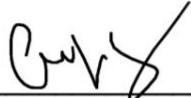


Motion: That the Faculty Handbook be changed to reflect the changes submitted to the Faculty Senate on 27 October 2020.

sections A.4.6; A.4.7; B.3; B.4.1.11; B.4; B.4.5; B.4.6; B.5.4.4.1; C.1; C.1; C.2.3.1.1;
C.2.3.1.2; C.2.3.1.2.1; C.2.3.1.3; C.2.3.2; cut 'Overload-temporary teaching
section; C.4.3; C.5.2; C.8-C.8.4; H.1; H.2; H.5; H.6; H.3.1; B.9-B.9.6.9.

PASSED by Faculty Senate on November 10, 2020

Signed 
Ari Sherris, President of the Faculty Senate

Proposed Revisions/Edits to April 2019 Version of TAMUK Faculty Handbook

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| <p>A.4.6 College Deans The deans are responsible for the overall development, promotion and general operation of their respective colleges. Deans are responsible for coordinating, supervising, and developing current and long-range planning in areas of teaching, curricula, research programs, space, equipment, and budgets. Deans supervise, counsel, and evaluate department chairs/program directors and make recommendations on all personnel actions within their respective colleges. Deans supervise degree plan preparation, maintain</p> | <p>A.4.6 College Deans The deans are responsible for the overall development, promotion and general operation of their respective colleges. Deans are responsible for coordinating supervising, and developing, and implementing current and long-range planning plans in areas of teaching, curricula, research programs, space, equipment, and budgets. Deans will be financially transparent and equitable in their dealings with departments and faculty. Deans supervise, counsel, and evaluate department chairs/program directors and make recommendations on all personnel actions within their respective colleges. Deans supervise degree plan preparation, maintain</p> | <p>Provides for emphasis on implementing plans, makes “plans” consistent with department chair roles. (you develop plans, not develop planning) Provides for financial transparency and equitability in colleges.</p> |
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| <p>records of student progress, and determine qualifications for graduation. The deans are responsible for interpreting and applying degree requirements to the individual student. Deans report to and advise the Provost and Vice President for Academic Affairs on the instructional programs of the University. Deans are evaluated annually by the Provost and Vice President for Academic Affairs.</p> | <p>records of student progress, and determine qualifications for graduation. The deans are responsible for interpreting and applying degree requirements to the individual student. Deans report to and advise the Provost and Vice President for Academic Affairs on the instructional programs of the University. Deans are evaluated annually by the Provost and Vice President for Academic Affairs.</p> | |
| <p>A.4.7 Department Chair The department chairs are responsible for the overall development, promotion, and operation of their departments. In consultation with department faculty, chairs coordinate, supervise, and develop plans for hiring, instruction, curricula, research, office use, equipment, and the budget. Chairs supervise, counsel, and evaluate their department faculty members and office staff, and make recommendations to the appropriate dean</p> | <p>A.4.7 Department Chairs The department chairs are responsible for the overall development, promotion, and operation of their departments and faculty. In consultation with department faculty, chairs coordinate, supervise, and develop plans for hiring, instruction, curricula, research, office use, equipment, and the budget. Chairs supervise, counsel, and objectively evaluate their department faculty members and office staff, and make recommendations to the appropriate dean. Chairs will be financially transparent and equitable in their dealings with faculty and staff.</p> | <p>Provides for objective and fair treatment of all faculty and staff, including financial transparency.</p> |
| <p>A.4.7 Department Chairs [cont] Chairs are eligible to receive a six-hour load reduction during the fall and spring semesters. In addition, the chair receives a stipend of \$400.00 per month. Department chairs continuing to perform administrative duties during the summer sessions are eligible for half-time salary plus a \$400.00 per month stipend for the summer months.</p> | <p>A.4.7 Department Chairs [cont] Chairs are eligible to receive a six-hour load reduction during the fall and spring semesters. In addition, the chair receives a stipend of \$400.00 per month. Department chairs continuing to perform administrative duties during the summer sessions are eligible for half to full time salary plus a \$400.00 per month stipend for the summer months.</p> | <p>Mirrors current practice.</p> |

Original

Proposed (revisions are in color & highlighted)

Rationale

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| <p>B.3 Annual Evaluation of Faculty Each college and department is responsible for implementing established university procedures for evaluation including student evaluation of instruction. The major purpose of evaluating faculty by peers and students is to improve faculty performance. The results of such evaluation may be used along with other information in decisions regarding retention, promotion, and discretionary salary increases.</p> | <p>B.3 Annual Evaluation of Faculty Each college and department is responsible for implementing established university procedures for evaluation including student evaluation of instruction. Evaluation methodology and/or metrics should be clear and transparent to and for faculty across the college and each specific department. The major purpose of evaluating faculty by peers and students is to improve faculty performance. The results of such evaluation may be used along with other information in decisions regarding retention, promotion, and discretionary salary increases. Decisions of discretionary salary increases should include the evaluation results average from the last 3 years, average since most recent measurement, or since date of hire.</p> | <p>Provides for more objective evaluation criteria and salary/merit bonuses or increases.</p> |
| <p>B.4.1.11 (Promotion Rank Guidelines/Principles) All reports in the area of “scholarship and creativity” such as publications, recitals, exhibits, creative achievements, artistic performances, and papers read at professional meetings should be limited to those that have been completed or for which written evidence of completion of the scholarly work is demonstrated. Scholarly or creative work in progress should not be included for promotion purposes. University forms used in preparation of promotion or tenure files can be found at [link]</p> | <p>B.4.1.11(Promotion Rank Guidelines/Principles) All reports in the area of “scholarship and creativity” such as publications, recitals, exhibits, creative achievements, artistic performances, and papers read at professional meetings should be limited to those that have been completed or for which written evidence of completion of the scholarly work is demonstrated (e.g. acceptance of publication in the case of yet unpublished material). Scholarly or creative work in progress should not be included for promotion purposes. University forms used in preparation of promotion or tenure files can be found</p> | <p>Simple clarification</p> |

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Proposed (revisions are in color & highlighted)

