

**Student Grievance Policy**  
**For all SMHS Students**

Section: 3  
Policy number: 3.9  
Responsible Office: Student Affairs and Admissions  
Issued: 02.03.14  
Latest Review: 02.03.14

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**POLICY STATEMENT**

Any student enrolled in an academic degree- or certificate-granting program or taking a course(s) at the UND School of Medicine and Health Sciences shall be provided the opportunity to seek redress on decisions made concerning the student's academic performance and/or professional behavior or on decisions made on the basis of any policies or procedures but by the student to be unfair by initiating an academic grievance.

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**REASON for POLICY**

In all circumstances it is the responsibility of each student at the School of Medicine and Health Sciences to abide by the policies and procedures of the University of North Dakota as well as those described in the appropriate department or program. This policy provides an opportunity for the student to address what they believe to be an unfair grade based on academic performance and or professional behavior.

As stated in the University of North Dakota [Code of Student Life](#), *each undergraduate, graduate, and professional school or college shall have written procedures for academic grievances*. The following describes the eight program in the School of Medicine and Health Sciences grievance policy and procedures as they are to be applied to undergraduate, graduate, and professional students enrolled in SMHS programs or taking SMHS courses.

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**SCOPE of POLICY**

This policy applies to:

<input checked="" type="checkbox"/> Deans, Directors, and Department Heads	<input checked="" type="checkbox"/> Faculty
<input checked="" type="checkbox"/> Managers and supervisors	<input checked="" type="checkbox"/> Staff
<input checked="" type="checkbox"/> Students	
Others:	

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## WEB SITE REFERENCES

Policy Office:

<http://www.med.und.edu/policies/index.cfm>

Responsible Office:

<http://www.med.und.edu/student-affairs-admissions>

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DEFINITIONS	
Academic Grievance	A statement expressing a complaint, resentment or accusation lodged by student about an academic circumstance such as grading testing or quality of instruction which is thought by the student to be unfair
<a href="#">Code of Student Life</a>	The purpose of the code is to provide the rights and responsibilities of each individual and to ensure their treatment of all students.
Discrimination	Any person who believes that he or she is a victim of discrimination either individually or as a member of the class as defined by the university's equal opportunity and affirmative action policy in there you and the <a href="#">Code of Student Life</a> may initiate grievance procedures as outlined in the UND <a href="#">Code of Student Life</a> . If a person brings a grievance within which discrimination is alleged along with an academic grievance the discrimination complaint may be dealt with simultaneously.
Professional Behavior	For the purposes of this policy professional behavior includes any behavioral component of academic performance defined by a profession as necessary for individuals to function as competent, honest, and safe healthcare professionals. Individual programs may further defined specific expectations of professional behavior their SMHS program.
SMHS	School of Medicine and Health Sciences
UND	University of North Dakota

RELATED INFORMATION	
Title IX	<a href="http://und.edu/affirmative-action/title-ix/index.cfm">http://und.edu/affirmative-action/title-ix/index.cfm</a>
UND Code of Student Life	<a href="http://und.edu/code-of-student-life">http://und.edu/code-of-student-life</a>

## CONTACTS

General questions about this policy can be answered by your department's administrative office. Specific questions should be directed to the following:

Subject	Contact	Telephone/FAX	Office/Dept
Policy clarification	Dean's Office	777.2514/777.3527	judy.solberg@med.und.edu
Policy format	Dean's Office	777.2514/777.3527	judy.solberg@med.und.edu

## PRINCIPLES

- 1) Any student enrolled in an academic degree- or certificate-granting program or taking a course(s) at the UND School of Medicine and Health Sciences shall be provided the opportunity to seek redress on decisions made concerning the student's academic performance and/or professional behavior or on decisions made on the basis of any policies or procedures but by the student to be unfair by initiating an academic grievance.

- II) **Discrimination:** Any person who believes that he or she is a victim of discrimination either individually or as a member of the class as defined by the university's equal opportunity and affirmative action policy of the University of North Dakota [Code of Student Life](#), may initiate the grievance procedures as outlined in the UND [Code of Student Life](#) a person brings a grievance in which discrimination is alleged along with an academic grievance, the discrimination complaint may be dealt with simultaneously.
- III) **Student Responsibility:** In all circumstances, it is the responsibility of each student of the school of medicine and Health Sciences to abide by the policies and procedures of the University of North Dakota as well as those described in the appropriate school, college, department, or program.
- IV) **Timing:** All grievances must be initiated by the student within 30 calendar days after notification of the grade or decision the student wishes to grieve. A failure of the students to access a grade does not extend this time frame. Each step of the grievance process must be initiated by the student within 30 calendar days of the completion of the previous step; response time by the student at each step shall be 30 calendar days unless otherwise stated. After student initiation of each step in the grievance process, the school of medicine and Health Sciences response will begin within 10 calendar days of the receipt of the grievance.

