

PROFESSIONAL GRADUATE NURSING PROGRAM APPEALS AND GRIEVANCE PROCEDURE

UNIVERSITY OF NEBRASKA MEDICAL CENTER COLLEGE OF NURSING

Professional Graduate Nursing Program Appeals and Grievance Procedure

Subsection: **Appendix W**

Section 5.0 - Appendices

Originating Date: May 2013

Responsible Reviewing Agency:
Professional Graduate Nursing
Affairs Committee

Revised: October 2014
Revised: May 2015
Revised: March 2016
Revised: March 2018
(administrative)

Purpose:

Under the provision of the Bylaws of the Board of Regents (see *Chapter 5 of the Bylaws of the Board of Regents*), students may appeal academic evaluations; discipline related to academic integrity and conduct and report a grievance.

Faculty Section 4.1 (Rules of the Faculty Organization) and Policy 4.1.8 (Professional Graduate Nursing Affairs Committee) state that a committee shall review professional graduate nursing program student appeals and grievance reports, determine appropriate course of action and submit committee recommendations, and report to all appropriate parties in accordance with written procedures and as stipulated by the Bylaws of the Board of Regents.

Academic Evaluation and Discipline related to Academic Integrity and Conduct Procedures

1. It is recognized that students and faculty initiate, develop and maintain professional relationships in the teaching-learning process. To this end, it is strongly encouraged that students seek consultation with individual faculty whenever there are questions about the determination of a grade or disciplinary actions. In all cases, informal discussion between faculty and student is preferred to resolve any potential miscommunication in an evaluation that has been determined. As a result of this consultation, faculty will maintain the right to retain or change an evaluation. Factors such as misinterpretation of scoring, mathematical calculation, or other factors should be objectively discussed so that both faculty and student conclude the informal communication process with an understanding of the nature of the issue at hand.
2. If, after the initial discussion cited in step #1 of this procedure, a student in the professional graduate nursing program (MSN, post-master, and DNP) believes that an evaluation or discipline has been rendered in an arbitrary or capricious manner, the student may discuss the concern with their faculty advisor, specialty coordinator or program director and if no resolution is reached, the student will be referred to the Division Assistant Dean. If no resolution is reached, the student will be counseled on the formal appeal procedure by the Assistant Dean. Based on this conversation, the student may or may not choose to proceed to seek a formal appeal of the evaluation. The role of faculty advisor, specialty coordinator, program director, or Division Assistant Dean, is one of neutral objective information sharing and consultation.
3. If the student chooses to seek a formal appeal, the student must submit an official written appeal to the chair of the Professional Graduate Nursing Affairs Committee and to the Associate Dean for Academic Programs within 10 days of receiving the evaluation. Upon receiving the student's written statement, the Chair of the Committee may elect to meet with the student and faculty to understand the nature of the concern.
4. If the appeal goes forward, the Associate Dean for Academic Programs (with consultation of the committee chair) will appoint an ad hoc appeals committee. The ad hoc appeals committee will be comprised of no fewer than 5 individuals: 1 faculty chairperson, 2 faculty members, and 2 student representatives. The Dean of the CON will appoint the 2 student representatives. The student representatives will be from a specialty area different from the student who is appealing.
5. 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 ad hoc appeals committee chair will convene and record a hearing with the members of the committee. The chair will conduct the meeting in a civil and non-threatening manner and there will be breaks as needed. The appeals committee chair or members may request any additional materials that they deem to be essential in the information gathering process. In addition, the committee may choose to meet with the faculty or student as needed. The student has a right to request to meet with the committee and to have a support person who cannot actively participate in the hearing, but confer with the student during the hearing.
7. Upon conclusion of the hearing, the ad hoc appeals committee members will determine if there was the existence of arbitrary and capricious behavior. The chair of the Professional Graduate Nursing Affairs Committee will be notified at the conclusion of the hearing of the outcome to either support or not support the appeal.
8. The committee chair will communicate the findings of the ad hoc appeals committee to the involved faculty member, student, and specialty coordinator.
9. The ad hoc appeals committee chair will write a confidential report which describes the decision making process and steps taken in the deliberation, including the decision, and will send the report to the committee chair and to the Associate Dean For Academic Programs within 48 hours of conclusion of the hearing.
10. The findings from the hearing will be communicated to the Professional Graduate Nursing Affairs committee members. The committee will vote to support or not support the recommendation of the ad hoc appeals committee.
11. The faculty member involved in the appeal will receive the results of the decision of the vote (support or not support) from the committee. If the faculty member disagrees with the committee decision, the faculty member has the right to appeal to the Dean.
12. The student will be notified by the committee chair or by the Associate Dean for Academic Affairs of any changes in the findings of the proceedings.
13. If the appeal is not supportive of the student, the student may request deliberation by the Dean. The Dean will deliberate the issue and make a determination of the final decision of the appeal. The Dean shall affirm, modify, or reverse the decision as she deems proper.

Grievance Resolution Procedure

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 professional graduate nursing programs. Students are referred to the UNMC Graduate Studies Student Policies item Graduate Student Grievance Resolution Procedure section 2 (<https://catalog.unmc.edu/general-information/student-policies-procedures/grievance-resolution/>) for the contact person to help with a grievance that is not against a UNMC faculty member.

Corrective action against professional graduate nursing faculty is under the purview of the CON Associate Dean for Academic Programs in coordination with the CON Division Assistant Dean of the faculty member's primary unit.

of Nursing and the UNMC Faculty Senate Professional Conduct Committee Chair if they are not satisfied with the grievance appeal.

1. 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 is not effective, the student should discuss the issue with the appropriate program director or the Associate Dean for Academic Programs. If the issue cannot be resolved informally, and the student wants to proceed with an investigation of the incident(s), then the student submits a written complaint within 60 class days of the incident to the Associate Dean for Academic Programs. The complaint should attempt to identify the following: the student grievant, the respondent faculty member, any other person(s) involved, the incident including approximate date and time, the limitation of the student's ability to complete the degree and a brief statement of the remedy sought.
2. Every complaint will be acknowledged by email correspondence from the Associate Dean for Academic Programs 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.
3. Within 10 days of the acknowledgement of the complaint, the Associate Dean for Academic Programs will meet with the student and the faculty involved separately to determine whether a preliminary resolution can be reached. If a preliminary resolution cannot be achieved, the Associate Dean for Academic Programs shall notify both parties that the grievance will be referred to an ad hoc grievance committee that is comprised of members referred to in items 4 and 5 of the Academic Evaluation and Discipline related to Academic Integrity and Conduct Procedure in this appendix. Every attempt will be made to provide a gender mix of the student members of the grievance committee.
4. The ad hoc grievance committee will review the statements of both parties and will interview the involved parties and any named witnesses, as appropriate. They may seek advice and evidence from other university officials as necessary.
5. The ad hoc grievance committee will submit a formal confidential report to the Associate Dean for Academic Programs. If the ad hoc grievance committee identifies misconduct, the Associate Dean for Academic Programs is responsible for timely corrective action in coordination with the Division Assistant Dean of the faculty member's primary unit, taking into consideration the recommendations of the ad hoc grievance committee. Within 10 days, the Associate Dean for Academic Programs will distribute the conclusion and non-confidential recommended action(s) to the student.
6. Either or both the student and the faculty member under question have the right to file a written complaint to the Dean of the College