Rationale

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| <p>B.4 Promotion in Rank – Guidelines These guidelines for promotion in rank are the results of the cooperative efforts of the administration and the Faculty Senate. They represent an implementation of the general principle that peer judgment should be an important element in determining who will be promoted to a higher rank. The guidelines are divided into five headings: (1) principles, (2) minimum qualifications, (3) procedures, (4) composition of promotion committees, and (5) deadlines.</p> | <p>B.4 Promotion in Rank – Guidelines These guidelines for promotion in rank are the results of the cooperative efforts of the administration and the Faculty Senate. They represent an implementation of the general principle that peer judgment should be an important element in determining who will be promoted to a higher rank. The guidelines are divided into five headings: (1) principles, (2) minimum qualifications, (3) procedures, (4) composition of promotion committees, and (5) deadlines, and (6) Appeals.</p> | <p>Corrects the oversight (see next item)</p> |
| <p>B.4.5 Appeals – Promotion Appeals Process [no change, just moved to B.4.6]</p> | <p>B.4.5 Deadlines Deadlines for submitting promotional materials are set by the Provost and Vice President for Academic Affairs every year. Refer to http://www.tamuk.edu/academicaffairs/promotion-tenure.html for annual schedule and related information.</p> | <p>In B.4, Promotion in Rank – Guidelines, the opening paragraph states five areas, which are covered in B.4.1-4, but 5 is not provided. This revision corrects this oversight and includes the “deadlines” as noted earlier in the opening of B.4.</p> |
| <p>[N/A]</p> | <p>B.4.6 Appeals – Promotions Appeals Process [same wording just new letter/number designation]</p> | <p>This simply creates a sixth area to work with the above two items.</p> |
| <p>B.5.4.4.1 The Professional Development Plan shall indicate how specific deficiencies in a faculty member’s performance (as measured against stated college and departmental criteria developed under the provision of this process) will be remedied. The plan will grow out of collaboration between the faculty member, the review committee, the department head and the dean, and should reflect the mutual aspirations of the faculty member, the department, and the college.</p> | <p>B.5.4.4.1 The Professional Development Plan shall indicate how specific deficiencies in a faculty member’s performance (as measured against stated college and departmental criteria developed under the provision of this process) will be remedied. The plan will grow out of collaboration between the faculty member, the review committee, the department head chair and the dean, and should reflect the mutual aspirations of the faculty member, the department, and the college</p> | <p>We do not have department heads, so this is simply a correction.</p> |

Original

Proposed (revisions are in color & highlighted)

Rationale

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| <p>C.1 Duties and Responsibilities of Teaching Personnel</p> <p>Teaching responsibilities are delineated in the initial letter of hire. Such responsibilities may be altered by Administration after consultation with the faculty member.</p> <p>It is assumed that all persons accepting the responsibility of teaching a course at the University will recognize their implied obligations</p> | <p>C.1 Duties and Responsibilities of Teaching Personnel</p> <p>Teaching responsibilities are delineated in the initial letter of hire. Such responsibilities may be altered by Administration after consultation with the faculty member, which must then be memorialized in writing for both parties and dated appropriately.</p> <p>It is assumed expected that all persons accepting the responsibility of teaching a course at the University will recognize their implied and reasonably fulfill these obligations</p> | <p>The inclusion of memorializing the altering of responsibilities simply clarifies the adjustments for all parties, which, if needed, can be referred to at a later time.</p> |
| <p>C.2 Faculty Workload</p> <p><u>General Statement of Faculty Teaching Load</u></p> <p>Each full-time tenured, tenure-track faculty member, a person employed for instructional purposes, will teach classes and assume a reasonable workload of related activities to constitute a full-time instructional load normally construed to be twelve semester credit hours per semester, but this may vary at the discretion of Administration. Persons employed on a part-time basis from instructional funds are expected to assume a workload proportional to the percentage of employment from these funds. For purposes of workload calculation one semester credit hour is ordinarily the equivalent of one lecture hour per week. In some cases the contact hour equivalent may vary due to the nature of the required instructional activity.</p> <p>Faculty members are expected to engage in those commonly accepted activities and duties which serve to enhance the teaching/learning process and the quality of the program with which they are involved. These activities and duties include classroom teaching; remaining current in their discipline through scholarly study; basic and/or applied research and/or performance; student advising and counseling; course and curriculum development; serving on department, college and</p> | <p>C.1 Faculty Workload</p> <p><u>General Statement of Faculty Teaching Load</u></p> <p>Each full-time tenured, tenure-track faculty member, a person employed for instructional purposes, will teach classes and assume a reasonable workload of related activities to constitute a full-time instructional load normally construed to be twelve semester credit hours per semester, but this may vary at the discretion of Administration.</p> <p>The standard maximum teaching effort is 12 credit hours per semester and is considered 80% of the faculty workload. The remaining 20% of faculty workload is from service, professional development, and other activities such as academic advising, supervision of undergraduate and graduate students, direction of individual studies, curriculum development, participation in college and university governance, scholarship, and participation in professional activities (reviewer for peer reviewed journals, holding officer position in professional academic societies or organizations, and other related activities) community activities, and special projects of the university.</p> <p>Persons employed on a part-time basis from instructional funds are expected to assume a workload proportional to the percentage of employment from these funds. For purposes of workload calculation one semester credit hour is ordinarily the equivalent of one lecture hour per week. In some cases the contact hour equivalent may vary due to the nature of the required instructional activity.</p> | <p>This addition clarifies faculty workload based on the “Time and Effort” memo signed by President Tallant, 5 Nov. 2009. (The “Time and Effort” memo is also appended to this document). The other edits are for clarity and include non-instructional workload assignments must be memorialized in writing.</p> |

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| <p>university level committees; and assisting in the administration of the academic programs and other similar activities that are operated in the interest of the University.</p> | <p>Assignments of non-instructional workload credit are made by the dean of each college on the basis of recommendations made by the appropriate department chair in consultation with the department faculty member(s) and are agreed to in writing. Non-instructional workload assignments require the approval of the Provost and Vice President of Academic Affairs.</p> <p>Faculty members are expected to engage in those commonly accepted activities and duties which serve to enhance the teaching/learning process and the quality of the program with which they are involved. These activities and duties could include classroom teaching; remaining current in their discipline through scholarly study; basic and/or applied research and/or performance; student advising and counseling; course and curriculum development; serving on department, college and university level committees; outreach and recruitment, and assisting in the administration of the academic programs and other similar service and activities that are operated in the interest of the University.</p> | |
| <p>C.2.3.1.1 Supervision of Graduate Students Chair, Master's Thesis Committee (Supervising Professor) or Chair, Doctoral Committee. For completion of five theses or five dissertations 3 hours of release time can be considered. That is, after a faculty member has supervised five theses, or five dissertations, the faculty member may receive a teaching load reduction of three-semester-hours for one semester, at a time deemed feasible by the chair.</p> | <p>C.2.3.1.1 Supervision of Graduate Students Chair, Master's Thesis Committee (Supervising Professor) or Chair, Doctoral Committee. ForAfter completion of any combination of five theses and/or five dissertations, 3 hours of release time can be considered obtained. That is, after a faculty member has supervised a combined five theses, and/or five dissertations, the faculty member may receive a three-credit teaching load reduction of three-semester-hours for one long semester, at a time deemed feasible by the chair and in consultation with the faculty member. The faculty member is responsible for keeping track and providing evidence of completed theses or dissertations and presenting them to the appropriate chair and dean upon completion so arrangements can be made for the next long semester or other agreed upon semester, which will be memorialized in writing and signed by both parties.</p> | <p>This revision clarifies the policy so that any combination of five theses or dissertations receives a 3 TLC course waiver for one semester. And the faculty member must keep record of this work to earn the relief.</p> |

