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Minutes 2014-2015

Faculty Senate Minutes

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2-1-2015

## Faculty Senate Meeting Minutes – February 2015

Faculty Senators

*University of South Alabama*

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### Recommended Citation

Senators, Faculty, "Faculty Senate Meeting Minutes – February 2015" (2015). *Minutes 2014-2015*. 4. [https://jagworks.southalabama.edu/minutes\\_twentyfourteen/4](https://jagworks.southalabama.edu/minutes_twentyfourteen/4)

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**UNIVERSITY OF SOUTH ALABAMA**  
**Faculty Senate**

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**February 25, 2015 – Faculty Club - 3:00 pm**  
**Approved Minutes**

**Present:** Estis, Kennedy, Morgan, Benko, Gapud, Harrington, Haywick, Husain, Kozelsky, Lindeman, Marshal, Ni Chadhain, Poston, Schulze, Shaw, P. Smith, Landry, Finley-Hervey, Gecewicz, Broach, Davidson-Shivers, Fregeau, Keshock, Norrell, Phan, West, Yazdani, clanton, Tate, Bauer, Cioffi, Liu, Ponnambalam, Rich, Chinkers, Gillis, Noland, Grant, Woodford, Buckner, Huey, Minchew, Vandawaa, Ove, Palle, Piazza

**Excused:** Gordon-Hickey, D. Smith, C. Freed, Mishra, Campbell, Glover, Audia, Falkos, Gillespie, Richards, Tyalor, Riley, Varner, Marin

**Unexcused:** Alexeyev, Rachek, Ruchko

**Call to order – at 3:03 with quorum**

**Approval of minutes:** January 2015 meeting - **moved; 2d; unanimous**

**Approval of agenda – moved; 2d; unanimous**

**President’s Report**

- Welcome to the new Senators representing MCI and MCOB

New Senators were asked to stand. Terry Grant from MCOB, Kumar Palle, Roger Ove, and Gary Piazza. from MCI introduced themselves.

- Search Committee Updates

Several searches are on-going. Dean of Allied Health – 8 candidates have been interviewed off-site; J. Estis is on the committee. Will bring 5 candidates to campus for interviews. Any update from Dean of College of Education? Phil Norrell is our representative. Also have a search for Advising Center Director and the Faculty Senate Executive Committee will be involved.

- T&P Task Force/Review Committee

Continuing to look at peer institutions and what they are doing. Also looking internally because there are a lot of variations across colleges – both in expectations and in information that is given to faculty. Still in very early phases of what will be a long process. J. Estis has been encouraging the committee to look at processes leading up to tenure (annual review and mid-tenure), as well as the process for going up, and information given to faculty at each stage.

- Priorities/Town Halls/Nominations of Faculty

Work on the priorities is moving forward. J. Estis appreciates the input on possible faculty for the committees and working groups. The survey is still open if you would like to give ideas for what faculty members will be good for particular priorities. There are administrative working groups under each priority and under each of those are additional groups. There was a leadership retreat earlier this week that J. Estis attended with updates on each priority.

Global engagement – several working groups looking at the number and diversity of international students, study abroad, international research opportunities, etc.

Research – Recently there was a chair development opportunity where chairs talked about research, support and infrastructure. J. Estis has heard that it was a good, interactive conversation. A Senator who attended the session noted that Dr. Waldrop told the group that as Provost he had overturned tenure recommendations based on research, signaling that research will become more of a focus in the tenure/promotion process going forward. Also noted that there was a second chair retreat on conflict management with J. Maes.

Also working groups looking at research infrastructure. Topics – faculty development, teaching loads and research, graduate education, scholarly work in arts & humanities, electronic system for managing research data and grants.

Community Engagement – main update is desire to explore the Carnegie Community Engagement classification. J. Estis noted that she has heard from faculty a desire to do that.

Student Success & Access – a number of University committees inform that committee. We've talked about graduation rates. We will see a number of things rolled out such as the Student Success Collaborative & first year advisors. There is a "first four" committee looking at programming in the first four weeks of college. Degree Mapping is a hot topic and we need to be able to give a freshman a piece of paper that shows what they need to take and when. This will be an upfront plan for each program for getting students out on time. Various constituencies have been working toward increasing admission standards including a higher ACT and GPA requirement. In 2015 must have a 2.5 high school GPA and over the next few years ACT minimums will increase as well.

