

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/) 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 University of Nebraska Medical Center (UNMC) or University of Nebraska policies and procedures. **This procedure deals exclusively with CAHP student grievances against a UNMC faculty member and builds upon the UNMC Grievance Resolution Policy Statement** (<https://catalog.unmc.edu/general-information/student-policies-procedures/grievance-resolution/>).

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

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

Grievances by CAHP students that may fall outside the scope of this procedure can be handled through other avenues, some of which are listed below:

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 Performance Evaluation and Progression (<http://catalog.unmc.edu/allied-health-professions/cahppolicies/performanceevaluationprogression/>) or Appeals of Academic Evaluations (<https://catalog.unmc.edu/allied-health-professions/cahppolicies/appealsofacademic evaluations/>). 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, 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).

Grievances against UNMC Staff & Administrators

Student grievances involving UNMC staff or administrators should be reported to the CAHP Dean for Business & Finance and the Dean for Student Affairs (<https://www.unmc.edu/alliedhealth/faculty/oneil.html>) 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 or Clinical Preceptors

Student grievances involving non-paid UNMC faculty such as clinical preceptors, clinical staff, or temporary personnel employed by clinical sites should be reported to the CAHP Dean for Academic Affairs and the 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 of action for reporting a grievance.

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/academicaffairs/compliance/report.html>). For additional information please review 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/academicaffairs/compliance/>) 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.

Policy Definitions

Conflict – A serious argument or disagreement, often, but not always, over an extended period of time.

Confidential Complaint – The official, confidential communication of concern and/or dissatisfaction of grievance resolution with faculty. The assessment of the complaint will be conducted in a confidential manner to preserve the anonymity of the complainant and, if different, the purported individual(s) of the grievance, to the greatest extent possible. The identity of the complainant and purported individual(s) of the grievance shall be kept confidential except as may be permitted by the Family Educational Rights and Privacy Act (FERPA) or as required by law including Title IX or professional licensure. Confidential complaints will be reviewed to determine legitimacy and may subsequently be moved forward as a Confidential Incident Report or a Grievance, based on the student's preference, the nature of the concern, and/or prior complaints.

Confidential Incident Report – An official notice of a complaint regarding behavior believed to be inappropriate, wrong, or unfair for which no formal action, beyond documenting the complaint, is requested. Inquiries into confidential complaints will be conducted in a confidential manner to preserve anonymity of the purported target(s) of the harassment or unprofessional behavior to the greatest extent possible. The identity of the purported target(s) of the harassment or unprofessional behavior shall be kept confidential except as may be permitted by FERPA or as required by law including Title IX or professional licensure.

Faculty – For the purposes of the College policy, faculty is the term used for an individual with a paid appointment in the college.

University Days – the term used to describe an official day of operation for the University of Nebraska Medical Center, typically identified as Monday through Friday to exclude weekends and holidays.

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 review as a possible violation of the UNMC Student Code of Conduct (<https://catalog.unmc.edu/general-information/student-policies-procedures/code-of-conduct/code-of-conduct.pdf>).

Grievance Procedures

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

Informal Resolution

It is recommended that the first course of action involve a discussion between the student and the individual(s) involved to resolve the issue. If discussion with the involved individual(s) is not possible or cannot reach a resolution, the student should discuss the matter with their Program Director. If discussion with the Program Director presents a conflict, is not possible or a resolution cannot be reached, the student may discuss the issue with their Department Chair. If discussion with the Department Chair presents a conflict, is not possible or a resolution cannot be reached, the student may consider filing a confidential complaint or proceeding to the formal complaint process. If the complaint is against a faculty member who 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 and the Dean for Student Affairs.

If the issue cannot be resolved informally, the student may proceed in the following ways: 1) file a confidential complaint, or 2) advance the complaint to the formal resolution process (See *Formal Resolution* below). The informal resolution process should be initiated by the student within ten (10) University Days from the date of the incident. The faculty member, Program Director, or Department Chair, as applicable to the circumstances, should complete the informal resolution process with the

student within ten (10) University Days from the date they were notified of a student issue.

