

POLICY TITLE: *Grievance Procedures*APPROVAL DATE: *June 7, 2018*RESPONSIBLE DEPARTMENT: *Dean's Office*APPLIES TO: *All Students*

POLICY STATEMENT

Should a student have cause to request a review of any treatment he or she has received during any portion of the academic program, a grievance procedure may be undertaken. Such grievances may include complaints regarding violation of academic freedom; sexual, racial or religious discrimination or harassment; and all other grievances.

Appeal of grades, of PAC decisions and of Honor Council decisions may not be heard or appealed through the grievance procedure. Processes for these appeals are delineated in the Grade Appeal Process and Academic Status Appeal Process. A grievance procedure may be undertaken by an individual student; it may not be presented as a group submission.

1. Resolution of Grievances Prior to Seeking a Grievance Committee Hearing

- a. All requests to resolve issues relating to violation of academic freedom, sexual, racial or religious discrimination or harassment, against faculty members, residents, staff or other students will ordinarily first be discussed with the course director, if applicable. If the student has reason to believe that the course director cannot provide objective counsel, the student may discuss the issue with the Associate Dean for Student Affairs. Such discussion, with either the course director or Associate Dean of Student Affairs, must occur within 10 business days following the incident giving rise to the issue.
- b. If, after discussion with the course director the student wishes to pursue the matter further, he or she may request the assistance of the Associate Dean for Student Affairs. The Associate Dean for Student Affairs shall provide the student with the contact information for the appropriate office or individual to whom the grievance should be reported. The student shall copy the Associate Dean of Student Affairs on his or her initial correspondence to the office or individual. Grievances against individuals not subject to UC's policies shall proceed under the process established by that individual's employer and shall not be subject to the remainder of this policy. The Associate Dean for Student Affairs shall periodically check the status of such grievances to determine that appropriate action has been taken.
- c. If the interventions provided under subsections (a) and (b) above do not resolve the problem to the student's satisfaction, the student may request in writing that a review of his or her grievance be initiated by the Senior Associate Dean for Educational Affairs or their designee. The student shall request the reviewing within 45 business days after the student receives a response from the responsible individual identified by the Associate Dean for Student Affairs as provided in Section 1 (b) herein.

2. COM Grievance Committee for Student Grievances

- a. The Senior Associate Dean for Educational Affairs, upon receipt of the written request for review described in 1 (c) above, will initiate such review by first appointing an ad hoc committee to hear a student's grievance. It will consist of five faculty members and, if requested by the student filing the grievance, one fourth-year medical student. One of the faculty members will be appointed to serve as a voting committee chair. The Senior Associate Dean for Educational Affairs or his designee may attend as an ex-officio and non-voting member.
- b. The Senior Associate Dean for Educational Affairs shall set the time and date for the hearing, and notify in writing the student, the person against whom the grievance is brought, the Dean of the COM, the department director or any involved faculty member, committee members and others as the Senior Associate Dean for Educational Affairs deems appropriate.

- c. The student may elect to have an advisor (either a faculty advisor or counsel) present at the grievance hearing. If an advisor is to be present, the name and identify of the advisor is to be given in writing to the Senior Associate Dean for Educational Affairs no later than five business days in advance of the grievance hearing. The person against whom the grievance is brought may be represented by counsel. The name and identity of counsel is to be given in writing to the Senior Associate Dean for Educational Affairs no later than five business days in advance of the grievance hearing.
- d. The student and the person against whom the grievance is brought shall have the right to present witnesses, evidence and arguments on his or her behalf. The committee and the department or individuals in question may request the presence of witnesses and production of evidence by the student or other persons. All requests to have a witness(es) appear must be made to the Senior Associate Dean for Educational Affairs five business days prior to the hearing and written permission from the Senior Associate Dean for Educational Affairs must be granted for the witness(es) to be present.

In advance of the committee meeting, the chair may specify a reasonable time within which each side may provide written or documentary evidence or material, as he or she believes to be relevant, to the committee. The committee may appoint an ad hoc fact- finding panel to gather such information if the committee feels this may be of assistance in preparing a hearing.

All materials must be in the hands of the Grievance Committee, the student and the person against whom the grievance is brought no later than two business days before the hearing.

- e. The committee shall endeavor to hear all grievances within 20 business days of receipt of the grievance and issue a recommendation within 10 business days following the conclusion of the hearing.

