

STUDENT ACADEMIC APPOINTEE GRIEVANCE PROCEDURES

(to be inserted into the SAA Handbook, replacing current sections titled “Disputes” and “Additional Appeal Mechanisms for Associate Instructors”)

GRIEVANCE PROCEDURES

Student academic appointees are encouraged to seek redress of grievances at the departmental and/or unit level. Seeking local redress first increases possibilities for subsequent appeal.

An SAA is entitled to appeal actions or conditions affecting his/her role, including actions of dismissal, academic freedom, reappointment, and the nature and conditions of work. The SAA should first appeal within her or his department or academic unit. If a satisfactory resolution remains wanting at this level, the appeal may be taken to the Student Academic Appointee Grievance Committee of the Faculty Council, and then finally to the Student Academic Appointee Board of Review.

Departments and Academic Units

The Bloomington Faculty Council recommends to all departments and academic units involved in supervising SAAs that internal procedures be established and maintained for reviewing graduate student grievances and complaints related to the terms and conditions of their academic appointments.

These procedures should: (1) ensure a timely response to SAA complaints, (2) clearly indicate a structure of appeal for those disputes that cannot be resolved through mutual agreement by the SAA and his or her immediate supervisor, (3) be provided, in written form, to all SAAs at the time of their appointment, with copies also provided to all supervising faculty and administrators, as well as to any unit administrators with responsibilities for reviewing and adjudicating SAA grievances, at the time when they begin their supervisory duties or assume their office, (4) aim to protect confidentiality and to protect the rights of all involved, with particular sensitivity to the complexities of graduate student instructors' dual status as teachers and students and the potential for the pursuit of teaching related grievances to have negative ramifications on other aspects of their education and professional lives, (5) ensure that once an SAA initiates a complaint, he or she is notified in a timely manner whenever information regarding that complaint is placed in his or her personnel file, and (6) provide the SAA with information regarding avenues of appeal beyond the departmental or unit level, pursuant to BFC policy establishing an SAA grievance committee and an SAA Board of Review.

See BFC circular B21-2003:

<<http://www.indiana.edu/~bfc/docs/policies/AI-Grievances.htm>>

SAA Grievance Committee of the Faculty Council

If resolution of the grievance cannot be reached at the departmental or unit level, the SAA may bring the grievance before the SAA Grievance Committee. The SAA shall notify the Chair of the BFC Student Academic Appointees Affairs Committee in writing of her or his intention to bring the grievance before the SAA Grievance Committee. BFC committee information is available at: <<http://www.indiana.edu/~bfc/>>.

Members of the SAA Grievance Committee shall address each grievance with impartiality, investigate it thoroughly, and base their report on a sound knowledge of University policies and procedures. The Committee should strive to resolve grievances by keeping its procedures flexible and encouraging discussions between the parties to the grievance. The meetings of the Committee shall be informal with no stenographic record kept.

In specific cases, SAAs may opt to seek mediation through another organization, such as the Affirmative Action Office, the Office for Women's Affairs, the Gay, Lesbian, and Bisexual Anti-Harassment Team, the Racial Incidents

Team, the Gender Incidents Team, or the Student Advocates Office. SAAs pursuing such alternative avenues of mediation may not concurrently bring a case before the Committee; however, pursuing these alternative avenues of mediation does not preclude the SAA from bringing the grievance before the SAA Grievance Committee.

If the grievance is not resolved, the SAA Grievance Committee reports its findings in writing to the grievant and all parties named in the grievance. On request from the grievant, the committee informally may give its opinion of the merit of the grievance and whether it should be taken to the SAA Board of Review. This opinion shall not constitute evidence before the Board. On request, the Committee shall assist the grievant in drafting a statement of the grievance and may assist the grievant in other ways in preparing a case for presentation to the Board. However, the Committee may not represent the grievant before the Board.

Composition of the SAA Grievance Committee

The membership of the SAA Grievance Committee is drawn from the membership of the BFC Student Academic Appointees Affairs Committee. The SAA Grievance Committee shall be composed of no fewer than five members, including no fewer than two graduate student members. In cases dealing with dismissal or academic freedom, the SAA Grievance Committee will meet as a full body; in cases dealing with the nature or conditions of work and reappointment, the Committee may meet in subcommittees or panels of no fewer than two members (at least one of whom must be a graduate student). Although the membership of the SAA Grievance Committee varies from one academic year to the next, it is expected that the same roster of Committee members shall complete the investigation and mediation of any case they have begun to consider. If a member of the SAA Grievance Committee is involved in a case before the Committee, or is a member of a department (or a school which is not departmentalized) from which a case arises, he or she shall be disqualified to hear or to investigate the case. A member of the SAA Grievance Committee shall disqualify himself or herself from hearing or investigating a case whenever the member believes it difficult to render an impartial judgment. No member serving on the SAA Board of Review can serve concurrently on the SAA Grievance Committee.

See BFC circular B7-2002:

<<http://www.indiana.edu/~bfc/docs/policies/AssociateInstructorGrievanceCommitteeProcedures.htm>>

SAA Board of Review

If resolution of the grievance cannot be reached at the departmental or unit level, or through the SAA Grievance Committee, the SAA may bring the grievance before the SAA Board of Review. The SAA shall notify the Chair of the SAA Board of Review in writing of her or his intention to bring the grievance before the Board. 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, a formal, private hearing shall be scheduled no sooner than ten days and no longer than thirty days after the respondent has received notice of the complaint.

The Chair of the SAA Board of Review 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.

Both parties will submit to the SAA Board of Review a list of witnesses, who will be notified by the Board 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.

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. 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.

Composition of the SAA Board of Review

Each year, the BFC elects three faculty members to the 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 (GPSO) supplies a list of graduate student candidates for membership on the SAA Board of Review, and the BFC members select three members from this list to serve on the Board.

See BFC circular B18-2002:

<http://www.indiana.edu/~bfc/docs/policies/Associate_Instructor_Board_of_Review_Procedures.htm>