

# STUDENT GRIEVANCE POLICY

## Student Grievance Procedure

From the Office of the Dean

Date Effective: June 25, 2015

### Policy

On occasion, disputes arise between students and other members of the Hopkins Bloomberg School of Public Health community. The School encourages individuals involved in such disputes to resolve the matter directly between them. For those disputes that cannot be resolved informally, the following policy has been created to provide students or student groups with a formal process to seek resolution of a grievance. A grievance covered by these procedures is a complaint by a student or group of students alleging that they have been adversely affected in their capacity as students.

### Conduct Covered by the Policy

Students may use this process to seek resolution to a situation in which they believe they have been harmed due to an arbitrary or capricious act or failure to act or a violation of a Johns Hopkins University or Hopkins Bloomberg School of Public Health procedure or regulation by an instructor or other member of the faculty or School of Public Health administrator or body.

Some conduct is governed by other policies in the School or by the University at large. As a result, the following are excluded from consideration under this grievance procedure:

1. Complaints alleging discrimination or harassment on the basis of race, color, sex, age, religion, sexual orientation, national origin or ethnic origin or disability, or complaints of sexual harassment. Complaints of this nature are to be referred to the University's Office of Institutional Equity.
2. Complaints pertaining to general levels of salary, fringe benefits, or other broad areas of financial management and staffing. Such complaints should be referred to the divisional Human Resources office.
3. Complaints, the resolution or remedy of which, would conflict with a policy approved by the Board of Trustees of the University; a policy of The Johns Hopkins Hospital; federal, state, or local laws or regulations; or any contract to which the University or School is a party.
4. A complaint pertaining to a subject matter within the purview of any standing committee of the University or School, unless the complaint arises from a committee's alleged failure to act or to follow the policies or procedures of the University or School. For example, disputes involving student advancement could only be considered under these procedures if the normal procedures for handling these matters were not followed.
5. Disputes regarding grades or other academic evaluations except where an error in recording the grade is alleged. Disputes regarding the incorrect recording of a grade should first be addressed to the Records and Registration Office.
6. Disputes that are personal in nature and do not involve the Grievant's academic activities.

### Definitions

A Student is an individual currently enrolled in a degree program or a course for academic credit. A Student Group is any group of students in the School who are a party to the grievance. The Respondent is the faculty member, administrator or staff member named in the grievance as the person or persons responsible for the act or failure to act giving rise to the grievance. The Grievant is the student or student group bringing forth the grievance. The Responsible Dean is the dean assigned to oversee and mediate the grievance.

### Procedures

**Section One.** Prior to filing a grievance under this procedure, a student with a complaint shall meet with the faculty member, administrator, or staff member who is responsible for the matter giving rise to the complaint to discuss the issues involved and attempt to resolve the situation to the mutual satisfaction of the parties concerned. At the student's request, a department chair or an appropriate dean may be asked to help in the informal resolution of the complaint. When at all possible, complaints and disputes should be settled through informal means.

**Section Two.** If the matter is not resolved by the parties involved to their mutual satisfaction, a formal grievance may be filed within 60 days of the alleged adverse action, or within 60 days of the first date by which the student knew or should have known of the adverse action. The grievance must be in writing and include:

1. a statement of the grievance,
2. description of the alleged facts on which the grievance is based,
3. summary of steps taken to resolve the grievance,
4. name(s) of the person(s) thought to be responsible for the grievance,
5. other facts considered to be pertinent to the resolution of the grievance,
6. the remedy sought, and
7. the signature of the Grievant, including all members of a Student Group bringing a grievance.

**Section Three.** The grievance is addressed to the Associate Dean for Student Affairs (hereafter referred to as the Responsible Dean) who will promptly acknowledge receipt of the grievance.

**Section Four.** The Responsible Dean shall provide the Respondent(s) with a copy of the grievance and the name(s) of the Grievant(s) and will promptly set up individual meetings with the Grievant(s) and the Respondent(s).