Health Care Priority – have 3 working groups working on health care related issues. Most are related to the financial aspects of our health care system, as well as quality/value of services provided.

J. Estis wants to hear from Senators on their interest in serving on committees. The Faculty Senate will be sponsoring forums to discuss each of these priorities, probably in April.

- Fall Convocation

K. West reported that this will be a university-wide event. August 17 at 11 in the Mitchell Center. Short program (45 minutes) followed by a lunch, hopefully on the lawn. Hope to have a dynamic speaker, Presidential address, and a video presentation. The band will be there and an effort will be made to get student groups (Greek organizations, athletic teams,

etc. to come in identifying gear). The presentation will focus on this being the class of 2019 to plant the seed of a 4 year graduation plan. At this event new branding will be rolled out by Mike Haskins office. An idea has been floated to have an Open House at each college after convocation where students can come to find their classrooms, meet faculty, see student organizations, etc. The Faculty Senate needs to encourage faculty participation in the Convocation and in the College/Department Open Houses. Julie and Nicole Carr talked to the Deans who are receptive to the Open House idea.

- Trustees

The Faculty Senate is sponsoring/organizing a half day program on March 18 for the trustees. Invitations have been sent. Participating trustees will come to campus at 9 for a “day in the life of a faculty member” type of tour. A number of faculty are opening their labs; several classes will be open for visits. Intention is to make it annual to give Trustees the opportunity to meet faculty and students. Q: are libraries on tour? A: not at the moment but we can try to find a space. There are a lot of pieces that aren’t in there. The goal is to highlight interesting things the faculty are doing that the trustees have not been exposed to during recent trustees’ meetings. For example, the group will have lunch in the dining hall – a departure from the usual catered lunch in the President’s office. At end of the day they will come to the Senate meeting. There will be brief comments, then the Trustees will sit down at tables to talk with small groups of faculty.

- Chair Development

See comments on research and dispute resolution sessions above.

- Faculty Senate Survey/Evaluation of Leadership

M. Gillespie has been working with Angela Coleman to develop what we really need and how it is used. We want to make the survey as meaningful and useable as possible.

The evaluation of deans is going to happen. The first review of a dean will be this academic year.

- Financial Aid/Course Participation

Remember to use the F\* if a student stops participating. There will be some changes in how we track participation.

Question from the floor – why don’t we allow for administrative drops? Question from the floor – what happens when a student drops on the last day to withdraw? Are they penalized or are we only penalizing those who forget to drop.

- Participating after Withdrawal

This is a policy issue. There has been a bulletin change – “student attending after withdrawal.” The New bulletin will make it clear that the faculty member controls participation after withdrawal. Normally students are not allowed to participate. Leaves exceptions under which faculty could allow a student to participate but typically not allowed. The general prohibition includes participation in on-line classes after a student withdraws. When the change in the bulletin occurred, administration realized the Faculty Handbook had

a provision on attendance. So that is now being updated to reference the specific policy in the bulletin. This is a clean up change that does not require approval. Follow up question from the floor on on-line students who can see what is going on in the class and get information to use for the following semester. It appears this policy will allow faculty to change status to block withdrawn students from continuing to access the class site. Open question on whether a student who withdraws can/will/should be automatically blocked from further access to on-line materials on Sakai. Brief discussion on need for faculty to be aware that a student has dropped so change in status can be made and/or no participation monitored. It was noted that in the past faculty received notification but since new systems have been implemented those notices from the registrar are no longer given.

## Announcements

- Faculty Senate Elections – K. Woodford

Elections for open seats are held after the March Faculty Senate meeting. New Senators take office at the April meeting. **Caucus Leaders please ask your Dean's office for the projected faculty headcount for the 2015-2016 academic year.** According to the Faculty Senate Constitution, representation is based on the number of full-time faculty members below the rank of Director (adjuncts, assistant deans and associate deans are *not* included in the headcount). Once I have each college's projected headcount, I will let each caucus leader know the number of seats to be filled, which Senators have expiring terms, and, of those, who is eligible for another three year term.