Confidential Complaint

There are a variety of reasons for CAHP to provide a confidential complaint process. These include but are not limited to:

1. documenting problems/conflicts for CAHP to identify patterns of inappropriate behavior while maintaining confidentiality of the complainant,
2. documenting problems/conflicts so that necessary education or training can be provided to the faculty member and/or the academic department/unit regarding policies, guidelines, and/or mentoring expectations,
3. providing awareness of a conflict between a student and a faculty member that cannot be resolved satisfactorily using the informal resolution process (See *Informal Resolution* above).

Filing a Confidential Complaint

The complaint may be submitted electronically using this link (<https://www.unmc.edu/alliedhealth/currentstudents/concern.html>) where it will be automatically submitted to the CAHP Dean for Academic Affairs and the Dean for Student Affairs.

Content of the Complaint

In general, the content of the complaint should attempt to identify the following information:

- The name of student complainant (recommended but not required) and the student affected (if different than the complainant). If the student chooses to provide their name and the names of students affected, then only the CAHP Dean for Academic Affairs and the Dean for Student Affairs will be privy to their name(s) and the content of the complaint. If the student chooses to provide their name, this will be used for internal, follow up purposes only (name will not be shared with the involved faculty member).

An anonymous complaint is one in which the complainant does not reveal their identity to anyone. Anonymous complaints serve to provide data to identify trends that can be addressed within the College without identification of students or faculty but cannot proceed past the initial inquiry unless independently verified.

- The name of the faculty member involved.
- Any other person involved (including those who may have observed any relevant incidents).
- A summary of the incident(s) or inappropriate behavior(s), including approximate date(s) (and time(s) if appropriate), and whether the behavior is ongoing.
- A summary of the previous steps taken to address the issue including a brief statement of the remedy sought, if any.
- Any additional information or documentation deemed relevant by the complainant may also be submitted.

Response to a Confidential Complaint

Every non-anonymous confidential complaint will be acknowledged through email correspondence from the CAHP Dean for Academic Affairs and the Dean for Student Affairs within ten (10) University Days. If the confidential complaints do not fall under these guidelines, the complaint

will be forwarded to the relevant office as described above in the "Policy Scope" section.

Assessment of a Confidential Complaint

To assess the complaint, the CAHP Dean for Academic Affairs and the Dean for Student Affairs may meet individually with the affected student(s) and possibly, the faculty member involved. Affected students could include someone mentioned in an anonymous complaint, filing a complaint, or mentioned in the initial assessment of the complaint. The purpose of this initial assessment is to determine if the alleged behaviors identified in the complaint constitute inappropriate conduct.

Formal Resolution

Filing a Complaint

The complaint must be submitted by the student through email to the CAHP Dean for Academic Affairs and the Dean for Student Affairs within thirty (30) University Days after the incident occurred or ten (10) University Days after informal resolution procedures have failed. Under reasonable circumstances, the CAHP Dean for Academic Affairs and the Dean for Student Affairs may permit a grievance to be submitted after thirty (30) University 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, time, and location, and whether the incident is ongoing; the policy claimed to have been violated or the limitation imposed on the student; any informal steps for resolution that have been pursued; and a brief statement of the remedy sought.

Acknowledgement of Complaint Submission

The complaint submission will be acknowledged through email correspondence from the CAHP Dean for Academic Affairs and the Dean for Student Affairs within ten (10) University 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.

Initial Review

The CAHP Dean for Academic Affairs and the Dean for Student Affairs, after review of the grievance, will either attempt to resolve the complaint or advance the complaint to the Student Grievance Panel.

The CAHP Dean for Academic Affairs and the Dean for Student Affairs may meet with the student grievant, the respondent faculty members, and any other person involved to determine if the circumstances and level of grievance warrant a formal resolution.

