

2-3-2014

# Faculty Grievance Committee (FGC) Policies and Procedures, Section 220-Final Committee Draft

Georgia Southern University

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*Approved by the Senate: 2/14/2014*

*Not Approved by the Senate:*

*Approved by the President: 2/17/2014*

*Not Approved by the President:*

# Faculty Grievance Committee (FGC) Policies and Procedures, Section 220-Final Committee Draft

2/3/2014

## **Motion:**

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Motion to approve the Final Committee Draft of the Faculty Grievance Procedures (Section 220) of the Georgia Southern University Faculty Handbook. Final draft of the Faculty Grievance Procedures (Section 220) is attached.

## **Rationale:**

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Based on Michael Moore's Letter attached and nominations by the Faculty Senate Executive Committee, President Keel formed an ad hoc committee to review Faculty Grievance Committee (FGC) Policies and Procedures. The committee's charge was to review the Faculty Grievance Procedures (Section 220) in light of the Faculty Grievance Committee Chair's concerns and issues to see what changes were needed. The last substantive review of the FGC policies and procedures was in 2004. Members serving on the ad hoc committee are Michael Moore, Marc Cyr, Clara Krug, Renee Hotchkiss, Wen-Ran Zhang, Bob Fernekes (chair), Jennie Dilworth (until August 2013), and Jill Lockwood (until Dec 2013).

## Response:

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2/10/2014: The SEC thought this to be a sensible revision to the Faculty Grievance Committee Policies and Procedures and recommends this motion to the Faculty Senate.

2/10/2014. 7.1. Revisions to “Faculty Grievance Committee Policies and Procedures”  
Bob Fernekes (LIB): I can highlight a couple of items that would be of significance that the entire review process was based on Michael Moore’s letter which was attached to the motion request and nominations by the Faculty Senate Executive Committee.

President Keel formed the ad hoc committee which I chaired, to review the Faculty Grievance Committee Policies and Procedures. The committee’s charge was to review the procedures in light of the committee chair’s concerns and issues to see what changes were needed. The last substantive review was 10 years ago, so that’s what got the process started.

The changes that we developed can be grouped into two categories. The first one’s the easy part, the technical and the second information and documentation. Technical changes consist of changes in membership, under the current system we have regular and an alternate members which posed a problem when a regular member had a conflict of interest with the policy/procedures was written that they could not serve on a plenary session, so basically we ran individuals that could serve in full capacity. So that was changed so that all members of the committee now are eligible to serve on a plenary session and subsequent editing the document to ensure that we changed all of the applicable sections. And as fate would have it, there will be a need for a friendly amendment to correct an editing slip on line 90 ~~strikeout~~ the phrase “regular or alternate” and the word “regular” on lines 93 and 101. Because

Bob Cook (Parliamentarian): Bob, make the motion first and then

Bob Fernekes (LIB) From the outset and during the review there was collaboration between administrators and faculty, primarily President Keel and Maura Copeland, Legal Counsel, and among faculty, primarily the focus was on clarifying the information and documentation needs supporting the grievance process as reflected in the final draft. So there are some insertions in the final draft that speak to that. In a nutshell, evidence based decision making everything documented. So working with the administration and faculty has brought us to this point and we welcome any questions and comments and I will turn to my colleagues for additional detail as required.

Bob Cook (Parliamentarian): So now you need to make a motion.

Bob Fernekes (LIB): Yes, I would make the motion since I’m sitting in for Rebecca Ziegler, so a motion to approve the final committee draft of the Faculty Grievance

Committee Procedures Section 220 of the Georgia Southern University Faculty Handbook. (seconded)

Robert Costomiris (CLASS) SEC Chair and Senate Moderator: Discussion?

Clara Krug (CLASS): Is this an appropriate time to make the friendly amendment?

Robert Costomiris (CLASS) SEC Chair and Senate Moderator: Yes it would be.