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| [N/A] | C.2.3.1.2 Supervision of Graduate Projects Faculty supervising a thesis, dissertation, or project, with a graduate student, have a right and responsibility to meet regularly with that student, provide feedback on the student's efforts, and help determine the direction of efforts. | This addition helps clarify the faculty responsibility in regards to graduate projects, such as a thesis. |
| C.2.3.1.2.1 Teaching Overloads (a) A faculty member who is assigned a teaching overload will be compensated via supplemental pay at a minimum of \$2,800 per 3 TLC course. Departments or Colleges may compensate at higher rates if a reasonable business basis is articulated. (b) It is discouraged, but if the faculty member and department chair agree to an overload as "banked hours" they must arrange it to be used in the next three long semesters. Banked hours cannot be redeemed later than three long semesters following the semester in which the overload occurred. | C.2.3.1.2.1 Teaching Overloads (a) A faculty member who is assigned a teaching overload will be compensated via supplemental pay at a minimum of \$933.34 2,800 per 1 3 TLC. Specific details and compensation amount will be agreed upon in a signed contract between the faculty member, department chair, and college dean. Departments or Colleges may compensate at higher rates if a reasonable business basis is articulated. (b) It is discouraged, but if the faculty member and department chair agree to an overload as "banked hours" they must arrange agree and sign a contract detailing how and when it to will be used in the next three long semesters. Banked hours cannot be redeemed later than three long semesters following the semester in which the overload occurred. | This clarifies that a one-credit course should be compensated and at 1/3 of the three-credit amount. Further, any overload should be in writing/contract for all parties to understand and refer to as needed. |
| C.2.3.1.3 Teaching Program Development Involvement in development of the teaching program by preparation of new course material, new teaching methods, and classroom or laboratory material or major curriculum development may be considered for release time as determined by the chair, academic dean and Provost and Vice President for Academic Affairs, but will not exceed 3 semester credit hours. | C.2.3.1.3 Teaching Program Development Involvement in development of the teaching program by preparation of new course material, new teaching methods, and classroom or laboratory material or major curriculum development may be considered for release time as determined by the chair, academic dean and Provost and Vice President for Academic Affairs, but will not exceed 3 semester credit hours and must be understood through a written contract. | This addition simply puts the understanding in writing for all parties. |

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| <p>C.2.3.2 Administrative Assignments and Other Professional Assignments</p> <p>Department Administration. Department chairs receive 6 hours of release time during long semesters and are eligible for 1.5 months administrator pay during the summer.</p> | <p>C.2.3.2 Administrative Assignments and Other Professional Assignments</p> <p>Department Administration. Department chairs receive 6 hours of release time during long semesters and are eligible for 1.5 to 3 months administrator pay during the summer.</p> | <p>Mirrors current practice.</p> |
| <p>C.3 Overload – Temporary Teaching</p> <p>Teaching overloads are discouraged, however, situations arise in which faculty members agree or volunteer for programmatic reasons to teach more than standard full loads for their appointment. These should be limited to no more than one course (< 4 TLCs) per semester. Faculty members cannot be required to teach an overload. A department chair and the faculty member will decide how the overload will be compensated.</p> <p>(a) A faculty member who is assigned a teaching overload will be compensated via supplemental pay at a minimum of \$2,800 per 3 TLC course. Departments or Colleges may compensate at higher rates if a reasonable business basis is articulated.</p> <p>(b) It is discouraged, but if the faculty member and department chair agree to an overload as “banked hours” they must arrange it to be used in the next three long semesters. Banked hours cannot be redeemed later than three long semesters following the semester in which the overload occurred.</p> | <p>[N/A]</p> | <p>This section is proposed to be cut because it is explained in C.2.3.1.2.1 Teaching Overloads, noted above. It is not needed twice.</p> |

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| <p>C.4.3 For Reasons Other Than Illness There are times when it is necessary for an instructor to miss a class either for compelling personal reasons other than illness or because of a need to attend a professional meeting or to serve the University in some other capacity. A “Travel Leave Request Form” should be submitted at least a week in advance in every such case, so that the responsibility for meeting classes can be transferred to an equally qualified faculty replacement. All absences must be approved by the department chair and college dean.</p> | <p>C.4.3 For Reasons Other Than Illness There are times when it is necessary for an instructor to miss a class either for compelling personal reasons other than illness or because of a need to attend a professional meeting or to serve the University in some other capacity. A “Travel Leave Request Form” should be submitted at least a week in advance in every such case, so that the responsibility for meeting classes can be transferred to an equally qualified faculty replacement. All absences must be approved by the department chair and college dean. The instructor should find a suitable temporary replacement or make appropriate arrangements for the classes missed, which are communicated to the appropriate class or classes and department chair.</p> | <p>This addition clarifies the responsibility of the faculty member.</p> |
| <p>C.5.2 Guidelines for Distance Learning and Off-Campus Faculty <u>Compensation</u> - Teaching distance learning or off-campus classes may be a part of a faculty member’s regular teaching load. Nine-month faculty can teach overload off-campus courses. Faculty who have been granted “release time” from the normal 12 semester hour teaching assignment do not qualify for an overload. Twelve-month employees generally can accept extra pay responsibilities if they are temporary, unrelated to their normal duties, and outside their regular work hours. However, 12-month nonclassified staff (administrative, professional) such as directors, deans, vice-presidents, etc. cannot receive extra compensation for extra assignments such as teaching, etc.</p> | <p>C.5.2 Guidelines for Distance Learning and Off-Campus Faculty <u>Compensation</u> - Teaching distance learning or off-campus classes may be a part of a faculty member’s regular teaching load. Nine-month faculty can teach overload off-campus courses. Faculty who have been granted “release time” from the normal 12 semester hour teaching assignment do not qualify for an overload compensation unless a significant additional burden can be documented. Twelve-month employees generally can accept extra pay responsibilities if they are temporary, unrelated to their normal duties, and outside their regular work hours. However, 12-month nonclassified staff (administrative, professional) such as directors, deans, vice-presidents, etc. cannot receive extra compensation for extra assignments such as teaching, etc.</p> | <p>This clarifies the need to demonstrate just cause for an overload (and the compensation derived from it).</p> |
| <p>C.8 Grading Students The instructor in a course bears the full responsibility for grading his or her students. The final grade assigned a student should not be changed unless the instructor finds that he or</p> | <p>C.8 Grading Students Grades should be assigned using professional standards with the basis for establishing grades provided to students at the beginning of the semester or term. The instructor in a course bears the full responsibility for grading his or her</p> | <p>Phrasing is revised and clarified for faculty. C.8 is revised for clarity, but nothing is new. C.8.1 is unchanged. C.8.2 is unchanged</p> |