- Salary & Benefits – J. Estis for S. Gordon-Hickey – Impact of Federal Court Marriage Rulings on USA Benefit Plans –

Susan attending a meeting clarifying that all of our policies are in compliance such that same sex spouses will be entitled to benefits if the decision of the Southern District of Alabama is upheld.

- Salary & Benefits – T. Shaw –

The University Health and Wellness committee has been working on recommendations for changes to the university tobacco policy. The committee assisted with a survey that was conducted last fall. That survey informed the committee. The University Committee approved a recommendation on Monday to have a campus-wide no-smoking policy, which includes electronic cigarettes (vaping). The recommended policy does provide an exception for tobacco use in personal vehicles; so members of the campus community can smoke in a personal vehicle. Suggesting to President Waldrop that the president may want to talk to Faculty Senate and the SGA about whether a resolution from those two groups would be helpful. Question from the floor on enforcement – the wellness committee does not have a recommendation and campus police have indicated that they do not want to be involved in enforcement of this type of internal university policy. There will be an awareness campaign on the change as well as information on cessation programs available through the university. Committee thought it would take about a year to implement a new policy, but T. Shaw has heard that the new policy may be implemented as early as fall semester.

- American Association of University Women – Mobile Chapter – J. Estis – the state meeting is in Mobile at the Ashbury Suites on March 21.
- The Faculty Senate end of the year party for outgoing and incoming Senators will be held on April 15. It will be at Moe's downtown again and, like last year, will follow the April Faculty Senate meeting. We have the back room from 6:30-9:30. Exploring gluten free options and Moe's has agreed to allow us to bring in vegan options since they do not have vegan alternatives on their menu. We will need to know how many Senators and/or significant others would be interested in the vegan option. Asked for show of hands - @ 5. It might be a limited option because of cost considerations; if your not vegan, please stick with the Moe's table.

**\*\*Senators who were not present at the meeting and plan to attend should contact Bill Gillis by email ASAP if the Senator or significant other needs the vegan alternative.**

### **Old Business**

None

### **New Business**

Handbook Committee – Revised Grievance Policy

The committee has been working hard to draft a clear, simple policy. Mara and her committee have been working to bring it together. We did have a preliminary meeting with administrative leadership and the university counsel. We did not want to spend a lot of time working on a proposal only to have that proposal be too far away from what the administration is willing to consider. Luckily it appears that we are very close on what we would like to see in a revised policy.

Attached to the agenda, we have provided the draft of the full policy as it currently stands. Highlights of changes include: a clarification of what is grievable; implementation of a 4 month time limit on the process; a standard form for use in initiating the process. The draft policy brings the faculty advocate to the forefront with clear identification of role. Under the proposed policy, all grievances will get a hearing; in the past very few did. You will see highlighted areas in the draft because it refers to other policies that are currently under review. The draft includes a no retaliation clause, which was a recommendation from faculty members.

Showed new form for initiating grievances. When finalized the form will be on president's website and on the Faculty Senate website.

The administration was supportive. During the meeting with administration, there was a discussion of where to file grievances. We agreed the filing should be in the president's office to centralize the process.

One area of contention – whether the faculty advocate can have a legal background. The University counsel's office contends that it tries to stay out of the grievance process, but it is well known that, even if the University Counsel's office does not get directly involved, the

administration relies on individuals with legal backgrounds to steer them through the process. The current draft indicates that an advocate cannot currently be a practicing lawyer, which would open the door for some faculty with law degrees to be advocates but not all. The administration wants no legal background at all.

The faculty advocate will come from a trained pool with the Faculty Senate contributing names to the pool. The grievant can select a name from the pool.

Questions: all of the paperwork is copied to University Attorney but faculty advocate cannot have any legal background? Seems to be an uneven playing field if the University can involve individuals with legal backgrounds to assist but the faculty member cannot. Mara noted that the legal counsel issue is not resolved.

