

HOMEWOOD GRIEVANCE PROCEDURE FOR FACULTY, POSTDOCTORAL FELLOWS, AND GRADUATE STUDENTS

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1. Introduction

This sets forth a procedure whereby a faculty member, postdoctoral fellow or graduate student of the Whiting School of Engineering (WSE) or the Krieger School of Arts and Sciences (KSAS) may grieve an adverse action or failure to act, or for a violation of University, School or departmental policy. Typically a complaint or dispute is brought to the attention of a department chair or center director and is resolved through informal discussion. In some circumstances, the cognizant Dean (see below for definition) is asked to help in the informal resolution of grievances. The formal procedure set forth below is not meant to supplant attempts at resolving complaints through informal means. When at all possible, complaints and disputes should be settled through informal discussion, though there are no circumstances under which a grievance must be settled informally. The procedures presented here are to be applied only after every effort has been made to settle disputes informally. Whether settled informally or formally, the grievance process should move expeditiously without sacrificing the integrity of the process. Nothing in this document should be construed to impinge upon the responsibilities of any office and/or regularly constituted body of the University. Moreover, no action may be taken with respect to a grievance that would conflict with or modify any policy approved by the Board of Trustees of the University, any policy of the University or WSE/KSAS, any federal, state, or local law or regulation, or any contract to which the University is a party.

The following offices are available to Homewood graduate students seeking assistance with academic and non-academic concerns:

Krieger School of Arts & Sciences Dean's Office
Whiting School of Engineering Dean's Office
Graduate Representatives Organization
JHU Counseling Center
Office of the Dean of Student Life
Homewood Graduate Affairs and Admissions Office

2. Definitions

A ***grievance*** is a complaint by a faculty member, postdoctoral fellow, or graduate student who alleges that he/she been adversely affected in his/her professional or educational activities as a result of an arbitrary or capricious act, or failure to act, or a violation of a University or WSE/KSAS procedure or regulation by his/her supervisor, department chair, center director, or other administrator or administrative body.

A ***grievant*** is a faculty member, postdoctoral fellow, or a graduate student currently enrolled in WSE/KSAS who brings a grievance pursuant to this procedure.

As used in this grievance procedure, the term ***Dean*** means the Dean of WSE and the Dean of KSAS.

As used in this grievance procedure, the term ***cognizant Dean*** refers to any member of the Dean's Office as designated by the Dean, and through whom all communications to and from the Ad Hoc Committee or Dean's Office with the grievant will occur. The following officers will usually serve as the cognizant Dean:

- For graduate student grievances: KSAS Vice Dean for Humanities, Social Sciences, and Graduate Programs or WSE Vice Dean for Education
- For postdoctoral fellow grievances: KSAS Vice Dean for Science and Research Infrastructure or WSE Vice Dean for Education
- For faculty member grievances: KSAS Vice Dean for Humanities, Social Sciences, and Graduate Programs/KSAS Vice Dean for Science and Research Infrastructure or WSE Vice Dean for Faculty

As used in this grievance procedure, the term ***faculty member*** means any person holding a full- or part-time faculty appointment in WSE or KSAS.

The cognizant Deans of the Homewood Schools will identify a pool of eight faculty members -- two each within the humanities, natural sciences, social sciences, and engineering departments -- and eight graduate students (with approval from the Graduate Representative Organization) -- two each within the humanities, natural sciences, social sciences, and engineering departments -- who agree to serve on the ***Grievance Committee*** during a two-year period. An ***Ad Hoc Committee***, selected from the membership of the Grievance Committee by the cognizant Dean, will hear any grievance. The Ad Hoc Committee will consist of three or more Homewood faculty members or graduate students. If the grievance is filed by a graduate student, the Ad Hoc Committee will consist of two faculty members and two graduate students (the students on the committee may not be members of the grievant's department). If the grievance is filed by a faculty member or postdoctoral fellow, three faculty members will serve on the Ad Hoc Committee.

The following points provide clarification as to what may be considered under this grievance procedure.

1. Complaints alleging discrimination or harassment on the basis of race, color, gender, religion, age, sexual orientation, national or ethnic origin, disability, marital status, or veteran status are to be referred to the University's Office of Institutional Equity, and are not addressed by this procedure.
2. Complaints pertaining to general levels of salary, stipends, fringe benefits, or other broad areas of financial management and staffing are not addressed by this procedure. Complaints that individual graduate assistant funding decisions are arbitrary or capricious may be addressed by this procedure.
3. Disputes that are purely personal in nature and do not involve the grievant's professional or educational activities are not addressed by this procedure.
4. A complaint pertaining to issues within the purview of any other standing committee or policy 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 WSE/KSAS, are not addressed by this procedure.
5. Disputes involving grades or other evaluation of the grievant's academic work (excluding probation decisions) may be addressed by this procedure only if the evaluation is alleged to be arbitrary or capricious by the student. (For probation decisions, please see the appeal process outlined in the Homewood Schools Policy for Graduate Student Probation, Funding Withdrawal, and Dismissal.)
6. Grievances that are subject to the procedures outlined in the Johns Hopkins Personnel Policy Manual (<http://www.jhu.edu/~hr1/pol-man/sectn8.htm>) are not addressed by this procedure.

