

Charles E. Schmidt College of Medicine Administrative Policies

Subject: Process for Members of the College of Medicine to Resolve and/or Report Allegations of Faculty or Staff Misconduct
Effective Date: January 4, 2017
Supersedes: COM Administrative Policies Initially Adopted February 28, 2007; amended June 1, 2009; September 30, 2010; January 19, 2011; June 12, 2012; May 10, 2013; July 10, 2014; Code of Conduct and Reporting Policy Amended January 4, 2017.
Responsible Authority: Senior Associate Dean for Administration and Associate Dean for Faculty Affairs

Policy Statement:

**Please note that there are separate processes for Faculty and Staff.* Refer to the *Process for Faculty to Resolve and/or Report Allegations of Faculty or Staff Misconduct Flowchart* (Exhibit A) and the *Process for Staff to Resolve and/or Report Allegations of Faculty or Staff Misconduct Flowchart* (Exhibit B).

Allegations involving discrimination or harassment of a protected class must be reported to the Office of Office of Equity, Inclusion and Compliance in accordance with [Regulation 5.010 Anti-Discrimination and Anti-Harassment](#) as referenced above. Any supervisory employee who receives a report, observes and/or learns of an alleged violation of this Regulation has an absolute and unqualified duty to immediately report the conduct to the EIC Director.

Allegations involving an unresolved dispute regarding the terms and conditions of employment may be resolved by informal resolution between the faculty or staff member and his/her supervisor. If the issue cannot be satisfactorily resolved by informal resolution, the employee may file a grievance in accordance with [Regulation 5.009 Grievance Procedure](#). Job-related problems should be resolved, whenever possible, before the filing of a grievance. All grievances shall be filed with the Department of Human Resources on a Florida Atlantic University Request for Grievance form, within seven days following the act or omission giving rise to the grievance, or the date on which the grievant knew or reasonably should have known of such act or omission if that date is later, unless an extension is granted in writing by the Assistant Vice President for Human Resources or designee for the purposes of facilitating informal resolution.

[Regulation 5.012 Employee Standards and Disciplinary Procedures](#) provides the Standards of Conduct required for all employees. The recommended starting point for resolution of allegations involving an alleged breach of Standards of Conduct (other than unlawful discrimination or harassment of a protected class) and the College of Medicine Code of Conduct for Faculty and Staff is informal one-on-one resolution between colleagues (faculty-to-faculty; faculty-to-staff; or staff-to-staff). First, carefully examine the circumstances of the incident which occurred. Discuss the event with someone else who witnessed it, or with another colleague or individual whose judgment you trust. Often, concerns can be resolved informally or through consultation.

Ideally, concerns should be addressed within the College of Medicine and through informal one-on-one resolution. When the issue cannot be resolved informally, faculty and staff are advised to consult with the individuals below *in sequential order*. This order is recommended so as to preserve communication

within units and/or departments and facilitate timely resolution. In cases where there are perceived conflicts of interest, however, there are mechanisms for assistance outside of the College to ensure faculty and staff are supported and advised appropriately. In all cases, faculty and staff retain the right to report concerns directly to the Vice Provost for Academic Affairs or Employee Relations, as applicable, if a matter is not promptly or satisfactorily addressed within the College. The Vice Provost for Academic Affairs serves as the ombudsperson for the College of Medicine faculty (who are not part of the United Faculty of Florida and not subject to the Collective Bargaining Agreement).

Faculty reporting an alleged breach of Standards of Conduct by another *faculty* member (other than unlawful discrimination or harassment of a protected class):

- Consultation with the department chair of the faculty member (unless the concern involves a department chair, in which case the report may be made to the Associate Dean for Faculty Affairs or the Dean); then
- Consultation with the Associate Dean for Faculty Affairs; then
- Consultation with the Dean of the College of Medicine; if not promptly or satisfactorily resolved, then
- Consultation with the Vice Provost for Academic Affairs: The Vice Provost for Academic Affairs will liaise with the Dean, as appropriate, before taking action.

