

Personnel Policies Committee (PPC) Report for the Faculty Senate April 24, 2019

The PPC met on Wednesday, April 17, 2019, 3:00 p.m. in Morrison 219

Members Participating: Karl Frinkle, Rhonda Richards, Charles Matthews, Patrick Reardon, William Fridley, Kathy Boothe (via Zoom)

- I. **Call to Order**
PPC Chair William Fridley called the meeting to order at 3:06 p.m.
- II. **Review the Faculty Grievance Policy (APPM 4.4.6) in regard to the functions of the Faculty Appellate Committee and the Faculty Grievance Committee (APPM 3.5), and in light of the Civil-Rights & Title IX Policy for Faculty, Students and Staff:**
<http://www.se.edu/dept/compliance-and-safety/files/2019/01/Civil-Rights-Title-IX-Policy.pdf>
Fridley distributed hard copies of a draft revision for APPM 4.4.6 (and hard copies of the current APPM 4.4.6). The draft revision was discussed, as were related portions of the APPM that required additions or deletions. Fridley volunteered to write a draft of these additional changes. The draft was emailed to PPC members on 4-18-2019 for review. The reviewed draft is included below, in the form of five motions for the Faculty Senate to consider at the April 24 meeting.
- III. **Recommended charges for next year? See [current charges](#).**
No new charges were recommended.
- IV. **New Business**
There was no new business.
- V. **Adjournment**
The meeting adjourned at 3:33 p.m.

Five Motions for Revision of the APPM 4.4.6, and related policies for the Faculty Senate Meeting of April 24, 2019

Motion 1

Amend the Academic Policies and Procedures Manual (APPM) 4.4.6 Faculty Grievance Policy as indicated below. [Underlines indicate new words or phrases; highlights indicate new or additional sections; and, strikethroughs. Some explanatory comments are also provided.]

Rationale: to align grievances and appeals to their proper hearing body, and to achieve consistency with the Civil Rights & Title IX Policy for Faculty, Students and Staff (Civil Rights)

4.4.6 Faculty Grievance and Appeals Policy

The University recognizes the right of faculty to express their grievances and seek a resolution concerning work-related disagreements that might arise between University and its faculty. The

purpose of the faculty grievance policy is to provide an avenue for the resolution of informal and formal grievances without fear of coercion, discrimination, or reprisal because of exercising rights under University policy.

a. Informal Grievances

Faculty members having complaints are encouraged to seek informal resolution. The University maintains an open-door-policy and administrators encourage faculty to communicate issues of concern to their department chair or administrative supervisor.

If the grievance cannot be resolved informally, the formal procedure is available. It provides for a prompt and impartial review of all factors involved in the grievance.

b. Formal Grievances

A formal grievance may be made when informal processes have not resolved a work-related issue and when a faculty member believes that he or she has been discriminated against on the basis of race, color, religion, national origin, sex, age, disability, sexual orientation, gender identity, or status as a veteran, or that a violation of policy has occurred concerning working conditions, employment practices, individual rights, academic freedom, or due process. ~~(in matters not related to promotions and tenure)~~. Complaints regarding promotion and tenure, post-tenure review, and appeals of dismissal of tenured faculty are addressed in the Faculty Personnel Policies section of this manual (APPM Chapter 4). Issues relating to salary increases, fringe benefits, and non-renewals of non-tenure track appointments are excluded from the formal grievance definition.

Commented [WF1]: This list, and the list below were modified to be consistent with the list in the Civil-Rights and Title IX Policy.

Complaints unresolved administratively solely involving harassment or discrimination based on race, color, religion, national origin, sex, age, disability, sexual orientation, gender identity, or status as a veteran must be filed with the Affirmative Action Officer (AAO) and will be handled according to Civil-Rights & Title IX Policy for Faculty, Students and Staff: <http://www.se.edu/dept/compliance-and-safety/files/2019/01/Civil-Rights-Title-IX-Policy.pdf>

The Faculty Appellate Committee (FAC) is elected by the Faculty Senate and is a standing body that will hear procedural due process appeals regarding promotion, tenure (according to 4.6.3 Step 6), and post-tenure review (according to 4.4.7.7) and act as the Appellate Committee on the Dismissal of Tenured Faculty Members (according to 4.6.12).

