

SOCIAL WELFARE GRIEVANCE COMMITTEE PROCEDURES

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PREAMBLE:

A Social Welfare Grievance Committee is created by the Helen Bader School of Social Welfare to provide an avenue of conciliation and redress for student grievances within the School.

I. COMMITTEE COMPOSITION

The Committee is composed of five faculty members elected for overlapping two-year terms by the Social Welfare Faculty, and four student members appointed by the UWM Student Association. Student organizations within the School are encouraged to nominate students for appointment by the Student Association. Two students shall be appointed from each of the School's programs, criminal justice and social work, one from each program at the undergraduate and graduate levels.

II. COMMITTEE GOVERNANCE

A. Quorum

For all committee business, five committee members shall constitute a quorum and a majority of those voting shall be faculty for deciding issues relating to a grievance.

B. Chair

The chair shall be elected by the Committee from the faculty members of the Committee. At the end of the academic year, if the chair is not a continuing faculty member, the chair shall designate one of the continuing faculty members to serve as convener in the fall and to assure that all pending Committee business is handled in a timely fashion.

C. Conflicts of Interest

Individual members with a perceived conflict of interest may voluntarily withdraw from consideration of a complaint. If a member of the Committee has a conflict of interest, as determined by a majority of the remaining committee members, with respect to a complaint before the Committee, that member shall not sit on the Committee when the Committee considers the complaint, and the chair shall appoint an alternate to sit on the Committee in business related to that complaint. If an alternate student is required, that appointment shall be made through the UWM Student Association. The alternate shall be chosen to maintain the Committee composition outlined in Section 1.

III. JURISDICTION

Complaints may concern: Social Welfare faculty performance in the course of carrying out responsibilities related to their respective roles and, excluding academic matters, to issues regarding violations of University and School policies.

IV. ACCESS TO GRIEVANCE PROCEDURES

A. A copy of the Social Welfare Grievance Committee Procedures shall be posted in the School reception area and copies shall be available from the School receptionist. Notice of the existence of grievance procedures and where to obtain copies of grievance procedures shall be printed in the UWM Undergraduate and Graduate Bulletins.

B. When a student or faculty member expresses a concern, which might lead to a grievance, to any member of the faculty or staff of the School, the Committee recommends that the faculty

or staff member provide a copy of this document to the student or faculty member expressing the concern.

- C. The Dean shall issue a copy of these procedures to all new faculty and academic staff. Copies of procedures and any revisions thereof shall also be provided to the Vice Chancellor, Office of Student Life, and Legal Affairs Office.

V. GRIEVANCE PROCEDURES

A. TIME FRAME:

The student or faculty member desiring to file a grievance, appropriate under section 111, shall complete the steps outlined below within the time limits indicated:

- STEP 1: The complaining student or faculty member (hereinafter, "complainant") shall provide a written description of the complaint to the other party (hereinafter, "respondent").

TIME LIMITS: When the action leading to a complaint occurs during the fall semester, the written complaint to the respondent must be made within 30 working days of the first day of classes in the spring semester. When the action leading to a complaint occurs during spring or summer semester, the written complaint to the respondent must be made within 30 working days of the first day of classes in the fall semester, EXCEPT that:

In extenuating circumstances, the Committee may waive the time limits by a majority vote of the members present at the initial screening of the grievance.

Nothing in this section shall prohibit or discourage the complainant from meeting with the respondent to resolve the matter informally. Written complaint is for the purpose of initiating the grievance process.

NOTICE TO COORDINATOR: The complainant shall provide a copy of the written complaint to the coordinator of the respondent's program.

WRITTEN RESPONSE: The respondent shall provide the complainant with a written response within 10 working days of the receipt of the written complaint. Respondent's failure to provide a written response will not prejudice the respondent's position in any way.

- STEP 2: If the complainant is not satisfied with the written response in STEP 1 or if the respondent fails to provide a written response, the complainant shall, within 20 working days of the date of the written complaint to the respondent, initiate a grievance to the Social Welfare Grievance Committee by filing with the chair of the Grievance Committee a completed Grievance Complaint form. In instances in which several members of a class wish to file the same grievance, the class may select two chief complainants for the Grievance Hearing, who shall also act as spokespersons and contact persons for correspondence between the Committee and the complainants. The committee may, on its own initiative, combine for processing grievances which relate to the same issue or issues.

