliation by a faculty member will be referred to the Faculty Senate Professional Conduct Committee for further investigation and possible disciplinary action.

Any intentionally false accusations and/or misleading complaints against a faculty member by a student will be subject to an alleged violation of the UNMC Student Code of Conduct (<https://catalog.unmc.edu/general-information/student-policies-procedures/code-of-conduct/code-of-conduct.pdf>).

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**Additional Resources**

Students may contact the Student Counseling Center (<https://www.unmc.edu/student-success/support-services/counseling/>) for confidential counseling.

At any stage in the informal process the Ombudsperson (<https://www.unmc.edu/academicaffairs/institutional/ombuds.html>) can be consulted as an independent, neutral, informal, and confidential consultant.

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**Effective Date:** 3/10/2023

**Revised Date:** 3/8/2023

**Policy Process Applied:** Standard

**Policy Review Cycle:** Three-Year

**Responsible Administrator:** CAHP Dean for Student Affairs

**Responsible Office:** CAHP Office of Enrollment Management and Student Affairs