

GRADUATE STUDENT GRIEVANCE RESOLUTION PROCEDURE

1. Purpose

To establish a simple and expeditious process for resolution of graduate student grievance issues.

2. Scope

Grievances brought forward under this policy are those based on a claimed violation of any university rule or established practice such as the UNMC Code of Conduct, and grievances related to conditions that adversely impact the student's ability to successfully complete the graduate program. Examples of the types of grievances covered by this policy include, but are not limited to: inappropriate conduct in the workplace (e.g. verbal abuse, threatening behavior, harassment, or favoritism); unreasonable policy interpretation of time-off and excessive work hours; inappropriate delay of student progression toward degree attainment due to student's career interests and choices, reductions in funding or awards, and laboratory personnel changes (e.g. departure of supervising faculty). **This policy deals exclusively with graduate student grievances against UNMC faculty.**

If you are unsure if a grievance falls within the scope of this policy you can receive additional information and guidance from any of the persons listed below:

- Director of Graduate Administrative Services (Terri Vadovski; terri.vadovski@unmc.edu, 402-559-6532)
- Chief Student Affairs Officer (Interim: Dr. Phil Covington; philip.covington@unmc.edu, 402-559-2792)
- Student Ombudsperson (Dr. David Carver; dcarver@unmc.edu, 402-559-7276)

If the student requests confidentiality or asks that the complaint not be pursued, UNMC will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a student insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the school should inform the student that its ability to respond may be limited.

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

2.1. Academic Decisions

Academic decisions such as awarding of grades, comprehensive exam results, dissertation defense results, suspension, or dismissal are to be managed through the processes found elsewhere in the Graduate Studies section of this Catalog. Students may contact the Director of Graduate Administrative Services (Terri Vadovski; terri.vadovski@unmc.edu, 402-559-6532) for more information and assistance.

2.2. 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 (Carmen

Sirizzotti; csirizzotti@unmc.edu, 402-559-2710) or the Chief Student Affairs Officer (Dr. Phil Covington; philip.covington@unmc.edu, 402-559-2792).

2.3. Grievances against Staff

Grievances against UNMC or Nebraska Medicine staff are managed through the relevant policy/procedures by the UNMC Division Director, Employee Relations and Organizational Development (Linda Cunningham; lcunning@unmc.edu, 402-559-7394).

2.4. Research Integrity

Issues regarding research integrity and research misconduct are managed through the relevant policy/procedures by the Research Integrity Officer (Dr. Gary Yee; gcyee@unmc.edu, 402-559-2415).

2.5. Violations of Law

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 (Sarah Golden Carlson; sarah.goldencarlson@unmc.edu, 402-559-9576). See: <http://www.unmc.edu/academicaffairs/compliance> (<http://www.unmc.edu/academicaffairs/compliance/>)

2.6. Campus Security and Safety

Campus security and safety issues are managed by the UNMC Campus Security (Chief of Police and Director of Public Safety and Security: Charlotte Evans 402-559-4439, charlotte.evans@unmc.edu (gsvanda@unmc.edu)) or the Omaha Police Department.

3. Policy

Students have the right to file a grievance against faculty for violations of the UNMC Code of Conduct or other relevant policies, and grievances related to conditions that adversely impact the student's ability to successfully complete the graduate program. Examples of the types of grievances covered by this policy include, but are not limited to: inappropriate conduct in the workplace (e.g. verbal abuse, threatening behavior, or favoritism); policy interpretation of time-off and excessive work hours; inappropriate delay of student progression toward degree attainment due to student's career interests and choices, or reductions in funding or awards, and laboratory personnel changes (e.g. departure of supervising faculty). Resolutions in situations where the grievance has been upheld may include student reinstatement, student reassignment to another class or lab, or other corrective action(s) for the benefit of the student.