**Section Five.** The Responsible Dean may ask the Grievant(s) and the Respondent(s) to attempt to mediate the grievance. If mediation is agreed to by all parties, every effort will be made to complete the process within four (4) weeks of the receipt of the grievance, with reasonable accommodation for the travel schedules of any of the parties.

**Section Six.** At any point in the above process before a grievance is referred to the Student Grievance Board, the Grievant and Respondent may come to mutual agreement on the resolution of the case, which may be mediated by the Responsible Dean. The Grievant and the Respondent will co-sign a memo or other document that the grievance was settled to the mutual satisfaction of each party. A written record is kept of the circumstances and resolution of the grievance for four (4) years. The record shall be kept in a central location accessible only to the Associate Dean for Student Affairs.

**Section Seven.** If the parties do not agree to mediation, or if mediation does not successfully resolve the grievance, then the Responsible Dean shall convene the Student Grievance Board who will hear the grievance in accordance with these procedures and make recommendations as to a resolution of the grievance if warranted.

## Student Grievance Board

The Student Grievance Board is constituted to hear formal grievances in accordance with these procedures. It is designed to give students a recognized role in upholding the standards of professionalism and fair play at the School of Public Health and to give students an opportunity to have their grievances heard by their peers.

The Board reports to the Dean of the School. The Dean will assign a staff member to set up meetings, to circulate materials and otherwise provide administrative support to the Board. The Board is composed of six students and four faculty members. Students are selected by the Student Assembly at the beginning of each academic year from among the full-time student body. Faculty are selected by the Dean of the School from among the full-time faculty. Every effort is made to select students and faculty from diverse disciplines, departments, and—in the case of students—academic programs.

## Hearing Panel Procedures

**Section One.** Upon receipt of a grievance, the Student Grievance Board will designate a Hearing Panel to consider the charges. A student member is designated by the Board to serve as the presiding non-voting officer for each hearing. The Hearing Panel shall consist of five student members (one of whom is the presiding non-voting officer) and three faculty members of the Student Grievance Board.

**Section Two.** Members of the Student Grievance Board will be excused from a particular Hearing Panel if they cannot be impartial due to the nature of their relationship with either the Grievant or the Respondent, or if they cannot reasonably expect to be available during the period of time when the hearing is expected to take place. The Student Grievance Board may appoint to a Hearing Panel full-time faculty or full-time students who are not members of the Board when an adequate number of members of the Board are unavailable, subject to approval by the available members of the Board.

**Section Three.** The Grievant and Respondent are informed of the date and time of the hearing and the names of the members of the Hearing Panel. Each has the responsibility to inform any witnesses and to obtain any documentary evidence in advance of the hearing.

**Section Four.** The names of all witnesses and copies of all evidence will be deposited with the Dean of the School or his designee in sufficient time such that both the Grievant and Respondent shall have adequate opportunity to examine the evidence in advance of the hearing, or to be provided with copies of the evidence. If the School is in session, inspection shall be permitted at least two school days before the hearing. If the School is not in session, inspection shall be permitted at least one week before the hearing.

**Section Five.** Hearings of the Panel shall be open to the Grievant, the Respondent, and not more than one representative of the Grievant and of the Respondent affiliated with the School, subject to University policy, which prohibits representation by outside counsel. In the case of multiple Grievants or Respondents in the same case, the Hearing Panel shall make a determination of the optimal method to conduct the hearing consistent

with this Policy. Witnesses may remain in the hearing room only while giving testimony.

**Section Six.** The Hearing Panel members shall not be informed of details of the grievance before the hearing is convened and shall avoid discussing the pending hearing with the parties concerned, possible witnesses, or any other persons. The Grievant, the Respondent, and their representatives may discuss procedures with the presiding officer but may not approach members of the Panel concerning any matter directly or indirectly related to the hearing.

