



AVICENNA MEDICAL COLLEGE STUDENT ACADEMIC GRIEVANCE POLICY

Student Complaints, Health Services and Personal Counseling

1. Each institution shall have an effective system of personal counseling for its students that includes programs to promote the well-being of students, redress of their grievances, complaints and facilitation of their adjustment to the physical and emotional demands of institution. All complaints by students shall be put up to the Principal or Dean for disposal. MBBS and BDS students shall have access to preventive and therapeutic health services. The health professionals who provide psychiatric or psychological counseling or other sensitive health services to MBBS and BDS students shall have no involvement in the academic evaluation made available to all students by the institution and all students shall have access to disability and communicable disease insurance benefits if the same is picked up during student ship. Institution shall have policies addressing to prevent students exposure to infections and environmental hazards. Institutions shall follow accepted guidelines in determining appropriate immunizations for MBBS and BDS students. (Authority - The Gazette of Pakistan 26th January 2012 - Clause 33)

General

2. In the pursuit of a student's academic ends, he/she should be free of unfair and improper action by any member of the academic community. A grievance may be initiated by a student when he/she believes that he/she has been subject to unjust action or denied his/her rights as stipulated in published college regulations, Provincial or Federal laws. Such action may be instituted by a student against a faculty/staff member or an administrator. When a student believes an injustice has been done to him/her, he/she may seek redress through the following policy and procedures. In cases of student discrimination complaints, this policy shall be adjusted, as appropriate, to comply with the regulations regarding unlawful discrimination.
3. Students may initiate a grievance for any of the following actions:
 - a. Grievances related to course grades to the extent permitted by the Student Code of Conduct which provides:
 - 1) When grades are given for any course taught in the college, the grade given to each student shall be the grade determined by the instructor of the course; and the determination of the student's grade by the instructor in the absence of mistake, fraud, bad faith, or incompetency, shall be final
 - b. Act of threat of intimidation or harassment.

Standards

- c. Act or threat of physical aggression.
- d. Arbitrary action or imposition of sanctions without proper regard for academic due process as specified in college procedures (Standard 8 – Student).
- e. Violation of student rights as delineated in PM&DC Regulations and approved college policies for Student Personnel.

Procedure to File Grievances

Preliminary Action

4. The student who believes an injustice has been done to him/her shall first attempt to resolve his/her grievance by consultation with the following persons in sequence:
 - a. Accused faculty/staff member(s) or administrator.
 - b. Department Chairperson of accused faculty member, or direct supervisor of accused staff member or direct supervisor of accused administrator as appropriate.
 - c. The Principal for an academic or designee for non-academic grievance issues.
 - d. If the student still believes that the issue has not been resolved to his/her satisfaction, he/she should submit a signed statement specifying the time, place and nature of the grievance to the Chairman or designee.
 - e. The written request for grievance must be filed with the Disciplinary Committee or designee within ten (10) calendar days of the time the event occurred or the grievant first learned of the event. A grievance will not be heard if more than ten (10) calendar days have elapsed in either case.
 - f. The Disciplinary Committee will determine on the basis of the request for grievance whether it states sufficient grounds for a hearing.
 - g. Within three (3) working days of receiving the request, the Disciplinary Committee shall notify the student through consultation and/or in writing of the findings with the specific reasons for the decision. If the recommendation by the Disciplinary Committee is to initiate a formal hearing, within three (3) working days of receiving the decision the student must notify the Disciplinary Committee that he/she is requesting a formal hearing.
 - h. From the time the student receives the Disciplinary Committee's decision, any request for the hearing must be in writing and delivered to the Disciplinary Committee. The notice must be hand delivered by the student within 3 (3) working days from the time the student receives the Disciplinary Committee's decision.
 - i. If the findings by the Disciplinary Committee is to initiate a formal hearing, within three (3) working days of receiving the decision the student must meet with the Disciplinary Committee and ascertain and agree to a date for a formal hearing.

Grievance Hearing Procedures

5. The Disciplinary Committee - There shall be on campus a standing panel from which one or more Sub-Committee(s) may be appointed. The panel shall be made up of the following:
 - a. Group 1 – Class Representatives

Standards

- b. Group 2 - Faculty members designated by the HOD
 - c. Group 3 - All full-time and classified management personnel with the exception of the Disciplinary Committee.
6. The sub-committee (if required) shall be composed as follows:
- a. From Group 1, the CRs shall appoint two students and one alternate;
 - b. From Group 2, the Concerned HOD shall appoint two faculty members and one alternate when appropriate.
 - c. From Group 3, the Superintendent/President shall appoint one management person and one alternate.