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| <p>she has made an error. To change a student's grade, the appropriate form must be picked up at the Office of the Registrar, completed, and approved by the instructor, chair, and college dean before it is returned to the Registrar's Office. Grades should be assigned using professional standards with the basis for establishing grades provided to students at the beginning of the semester or term. The grade of I is assigned whenever the instructor and the student mutually agree to delay the completion of coursework (and thus a final grade) beyond the end of the semester or session. The instructor is required to complete the standard university contract form for each course in which the temporary grade of I has been assigned. This contract must be sent to the Office of the Registrar.</p> <p>C.8.1 Grade Reporting Policy Each faculty member is responsible for reporting his or her grades as soon as possible and by no later than the hour and day designated as the deadline at the end of each semester.</p> <p>C.8.2 Grade Posting Policy Texas A&M University-Kingsville's grade posting policy conforms to the Family Educational Rights and Privacy Act (FERPA). As a general guideline, students must provide written consent (following the format specified in FERPA) before any institutional records may be released to anyone other than the student. Grades may be posted publicly only by assigning students unique, confidential numbers or codes, and ensuring that such codes or numbers are not alphabetic. Mailing grades via postcards violates Federal law.</p> | <p>students. The final grade assigned a student should not be changed unless the instructor finds that he or she has made an error.</p> <p>C.8.1 Grade Reporting Policy Each faculty member is responsible for reporting his or her grades as soon as possible and by no later than the hour and day designated as the deadline at the end of each semester.</p> <p>C.8.2 Grade Posting Policy Texas A&M University-Kingsville's grade posting policy conforms to the Family Educational Rights and Privacy Act (FERPA). As a general guideline, students must provide written consent (following the format specified in FERPA) before any institutional records may be released to anyone other than the student. Grades may be posted publicly only by assigning students unique, confidential numbers or codes, and ensuring that such codes or numbers are not alphabetic. Mailing grades via postcards violates Federal law.</p> <p>C.8.3 Grade Change Policy A change to a student's grade can be submitted online via Blue and Gold Main Menu (then under "Faculty and Advisors"), and then selecting the "Grade Change Request" option at the Main Menu. (Note: A paper Grade Change Request will need to be submitted if teaching a UNIV or NCB course, or if the instructor is no longer teaching at the University. Once completed, the paper form will require approval signatures from the instructor (or chair), chair, and college dean before submitting to the Registrar's Office for processing. The paper form can be picked up at the Javelina Enrollment Services Center, MSUB room 132.)</p> <p>C.8.4 Incomplete or "I" Grades The grade of "I" is assigned whenever the instructor and the student mutually agree to delay the completion of coursework (and thus a final grade) beyond the end of the semester or session. The instructor is required to complete the standard university contract form for each course in which the temporary grade of "I" has been</p> | <p>C.8.3 is new, but taken from the removed material from C.8, and updated with current information.</p> <p>C.8.4 is new, but taken from parts of C.8 and updated with current information.</p> <p>This revision was approved by Millie. (<i>Do you need more rationale?</i>)</p> |
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| | <p>assigned. This contract must be sent to the Office of the Registrar who will post the “I” grade. The contract form can be found through JNET, under the “Faculty” tab.</p> | |
| <p>H.1 Student Academic Rights and Responsibilities Please refer to the current Student Handbook for all student-related topics at Student Handbook Webpage.</p> | <p>H.1 Student Academic Rights and Responsibilities Faculty are expected to be familiar with Student Academic Rights and Privileges. Please refer to the current <i>Student Handbook</i> for all student-related topics at Student Handbook Webpage.</p> | <p>This points to the importance of faculty being aware of Students’ rights and privileges, which enhances student interaction and engagement.</p> |
| <p>H.2 Class Attendance Policy The University defines certain types of absences as "official" or "excused" absences. These are absences due to confining illness, serious illness or death in the family, and participation in sanctioned intercollegiate competition or officially approved class activity. A student wishing to be excused for any other reason must obtain the approval of each instructor concerned. Faculty members or sponsors who request an official student absence for the purpose of an intercollegiate competition or class activity should obtain advance written approval from the appropriate authority.</p> | <p>H.2 Class Attendance Policy The University defines certain types of absences as "official" or "excused" absences. These are absences due to confining illness, serious illness or death in the family, and participation in sanctioned intercollegiate competition or officially approved class activity. A student wishing to be excused for any other reason must obtain the approval of each instructor concerned at least three business days in advance. Faculty members or sponsors who request an official student absence for the purpose of an intercollegiate competition or class activity should obtain advance written approval from the appropriate authority at least three business days in advance.</p> | <p>This update allows faculty to prepare for absent students, improves communication with students, and creates a record of an absence.</p> |
| <p>H.5 Dead Week and Study Day To support the learning environment, the University will adhere to a four school-day period of student study before the first scheduled final examinations each long semester. <u>During this time, no required quizzes, tests or examinations (except make-up tests and/or final examinations for graduating seniors) shall be administered.</u> The latter does not preclude the introduction of new material in classes or the administering of laboratory final examinations, nor does it create an implication that class attendance is not expected during this</p> | <p>H.5 Study Day and Study Week Study Day To support the learning environment, the University will adhere to a one school-day period of student study before the first scheduled final examinations each long semester. During this time, no required quizzes, tests or examinations (except make-up tests and/or final examinations for graduating seniors) shall be administered. The day before final examinations are scheduled to begin will be designated as Study Day. No classes will be held on this day to allow preparation time</p> | <p>This revision is from the Task Force that was created to revise this language. This was voted on and approved by Faculty Senate last year. This simply updates the Faculty Handbook. (This was also approved, coordinated, and revised based on input from the Provost’s office.)</p> |