Faculty reporting an alleged breach of Standards of Conduct by a *staff* member (other than unlawful discrimination or harassment of a protected class):

- Consultation with the staff member's immediate supervisor and higher level supervisor/faculty/or department chair; then
- Consultation with the Dean of the College of Medicine; if not promptly or satisfactorily resolved, then
- Consultation with Employee Relations.

Staff reporting an alleged breach of Standards of Conduct by a *faculty* member (other than unlawful discrimination or harassment of a protected class):

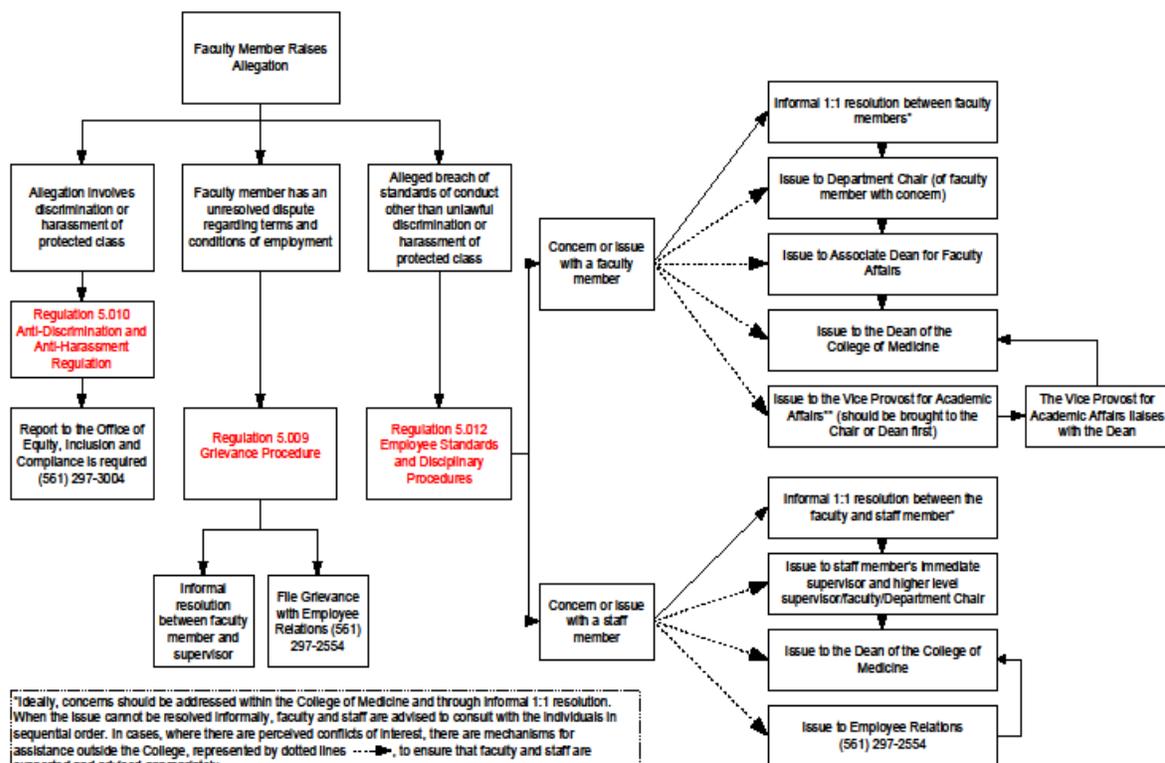
- Consultation with the department chair of the faculty member; then
- Consultation with the Dean of the College of Medicine; if not promptly or satisfactorily resolved, then
- Consultation with Employee Relations or the Vice Provost for Academic Affairs.
(n.b. In some cases, the Dean may advise immediate consultation with Employee Relations or the Vice Provost for Academic Affairs.)

Staff reporting an alleged breach of Standards of Conduct by another *staff* member (other than unlawful discrimination or harassment of a protected class):

- Consultation with the staff member's immediate supervisor and higher level supervisor/faculty/or department chair; then
- Consultation with the Dean of the College of Medicine; if not promptly or satisfactorily resolved, then
- Consultation with Employee Relations.
(n.b. In some cases, the Dean may advise immediate consultation with Employee Relations.)