Clara Krug (CLASS): I would like to make the following friendly amendment to the motion which has been made and seconded that on line 90 that the words "regular or alternate" be deleted. On line 93 the word "regular" be deleted. And on line 101 the word "regular" be deleted. The rationale is that there are no more regular or alternate members there are only members.

Robert Costomiris (CLASS) SEC Chair and Senate Moderator: Clara, can you give us the line numbers again? Clara Krug (CLASS): Line 90 to delete "regular or alternate;" line 93 to delete "regular;" and line 101 to delete "regular"

Robert Costomiris (CLASS) SEC Chair and Senate Moderator: Okay.

Bob Cook (Parliamentarian): Is that okay with you, Bob? If its friendly, you have to be friendly, too. Robert Costomiris (CLASS) SEC Chair and Senate Moderator: You have to accept the friendly amendment. Bob Fernekes (LIB): Say again?

Robert Costomiris (CLASS) SEC Chair and Senate Moderator: You have to accept the friendly amendment. Bob Fernekes (LIB): Yes, I accept the friendly amendment, and I have a copy here as well.

Clara Krug (CLASS): He asked me to make it, so I guess he did. Bob Fernekes (LIB): Thank you.

Robert Costomiris (CLASS) SEC Chair and Senate Moderator: So are there any other amendments? Yes.

Jean Bartels (Provost): I wanted to draw your attention to line 52-53, which asks that the chair of the Faculty Grievance Committee be notified within 15 days of any receipt of changes essentially to the Board of Regents Bylaws, if they are changed. I would just like to now indicate that that will virtually impossible to do. Because we are not always, or sometimes, ever, notified until it just appears. So we could be in violation of this most immediately because we can't deal with the 15 day notification on a routine basis to be consistent. I offer a recommendation that perhaps we would just say that the Grievance Committee would be notified of any changes as appropriate.

Clara Krug (CLASS): My interpretation of that particular sentence is not that the administration would notify the Faculty Grievance Committee within 15 days, but that the Faculty Grievance Committee's doing something, but within 15 days of receiving word from the Board of Regents of the University System of Georgia of a change in the Bylaws and Policies, so that, for example, if the administration of Georgia Southern received information about that on February 17, within 15 days they would notify the Faculty Grievance Committee of those changes so it would be really a vocal notification, which could be accomplished by, I guess, an email, so that there would be written documentation.

Jean Bartels (Provost): It's not routine that the Board notifies of a change, we may find out about a change if there was Board of Regents' meeting, we could potentially find out at that time, if there was a change, but they don't routinely send us changes to policy.

Clara Krug (CLASS): However, if that notification were forthcoming, the Faculty Grievance Committee could be notified. I think if you receive no notification then this still would apply, if you did receive notification.

Robert Costomiris (CLASS) SEC Chair and Senate Moderator: So Clara what you are suggesting is that it may not be an issue? (Clara Krug) (CLASS): I think if you leave it and then you pray that the Board of Regents changes over time and actually does notify the campuses on a regular basis so that they may share it with the committee, right? I just keep praying, I've been here a long time, but I keep hoping that they will do that, and then it makes it easier for our administrators to keep in touch with us about these changes.

Robert Costomiris (CLASS) SEC Chair and Senate Moderator: So Dr. Bartels, are you content on leaving this as is? Jean Bartels (Provost): That's just fine.

Robert Costomiris (CLASS) SEC Chair and Senate Moderator: Any further discussion?

Devon Jensen (COE): Clarification to understand the process here a little bit. So just kind of beginning around row 45, in the document, so a particular individual has a grievance, they go to their department chair, can't be resolved there, so they then go to the dean of the appropriate college, the mediation process is brought into place and it is not resolved at that point in time, and so after that point in time, if I'm reading it correctly, then the Faculty Grievance Committee can step in. Is there a procedure there to like once it can't be resolved at the dean's level, is that particular individual notified or informed that they can now go to the Faculty Grievance Committee to begin a continuation of their grievance? I don't see that mentioned anywhere or I'm not sure how that actually happens.

