

## SECTION II

### CONSTITUTION OF THE FACULTY OF INDIANA STATE UNIVERSITY\*

#### PREAMBLE

The ISU Board of Trustees, the administration, the University Faculty, and the students are four (4) groups which play significant roles in the functioning of the University. Although actual operation of the University must depend upon the joint responsibility of all groups, each has a primary function different from those of the others.

The purpose of this Constitution is to set forth the role that the University Faculty and its legislative body, the University Faculty Senate, shall have in establishing the goals and educational philosophy of Indiana State University and in formulating and implementing the policies of the institution.

#### Article I

#### THE UNIVERSITY FACULTY

##### Section 1. Source of Authority

The source of all authority exercised by the ISU Board of Trustees, the administration, the University Faculty, and the students is the Constitution of the State of Indiana and the laws passed thereunder. The authority of the University Faculty to participate in the determination of the policies of Indiana State University shall be within the limitations of the policies established by the ISU Board of Trustees in the exercise of its constitutional authority.

##### Section 2. Definition of University Faculty

All appointees with academic rank and the professional librarians shall constitute the faculty of Indiana State University.

##### Section 3. Voting Members

Only tenured and tenure-track members shall be voting members of the University Faculty.

##### Section 4. Meetings

The University Faculty shall hold two (2) regular meetings during each academic year. The first meeting shall be held during the first six (6) weeks of the academic year, and the University President shall report at this meeting the current status of the University. The second meeting shall be held during the month of May at which the University Faculty Senate and its committees shall report on their activities for the academic year.

Special meetings of the University Faculty may be called by the University President, by the University Faculty Senate, or must be called by the Secretary of the University Faculty Senate on petition of 50 voting members of the University Faculty, or as provided in Article V, Section 2.

Meetings of the University Faculty shall be announced by the Secretary of the University Faculty Senate at least one (1) week in advance, except in emergencies.

The University President shall preside over University Faculty meetings. In his/her absence, the Chairperson of the University Faculty Senate shall preside.

The officers of the University Faculty Senate shall serve as the officers of the University Faculty.

One-third of the voting members of the University Faculty shall constitute a quorum.

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\*This Constitution of faculty government supersedes the first faculty constitution which was in effect from September 1, 1957, through June 30, 1970. The University Faculty Senate constituted herein replaces the Faculty Council as the faculty representative in University governance. The Constitution was approved by faculty vote, March, 1970, and accepted by the ISU Board of Trustees, April 3, 1970. However, the ISU Board of Trustees did not accept Article II, Section 2, Paragraph 2, which read as follows: "In these matters, the power of review or final decision lodged in the ISU Board of Trustees or delegated by it to the University President should be exercised adversely only in exceptional circumstances and for reasons communicated to the appropriate faculty governance body." Additionally, amendments and revisions have been incorporated upon approval by the University faculty and University Faculty Senate, and acceptance by the ISU Board of Trustees.

Substantive actions shall be confined to the passing of resolutions and the introduction of legislative proposals to be voted on by mail ballot.

### **Section 5. University Faculty Vote**

Within two (2) weeks after a University Faculty meeting in which legislative proposals have been introduced, the Secretary of the University Faculty Senate shall prepare a ballot for the purpose of voting on the proposals and mail it to each voting member of the University Faculty.

Ballots shall be returned to the Secretary of the University Faculty Senate within one (1) week of the date on which they were mailed by the Secretary. Ballots shall be counted and recorded in the presence of the Executive Committee of the University Faculty Senate.

The proposal in question shall become effective upon approval by a majority of those voting, and by at least 40 per cent of the voting membership of the University Faculty.

## **Article II**

### **LEGISLATIVE AUTHORITY OF THE UNIVERSITY FACULTY**

#### **Section 1. Means of Exercising Authority**

The legislative authority of the University Faculty will normally be exercised by the University Faculty Senate and by the committees of that body, as outlined in Article IV and the bylaws of this constitution. The University Faculty may, however, exercise its legislative authority directly in faculty meetings and votes as provided for in Article I, Sections 4 and 5, and in Article II, Section 4.

#### **Section 2. Primary Authority**

Subject to the limitations of Article I, Section 1, the University Faculty shall have authority to formulate policy governing:

1. The curriculum of the University.
2. The facilitation of teaching and research.
3. The structure of the University with reference to academic matters.
4. Standards for admission and retention of students.
5. Requirements for the granting of academic degrees.
6. Faculty conduct and discipline.
7. Faculty appointment, retention, tenure, and promotion.
8. Freedom of expression and academic freedom.

9. Aspects of student life which relate directly to the educational process.
10. The necessary and proper implementation of the foregoing powers.

University Faculty Senate actions requiring approval of the ISU Board of Trustees and University Faculty Senate actions in the area of its primary authority with which the University President does not concur shall be transmitted to the ISU Board of Trustees by the University President with his/her recommendations no later than the second board of trustees meeting following such action.

#### **Section 3. Advisory Authority**

The University Faculty is properly concerned with and should actively participate in decisions made on other matters that may affect the educational policies for which it is primarily responsible. Therefore, the University Faculty shall have authority to advise on all matters of institutional policy and decision, particularly those matters dealing with:

1. Selection and removal of the principal administrative officers having university-wide responsibilities, as well as the creation or abolition of such offices.
2. University budgets.
3. Faculty benefits, including salaries, insurance, retirement, and leaves.
4. Research or service obligations to private or public agencies.
5. Student conduct and discipline.
6. Campus development and physical facilities.
7. The academic calendar.

In the performance of this advisory function it is necessary that the University Faculty Senate be apprised in advance of significant prospective actions by the administration and the ISU Board of Trustees.

#### **Section 4. University Faculty Veto**

The University Faculty shall have the power to veto any action of the University Faculty Senate. The procedure shall be as follows:

1. A University Faculty meeting shall be called by petition as provided in Article I, Section 4, or Article V, Section 2, for the purpose of discussing the University Faculty Senate action in question.
2. The procedure outlined in Article I, Section 5, shall be followed to determine the will of the University Faculty.

## Article III

### STRUCTURE OF THE UNIVERSITY FACULTY SENATE

#### Section 1. Membership

##### Faculty Representatives

There shall be 34 elected faculty members. They shall be apportioned among the colleges of the University in this fashion: the total number of voting faculty in the University shall be divided by 34; this number, rounded off to the next higher whole number, shall be the "election unit." Each college shall have as many representatives as it has complete election units of voting faculty provided that every such college is to have at least one (1) representative. The remaining seats, up to the total of 34, shall be apportioned to the colleges with the largest fractional remainders of voting faculty, lot being resorted to if equal fractional remainders make this necessary. This calculation shall be made before each annual election.