Question: is starting termination of a grievant during the grievance process considered retaliation? Mara noted that the retaliation issues are also not resolved either. It becomes tough to navigate when someone who foresees termination files a grievance to keep termination from going forward. However, a termination during the grievance process would be separately grievable as retaliation.

Question – does the advocate have to be a faculty member at the university or can it be a union representative? As currently drafted, the advocate must be a faculty member. The faculty advocate generally will come from a pool selected by the Faculty Senate, though there is a provision that would allow a grievant to select someone outside the pool. It was noted from the floor that the clause that allowed the grievant to select an advocate from outside of the pool arguably would allow for an outside, non-lawyer. Mara noted that she does not think we will find common ground on outside individuals involvement in the process.

Recommendation to clarify bullet above 4.2.4.b, which deals with advocate selection outside of pool.

This will go back to administration for discussion before it comes back for a vote.

**Guest: Justine Harris - Student Government Association – Higher Education Day  
Happy Fulford & Nick Lawkis – Governmental Relations**

Justine Harris - SGA:

There are over 200 students registered to go to Montgomery for Higher Ed Day and there are more who want to go but are afraid to miss class. The SGA is asking for the faculty's help. While SGA understands class schedules, we would really appreciate members of the faculty giving consideration to students who want to go. When students return from Montgomery, Dr. Mitchell will provide each student with a written note excusing the participant from class for the day. The note is given by Dr. Mitchell and is given only to students who are getting off the bus at the end of the day. Justine noted that some professors ask for a short report of what happened, in addition to the letter, to verify attendance as well. There will be student buses and SGA is also providing a faculty bus. Justine encouraged faculty to participate and to sign up through SGA for the faculty bus. Higher Ed day will be Thursday, April 9.

J. Estis noted that the Faculty Senate has asked that the date be added to the academic calendar so when faculty are planning syllabi it will show on the calendar. That could be helpful in ensuring tests/major projects are not scheduled on the day so students would feel more comfortable about missing class. J. Estis noted that the Faculty Senate has also asked the Jag Alert dates be included on the academic calendar for planning purpose.

Nick Lawkis – Governmental Relations:

Nick began by noting that he has been on campus in some capacity since 2008 – student, graduate student, alumni relations, and now with governmental relations.

Nick noted that Happy Fulford sends his regrets; he is on the way to Montgomery. A new term for the state legislature is getting underway. In addition to working with the state legislature, the University recently submitted a handful of federal appropriation requests, that Happy would like to come back and talk about in the future.

During this term, the Office of Governmental Relations will be tracking about 400 bills – gun laws, health care, budget, etc. Education trust fund is doing better than the general fund, but Governor Bentley’s budget proposals are going to make for an interesting session.

Happy wanted me to mention that his office will continue to send emails asking for help – e.g., recent email asking faculty to reach out to local legislators. Everyone can sign up for the legislative updates on the governmental relations page.

Nick – asked how many people have participated in the USA PAC. He noted that the PAC has a new website: [www.southalabamapac.com](http://www.southalabamapac.com) Allows you to join Pac through Paypal – but you do not have to join paypal to contribute. Can do a one time payment or recurring charge. Anything you can do to help would be appreciated.

**ADJOURNED – 4:05 p.m.**



## **Committee Reports (submitted in writing)**

### **Research & Creative Activities (Ellen Buckner, Chair)**

The Research Committee met on 1/27/2015 for a regular meeting. Members present were: Clista Clanton, Elisa Kennedy, Ellen Buckner, Ellen Burton Harrington, Jonathan Audia, Kimberly Littlefield, Lynne Chronister, Mihaela Marin, and Yaz Yazdani

*Discuss possible ORED Event Showcasing Award Winners:* The ORED is planning to schedule an awards event (likely in early May, 2015) where faculty who have received Research and Scholarly Development and Arts & Humanities Small Grants in 2014 can present their findings. 2015 RSDG awardees will be announced. They may try to arrange in conjunction with May Senate meeting but issues of faculty attendance were discussed since it is after graduation.

