



**University Faculty Senate Minutes
Sam Houston State University
December 4, 2003**

Members present: David Bailey, Christopher Baldwin, James Carter, Mary Lynn DeShazo, Stacey Edmonson (and son Andrew), Mary Gutermuth, Mark Frank, Penny Hasekoester, Marsha Harman, Deborah

Committee Reports

- ***Grievance Policy***

- Debbie Hatton, Chair of the Faculty Affairs Committee, presented the revised grievance policy. The policy is attached at the end of the minutes
 - § Changes were suggested in section 2.02 to require representation to be based on number of faculty in each college:
 - College of Arts & Sciences (235) – 8 [This number would also allow for a restructuring of COAS into two colleges.]
 - College of Business Administration (68) – 2
 - College of Criminal Justice (68) – 1
 - College of Education and Applied Science (125) – 5
 - Library (14) – 1
 - § Rather than having reserve committee members, 2.03a allows each side to disqualify an equal number of faculty to arrive at a group of five faculty to sit on the committee
 - § A major change in the policy is to allow both parties to answer questions before the committee after the submission of the necessary documentation rather than all communication being written as is the current policy.
 - § The Senate voted to take the revised policy forward to APC.
- Chair Tayebi related information regarding a current faculty on faculty grievance. The following information had been forwarded earlier to Senators:

Faculty members have brought a complaint against another faculty member. Since our Grievance Policy does not include faculty on faculty complaints, the complaint was referred to the System Policy. The procedures to be followed are listed in Chapter 5, Section 4.54 of the System's Rules and Regulations. The President has selected a panel of faculty in accordance with the regulations. In order to respect the privacy of the faculty member involved, no specific information can be released unless the faculty member wishes to share that information with the rest of the faculty. This process was initiated by faculty, and the judgment will be provided by faculty.

For information regarding the System's Rules and Regulations, follow the

In response to this issue, the Senate drafted the following resolution:

Faculty Grievance Procedure
Academic Policy Statement 820830
Revised November 6, 2003

1. PREAMBLE

- 1.01 Any member of the faculty at Sam Houston State University has the right to appeal an administrative decision that directly affects her/his role as a faculty member, and that she/he reasonably believes to be a violation of

c. Administrator:

Any person charged with managerial and administrative authority and accountability for teaching personnel and academic programs, departments, libraries, and colleges.

[Explicitly this Policy does not cover grievances against peers.]

2.02 Faculty Grievance Committee Established

- b. The elected chair of the FGC shall be responsible for calling meetings of the committee, notifying committee members and other parties to the grievance of meetings, receiving information from parties to the grievance, transmitting all final committee decisions to the Presidents of the University

- c. A grievance may be terminated at any stage that is mutually acceptable to the parties involved.
- d. All parties to a grievance are assured of freedom from reprisal for their activities related to the proceedings. Moreover, witnesses are also protected from reprisal or retaliation for their

- (i) The names of the parties involved in the grievance.
 - (ii) Specific policy-related or other issues and actions upon which the grievance is based.
 - (iii) The desired outcome(s) or remedies.
 - (iv) Documentation supporting all charges involved in the grievance.
 - (v) A summary of the Informal Resolution process.
- b. The FGC will have the right to decide whether the grievance merits its

3.05 FGC Findings and Actions

a. FGC Finding of Required Mediation

If the FGC decides that the grievance merits off campus mediation, it shall inform the grievant, the person(s) against whom the grievance was directed, those in the administrative chain who were involved in the Informal Resolution Effort, the President of Faculty Senate, the Vice President for Academic Affairs, and University President. All efforts should be made to handle the grievance within a six month time period.

b. FGC Determines an On Campus Hearing is Justified

If the FGC determines that a detailed investigation is justified, the grievant will be provided an opportunity to present her or his case. The following steps will be followed:

- (i) Immediately the case is accepted by FGC, the committee shall submit letters to each administrator involved in the Informal Resolution Effort and to any others named by the grievant, requesting their detailed evaluations and findings. These individuals have five (5) days from the time of receiving their letters to respond to the committee in writing. Their response should be as detailed as possible and should include all relevant supporting documents.
- (ii) Upon receipt of the written responses specified in § 3.06b(i), the chair of the committee shall immediately make them available to all of the parties involved in the grievance.
- (iii) The grievant and the person(s) against whom the grievance was filed shall submit to the chair of FGC a list of witnesses they will call (if any) to give oral testimony at the hearing. This listing must be submitted to the FGC chair by the twelfth (12) day following acceptance of the case by the FGC.
- (iv) A hearing shall be held on campus by the FGC at the earliest date convenient to those involved in the grievance. Every effort shall be made to convene the meeting within seventeen (17) days and not later than twenty five days after the acceptance of the grievance by the FGC. A written schedule change must be presented to the chair of the FGC at least five (5) days prior to the hearing.
- (v) Within three (3) days of the completion of the hearing, and at a time not more than thirty (30) days after the grievance was accepted to be heard by the FGC, a Report of Findings and Recommendations will be submitted to the grievant, those grieved against, those involved in