Right to Representation

7. The student grievant or the accused may represent himself or herself or may be represented by an attorney. If represented by an attorney, the student grievant or the accused shall notify the Disciplinary Committee, in writing, of that fact no later than one (1) day prior to the date of the hearing. The Disciplinary Committee may then be provided legal counsel. Such counsel may sit with the Committee in an advisory capacity but shall not be a member of the Committee nor vote with it.

8. The Hearing

- a. **Opening:** The Chairperson shall call the hearing to order, introduce the participants, and announce the purpose of the hearing (e.g. "*The committee meets to hear a grievance of action against _____ and to make recommendations for action to the President*").
- b. The Chairperson shall distribute copies of the grievance.
- c. **Plea** - The accused shall admit or deny each charge. If the accused admits each charge and wishes to present no evidence of mitigating circumstances or other defense, the Committee shall retire the make its decision. If the accused denies any or all of the charges or wishes to present evidence of mitigating circumstances, the hearing shall proceed.
- d. **Arguments** - First, the student grievant and then the accused shall be afforded an opportunity to make or waive an opening statement. The accused may reserve his or her opening statement until after the student grievant has presented his or her evidence. After the opening statements, first the student grievant and then the accused shall have the opportunity to present witnesses and other relevant evidence.
- e. **Burden of Proof and of Producing Evidence** - The student grievant has the burden of proving their accusation. The student grievant may present evidence in support of his or her position and then the accused may present evidence to refute such evidence.

Evidence

9. Oral evidence shall be taken only on oath or affirmation.

Standards

10. Each party shall have these rights: to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses (only by the approval of Committee) on any matter relevant to the issues even though the matter was not covered in the direct examination, to impeach any witness regardless of which party first called him or her to testify, and the rebut the evidence against him or her. If the accused does not testify in his or her own behalf, he or she may be called and examined as if under cross-examination.
11. The hearing need not be conducted according to technical rules related to evidence and witnesses, except as hereinafter provided. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs. Irrelevant and unduly repetitious evidence shall be excluded.

Closed Hearings

12. Hearings shall be closed to the general public and confidential and all witnesses shall be excluded before and after testifying unless the accused, the student grievant, and the Committee agree to the contrary, except neither the student grievant nor the accused and their respective attorneys, if any, shall be excluded. Both the accused and the student grievant shall be entitled to call witnesses. Any member of the Committee may ask questions at any time upon recognition by the Chairperson. Either side may recall a witness, who again may be questioned by both parties and the Committee.

Absence of the Student Grievant or the Accused⁷¹

13. If the student grievant or the accused do not appear and no satisfactory explanation for the absence is made at the earliest opportunity, or if the student grievant or the accused leave the hearing before its conclusion, the hearing shall proceed without the absent party, and the Committee shall reach a decision based on the evidence presented.

Conclusions

14. First, the student grievant and then the accused shall be afforded the opportunity to make or waive a closing argument. The Committee shall retire to deliberate with all of the members of the Committee present and may include the legal advisor to the committee when appropriate. The committee shall reach its decision based only upon the record of the hearing and shall not consider matters outside of that record.
15. Within two (2) working days of the hearing, the Chairperson shall deliver to the Committee, the student grievant, and the accused, their written decision arrived at by a simple majority of the Committee.
16. The decision of the Disciplinary Committee is binding on all parties.

Appeal to the Chairperson

17. Either the student grievant or the accused may appeal the decision of the Committee by filing an appeal with the Chairperson. Any such appeal shall be made in writing, hand-delivered, received and receipted by the Committee within (1) working day of the decision by the Disciplinary Committee and shall state specifically the grounds for appeal. Appeal shall be based only on the record of the Hearing. Both the student grievant and the accused may submit written statements on appeal or appear in person.

18. The decision will be based upon the record. The Disciplinary Committee shall disseminate the decision to all relevant parties including the office of the Chairman Avicenna Medical College within three (3) working days of receiving the appeal request.