Robert Costomiris (CLASS) SEC Chair and Senate Moderator: Can anyone address that who is on the committee?

Clara Krug (CLASS): I served as chair for approximately 10 years. Typically what happens, Devon, is that there is an effort to resolve the issue at what we would call the, for lack of a better word, the lowest possible level, the most initial level, is maybe more appropriate rather than the lowest, so you would start with your department chair, if it was not a positive result of the faculty member's standpoint, he/she would continue with the dean, the dean would let him/her know the decision, and then if the faculty member were not pleased by the decision, the faculty member would let the chair of the Faculty Grievance Committee know, and there is a list of items that the person would have to present to the Faculty Grievance chair, the chair and the person would meet with the Provost to see what other avenues there might be, which could include mediation or something else. And then if that was not something that the faculty member wanted to pursue he/she would then go to the Faculty Grievance Committee. I think that that's all in here; I think it may be a little bit further along.

Pat Humphrey (COSM): Just a little bit of clarification, having served on the Committee for three or four years now. Oftentimes, it's really not feasible for a grieved faculty member to try to negotiate with their chair or even their dean because typically the grievance is against the chair or the dean, for some action they took, so therefore you're stuck with really going to the Provost or the Grievance Committee.

Robert Costomiris (CLASS) SEC Chair and Senate Moderator: Thank you. Any

Devon Jensen (COE): And for that grieved faculty member are they, how do they get information in terms of who they contact regarding the Faculty Grievance Committee?

Pat Humphrey (COSM): It's on the University web pages. All they'd have to do is search for the Faculty Grievance or it's also in the Faculty Handbook in terms of that.

Robert Costomiris (CLASS) SEC Chair and Senate Moderator: Thank you.

Clara Krug (CLASS): It begins on line 176, initiating formal proceedings and it continues through 199. And that includes the items that I mentioned that individual must produce and then proceed to the initial hearing and the investigation, etc. So the information is here. I think what's, I think sometimes faculty members, newer faculty 13 | Page members perhaps may not think to consult the Faculty Handbook, but I know that various Senate Executive Committees have tried very diligently include all of the policies that affect faculty members and which faculty members may use on their behalf. We even initiated a couple of years ago including the Board of Regents' Policy for dismissal of tenured faculty member in the Handbook, had not been included so anybody who wanted to find out if he/she could do had to plow through the online policies. We had a colleague year's ago who used to tell us he had a copy of the policies that he would read before going to bed at night, just so he could sleep well. So we try to put it here easily for people to read. And I want to thank the Provost because the one time this Handbook was online and that was the only access and I'm a firm

believer in carrying a hard copy so that you can refer to it at a public meeting because sometimes the projected copy in a room with this unfortunate lighting is not easy for older members of this particular group, like myself, to read clearly.

Robert Costomiris (CLASS) SEC Chair and Senate Moderator: All in favor of approving the Faculty Grievance Procedures as amended, say aye. Opposed?

Approved as amended.

## Attachments

[Moore FGC Review Letter](#)

[Grievance Procedures\\_Sect220\\_Final Draft](#)



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DEPARTMENT OF  
CURRICULUM,  
FOUNDATIONS, AND  
READING

January 30, 2012

President Brooks Keel  
Georgia Southern University

Dear Dr. Keel,

As chair of the Faculty Grievance Committee, I am writing to request that you appoint an ad hoc committee to review FGC policies and procedures and possibly make recommendations for revisions. This request comes with a unanimous vote from the FGC and with the support of the Senate Executive Committee.

The last substantive review of the FGC policies and procedures was in 2004. Senate Moderator Marc Cyr was appointed chair of the ad hoc committee (not because he was Moderator, but because he already had been acting as the informal negotiator in a disagreement between the FGC and the Provost and President) and its report and recommendations were delivered during the tenure of new Senate Moderator Jeanette Rice. I was a member, as were current Moderator Clara Krug (then-chair of the FGC) and then-Provost Vaughan Vandergrift; other members were senators, FGC members, college representatives, and the University Attorney, Jeff McClelland. Via its members, the committee received input from other stakeholders in the process. Recommendations were brought to the senate for discussion and approval, and when the senate recommendation was approved by President Grube the revised policies and procedures were included in the Faculty Handbook.

