

ATTACHMENT 3-A

REPORT OF FACULTY ADVISORY COMMITTEE

DRAFT

Academic Grievance Procedures

*To be considered
at the
meeting
re: ...*

For grievances involving nonreappointment and/or denial of tenure or denial of promotion on termination of a tenured faculty member, see Sections I and II below.

For grievances other than those stated in Sections I and II the faculty member shall attempt to resolve the issue at the department level. If a solution cannot be obtained at that level, the redress may be pursued through the subsequent offices of Dean, Provost, and President. If redress cannot be obtained from any of these officers, the faculty member may appeal to the Faculty Grievance Committee. If the Committee finds that there are grounds for a grievance, the Committee shall attempt to resolve the matter through mediation or other appropriate action. The faculty member may appeal the decision of the Faculty Grievance Committee to the Academic Affairs and Faculty Liaison Committee of the Board of Trustees.

I. Grievance Procedure for Nonreappointment or Denial of Tenure or Promotion

If the grievance is that of nonreappointment and/or denial of tenure or denial of promotion, the faculty member upon receiving notice may seek recourse by taking the steps outlined below. The grievance procedure may turn out to be lengthy, and the faculty member who initiates a grievance procedure is advised to maintain a file of dated correspondence sent and received as well as dates and notes of conferences held concerning the case. Failure of any administrative official or reviewing authority to comply with the deadlines for action specified herein shall not operate to reverse or modify a termination, tenure, or promotion decision, but shall permit the faculty member to proceed directly to petition the Faculty Grievance Committee for consideration.

*Approved by Faculty
Senate*

12-5-79

Addendum to Section II-A, Department of Music:

II. COLLEGE OF HUMANITIES AND SOCIAL SCIENCES

A. Department of Music

New courses

MUSC 593 JAZZ IMPROVISATION. (3) (Prereq: MUSC 216 or consent of instructor) (Coreq: MUSC 130N) Chord-scale relationships, notation of recorded solos, composition and performance of original solos; memorization of melodies and chord structures of standard jazz repertory.

MUSC 594 ADVANCED JAZZ IMPROVISATION. (3 credits per registration; 9 maximum) (Prereq: consent of instructor) (Coreq: MUSC 130N) Continuation of MUSC 593.

1. The first recourse of the faculty member shall be to request an immediate oral explanation from his or her administrative officer for the action taken regarding nonreappointment or denial of tenure or promotion.
2. If the faculty member does not receive an oral explanation or believes the oral explanation is unsatisfactory, the faculty member may request from the Dean of the College a written summary of the faculty member's case upon which judgments were made and action taken. The written request must be submitted to the Dean within 7 days* of notification of nonreappointment or denial of tenure or promotion. Within 15 days of the request, the Dean will provide a brief statement of the evaluation of the faculty member's qualifications relative to the criteria of the academic unit.
3. Within 7 days after receiving the summary of the case from the Dean, if the faculty member believes there are grounds for reconsideration of the case, he may state in writing the grounds for that belief and submit them to the President. The president may order a review at any faculty or administrative level on the grounds for reconsideration set forth by the faculty member if the President believes the findings of the review would substantially alter the basis upon which the initial decision of nonreappointment or denial of tenure or promotion was reached. If the President does not find compelling reasons for reconsideration, he will inform the faculty member in writing of his decision. At the same

*All days referred to in this procedure are calendar days; however, when the last day of such a period falls on a weekend or University holiday, the effective date shall be the next regular business day.

- time the President will also inform the faculty member of his or her right of appeal to the Faculty Grievance Committee, including the name of the Chairman of that Committee and the applicable grievance procedures. The Presidential review, including any unit reviews, must be completed within 20 days.
4. If, after presidential consideration has been given, a faculty member believes he has cause for grievance, he may petition the Faculty Grievance Committee for consideration of the grievance. Such a request must be made in writing to the Chairman of the Faculty Grievance Committee no later than 7 days from receipt of the President's letter.
 - a. The grievance must be based on one or more of the following allegations: inadequate consideration of unit criteria, use of impermissible criteria, denial of procedural due process, or denial of academic freedom. The Faculty Grievance Committee will not substitute its judgment for the qualitative professional judgments of the faculty in determining whether the relevant unit criteria have been adequately met.
 - b. The Faculty Grievance Committee shall hold a review on the faculty member's complaint.
 - c. The Chairman shall notify the faculty member of the time and place of the review and inform the faculty member of the procedures governing the review which shall be closed.
 - d. The proceeding shall be recorded on tape which shall be for the confidential use of the committee only.
 - e. During the review, the faculty member shall be permitted to have as advisor either a faculty member or an academic administrator of his choice or privately retained counsel. The review shall be nonadversarial in nature.

- f. The committee will assist the faculty member in securing the attendance of persons who possess relevant information and in having access to information related to the case, with the exception of confidential professional assessments.
- g. If the Faculty Grievance Committee finds that:
 - i. There has been inadequate consideration of unit criteria, use of impermissible criteria; denial of procedural due process, or denial of academic freedom, the Committee shall remand the case to the faculty or administrative level at which the inadequacy or denial occurred, and the evaluation of the faculty member shall begin anew at that point. The Committee shall send a statement of its findings and decisions to the aggrieved faculty member, to the unit involved, and to the President. If as a result of the ordered new consideration, the decision is still nonreappointment or denial of tenure or promotion, the faculty member may appeal this decision to the Academic Affairs and Faculty Liaison Committee of the Board of Trustees.
 - ii. A new consideration of the case would not be worthwhile, it shall recommend to the President an equitable resolution of the grievance and inform the faculty member of its recommendation.
 - iii. The faculty member has no grounds for complaint, the Committee shall report its findings to the faculty member and to the President.
- h. The Faculty Grievance Committee must transmit its recommendations within 30 days of receipt of the faculty member's petition.

- 5. Within 7 days of receipt of notice the faculty member may appeal the findings and recommendations of the Faculty Grievance Committee or the President's final action to the Academic Affairs and Faculty Liaison Committee of the Board of Trustees. The Academic Affairs and Faculty Liaison Committee shall have 21 days in which to complete its review and communicate its findings to the President and the faculty member. A review by the Academic Affairs and Faculty Liaison Committee of the Board of Trustees is the final level of recourse within the University. Actions by the Academic Affairs and Faculty Liaison Committee are final.

ATTACHMENT 3-B

The Faculty Advisory Committee presents to the Senate for its approval the following resolution: (This resolution is presented as a substitute for the one presented to the November 1979 meeting of the Senate.

The Faculty supports the amendment of Act 154 of 1977, relating to the State or Local Employees Grievance Procedures, so as to exempt all faculty at senior state institutions of higher learning, including two and four year campuses, if any; provided, however, the institution has internal grievance procedures adopted by the faculty and acceptable to the institution's board of trustees and to its accrediting agency.