



UPMC SCHOOLS OF NURSING POLICY AND PROCEDURE

SUBJECT: Student Complaint and Grievance Policy INDEX TITLE: Administration
DATE: August 26, 2019

I. POLICY:

It is the policy of UPMC Schools of Nursing to provide due process regarding a dispute or disagreement through a designated process without fear of retaliation. The Appeal Committee Meeting is an internal process and is not open to external representation or third party involvement.

II. PURPOSE:

The purpose of this policy is to provide a timely resolution to a student concern, issue or violation of student rights and responsibilities while following the proper chain of command.

III. SCOPE:

This policy applies to all students in the UPMC Schools of Nursing.

IV. DEFINITIONS:

- **Due Process** – A disciplined, analytical decision-making procedure in which relevant standards are applied by a properly constituted and authorized body using a method that is based on published rules of procedure and is free of improper influence
- **Complaints and Grievances** – A formal allegation against a nursing program, typically expressed as a written, signed statement. A grievance is a wrong or hardship suffered that is the grounds for a complaint; the formal expression of a grievance is a complaint. A nursing education unit's record of student complaints must include all complaints filed since initial accreditation or reaccreditation, whichever was the last accreditation site visit.

V. PROCEDURE:

Students with complaints and/or issues are directed to follow the chain of command (as illustrated below) to seek resolution:

- Financial Aid/Billing: Financial Aid Coordinator or Financial Aid Supervisor
- Academic/Course Specific Issues: Instructor and/or Course Chair/Director

After following the chain of command, any student who feels he/she has not received fair and/or just treatment may submit a formal, written, signed and dated **STATEMENT OF VIOLATION OF STUDENT RIGHTS** (see attachment) within three (3) business days of the occurrence to the Director of the respective school.

Upon receipt, the written grievance will be taken to the UPMC Schools of Nursing Executive Committee. The committee will convene and review the grievance and make a decision within five (5) business days of receiving the grievance. The Grievant will be notified in writing and UPMC email of the decision within three (3) business days.

Should the student decide to appeal the decision of the UPMC Schools of Nursing Executive Committee, he/she may file a request to appeal by submitting a signed written grievance (limited to 500 words) outlining the detailed reason for the appeal within three (3) business days of the email being sent. This should be submitted to the Director of Student Affairs and Recruitment who will facilitate the process (referred to as facilitator throughout the rest of the process). If the appeal is submitted in an electronic format, the student owns the responsibility of following up to make sure the appeal was received.

The facilitator, in collaboration with the other Directors of the UPMC Schools of Nursing, will randomly select three (3) faculty members and four (4) student members to serve on the appeal committee. One faculty and one student alternate will be selected in case of illness/absence issues. Faculty and students may be selected from any UPMC School of Nursing.

The proceedings of the meeting are confidential.

All decisions by the Executive Committee related to theory grade appeals are final. Appeals of this nature cannot advance to the formal appeal process.

FORMAL APPEAL PROCESS

1. Upon receipt of the written request of the appeal, the meeting must be held within fourteen (14) business days.
2. The facilitator will notify the grievant, the respondent, and committee members, in writing or UPMC email, of the date and time of the meeting.
3. No electronic recordings of any kind are permitted.
4. Committee members may take notes during the meeting. All notes will be given to the facilitator at the end of the meeting and be destroyed.
5. Should a student be selected for appeal and be scheduled for a clinical experience at the same time, he/she will be excused from clinical one (1) hour prior to the start of the appeal to allow for travel time.

APPEAL COMMITTEE MEETING

When the Appeal Committee members, the appellant, and the respondent(s) have assembled at the appointed time and location, the meeting shall proceed as follows: (**Note:** should the appellant be more than fifteen (15) minutes late, the facilitator shall dismiss all committee members; the appellant forfeits his/her right to a Formal Appeal)

- The facilitator will act as time keeper and has no voting privileges.
- The facilitator will obtain signed and dated copies of the Confidentiality Agreement – Formal Appeal Committee from each participant. Appeal Committee members may take notes during the meeting using the paper provided by the facilitator.