B. INITIAL SCREENING OF COMPLAINTS

Step 1. The Grievance Complaint, whereby the complainant requests a hearing before the Committee, shall include the following:

- (1) a completed grievance complaint form;
- (2) a narrative specifically describing the faculty situation leading to the complaint;
- (3) evidence supporting the faculty description;

- (4) documentation that the complainant has notified both the respondent and the coordinator of the specifics of the complaint and has followed all of the necessary procedures outlined in Section V.

Step 2. When a complaint has been submitted to the chair of the Committee, the chair shall call a meeting within 20 working days for initial consideration of the complaint. If the complaint is received by the chair within 20 working days of the end of a semester, initial screening shall occur within 20 working days of the first Committee meeting in the following semester, excluding summer. The Committee may reject hearing a grievance for any of the following reasons:

- (1) the complaint is outside the jurisdiction of the Grievance Committee;
- (2) the complaint was not made within the time limits specified in Section V A
- (3) no remedy is available for the Committee to recommend that would rectify the complaint;
- (4) the complaint does not merit further consideration because the substance of the complaint or the supporting evidence are insufficient to warrant further consideration by the Committee.

Step 3. Rejection of a grievance from further consideration must be by a two-thirds majority of the Committee members present.

Step 4. The complainant(s) and respondent(s) shall be notified immediately of the initial screening decision, and if the case is rejected, such notice shall include: (1) the reason for the rejection, (2) notification of the complainant's right to appeal the Committee's decision to the Dean of the School, if an undergraduate student is involved, or to the Dean of the Graduate School, if a graduate student is involved, within 10 working days of the date upon which notice of rejection is given, and (3) notification of the complainant's right to resubmit a revised complaint for reconsideration by the Committee.

C. HEARING PROCEDURE

1. When a complaint has been accepted for consideration, the chair shall immediately notify the respondent(s) of the action and provide respondent(s) with a copy of the complaint. The chair shall set a hearing date taking into consideration the scheduling requirements of all parties. The hearing shall be held within 15 working days of the initial screening decision. The chair shall notify all parties by mail of the time and place of the hearing and of the rules of procedure.
2. The respondent may submit to the chair of the Committee a written answer to the grievance complaint at least 5 working days prior to the hearing.
3. The chief complainant(s) and the respondent(s) shall be present at the hearing. All parties have a right to be present at the hearing. The complainant(s) may be accompanied by one advisor, and the respondent(s) may be accompanied by one advisor.
4. If one of the parties does not appear at the hearing, the hearing shall proceed and the Committee may reach a decision on the basis of the written materials submitted to or obtained by the Committee before the hearing and verbal or written materials presented at the hearing, except that if a party notifies the chair prior to the meeting that appearance at the meeting will be impossible, the chair may postpone the hearing and set a new hearing date, within 15 working days of the original hearing date, following the procedures provided in Section V C 1.

5. The meeting will be open unless action is taken by the Committee to close the meeting in accord with Wis. State. 19.85, which provides as follows:

- (1) Any meeting of a governmental body, upon motion duly made and carried, may be convened in closed session under one or more of the exemptions provided in this section. The motion shall be carried by a majority vote in such manner that the vote of each member is ascertained and recorded in the minutes. No motion to convene in closed session may be adopted unless the chief presiding officer announces to those present at the meeting at which such motion is made, the nature of the business to be considered at such closed session, and the specific exemption or exemptions under this subsection by which such closed session is claimed to be authorized.

Such announcement shall become part of the record of the meeting. No business may be taken up at any closed session except that which relates to matters contained in the chief presiding officer's announcement of the closed session. A closed session may be held for any of the following purposes:

- (a) Deliberating after any judicial or quasi-judicial trial or hearing.
- (c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

Considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations.

6. The chair will have full charge of the decorum of the hearing. The complainant(s) may present one witness at a time; the respondent may present one witness at a time. The parties may present additional written or oral testimony or evidence. Upon recognition by the chair, the Committee members and the parties may cross-question witnesses. Unless a majority of the Committee votes to extend the hearing, no hearing shall last more than two hours.