**Section Seven.** If a Respondent fails to appear for a hearing after having been duly served with notice or withdraws from a hearing before its conclusion without the permission of the Hearing Panel, the hearing will continue as if the Respondent were present. If a Grievant fails to appear, the grievance will be dismissed as to that Grievant.

## Hearing Procedures

**Section One. Record.** A full and complete record shall be made of the proceedings by a tape recorder or other suitable device. Either party shall be furnished a copy of the tape recording at their request for the purpose of preparing an appeal. No transcript of the deliberations shall be made. The Hearing Panel may, however, prepare a brief written report detailing the reasons for their findings and recommended resolution.

**Section Two.** After calling the hearing to order and introducing the panel, the presiding official shall read the grievance and ask the Respondent to state whether they agree with it.

**Section Three. Presentation of Evidence.**

1. If the Respondent disagrees with the grievance, the Grievant shall present testimony and evidence in support of the grievance. After the testimony of each witness, the Respondent, the representatives of the Respondent, the members of the Panel, and the presiding official may ask questions.
2. Following the conclusion of the Grievant's presentation, the Respondent and the representative of the Respondent may present testimony and evidence in support of their position, including any evidence of malice in the charge. After the testimony of each witness, the Grievant, the Panel, and the presiding official may ask questions. Any evidence or testimony relevant to the grievance specified in the notice may be admitted into evidence and heard by the Panel.
3. At the conclusion of all the evidence and testimony, the Respondent and the Grievant shall have the opportunity of making a closing statement.
4. Following the closing statements, all individuals except the presiding official and members of the Panel are excused.

**Section Four. Determination.** The Panel will discuss the case until each member is ready to vote. The decision of the Hearing Panel shall be based upon a preponderance of the evidence by a majority vote of the Hearing Panel. The decision shall be communicated promptly in writing to the Dean of the School, to the Grievant, and to the Respondent.

**Section Five. Resolution.** If the grievance is upheld, the Panel will discuss the resolution proposed by the Grievant and any other possible resolution until a resolution is identified and agreed to by a majority vote.

**Section Six. Implementation of Resolution.** The Panel shall promptly notify the Responsible Dean of its findings and recommended resolution. The Responsible Dean shall review the findings and recommended resolution and take the necessary action to implement the resolution.

## Appeal Process

The Grievant or Respondent may appeal an adverse decision to the Dean of the School. The Dean shall base a decision to overrule a finding by the Student Grievance Board upon a determination that some procedural impropriety has unacceptably tainted the hearing. Any appeal shall be submitted in writing within five (5) days of the receipt of the decision from the Student Grievance Board, stating the specific reason(s) for the appeal. The Dean shall promptly review the matter, and their decision shall be communicated to the Grievant and Respondent in writing. The Dean's decision shall be final.

## Student Grievance Board Bylaws

1. Documentary evidence and tapes of hearings conducted under the Student Grievance Procedure shall be maintained for a period of seven (7) years after completion of the case in the office of the Dean of the School.
2. All records of proceedings at hearings conducted under the Student Grievance Procedure shall be deemed confidential.
3. The presiding official of each case shall prepare a synopsis of the case. Such synopsis shall specify the nature of the charge, the determination of the Hearing Panel and resolution imposed, and the outcome of any appeal. The identity of the Respondent and Grievant shall not be divulged. The synopsis will be kept in the office of the Dean of the School.
4. A breach of confidentiality of a case by a member of the Student Grievance Board shall cause their removal from the Board and may result in disciplinary action.
5. The Student Grievance Procedure Hearing Panel Procedures and Bylaws may be amended by the approval of three of the four faculty members and four of the six student members at a meeting of the Student Grievance Board for which notice has been given at least one week prior to the meeting. The wording of the proposed amendment shall be included with the notice of the meeting.
6. Other parts of the Student Grievance Procedure may be modified on approval of the School's Advisory Board and Student Assembly.
7. The Student Grievance Board shall elect officers as needed. Officers shall be elected by a vote of three of the four faculty members and four of the six student members. The term of each office shall expire at the end of each academic year.