## PROCEDURES

- I) **Informal Process:** Any student with a grievance of an academic nature should first bring it to the attention of the appropriate faculty member (course instructor/director, block director or clerkship director). Together the student and the faculty member should attempt to resolve the grievance.
- II) **Department Level:** If the grievance is not resolved to the student's satisfaction, it may be brought to the department or program level. The grievance should be brought, in writing, to the department chair/program director/assistant or associate dean for preclinical or clinical education, as appropriate for the situation or grievance level. Within thirty (30) calendar days, the chair/director/dean will conduct a review according to the established departmental/program policy, consulting as appropriate with other faculty, campus deans or staff, and inform the student, in writing, of the decision reached regarding the grievance. The department will retain records of all grievances pursuant to the records retention schedule.
- III) **Formal Grievance:** If the grievance is not resolved to the student's satisfaction at the department or program level, the student may file the grievance for review by the School of Medicine and Health Sciences Grievance Committee, according to the following procedures:
  - A) **Filing a Grievance:** A student grading and academic decision beyond the level of the department or program to the level of the school of medicine or Health Sciences grievance committee must submit, in writing the required documentation within 30 days of the decision of the department or program. Written documentation must include:
    - 1) The disputed decision;
    - 2) The person(s)/body that made that decision;
    - 3) The date the decision was made;

- 4) All efforts made to resolve the dispute informally and formally;
- 5) Information directly relevant to the committee's review of the grievance;
- 6) Name of any relevant counsel or advisor who may have assisted the student in developing the grievance or may accompany the grievance and provide assistance, if the grievance appears before the committee;
- 7) Any relevant pertinent evidence or documents, and; the desired outcome the student is seeking as a result of the committee's deliberations;

Documentation should be submitted to the Associate Dean for Education and Faculty Affairs; UND School of Medicine and Health Sciences, 1301 North Columbia Road Stop 9037, Grand Forks, ND 58202-9037

- B) Upon receipt of the written grievance the Associate Dean for Education and Faculty Affairs will be required to constitute the school of medicine and Health Sciences grievance committee, according to the following procedures:

- 1) **Committee Selection:** The selection of members of the School of Medicine and Health Sciences Grievance Committee will be made by drawing names from a faculty pool—excluding faculty from the specific department/program from which the grievance arose. The Associate Dean will draw six (6) faculty names (2 basic science, 2 clinical science, 2 health science) for each grievance and one (1) student name who will not be from the department/program of the grievant.
- 2) **Conflict of Interest:** If it is determined that a Committee member has an unmanageable conflict of interest that may challenge his or her objectivity in the matter of the academic grievance, recusal may be warranted either by action of the Committee or by the Committee member himself/herself. The grievant may also have the opportunity to challenge no more than one member of the Committee for an unmanageable conflict of interest. In all cases in which a Committee member is recused, another name will be drawn to complete the membership of the Committee.
  - (a) The grievant will be provided the names of the committee members and will have up to 10 business days to challenge one of the members if he/she so desires.
  - (b) The grievant shall provide in, in writing, the reasons for the proposed request to the Associate Dean for Education and Faculty Affairs.
  - (c) The Associate Dean for Education and Faculty Affairs will rule on the request within 10 business days of receipt of the request, and notify the grievant of the decision. This decision is final.
- 3) The committee Chair will be appointed from among the Committee membership by the Associate Dean for Education and Faculty Affairs.