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| <p>period. The day before final examinations are scheduled to begin will be designated as a study day. No classes will be held on this day to allow preparation time for students and faculty. Scheduling of other University events or functions <u>that involve students</u> is discouraged and should be limited during this period.</p> | <p>for students and faculty. Scheduling of other University events or functions that involve students is discouraged and should be limited during this period.</p> <p>Study Week: Partial Week of Classes before Study Day</p> <p>During the partial week of classes leading up to Study Day, no comprehensive tests (known as a “Final”) will be administered to students, except under special circumstances (e.g. graduating seniors). Faculty should refrain from administering required tests, quizzes, or examinations during this time, and instead, consider including any such material part of the Final Exam given during Finals Week. Presentations, projects, and papers may be turned in during the partial week of classes.</p> | |
| <p>H.6 Grade Average</p> <p>The minimum grade point requirement for students who are considered to be making satisfactory academic progress is a 2.0 overall grade point average and is the GPA required for graduation. All transfer students must have a cumulative 2.0 GPA to transfer into A&M-Kingsville. For further information, please refer to the current <i>Undergraduate Catalog</i></p> | <p>H.6 Grade Point Average</p> <p>The minimum grade point requirement for students who are considered to be making satisfactory academic progress is a 2.0 overall grade point average and is the GPA required for graduation, unless a specific program requires a higher GPA. All transfer students must have a cumulative 2.0 GPA to transfer into A&M-Kingsville. For further information, please refer to the current <i>Undergraduate or Graduate Catalog</i>.</p> | <p>Updated to reflect current practice and includes Graduate catalog.</p> |
| <p>H.3.1 Student Absences on Religious Holy Days</p> <p>A student who is absent from classes to observe a religious holy day will be allowed to take an examination or complete an assignment scheduled for that day within a reasonable time before or after the absence.</p> | <p>H.3.1 Student Absences on Religious Holy Days</p> <p>Under Texas Education Code, §51.911, all institutions of higher education shall excuse a student from attending classes or other required activities, including examinations, for the observance of a religious holy day, including travel</p> | <p>This revision was approved last year.</p> |

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Proposed (revisions are in color & highlighted)

Rationale

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| <p>The student should notify each faculty member of this proposed absence as early in the semester as possible.</p> <p>The instructor may appropriately respond if the student fails to satisfactorily complete the assignment or examination within a reasonable time after the absence.</p> | <p>for that purpose. A student whose absence is excused under this subsection may not be penalized for that absence and shall be allowed to take an examination or complete an assignment from which the student is excused within a reasonable time after the absences.</p> <p>Texas Administrative Code <link></p> <p>A student who is absent from classes to observe a religious holy day will be allowed to take an examination or complete an assignment scheduled for that day within a reasonable time before or after the absence.</p> <p>The student should notify each faculty member of this proposed absence as early in the semester as possible. The instructor may appropriately respond if the student fails to satisfactorily complete the assignment or examination within a reasonable time after the absence.</p> | |
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Original

Proposed (revisions are in color & highlighted)

Rationale

This entire section was rewritten to be more clear as to procedure and purpose. Dr. Meyer worked with Dr. J. Goswami to make this more useable (and user friendly) for faculty and administrators. The previous version lacked procedure and process. The revised version is much clearer.

Because of the amount of revision, we ask for leniency in the highlighting aspects of revisions and we provide both versions below. The right side would fully replace the entirety of B.9 (which is in the left column) in the Current Handbook.

Current on Left <--

--> Proposed Revision on Right.

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| <p>B.9 Grievances</p> <p>The grievance procedure to be followed is to be determined by the status (faculty, staff, student) of the complainant. There are both formal and informal grievance procedures.</p> <p>Faculty Grievance Procedures for Matters Other Than Sexual Harassment, Discrimination, EEO Complaints, Faculty Dismissals, Non-Reappointments and Terminal Appointments</p> <p>B.9.1.1 Faculty Grievance Committee</p> <p>Preamble:</p> <p>The objective of these grievance procedures is to reconcile disagreements in a prompt and just manner in order to leave the least amount of enduring rancor. This should be accomplished by facilitating voluntary resolutions whenever possible. If a mutually acceptable resolution is not possible, it shall then be the duty of the Faculty Grievance Committee to collect and record all pertinent evidence swiftly and impartially and to submit its own recommendation for a resolution to the President. Although committed to the impartial discharge of its duties, the Committee should strive to avoid a courtroom atmosphere and to maintain a collegial environment in its proceedings.</p> <p>B.9.1.1.1 Purpose and Functions</p> <p>1. The purpose of the Faculty Grievance Committee shall be to insure swift and impartial consideration of grievances between faculty members, and faculty members against department chairs, university administrators, and supervisors. The Committee shall investigate all faculty grievances which are brought to its attention through written petition, with the exception of sexual harassment, discrimination, faculty dismissals, non-reappointments, and terminal appointments.</p> <p>2. The functions of the Faculty Grievance Committee shall be to gather and substantiate evidence, consider arguments, and receive testimony relating to faculty grievances; to mediate</p> | <p>B.9 Grievances</p> <p>The grievance procedure to be followed is to be determined by the status (faculty, staff, student) of the complainant. There are both Informal and Formal Grievance procedures.</p> <p>(Note: The following Faculty Grievance Procedures are for matters other than Sexual Harassment, Discrimination, EEO Complaints, Faculty Dismissals, Non-Reappointments and Terminal Appointments. Refer to Texas A&M System Regulation 08.01.01–Civil Rights Compliance.)</p> <p>B.9.1 General Information</p> <p>According to System Policy, 32.01.01, <i>Complaint and Appeal Process for Faculty Members</i>:</p> <p>Each system employee has the right under the statutes of Texas to present complaints concerning wages, hours of work or conditions of work. A complaint may be presented individually or through a representative provided such representative does not claim the right to strike. Any retaliatory action taken against an employee for filing a complaint or otherwise participating in the processes established by this regulation or established by an academic institution pursuant to this regulation is prohibited. Such retaliatory action will be regarded as a separate and distinct cause for complaint. The filing of a complaint, however, will not constrain an academic institution from taking appropriate employment action. An employee may be disciplined for the bad faith filing of a complaint.</p> <p>A faculty member believing that there is cause for complaint or appeal concerning a matter covered by this regulation should discuss the matter in a personal conference with the department head. If the matter cannot be resolved by mutual consent at this point, the issue should be discussed with the dean or equivalent administrator.</p> <p>(Note: The terms “complaint” and “grievance” may be used interchangeably in this section.)</p> <p>The objective of these grievance procedures is to reconcile disagreements in a prompt and just manner. This should be accomplished by facilitating</p> |
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| <p>disagreements when possible; and to report its findings and recommendations to the President.</p> <p>B.9.1.1.2.Designation of Parties to a Conflict The faculty member bringing the grievance shall be called the Petitioner. The faculty member, chair, administrator, or supervisor against whom the grievance is made shall be called the Respondent.</p> <p>B.9.1.1.3 General Principles Governing Faculty Grievances</p> <ol style="list-style-type: none"> 1. Grievances may refer to a specific act or incident or to a series of acts or incidents but must be filed in a timely and reasonable manner. 2. Faculty members with the same grievance may jointly initiate formal grievance procedures. 3. The initiation of formal grievance proceedings is not in itself an indication of the validity of the grievance. 4. The Faculty Grievance Committee is not intended to substitute for a court of law; therefore, formal rules of evidence shall not be enforced in its proceedings. 5. The Petitioner or Respondent may exercise the right to be accompanied by any person of his or her own choosing, including legal counsel. Such representative or counsel may participate as an advocate during the grievance process. 6. If the Respondent agrees, the Petitioner may terminate the formal grievance process at any time by providing the Committee with a written request to withdraw the petition. <p>B.9.1.1.4 Relationship Between Formal and Informal Grievance Procedures</p> | <p>informal, mutually acceptable resolutions whenever possible through the Informal Grievance process. If a mutually acceptable resolution is not possible, and if the faculty member proceeds to file a formal grievance, it shall then be the duty of the Faculty Grievance Committee to collect and record all pertinent evidence swiftly and impartially and to submit its own recommendation of a resolution to the President. Although committed to the impartial discharge of its duties, the Committee should strive to avoid a courtroom atmosphere and to maintain a collegial environment in its proceedings.</p> <p>B.9.2 Designation of Parties to a Conflict The faculty member bringing the grievance shall be called the Petitioner. The faculty member, chair, administrator, or supervisor against whom the grievance is made shall be called the Respondent. Any third party brought in to serve as an objective and dispassionate mediator shall be called the Mediator.</p> <p>B.9.3 General Principles Governing Faculty Grievances</p> <ol style="list-style-type: none"> 3.1 Grievances may refer to a specific act or incident or to a series of acts or incidents but must be filed within six months of alleged grievance occurrence. 3.2 Faculty members with the same grievance may jointly initiate grievance procedures. 3.3 The initiation of informal or formal grievance proceedings is not in itself an indication of the validity of the grievance. 3.4 The Petitioner or Respondent may exercise the right to be accompanied by any person of his or her own choosing, including legal counsel. Such representative or counsel may participate as an advocate during the grievance process. 3.5 If the Respondent agrees, the Petitioner may terminate the informal or formal grievance process at any time by providing the Committee with a written request to withdraw the petition. |
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1. The Faculty Grievance Procedure does not replace, but is an alternative to, informal grievance procedures, which normally include discussing the appeals with department chairs and college deans. Without determining the merits of the grievance, the Provost and Vice President for Academic Affairs may seek a resolution. If a resolution cannot be effected, the Grievant Petitioner will be so advised and his/her options outlined. (Informal channels will vary in the case of a grievance against a nonacademic administrator.)

