

Grievances Committee

Mandate:

The Grievances Committee holds the responsibility of addressing all the student grievances related to academic, non-academic, and disciplinary issues, and violation of professionalism, teacher learner environment, code of conduct and non-compliance towards ACCM accreditation standards. It is of utmost importance to maintain the learning environment free of harassment, discrimination and provide fair and equal opportunities to all students by providing them a forum to express their grievances and seek redressals.

Membership: The Grievance Committee shall abide by the University statement on Academic Freedom, Responsibilities and Policies that govern the School of Medicine.

Xavier University maintains an ongoing Grievances Committee. The Committee shall consist of three to five (3-5) members of the Faculty Senate:

1. Dean of Student Affairs is an ex-officio member and chair of the Committee
2. Two Faculty members from the Basic Sciences Program
3. Two Faculty members from the Clinical Sciences Program
4. Where required, Deans of Basic and Clinical Sciences shall be requested to act as an ex officio, non-voting member

In addition, the Clinical Chairs Committee shall serve as a subcommittee of the Grievances Committee and shall provide a recommendation for appeals involving any student in the Clinical Sciences.

Responsibility: Matters appropriate for consideration by the Grievance Committee include, but are not limited to matters relating to:

- a. Discrimination, harassment, improper treatment related to gender, race, religion, sexual orientation, or disability.
- b. Non-compliance with accreditation standards
- c. Alleged unethical behavior within or outside the classroom and the school premises
- d. Violation of established academic policies and regulations (e.g. examination policies, advisory policies, registration policies, probation, dismissal, etc.);
- e. Violation of student's academic freedom;
- f. Failure to meet obligations;
- g. Arbitrary and capricious grading practices;

- h. Grievance related to ethical or behavioral violations or Sexual harassment;
- a. The appeal of being placed on Academic Probation or dismissal from the program.
- j. Disciplinary matters on and off-campus
- k. Violation of policies mentioned in the Student and Faculty Handbooks
- t. Non-compliance towards ACCM standards

Financial and procedural matters may not be appealed to the Grievances Committee

Procedures of the Committee

It is a recognized right of the student to be granted due process following any disciplinary action. Students have a right to appeal any adverse action.

Referral/Appeal to the Grievances Committee

1.
 - a. All matters to be addressed to the Committee must be submitted in writing to the Chair of the Committee (appeals@xusom.com) and all materials must be fully documented.
 - b. The statement must include a summary of not more than one typewritten page stating the specific policy or policies violated or the exact nature of the grievance, the specific actions upon which it is based, and the remedy being sought. Supplementary materials may be presented to support the grievance.

Informal Resolution

Before submission of a written complaint, the student/faculty member should attempt to resolve the matter through negotiation with the appropriate party or immediate superior (e.g., Faculty, Clinical Preceptors, Chairs). If negotiation is unsuccessful, the student/faculty member may take the matter to the next in authority (e.g., Deans or the CAO).

Formal Complaint

The student shall discuss the grievance with the faculty member involved who shall attempt to resolve the grievance and shall render a written decision to the student promptly after receipt of the grievance. Copies of the grievance shall also be forwarded to the Deans and the Grievances Committee. The grievance should be presented to the faculty member involved, as soon as possible after the grievant feels that an abridgment of the grievant rights has occurred, but in no case shall it be later than (5) working days following the grievant knowledge of the act, event, or commencement of the conditions which is the basis for the grievance, except in the case of final grades then no later than the fifth (5) day of the next semester.

If the grievance is not resolved, the student may submit the grievance in writing, within five (5) working days of the grievant receipt of the decision of the faculty member involved, to the Grievances Committee. Within five (5) working days of receipt of the appeal, the Grievances Committee will schedule a hearing, notifying the student and the faculty member(s) of the time and place of the hearing (see hearing

Procedure). In the case of a dismissal, the student must submit a written appeal outlining the reasons for the appeal to the Chair of the Grievances Committee within five (5) days of receiving the dismissal letter. Within five (5) working days of receipt of the appeal, the Grievances Committee will schedule a hearing, notifying the student and the faculty member(s) of the time and place of the hearing through emails and telephone calls (see Hearing procedure). Students awaiting action on their dismissal appeal to Grievances Committee may attend classes, however, academic credit will only be granted if the appeal is granted.

