

I. POLICY

Student Non-Academic Complaint and Formal Grievance Policy

II. PURPOSE

This policy outlines students' rights to non-academic complaint and formal grievance procedures, defines the grounds for a student complaint or grievance, and describes the procedures for students to file a complaint or grievance. This policy also details procedures for student grievances that do not fall under this policy.

III. RESPONSIBLE PARTY AND REVIEW CYCLE

The Associate Dean for Student Affairs will review this document annually.

IV. ACCREDITATION REFERENCES

LCME 3.4	Anti-Discrimination Policy
LCME 3.5	Learning Environment/Professionalism
LCME 3.6	Student Mistreatment
SACSCOC 12.3	Student Rights
SACSCOC 12.4	Student Complaints

V. DESCRIPTION

Non-Academic Student Complaint Procedure

Students who feel that they have not been fairly treated or have other non-academic concerns have the right to file a complaint. Students should consider Student Affairs their primary point of contact for non-academic complaints, but a student may make a complaint using one of the following methods:

- a) Program evaluation forms for courses, modules, clerkships, or rotations
- b) Personal contact with a member of Student Affairs. If the individual receiving the complaint is not the Director of Student Rights and Responsibilities, the complaint shall be forwarded to the Director of Student Rights and Responsibilities within one (1) business day.
- c) Concerns in the Learning Environment Reporting Form. The reporting form is sent automatically to Student Affairs.
- d) EVMS Ethics and Compliance Hotline
 - i) The EVMS Ethics and Compliance Hotline is a third party reporting system that is accessible 24 hours a day via the web, <https://app.convercent.com/en-us/LandingPage/683edfd1-4bee-e611-80d9-000d3ab1117e> or by contacting the hotline call center at 800.461.9330. Reports may be made anonymously if desired; however, EVMS may be limited in its ability to resolve the matter if the reporter is

not identified.

- ii) Complaints made through the Hotline related to a student complaint will be forwarded to the Director of Student Rights and Responsibilities for further action.

2. Upon receipt of any report as outlined in Section 1, the Director of Student Rights and Responsibilities shall conduct a preliminary review of the complaint to determine what policies are implicated and whether further investigation or fact gathering is required.

3. Within thirty (30) business days of receipt of the complaint, the Assistant Dean for Student Affairs or the Director of Student Rights and Responsibilities shall issue a written determination, work with the parties to reach a resolution, and/or provide the reporter an update on the progress toward resolution of the complaint. For matters involving allegations of violations of the Code of Student Conduct, the Student Conduct Process shall be followed.

4. If the matter cannot be resolved, the student shall be advised of the right, if any, to pursue further action, such as filing a Formal Student Grievance. Note that, in some instances where resolution may not be requested by the student, EVMS may have a legal duty to take action.

Formal Student Grievance Procedure

1. A student may formally accuse an individual of violating a policy or procedure that affects the student's ability to pursue their educational goals, that was not resolved under a student complaint process, and that the student is asking EVMS to remedy. Examples include allegations that a policy or procedure was applied arbitrarily or that student mistreatment has occurred and cannot be resolved. The Formal Student Grievance Procedure does not replace any existing grievance or appeal procedure, and a student may not use the Formal Grievance procedure to grieve the following:

- Grades or academic performance. See the grade appeals or academic complaint procedures, as outlined in the MD Student or School of Health Professions Handbooks.
- Outcomes of a Student Progress Committee (SPC). See the policies and procedures related to the SPC as outlined in the MD Student or School of Health Professions Handbooks.
- Actions related to Honor Code Violations. See the EVMS Honor Code.
- Title IX Sexual Harassment. See Policy on Resolution of Allegations of Sexual Harassment.
- Disputes over tuition, fees, or billing. Contact EVMS Financial Services.
- Matters concerning students in their capacity as employees. Contact EVMS Human Resources for all matters outside of academic performance.

- General complaints about a program or method of instruction (e.g., curriculum, choice of faculty, etc.) where no remedy to the student would be available.

2. A student wishing to grieve a matter not otherwise excluded from the Formal Student Grievance Procedure must first use the Student Complaint Process as outlined above. Grievances that are received, but have not yet been reviewed in accordance with the Student Complaint Process will be considered a Student Complaint and the student will be notified accordingly.

3. If the matter cannot be resolved through the Student Complaint Process or if a student is unsatisfied with the outcome of the Student Complaint Process and is eligible for grievance under the Formal Student Grievance Procedure, the student shall submit a written statement of grievance that contains the following to the Associate Dean for Student Affairs within thirty (30) days of the decision from the Student Complaint Process:

- a. A narrative of all circumstances giving rise to the grievance, including any procedural history (how prior complaints were made and any attempts at resolution);
- b. Identification of all parties involved and contact information for such parties (students may not remain anonymous); and
- c. A statement of the remedy requested. Note that monetary damages such as fines or penalties, or disciplinary action against an individual who is the subject of the grievance are not available remedies.

4. Within fourteen (14) business days of the receipt of the grievance, the Associate Dean for Student Affairs shall meet with the student and the responding party to discuss the grievance. If a response was not already provided, the Associate Dean for Student Affairs shall permit the responding party to make a formal response within five (5) business days of the meeting.

5. The Associate Dean for Student Affairs may meet with witnesses such as relevant staff or faculty member(s), module director(s), clerkship director(s), administrators, or other persons as necessary. The Associate Dean for Student Affairs may also appoint a Grievance Committee, consisting of one member of the SGA, an EVMS faculty member, and a member of Student Affairs, to review the matter and render a decision or to conduct an investigation, if one has not already been conducted and/or if the Associate Dean for Student Affairs believes that additional investigation is warranted.

6. No later than forty-five (45) business days after receipt of the grievance, the Associate Dean for Student Affairs will render a decision regarding the grievance. If a Grievance Committee has been formed to review the Grievance or conduct an investigation, such decision shall be rendered no later than sixty (60) business days after the receipt of the grievance. The decision of the Associate Dean for Student Affairs shall be final.

Grievances/Complaints to Other Administrative Bodies

In addition to the EVMS Complaint/Grievance process outlined above, students have rights to grieve to outside administrative bodies as follows:

The State Council of Higher Education for Virginia (SCHEV) is the regulating body for all Virginia institutions of higher education. Once a student has exhausted all available grievance options for a complaint, a complaint can be filed with SCHEV, who will investigate all matters that fall within SCHEV's authority. This includes students enrolled in distance education programs. For more information, please see the [SCHEV student complaints web page](#).

The Office for Civil Rights for the Department of Education enforces several Federal civil rights laws that prohibit discrimination in educational program or activities. For more information see the Office for Civil Rights [complaint page](#).

For veterans, the Virginia State Approving Agency (SAA) is the approving authority of education and training programs for Virginia. Their office investigates complaints of GI Bill beneficiaries. While most complaints should initially follow the EVMS Formal Student Grievance Procedure, if the situation cannot be resolved at or by EVMS, the beneficiary should contact the SAA via email at saa@dvs.virginia.gov.

VI. RELATED POLICIES AND/OR REGULATIONS

Compact Between Teacher and Learners of Medicine and Health Professions Policy
EVMS Compliance Reporting/Anti-Retaliation Policy
Non-Discrimination and Anti-Harassment Policy
Student Complaint Processes (per individual programs' handbooks)
Students' Rights to a Professional Learning Environment Policy
Title IX and Title IX-Sex Discrimination Reporting and Grievance Process

VII. HISTORY OF APPROVALS AND UPDATES

The Board of Visitors approved this policy on September 15, 2020.