

Texas Tech University Health Sciences Center School of Allied Health Sciences

Student Complaint Resolution and Hearing Policy

It is the policy of The Texas Tech University Health Sciences Center School of Allied Health Sciences to affirm the right of its students to a prompt and fair resolution of a complaint or grievance. The Student Hearing Committee will administer the School's policies regarding student grievances and will insure that due process is afforded to all concerned.

All student disciplinary hearings are closed, and for purposes of release of information regarding such hearings, such information is protected from public disclosure.

A Complaint shall be submitted as soon as possible, but no later than twenty (20) business days from the date of the event or when the Complainant becomes aware of the event. Complaints filed more than twenty business days after the event shall include a justification for the delay and will be accepted on a "case by case" basis as determined by the Associate Dean or a designee.

A student must file a formal written grade appeal within five (5) days of the beginning of the next long semester. A grade can be formally appealed only when there is demonstrable evidence that prejudice, arbitrary or capricious action on the part of the instructor has influenced the grade. The burden of proof that such an unfair influence has affected a grade rests with the student who appeals the grade.

Procedure:

Early resolution

1. Prior to filing a request for a hearing, the student must attempt to resolve the issue with the individual(s) involved.
2. If not satisfied with the outcome of the effort described in item 1, the student must contact the Program Director. The Program Director will investigate the complaint, attempt to reconcile differences, and find an acceptable solution. (If the grievance is against the Program Director, the student should contact the Department Chair.)

If the complaint originates on the Amarillo or Odessa campus, the student must contact the Regional Assistant Program Director. A complaint against the Regional Assistant Program Director should be filed with the Program Director.

3. If not satisfied with the outcome of the first two efforts, the student must contact the Department Chair. The Department Chair will investigate the complaint, attempt to reconcile differences, and find an acceptable solution. The Department Chair will provide a written statement of his/her recommendation to all parties, who will then have ten (10) business days* to respond. (If the grievance is against the Chair of the department, the student should contact the Assistant Dean for Admissions and Student Affairs.) Every effort should be made to resolve the issue without going beyond this level.

Filing a Hearing Request

1. If the student is not satisfied with the Department Chair's recommendation, he/she may file a request for a hearing by completing a request form in the Office of Admissions and Student Affairs. The hearing request must include a specific statement of the student's complaint, an explanation of what remedy the student seeks, and a copy of the Department Chair's recommended resolution.
2. If the student files a request for a hearing, the Student Hearing Committee must convene within thirty (30) business days.
3. The Assistant Dean for Admissions and Student Affairs will forward the request for a hearing to the Associate Dean, who serves as the Chair of the Student Hearing Committee. If the grievance involves a program under the supervision of the Associate Dean, the Dean will appoint an alternate chair of the Student Hearing Committee.

Hearing Procedure

1. Grievances shall be heard by the School of Allied Health Sciences Student Hearing Committee which shall be composed of:
 - Associate Dean, or a designee, will serve as chair;
 - Two students from programs not directly involved;
 - Two faculty members from programs not directly involved;
 - Student Affairs will provide technical assistance and support to this committee.
2. A Student Hearing will be conducted in closed session. Any request for an exception must be submitted in writing to the Chair of the Student Hearing Committee, who shall render a final written decision.
3. As soon as the hearing is scheduled, a written notice will be sent to all involved parties. The notice will specify the time, place, and nature of the hearing, plus a brief description of the grievance. The notice will also confirm the right of all involved parties to present witnesses and evidence and to be accompanied by counsel for advisory purposes only.
4. At least seven (7) business days prior to the meeting, all parties will provide to the Chair of the Student Hearing Committee a list of the names of any witnesses or advisor who will

attend the hearing. At least seven (7) business days prior to the meeting, the student and the involved individual(s) shall exchange all information and documents to be considered by the Hearing Committee, including the names of all persons giving evidence and shall provide all such information to the Hearing Committee.

5. Both parties shall attend the hearing and be offered an opportunity to state their positions, and present testimony and other evidence relevant to the case. The responsibility of establishing the validity of the grievance(s) shall rest with the student.
6. The student may have an advisor present at the hearing. The advisor must be a member of the University community. However, if an Accused Student is also the subject of a pending criminal investigation, indictment or charge arising out of the same circumstances, he or she may be allowed to have an attorney serve as his or her advisor, at his or her own expense, to participate in the same manner as any other advisor. If an advisor for the Accused Student is an attorney, an attorney from the Office of General Counsel shall attend the Student Hearing on behalf of the University. The University will provide legal counsel for the Student Hearing if the Student Hearing Committee Chair deems it necessary.

The student is responsible for presenting his or her own information, and therefore, advisors are not permitted to speak or to participate directly in any Student Hearing before a Student Hearing Committee. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Hearing, as delays will not be allowed due to the scheduling conflicts of an advisor, except at the discretion of the Student Hearing Committee Chair upon written request seven business days in advance of the date scheduled for the Student Hearing.

7. The Student Hearing Committee Chair shall keep an audiotaped record of the hearing, which shall include date, time and location of the hearing, names of those present, and any evidence (e.g., records, written testimony, duplicated material) introduced.

Hearing Committee Findings and Final Disposition

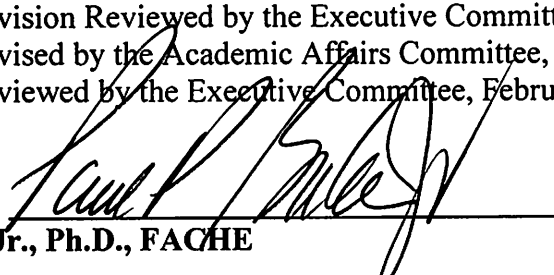
After completion of the hearing, the Hearing Committee shall meet in closed session and prepare written recommendations that will be communicated in a written report signed by the committee chair. The Hearing Committee Report shall be forwarded to the Dean for review and determination of necessary action. The Dean will forward a letter to all concerned parties, enclosing copies of the Hearing Committee report, and directing what action will be taken. This letter will be sent via certified mail to the student's last known official, mailing address as provided by the student to the Registrar's Office and electronically to the student's University email account. The decision of the Dean regarding the Hearing Committee's findings of fact and recommendations will be final.

Appeal of Violations of Due Process

Within ten days of receipt of the decision of the Dean, if the student believes that the *due process* procedures of the School of Allied Health Sciences Student Hearing Policy have been violated, an appeal may be made, in writing, to the President of the Health Sciences Center. The President will review the case and notify the student of his decision within ten (10) business days. If a written appeal is not made by the student within ten business days following receipt of the Dean's letter, the student's right to appeal is thereby waived.

*Throughout this document, the phrase "business days" refers to days when the School of Allied Health Sciences administrative offices are open, and excludes weekends and holidays.

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Reviewed by the Executive Committee, February 11, 2010

Policy approved: 
Paul P. Brooke, Jr., Ph.D., FACHE
Dean

Date: Feb 11, 2010