2. The faculty member with a grievance shall be the sole judge as to whether formal grievance procedures are necessary and when such procedures should be initiated. However, the parties involved should first make a reasonable effort to resolve a grievance through direct discussion.

3. In unresolved cases using informal grievance procedures, the appropriate vice president shall notify the President in writing of the results of the proceedings, with copies delivered to the parties to the grievance. The Petitioner shall then have ten working days in which to initiate formal grievance proceedings should he/she so desire. The President shall withhold any final judgment until after the ten-working-day period has elapsed.

4. Upon notification that formal grievance procedures have been initiated, the President shall then delay a decision until those proceedings have been completed.

B.9.1.1.5 Procedures for Grievance Process

If the informal grievance procedures do not result in resolving the petitioner's grievance, the following procedures will apply.

1. The formal grievance procedure is initiated when the Chair of the Faculty Grievance Committee receives a written petition from a faculty member requesting Committee consideration of his or her grievance. The Petition of Grievance shall set forth in detail the nature of the grievance and shall also contain any

B.9.4 Relationship Between Informal and Formal Grievance Procedures

4.1 The Informal Grievance procedure is recommended as being the initial step to resolve a faculty member's grievance.

4.2 In unresolved cases using Informal Grievance procedures a Formal Grievance may be initiated by the Petitioner. The faculty member with a grievance shall be the sole judge as to whether formal grievance procedures should be initiated in accordance with this section.

4.3 At the conclusion of an Informal Grievance process and receipt of the written summary and outcome of the Informal Grievance process, the Petitioner shall then have ten working days in which to file a Formal Grievance, proceedings should he/she so desire with the Provost and VP for Academic Affairs.

4.4 Without determining the merits of the grievance, the Provost and Vice President for Academic Affairs may seek a resolution, as outlined below in 6.1.1. If a Formal Grievance is initiated by the Petitioner, the Provost and Vice President for Academic Affairs shall notify the President in writing of the initiation of a Formal Grievance, with that communication copied to the Petitioner and Respondent.

4.5 The President shall withhold any final judgment until he or she has been informed of the recommendation of the Formal Grievance Committee.

B.9.5 Informal Grievance Process

The informal grievance process between parties aims at resolving a petitioner's grievance in an informal, collegial, professional, and fair manner.