3. Grievance Procedure

A. In the event that informal discussion fails to resolve a dispute involving a faculty member, postdoctoral fellow, or student, the grievant may initiate formal grievance procedures. The grievant may decide to submit a formal grievance at any time while at Johns Hopkins University. Graduate students may also file within one year of degree completion and postdoctoral fellows within one year of their last date of appointment. The formal grievance must be submitted in written statement, signed and dated by the grievant. The statement should include (1) a factual description of the complaint or dispute resulting in the grievance; (2) the name of the person(s) against whom the grievance is initiated; (3) a brief description of all informal attempts at resolution; and (4) any other information that the grievant believes to be relevant or helpful. The grievant should attach to the written complaint a copy of any relevant documentation in his/her possession.

When possible, grievances must be initiated through the grievant's department chair or center director, whether the grievance involves members of the grievant's own or other departments. In the case of a grievance against the grievant's department chair, center director, WSE or KSAS administrator, or any WSE/KSAS committee, the grievant may submit a statement directly to the cognizant Dean. A grievance brought by a student or

postdoctoral fellow may be initiated either through the appropriate department chair or center director, or may be brought directly to the cognizant Dean if the grievant believes the department chair or center director has a conflict of interest. If the grievant believes the cognizant Dean has a conflict of interest, the grievance may be brought directly to the Dean, who may refer the case to a designee.

All grievances will be handled as confidentially as possible. The grievant is cautioned that initiation of a formal grievance is a serious matter and must not be undertaken in bad faith or over trivial matters. If a formal or informal grievance is found to have been maliciously motivated or based on false evidence, the cognizant Dean may take appropriate disciplinary action against those responsible. If the formal grievance, however incorrect or unsupportable, is initiated in good faith, no retaliatory or disciplinary action will be taken against the grievant and appropriate measures will be taken to protect the grievant from retaliation.

Throughout any informal or formal grievance process, the grievant may consult with the Homewood Dean of Student Life, a faculty member, or a graduate student of his/her choice as an advocate and for guidance or support. The advocate may participate in the process with the grievant, provided that the grievant has so notified the administrator handling the grievance.

B. Upon receipt of the grievance statement, the department chair, center director, or cognizant Dean will review the matter and consider whether informal attempts at resolution should be initiated or reinitiated. If the department chair or center director finds that attempts at informal resolution have been exhausted and/or are unlikely to lead to resolution, and/or at the request of the grievant, he/she will forward the grievance to the cognizant Dean along with his/her own statement that an informal resolution of the grievance has been unsuccessful. Upon receipt of the statement of grievance, the cognizant Dean will inform the grievant that the grievance is under consideration, and refer the grievance to the Ad Hoc Committee. The Ad Hoc Committee will decide whether the grievance statement raises a grievable issue under this policy. If it finds the grievance statement does not raise a grievable issue, the Ad Hoc Committee will so notify the grievant, stating the reasons for the Ad Hoc Committee's decision.

C. If there is a grievable issue, the Ad Hoc Committee will notify the person(s) against whom the grievance is filed, and will provide a copy of the grievant's statement. The Ad Hoc Committee will assemble all relevant documentation and facts. It may interview and take statements from witnesses, request information in writing from the grievant and respondent(s), convene a hearing, and/or invite the grievant, respondent and/or other witnesses to come before the panel at a hearing. (If it deems it appropriate, the Ad Hoc Committee may recommend to the cognizant Dean that a committee of experts be assembled to evaluate a piece of academic work, and provide a report to the Ad Hoc Committee. The committee may include members from within or outside of the University.) On the basis of the assembled information, the Ad Hoc Committee will attempt to identify a resolution of the grievance in a manner appropriate to the circumstances.

The grievant must receive a summary of the committee's findings and an opportunity to provide the Ad Hoc Committee with additional information prior to the panel's report

being forwarded to the cognizant Dean and the Dean. Any resolution achieved by the committee will be subject to the approval of the Dean. Any dissenting views within the committee should be noted in the report to the cognizant Dean and the Dean. In cases where the Ad Hoc Committee requests that the grievant consult another body within the University, the grievant may resubmit the grievance to the cognizant Dean for action should the other University body decline to consider the matter.

D. The Dean (or Provost) will issue a written determination of the grievance within two weeks of receipt of a recommendation from the Ad Hoc Committee. The decision of the Dean, or of the Provost in the case of a grievance against the Dean, will be the final University action in this matter. When the Dean (or Provost) deems it appropriate, he/she may inform the grievant about actions taken arising from the decision.

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