Corrective action against graduate faculty is under the purview of the UNMC Dean of Graduate Studies in coordination with the department/division Chair or Dean of the faculty member's primary unit. This policy does not supersede the policies contained in the UNMC Faculty Handbook, and any corrective action will be consistent with those policies. Appropriate corrective action will be taken where the grievance has been upheld by a preponderance of evidence. Graduate students have the right to file a written complaint to the UNMC Faculty Professional Conduct Committee chair if they are not satisfied with the grievance panel resolution.

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

Any intentionally false accusations and/or misleading complaints against University faculty by graduate students will be subject to appropriate disciplinary action.

4. Procedure

Students may at any time contact the Student Counseling Center (402-559-7276) for confidential counseling by male/female licensed mental health care providers for any of the aforementioned cases.

At any stage in the informal process the Student Ombudsperson (Dr. David Carver; dcarver@unmc.edu, 402-559-7276) can be consulted as an independent, neutral, informal and confidential consultant. The Ombudsperson can provide additional information and clarification on University policies and proceedings, assistance in facilitating difficult conversations, and guidance in prioritizing options for dealing with the problem. The Ombudsperson will also report ongoing trends in graduate student grievances, while maintaining students' confidentiality, to campus administrators including the Dean of Graduate Studies and the UNMC Chancellor.

In most cases an initial attempt should be made to address the issue through an informal resolution process. This may include talking to the advisor, Graduate Student Association (GSA) President or Vice President, Director of Graduate Studies, or another member of the student's Supervisory Committee.

4.1. Informal Resolution

4.1.1. First Course of Action

It is recommended that the first course of action involve a discussion between the graduate student, the faculty member involved, and/or the student's Supervisory Committee to resolve the issue.

4.1.2. If Discussion with Faculty Member Is Not Possible or Effective

If discussion with the involved faculty member is not possible or is not effective, the student should discuss the issue with their Graduate Program Director or the Director of Graduate Administrative Services (Terri Vadovski; terri.vadovski@unmc.edu, 402-559-6532).

4.1.3. If Discussion with the Graduate Program Director is Not Possible or Effective

If discussion with the Graduate Program Director is not possible or is not effective, the student should discuss the issue with their Department Chair.

4.1.4. Without Proceeding to Formal Complaint

If the issue cannot be resolved informally, and the graduate student wants to summarize the incident without proceeding to a formal complaint, this may be done through one of two mechanisms. However, the Student Ombudsperson and/or Director of Graduate Administrative Services will inform the student that the recourse will be limited without filing a formal complaint.

4.1.4.1. Unwritten Summary

Student Ombudsperson (Dr. David Carver; dcarver@unmc.edu, 402-559-7276)

OR

4.1.4.2. Written Documentation

Director of Graduate Administrative Services (Terri Vadovski; terri.vadovski@unmc.edu, 402-559-6532)

4.1.5. Proceeding to Formal Complaint

If the issue cannot be resolved informally, and the graduate student wants to proceed with an investigation of the incident(s), then the complaint may move to the formal level as outlined in Section 4.2 of this Policy.

4.2. Formal Resolution

4.2.1. Filing a Complaint

4.2.1.1. Complaint Submission Process

The complaint must be submitted electronically (<http://app1.unmc.edu/forms/gradstudies/grievance.cfm>) and will be automatically submitted to the Dean of Graduate Studies (Dr. Dele H. Davies) and Director of Graduate Studies (Terri Vadovski).

4.2.1.2. Content of the Complaint

The complaint should attempt to identify the following information: the student grievant; the respondent faculty member or administrator; 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 graduate student's ability to complete their degree; and a brief statement of the remedy sought.

4.2.1.3. Timing of the Complaint Submission

Graduate students are encouraged to submit their complaint within 60 class days after the incident occurred or 60 class days after informal resolution procedures have failed. "Class days" are defined as days when the University is open for classes, examinations, or administrative office activities according to the UNMC Academic Calendar sections relevant to Graduate Studies.

4.2.1.3.1. If the grievance is ongoing or involves a particularly sensitive matter, the grievant is encouraged to submit their complaint as soon as possible.

