



Master of Physician Assistant Studies

Student Grievance & Harassment Policy

- **Origin Date:** 2/15/17
- **Last Evaluated:** 6/2021
- **Minimum Review Frequency:** Annual
- **Responsible Party:** Academic Director
- **Approving Body:** Student Advancement & Professionalism Committee

Background and Purpose:

The purpose of this policy is to provide information regarding the process in which student grievances are assessed so that student issues can be promptly recognized and fairly resolved.

Table of Contents

- [Student Grievance Procedure](#)
 - [General Overview](#)
 - [Exclusions](#)
 - [Definitions](#)
 - [Informal Resolution of Student Grievances](#)
 - [Formal Resolution of Grievances](#)
- [Program Dismissal Appeals Process](#)
- [Discrimination and Harassment](#)
 - [General Overview](#)
 - [Discrimination/Title IX](#)
 - [Mistreatment or Allegation of Harassment by Faculty or Preceptors](#)
 - [Sexual Harassment](#)
- [ARC-PA Associated Standards](#)

Policy Statement

Student Grievance Procedure

General Overview

The FGCU MPAS Program adheres to the University's Student Grievance Procedure. Students shall be given adequate opportunity to bring complaints to the attention of and University with the assurance that the proper University officials will promptly investigate the facts of the case and evaluate these facts in an objective manner.

- a. Florida Gulf Coast University (University) promotes the informal resolution of a student dispute directly between student and the University faculty or staff with whom the student has the dispute. Prior to filing for a formal review of the dispute under this policy, students must address the dispute directly with the relevant University faculty or staff. Informal resolution of grievances may be continued throughout the process.
- b. Upon failure by the University or its representatives to provide a decision within the time limits provided in this rule or any extension thereof, the grievant may appeal to the next appropriate step. Upon failure of the grievant or counsel to file an appeal, or take prescribed action, within the time limits provided in this rule, the grievance shall be deemed to have been resolved at the prior step.

Exclusions

Grievances pertaining to the following matters shall not be processed under this rule:

- Disciplinary actions taken under FGCU Student Code of Conduct
- Traffic and Parking Violations
- The professional judgment exercised by an instructor in assigning a grade (See Student Assessment and Grading Policy for grade appeals)
- Professional judgment of licensed practitioners in the health related professions.

Definitions

- "Day" means a calendar day, unless expressly stated otherwise. If a time limit expires on a non-business day, the limit shall be extended to 5 p.m. of the next business day.
- "Grievance" means a dispute or request for redress of the interpretation or application of any law, University rule or policy that adversely impacts the Grievant's substantial interest.
- "Grievant" means any enrolled or admitted student who presents a grievance under this rule.
- "Respondent" means the FGCU faculty or staff member who is alleged to have caused the grievance by identifiable acts of omission or commission.
- "Party" means either the grievant or the respondent.
- "Counsel" means an attorney or lay advisor.
- "Resolution" means an action by or on the behalf of the University that is satisfactory to the student.

Informal Resolution of Student Grievances

- It is the University policy to encourage the informal resolution of grievances directly between the student and the University faculty or staff. The Office of the Ombuds will provide support to the parties and shall not advocate for any individual. The Office shall advocate for fair and equitably administered processes and shall facilitate discussion to

identify best options to resolve problems. A Student should work with the Office prior to requesting that a formal resolution review the Student Dispute.

- The University Ombudsperson will inform the student as to the administrative channels to be followed in an attempt to secure informal resolution.

Formal Resolution of Grievances

- a. If informal resolution efforts do not succeed, the Ombuds will refer the student to the appropriate Vice President or designee, or President's Direct Report for resolution of the Student Dispute. The Ombuds may forward any fact-finding results and any supporting documentation to the appropriate Vice President or designee, or President's Direct Report. The Ombuds and the Vice President or designee, or President's Direct Report may discuss the dispute. The Vice President or designee, or President's Direct Report will communicate directly with the Student prior to providing the Student with a written decision. The Student may, with or without a request, provide the Vice President or designee, or President's Direct Report with any documents or materials that support the Student's position in the dispute.
- b. The Vice President or designee, or President's Direct Report will provide a written decision to the Student within fifteen (15) Days of receipt of the Ombuds' referral. Any action necessary to implement the decision of the Vice President or designee, or President's Direct Report will be taken by the appropriate University official as directed by that Vice President or designee, or President's Direct Report. The decision of the Vice President or designee, or President's Direct Report is the final University decision. The written decision of the Vice President or designee, or President's Direct Report, along with a record of action taken, will be provided to the Student and the Office.

