University Committee on Faculty Affairs

2011-2012
2011-12 UNIVERSITY COMMITTEE ON FACULTY AFFAIRS
January 13, 2012
http://opb.msu.edu/ucfa

Composition:
1 Faculty member from each college (including Non-College faculty) – two must be Non-Tenured (elected by colleges). Two must be Fixed-Term faculty who have served at least three consecutive years. The Provost or a designee shall be a member with voice but no vote. The Chairperson will serve on The Steering Committee, Faculty Senate and the University Council.

1) Carole Gibbs (fall semester)  Agriculture and Natural Resources  2013
   355-2189, Fisheries & Wildlife, 508 Baker Hall; gibbsca1@msu.edu
   Meredith Gore (spring semester)
   432-8203, Fisheries & Wildlife, 13 Natural Resources; gorem@msu.edu

2) Adolfo Austin  Arts and Letters  2012
   4-6339, Spanish & Portuguese, 329 Old Horticulture; austin@msu.edu

3) Heidi Bulich (fall semester)  Business  2013
   432-6962, Finance Dept., 315 Eppley Center; hbulich@msu.edu
   Fred Rodammer (spring semester)
   5-0309, Accounting & Information Systems, N236 NBC; rodammer@bus.msu.edu

4) William Donohue  Communication Arts and Sciences  2013
   5-7580, Communications; 563 Communication Arts; donohue@msu.edu

5) Patrick Dickson  Education  2012
   5-4737; CEPSE, 509E Erickson Hall; pdickson@msu.edu

6) Pending  Engineering

7) William Anderson, Chair and BOT Liaison  Human Medicine  2012
   3-9556; Med Ed Research Dev Ofc.; A214B East Fee Hall; ander113@msu.edu

8) Ross B. Emmett  James Madison  2012
   2-6139; James Madison College; 304 South Case; emmettr@msu.edu

9) Jeremy Harrison  MSU College of Law  2012
   336-8140; jharriso@law.msu.edu

10) Akilu Zeleke  Lyman Briggs College  2013
    3-4505; Lyman Briggs College; 194A East Holmes Hall; zeleke@sitt.msu.edu

11) Melanie Helton  Music  2012
    3-9126, Music; 208 Music Building; heltonm@msu.edu

12) Karl Olson  Natural Science  2012
    4-5118; Physiology; 3176 Biomed Phys Sci; olisonla@msu.edu

13) Gwen Wyatt  Nursing  2012
    2-5511, Nursing, 515E West Fee Hall; gwyatt@msu.edu

14) Gerald Aben  Osteopathic Medicine  2012
    4-3265; Radiology, 184 Radiology Building; aben@msu.edu

15) David Sheridan  Residential College  2013
    884-1326, Residential College; C320B Snyder Hall; sherid16@msu.edu

16) Robert Griffere  Social Science  2013
    2-3918, Human Development & Family Studies; 3H Human Ecology; grifore@msu.edu

17) William Schall  Veterinary Medicine  2012
    3-5420; Small Animal Clinical Sciences; A229 Vet Med Center; schall@msu.edu

18) Laura L. Leavitt  Non-College Faculty  2013
    5-4647; Libraries; 50 Law College Bldg; leavitt9@msu.edu

John Revitte, FGO [invited to attend]
3-8894; Faculty Grievance Official; W38 Owen Graduate Center; fgo@msu.edu

Ex Officio:
Theodore Curry, Provost Office designee – Advisor to the Personnel Policy Subcommittee
3-5300; Provost’s Office; 422 Administration Building; thcurry@msu.edu
Kim Wilcox, Provost
5-1524; Provost’s Office; 429 Administration Building; kwilcox@msu.edu

David Byelich, Provost Office designee – Advisor to the Budget Subcommittee
5-9271; Office of Planning and Budgets, 330 Administration Building; byelich@msu.edu
Donna Zischke, 3-4851; Provost’s Office; 424 Administration Building; zischke@msu.edu
Elva Boyles, Recording Secretary; 5-9272; Office of Planning and Budgets; 321 Admin. Bldg.; boylesm@msu.edu
UNIVERSITY COMMITTEE ON FACULTY AFFAIRS  
2011-2012