5.1 Procedure for Informal Grievance Process

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| <p>factual or other data which the Petitioner deems pertinent to the case.</p> <p>A grievance petition should contain at least the following information:</p> <ol style="list-style-type: none"> a. Description of allegations and claims. b. List of witnesses and copies of documents that support claims. c. Explanation of how the Petitioner has been injured by the action of the Respondent. d. Indication of whether the respondent has been informed of the Petitioner's grievance and a description of Respondent's response. e. Indication of what the Petitioner would regard as a satisfactory solution. <p>2. Within three working days of receiving the Petition, the Chair of the Faculty Grievance Committee shall notify the President in writing that grievance proceedings have been initiated.</p> <p>3. Within seven working days of receiving a written petition to initiate formal grievance proceedings, the Chair of the Faculty Grievance Committee shall acknowledge this fact to the Petitioner; notify all committee members, the Respondent, and pertinent members of the Administration; and provide a copy of the Faculty Grievance Procedure and any other relevant information to both the Petitioner and Respondent.</p> <p>4. The Committee shall have twenty-five working days in which to complete its investigation.</p> | <p>The informal grievance procedure is initiated by the Petitioner in writing to the Respondent's immediate supervisor or, in case of grievance with an immediate supervisor, that person's supervisor.</p> <p>5.1.1 An informal grievance should at least contain the following information:</p> <ol style="list-style-type: none"> a. Details of the complaint, including dates and alleged acts pertaining to the grievance. b. Name(s) of the person(s) against whom the grievance is filed. c. Indication of what the Petitioner would regard as a satisfactory solution. <p>5.2 The Supervisor will acknowledge the Petitioner's grievance in writing within five working days. The Supervisor will communicate with the Respondent informing them of the Informal Grievance and request a written response to the grievance by the Respondent within five business days. The Supervisor then coordinates with the Petitioner and Respondent, as needed, toward a resolution of the grievance.</p> <p>5.2.1 At any time, if the Supervisor, Respondent, or Petitioner requests, a mediator can be chosen that the Petitioner and Respondent agree to.</p> <p>5.3 If the informal grievance procedure results in resolving the Petitioner's grievance, the agreed upon resolution is memorialized in writing. The written resolution to the informal grievance must include a summation of the process, outcome, and resolution, including detail of the resolution and a timeline, if needed, for the resolution, and any other pertinent information. The resolution should be provided in writing to the Petitioner, Respondent, Supervisor of Respondent and, if utilized, the mediator. The resolution should be implemented based on the agreement. The Supervisor will maintain a copy.</p> <p>5.4 If the Informal Grievance process does not result in resolving the Petitioner's grievance, the Petitioner has the option to file a Formal Grievance.</p> |
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| <p>5. Within seven working days after the Committee agrees on a recommendation, the Committee Chair shall relay its recommendation, any minority opinions, a summary of the Committee's findings, and a complete record of the proceedings to the President. The Chair shall simultaneously provide the same information, with the exception of the complete record of the proceedings, to the Petitioner and Respondent. The complete record shall be made available to either Petitioner or Respondent on request.</p> <p>6. Upon receiving the Committee's recommendation, the President shall have ten working days to make a decision or to request further evidence on points which are not fully developed in the record.</p> <p>a. Should the President request additional evidence, the Committee shall have ten working days in which to provide it.</p> <p>b. Upon receiving the Committee's response to a request for additional evidence, the President shall have an additional ten working days in which to render a decision.</p> <p>7. The President's decision shall be conveyed in writing; and copies shall be sent to the Petitioner, the Respondent, and the Committee.</p> <p>B.9.1.1.6 Selection and Composition of Faculty Grievance Committee</p> <p>1. The Grievance Committee shall be formed on an ad hoc basis as needed for individual grievances. The pool in place according to Texas A&M University-Kingsville Rule 12.01.99.K1- Academic Freedom, Responsibility and Tenure will constitute the pool for grievances and complaints as defined in this section. The only difference (vis-à-vis hearing committees as described in the Rule) will be that the President of the University (instead of the Provost) or his/her designee will appoint the Grievance Committee (in order to comply with Texas A&M System</p> | <p>5.4.1 The supervisor and/or mediator will inform the Petitioner of the procedure to move to a Formal Grievance as noted in policy B.9.6.</p> <p>5.4.2 The Supervisor must memorialize in writing the process and outcome of the Informal Grievance process so it can be referred to, as needed, in a Formal Grievance process, should one be initiated by the Petitioner. This report should be provided to the Petitioner and Respondent within ten working days of the conclusion of the Informal Grievance process.</p> <p>5.4.3 Within thirty working days of receipt of the Informal Grievance report from the Supervisor, the Petitioner has the option to file a Formal Grievance as outlined in B.9.6, or any future Formal Grievance will be considered untimely.</p> <p>B.9.6. Formal Grievance Process</p> <p>The Formal Grievance Process between parties aims at resolving a Petitioner's grievance in a formal, collegial, professional, and fair manner.</p> <p>B.9.6.1. Procedure for Formal Grievance</p> <p>If the Petitioner wishes to initiate a formal grievance, the following procedures will apply.</p> <p>The petitioner files a Formal Grievance in writing with the Provost and VP for Academic Affairs that contains the following items:</p> <ol style="list-style-type: none"> Description of allegations and claims with documentation, and if applicable, a copy of the Informal Grievance report; List of witnesses, including a brief statement about anticipated testimony; Explanation of how the Petitioner has been injured by the action or inaction of the Respondent; Indication of whether the respondent has been informed of the Petitioner's grievance; Indication of what the Petitioner would regard as a satisfactory solution. |
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| <p>Regulation 32.01.01–Complaint and Appeal Procedures for Faculty Members).</p> <p>2. Challenges to committee membership are described in Texas A&M University-Kingsville Rule 12.01.99.K1-Academic Freedom, Responsibility and Tenure.</p> <p>B.9.1.1.7 Operational Guidelines of the Faculty Grievance Committee</p> <p>1. The Committee shall elect its own chair.</p> <p>2. All decisions shall be made by majority vote.</p> <p>3. Three members shall constitute a quorum.</p> <p>4. The Chair shall rule on all procedural matters, subject to appeal by any member, with a majority vote deciding the issue.</p> <p>5. The Petitioner and the Respondent shall each have the right to a formal hearing, though this right may be waived without prejudicing the outcome of the case.</p> <p>6. The grievance hearing(s) shall be held at a time and place mutually convenient to the Petitioner, the Respondent, and the Committee. Adequate notice shall be provided to all interested parties at least ten working days prior to the hearing.</p> <p>7. Committee proceedings to collect evidence and hear testimony shall be private and confidential and only in the presence of members of the Committee, the Petitioner, the Respondent, and the witness who is giving testimony. (Either party may have counsel present.)</p> <p>8. Committee deliberations shall occur with only Committee members present. However, the Committee, at its discretion,</p> | <p>6.1.1 From receipt of the Formal Grievance materials, the Provost and VP for Academic Affairs will have ten working days to attempt a resolution regarding the grievance or submit it to the President’s office.</p> <p>6.1.2 If the Provost and VP for Academic Affairs cannot resolve the grievance within ten working days, he or she must inform the President of the Formal Grievance and deliver grievance documents by the end of the tenth business day.</p> <p>6.1.3 Within an additional five days, the President will form a Formal Grievance Committee and a chair will be elected by the committee membership.</p> <p>6.1.3.1 The Grievance Committee shall be formed on an ad hoc basis as needed for individual grievances. The pool in place according to Texas A&M University-Kingsville, Academic Operating Procedure 1 (https://www.tamuk.edu/academicaffairs/_files_AA/AOP1.pdf) will constitute the pool for the Formal Grievance Committee.</p> <p>6.1.3.2 Challenges to Formal Grievance Committee membership are described in TAMUK Academic Operating Procedure 1: Academic Freedom, Responsibility and Tenure and will be followed in accordance with that policy.</p> <p>B.9.6.2 Purpose and Functions of the Formal Grievance Committee</p> <p>6.2.1 Purpose of Formal Grievance Committee</p> <p>The purpose of the Formal Grievance Committee shall be to ensure swift and impartial consideration of grievances between faculty members, and faculty members against department chairs, university administrators, and supervisors. The Committee shall investigate all faculty grievances which are brought to its attention through written petition, with the exception of sexual harassment, discrimination, faculty dismissals, non-reappointments, and terminal appointments.</p> <p>6.2.2 Function of Formal Grievance Committee</p> |