Exhibit A

Process for Faculty to Resolve and/or Report Allegations of Faculty or Staff Misconduct



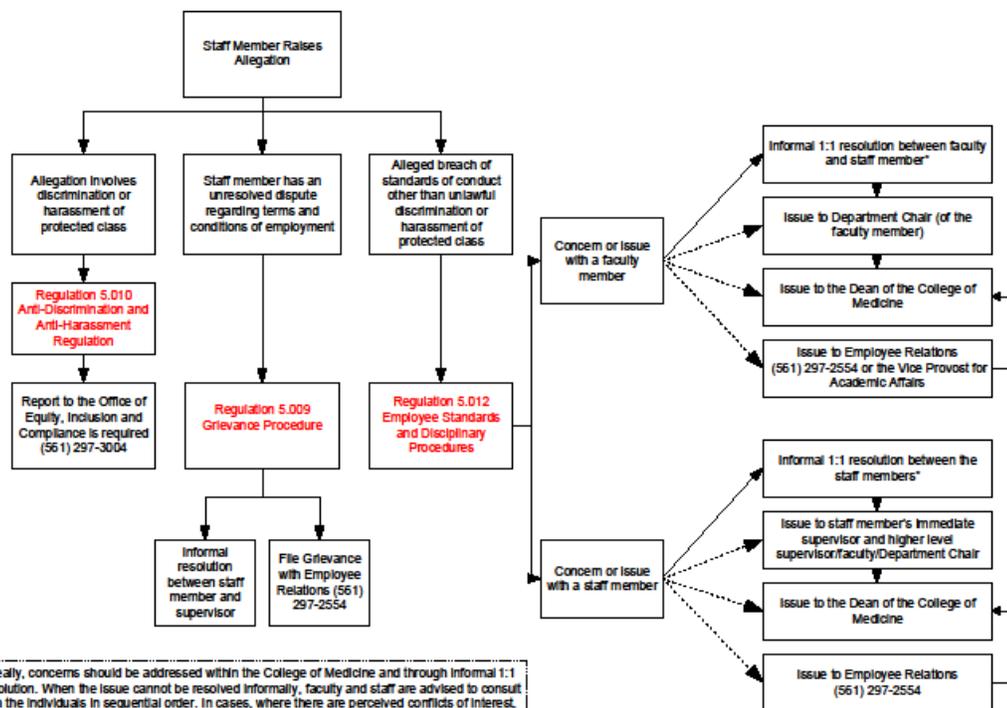
*Ideally, concerns should be addressed within the College of Medicine and through Informal 1:1 resolution. When the issue cannot be resolved informally, faculty and staff are advised to consult with the individuals in sequential order. In cases, where there are perceived conflicts of interest, there are mechanisms for assistance outside the College, represented by dotted lines --->, to ensure that faculty and staff are supported and advised appropriately.

**The Vice Provost for Academic Affairs serves as the ombudsperson for the College of Medicine faculty (who are not part of the United Faculty of Florida and not subject to the Collective Bargaining Agreement).

Disclaimer: This chart is a reference tool only and may not be construed to supersede or otherwise affect the applicability of University policies or regulations, or the College of Medicine Administrative Policies. 01/04/2017

Exhibit B

Process for Staff to Resolve and/or Report Allegations of Faculty or Staff Misconduct



*Ideally, concerns should be addressed within the College of Medicine and through Informal 1:1 resolution. When the issue cannot be resolved informally, faculty and staff are advised to consult with the individuals in sequential order. In cases, where there are perceived conflicts of interest, there are mechanisms for assistance outside the College, represented by dotted lines -.->, to ensure that faculty and staff are supported and advised appropriately.

Disclaimer: This chart is a reference tool only and may not be construed to supersede or otherwise affect the applicability of University policies or regulations, or the College of Medicine Administrative Policies.