4.2.1.4. Acknowledgment of Complaint Submission

Every complaint will be acknowledged by email correspondence from the Office of the Dean of Graduate Studies within 5 class days.

4.2.2. Preliminary Resolution Procedure

4.2.2.1. Pursuit of a Preliminary Resolution

The Dean of Graduate Studies (or designee) will meet separately with the student and the faculty or administrator involved to determine whether a preliminary resolution can be reached. If a preliminary resolution cannot be achieved, the Dean shall notify both parties that the grievance will be referred to the Graduate Student Grievance Committee under Section 4.2.3 below. The Dean will inform the faculty member that s/he may prepare a statement in response to the allegations for review by the Grievance Panel (see Section 4.2.4.), due within 10 class days. "Class days" are defined as days when the University is open for classes, examinations, or administrative office activities according to the UNMC Academic Calendar sections relevant to Graduate Studies. This timeline may be adjusted by the Dean of Graduate Studies if there are compelling reasons for delay.

4.2.3. Graduate Student Grievance Committee

The Graduate Student Grievance Committee consists of eight members (four faculty and four students) each elected for a term of two (2) years, in a rotating fashion. Half of the committee members (two faculty and two students) are elected in years ending in an even number, the other half (two faculty and two students) are elected in years ending in an odd number.

4.2.3.1. Faculty Serving on the Grievance Committee

4.2.3.1.1. The faculty members will include no more than one member from any one graduate department.

4.2.3.1.2. The Graduate Council will elect two faculty members each year, one male and one female. Members of the Grievance Committee need not be serving on the Graduate Council.

4.2.3.2. Students Serving on the Grievance Committee

4.2.3.2.1. The student members will include no more than one member from any one department, all in good academic standing as per college regulations.

4.2.3.2.2. The Graduate Student Association will elect two student members each year, one male and one female. Members of the Grievance Committee need not be serving on the Graduate Student Association Executive Board.

4.2.4. Grievance Panel**4.2.4.1. Composition**

4.2.4.1.1. When a formal grievance is filed, the Chair of the Graduate Council will select from the Graduate Student Grievance Committee one male and one female faculty member and one female and one male student member to form an *ad hoc* Grievance Panel. The Chair of the Graduate Council will appoint a chair for the Grievance Panel from among the selected committee members.

4.2.4.1.1.1. The Graduate Council Chair will make every effort to avoid perceived or actual conflicts of interests in selecting the Grievance Panel members by avoiding members who are affiliated with the same graduate program, work/study in the same department or laboratory, and/or have a close relationship with either the student or faculty member involved in the grievance complaint.

4.2.4.1.2. The Chair of the Faculty 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.

This person can also advise the Grievance Panel about recommended corrective action, if appropriate.

4.2.4.2. Responsibilities

4.2.4.2.1. The Grievance 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.

4.2.4.2.2. The Grievance Panel may, at their discretion, convene a hearing to meet with the involved student and the faculty. Each individual will be given the opportunity to respond, to provide a statement and/or counter-statement, 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 Panel will provide a written report summarizing the obtained evidence, detailed proceedings, conclusions, and recommended actions

to the Dean of Graduate Studies within 30 class days of when the Panel assembled.

4.2.4.2.3. The graduate student and faculty/administrator's names, identifying information, statements, and comments as well as any deliberations, advice, or evidence given in the course of Grievance Panel deliberations are confidential. The members of the Grievance Panel are expected to abide by this duty to maintain confidentiality. 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.

4.2.4.3. Deliberation

The Grievance Panel shall deliberate privately at the close of the hearing. If a majority of the Panel finds that the allegations are supported by a "preponderance of the evidence," the Panel will make confidential recommendations to the Dean of Graduate Studies to resolve the matter.