In the transition from 40 to 34 members, there shall be an intermediate year with 37 members and 37 as the unit of election.

In this Constitution the word "college" shall be understood to include the University Library as a coordinate academic subdivision. The School of Graduate Studies is not a coordinate academic subdivision in this sense and is not entitled to separate representation in the University Faculty Senate. The special purpose and part-time temporary faculty advocate shall hold a speaking seat on the University Faculty Senate.

##### Administration Representatives

Five (5) administrators shall hold speaking seats in the University Faculty Senate. They shall comprise the University President, the Provost and Vice President for Academic Affairs, the Vice President for Administration, and two (2) other administrators appointed by the University President.

##### Student Representatives

Five (5) students shall hold speaking seats in the University Faculty Senate. They shall comprise the President of the Student Government Association, three (3) students elected by the Student Government Association Senate, and the President of the Graduate Student Association.

##### Other Representatives

Other persons with speaking seats on the University Faculty Senate shall include the Special Purpose Faculty Advocate and the Chair of Support Staff Council.

#### Section 2. Eligibility and Terms of Membership

All persons who at the time of election are voting members of the University Faculty, as defined above, shall be eligible for election to the University Faculty Senate, except as provided in the following paragraph and except as provided below for re-election.

No voting member of the University Faculty who occupies the position of Assistant Dean, or who occupies a position determined by the University Faculty Senate to have administrative status equal or superior to that of Assistant Dean shall be eligible for election to the University Faculty Senate.

The term of office of elected faculty members shall be two (2) years. Of the initial group of 40, 20 shall serve for one (1) year, 20 for two (2) years; the distinction shall be made by lot, and in such fashion that approximately half of the members from each college or school shall serve for one (1) year, half for two (2) years.

No elected faculty member may serve more than two (2) consecutive two-year terms.

The appointed administrative members shall serve one-year terms, but may be reappointed without limitation.

The elected student representatives shall serve one-year terms, but may be re-elected once.

#### Section 3. Manner of Election of University Faculty Representatives

A candidate for election to a faculty seat is nominated by a petition signed by ten (10) voting faculty of his/her college and addressed to the Secretary of the University Faculty Senate.

The names of the nominees of each college shall be placed upon a ballot which the University Faculty Senate shall cause to be distributed to the voting members of that college. The seats apportioned to that academic unit shall be filled by the nominees receiving the largest number of votes; if two (2) or more nominees have an equal number of votes for the last seat or seats to be filled, the ties shall be resolved by lot.

Nominations shall close no later than March 10; the election shall be held before the end of March in each year.

A seat which becomes vacant before the end of the term of office because of death, resignation, leave of absence, or other cause shall be filled for the period of vacancy from the most recent list of nominees on which a vote of the college represented has been held, the seat being offered to the nominee not currently a member of the University Faculty Senate who had the largest vote, and so on successively until the seat is filled. No special election shall be held unless a

petition for a special election is signed by one-fourth of the voting members of the college.

Superintendence of all aspects of the election process shall be the charge of an Election Committee comprised of a member of the University Faculty Senate from each college of the University and of the Secretary of the University Faculty Senate, who shall serve as chairperson.

#### **Section 4. Officers of the University Faculty Senate**

The officers of the University Faculty Senate shall be a Chairperson, a Vice Chairperson, a Secretary, and a Parliamentarian. Only elected faculty members may serve as officers.

The officers shall serve for one (1) year but may be re-elected.

The officers of the newly constituted University Faculty Senate shall be elected at the first organizational meeting in April (Article IV, Section 1). The University President, or in his/her absence the Provost and Vice President for Academic Affairs, shall preside at this meeting until the officers are elected.

#### **Section 5. The Executive Committee of the University Faculty Senate**

The Executive Committee of the University Faculty Senate shall include nine (9) voting members of the University Faculty Senate: the Chairperson, Vice Chairperson, and Secretary of the University Faculty Senate, and six (6) members elected by the University Faculty Senate. The University President and the Provost and Vice President for Academic Affairs shall have speaking seats on the Executive Committee. The Chairperson, the Vice Chairperson, and Secretary of the University Faculty Senate shall be the officers of the Executive Committee.

The six (6) elected members of the Executive Committee shall be nominated at the April meeting of the newly constituted University Faculty Senate, their election to be supervised by the officers of the University Faculty Senate as soon as those officers have themselves been elected.

## **Article IV**

### **OPERATION OF THE UNIVERSITY FACULTY SENATE**

#### **Section 1. Meetings**

The University Faculty Senate shall meet at least once in each calendar month throughout the academic year. The newly constituted University Faculty Senate shall hold its first meeting in April. The sole purpose of this meeting will be the election of officers and nomination of members of the Executive Committee. The newly constituted University Faculty Senate and its committees, confirmed at the first

meeting of the University Faculty Senate in the new academic year, shall begin functioning with the opening of the academic year.

Additional meetings may be called by the Chairperson, by resolution of the Executive Committee, or on a petition, addressed to the Secretary of the University Faculty Senate, of any 15 members of the Senate. A meeting of the University Faculty Senate shall also be called to consider any specific agenda presented by 50 members of the University Faculty. Notice of all such additional meetings shall be published by the Secretary of the University Faculty Senate.

The Executive Committee shall meet at least twice each calendar month throughout the academic year and during other months as necessary. Meetings will be called by the Chairperson, or in his/her absence, by the Vice Chairperson. Notice of the meetings shall, whenever possible, be published by the Secretary of the University Faculty Senate.

All meetings of the University Faculty Senate are open. Meetings of the Executive Committee are also open except when the Committee determines otherwise.

#### **Section 2. Agenda and Minutes**

The agenda shall be published by the Secretary of the University Faculty Senate sufficiently in advance of each meeting of the University Faculty Senate. The agenda shall be compiled by the Chairperson and Secretary, acting when possible in consultation with the Executive Committee. In like fashion, agenda for meetings of the Executive Committee shall, whenever possible, be published in advance.

Minutes of the Executive Committee and the University Faculty Senate shall be published and circulated to the faculty after each meeting.

#### **Section 3. Quorum**

Two-thirds of the voting membership of the University Faculty Senate shall constitute a quorum.

Two-thirds of the voting membership of the Executive Committee shall constitute a quorum.

#### **Section 4. Majority**

With the exception of amendments, and, in some cases, bylaws to the Constitution proper, and of decisions to bring a matter to the floor of the University Faculty Senate without consideration by the standing committees or by the Executive Committee, a motion before the University Faculty Senate is passed when approved by a majority of those present and voting.