Program Grade Appeal Process

All student grade appeals or allegations of specific wrongful academic action(s) by an instructor shall first be brought to the attention of the instructor of the course. This action must be initiated within one semester of the alleged wrongful action or grade, or as soon thereafter as the student becomes aware of such action. The parties should attempt to resolve the problem in as speedy and satisfactory manner as possible. If dissatisfied with the instructor's decision, or if the instructor is not available, the student may continue to pursue an informal solution with the Chair/Team Leader of the department in which the course is housed.

The Chair/Team Leader and instructor should make every effort with the student to solve the problem at the informal level. This resolution shall take place within ten (10) school days of the complaint being brought to the Department Chair/Team Leader. At the time the Chair/Team Leader notifies the student of this decision, he/she should also inform the student of the formal procedure for appeal. The Chair/Team Leader's decision must be in writing.

If not satisfied with the resolution of the complaint proposed by the Chair or Director, the student may proceed within ten (10) school days of receipt of the Chair/Team Leader's decision to file a written appeal with the Office of the Dean of the Marieb College of Health & Human Services. The written appeal to be introduced at the college level only after informal resolution has failed must clearly specify the action which the student perceives as wrong.

The Student Grade Appeals Policy and Process is available at:

<https://www.fgcu.edu/catalog/generalinformation?fmid=Records+%26amp%3B+Registration#13>

8 Students must read the policy before beginning the grade appeal process. Failure to follow the correct procedures may result in a delay of the resolution of a grade appeal.

Student grade appeals apply only to the following:

1. Grades or other academic action taken by an instructor
2. Grades resulting from an instructor's:
 - a. Alleged deviation from established and announced grading policy
 - b. Alleged errors in application of grading procedures
 - c. Alleged lowering of grades for non-academic reasons

NOTE: The professional judgment exercised by an instructor in assigning a grade or in conducting a class are excluded from the provisions of this rule except as noted in (1), (2) a, b, and c above.

For grade appeals in courses offered by the Elaine Nicpon Marieb College of Health & Human Services, the student must submit the following to the Office of the Dean:

1. Appeal for Grade Change form available at:
[Marieb College of Health & Human Services Appeal for Grade Change \(fgcu.edu\)](http://www.fgcu.edu/marieb/grade-change)
2. Letter stating special circumstances for grade change.
3. Letter from Department Chair or School Director indicating that the grade appeal at the informal resolution level was denied.
Supporting documentation (e.g., email, letters of documentation from instructor, etc.) that substantiates the statements in the Letter of Explanation.

Program Dismissal Appeals Process

The student appeals, in writing, to the Program Director for reconsideration of program dismissal by a deadline date specified in the student's dismissal letter. The student is given a deadline date of twenty- one days from the date of the dismissal letter to appeal the decision. Failure to follow this timeline forfeits the student's right to appeal.

The student is required to include the following items in the appeal request:

- Reason(s) for the appeal
- Justification for reconsideration
- Supporting documentation

Upon receipt of the appeal, the following steps are taken:

- The student's transcript, portfolio, and appeal materials are reviewed by the Program Director within twenty-one days of receipt of the appeal.
- The Program Director provides a recommendation to the Health Science Department Chair. The Department Chair reviews the recommendation and makes a decision on the appeal within one week.
- The Department Chair sends a certified, restricted-delivery letter within three working days informing the student of the decision.

If the student is not satisfied with the outcome of the review by the Department Chair, the student may continue to appeal the decision to the University. Students are referred to the following university policy for information regarding the right to grieve decisions related to access to courses and credit granted toward degree through the Student Ombudsman.

Policy 1.010 – Student Disputes Resolution

https://www.fgcu.edu/generalcounsel/policies/approved/Policy_1_010_Student_Disputes_Resolution_09272016_ada.pdf

Discrimination and Harassment

General Overview

The MPAS Program adheres to the University's Non-Discrimination and Anti-Harassment Policies.

