

Student Academic Appointee Board of Review

BL-ACA-D24

About This Policy Effective Dates:

02-05-2002

Last Updated:

04-15-2008

Responsible University Office:

Bloomington Faculty Council

Scope

All student academic appointees on the Bloomington campus.

Policy Statement

~~If resolution of the grievance cannot be reached at the departmental or unit level, or through the SAA Mediation Committee, the SAA may bring the grievance before the SAA Board of Review.~~ The BFC annually elects three faculty members to the Student Academic Appointee (SAA) Board of Review. No more than two members of the Board may be elected from a single academic division of the University. At least one member should have previously served on the Faculty Board of Review. Each year, the Graduate and Professional Student Organization Government (GPSGO) supplies a list of graduate students for potential membership on the SAA Board of Review. The BFC members select three members from this list to ~~also~~ serve on the Board.

An SAA seeking ~~further~~ review shall notify the Chair of the SAA Board of Review in writing of ~~her or his~~their request ~~for review by the Board.~~ ~~His or her~~The written statement should clearly specify the nature of the complaint, the University person(s) grieved against (i.e. the respondent), the remedy sought, and the reasons why the remedy sought is appropriate. The written statement of complaint ~~must~~should be submitted within 30 business days to the Board from notification to the grievant that the grievance is not able to be resolved through mediation or at the unit/departmental level. ~~The SAA is not required to have mediation prior to submission to the Board. two months of the incident or series of incidents that gave rise to it.~~ This time limit may be waived at the discretion of the Board. If the case falls within the Board's area of jurisdiction, a formal, private, hearing shall be scheduled no sooner than ten business days and no longer than 30~~thirty~~ business days after the respondent grieved against has received notice of the complaint. The Board may also recommend the case to mediation, if they determine that step would be appropriate prior to hearing the case.

~~Prior to the hearing, the Chair of the SAA Board of Review shall send a copy of the grievance to all parties grieved against. These persons shall submit a response to the Board within ten days~~

~~of the receipt of the grievance. The Chair will distribute copies of the grievance, the response, and any supporting documentation filed by either party to all Board members.~~

~~Both parties will submit a list of witnesses, if any, to the SAA Board of Review. The Board will notify these witnesses of the date, time, and place of the hearing. Additional materials may be submitted to the Chair at the hearing for distribution to all involved. The Board also may request testimony or written statements from witnesses not called by either party. In the hearing before the Board, both parties shall have the right of counsel, or a representative of his/her choice. Both parties to the dispute, or their representatives, may question witnesses presented by the other party. Upon the conclusion of the hearing, the SAA Board of Review shall make its written recommendation to the Provost within ten days. All parties will receive copies of the recommendation at that time.~~

~~The Board will maintain a record of all papers filed and will arrange for the tape recording of the hearing. Upon conclusion of the hearing, these records shall be kept on file for a period of five years in the BFC Office.~~

Procedure

These procedures are intended as a supplement to the provisions for the creation and operation of an SAA Board of Review contained in Document D-XVII and approved by the BFC 9/29/70.

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1. Prior to the hearing, the Chair of the SAA Board of Review shall send a copy of the SAA's written grievance to all parties grieved against. These persons shall submit a response to the Board within ten business days of the receipt of the grievance. With the assistance of the BFC Office, the Chair will distribute copies of the SAA's written grievance, the response, and any supporting documentation filed by either party to all Board members. This documentation will be treated as confidential and provided through secure access to the members of the SAA Board of Review, the aggrieved party, and the respondent.
1. ~~If a student academic appointee wishes to bring a grievance before the Board, he or she shall notify the Chair in writing of that fact. His or her written statement should clearly specify the nature of the complaint, the person(s) grieved against, the remedy sought, and the reasons why the remedy is appropriate. The written statement of complaint should be submitted within two months of the incident or series of incidents that gave rise to it. This time limit may be waived at the discretion of the Board. If the case falls within the Board's area of jurisdiction, as outlined in BFC document D-XVII, the hearing shall be scheduled no sooner than ten days and no longer than thirty days after the respondent has received notice of the complaint.~~
2. ~~The Chair shall send a copy of the grievance to the party named therein, who shall submit a response to the Board within ten days of the receipt of the grievance. The Chair~~

~~will distribute to the Board members copies of the grievance, the response, and any supporting documentation filed by either party.~~

- ~~3.2.~~ With the assistance of the BFC Office, bBoth parties will submit to the Bboard a list of witnesses, who will be notified by the Board of the date, time, and modalityplace of the hearing. ~~No other communication may be given to any Board member prior to the hearing.~~ Additional materials may be submitted to the Chair at the hearing, for distribution to all involved. Before and during the hearing, the Board may request and secure additional information from the grievant and the respondent. The Board also may request testimony or written statements from witnesses not called by either party. If not presented during the hearing, these statements will be made available to both parties involved at least three business days prior to the hearing.
- ~~4.3.~~ After the conclusion of the hearing, the Board retains the prerogative to request additional materials or information.; Aall such requests must be made known to the grievant and the respondent. In this event,; either party may request that the hearing be reconvened, if a formal recommendation has not already been submitted to the Provost, in order to add or respond to such newly solicited material and information.
- ~~5.4.~~ In the hearing before the Board, both parties shall have the right of counsel, or a representative of their his/her choice.- Both parties ~~to the dispute,~~ or their representatives, may question witnesses presented by the other party. This questioning will be carried out under the guidance of the Board, which may intervene at its discretion to avoid redundancy or irrelevant lines of inquiry.
- ~~6.5.~~ The hearing will be private and —attended only by the parties (i.e. grievant(s) and respondent(s)), their representatives, witnesses, and others approved by the Board—~~unless all parties agree to an open hearing. In the event of an open hearing, members of the public may attend the proceedings, but may not participate in them. Whether the hearing is private or open, T~~the Board will treat as confidential all information received in the grievance~~complaint~~ process as confidential. Public statements by the grievant or respondent about cases before the Board should be avoided.
- ~~7.6.~~ The BFC Office Board will maintain a record of all papers filed and will arrange for anthe audiotape recording of the hearing. Upon conclusion of the hearing, these records shall be kept on file for a period of five years ~~in the Bloomington Faculty Council Office.~~
- ~~8.7.~~ Hearings should be scheduled for a minimum of 3 hours. The proceedings should consist of an introductory statement by the Board, stating the reasons for the hearing and defining the parameters of the case. Following this introduction, both parties or their representatives may offer opening statements, not to exceed fifteen minutes each. Witnesses will then be heard and made available to questioning by the grievant and the respondent, or their representatives, in turn. The questioning of witnesses by each party is limited to one hour. Either party may then opt to present closing comments, not to exceed five minutes each. Time limitations on each phase of the hearing may be waived at the discretion of the Board. The Board may call a brief recess not to exceed 10 minutes, as the Board deems appropriate. The Board shall take the case under advisement and arrive at a recommendation in the absence of both parties following the conclusion of the hearing.

9.8. The Board shall reach its recommendation ~~on by preponderance of the the basis of the~~ evidence presented and through a vote of the Board. The vote shall be recorded and part of the recommendation to the Provost. A separate statement of dissent may be included in the recommendation, if desired. ~~Upon the conclusion of the hearing, T~~he Board shall make its written recommendation to the Provost within ten business days. All parties will receive copies of the formal recommendation at that time.

History

Approved: BFC 2/5/02; 4/15/08

Related Information

[BL-ACA-D29 Student Academic Appointee Mediation Procedures](#)