Discussion was held on the Graduate Student and Faculty Research Forum scheduled for March 16<sup>th</sup>-19<sup>th</sup>. The general perception was that it was not well attended by faculty and was perceived as a graduate student event. Clarification was needed for the different internal grants (USAFDG, ORED) and how these can be communicated to faculty. An overall faculty scholarship day could be developed to showcase faculty work ongoing and recently presented. This needs to be reviewed and discussed in more depth.

Other scholarship events include college/school level (COM in August, AH in spring) and undergraduate (UCUR in fall). These all need to be in calendar and publicized.

*Discuss possible Research Committee Event after September Faculty Senate Meeting highlighting Interdisciplinary Research (Possibly HDRG and CCP).* This was favorably discussed. We will try to get this on the Faculty Senate Calendar. Dr. Buckner will ask FSEC for their OK. We will publicize at New Faculty Orientation and invite last two years new faculty as we have done before.

*Discussion of other concerns and initiatives facilitating faculty research:*

1. The ORED grant to “buy out” one course so faculty can devote time to scholarship is under subscribed. Only 2 proposals were received last year (4 available). We need to encourage faculty to submit requests for this internal mechanism to further their scholarship.
2. The ORED has purchased the research administration software, EVisions. The implementation schedule and process is being planned-e.g. how it articulates with banner, proposal tracking and submission, , post-award change management and etc.
3. There was discussion on the concept of base salaries and how faculty could earn supplements. This is in discussion in administration.
4. Presidential Priorities:
  - a) #1 Student retention—the new advising database will give opportunities for research.
  - b) #2 Research-The upcoming chair’s retreat will focus on the Research Priority. Lynne Chronister asked the committee to give input to the Agenda for the Chairs retreat focusing on Research. The Research Committee gave numerous suggestions on ways to focus on capacity building, the role of the chair in developing a strategic plan and coaching faculty and scholarship teams.

- c) #3 International priority—emphasis is on bringing in international students and in establishing international research collaborations.
- d) #4 Community involvement-There will be a push to have us apply for the Carnegie Community Engagement Classification in 2010. This will mean our Community Based Participatory Research (CBPR) will be part of that. The HDRG and CCP groups are working in this area. We plan to invite these two groups to present in September at the fandango.
5. Scorecard: There will be a scorecard for scholarship developed. This will include departments and schools' # UG research, # Grad Research, # Post-doc research, # Faculty research, etc. We need to have representation on this group.
  6. Research website is working to add internal grants, metrics, and policies. Kim Littlefield has developed a Research Development and learning webpage as part of ORED section. See information below.
  7. Proposals submitted to the NSF should include a REU supplement request – if appropriate - to support our UG research programs. No data on hit rate for this Kim Littlefield reported that there is a new REU - site format with a different inclusion requirements. It includes community college partners. We need to learn more about this and incorporate into our requests.

*Update on RedCap (Clanton):* Clista stated it is in review process. She has met with Andy Lightbourne at Computing. They would like to review other similar programs. This may take a little time but will get us the best program. Those who have reviewed it are strongly supportive—Research Committee, UCUR, Administration, etc. It would not cost a lot but would require computing time and labor, hence their current review. HIPAA would still have to be addressed for clinical data. Please send any comments to Clista.

*ORED Website for Research Development & Learning:*

(Littlefield) <http://www.usouthal.edu/departments/research/rdl/index.html> Kim told us this was up and running. We panned though it and we were impressed with its scope and detail. She welcomes faculty to send her resources, announcements and other information that can be added.

### **Mentoring**

No report

### **Evaluation**

The "Evaluation committee" will be meeting within a few weeks to finalize the annual faculty survey. We are waiting on advice from Dr. Coleman; as soon as it is received, our meeting will be scheduled.

## **Caucus Reports (submitted in writing)**

### **Mitchell College of Business**

The College is currently recruiting a Director of Professional Engagement who will be responsible for professional development programming, internships, and other high impact practices within the college.

### **School of Computing**

The University of South Alabama School of Computing has been re-designated as a National Center of Academic Excellence in Information Assurance / Cyber Defense Education by the National Security Agency and the U.S. Department of Homeland Security. As noted on nsa.gov, "NSA and the Department of Homeland Security (DHS) jointly sponsor the National Centers of Academic Excellence in IA/CD programs. The goal of these programs is to reduce vulnerability in our national information infrastructure by promoting higher education and research in IA/CD and producing a growing number of professionals with IA/CD expertise in various disciplines."

