

FACULTY GRIEVANCE PROCEDURE

I. Purpose

To allow an individual faculty member a procedure for presenting a grievance, without fear of reprisal, and having it considered in an expeditious and orderly process. The procedure established herein is advisory and is not an adjudicatory process.

II. Definition of Grievance

An allegation that there has been a violation, misinterpretation, or improper application of existing policies, rules, regulations, practices, and/or procedures or a complaint that a faculty member has been treated unfairly or inequitably or has been unreasonably hindered in the performance of his/her duties.

III. Appeal Through Administrative Channels

Every effort ought first to be made to resolve the matter informally by conversation with the department head, dean, or Vice President for Academic Affairs. If the faculty member wishes to pursue the grievance, the grievance must then be filed in writing within thirty days after its occurrence at the nearest administrative level.

If a grievance cannot be resolved at the nearest administrative level, a faculty member may request review at successively higher administrative levels--Dean, Vice President for Academic Affairs, and President.

IV. Appeal Through Advisory Committee on Faculty Grievance

A. Establishment of Committee

The President shall appoint an Advisory Committee on Faculty Grievance, The Committee shall be drawn from the same pool chosen for the Advisory Committee on Faculty Continuance--see Faculty Handbook pp. 14-15.

B. Selection

The Committee shall be a standing committee of five (5) tenured faculty members selected annually from a list by lot. A faculty member shall not participate in a case involving a faculty member from the same department; and a member chosen shall remove himself/herself either at the request of the party or on his/her own initiative, if he/she deems himself/herself disqualified because of bias or interest. Each party shall have a maximum of two (2) challenges without stated cause. Supplementary selections and lists shall proceed in the same manner until an accepted committee is constituted.

The Committee shall designate one (1) member as Chairperson.

### C. Procedures

When a faculty member has been unable to achieve satisfactory resolution from the department head (director), dean, and/or Vice President for Academic Affairs, he or she may request a review by the Committee through the President. The request for a review must be submitted in writing, together with a statement of the grievance. Upon receipt of the grievance, the President shall have the Advisory Committee on Faculty Grievance convened through the procedures described above. The Committee will not review in this way matters for which other formal procedures have been specifically outlined in the Faculty Handbook: (1) allegations of discrimination due to race, sex, religion, national origin, age, handicap, or veteran status; (2) dismissal from employment before a stipulated time of service has been completed or without the minimal advance notice specified for termination of probationary faculty; (3) allegations that the nonrenewal of a probationary faculty member constitutes a violation of academic freedom; and (4) termination of tenured faculty.

The Committee after a preliminary investigation, and upon a vote of a majority of its members, may rule that a particular grievance does not merit review by the Committee. When it has been determined that a grievance lies within the scope of the Committee, the Chairperson shall initiate a committee review by notifying all appropriate parties of the review procedure to be followed. The Committee shall be empowered to request any and all parties to submit evidence related to the grievance. This review shall be completed within 45 days, excluding official holidays and vacations. At the conclusion of the review, the Committee will forward a written report of its findings to the President and to the faculty member. The written decision of the President shall be forwarded to the Chairperson of the Committee and to the faculty member. If the President does not accept all or part of the findings and recommendations of the Committee, he or she will include in the decision the reasons for not doing so.

The decision of the President is final.

### V. Annual Report

At the end of each academic year, the President shall provide a written report to the Board of Regents regarding the number and type of cases presented in the preceding year. The report shall include the Committee's recommendation for each case and its final disposition.

I. Purpose

To allow an individual faculty member a procedure for presenting a grievance, without fear of reprisal, and having it considered on-its-merits-by in an expeditious and orderly process. The procedure established herein is advisory in-nature and is not an adjudicatory process. A-grievant-is-assured-freedom-from reprisals-for-the-filing-of-a-grievancee.

II. Definition of Grievance

An allegation or-complaint that there has been a violation, misinterpretation or improper application of existing policies, rules, regulations, practices, and/or procedures; which-faculty members-believe-to-be-unfair, inequitable, or-a-hindranece-to their-effective-operation or a complaint that a faculty member has been treated unfairly or inequitably or has been unreasonably hindered in the performance of his/her duties.

III. Appeal Through Administrative Channels

Complaints-or Grievances must be clarified <sup>in writing</sup> filed at-the-earliest possible-time within thirty days and at the-administrative-level closest-to-the-locus-of-the-complaint the nearest administrative level after every effort has been made to resolve such matters informally. Every-effort-should-be-made-to-resolve-such-matters informally, by-conversation-with-the-department-head, dean, or Vice-President-for-Academic-Affairs, before-bringing-them-to written-form. If a grievance cannot be resolved at the nearest administrative level, a faculty member may request review at successively higher administrative levels--Dean, Vice President for Academic Affairs and President. Equitable-resolution of-most-complaints-can-be-achieved-through-the-usual-administrative channels--Any-faculty-member-may-initiate-an-appeal-in-writing with-the-officer-responsible-for-his-or-her-administrative-unit within-thirty-days-after-experiencing-an-alleged-grievance--If resolution-of-the-problem-is-not-achieved, the-faculty-member may-request-review-at-successively-higher-administrative-levels through-the-dean, Vice-President-for-Academic-Affairs, and-the President.

IV. Appeal Through Advisory Committee on Faculty Grievance

A. Establishment of Committee

The President shall establish-within-the-University-an advisory appoint an Advisory Committee on Faculty Grievance. The Committee shall be drawn from the same pool of-faculty members chosen for the Advisory Committee on Faculty Continuance--see Faculty Handbook pp. 14-15.

B. Selection

The Committee shall be a standing committee consisting of five (5) tenured faculty members. Membership on the Committee shall be selected annually from a list by lot. A faculty member shall not participate in a case involving a faculty member from the same department; and a member chosen shall remove himself/herself either at the request of the party or on his/her own initiative, if he/she deems himself/herself disqualified because of bias or interest. Each party shall have a maximum of

two (2) challenges without stated cause. Supplementary selections and lists shall proceed in the same manner until an accepted committee is constituted.

The Committee shall designate one (1) member as Chairperson.

C. Procedures

When a faculty member has been unable to achieve an amicable a satisfactory resolution from the department head (director), dean, and/or Vice President for Academic Affairs, he or she may request a review by the Committee through the President. The request for a review ~~should~~ must be submitted in writing, together with a statement of the complaint grievance. Upon receipt of the complaint grievance, the President shall have the Advisory Committee on Faculty Grievance convened through the procedures described above. The Committee will not review in this way matters for which other formal procedures have been specifically outlined in the Faculty Handbook: (1) allegations of discrimination due to race, sex, religion, national origin, age, handicap, or veteran status; (2) dismissal from employment before a stipulated time of service has been completed or without the minimal advance notice specified for termination of probationary faculty; (3) allegations that the nonrenewal of a probationary faculty member constitutes a violation of academic freedom; and (4) termination of tenured faculty.

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The written decision of the President shall be forwarded to the Chairperson of the Committee and to the faculty member. If the President does not accept all or part of the findings and recommendations of the Committee, he or she will include in the decision the reasons for not doing so.

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