Subcommittee Members

**Budget Subcommittee**

1) Gerald Aben *(Subcommittee Chair)* ........................................... .aben@msu.edu ........................................... 4-3265
2) William Anderson ................................................................. ander113@msu.edu ........................................... 3-9656
3) Patrick Dickson ................................................................. pdickson@msu.edu ........................................... 5-4737
4) Ross Emmett ................................................................. emmeltr@msu.edu ........................................... 2-6139
5) Carole Gibbs *(fall semester)* ........................................... gibbsca1@msu.edu ........................................... 5-2199
   Meredith Gore *(spring semester)* ........................................... gorem@msu.edu ........................................... 2-8203
6) Robert Griffore ................................................................. griffore@msu.edu ........................................... 2-3818
7) Melanie Helton ................................................................. heltonm@msu.edu ........................................... 3-9126
8) William Schall ................................................................. schall@msu.edu ........................................... 3-5420
9) Gwen Wyatt ................................................................. gwyatt@msu.edu ........................................... 2-5511

**Personnel Policy Subcommittee**

1) Adolfo Ausin ................................................................. ausin@msu.edu ........................................... 4-6339
2) Heidi Bulich *(fall semester)* ........................................... hbulich@msu.edu ........................................... 2-5992
   Fred Rodammer *(spring semester)* ........................................... rodammer@bus.msu.edu ........................................... 5-0309
3) William Donohue ................................................................. donohue@msu.edu ........................................... 5-7580
4) Jeremy Harrison ................................................................. jharriso@law.msu.edu ........................................... 336-8140
5) Laura L. Leavitt ................................................................. leavitt9@msu.edu ........................................... 5-4647
6) Karl Olson *(Subcommittee Chair)* ........................................... olsonla@msu.edu ........................................... 4-5116
7) David Sheridan ................................................................. sherid16@msu.edu ........................................... 4-1326
8) Aklilu Zeleke ................................................................. zealke@stt.msu.edu ........................................... 3-4505
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Notes:
- ECAC is now the Steering Committee
- Faculty Council is now Faculty Senate
- Academic Council is now University Council

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**Notes:**

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#### Notes:
- UCFA 1:00
  - University Council
  - Int'l Center 3:15

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**Notes:**
Academic Governance
Academic Senate is currently composed of all tenure-stream faculty. Its core purpose is to express the consensus of the Faculty on actions referred by Faculty Council and/or Academic Council. It also serves as a forum for dissemination and exchange of ideas and information.

The Steering Committee ensures that issues are brought before the most relevant standing committees. The Steering Committee also responds to faculty or students who wish to bring issues into the governance system.

The MSU Board of Trustees is constitutionally charged with management of the University. You and all other voting citizens in Michigan have an opportunity to cast your ballot for Board of Trustees members.

Faculty Senate is composed of representatives elected directly by ballot from each of the colleges. Faculty Council approves recommendations regarding Faculty Rights and Responsibilities, and Grievance Procedures. The Council acts in an advisory capacity on many other issues.

Each College has a college-level committee chosen from members in each department of the college. This is called the College Advisory Council (CAC). Each CAC includes one ex-officio member who is also one of the college representatives to Faculty Senate.

University Council is composed of all members of Faculty Senate plus representatives of student governance and representatives of the administration. Academic Council acts on matters brought before it by ECAC, the President or Provost. The Council also participates in all major issues related to educational policy. Currently, Academic Council also receives and approves the report of UCC.
SECTION 4 – The University-level Standing Committees

4.1. ESTABLISHMENT OF STANDING COMMITTEES

4.1.1. There shall be the following University-level Standing Committees within Academic Governance:

- University Committee on Academic Governance
- University Committee on Undergraduate Studies
- University Committee on Curriculum
- University Committee on Faculty Affairs
- University Committee on Faculty Tenure
- University Committee on Graduate Studies
- University Committee on Student Affairs

4.2. GENERAL RULES GOVERNING STANDING COMMITTEES

4.2.1. Composition of University-level Standing Committees

4.2.1.1. The composition of each University-level Standing Committee is specified in the description of each committee. The number of members for each committee is monitored by the University Committee on Academic Governance (4.3.4.9.).

