

SENATE ACTION FORM

No. 1205

Subject: Faculty Grievance 2-3-1201

Reference to Senate Minutes dated: February 1, 2021

Senate Action:

MOTION: Welfare – It is moved to approve the revised faculty grievance policy as presented.

VOTE: Approved by voice vote.

Response requested:

Approval for placement in University Catalog

Approval for placement in University Regulations

X Recommendation to Board for placement in Board Policy Manual

None (sent as info Administrative Review and Presidential Approval Requested) EMC / P MCID 145BDC BT11.040 0 1

Faculty Senate Chair Date 2/8/2021

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Administrative review of Senate action (unnecessary for information items):

Reviewed by VPAA/Provost. Check if comments attached

Reviewed by General Counsel. Check if comments attached

Presidential action:

Approve Reject Return to Senate for discussion/modification (comments attached)

President/Designated Administrative Officer

Attachment to Senate Action #1205  
Approved by the Faculty Senate  
February 1, 2021

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**Revisions to 2-3-1201**

See highlights and strikethroughs for additions and deletions

**Part 12 Faculty Grievance.**

2-3-1201 Faculty Grievance.

This policy sets forth definitions and procedures concerning faculty grievances. All discussions, deliberations, and documents under this policy shall be held ~~the utmost~~ **in the utmost** confidence **unless they are required to be disclosed by application of law, or that either the Grievant or Respondent makes a claim that requires the university to defend the claim.** Disputes that involve allegations of discrimination, harassment, or retaliation as defined in the Discrimination Complaint Procedures ~~3-6-125 (DCP) for alleging discrimination or harassment must first use follow the DCP.~~ **Discrimination Complaint Procedures 3-6-125; then appeal to the State Personnel Board (SPB) (Title 20 Code 20-25-312).**

2-3-1201(2) Preliminary Procedures.

2-3-1201(2)(a) The aggrieved person(s) (herein after called the Grievant(s)) shall discuss the alleged violation with the appropriate department chair/school director/program area coordinator, academic dean, and the Chief Academic Officer (CAO) in that order if necessary to resolve the issue. Each individual, when meeting with the aggrieved person(s) Grievant(s), should make the aggrieved person(s) aware of the grievance policy. These discussions must take place within thirty (30) working days of the date that the Grievant(s) knew or, should have known, or became aware of the alleged violation, or of the harm.



The chair of the Panel shall file a copy of the report and the audio recording of the hearing with the Faculty Senate Office, which shall be retained for seven (7) years



## 2-3-1201(4) Hearing Procedures.

The chair of the Panel shall introduce the case by reviewing the steps below for the hearing, clarifying any procedural points regarding evidence to be introduced, stating that the burden of proof lies with the Grievant(s), and any matter which should appropriately be resolved before hearing the case. Matters of concern should be raised at this point if any party to the case has a question or complaint. Questions regarding procedure shall be decided by the Panel prior to the beginning of the hearing.

(a) The Grievant(s) shall be given the opportunity to make an opening statement outlining their case.

(b) The Respondent(s) shall then be given the opportunity to make an opening statement outlining their case.