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| <p>may call before it any person with relevant knowledge of the case.</p> <p>9. At least seven working days before the date of the hearing both parties shall exchange names of witnesses and copies of documents to be introduced at the hearing.</p> <p>10. The Petitioner and Respondent shall be given an opportunity to obtain and present necessary witnesses and documentary or other evidence. The Administration shall cooperate with the committee in securing witnesses and making available documentary and other evidence.</p> <p>11. The Petitioner and Respondent shall each have the right to confront and cross-examine all witnesses. However, when a witness cannot or will not appear, and the Committee determines that the witness's statement is valuable, the Committee shall identify the witness, disclose his or her statement, and if possible provide for interrogatories.</p> <p>12. If any party, including an invited witness, chooses to present no evidence, the Chair shall so note in the record, and the proceedings shall continue on the basis of the evidence introduced by other parties.</p> <p>13. The Committee shall grant adjournments to enable either party to investigate evidence for which a valid claim of surprise is made.</p> <p>14. All evidence shall be made available to each Committee member individually in a convenient and secure place designated by the Chair.</p> <p>15. The University shall arrange for a verbatim record (either typewritten or electronically recorded) of all testimony presented</p> | <p>The functions of the Formal Grievance Committee shall be to gather and substantiate evidence, consider arguments, and receive testimony relating to faculty grievances; to mediate disagreements when possible; and to report its findings and recommendations to the President.</p> <p>B.9.6.3 Operational Guidelines for Formal Grievance Committee</p> <ol style="list-style-type: none"> 1. The Committee shall consist of five members. 2. The Committee shall elect its own chair. 3. All decisions shall be made by majority vote. 4. Three members shall constitute a quorum. 5. The Chair shall rule on all procedural matters, subject to appeal by any member, with a majority vote deciding the issue. 6. The Chair will have voting privileges. <p>B.9.6.4 Finalizing Formal Grievance Committee Members The President's Office informs the Petitioner and Respondent of the Grievance Committee members and Chair of the Grievance Committee, once the Committee has elected a chair. The Petitioner and Respondent will have five working days to challenge any Committee member, as outlined in Section 9.6.1.3.2 above.</p> <p>B.9.6.5 Informing Petitioner and Respondent of Committee Members and Chair After committee membership is finalized, the Chair of the Formal Grievance Committee shall acknowledge the members of the committee to the President's Office, the Petitioner, and the Respondent. Upon receipt, the President's Office will forward the Formal Grievance documents to the Committee Chair, who will acknowledge receipt of the grievance materials.</p> <p>B.9.6.6 Informing Petitioner, Respondent, and Committee of Formal Grievance Procedure Within five working days of receiving the grievance documents, the Chair of the Formal Grievance Committee shall acknowledge this fact to the Petitioner; notify all committee members, the Respondent, and pertinent members of the Administration; and provide a copy of the Formal Grievance</p> |
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| <p>at any hearing conducted during the course of formal grievance proceedings.</p> <p>16. The Committee shall recommend to the Faculty Senate any changes in these procedures which seem desirable on the basis of actual experience. Such recommendations should be considered by the Senate at its earliest regular meeting. Any changes in procedure shall not apply to any case already under consideration.</p> <p>17. Extensions of various deadlines, not to exceed twelve working days, may be decided upon by a simple majority vote of the Committee and require no further approval.</p> <p>B.9.2 Sexual Harrassment Refer to Texas A&M System Regulation 08.01.01–Civil Rights Compliance.</p> | <p>Procedure and any other relevant information to both the Petitioner and Respondent.</p> <p>a. The Respondent will then have ten working days to provide documents, list of witnesses, or other evidence to the Committee Chair.</p> <p>b. Upon receipt of the Respondent’s evidence, the Committee Chair will provide it to the Petitioner, who will have five working days to ask for a summary judgement by the Committee or request a formal hearing.</p> <p>c. If a summary judgement is requested by the Petitioner, the Committee shall have twenty-five working days in which to complete its investigation and make a recommendation to the President, and inform the Petitioner and the Respondent of their recommendation.</p> <p>B.9.6.7 Formal Grievance Hearing The Petitioner and the Respondent shall each have the right to a formal hearing, though this right may be waived by the Petitioner without prejudicing the outcome of the case. If a formal hearing is requested, both the Petitioner and the Respondent will be provided with any evidence, list of witnesses or other documentation provided by the other. The Committee Chair will coordinate the availability of materials for each.</p> <p>a. Once a Formal Hearing is requested, the Committee will have thirty days for inspection of submitted evidence and, if necessary, their own investigation of the grievance, which may include additional witnesses, sources, or other information not provided by the Petitioner or Respondent. After that thirty-day period, the Formal Grievance Hearing should be scheduled within fifteen business days. Notice and any additional documentation shall be provided to all parties at least ten working days prior to the hearing.</p> <p>b. The Formal Grievance hearing shall be held at a time and place mutually convenient to the Petitioner, the Respondent, and the Committee</p> <p>c. Committee proceedings to hear testimony shall be private and confidential and only in the presence of members of the Committee, the Petitioner, the Respondent, and the witness who is giving testimony. (Either party may have counsel present.)</p> |
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- d. Committee deliberations shall occur with only Committee members present. However, the Committee, at its discretion, may call before it any person with relevant knowledge of the grievance.
- e. The Petitioner and Respondent shall each have the right to confront and cross-examine all witnesses. However, when a witness cannot or will not appear at the hearing, and if the Committee determines that the witness's statement is valuable, the Committee may obtain and disclose his or her statement, and if possible, provide for interrogatories.
- f. If any party, including an invited witness, chooses to present no evidence, the Chair shall so note in the record, and the proceedings shall continue on the basis of the evidence introduced by other parties.
- g. The Committee shall grant adjournments to enable either party to investigate evidence for which a valid claim of surprise is made. **The Committee will decide on a reasonable amount of time for this investigation and inform the parties.**
- h. **All evidence shall be made available to each Committee member individually in a convenient and secure place designated by the Chair, including electronic or online formats. (Note: The admissibility of any evidence may be challenged by either party and will be decided by Committee majority vote.)**
- i. **The Administration shall cooperate with the committee in securing witnesses, technology needs, staffing needs, and any other logistical requests by the committee. The University shall arrange for a verbatim record (either typewritten or electronically recorded) of all testimony and evidence presented at any hearing conducted during the course of formal grievance proceedings.**
- j. Extensions of various deadlines, not to exceed ten working days, may be decided upon by a simple majority vote of the Committee and require no further approval. The Committee Chair will notify all parties of any extensions.

B.9.6.8 Committee Recommendation

Within seven working days after the Committee agrees on a recommendation by majority vote, the Committee Chair shall relay in writing to the President, Petitioner, and Respondent its recommendation, any minority opinions, and a summary of the Committee's findings. A complete verbatim recording of the

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| | <p>proceedings and any evidence presented at the hearing will be made available to them upon request. The complete record shall be filed at the President's Office.</p> <p>B.9.6.9 President's Response</p> <p>Upon receiving the Committee's recommendation, the President shall have ten working days to make a decision or to request further evidence on points which are not fully developed in the record.</p> <p>a. Should the President request additional evidence, the Committee shall have ten working days in which to provide it.</p> <p>b. Upon receiving the Committee's response to a request for additional evidence, the President shall have an additional ten working days in which to render a decision.</p> <p>9.1 The President's decision shall be conveyed in writing and copies shall be sent to the Petitioner, the Respondent, and the Committee.</p> <p>9.2 The President's decision is final.</p> |
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