Amendments require a two-thirds majority, and bylaws may be adopted by a two-thirds majority, see Article IX. Decisions to

bring a matter directly to the floor require a two-thirds majority, see Section 5 below.

A motion before the Executive Committee is passed when approved by a majority of those present and voting.

### **Section 5. Channels of Legislative Action**

The normal route of legislative and advisory action is for an agenda to be considered successively by a standing committee of the University Faculty Senate, by the Executive Committee, and by the entire University Faculty Senate. At each of these stages of consideration, a decision to reject or alter an agenda shall be final unless a sponsor of the agenda appeals the decision to the next higher authority.

Exceptions to the normal routing are:

1. Resolutions without legislative significance may be considered by the University Faculty Senate at any time.
2. An agenda presented to the University Faculty Senate for action by 50 members of the University Faculty may be considered directly.
3. A protest from a college that an action of the University Faculty or University Faculty Senate has encroached upon its autonomy may be considered directly.
4. The University Faculty Senate itself, by a two-thirds majority of those present and voting, may choose to bring any matter directly onto the floor.

## **Article V**

### **INTERPRETIVE AUTHORITY OF THE UNIVERSITY FACULTY**

#### **Section 1. Jurisdiction Relative to Administration and Students**

In jurisdictional disputes with administration or students arising out of the exercise of the primary authority of the University Faculty, or in cases of inaction by the administration, the University Faculty Senate shall by majority vote express its judgment. Should the University Faculty Senate's judgment be ignored, modified, or rejected, the University Faculty Senate may submit the question to the University Faculty as provided in Article I, Sections 4 and 5. If the administration or students do not agree to the University Faculty decision, the question shall be carried to the ISU Board of Trustees for determination.

Decisions on questions of jurisdiction shall be understood to be a reaffirmation of the basic assumption in the Preamble that all groups should be afforded the greatest possible latitude for the performance of their respective roles in the operation of the University.

#### **Section 2. Jurisdiction Relative to the Colleges/Library**

When a college/library of the University, through its legislative body, protests an action of the University Faculty or the University Faculty Senate as encroaching on the autonomy of a college/library, the University Faculty Senate shall reconsider the question. The University Faculty Senate shall determine the issue unless the legislative body of the college/library appeals from this decision of the University Faculty Senate and the University Faculty. In such event, the Secretary of the University Faculty Senate shall call a meeting of the University Faculty and conduct a subsequent vote as provided in Article I, Sections 4 and 5.

## **Article VI**

### **JUDICIAL AUTHORITY OF THE UNIVERSITY FACULTY**

#### **Section 1. Scope**

The University Faculty shall have judicial authority on all matters over which it has primary or advisory legislative authority as defined in Article II, Sections 2 and 3.

#### **Section 2. Jurisdiction**

A member of the University Faculty or a group of faculty members may bring a grievance not falling within the authority of a college/library directly to the Executive Committee of the University Faculty Senate or may appeal a grievance to the Executive Committee after avenues of relief within the college/library affected have been exhausted. A student or group of students with an academic grievance may also follow these procedures.

#### **Section 3. Procedure**

Both primary grievances and grievance appeals shall be presented in writing through the Secretary of the University Faculty Senate to the Executive Committee of the University Faculty Senate, which shall decide whether the grievance is of such a nature and locus as to warrant an initial hearing or appeals hearing before a standing committee. A grievance appeal must be filed within 20 working days of the decision being appealed. A grievance accepted for hearing shall be transmitted by the Executive Committee to the standing committee within whose province the matter falls. This standing committee shall examine the issue with proper attention to due process and make a judgment.

#### **Section 4. Procedure in Cases of Dismissal**

When the grievance complained of is dismissal of a University Faculty member who has tenure or whose term of appointment has not expired, the Executive Committee of the University Faculty Senate shall refer a grievance accepted for hearing to

the Faculty Dismissal Hearing Committee. The full procedure is specified in the Bylaw XI of this Constitution.

### **Section 5. Procedure in Grievance Hearings**

When any other grievance is accepted for hearing, the Executive Committee of the University Faculty Senate shall refer it to the University Faculty Affairs Committee unless the grievance is deemed solely within the province of another standing committee. The full procedures for primary hearings and grievance appeal hearings before the University Faculty Affairs Committee are specified in Bylaw XIV of this Constitution.

Should the primary grievance hearing or grievance appeal hearing be held by a different standing committee, that committee shall follow the procedures specified for the University Faculty Affairs Committee.

## **Article VII**

### **COMMITTEES OF THE UNIVERSITY FACULTY**

#### **Section 1. Standing Committees**

The standing committees of the University Faculty are created by the bylaws of this Constitution, which determine the size, composition, tenure, and duties of these committees. Standing committees are responsible to the University Faculty through the University Faculty Senate. Meetings of the standing committees are open, except when a committee determines otherwise.

Appointive members of the standing committees shall be appointed by, and may be discharged by, the Executive Committee of the University Faculty Senate with the approval of the University Faculty Senate. The membership of the standing committees should reflect the heterogeneous character of the University Faculty. The members represent the University Faculty, not the college/library to which they may belong, and no college/library is as such entitled to representation on a standing committee.

#### **Section 2. Special Committees**

The University Faculty Senate may for special purposes and for determinate periods create special committees to investigate and make recommendations on any matter falling under the primary or advisory authority of the University Faculty.

The University Faculty Senate or the Executive Committee of the University Faculty Senate may, respectively, appoint or discharge members of such special committees.

## **Article VIII**

### **RELATIONSHIP WITH COLLEGE/LIBRARY GOVERNANCE BODIES**

#### **Section 1. Representative Governance**

The faculty of the colleges/library are guaranteed a representative form of governance in respect to the formulation and administration of internal policy and the right to participate in the selection of their chief administrative officers. Similarly, the faculty of each academic subdivision of the colleges/library are guaranteed the right to participate in the selection of its administrative officer.

#### **Section 2. Plan of Internal Governance**

Within one (1) year following the adoption of this Constitution, each existing college/library shall submit to the University Faculty Senate an acceptable plan of internal governance consistent with this Constitution and bylaws. Within one (1) year of the establishment of any new college, it shall submit to the University Faculty Senate an acceptable plan of internal governance consistent with this Constitution and Bylaws.

(Constitutions of the colleges/library have been approved/amended by the University Faculty Senate on the dates as indicated: College of Arts and Sciences – April, 2000; College of Business – April, 1998; College of Education – Fall, 1992; College of Health and Human Performance – May, 1996; College of Nursing – April, 2000; College of Technology – March, 1986; Library Faculty – April, 2003.)