A review might consider a number of issues, among them the changing role of alternates and the service credit derived; electronic transmissions and communications within the committee, and among administrators, the aggrieved, and those whom the grievance is against; the issue of faculty due process; and the time frame for grievances. We are recommending a thorough review of the policies and procedures.

If you would like to discuss this further, please feel free to call on me.

Sincerely,

A handwritten signature in cursive script that reads "Michael Moore".

Michael Moore

Chair, Faculty Grievance Committee

Received

JAN 30 2012

Final Committee Draft, 1/31/2014: Ad Hoc Committee Proposed Changes to Section 220, *Georgia Southern University Faculty Handbook, 2013-2014*.

220 Grievance Procedures

The Faculty Senate is responsible for determining the Faculty Grievance procedures and submitting them for Senate and Presidential approval.

Conflict is a normal aspect of university life, arising over many issues: competition for limited resources; insufficient information, misinformation, and misunderstandings; or differences in interests, personality, and perspectives. At times conflict can be positive, and its resolution can result in better ideas or modes of operation. Unresolved conflict, however, can grow into more serious disputes. Georgia Southern University encourages resolution of conflicts at their source—between two persons. A situation that escalates to the point of filing a formal grievance involves many more people and becomes far more costly in time, relationships, and money.

#### Alternative Dispute Resolution

As methods of dispute resolution, Georgia Southern offers two alternative procedures:

1. Informal Conciliation. The aggrieved faculty member shall first seek redress in consultation with his or her department chair or equivalent. If the grievance is not resolved at the department level, he or she shall then seek redress in consultation with the dean of the appropriate college.

2. Mediation. In mediation, the two disputing parties negotiate in the presence of a trained, neutral third party who has no power and no role in deciding what to do. The disputing parties decide the course of action that will reduce their conflict. The mediator facilitates the mediation process and may assist communication by restating and clarifying each person's concerns and interests. Mediation is voluntary and confidential. Agreements between disputing parties are binding only by choice. The issues negotiated must be within the power of the disputing parties to resolve.

Mediation is appropriate in at least three circumstances: (1) two parties cannot work together because of a dispute; (2) work performance is negatively influenced by a dispute; and/or (3) one party complains about another party's action/decision. Mediation has the potential to increase or improve communication between parties; to assist parties in looking at issues and deciding whether either person may expect the other to resolve an issue; to clarify the issues or

source of the conflict leading to the best way to approach a resolution; and to result in a mutually satisfying resolution that improves the work environment.

Faculty may follow the formal Grievance Procedure outlined in *Section 220.01*.

## 220.01 Faculty Grievance Procedures

Should informal conciliation or mediation prove unfruitful or inappropriate, the University has established the Faculty Grievance Committee (*Statutes*, Article IV, § 4). Faculty are not defined as classified employees according to the Board of Regents' *Human Resources Administrative Practice Manual*:

*Classification, Compensation, and Payroll*. The Committee's purpose is to conduct inquiries into faculty grievances and to make recommendations. It is not to create policy. These procedures shall be subject to and consistent with the Faculty Handbook and the *Statutes* of Georgia Southern University, unless superseded by the written *Bylaws* and Policies of the Board of Regents of the University System of Georgia. The Chair of the Faculty Grievance Committee will be notified within 15 days of receipt of said changes by the appropriate administrator of Georgia Southern University.