### **School of Continuing Education & Special Programs**

(1) New Dean - Dr. Jim Connors has been appointed as the *School of Continuing Education and Special Programs* Interim Dean. Dr. Connors comes to the SCESP from his former position of Special Assistant to the Vice President of Research at USA. He started as Interim Dean with the SCESP effectively January 14<sup>th</sup> 2015.

(2) New Coordinator for the Department of Interdisciplinary Studies Hospitality & Tourism Management Program -- The *SCESP Department of Interdisciplinary Studies* has hired a Coordinator for its new *Hospitality and Tourism Management* program, Dr. Roy Maize. Dr. Maize received his Bachelor of Science degree from The Pennsylvania State University, and his Master's and Doctorate degrees from The Ohio State University. Among other contributions, Dr. Maize served 13 years as the Director of the *Restaurant, Hotel and Meetings Management* program at the University of Alabama.

### **College of Medicine**

No report

## **University Committee Reports (Submitted in Writing)**

### **QEP Director Search (J. Landry)**

Jack Dempsey is Chair. We currently have five applicants, and we will begin reviewing applications on March 15<sup>th</sup>.

## Draft Grievance Policy

### **4.2.1 Purpose & Scope:**

To further the aims of the University of South Alabama (hereinafter “USA” or “the University”) in teaching/performance, research/scholarly activity/creative work/professional development, and professional/public service, the faculty has established grievance procedures. The intent of a grievance policy is to promote the quality and effectiveness of education and to maintain the highest standards of academic excellence in all areas of service to the University. These objectives should be facilitated by an atmosphere of mutual trust and honest communications. Though informal resolution is encouraged, faculty have a right to pursue issues that affect their ability to contribute to the University and have their disputes settled fairly, expeditiously, and according to understood rules.

### **4.2.2 Definition of Grievance and Grounds:**

A grievance is an allegation initiated by one or more faculty members that there has been a violation, misinterpretation, misapplication or unreasonable application of a University policy, procedure, rule or regulation in the Faculty Handbook.

Any person wishing to grieve on the grounds of discrimination, whether a violation of Equal Opportunity/Equal Access or Sexual Harassment, should follow procedures outlined in USA Handbook section 1.5.3 or 1.5.4. Parties seeking to appeal tenure and promotion decisions or decisions of non-reappointment should follow the procedures outlined in USA Handbook section X.X.X.X and X.X.X.X respectively.

### **4.2.3 Informal Resolution**

No formal grievance proceeding should be initiated unless the grievant has made every reasonable effort to resolve the problem on an informal and internal basis.

To this end the grievant should:

- 1) attempt to resolve the matter with relevant faculty, chair or dean.

If resolution cannot be achieved at this stage, then the faculty member should:

- 2) seek resolution through the ombudsperson. For the role of the Ombudsperson, see section 4.7 of the USA Faculty Handbook.

### **4.2.4**

#### **Initiation of Complaint**

If all informal efforts at resolution fail, then the ombudsperson shall inform the grieving faculty member of the **right to advocacy**, and the **Notice of Grievance Form**.

#### **4.2.4.a**

The **Faculty Advocate** assists the grievant in determining whether to file a formal grievance, shall serve as a mentor and advisor during the formal process.

- At the stage of formal complaint, the Grievant will be notified by the ombudsperson of the right to an advocate. Chosen from a pool (a minimum of 4 tenured, senior faculty, with at least one from each of the academic divisions) established by the Faculty Senate, the advocate advises, assists, and guides the Grievant during the course of the grievance.
- Advocates provide timely advice and information about the grievance process. Though advocates should not be held accountable for the (in)actions of the Grievant, they serve an important role by providing both tangible and intangible services for conflict resolution. Advocating may be as simple as listening to the complaint and offering advice, directing grievants to the appropriate forms, to assisting in the hearing. All advocate activity must be directly related to the grievance and is entirely voluntary. Both advocates and grievants should know that advocates are not formally or legally accountable. Advocates, with the grievant's permission, shall have the right to be present at all stages of the grievance process.
- Communications between the Advocate(s) and the Grievant shall be confidential throughout the proceedings, although with the Grievant's permission, the Advocate might seek advice from other Advocates of the pool. Moreover the Advocate may recuse themselves at any time at which point the Grievant may request another Advocate.
- The Grievant may select their Advocate from outside the Advocate pool, provided that person is not a practicing attorney.