#### **Section 3. Autonomy of the Colleges/Library**

Each college/library shall be autonomous in matters of internal policy, subject to the provisions of its constitution and bylaws and to actions of the University faculty and the University Faculty Senate pursuant to this Constitution and bylaws.

#### **Section 4. School of Graduate Studies**

The faculty of the School of Graduate Studies, being already members of the faculties of their respective academic units, shall not as a graduate faculty have a representative form of governance. The policies of this School are determined by the Graduate Council of the University Faculty Senate subject to approval of the University Faculty Senate. The School of Graduate Studies is, therefore, excluded from the autonomy provided by this Constitution.

#### **Section 5. Liaisons Between University Faculty Senate and College/Library Governance**

The governance body of each college/library shall seat a University faculty senator as a liaison. The liaison may also serve as a member of the college/library governance body, and if such is the case, the liaison retains voting rights. If not

serving as a member of the college/library body, the liaison cannot vote. The liaison's duties are to report relevant actions and agendas of the University Faculty Senate to the college/library governance body, to report the relevant actions and agendas of the college/library governance body to the Senate, and generally, to facilitate communication between the Senate and college/ library governance body.

### **Section 6. Council of Governance Chairs**

The Council of Governance Chairs shall consist of the Chairperson of the University Faculty Senate and the Chairperson of each college/library governance body. The Chairperson of the University Faculty Senate shall serve as Chairperson of the Council of Governance Chairs. The Council is not a legislative body. Its purpose is to facilitate coordination of the efforts of the University Faculty Senate and the college/library governance bodies in exercising the faculty's areas of primary and advisory authority. The Council shall meet three (3) times during the academic year: during the first month of the fall semester, during the first month of the spring semester, and during the last month of the spring semester. The University Faculty Senate administrative assistant shall record minutes of the meetings to be forwarded to each governance body. The Chairperson of the Council may call additional meetings and consider requests for additional meetings from any member of the Council.

## **Article IX**

### **AMENDMENTS AND BYLAWS**

#### **Section 1. Amendments**

#### **I. STANDING COMMITTEES OF THE UNIVERSITY FACULTY SENATE**

The standing committees of the University Faculty Senate are the first echelon for conduct of almost all of the legislative business of the University Faculty Senate, both in the area of the primary authority of the University Faculty and in that of the advisory authority. They serve also as judicial bodies for grievances falling within their provinces.

The membership of the standing committees is composed, except as especially noted below, of faculty selected by the Executive Committee and confirmed by the University Faculty Senate, of administrators, and of students appointed annually by the Student Government Association Senate. Administrative and student members shall participate in all privileges and duties of the committees, including the privilege of making and seconding motions, but excluding the privilege of voting. The special purpose and part-time temporary faculty advocate serving on the Faculty Affairs Committee

This Constitution may be amended as follows:

1. By preparation of a written statement of the proposed amendment signed by at least 10 members of the University Faculty Senate or 50 members of the University Faculty.
2. By presentation of that statement at a regular meeting of the University Faculty Senate and approval by two-thirds of those present and voting at the next regular meeting of the University Faculty Senate; and
3. By approval of that statement by the University Faculty in the manner provided in Article I, Sections 4 and 5, and acceptance by the ISU Board of Trustees.

#### **Section 2. Bylaws**

Bylaws to this Constitution shall become effective when:

1. Initiated by the University Faculty Senate; and either
2. Approved by two-thirds of the voting members of the University Faculty Senate; or
3. Approved by a majority of those present and voting in the University Faculty Senate and approved by the University Faculty in the manner provided in Article I, Sections 4 and 5, and accepted by the ISU Board of Trustees.

### **BYLAWS**

shall have the same set of privileges and duties as the administrative and student representatives on that committee.

Each standing committee except the Faculty Dismissal Hearing Committee, the Curriculum and Academic Affairs Committee, Graduate Council, and the University Research Committee, shall have seven (7) faculty members, at least one of whom shall be members of the University Faculty Senate.

Terms of service for these faculty members shall begin with the academic year. Appointments shall be announced upon University Faculty Senate confirmation at the first meeting of the University Faculty Senate in the new academic year. Appointment to a standing committee, except for the Faculty Dismissal Hearing Committee, shall be for a period of two (2) years. Four (4) members will be appointed in even years and five (5) in odd years; reappointment to a committee is not precluded.

Each standing committee shall elect its own officers from among the faculty in its membership. Each committee, except

the Faculty Dismissal Hearing Committee, shall meet at least once each month during the academic year at a regularly scheduled time and place which shall be published as soon as the schedule is established. Meetings shall be open except when a committee for particular reasons declares a meeting closed. Both agenda and (except for closed meetings) minutes shall be published at least to the membership of the University Faculty Senate, to appropriate administrators of the University and its colleges/library, to department chairpersons, and to the officers of the Student Government Association. Each committee shall present a report of its activities for the year at the May meeting of the University Faculty.

The standing committees of the University Faculty Senate concern themselves with matters which are of significance to the University as a whole: policies which apply to the entire institution; questions which arise between, or which affect several of the constituent colleges/library; and matters which, although arising within one (1) college/library, have an influence upon the character and destiny of the University.

Issues which pertain more narrowly only to the individual college/library will normally be dealt with by those autonomous subdivisions, unless appealed to the standing committees of the University Faculty Senate. These committees retain, however, like the University Faculty and University Faculty Senate from which they derive their powers, a right of review and intervention in all matters within the primary and advisory authority of the University Faculty.

## II. ADMINISTRATIVE AFFAIRS COMMITTEE

### Membership

Faculty	-Seven (7)
Administrative	-University President -Provost and Vice Presidents of the University
Student	-Two (2) undergraduates, at least one of whom shall be a voting member of the Student Government Association Senate

### Duties

The purpose of this committee shall be to keep apprised of administrative policies and procedures and to fulfill the advisory functions of the University Faculty on such matters as:

1. The organization and reorganization of administrative services.
2. Selection and removal of principal administrative officers having university-wide responsibilities as well as the creation or abolition of such offices.

Upon notification by the Chairperson of the University Faculty Senate, the Administrative Affairs Committee

shall nominate the faculty members to serve on the presidential or vice presidential search committees and forward the slate to the Executive Committee of the University Faculty Senate for election by the University Faculty Senate. Should the Executive Committee or the University Faculty Senate not approve the complete slate, as submitted, the Administrative Affairs Committee will submit a new slate.

The President of the ISU Board of Trustees or the University President will confer with the Administrative Affairs Committee if additional faculty are needed to achieve appropriate representation of important faculty constituencies.