The Faculty Grievance Committee (FGC) is a standing body that will hear faculty grievances and make recommendations. The Faculty Grievance Committee will appoint a chair, who must be tenured, whose responsibility it will be to receive grievances from the appropriate office and to assign at least three (3) members of the committee as a subcommittee to hear any grievance.

PROCEDURES

Filing of Grievance:

The grievance must be filed with the Vice President of Academic Affairs or President's designee in the event that the Vice President is the grievant or respondent, who will then notify the Faculty Grievance

Commented [WF2]: Changed to specify the FGC as the hearing body.

Committee (FGC) as soon as possible, but not more than one year from the date on which the faculty member knew or reasonably should have known of the violation giving rise to the grievance.

1. The grievant shall state fully in writing the facts upon which the complaint is based.

A written complaint must contain the following:

- a. A clear and detailed, signed statement of the grievance,
- b. The specific remedial action or relief sought,
- c. A summary outlining with whom the points of dissatisfaction were discussed and with what results, and
- d. A summary of any evidence upon which the charges or complaints are based.

2. The Chair of the Faculty Grievance Committee (FGC) will immediately notify the respondent(s) of the grievance. The respondent will have 15 calendar days from receipt of the complaint to respond in writing to the FGC Chair.

_____ End of changes

Motion 2

Add information to the function statement of the Faculty Grievance Committee (APPM 3.5). The proposed addition is highlighted.

Faculty Grievance Committee

Function

The Faculty Grievance Committee will hear faculty grievances and make recommendations. The grievances are in matters not pertaining to promotion, tenure, post-tenure review, or dismissal of tenured faculty members. Complaints unresolved administratively involving harassment or discrimination based on race, color, religion, national origin, sex, age, disability, sexual orientation, gender identity, or status as a veteran must be filed with the Affirmative Action Officer (AAO) and will be handled according to Civil-Rights & Title IX Policy for Faculty, Students and Staff: <http://www.se.edu/dept/compliance-and-safety/files/2019/01/Civil-Rights-Title-IX-Policy.pdf>

Motion 3

Remove the following portions of the Academic Policies and Procedures Manual (APPM) which have been replaced by the Civil-Rights & Title IX Policy for Faculty, Students and Staff (see the chart on p. 2). And, adjust the APPM numbering accordingly.

- APPM 7.4 Sexual Harassment, Sexual Relationship, and Sexual Assault Policy
- APPM 7.5 Racial and Ethnic Policy
- APPM 7.14 Americans with Disabilities Act Policy

Commented [WF3]: Point 2 in the APPM was removed. The point concerned the determination of hearing committees in the case of multiple "types" of complaints. The new alignment of the policy renders this point unnecessary.

Motion 4

Replace APPM 1.8 Nondiscrimination, Equal Opportunity and Affirmative Action Policy with the wording of the "Introduction" and "Policy Statement" sections of the Civil-Rights & Title IX Policy. And ask that the title for APPM 1.8 be changed as the administration and legal counsel see fit.

Replacement language from the Civil-Rights & Title IX Policy

Southeastern Oklahoma State University affirms its commitment to an educational and working environment free from discrimination and harassment on the basis of race, color, national origin, religion, sex, sexual orientation, gender, age, disability, veteran status, and other protected characteristics. Discrimination of any kind, including harassment and retaliation, will not be tolerated. This policy specifically covers all civil rights and Title IX matters for all faculty, students, staff, student and employee applicants, contractors and visitors when the University becomes aware of discrimination, harassment or retaliation through a complaint or by other means. Southeastern is committed to promptly ending any instances of discrimination, harassment, or retaliation and taking appropriate measures to effectively prevent the repetition of such conduct.

The University will impose appropriate sanctions to reasonably ensure that such actions are not repeated, and steps will promptly be taken to remedy the effects of the misconduct. The University is committed to preventative programming and outreach to the campus community in order to improve campus attitudes and understanding about discrimination, harassment, sexual misconduct, effective consent, bystander intervention, and other important behavioral wellness topics.

Policy Statement

Southeastern Oklahoma State University, in compliance with applicable federal and state law and regulations, does not discriminate and prohibits discrimination on the basis of race, color, religion, national origin, sex, age, disability, sexual orientation, gender identity, or status as a veteran in any of its policies, practices, procedures, or programs. This includes, but is not limited to: admissions, employment, financial aid, and educational services.

Motion 5

Add the Civil Rights & Title IX Policy for Faculty, Students and Staff to the APPM as Appendix M.