4.2.5. Reports**4.2.5.1. Report Submission by the Grievance Panel**

The Grievance Panel will submit a formal report to the Dean of Graduate Studies. If the Panel identifies misconduct, the Dean of Graduate Studies is responsible for immediate and timely corrective action in coordination with the department/division Chair or Dean of the faculty member's primary unit, taking into consideration the recommendations of the panel.

4.2.5.2. Reporting by the Dean of Graduate Studies

Within 10 class days of receipt of the full report from the Grievance Panel, the Dean of Graduate Studies will report as follows:

4.2.5.2.1. The Dean of Graduate Studies will distribute the conclusion and recommended action(s) by the Grievance Panel to the faculty member and the department/division Chair or Dean of the faculty member's primary unit.

4.2.5.2.2. The Dean of Graduate Studies will distribute the conclusion and non-confidential recommended action(s) by the Panel as well as the non-confidential corrective action(s) as determined by the Dean of Graduate Studies to the student.

4.2.6. Retaliation and False Accusations

Retaliation is strictly prohibited. Incidents of retaliation by faculty members or administrators will be referred to the Faculty Professional Conduct Committee for disciplinary action.

Any intentionally false accusations and/or misleading complaints against University faculty or administrators by graduate students will be subject to appropriate disciplinary action.

4.2.7. Timeline Summary (Formal Resolution)**4.2.7.1. Complaint Submission**

The complaint must be submitted electronically (<http://app1.unmc.edu/forms/gradstudies/grievance.cfm>). Graduate students are encouraged to submit their complaint within 60 class days after the incident occurred or 60 class days after informal resolution procedures have failed. "Class days" are defined as days when the University is open for classes, examinations, or administrative office activities on the academic calendar from the College of Graduate Studies.

4.2.7.1.1. If the grievance is ongoing or involves a particularly sensitive matter, the grievant is encouraged to submit their complaint as soon as possible.

4.2.7.2. Acknowledgement of Complaint Submission

Receipt of the electronic complaint submission (<http://app1.unmc.edu/forms/gradstudies/grievance.cfm>) will be acknowledged by email correspondence from the Office of the Dean of Graduate Studies within 5 class days.

4.2.7.3. Report from the Grievance Panel

The Panel will provide a written report summarizing the obtained evidence, detailed proceedings, conclusions, and recommended corrective actions to the Dean of Graduate Studies within 30 class days of when the Panel assembled.

4.2.7.4. Reporting by the Dean of Graduate Studies

Within 10 class days of receiving the full report from the Grievance Panel, the Dean of Graduate Studies will distribute the Panel's conclusion and recommended action(s) to the faculty member and the department/division Chair or Dean of the faculty member's primary unit. The Dean of Graduate Studies will also distribute the conclusion and non-confidential recommended action(s) by the Panel as well as the non-confidential corrective action(s) as determined by the Dean of Graduate Studies to the student.

4.2.7.5. If the Panel Identifies Misconduct

The Dean of Graduate Studies, in coordination with the department/division Chair or Dean of the faculty member's primary unit, is responsible for immediate and timely corrective action, taking into consideration the recommendations of the panel.

4.2.7.6. Graduate Student Rights after Grievance Panel Resolution

Graduate students have the right to file a written complaint to the UNMC Faculty Professional Conduct Committee chair if they are not satisfied with the grievance panel resolution.

4.2.7.7. Timeline Adjustment

The timelines may be adjusted by the Dean of Graduate Studies if there are compelling reasons for delay.

For additional information and guidance regarding this policy, contact the Graduate Student Association Chair of Issues Committee (GSA Officers (<http://blog.unmc.edu/gsa/about/officers/>)) and/or any of the persons listed below:

- Director of Graduate Administrative Services (Terri Vadovski; terri.vadovski@unmc.edu, 402-559-6532)
- Chief Student Affairs Officer (Interim: Dr. Phil Covington; philip.covington@unmc.edu, 402-559-2792)
- Student Ombudsperson (Dr. David Carver; dcarver@unmc.edu, 402-559-7276)

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