Faculty representatives shall constitute at least one-third of each such search committee. Periodic progress reports by the chairperson (or designee) of the search committee shall be made to the University Faculty Senate without violating the confidentiality of the search. The members of the faculty elected to the search committee shall report to the Administrative Affairs Committee at the conclusion of the search.

3. University budgets.
4. Campus development and physical facilities.
5. The academic calendar.
6. Registration and scheduling procedures.
7. Public relations.
8. University publications.

## III. CURRICULUM AND ACADEMIC AFFAIRS COMMITTEE

### Membership

Faculty	-Nine (9)
Administrative	-Provost and Vice President for Academic Affairs -Deans of the colleges, except the School of Graduate Studies -Dean of Library Services -Director Student Academic Services -Two (2) undergraduates, at least one of whom shall be a voting member of the Student Government Association Senate

### Duties

The province of the Curriculum and Academic Affairs Committee shall be all undergraduate courses and curricula of the University, together with other University activities which

are primarily educational in nature. This province includes, without being restricted to:

1. Requirements for all bachelor's degrees and all degrees or certificates of inferior status.
2. Requirements of all major and minor curricula and other programs of study, including programs of general education.
3. All courses of instruction, including those offered through the independent study program; and all workshops, travel courses, and other special offerings, whether with or without academic credit.
4. Establishment and abolition, merger and subdivision of colleges, departments, and other academic units of the University.
5. The policies of the University Library.
6. Convocations and all such conferences as are closely related to academic affairs.

Since most of the academic units of the University will have committees governing their own curricula, the University Committee will in practice concern itself chiefly with matters which concern the entire University or which concern more than one (1) of the academic units. The Committee retains the right of review and intervention in all matters within its province; but it will not ordinarily examine individual courses, or minor revisions of existing curricula and programs, or individual convocations and conferences. This Committee shall, however, establish such procedures as it deems proper for publication and approval of such courses, revisions, and functions; and formal notice of proposed courses, revisions, and functions is to be sent to the Committee.

New curricula and programs, and revisions sufficiently extensive that the curricula or programs are substantially new, must be examined by the Committee. The Committee will also properly concern itself with the educational philosophy of the University and with the relation of existing and future curricula and educational policies to that philosophy. (See University Handbook, Section III.)

#### IV. FACULTY ECONOMIC BENEFITS COMMITTEE

##### Membership

Faculty	-Seven (7)
Administrative	-University President -Provost and Vice President for Academic Affairs

##### Duties

This committee analyzes and evaluates faculty salary and benefits policies and practices and makes recommendations.

#### V. UNIVERSITY FACULTY AFFAIRS COMMITTEE

##### Membership

Faculty	-Seven (7)
Administrative	-University President -Provost and Vice President for Academic Affairs
Ex officio	-The special purpose faculty liaison, to be appointed by the Executive Committee in consultation with Academic Affairs.

##### Duties

The Committee will formulate policies and procedures pertaining to the University Faculty, particularly in these areas:

1. Appointment, retention, and tenure.
 

Ordinarily, these policies and procedures will be formulated by the colleges/library acting under the autonomy provision of the Constitution, Article VIII, Section 3, but subject to review by the University Faculty Affairs Committee.
2. Promotion.  
(See University Handbook, Section III.)
3. Facilitation of teaching and research, including teaching load.
4. Leaves of absence.
5. Freedom of expression and academic freedom.
6. Faculty conduct and discipline.
7. Professional ethics.
8. Professional growth.
9. Retirement.

#### VI. FACULTY DISMISSAL HEARING COMMITTEE

##### Membership

Ten (10) full-time tenured faculty members shall be chosen for five-year terms with no more than one (1) member from any department serving concurrently. Of the ten (10) members of the original committee, two (2) serve five (5) years; two (2),

four (4) years; two (2), three (3) years; two (2), two (2) years; and two (2), one (1) year as determined by lot.

### Duties

The purpose of the Faculty Dismissal Hearing Committee shall be to serve as the hearing committee in faculty dismissal proceedings as provided in Bylaw XI. Unlike the other committees, this committee shall meet only when called by the University President and/or by the Executive Committee of the University Faculty Senate. The committee shall report its findings to the University President for transmission to the ISU Board of Trustees.

Hearings will be conducted by five (5) members of the committee chosen by lot.

## VII. GRADUATE COUNCIL

### Membership

Faculty	-Nine (9) members of the graduate faculty
Administrative	-Provost and Vice President for Academic Affairs -Dean of the School of Graduate Studies -Assistant Dean of the School of Graduate Studies -Dean of Library Services -Deans of the colleges having graduate programs
Student	-Two (2) graduate students

### Duties

The Graduate Council is responsible for the total academic policy of the School of Graduate Studies, its programs, and its faculty, particularly in these areas:

1. Appointment to the graduate faculty.
2. Admission of students to the School of Graduate Studies.
3. Admission of candidates for graduate degrees.
4. Requirements for graduate degrees.
5. Approval of graduate curricula and courses.
6. Standards for graduate study.
7. Reviewing and passing on individual cases brought to the Graduate Council by the Dean of the School of Graduate Studies.
8. New graduate curricula and programs, and revisions sufficiently extensive that the curricula and programs are substantially new, must be examined by the Graduate

Council. The Council will also properly concern itself with the educational philosophy of the University and with the relationship of existing and future graduate curricula and educational policies to that philosophy.

## VIII. UNIVERSITY RESEARCH COMMITTEE

### Membership

Faculty	-Nine (9)
Administrative	-Provost and Vice President for Academic Affairs -Vice President for University Advancement -Deans of the colleges, including the Dean of the School of Graduate Studies. -Dean of Library Services
Student	-One (1) graduate, one (1) undergraduate

### Duties

The purpose of the committee is to further the development of research at the University. The committee shall:

1. Recommend establishment or change of University research policies and procedures.
2. Administer the University Research Fund and such other research funds as may be designated by the University administration.
3. Study methods of making available to faculty members information on sources of research funds.
4. Study methods of aiding in the grant application process.

## IX. STUDENT AFFAIRS COMMITTEE

### Membership

Faculty	-Seven (7)
Administrative	-One (1) representative from each of the following areas:  Academic Affairs Registrar Admissions Financial Aid Student Academic Services Student Life Residential Life Hulman Memorial Student Union Athletics
Students	-Four (4) undergraduates, two (2) of whom shall be voting members of the Student Government Association Senate

**Duties**

Policies and procedures pertaining to the following matters related to undergraduate students are within the jurisdiction of this committee:

1. General University policy dealing with:
  - a. Admission, retention, and academic standards.
  - b. Advisement and counseling of students not enrolled in the colleges.
  - c. University scholarships, honors, and awards.
2. Ordinarily the following matters shall be determined by the colleges acting under the autonomous provision of the Constitution, Article VIII, Section 3, subject to the review of the Student Affairs Committee:
  - a. Grading standards.
  - b. Advisement and counseling of students enrolled in the colleges.
  - c. Student behavior with respect to curriculum and instruction.
  - d. Scholarships, honors, and awards granted by the colleges.
3. The following matters are to be an exercise of the advisory authority of the faculty:
  - a. Student housing, health, and welfare.
  - b. Student organizations, social activities, and publications.
  - c. Student employment, loans, and financial aid.
  - d. Athletic programs and facilities.

