

DEFINITIONS – FACULTY GRIEVANCE COMMITTEE TRAINING – MARCH 26, 2012

Academic Freedom - According to the 1940 AAUP statement on academic freedom (as revised), educational institutions should afford full freedom for teachers to conduct research and publish their results, subject to their adequate performance in other academic duties. Teachers should also have freedom in the classroom to discuss their subject, but they should be careful not to introduce controversial matter that has no relation to their subject. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should. . . at all times be accurate, exercise appropriate restraint, [and] show respect for the opinions of others.

Complainant – n. the party who makes the complaint in a legal action or proceeding (<http://www.merriam-webster.com/dictionary/complainant>)

Due Process – n. 1. a course of formal proceedings (as legal proceedings) carried out regularly and in accordance with established rules and principles —called also *procedural due process* 2. a judicial requirement that enacted laws may not contain provisions that result in the unfair, arbitrary, or unreasonable treatment of an individual —called also *substantive due process* (<http://www.merriam-webster.com/dictionary/due%20process>) The guarantee of due process is found in the 5th and 14th Amendments to the U.S. Constitution. The requirement of due process applies to agency actions.

Faculty Advisor – Each party to the dispute may choose one (1) tenured current or emeritus faculty member as an advisor to be present at the hearing. The party may confer with the Faculty Advisor before answering questions during the hearing.

Formal Complaint or Formal Grievance - A written complaint (presented on Grievance Form A) alleging that a specific act (or acts) in violation of university policy has (have) taken place that is (are) personal to the individual.

Grievance - n. 1. *obsolete* : suffering, distress. 2. a cause of distress (as an unsatisfactory working condition) felt to afford reason for complaint or resistance 3. the formal expression of a grievance : complaint (<http://www.merriam-webster.com/dictionary/grievance>)

Grievant – n. one who submits a grievance for arbitration (<http://www.merriam-webster.com/dictionary/grievant>)

Hearing – A presentation of oral and written evidence concerning a complaint before a duly appointed committee of tenured faculty.

Mediation - Mediation is an informal and confidential way for people to resolve disputes with the help of a neutral mediator who is trained to help people discuss their differences. The mediator does not decide who is right or wrong or issue a decision. Instead, the mediator helps the parties work out their own solutions to problems. (EEOC)

Respondent – n. one who responds - as one who answers in various legal proceedings (<http://www.merriam-webster.com/dictionary/respondent>)