3. Operating Procedures for the Grievance Committee

- a. The Grievance Committee hearing shall be convened by the chair who will review the hearing procedures with the committee prior to the start of the hearing. The entire hearing, with the exception of the committee's final deliberation, will be recorded, and the recording will be kept on file as part of the grievance record.
- b. The chair will commence the hearing. The student, his or her advisor, if any, the Senior Associate Dean for Educational Affairs or his or her designee and the person against whom the grievance is brought and their counsel, if any, will be present during the hearing.
- c. The student will speak first to present the basis for the grievance. The student has 30 minutes to present his or her case, including witnesses and any private discussions with an advisor. The advisor shall not address any individual other than the student during the hearing. Following the initial presentation and each witness, the committee members may ask questions. Time spent responding to the committee's questions does not count against the 30 minutes.
- d. The person against whom the grievance is brought speaks second. The person has 30 minutes to present his or her position, including witnesses and any private discussions with counsel. Counsel shall not address any individual other than his or her client during the hearing. Following the initial presentation and each witness, the committee members may ask questions. Time spent responding to the committee's questions does not count against the 30 minutes.
- e. Individuals asked to appear by the Grievance Committee will be heard third. Maximum time for this section is 30 minutes. The time spent responding to the committee's questions does not count against the 30 minutes.
- f. Witnesses will only be present during their time of presentation to the Grievance Committee. Questioning will be done only by the Grievance Committee members, but the student and the person against whom the grievance is brought may request particular questions which are to be submitted to the Senior Associate Dean for Educational Affairs five business days prior to the hearing. The student and the respondent may also submit questions in writing to the Grievance Committee after each witness makes their presentation. The chair shall have sole discretion as to whether to ask the questions submitted.
- g. Both sides may take an additional five minutes for a summary statement or response.

- h. The Grievance Committee will be free to discuss the case with both sides in a question and answer format for approximately the next 30 minutes. All questions will be asked by the committee chair and/or members. Neither the student nor the person against whom the grievance is brought may direct questions to each other.
- i. Next, all individuals, except the members and the chair of the Grievance Committee, will leave the room. The Grievance Committee will deliberate and make a final recommendation. The committee may recall any witnesses to provide clarification in the presence of the student, advisor, person against whom the grievance was sought, and his or her counsel, if any.
- j. The chair, without unnecessary delay, shall provide the Dean of the COM with a letter stating the issues, summarizing the evidence, giving the recommendation of the committee and its basis for the decision. The Dean of the COM may accept, reject or modify the action recommended by the committee. In all instances, the final decision rests with the Dean.
- k. The Dean of the COM or his designee will communicate the recommendation of the Grievance Committee and his decision in writing to the student without unnecessary delay. The Dean will also make his decision known to the Grievance Committee chair, to the person against whom the grievance was brought and his or her department director, the Senior Associate Dean for Educational Affairs, and the Associate Dean for Student Affairs. The Dean will communicate this decision on grievances alleging harassment to the University's Office of Equal Opportunity and Access.
- l. If any action to be taken by an administrator or committee under this Section A cannot be completed within the timeframe provided, the administrator or committee shall request an extension from the Dean of the COM or his designee. The request for extension shall provide a date certain by which the action is to be completed.

4. Anonymous and End-of-Term Complaints

The Associate Dean for Student Affairs and the Senior Associate Dean for Educational Affairs shall maintain a log of all complaints received anonymously, and/or complaints received where the complainant is not available to participate in the process set forth in Section 1-3 above. The Senior Associate Dean for Educational Affairs shall investigate such complaints based on the available information and shall take actions as necessary to address any findings from the investigation.

Students should familiarize themselves with University policies and procedures relating to discrimination and harassment which are available on these UC websites:

Office of Equity and Inclusion Policies:

<http://www.uc.edu/inclusion/resources/guidelines.html>

Reporting Allegations of Discrimination or Harassment:

http://www.uc.edu/counseling/sexual_violence.html

University policy on non-discrimination:

http://www.uc.edu/content/dam/uc/trustees/docs/rules_10/10-13-01.pdf

Office of the University Ombuds:

<http://www.uc.edu/ombuds.html>

Title IX of the Education Amendments of 1972:

<http://www.uc.edu/titleix.html>