Regulation: FGCU-PR1.006 Non-Discrimination, Anti-Harassment and Sexual Misconduct

<https://www.fgcu.edu/generalcounsel/policies/approved/policy1.006.pdf>

Discrimination/Title IX

Florida Gulf Coast University does not discriminate in its admissions, educational programs, employment, or activities throughout all divisions, departments, and units of the University. Moreover, the University will not tolerate retaliation based on discrimination of any kind; neither will the University tolerate retaliation related to a claim of sexual harassment, which includes sexual assault and sexual violence. Such claims may be addressed under Title IX of the Education Amendments of 1972.

Inquiries concerning compliance with Title IX and applicable laws may be directed to:

Title IX Coordinator
Office of Institutional Equity and Compliance
Edwards Hall 114
10501 University Blvd. S.
Fort Myers, FL 33965
Phone: (239) 745-4366

Mistreatment or Allegation of Harassment by Faculty or Preceptors

The MPAS Program provides an environment for students that is conducive to learning and free of all forms of harassment.

Mistreatment can take many forms, ranging from subtle belittlement or discrimination to blatant hostility or harassment. Mistreatment may cause a variety of emotional responses in a student, from anger to isolation and embarrassment. Fear of retaliation can be a major component. It can be difficult for students to report mistreatment, and the Program has created an easy pathway to do so. The MPAS Program forbids any retaliatory action against students who present concerns and complaints in good faith.

A mistreatment grievance is defined as dissatisfaction occurring when a student believes that any decision, act or condition affecting her or him is illegal, unjust or has created unnecessary hardship. Mistreatment grievances may concern, but is not limited to, the following:

- Public belittlement or humiliation
- Threats of physical harm or actual physical punishment
- Requirements to perform personal services, such as shopping
- Being subjected to unwanted sexual advances
- Being asked for sexual favors in exchange for grades

- Being denied opportunities for training because of gender, race/ethnicity or sexual orientation
- Being subjected to offensive remarks/names directed at you based on gender, race/ethnicity or sexual orientation
- Receiving lower grades or evaluation based on gender, race/ethnicity or sexual orientation
- Physical punishment or physical threats
- Sexual harassment
- Discrimination based on race, religion, sex, sexual orientation, national or ethnic origin, age, disability
- Repeated episodes of psychological punishment of a student by a particular superior (e.g. public humiliation, threats and intimidation, removal of privileges)
- Grading used to punish a student rather than to evaluate objective performance
- Assigning tasks for punishment rather than to evaluate objective performance
- Requiring the performance of personal services
- Taking credit for another individual's work
- Intentional neglect or intentional lack of communication.

The FGCU MPAS Program is committed to:

- Treating all students fairly with regard to both personal and professional concerns;
- ensuring that concerns are promptly dealt with and resolutions reached in a fair and just manner;
- proactively educating program faculty (including principle and instructional) and staff regarding student mistreatment and making it clear that student mistreatment is unacceptable;
- encouraging and enabling students to bring problems to the attention of the program administration in a timely manner; and
- ensuring that substantiated acts of mistreatment of students are corrected in a timely manner

Reporting of alleged faculty or preceptor abuse violations, as it relates to students, shall be made to the Program Director of the PA Program. An alternate method of reporting is through the Assistant Program Director, Clinical Director, or Chair of the Health Science Department. All allegations of harassment will be investigated according to University policy

Sexual Harassment

It is the policy of FGCU that sexual harassment will not be tolerated at the University and should not be ignored. It is a violation of federal and state laws and University rules and policy. Sexual harassment is the inappropriate introduction of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, where sex would otherwise be irrelevant. See the FGCU Sexual Harassment web page at

<https://www.fgcu.edu/equity/titleix/sexualmisconduct.aspx>

A student with a complaint of sexual harassment, including sexual misconduct (see the Student Code of Conduct), against another University student, may file a report electronically, or in

person to the Dean of Students' Office in the Cohen Center, room 288, or to the Title IX Coordinator at 239-745-4366, Edwards Hall 114.

ARC-PA Associated Standards:

A1.02f The sponsoring institution is responsible for ensuring that all PA personnel and student policies are consistent with federal and state statutes....

A1.02i The sponsoring institution is responsible for defining, publishing, making readily available and consistently applying to faculty, its policies and procedures for processing faculty grievances and allegations of harassment

A1.02j The sponsoring institution is responsible for defining, publishing, making readily available and consistently applying to faculty, its policies and procedures for processing faculty grievances and allegations of harassment

Next Scheduled Review Date: 8/2022

Last Modified:

- 6/2021 Updated links
- 5/2019 Added wording consistent with University policy
- Link to University policy