

## Committee on Grievance – Operating Procedures

1. These procedures are adopted each year by the Committee on Grievance at its first meeting. They supplement and should be read together with the policy describing the Committee on Grievance set forth in the Code of Faculty Legislation and Administrative Policy (Faculty Code). Any discrepancy between these procedures and the Faculty Code will be resolved in favor of the Faculty Code. Issues that are not addressed in these procedures or the Faculty Code will be determined by the Committee as it deems appropriate.
2. Committee Members
  - a. Chair<sup>1</sup>
    - 1) The chair is elected by the members of the committee.
    - 2) The chair normally serves for one year and may succeed herself or himself.
    - 3) The chair is a voting member of the committee and does not cast a second vote in the event of a tie.
    - 4) The chair's duties include:
      - a) Calling and presiding at meetings of the committee.
      - b) Receiving written petitions and distributing copies to the members of the committee.
      - c) Giving each petitioner a copy of the *Faculty Code* section describing the Committee on Grievance, the procedures adopted by the committee, and the "Guidelines for Submission of Petitions to the Committee on Grievance."
      - d) Ensuring that the Committee (1) update, if necessary, these Operating Procedures and the "Guidelines for Submission of Petitions," (2) affirmatively adopt these two documents, and (3) instruct the Secretary of the Faculty to post these two documents on the public website.
      - e) Ensuring adherence to the adopted procedures and the policy of the committee.
      - f) Ensuring that all communications with the petitioner are in writing.
      - g) Writing the annual report to the faculty secretary.
      - h) Speaking on behalf of the committee when appropriate and when asked to by the other committee members.
      - i) Holding the key to the locked file holding the Committee's documents in the Dean of the Faculty's office, and ensuring that access is limited to committee members with a 'need to know.'
      - j) Appointing a coordinator, in consultation with the committee, to each case that results from a petition.

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<sup>1</sup> Faculty Code: Section (a) (4) "Each year the members shall elect one of their number as Chair."

- b. The Secretary<sup>2</sup>
  - 1) The secretary is a member of the committee selected by agreement of the members.
  - 2) The secretary serves for one semester.
  - 3) The secretary may succeed him or herself for another term.
  - 4) The secretary's duties include:
    - a) Keeping and maintaining the official minutes of the meetings of the committee including interviews.
    - b) Distributing copies of minutes and other documents as required.
    - c) Maintaining the files of the committee and ensuring that a complete set is given to the chair and transferred as the chair changes and that a second set is placed in the Dean of the Faculty's Office (see locked file below). These files shall include Minutes and appendices to them, Petitions, Reports of the Committee, Reports to the Committee from others, and other files as the secretary may establish. Materials used in the course of a particular grievance, including minutes of meetings and interviews with the petitioner or others, and any other information that was given to the committee shall also be delivered to the Dean of the Faculty's Office and kept in a locked file.
    - d) Handling all correspondence not otherwise handled by the Chair or the coordinator of an individual case.
    - e) Maintaining and updating the procedures of the committee.
- c. Coordinator of Individual Cases<sup>3</sup>
  - 1) The responsibilities of the coordinator include:
    - a) Responding to correspondence related to a case, including invitations to persons who may be interviewed on specific cases.
    - b) Obtaining documents and other relevant information needed to decide a case.
    - c) Distributing copies of all information related to a case to the other committee members.
    - d) Drafting the findings of the committee in the case.
- d. Responsibilities of all committee members
  - 1) All members are responsible for:
    - a) Maintaining strict confidentiality about individual cases by discussing the case only with the petitioner and other members of the committee.

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<sup>2</sup> There is no policy statement in the Faculty Code establishing the role or position of secretary.

<sup>3</sup> There is no policy statement in the Faculty Code establishing the role or position coordinator of an individual case.

- b) Making oneself available for meetings and interviews to ensure the timely activity of the committee.
  - c) Helping to ensure that the official notes of interviews, meetings, and findings accurately reflect the recollections and conclusions of the entire committee.
  - d) Helping to ensure that all requests for information and all communications regarding a case are in writing to avoid misinterpretation.
- 2) Committee members are required to disclose to the Committee any relationships or roles that the member has which may create a conflict or bias with respect to any grievant. The Committee shall determine if a conflict or disclosed relationship or role requires a member to recuse him or herself from the Committee in a specific case.
3. Processing a Petition
- a. The following steps will be taken upon receipt of a petition:
    - 1) The chair will select a coordinator who will send an acknowledgement letter to the petitioner.
    - 2) Should the Committee on Grievance determine that the arguments in the petition provide sufficient grounds for investigation, the petitioner must either submit a copy of the petition to those named therein or have the Committee on Grievance submit to them a summary of the allegations contained in the petition.
    - 3) All committee meetings considering the substance of the petition, including interviews, must be attended by all committee members, except under extraordinary circumstances. If a member is unable to attend meetings for an extended period of time such that it will impede the timely consideration of a petition, the chair should consider asking the member to recuse her or himself from the case and appointing an alternate.
  - b. The committee considers that a procedure or policy of the College may include:
    - 1) any procedure or policy written in the Faculty Code, or adopted in writing by an academic department, or written in any other official document of the College;
    - 2) any procedure not written but described to the petitioner verbally by a member of the petitioner's department or other official of the College;
    - 3) any procedure that the petitioner believes to be a regular practice of the College or her or his department, a variation from which she or he considers to be a violation of ordinary procedure.

- c. When considering unwritten procedures, the committee requires corroborative evidence.
4. The Petitioner is encouraged to submit any letters, documents or other material that the petitioner believes were relied upon to make the decision or take the action being grieved and any other information that is pertinent to the matter.
5. After filing a written grievance, the petitioner may request a meeting with the committee on grievance. The petitioner does not have the right to bring an adviser or a legal advocate to the meeting.
6. The committee review may include interviews with the petitioner and with the person or persons who made the decision giving rise to the petition, as well as a review of relevant policies, in an attempt to determine if procedural irregularities occurred.
7. Decision of the Committee.
  - a. If, after deliberating, the view of the committee is not unanimous, all points of view will be discussed in the Committee's decision.
  - b. The Committee's thoughts on whether or not the reconsideration should be done by the same or a different body or decision maker should be included. This is especially important when in the Committee's view it was a particular person or interaction among persons which gave rise to the petition and resulted in the recommendation for reconsideration; and
  - c. The Committee's view regarding the information that should be available in the process of conducting the reconsideration should be included. This is especially important when in the Committee's view it was a particular piece of information that caused the problem giving rise to the petition, or when the Committee determines that additional information is required before a decision can be made.
  - d. In addition to the decision of the Committee, the Committee may if it chooses, share copies of reports generated by the Committee and other documents or information gathered by it with the petitioner and the Dean of the Faculty/Provost. The Dean shall keep all such information in a confidential manner and not as part of the petitioner's personnel file.
  - e. If the petition involves an action or decision by the Dean of the Faculty/Provost, the decision will be sent to the President.