- C) **Committee Training:** A training session for Committee members will be scheduled by the Office of Academic Affairs. Training will include FERPA, Affirmative Action training, if appropriate, and a review of process. This training will occur before any information is disseminated to the committee.
- D) **Scheduling Meeting:** The Committee Chair will identify possible dates for a hearing and organize the hearing time and place. At the hearing, the Committee will consider all pertinent materials, including any new written information from both the grievant and the grieved party, who will both be invited to be present at the hearing along with the Committee.
- E) **Provision and Dissemination of the Documentation:** Dissemination of documentation will be completed by the Committee Chair at least ten (10) calendar days prior to hearing. Therefore, any new written information from either the grievant or the grieved party must be submitted no later than ten (10) calendar days prior to the hearing.
- F) **The Hearing:** The grievant will be invited to appear at the hearing to answer questions or to present any relevant information. A person representing the program or department being grieved will also be invited to appear before the committee. The grievant will be permitted to have a lawyer or advisor present at the hearing for assistance. If a lawyer or advisor is to be present, the grievant must notify the Chair of the committee at the time the date for the hearing is established. The lawyer or advisor may not participate in the presentation or discussion but is present as a support for the grievant. The committee hearing is an educational process, not a legal proceeding and does not follow the procedures of a court of law. The rules of evidence do not apply.
- G) **Use of Technology:** Committee members and the grievant may appear via electronic means. If a grievant will be appearing electronically, it is their responsibility to acquire the resources to do so and to notify the Committee Chair of the arrangements at least two (2) business days before the hearing.
- H) **Recording the Hearing:** The Committee Chair will arrange for the hearing to be recorded.
- I) **Format of the hearing:**
  - 1) The Chair will complete introductions.
  - 2) At the beginning of the hearing, the Chair will ask the grievant to state for the record whether the hearing is to be open or closed. The grievant will sign a written statement declaring the hearing open or closed. If the grievant and a person representing the program or department are not present, it is a closed meeting.
  - 3) Each party involved in the grievance, including each committee member involved in the hearing, will sign a non-retaliation statement.
  - 4) The grievant will give an opening statement regarding the grievance and rationale for his or her position. No witnesses may appear.

- 5) The person representing the program or department being grieved will give an opening statement regarding the grievance.
  - 6) As a regular order of business, each party present will have thirty (30) minutes for presentation. The Committee may ask questions of the grievant and the person representing the program or department being grieved after both opening statements have concluded.
  - 7) The parties involved in the grievance will not address questions/ comments to each other. However, they may address their questions to the Chair of the Committee who may ask the questions on their behalf.
  - 8) Each party will provide any closing statements.
  - 9) The Chair will excuse the parties involved from the meeting along with any advisor present at the conclusion of their presentations and after the Committee's questions, if any, have been answered.
  - 10) The Committee will adjourn the hearing and then reconvene where the Committee will be free to discuss the grievance in closed session.
- J) Post-hearing:
- 1) No later than fifteen (15) calendar days following the hearing, the Committee will produce a written report of their findings, conclusions, and determination. This report will be based on the testimony heard and the documentation received from the parties involved in the grievance. The Chair is responsible for creating the final report, which all members of the Committee will sign and date with an indication of whether or not they are in agreement with the report's determination. A minority report can be written. The Chair will notify the grievant and faculty (program/department) of the Committee's decision and provide each a copy of the final report. The final report must be submitted to the Associate Dean for Education and Faculty Affairs. In rare circumstances, the Committee's review of an academic grievance may extend beyond 15 days following the hearing.
  - 2) The record consists of all written documentation received from the parties, the recording of the hearing, and the Committee's final report.
  - 3) The office of record for grievance records retention is the Office of Education and Faculty Affairs. The record will be retained pursuant to the records retention schedule.
  - 4) If the grievant chooses to grieve the decision of the Committee to the Dean of the School of Medicine and Health Sciences, the entire record will be forwarded to the Dean for his or her review and decision.
- IV) Appeal: If the grievance is not resolved to the grievant's satisfaction by the School of Medicine and Health Sciences Grievance Committee, the grievant may request resolution from the Dean of the School of Medicine and Health Sciences or the Dean's designee. Copies of the decision by the Dean will be forwarded to all principal parties within thirty (30) calendar days.

V) Any further pursuance of the grievance by the student beyond the School of Medicine and Health Sciences must be undertaken in accordance with relevant UND policies and procedures.

VI) In all stages of the grievance process, it is the responsibility of the grievant to initiate and advance the grievance to the appropriate stage of the process.

<b>RESPONSIBILITIES</b>	
Associate Dean for Education and Faculty Affairs	Constitute the SMHS Grievance Committee, appoint chair, rule on conflict of interest, and retain records.
SMHS Grievance Committee	Schedule, conduct the hearing and create the final report.
Student	Initiate the grievance within the appropriate timeline; initiate and advance the grievance to the appropriate stage of the process; provide documentation.

<b>FORMS</b>	
Flowchart	

**REVISION RECORD**

- 02.03.14 – FAC Approved
- 02.03.14 – Dean Approved
- 09.25.17 – Minor Edits