**X. ARTS ENDOWMENT COMMITTEE****Membership**

Faculty	-Seven (7)
Administrative	-Provost and Vice President for Academic Affairs -Vice President for University Advancement -Deans of the colleges, including the Dean of the School of Graduate Studies -Dean of Library Services
Student	-One (1) graduate, one (1) undergraduate

**Duties**

The purpose of the committee is to further the development, exhibition, publication, and performance of art works by the University Faculty. The committee shall:

1. Recommend establishment or change of University policies and procedures that determine the disbursement of funds for meritorious arts projects.
2. Administer the University Arts Endowment Fund and such other funds as may be designated by the University administration.
3. Provide assistance to faculty on methods of applying for University Arts Endowment grants.

**XI. FACULTY DISMISSAL PROCEEDINGS****1. Preliminary Proceedings Concerning the Fitness of a Faculty Member**

When reason arises to question the fitness of a University faculty member who has tenure or whose term appointment has not expired, the appropriate administrative officers will ordinarily discuss the matter with him/her in personal conference. The matter may be terminated by mutual agreement at this point. If an agreement does not result, the Executive Committee of the University Faculty Senate, charged with the function of rendering confidential advice in such situations, shall informally inquire into the situation to effect an agreement if possible and, if none is effected, to determine whether in its view formal proceedings to consider his/her dismissal should be instituted. If the Executive Committee of the University Faculty Senate recommends that such proceedings should be initiated, or if the University President, even after considering a recommendation of the Executive Committee of the University Faculty Senate favorable to the faculty member, expresses the conviction that a proceeding should be undertaken, or if the concerned faculty member desires that a proceeding be undertaken, action shall be commenced under the procedures which follow. Except where there is disagreement, a statement with reasonable particularity of the grounds proposed for the dismissal shall then be jointly formulated by the University President and the Executive Committee of the University Faculty Senate. If there is disagreement, the University President, or designee, shall formulate the statement.

**2. Commencement of Formal Proceedings**

The formal proceedings shall be commenced by a communication addressed to the faculty member by the University President. This communication will include the statement detailing the grounds for the proposed dismissal and information that, if so requested, a hearing to determine whether he/she should be removed from his/her faculty position on the grounds stated will be conducted by the Faculty

Dismissal Hearing Committee at a specified time and place. In setting the date of the hearing, sufficient time shall be allowed the faculty member to prepare his/her defense. The faculty member shall be informed, in detail or by reference to published regulations, of the procedural rights that will be accorded to him/her. The faculty member should state in the reply whether he/she wishes a hearing and, if so, shall answer in writing, not less than one (1) week before the date set for the hearing, the statements in the University President's letter.

### **3. Suspension of the Faculty Member**

Suspension of the faculty member during the proceedings involving him/her is justified only if immediate harm to himself/herself or others is threatened by his/her continuance. Unless legal considerations forbid, any such suspension shall be with pay.

### **4. Faculty Dismissal Hearing Committee**

The committee of the faculty members to conduct the hearing and reach a decision shall be the Faculty Dismissal Hearing Committee.

### **5. Committee Proceedings**

The Faculty Dismissal Hearing Committee shall proceed by considering the statement of grounds for dismissal already formulated and the faculty member's response submitted before the time of the hearing. If the faculty member has not requested a hearing, the Committee shall consider the case on the basis of the obtainable information and decide whether he/she should be removed; otherwise, the hearing shall go forward. The Committee, in consultation with the University President and the faculty member, shall exercise its judgment as to whether the hearing should be public or private. If any facts are in dispute, the testimony of witnesses and other evidence concerning the grounds set forth in the University President's letter to the faculty member shall be received.

The University President shall have the option of attendance during the hearing. He/she may designate an appropriate representative to assist in developing the case; but the Committee shall determine the order of proof, shall conduct the questioning of witnesses and, if necessary, shall secure the presentation of evidence important to the case.

The faculty member shall have the option of assistance by counsel, whose functions will be similar to those of the representative chosen by the University President. The faculty member shall have the additional procedural rights set forth in the 1940 A.A.U.P. Statement on Principles of Academic Freedom and Tenure (as amended) and shall have the aid of the Committee, when needed, in securing the attendance of witnesses. The faculty member or his/her counsel and the representative designated by the University President shall have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member shall have the opportunity to be confronted by all adverse witnesses.

Where unusual and urgent reasons move the Committee to withhold this right, or where the witness cannot appear, the identity of the witness, as well as his/her statements, shall nevertheless be disclosed to the faculty member. Subject to these safeguards statements may, when necessary, be taken outside the hearing and reported to it. All evidence shall be duly recorded. Unless special circumstances warrant, it will not be necessary to follow formal rules of court procedure.

### **6. Consideration by the Committee**

The Committee shall reach its decision, in executive session, on the basis of the hearing. Before doing so, it shall give opportunity to the faculty member or his/her counsel and the representative designated by the University President to argue orally before it. If written briefs would be helpful, the Committee may request them. The Committee may proceed to decision promptly, without having the record of the hearing when it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. It shall make explicit findings with respect to each of the grounds of removal presented, and may provide its rationale. The University President and the faculty member shall be notified of the decision in writing and shall be given a copy of the record of the hearing.

### **7. Consideration by the ISU Board of Trustees**

The University President shall transmit to the ISU Board of Trustees the full report of the Committee. The acceptance by the ISU Board of Trustees of the Committee decision will normally be expected. If the ISU Board of Trustees chooses to review the case, its review will be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or their representatives. The decision of the Committee will either be sustained or the proceeding be returned to the Committee with objections specified. In such a case the Committee shall reconsider, taking account of the stated objections and receiving new evidence if necessary. It shall frame its decision and communicate it in the same manner as before. Only after study of the Committee reconsideration will the ISU Board of Trustees make a final decision overruling the Committee.

### **8. Publicity**

Except for simple announcements as may be required covering the time of the hearing and similar matters, public statements about the case by either the faculty member or administrative officers shall be avoided until the proceedings have been completed. Announcement of the final decision shall include a statement of the Committee's original action, if this has not previously been made known. Any release to the public shall be made through the University President's Office.