# 1 A. GRIEVANCE COMMITTEE PURPOSE AND JURISDICTION

1. There shall be a standing Faculty Grievance Committee to which all members of the faculty shall have access. The Faculty Grievance Committee shall have the authority to conduct inquiries into faculty grievances and to present to the responsible administrator its recommendations (see § 220.01.C5 and H4 below). The intent is to provide fair procedures to all parties to the grievance. All parties should enter the proceedings in good faith.
2. With the exception of the circumstances mentioned in items 3, 4, 5, and 6, a grievance may be filed for any reason.
3. Grievances against the President must be pursued at the Board of Regents level and not through the Faculty Grievance Committee. Matters resolved by the Board of Regents shall not be in the purview of the Faculty Grievance Committee (*Bylaws of the Board of Regents*, Article VIII).
4. Complaints alleging discrimination, harassment, or retaliation on the basis of sex, race, religion, national origin, disability, age, sexual orientation, veteran status, or other "protected class" basis cannot be pursued through the Faculty Grievance Committee, but must be pursued through the Office of Diversity Services. If a satisfactory solution is not reached the faculty member may pursue the action privately through other legal means.

5. Grievances involving nonrenewal of contracts or denial of tenure or promotion shall be appropriate for the consideration of the Grievance Committee only if the complaint alleges violations of published written procedures and/or criteria available to all faculty members, harassment (except as specified in item 4), retaliation (except as specified in item 4), or denial of academic freedom.

6. While salary issues may be collateral to many grievances, salary disputes based on disagreement over qualitative judgments are not in the purview of the Faculty Grievance Committee; such concerns may be pursued via the relevant department chair, dean, and the Provost. Grievances directly involving salary are appropriate for consideration by the Faculty Grievance Committee only if the complaint alleges violations of established practices, procedures, and/or criteria.

## **2 B. COMPOSITION OF FACULTY GRIEVANCE COMMITTEE**

1. Any non-temporary full-time faculty member who will have completed a minimum of three years as a full-time faculty member at Georgia Southern at the time of assuming regular or alternate membership on the committee is eligible for election.

2. The Faculty Grievance Committee shall consist of 30 regular members, with the colleges and the Library represented in the following proportions: five members each from Liberal Arts and Social Sciences, Science and Mathematics, Education, and Business Administration; three members each from Health and Human Sciences and Engineering and Information Technology; two members each from the Jiann-Ping Hsu College of Public Health, and the Library. Academic department chairs, division directors, interim department chairs, or other individuals who are one-third or more on administrative time are not eligible for election to or service on the Faculty Grievance Committee.

3. The term of regular membership shall be two years. An individual may be re-elected to an unlimited number of successive terms. Terms of membership shall begin and terminate on August 1.

4. At the end of each year of service, vacancies in the elected contingent from each college and the Library shall be filled by electoral procedures as determined by the college or Library.

5. If a grievance is unresolved on August 1 and continues into the next academic year, any committee member whose term should end on August 1 shall continue to serve for that particular case until the committee has made a recommendation as outlined in these procedures.

6. Annually, at the earliest convenient time following August 1, the elected members of the committee shall select a chair from among their membership. The committee chair votes only in the event of a tie.

7. The elected chair of the committee shall communicate to the Provost/Vice President for Academic Affairs the name of the chair following each annual election, and the Provost/Vice President shall send an announcement of the name of the chair to each member of the faculty of the University.

### **3 C. CONFLICTS OF INTEREST**

A conflict between the private interests of an individual and the official responsibilities of that individual when in a position of trust creates a conflict of interest that must be avoided to ensure fair and impartial treatment of complainants and respondents alike.

1. Conflicts of interest include, but are not limited to the following:

- a. A complainant or respondent is in a committee member's college.
- b. Someone brings a grievance against a committee member's department chair, division director, or interim department chair.
- c. A member of the family of a committee member brings a complaint or is named in a complaint.
- d. There is another professional or personal reason that might impair or appear to impair a committee member's impartiality.

2. Any elected member of the grievance committee with a conflict of interest shall not serve on the committee for that grievance. The chair will contact elected committee members immediately to determine whether they perceive a conflict in a particular case. The chair will determine the validity of conflicts.

3. If the grievance committee chair has a conflict of interest, with committee approval, he or she will appoint a replacement to serve as chair for that case only. This shall be done prior to the convening of the initial hearing.