Hearing Procedures

- a. Prior to the hearing, the Chair of the committee shall notify the affected parties in writing, outlining the concerns before the committee. All written materials must be available to the committee members and affected parties forty-eight (48) hours before the hearing. The student shall notify the chair forty-eight (48) hours before the hearing who his/her advocate(s) will be.
- b. The Chair of the Grievances Committee has the right to question all participants on pertinent matters.
- c. The student has the right to be present throughout the entire hearing, except during the deliberation and final recommendations of the committee. She/he has the right not to testify or appear, though the committee shall proceed with its deliberations and recommendations. However, at any time any of the committee members may request an executive session in which case, all non-committee members will be asked to leave.
- d. Students may select an advocate to appear with the student at the hearing, the advocate may be a faculty member, staff member, or student. The advocate does not have deliberation privileges. Under no circumstances will legal counsel be permitted.
- e. Witnesses may elect not to make verbal presentations, but rather submit a written statement that must be submitted to the chair seventy-two hours prior to the hearing giving the chair time to distribute to all concerned.
- f. Once people are finished presenting collateral information, they will leave the hearing room. Recommendations of the committee will be by majority vote, though consensus will be sought.

Documentation:

- a. Prior to the hearing, the student and involved parties have the right to access information that will be used by the committee in the hearing.
- b. All material(s) distributed at the hearing shall be returned to the chair of the committee at the conclusion of the inquiry. These materials will be stamped confidential and are not for distribution. The materials will be placed in a file in the office of the Dean of Basic Science or his/her Appointee.
- c. The Chair of the Grievances Committee will ensure that all necessary packets of pertinent information are filed.
- d. This is not a legal process, and the rules of evidence and discovery do not apply. The process will be guided, at the Chair's direction, by notions of fairness and reason.

Voting/Report:

The Grievances Committee shall decide the merits of the complaint and, where appropriate, recommend remedial actions or sanctions. All findings and recommendations by the Grievances Committee shall be decided by a vote of two-thirds of the members of the Grievance Committee. The Chair of the Grievance Committee or his or her designee shall reduce to writing the findings and recommendations of the Grievance Committee and send the report to the Dean. The report should include the facts upon which the Committee's decision is based. The report should be signed by the Grievance Committee members. In the event that two-thirds consensus cannot be reached, the grievance will be referred to the Deans and/or Chief Academic Officer for decision. All deliberations of the committee are, by nature, confidential.

Notice of Grievance Committee Findings:

The chair will send the student written notification within five (5) working days. A copy of the decision will be forwarded to the faculty advisor and Chief Academic Officer.

Appeals against the recommendations:

- a. Decisions made by the Grievances Committee can be appealed.
- b. Appeals of the recommendation(s) made by the Grievances Committee must be instituted in writing within ten (10) working days of receipt of the Committee's recommendation to the Deans.
- c. The appeal of the Committee's decision to the Dean must be in writing and must explicitly identify the basis for appeal
- d. The decision of the Dean may also be appealed to the Chief Academic Officer whose decision is final.
- e. If a student is dismissed from the program, he/she cannot enroll in or attend classes pending resolution of the appeal process.

Confidentiality:

All deliberations of the Grievances Committee are, by nature, confidential.

Conflict of Interest:

Members are expected to declare a conflict of interest if their real or perceived personal interests might be seen to influence their ability to assess any matter before the committee objectively. A declaration may be done at a meeting or in writing to the Chair. If the declaration is accepted by the Chair, the concerned member/s will be excused from the respective meetings and excuses will be recorded in the minutes.

Revision of By-laws

By-laws will be reviewed and if necessary revised by the Committee periodically, and presented in Faculty Senate for approval.

Non-Compliance towards ACCM standards:

Issues related to non-compliance towards ACCM standards can also be directly reported to ACCM via office@accredmed.org