#### **4.2.4.b**

The Notice of Grievance Form shall be filed with the President's Office. The President distributes copies of the completed Grievance Form to the person being grieved, relevant department chair(s), relevant Dean and SVPAA or the SVPHS. The President's office shall also ensure the proper following of procedure and timelines. (See Appendix A)

#### **4.2.5 No Retaliation and appointment of intermediary**

Faculty may exercise the right to file a grievance without fear of retaliation, harassment or negative impact on the employment relationship with the university.

While the grievance is in process, both parties (the Grieved and Aggrieved) must take special care to follow the civil code of conduct outlined in section X.X.X.X of the Handbook. Faculty and the party being grieved may request the presence of a third-party should they need to interact for professional purposes during the grievance procedure.

#### **4.2.6 Establishment of the Grievance Committee Pool**

The President of the Faculty Senate, the Senior Vice President for Academic Affairs and the Vice President for Health Sciences shall together, during the spring of each year nominate a pool of fifteen (15) faculty members to serve as potential grievance committee members during the succeeding twelve (12) months from June 1 through May 31. All full-time faculty shall be eligible for nomination to the grievance pool. Officers of administration, academic deans, and general administration and staff shall not be eligible for service on the Grievance Committee Pool. All appointments will be for three years, with five (5) new appointees being named each year. Any necessary interim replacements will be for the unexpired term of the person being replaced. After the pool has been formed, it will be convened by the Office of the President for familiarization of these procedures.

#### **4.2.7 Selection of the Grievance Committee**

Once a Notice of Grievance form has been filed as per these procedures, the President of the University shall appoint within 10 business days a Grievance Committee made up of three (3) members of the faculty selected from the Grievance Committee Pool. The copies of all letters of appointment to a Grievance Committee will be provided to the President of the Faculty Senate, the Grievant, the appropriate department chair, the appropriate dean, the Senior Vice President for Academic Affairs, the Vice President for Health Sciences, and appropriate other officers or persons named in the Notice of Grievance Form.

The Grievant and those persons listed in these procedures shall have a right to challenge any person appointed to membership on the Committee. To exercise the right to challenge, the challenging party must send a written notice to the President of the University within 3 business days of appointment, with copies sent to those named. The President shall appoint, within 3 business days of notice of challenge, replacement faculty members equal in numbers to those successfully challenged.

Once the Grievance Committee is constituted, the members of the committee shall meet and elect a chair within 10 business days. The Committee shall also set a date for the hearing, which should take place within 45 business days of the initial filing of the Notice of Grievance Form.

#### **4.2.8 Grievance Committee Procedural Rules**

At the hearing, the following persons should be present: the Grievance Committee members, the Grievant, the person grieved, respective representatives, and the current witness.

The chair of the Grievance Committee shall arrange for the official recording of the hearing. No other recording or transcription of the hearing shall be permitted unless specifically authorized by the Committee chair. Upon request of either party, the chair shall arrange for the parties to be given, within 3 business days after each session of the hearing, a copy of the official recording. The University will assume costs associated with the recordings.

Two members of the Grievance Committee, one of whom must be the chair, shall constitute a quorum for conducting the business of the Committee. No member who is absent during any part of the hearing may participate in the preparation of findings and recommendations of the Committee without first listening to the official recording of the portion of the hearing conducted in the Committee member's absence.

At the hearing, the Grievant shall present evidence, following which other evidence shall be received. The Grievant shall have the burden of persuasion.

Where more than one Grievant complaining of a wrong arising out of the same set of facts has a hearing pending, the hearings may be consolidated with the approval of all such Grievants and of the Grievance Committee first appointed to hold such hearings.