4. If a grievance committee member is a complainant in, or a respondent to, a grievance, he or she shall resign from the committee for the remainder of his or her term.

5. Conflicts of interest may also arise for the administrator charged with receiving and acting upon Faculty Grievance Committee reports. If the highest-ranked named respondent is subordinate to the Provost, the Provost shall be the responsible administrator; if the Provost is a named respondent, the President shall be the responsible administrator (see § 220.01.A2 above regarding grievances against the President).

6. During a grievance procedure, all members of the Faculty Grievance Committee must avoid ex parte communication or other means of creation of conflicts of interest during contacts with any involved party and must not discuss the grievance with anyone except other members of the grievance committee or the responsible administrator.

## **4 D. CONFIDENTIALITY AND OPEN RECORDS PROCEDURES**

Grievance Committee records are subject to the Georgia Open Records Act, O.C.G.A. section 50-1870 et seq. All identifying information presented will be kept confidential to the extent permitted by law.

1. All plenary sessions of the Faculty Grievance Committee concerning a grievance shall be audio-recorded. When the recording begins, the committee chair will identify all who attend that session. These recordings and any personal notes are for the use of the Faculty Grievance Committee only for duration of the grievance process and appeal process as identified in the Board of Regent's *Human Resources Administrative Practice Manual: Employee Relations Grievance Policy* and then will be destroyed.

2. Open Records Request procedures are as follows:

a. The Faculty Grievance Committee chair, or his/her designee, and the University's designated Open Records custodian shall arrange the examination and copying of records.

b. Conditions under which the complainant(s) or respondent(s) examines the records shall be such that they reasonably respect privacy while complying with the law.

## **5 E. INITIATING FORMAL PROCEEDINGS**

If earlier efforts to obtain redress (see § 220 above) have been unsuccessful, prior to considering the complaint, the responsible administrator will meet with the complainant and the chair of the

Faculty Grievance Committee (or a member of the Faculty Grievance Committee designated by the chair). The purpose of this meeting will be to establish the path to be followed to resolve the complaint. It will then be the faculty member's decision to follow one of the following courses.

1. If the complainant does not desire to have the complaint reviewed by the Faculty Grievance Committee, then the responsible administrator will act on it.
2. If the complainant chooses to have the Faculty Grievance Committee hear the complaint, he or she shall bring the matter to the chair of the committee. To receive a hearing by the Faculty Grievance Committee, the faculty member must (a) make a written request for a hearing within four weeks of meeting with the responsible administrator and the chair of the Faculty Grievance Committee, and (b) present to the chair a signed and notarized written statement of complaint which includes the following information:
  - a. Name of complainant
  - b. Name of person(s) against whom the complaint is made
  - c. A listing and description of the complaint
  - d. The redress sought

## **6 F. INITIAL HEARING**

1. On receipt of the request for a hearing, the Faculty Grievance chair will convene a meeting of a minimum of eight members to form a plenary session of the full committee. This meeting shall be scheduled in writing. This document shall state the date and time of the meeting and the nature of the grievance.
2. When the plenary committee meets, the aggrieved faculty member will appear in person to present the grievance. All members of the plenary committee [See F1.] must attend this session (subject to substitutions for conflicts of interest noted above).
3. After presenting the grievance and answering such questions as the committee members think appropriate, the aggrieved faculty member will retire, and the plenary session shall discuss the matter and vote to determine whether the grievance is a matter appropriate to its further inquiry. A majority vote of the plenary session of the full committee is necessary for further inquiry into the grievance.

4. In those cases in which it appears essential to the questions at issue, the committee may make the acceptance of a case contingent upon permission from the aggrieved faculty member to allow access by the committee to the faculty member's personnel files and pertinent records. Such permission will be given in writing within five working days of receiving the letter notifying him or her that the committee has decided to investigate the complaint.