- The facilitator will open the meeting by reviewing the procedure for the meeting and reading the Formal Appeal. The appellant and the respondent(s) may choose to distribute copies of all other relevant documents.
- The appellant is given fifteen (15) minutes to present their appeal.
- The respondent(s) are each given fifteen (15) minutes for their presentations.
- The appellant is given five (5) minutes to provide additional information.
- The respondent(s) are each given five (5) minutes to provide additional information.
- The Appeal Committee is given twenty (20) minutes to ask additional questions.
- After the Appeal Committee has determined all questions have been satisfactorily answered, all parties are dismissed and the Appeal Committee convenes and reviews all written and verbal evidence presented.
- At the conclusion of the discussion, votes are cast by confidential, pre-printed ballots indicating the Appeal Committee members vote to “Uphold Failure” or “Overturn Failure”. The decision of the Appeal Committee is made by a simple majority vote.
- The facilitator collects and reads the votes to the Appeal Committee. The collected ballots are destroyed by facilitator. The decision of the Appeal Committee is final.
- The facilitator prepares a letter to the appellant and the respondent(s) indicating the decision of the Appeal Committee within three (3) business days. The letter is sent via e-mail and U.S. Mail to the appellant and the respondent(s). A summary of the decision is sent to the Director of the respective school and the Executive Director within three (3) business days of the Appeal Committee meeting.

During the Appeal Committee Meeting, electronic recordings of any type or the taking of photographs are not permitted. All parties involved in the Appeal Committee Meeting are expected to act in a respectful and civil manner. The facilitator reserves the right to ask any party involved in the Appeal Committee Meeting to leave the room should their behavior become disruptive.

VI. REFERENCED AND RELATED POLICIES

For Students: UPMC Schools of Nursing Code of Conduct Policy
UPMC Schools of Nursing Student Confidentiality Agreement
UPMC Schools of Nursing Clinical Attendance Policy
UPMC Schools of Nursing National Student Nurses' Association Bill of Rights and Responsibilities for Students of Nursing Policy
Accreditation Commission for Education in Nursing, ACEN Glossary, Dec. 2017

For Faculty: HS-HR0736 Confidential Information
HS-HR0704 Corrective Action and Discharge

Reviewed/Revised: 01/12/2018; 02/01/2018; 03/14/19

Originated Date:

Effective Date: 8/28/17; 08/27/2018

Signature: _____ **Date:** _____

Executive Director
UPMC Schools of Nursing

STATEMENT OF VIOLATION OF STUDENT RIGHTS

After reviewing your student rights and responsibilities which of your student rights do you feel were violated? (Please refer to the National Student Nurses' Association Bill of Rights and Responsibilities for Students of Nursing)

Statement of Complaint:

Date(s) of occurrence: _____

Description of occurrence:

Supporting Evidence:

Outcome expected by student:

Resolution:

Date complaint received: _____

Student Signature: _____

Printed Name: _____

APPEAL COMMITTEE CONFIDENTIALITY AGREEMENT

I, _____, agree to keep all matters related to this Appeal confidential and to surrender all personal notes and documentation presented during the meeting. I also agree to not photograph or use electronic means to preserve any portion of the meeting.

I acknowledge that a violation of this agreement could result in further disciplinary action as outlined in the Code of Conduct policy.

Signature

Title/Position

Date

**STUDENT ACKNOWLEDGEMENT FORM: DECISION TO REMAIN IN CLASS AND
CLINICAL PENDING FORMAL APPEAL**

I, _____, acknowledge that I have failed Nursing _____ clinical, related to violation of the UPMC Schools of Nursing Clinical Attendance Policy. I will continue to attend class and clinical in Nursing _____ as I intend to request for a Formal Appeal.

I understand that I must adhere to the Attendance Policy for the remainder of the course. In the event of the Appeal Committee upholds my failure of Nursing _____, I understand this decision means I must immediately cease attending all class and clinical in Nursing _____.

Student Signature

Date

Director Signature

Date