College of Allied Health Professions Student Grievance Panel Composition

Within twenty (20) University Days after receiving the formal complaint, the CAHP Dean for Academic Affairs and the Dean for Student Affairs will appoint members for the Student Grievance Panel. The CAHP Dean for Academic Affairs and the Dean for Student Affairs will make every effort to avoid perceived or actual conflicts of interest in selecting the panel. Within ten (10) University Days of receiving the appointment to serve as a panel member, the member must recuse themselves for real or perceived conflicts of interest. The CAHP Dean for Academic Affairs and the Dean for Student Affairs will provide the list of panel members to the student and the faculty member named in the complaint. Within ten (10)

University 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 CAHP Dean for Academic Affairs and the Dean for Student Affairs through email. The CAHP Dean for Academic Affairs and the Dean for Student Affairs will review all challenges and within ten (10) University 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 CAHP Dean for Academic Affairs and the Dean for Student Affairs will appoint three CAHP faculty members to serve on the Student Grievance Panel. The faculty members will include no more than two members from any one department.

A non-CAHP member of the Faculty Senate Professional Conduct Committee will sit on the Student 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.

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. Individuals will be given the opportunity to respond, to provide a statement and/or counterstatement, to provide additional information as warranted. The meeting will not be open to the public.

The student and faculty names, identifying information, statements, and comments as well as any deliberations, advice, or evidence given in the course of Student Grievance Panel deliberations are confidential. 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 simple majority of the voting members will determine if the grievance has merit.

Report

Report Submission & Findings

The Panel will submit a formal report through email to the CAHP Dean for Academic Affairs and the Dean for Student Affairs within ten (10) University 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, the CAHP Dean for Academic Affairs and the Dean for Student Affairs are 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 within ten (10) University Days. Within twenty (20) University Days from receipt of the report, 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 a corrective action plan and communicate the resolution to the CAHP Dean for Academic Affairs and the Dean for Student Affairs and the faculty member. Within ten (10) University Days of receipt of the resolution, the CAHP Dean for Academic Affairs and the Dean for Student Affairs will distribute the findings and any non-confidential resolution(s) by the UNMC Office of 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 ten (10) University Days of receipt of the full report from the Grievance Panel, the CAHP Dean for Academic Affairs and the Dean for Student Affairs will distribute the findings of the Panel to the faculty member and the Department Chair. The CAHP Dean for Academic Affairs and the Dean for Student Affairs will also distribute the findings and any non-confidential resolution action(s) to the student.

Effective Date: 12/15/2023

Revised Date: 10/23/2023

Reviewed Date: 12/13/2023

Policy Process Applied: Standard

Policy Review Cycle: Three-Year

Responsible Administrator: CAHP Dean for Academic Affairs

Responsible Office: CAHP Office for Academic Affairs

Policy Contact: cahpacademicaffairs@unmc.edu (<http://catalog.unmc.edu/allied-health-professions/cahppolicies/studentgrievance/cahpacademicaffairs@unmc.edu>)

Appeal

Within ten (10) University 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 Academic Affairs and the Dean for Student Affairs.

The CAHP Dean for Academic Affairs and the Dean for Student Affairs will forward the written request for appeal to the Chair of the UNMC Faculty Senate Professional Conduct Committee (and to the member of the Committee who sat in on the Formal Resolution investigation if not the Chair) within ten (10) University Days of receipt of the request. The appeal process will be carried out in accordance with the procedures of the UNMC Faculty Senate Professional Conduct Committee. The decision of the UNMC Faculty Senate Professional Conduct Committee (<https://info.unmc.edu/blog/facultysenate/committees/#PCC>) is considered final. Within twenty (20) University Days, the Faculty Senate Professional Conduct Committee will notify the student, faculty member, CAHP Dean for Academic Affairs and the Dean for Student Affairs, and the UNMC Office of Academic Affairs of their determination of the grievance merit and any changes to the proposed corrective action plan. The Dean of the College of Allied Health Professions with support from the UNMC Office of Academic Affairs will manage the resolution of the grievance following the Faculty Senate Professional Conduct Committee's decision where applicable.

Resources

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

Faculty may refer to the Employee Assistance Program (https://www.unmc.edu/human-resources/_documents/EAP.pdf) for resources related to confidential counseling.

At any stage in the *informal* process (i.e., before a formal complaint has been submitted) the Ombudsperson (<https://www.unmc.edu/academicaffairs/institutional/ombuds.html>) can be consulted as an independent, neutral, informal and confidential consultant.