## **XII. DEFERRAL OF UNIVERSITY FACULTY SENATE ACTION**

On matters about which the University Faculty Senate has not received information at least one (1) week in advance, action may be deferred for as much as one (1) week by a vote of ten (10) members of the University Faculty Senate.

## **XIII. SEATING OF ALTERNATES ON THE UNIVERSITY FACULTY SENATE**

### **1. Alternate List**

The alternate list promulgated as a result of the spring election shall remain in force from the first day of the academic year until the beginning of the next academic year.

### **2. Leaves**

Persons on leave for a given semester and persons not teaching during a given summer session will automatically be replaced for that period of time unless they respond affirmatively to the request of the Secretary of the University Faculty Senate that they be seated.

### **3. Temporary Vacancies**

Members of the University Faculty Senate unable to attend a meeting will not be permitted to send proxies. If they desire to be replaced temporarily due to illness, schedule conflicts, or other reasons, they must direct such requests to the Executive Committee. If extenuating circumstances exist which prevent an absent member of the University Faculty Senate from communicating with the Executive Committee, the latter will decide as to the disposition of the seat.

### **4. Resolution of Disputes**

The University Faculty Senate will resolve any disputes that may arise in the seating of alternates.

## **XIV. UNIVERSITY FACULTY GRIEVANCES**

### **1. Policy Statement on University Faculty Grievances**

The faculty of Indiana State University has primary responsibility for such fundamental areas as curriculum, methods of instruction, research/creativity, faculty status (i.e., promotion, performance review, and tenure), and those aspects of student life which relate to the educational process. All faculty members (tenured or untenured) who believe a decision adversely affects these responsibilities or the financial, intellectual, or pedagogical aspects of their appointments and results from a violation of University policy, (i.e., arbitrary, punitive, or capricious application of policies regarding work assignment, or other procedures except those exempted below), academic freedom, or inadequate consideration (this

might be with regard to a working condition or assignment, except those exempted below), may petition the appropriate faculty committee for redress. All faculty members are entitled to due process, including a faculty hearing of record and the opportunity to confront any adverse witnesses and/or to respond to adverse information. Procedures other than this one exist in the University for faculty dismissal (tenured and untenured, but "dismissal" referred to here is different from the non-reappointment of a tenure-track faculty member, which is also addressed by a separate policy), appointment, tenure, and promotion, pay for performance, or conduct involving illegal discrimination.

### **2. College/Library Level Grievances**

Each college/library shall maintain grievance procedures in writing that must grant faculty members the rights defined in Bylaw XIV-1 and ensure procedural due process. Grievances filed in the college/ library may be brought on grounds defined above.

### **3. University Level Grievances**

University level grievances fall into one of two categories, appeals or primary grievances:

- a. **Appeals of College/Library Level Grievances:** An aggrieved faculty member may appeal the decision of the college/library grievance hearing to the Executive Committee of the University Faculty Senate for one or more of the following reasons but no other:
  - Adequacy of Evidence:** The evidence presented in the previous hearing did not adequately support the decision reached.
  - Due Process:** Procedural errors in the previous hearing or evidence that should have been heard was not allowed or evidence that should not have been allowed was presented.
  - New Evidence:** New and fully documented evidence has arisen since the previous hearing that is sufficient to suggest a major change in evaluation of the matter.

- b. **Primary Grievances:** When a grievance does not fall within the jurisdiction of any one college/library, it shall be addressed directly by the Executive Committee. In cases when the parties disagree as to the jurisdiction of the grievance, the Executive Committee shall make the final determination.

### **4. Procedures for University Level Grievances**

The following procedures apply to both appeals and primary grievances in the subsequent language defining procedures:

- a. To initiate a University level grievance, be it an appeal or primary grievance, the faculty member must file a formal

complaint within twenty (20) working days after final conclusion of the original grievance if the complaint constitutes an appeal, and within twenty (20) working days after the grievable event if the complaint constitutes a primary grievance (using Grievance Form A) with the Executive Committee Chairperson through the University Faculty Senate Office. For the purposes of this document, working days are defined as Mondays through Fridays when classes are in session on campus except during the summer sessions. Exceptions to this guideline may be made only in special circumstances as determined by the Executive Committee. The Chairperson will notify the Executive Committee of the complaint at its next meeting following filing of the complaint. The Executive Committee must determine whether or not the grievance is within its jurisdiction and warrants mediation and a formal hearing. Grievances that the Executive Committee determines do not warrant a hearing may still be forwarded for mediation. To facilitate that decision, the Executive Committee will notify the respondent(s) of the complaint and supply the respondent(s) with a copy. The notification of the respondent(s) should take place within one Executive Committee session after having received the complaint. The Executive Committee will request that the respondent(s) formally submit a written response to the complaint within seven (7) working days. The Executive Committee should evaluate the set of materials at the session immediately following receipt of the materials at the session. If, after evaluating the submitted materials, the Executive Committee decides that the complaint warrants a hearing and/or mediation, it will send the complaint, and the response(s), to the Chairperson of the University Faculty Affairs Committee. The response(s) will also be forwarded to both parties. The process of mediation should begin within seven (7) working days of the date the materials are received by the Faculty Affairs Committee Chairperson. Once the process of mediation begins, no more than ten (10) working days should be allowed to resolve the dispute by mediation. In discrimination complaints, if contacted first, the Executive Committee Chairperson will direct the faculty member to the affirmative action officer.

1. The Chairperson of the University Faculty Affairs Committee shall seek to arrange for resolving the conflict through mediation. The process of mediation shall be voluntary, private, and confidential, led by an impartial third faculty member who has had mediation training supported by the Provost and Vice President for Academic Affairs Office.
2. Upon completion of the mediation process, the mediator will submit to the Faculty Affairs Committee Chairperson any agreement, in writing, reached by the primary parties. If agreement is reached, the Faculty Affairs Committee Chairperson will report the agreement to the Executive Committee and the Provost and Vice President for Academic Affairs. The matter will be considered complete, and

a record of it will be filed in the participating members' personnel files and in the files of the University Faculty Senate Office.