The chair of the Grievance Committee shall:

- call witnesses before the Committee as requested by the grievant, the person grieved, and members of the Grievance Committee;
- maintain an orderly hearing and permit no person to be subjected to abusive treatment. The chair may eject or exclude anyone whose conduct is disorderly.

The grievant and the person grieved shall be permitted to:

- examine all evidence presented to the Grievance Committee;
- present evidence available to them and question witnesses.

In addition, witnesses unable to attend may submit written or recorded statements to the Grievance Committee if video or phone conferencing is not a possibility.

The grievant and the person grieved shall be permitted to be represented by any tenured faculty member of the University whom the subject individual may select and who is willing to serve, except for practicing attorneys.

Any rights conferred on the parties at the hearings may be exercised by their respective representatives. At the hearing, the members of the Grievance Committee may ask questions of any witness, of the grievant, or of those persons present.

Any correspondence, notices, evidence which is exchanged, shall be distributed to the grievant and those listed in these procedures.

#### **4.2.9 Findings and Recommendations**

Following the conclusion of the hearing, the Grievance Committee shall meet in executive session, with all other persons excluded. In this session, the Committee shall prepare its findings of fact and recommendations to the President for settlement or solution of the grievance. Executive sessions of the Grievance Committee shall not be recorded.



The Grievance Committee shall make its written report as promptly as possible, but no later than 10 business days after the last hearing date, to the President of the Faculty Senate and to the President of the University, with copies to the Grievant(s) and to the grieved. The President's office shall distribute final recommendations to those persons listed in 4.2.4b. The official recording of the hearing and the Committee's file on the proceedings shall be forwarded to the President of the University at this time.

In its deliberation, the Grievance Committee shall consider no evidence other than written, oral, or recorded evidence presented at the hearing.

#### **4.2.10 Presidential Action**

Upon receipt of the report of the Grievance Committee, the President of the University shall review the findings and recommendations of the Grievance Committee and decide upon the action to be taken on the Committee's recommendation.

The President shall send the Notice of Decision promptly to the Grievant, to the persons named in these Procedures, and to the Grievance Committee, unless the President returns the matter to the Grievance Committee for clarification or further proceedings as appropriate. In either case, this action shall occur not later than 10 business days after receipt of the report. The decisions of the President of the University in each case are final.

#### **4.2.11 Timeliness**

It is expected that all procedures will take place in a timely fashion, and that all parties involved shall strive to adhere to the time limits established in these procedures. However, mitigating circumstances may delay a particular action beyond its deadlines, and such a delay should not be construed as a procedural violation, as long as the involved parties are acting in good faith.

In any event, it is expected that a final resolution will be reached within four months from the date of the Notice of Grievance.

Appendix A: Grievance Form (insert weblink to form here)

**FACULTY GRIEVANCE FORM**

To: University of South Alabama  
The President's Office

From: (Full Name) \_\_\_\_\_  
(Title, Department/Unit) \_\_\_\_\_

Date: \_\_\_\_\_

**Grievance Complaint:**

- A. **Person(s) Grievied Against** (Include the Name/Title/Department of the person), and the date(s) or period(s) of the adverse action(s).
  
- B. **Type of Grievance** (Briefly indicate the nature of the grievance):
  
- C. **Specifics** (Thorough explanations of allegations with any relevant dates. A letter may be attached as necessary.)
  
- D. **Policy Violations** (Identify USA policy or procedure(s) that was violated.)
  
- F. **Remedy Requested** (Identify the remedy sought)
  
- G. **Witnesses** (If applicable, provide a list of possible witnesses that you intend to call for a hearing with a brief description of what the witness will discuss about the grievance. May be amended at a later date).

H. **Exhibits** (If applicable, attach a list of relevant documents with an explanation of relevance and enter as Exhibit A, Exhibit B, etc.)

I. **Summary of Efforts at Informal Resolution** (Please offer a summary of efforts at informal resolution, including parties engaged in discussion, dates and outcome(s), if applicable)

**J. Please provide information for the Advocate, if applicable**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home/Cell Phone: \_\_\_\_\_

Office Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**J. Grievant Contact Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home/Cell Phone: \_\_\_\_\_

Office Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Date Filed: \_\_\_\_\_