5. If the Faculty Grievance Committee determines that the matter is appropriate to its further inquiry, the committee, through the chair, shall inform the faculty member, the respondent(s), and the responsible administrator of this decision in writing. The letter to the aforementioned interested parties will include a listing and description of the complaint(s) being investigated, the redress sought by the complainant, and a statement of the reasons the complaint(s) is (are) appropriate for the committee to investigate.

6. If the Faculty Grievance Committee does not find the grievance to be appropriate for its further inquiry, then the committee, through the chair, shall inform the aggrieved faculty member and the responsible administrator of this decision in writing.

## **7 G. INVESTIGATION**

1. If the committee determines that its assistance is warranted, the chair shall appoint a three-member investigative panel from among the membership of the plenary session to assume responsibility for the case.

2. The aggrieved faculty member and the respondent(s) may each exercise peremptory challenges of up to two members of the panel. Such challenges must be made in writing within five working days of receipt of the letter notifying them of the composition of the panel. Panel members so challenged shall be removed from the panel and replaced by the chair from among the remaining members of the committee.

3. When duly constituted, subsequent to challenges, the panel shall select one of its members to serve as chair; all interested parties will be informed in writing of the names of the members of the investigative panel.

4. Only the three members of the investigative panel shall conduct the investigation. Whenever possible, all three shall attend every interview related to the investigation. Under no circumstance will only one of them conduct an interview.

5. The panel shall have cooperation from administrators involved in the grievance and access to pertinent public-domain documents and other data sources. Respondents shall make themselves available in a timely manner to the investigative panel for interviews. If written

permission has been granted by the faculty member, the panel shall also have access to the personnel files about the aggrieved faculty member which are in the possession of members of the administration.

6. Under normal circumstances, the investigative panel shall complete its work within three calendar months of the plenary session (see F above). The Faculty Grievance Committee will determine what constitutes normal circumstances. The procedures of the panel will not be interrupted or terminated other than by majority vote of the plenary session of the full committee hearing the grievance, with a listing and description of the reason(s) for this decision supplied in writing by the Faculty Grievance chair to all parties to the grievance; or by mutual agreement, in writing, between respondent(s) and complainant(s), which agreement will be forwarded in writing to all parties to the grievance by the chair of the Faculty Grievance Committee.

## **8 H. FINAL REPORT**

1. The investigative panel shall report the results of its inquiries to a plenary session of the full committee hearing that grievance. A quorum must be present to vote.

2. Upon reading the panel's report and hearing the panel's recommendation, the plenary session of the full committee will discuss the report and vote to:

- a. accept the panel's recommendation, or
- b. reject it in favor of an amended recommendation, or
- c. request additional information.

Either action (a) or (b) requires a majority of affirmative votes of the plenary session of the full committee. If neither (a) nor (b) receives a majority of affirmative votes, the full committee will request additional information. Only members present may vote. No proxy votes are accepted.

3. The plenary session shall prepare its recommendation for appropriate action in the case and the chair of the committee and the chair of the investigative panel shall communicate this recommendation orally and in writing to the responsible administrator.

4. The two chairs shall prepare for the aggrieved faculty member a letter indicating the committee's recommendation and the reasons for that recommendation. The letter will not include confidential information gathered during the investigation. The letter shall be given to the aggrieved faculty member in the presence of the members of the investigative panel and the chair of the Faculty Grievance Committee, unless the chair determines that there is a reason to involve the entire committee. The chair of the committee shall send a copy to the responsible

administrator. Within 30 working days, the responsible administrator will provide to the aggrieved faculty member and the Faculty Grievance Committee a written report that details what action(s), if any, the University will take in response to the recommendations made, and the reasons for the University's action(s) or inaction, including details of any claimed extenuating circumstances (or words to that effect).

5. If dissatisfied with the subsequent action of the responsible administrator, the aggrieved faculty member may appeal that recommendation to the President in writing within 30 working days, and if resolution is not achieved the decision can be appealed to the Chancellor and to the Board of Regents pursuant to Article VIII of the *Bylaws of the Board of Regents of the University System of Georgia*.