3. If no agreement is reached within ten (10) working days, the Faculty Affairs Committee Chairperson will report this result to the respondents, and to both the Executive Committee Chairperson and the Provost and Vice President for Academic Affairs. If the mediation is unsuccessful, and the Executive Committee has previously determined that the grievance warrants a hearing, the Faculty Affairs Committee Chairperson shall convene a grievance committee drawn from a grievance pool within the time period set forth in Section 5b of this bylaw.
- b. Either the complainant(s) or the respondent(s) may elect not to participate in a hearing, but neither may waive the right of the other to have a hearing. Only if both elect to waive a hearing, will the Grievance Committee base its findings solely on evidence submitted by the parties involved in the allegations.
- c. If either the complainant or the respondent elects a hearing before the Grievance Committee, the specific procedures for the hearing are outlined in Section 5 of this Bylaw.
- d. After the hearing, the Grievance Committee will deliberate and submit its findings and recommendations in writing to the Executive Committee, the Provost and Vice President for Academic Affairs, and the University President using Grievance Form A.

## **5. University Level Grievance Hearings**

- a. The Faculty Affairs Committee will establish and maintain a pool of twenty (20) or more tenured faculty to serve staggered three-year terms as Grievance Committee members. Members of the pool will be selected by a stratified random sample based on proportion from the tenured faculty, including department chairpersons, in proportion to numbers in rank. The pool should be representative of the University faculty and include members of federally defined protected classes. The Provost and Vice President for Academic Affairs, in cooperation with the Executive Committee Chairperson, will provide for annual training of the Grievance Committee members.
- b. For cases that the Executive Committee has determined warrant grievance hearings, a grievance committee shall be constructed and its first meeting held within fifteen (15) working days of the reported failure of the mediation pursuant to Section 4-a. Within the first five (5) days, the Faculty Affairs Committee Chairperson shall notify both parties that the process of constructing the Grievance Committee has begun. The Chairperson will begin the construction by randomly selecting nine (9) persons from the grievance committee pool for possible membership on

the Grievance Committee. Any person selected may remove himself/herself from consideration because of a possible conflict of interest. Should this occur, the Faculty Affairs Committee Chairperson will select another name from the pool, offering the newly chosen person the opportunity to remove himself/herself for possible conflict of interest. This process will be repeated, if necessary, until nine (9) potential Grievance Committee members are named. The Faculty Affairs Committee Chairperson will then offer each party to the dispute the opportunity to exclude up to two (2) persons from the Committee. If more than five (5) persons remain after this exclusion process is completed, the FAC Chairperson will select names at random from the remaining group in order to reduce the Committee to five (5) members. Once the Grievance Committee has been established, the Faculty Affairs Committee Chairperson will conclude his/her formal involvement in the grievance process by convening an initial meeting of the Grievance Committee, transmitting the complainant's grievance materials to the Committee and to the respondent, and transmitting the respondent's materials to the Committee and to the complainant (see Section 5c of this Bylaw), and informing the complainant and respondent of the Committee's membership. The Committee will elect its own Chairperson. A Committee member must be present at both the grievance proceedings and the final Committee deliberations in order to cast a vote.

- c. During the same fifteen (15) working days as in Section 5b of this Bylaw, the complainant and respondent shall prepare and submit materials to the Faculty Affairs Committee Chairperson. Materials submitted by the parties should contain everything deemed relevant to the dispute, including a list of witnesses which the Committee shall call and suggested questions to ask of both sides.
- d. The Grievance Committee has the right to request additional materials and to call additional witnesses. All written materials submitted to the Grievance Committee shall be shared with both parties by the Faculty Affairs Committee Chairperson immediately following the fifteen (15) working day period allowed for submission. The Grievance Committee Chairperson will call for a hearing within fifteen (15) working days of the Committee's receiving a formal complaint. If needed, the Committee may decide to extend this period up to five (5) working days. The Chairperson will notify the respondent(s), and the complainant(s) in writing of the date of the hearing, and will obtain confirmation from those individuals that they have been notified.
- e. The Grievance Committee Chairperson will call the meeting to order. The meeting will be recorded and the minutes transcribed for the record by a qualified person hired from outside the University community. These proceedings will be closed and no legal representation will be present. Both sides in the dispute shall be apprised in writing of the rules and procedures to be followed,

including statements that these are not proceedings at law. Each party to the dispute may choose one (1) tenured current or emeritus faculty member as an advisor and may confer with that advisor before answering questions during the hearing.

- f. The complainant will have ten (10) minutes per respondent up to a maximum of thirty (30) minutes to present his/her case. The Grievance Committee will then direct questions to the complainant.
- g. The respondent(s) will each have ten (10) minutes to present his/her case up to a maximum of thirty (30) minutes. When there is more than one (1) respondent, the respondents may elect to consolidate their allotted time and choose a spokesperson. The Grievance Committee will then direct questions to the respondent(s).
- h. The Chairperson of the Grievance Committee will then call witnesses. No advisor will be allowed to be called as a witness. Only one (1) witness shall be present in the hearing room at a time. The Committee will recall witnesses if needed. The Committee may accept a written, notarized statement if necessary. The statement must be made available to the Committee before the date of the hearing. Included in the statement should be an explanation of why the witness is unable to appear in person. Only questions by Grievance Committee members will be permitted during the proceedings. The members have the right to use or disregard questions previously submitted by the parties concerned and ask questions not suggested by the parties. The parties have the right during the proceedings to suggest additional questions. These suggestions should be passed to the Chairperson, who shall have the responsibility of determining whether the questions should be asked. The Chairperson may solicit advice on these matters from other members of the Committee. The Chairperson may limit such suggestions if they appear excessive. These rules hold as well for the questioning of witnesses.
- i. The respondent(s) will each have ten (10) minutes to summarize his/her case up to a maximum of thirty (30) minutes. When there is more than one (1) respondent, the respondents may elect to consolidate their allotted time and choose a spokesperson. The complainant will then be allowed ten (10) minutes per respondent up to a maximum of thirty (30) minutes to summarize his/her case.
- j. Within seven (7) working days after completion of the hearing, the Grievance Committee will meet to render its findings, conclusions, and recommendations. The results shall be reached on the basis of a simple majority of the Grievance Committee. Dissenting opinions may be included in the Committee's report. The Chairperson of the Grievance Committee shall immediately forward its written decision, through the University Faculty Senate Office to each party and to the Executive Committee, the Provost and Vice President for Academic Affairs Office,

and the University President. The University Faculty Senate Office should forward the decision to the fore-mentioned parties within seven (7) working days of having received the decision.

- k. Once the findings, conclusions, and recommendations have been forwarded to the Provost and Vice President for Academic Affairs, and the President, the grievance process is complete. The President will consider the material forwarded and will make a final written determination. If the President's decision is counter to any or all of the recommendations of the governance committees then such written determination shall include an articulated basis for the President's decision. Within ten (10) working days of the material's delivery to the President, his or her written determination should be forwarded to the Executive Committee Chairperson and the Chairperson of the Grievance Committee.
- l. All materials connected with the hearing shall be kept in the University Faculty Senate Office for five (5) years after the decision.