7. Both parties shall be given equal time to provide information to substantiate their claims. It is suggested that 15 minutes be allocated to each party to provide oral testimony and an additional 15 minutes provided to each party to rebut the opposition's statements. Remaining time may be used by the Committee to ask questions.

D. DELIBERATION OF THE COMMITTEE

- 1 Upon the close of the hearing, the Committee, if meeting in open session, may entertain a motion to close the meeting for deliberation under Wis. Stat. 19.85(1)(a) or Wis. Stat. 19.85(1)(c), or if meeting in closed session under Wis. Stat. 19.85(1)(f), shall excuse the parties in order to deliberate the issues.
2. The final decision of the Committee shall be by a majority vote of the members present at the hearing, applying fair professional and academic standards. The complainant has the burden of proof.

E. AVAILABLE REMEDIES

The Committee may recommend the redress sought by the complainant, reject the redress sought by the complainant, or the Committee may recommend a different remedy than that sought by the complainant. All decisions of the Committee are advisory only and are not authoritative or binding.

F. HEARING REPORT

1. The Committee shall prepare a hearing report consisting of a finding of facts and conclusions concerning the applicability of fair professional and academic standards to these facts. The report may include a recommendation for a suggested remedy. The hearing report shall also include notice of the parties' right to appeal to the Dean or to the Dean of the Graduate School within 10 working days of the decision of the Grievance Committee. The report shall be sent to the parties and to:
 - (a) The Dean and the Executive Committee if the report relates to faculty performance:
The Social Welfare Faculty if the report relates to course content.
2. All hearing reports of the outcome of grievance hearings are confidential , but are subject to the requirements of the Wisconsin Public Records Law and the Family Educational Rights and Privacy Act. The reports must be returned by the parties and the School bodies to the Committee within 20 working days after the hearing.

G. IMPLEMENTATION OF RECOMMENDATIONS

Recommendations included in the hearing report of the Grievance Committee are advisory and are not binding. Nevertheless, the Committee will expect a reply from the appropriate School or University body within 20 working days concerning its reaction to or implementation of the report and recommendations. If no reply is received within 20 working days, the chair shall request a response.

VI. CONFIDENTIALITY OF HEARING MATERIALS

At the close of the hearing, all materials shall be collected from Committee members. A copy of the materials and the Committee's report shall be kept by the chair. At the end of the academic year, all materials relating to hearings and cases heard by the Committee shall be sealed and placed in a file in the Dean's office. After two years, if there has been no interim action, the materials may be disposed of in accordance with the provisions of Wisconsin Statutes governing records disposal. If there is a follow-up complaint or action by or about a complainant or respondent, the files may be unsealed at the discretion of the Dean.

VII. ANNUAL REPORT

The chair shall prepare an annual report, for distribution to the May meeting of the Social Welfare Faculty, which shall contain a summary of: (1) the number of complaints filed, (2) the number and type of complaints rejected at initial screening, (3) the number and type of cases given a full hearing, (4) the length of the full hearings, (5) the nature of the decision in different types of cases, and (6) the number of cases in which the recommendations of the Committee were adopted by School bodies.

**UNIVERSITY OF WISCONSIN-MILWAUKEE
SOCIAL WELFARE GRIEVANCE COMMITTEE
Grievance Complaint Form**

*Date of complaint
(Will be case #)*

1. Name(s) of complainant(s): (List no more than two)

Name: _____

Status: _____

(If student) expected graduation date

Address

City

State

Zip

Phone: _____

Name: _____

Status: _____

(If student) expected graduation date _____

Address _____

City

State

Zip

Phone: _____

2. Name of respondent _____

Status _____

Course number and section, if relevant _____

Semester/year _____

3. Statement of Charge(s). List briefly--attach more detailed information to substantiate complaints (see filing instructions).

a. _____

b. _____

c. _____

4. List remedy(ies) sought:

a. _____

b. _____

c. _____

5. Witnesses for complainant: (Attach list of additional witnesses)

Name: _____

Status: _____

Address _____
City State Zip

Phone: _____

Signature: _____