

STUDENT GRIEVANCE POLICY

A common element in any academic environment is people and their relationships to one another. In a health professional school this responsibility is exceedingly evident. From time to time questions may arise between individuals or groups which, left unanswered, can lead to a distraction from the mission of the institution.

It should be the purpose of the Student Grievance Policy to provide a fair yet flexible mechanism for consideration of charges of arbitrary, capricious, or discriminatory treatment in academic and non-academic (excluding disciplinary--See Student Judicial Policy--and advancement) matters between student vs. student, student vs. faculty and faculty vs. student situations.

In establishing a formal grievance protocol for the Dental School, there should be the provision of an informal phase to attempt to identify and resolve problems before the initiation of formal proceedings.

I. INFORMAL PROCEDURE

(Prehearing Procedure)

- A. The first step will be the direct communication between the parties involved. The grievance must be in writing and the individual against whom the grievance is being brought must be made aware of the exact nature of the grievance.
- B. Failure to reach a mutually acceptable resolution will necessitate following the chain of supervision, e.g., department chair, who would be capable of resolving the concern by virtue of his or her authority to take appropriate action.
- C. The individual(s) against whom the grievance is being brought must be invited to participate fully in all stages of the Informal Procedure.
- D. In order to assure that this phase of the procedure is truly informal, attorneys may not be used during the Informal Procedure.

II. FORMAL PROCEDURE

- A. To facilitate the management of student related grievances, the Student Affairs Committee of the Dental School shall be identified as the Grievance Panel. The Student Affairs Committee will serve as a representative (student/faculty) forum for purposes of hearing grievances. As chair of the Student Affairs Committee, the Assistant Dean for Admissions and Student Affairs will appoint a faculty member of the Committee to serve as Chair of the Grievance Panel. The Assistant Dean for Admissions and Student Affairs will not serve as a member of the Grievance Panel.

- B. Additional criteria and guidelines for a Grievance Panel considering a grade appeal are set forth in Section IV below.
- C. The Grievance Panel may be modified by the Dean, upon the request of the Chairman of the Student Affairs Committee, if deemed appropriate in instances when one or more of the members should be excused because of a conflict of interest or when the addition of a faculty member at a higher rank is necessary to attain "peer representation" for the individual against whom the grievance is directed.
- D. If the question has not been satisfactorily concluded at the level of the department chair, a written grievance may be forwarded by the grievant to the Chair of the Student Grievance Panel.
- E. The written grievance must include at least the following:
1. A description of what the alleged conflict is; who and what policy or situation is involved; when and, if appropriate, where the conflict is alleged to have occurred.
 2. What steps have been taken, if any, to resolve the conflict.
 3. What the student feels are the serious implications of the issue to individuals and/or the School if left unresolved.
 4. The signature of the grievant.
- F. Upon receipt of any statement of grievance, the Chair of the Grievance Panel shall ensure that all steps of the Informal Procedure have been followed. If the Informal Procedure has not been followed, the grievant will be directed to the appropriate step in that procedure.
- G. If the Informal Procedure has been appropriately followed, the Chair shall convene the Panel for a prehearing conference no later than five (5) working days after receipt of the written grievance to determine if the grievance is of such a nature to warrant the continuation of the grievance process. For the Student Grievance Policy to be effectively implemented, it is vital that only "valid" grievances be considered. Minor complaints, unsubstantiated charges, irrational charges and student concerns that are best considered by other mechanisms should not be allowed to encumber the Grievance Process.
- H. If the Panel, by means of its prehearing conference, determines that the grievance is of such a nature that it should not be considered further, the grievant shall be so notified in writing within two (2) working days. If the grievance is determined to be of such a nature to warrant the continuation of the Procedure, the grievant shall be notified, within two (2) working days, concerning the date and time of the grievance hearing which should be scheduled within ten (10) working days of the prehearing conference.

I. Hearing Procedures

1. Proceedings of the hearing are to be confidential and are not to be discussed outside the hearing. Proceedings of the hearing are to be tape recorded for use of the Student Grievance Panel only.
2. If the grievance is being brought against an individual or individuals, the individual(s) against whom the grievance is being brought must be informed in writing of the hearing date and time no less than ten (10) working days prior to the hearing. The individual will be informed of the nature of the grievance and will receive a copy of the student's written grievance request attached to the hearing notice and a copy of the Student Grievance Policy. This individual will also be invited to be present at the hearing and/or to prepare a written response to the grievance for presentation at the hearing.
3. Representatives or counsel to either party will not be permitted to participate in the hearing procedure.
4. Each party is responsible for the presentation of his or her own position.
5. Hearings will be held in closed session.
6. Witnesses can be called by either party or by the Panel to testify during the hearing but shall be present only while testifying. If witnesses are to be present at the hearing, their names must be presented to the Chair of the panel and the other party at least five (5) days prior to the hearing.
7. Both parties shall have the right to:
 - a. Be present during all testimony.
 - b. Present evidence including witnesses (the grievant shall present first).
 - c. Question all witnesses presented at the hearing by the other party.
8. Rules of Evidence: Evidence may be verbal or written, but must be limited to issues raised in the written complaint. Hearsay evidence is admissible only if corroborated. The chair will exclude any irrelevant or unduly repetitive evidence.
9. The decision of the Panel will be based upon a 2/3 vote of those members present. A quorum consists of 50% or more students and 50% or more faculty.
10. The Panel shall submit its decision to the Dean in writing without undue delay, along with all documents and records considered in the matter. A

dissenting opinion may be submitted and filed by any Panel member(s) if desired.

11. The Chair of the Grievance Panel will meet with the grievant and defendant (separately or together) and inform them of the Panel's decision as promptly as possible. The decision of the Panel should be considered final, subject to the right of the parties to the grievance to appeal to the Dean of the Dental School.

12. Agenda for the Grievance Hearing:
 - a. Review of Rules of Procedure.
 - b. Student grievant will present a statement of grievance, additional remarks and desired outcome.
 - c. Individual against whom the grievance was brought will present response to grievance, additional remarks and desired outcome.
 - d. Presentation of witness(es) for student, and their cross-examination.
 - e. Presentation of witness(es) for individual against whom the grievance was brought, and their cross-examination.
 - f. Committee seeks clarification and more facts if necessary at any phase of the proceedings.
 - g. Closing statements from both parties, beginning with grievant.
 - h. Deliberations and vote by Committee in executive session.
13. Extension of time: Upon establishment of cause by either party to the grievance, the Chair of the Panel may grant reasonable extensions of time limits specified in this procedure.

III. APPEALS

- A. The Grievant or Defendant shall have the right to appeal the Grievance Panel's decision to the Dean. This appeal must be in written form and filed within three (3) days.
- B. The decision of the Grievance Panel will not become final while an appeal is pending.
- C. In an appeal, the Dean will review the Grievance Panel's decision to determine whether the evidence supports the decision. The Dean shall have the discretion to:
 1. uphold the Grievance Panel's decision;
 2. reverse the decision;
 3. refer the case back to the Panel for reconsideration; or
 4. uphold the decision of the Panel with whatever modification he or she may deem fair.
- D. The Dean will notify the parties to the grievance and the Panel, in writing and without undue delay, of the findings of fact and decision of all appeals.

