

STUDENT GRIEVANCE POLICY

Resolution Procedure

1. Purpose

To establish a simple and expeditious process for resolution of College of Medicine Student grievances 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 medical education program.

2. Scope

Examples of the types of grievances covered by this procedure include, but are not limited to: inappropriate conduct in the workplace (e.g. verbal abuse, threatening behavior, or favoritism); excessive work hours; inappropriate delay of student progression toward degree, awards, harassment, or improper treatment related to gender, race, religion, sexual orientation, or disability. **This procedure deals exclusively with College of Medicine Student grievances against UNMC faculty and builds upon the UNMC Grievance Resolution Procedure (<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 s/he can receive additional information and guidance from any of the persons listed below:

- Dr. Phil Covington, Associate Vice Chancellor for Student Success - (phillip.covington@unmc.edu (%20phillip.covington@unmc.edu), 402-559-2792)
- Dr. Wendy Grant, Associate Dean for Student Affairs- (wgrant@unmc.edu (%20wgrant@unmc.edu), 402-559-6661)
- Dr. David Carver, Student Ombudsperson - (dcarver@unmc.edu (%20dcarver@unmc.edu), 402-559-2491)

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 College of Medicine Students that may fall outside the scope of this procedure 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 in the UNMC College of Medicine policies related to grade appeals and the Student Evaluation Committee Guidelines (<https://catalog.unmc.edu/medicine/student-policies/student-evaluation-committee/>).

2.2 Sexual harassment: Complaints regarding sexual misconduct against or by a student can be made to the Title IX Coordinator, Carmen Sirizzotti, (csirizzotti@unmc.edu, 402-559-2710) or any of the individuals listed previously. Sexual misconduct complaints by or against employees should be made to the Title IX Coordinator, Carmen Sirizzotti, or Associate Director,

Employee Relations & Organizational Development, Linda Cunningham (lcunning@unmc.edu, 402-559-7394). The University will investigate reported allegations of sexual misconduct and may take appropriate remedial action even if the person allegedly subject to misconduct or the Complainant does not wish to pursue formal charges. Any response by the University may be hindered by a person's or the Complainant's desire for anonymity and/or inaction. For additional information please review UNMC Response to Allegations of Student Sexual Misconduct (https://www.unmc.edu/titleix/_documents/Student-Sexual-Misconduct-Procedures.pdf).

2.3 Grievances against Staff: Grievances against UNMC or Nebraska Medicine (NM) staff are managed through the relevant policy/procedures by the UNMC Associate Director, Employee Relations & Organizational Development, Linda M. Cunningham.

2.4 Research Integrity: Issues regarding research integrity and research misconduct are managed through the relevant policy/procedures by the Chief Compliance Officer, Sarah Gloden Carlson (sarah.glodencarlson@unmc.edu, (402) 559-6767). See the Research Integrity Policy (<https://catalog.unmc.edu/general-information/student-policies-procedures/research-integrity/>).

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. UNMC Chief Compliance Officer: Sarah Gloden Carlson (sarah.glodencarlson@unmc.edu, 402-559-8932). See information on compliance (<https://www.unmc.edu/academicaffairs/compliance/>).

2.6 Campus Security and Safety: Campus security and safety issues are managed by the UNMC Campus Security (Charlotte Evans Asst. Vice Chancellor, Chief of Police, Public Safety, 402-554-2772, charlotte.evans@unmc.edu (charlotte.evan@unmc.edu)) or the Omaha Police Department.

3. Context and Principles

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 medical education program. Resolutions in situations where the grievance has been upheld may include student reinstatement, student reassignment to another supervising educator/clinical site, or other corrective action(s) for the benefit of the student.

Corrective action against COM faculty is under the purview of the UNMC Dean of the College of Medicine in coordination with the department/division Chair or Dean of the faculty member's primary unit and his or her decision is final. This procedure 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. COM students have the right to file a written complaint to the UNMC Faculty Senate 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 Senate Professional Conduct Committee for further investigation and disciplinary action.

Any intentionally false accusations and/or misleading complaints against University faculty by College of Medicine Students will be subject to appropriate disciplinary action by the Dean of College of Medicine in consultation with the appropriate Department Chair.

4. Procedure

Students may at any time contact Counseling and Psychological Services at 402-559-7276 for confidential counseling by 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, 402-559-2491) 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 the College of Medicine Student grievances, while maintaining students' confidentiality, to campus administrators including the Dean of the College of Medicine and the UNMC Chancellor.

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

4.1.1 Informal Resolution:

4.1.2 First Course of Action: It is recommended that the first course of action involve a discussion between the College of Medicine (COM) student and the faculty member involved to resolve the issue.

4.1.3 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 the COM Block, Clerkship or Elective Director.

4.1.4 If Discussion with Block, Clerkship, or Elective Director is Not Possible or Effective:

- Phase 1 - if discussion with the COM Block Director is not possible or is not effective the student should discuss the issue with the Phase 1 Director.
- Phase 2 and 3 - if discussion with the COM Clerkship or Elective Director is not possible or is not effective the student should discuss the issue with the Department Chairperson.

4.1.5 Without Proceeding to Formal Complaint: If the issue cannot be resolved informally, and the College of Medicine student wants to summarize the incident without proceeding to a formal complaint, this may be done through one of two mechanisms. However, the student will be informed that the recourse will be limited without filing a formal complaint.

- 4.1.5.1 *Unwritten Summary: Student Ombudsperson (Dr. David Carver, dcarver@unmc.edu, (402) 559-7276) or*
- 4.1.5.2 *Written Documentation: Dr. Phil Covington, Assistant Vice Chancellor for Student Success (phillip.covington@unmc.edu, (402) 554-2779) or Dr. Wendy Grant, Associate Dean for Student Affairs (wgrant@unmc.edu, (402) 559-2259. The documentation will be kept in a confidential and secure file within the College of Medicine.*

4.1.6 Proceeding to Formal Complaint: If the issue cannot be resolved informally, and the College of Medicine 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 Procedure.

4.2 Formal Resolution:

4.2.1 Filing a Complaint:

- 4.2.1.1 The complaint must be submitted electronically via the UNMC mobile app or mobile app webpage (<http://mobile.unmc.edu/>) (select "Help me") and is automatically submitted to Student Affairs and the Chief Student Affairs Officer.
- 4.2.1.2 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 College of Medicine student; and a brief statement of the remedy sought.
- 4.2.1.3 College of Medicine 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 Medicine.
 - 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 Every complaint will be acknowledged by email correspondence from the Office of the Dean of College of Medicine within 5 class days. At this stage, the faculty member involved will be notified that a grievance has been filed against them, and the nature of the grievance.

4.2.2 Preliminary Resolution Procedure:

- 4.2.2.1 Within 10 class days of acknowledging complaint, the Dean of College of Medicine (or designee) will meet with the student and the faculty or administrator involved separately to determine first whether a preliminary resolution can be reached. "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 Medicine. If a preliminary resolution cannot be achieved, the Dean shall notify both parties that the grievance will be referred to an ad hoc College of Medicine 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, due within 10 class days. The Dean of College of Medicine may adjust this timeline if there are compelling reasons for delay.

4.2.3 College of Medicine Student Grievance Committee Constitution:

- 4.2.3.1 When a formal grievance is filed, the Dean of the College of Medicine will select one male and one female faculty member and one female and one male student member to form an ad hoc grievance “panel.”
- 4.2.3.2 The faculty members will include no more than one member from any one department.
- 4.2.3.3 The student members will include no more than one member from any one year, all in good academic standing as per college regulations.
- 4.2.3.4 The Dean of the College of Medicine will make every effort to avoid perceived or actual conflicts of interests in selecting the panel members by avoiding members that are in the same department, laboratory, and/or have a close relationship with either the student or faculty member involved in the grievance complaint.
- 4.2.3.5 The Chair of the Faculty Senate Professional Conduct Committee (or designee) will sit on the 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 Senate Professional Conduct Committee. This person can also advise the grievance panel about recommended corrective action, if appropriate.

4.2.4 College of Medicine Student Grievance Panel Responsibilities:

- 4.2.4.1 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.
- 4.2.4.2 The 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 College of Medicine within 30 class days of when the Panel assembled.
- 4.2.4.3 The College of Medicine Student and faculty/administrator's names, identifying information, statements, and comments as well as any deliberations, advice, or evidence given in the course of College of Medicine Student Grievance Panel deliberations are confidential. The members of the College of Medicine Student 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.

4.2.5 Deliberation:

- 4.2.5.1 The 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 College of Medicine to resolve the matter.

4.2.6 Report:

- 4.2.6.1 The Panel will submit a formal report to the Dean of College of Medicine. If the Panel identifies misconduct, the Dean of College of Medicine is responsible for immediate and timely corrective action in coordination with the department/division Chair taking into consideration the recommendations of the panel.
- 4.2.6.2 The Dean of College of Medicine will distribute the conclusion and recommended action(s) by the Panel to the faculty member and the department/division Chair. The Dean of College of Medicine 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 College of Medicine to the student.
- 4.2.6.3 All reports will be distributed within 10 class days of the Dean of The College of Medicine receiving the full report from the Panel.
- 4.2.6.4 Retaliation is strictly prohibited. Incidents of perceived retaliation by faculty members or administrators will be referred to the Faculty Senate Professional Conduct Committee for disciplinary action.

4.2.7 Timelines:

- 4.2.7.1 College of Medicine 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 Medicine.
- 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 The complaint must be submitted electronically (<http://m.unmc.edu/help/>) and will be acknowledged by email correspondence from the Office of the Dean of the College of Medicine within 5 class days.
- 4.2.7.3 The Panel will provide a written report summarizing the obtained evidence, detailed proceedings, conclusions, and recommended corrective actions to the Dean of The College of Medicine within 30 class days of when the Panel assembled.
- 4.2.7.4 The Dean of The College of Medicine will distribute the conclusion and recommended action(s) by the Panel to the faculty member and the department/division Chair. The Dean of the College of Medicine 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 the College of Medicine to the student. These reports will be distributed within 10 class days of receiving the full report from the Panel.
- 4.2.7.5 If the Panel identifies misconduct, the Dean of the College of Medicine, in coordination with the department/division Chair is responsible for immediate

and timely corrective action, taking into consideration the recommendations of the panel.

- 4.2.7.6 Either or both the College of Medicine student and the faculty member under question have the right to file a written complaint to the UNMC Faculty Senate Professional Conduct Committee chair if they are not satisfied with the grievance panel resolution.
- 4.2.7.7 The timelines may be adjusted by the Dean of the College of Medicine if there are compelling reasons for delay.

For additional information and guidance regarding this procedure, contact the College of Medicine and/or any of the persons listed below:

- Dr. Phil Covington, Associate Vice Chancellor for Student Success (philip.covington@unmc.edu, 402-559-2792)
- Dr. Wendy Grant, Associate Dean for Student Affairs (wgrant@unmc.edu, 402-559-6661)
- Dr. David Carver, Student Ombudsperson (dcarver@unmc.edu, 402-559-2491)

Approved by the Curriculum Committee: March 24, 2015

Modified by the Curriculum Committee: November 27, 2018