4.2.1.2. Unless otherwise provided, no college shall have more than one faculty representative on a University-level Standing Committee.

4.2.1.3. Unless provided otherwise in detailed descriptions below, the term of office for faculty members on University-level Standing Committees shall be two years. Provisions shall be made to stagger elections. Terms of office shall begin August 16.

4.2.1.4. The term of office for student members on University-level Standing Committees shall be one year. Terms of office shall begin on the first day of summer semester classes.

4.2.1.5. No individual may serve more than three consecutive terms on the same University-level Standing Committee as a representative of the same constituency.

4.2.1.6. No individual may serve concurrently as a voting member of more than one University-level Standing Committee.

4.2.1.7. Election and appointment to University-level Standing Committees shall take place in the spring of each year.
4.2.1.8. If for any reason a member of a University-level Standing Committee is unable to serve for a period of one or more semesters, a replacement shall be named for that period. The selection of the replacement shall take place in the same manner as the selection of the member unable to serve.

4.2.1.9. Where faculty members of University-level Standing Committees are selected from the elected faculty on the University Council, they shall be elected by the Faculty Senate from a list of nominees chosen by the faculty of the University Committee on Academic Governance. The number of nominees shall be at least 1.5 times the number of positions to be filled.

4.2.1.10. Where faculty members of a University-level Standing Committee are elected in college elections, nominating procedures shall be specified in college bylaws. Colleges may, in their bylaws, authorize the election to any University-level Standing Committee, except the University Committee on Faculty Tenure, of full-time fixed-term faculty who have served at least three consecutive years, and/or of specialists in the continuing appointment system.

4.2.1.11. Unless otherwise provided, undergraduate student members of University-level Standing Committees shall be elected by the Academic Assembly of ASMSU, and graduate student members of University-level Standing Committees shall be elected by COGS. Elections shall be held prior to the end of spring semester.

4.2.1.12. Elections to all University-level Standing Committees shall be completed prior to May 1.

4.2.2. General Procedures of Standing Committees

4.2.2.1. After University-level Standing Committees for the next year have been constituted in the spring, each new Committee shall use its best efforts to meet prior to the end of spring semester to elect its chairperson and vice chairperson. These officers must be elected no later than the first Committee meeting of the next academic year.
4.2.2.2. The chairperson of each University-level Standing Committee shall prepare a report at the end of each semester, summarizing the activities and actions of the Committee during that semester, and its projected activities for the next semester. The end-of-the-semester summaries will be posted on the web site for Academic Governance. The Secretary for Academic Governance shall distribute these with the agenda or minutes for the University Council (3.2.6.), or the Faculty Senate (3.2.5.), as appropriate. At least once each academic year, each chairperson shall report at a meeting of the Faculty Senate (3.3.5.) or the University Council (3.2.6.), as appropriate. The Secretary for Academic Governance shall establish the schedule for these reports.

4.2.2.3. The chairperson of each University-level Standing Committee shall submit an annual written report of that Committee’s activities and actions to the Academic Governance Office by August 31. Summaries of these reports shall be posted on the web site for Academic Governance. Each University-level Standing Committee’s chairperson shall regularly report to The Steering Committee on the work of that Committee.

4.2.2.4. University-level Standing Committees are encouraged to call on diverse members of the University community for the perspective which they may bring to the consideration of issues. Such individuals are asked to render such services as the relevant Committee may reasonably request.

4.2.2.5. University-level Standing Committees shall establish their own rules and procedures, as long as they are not in conflict with these Bylaws.

4.2.2.6. Subcommittees or ad hoc committees exist at the discretion of the parent University-level Standing Committees, which shall review the need for such subcommittees or ad hoc committees annually or at the conclusion of the period for which such subcommittee or ad hoc committee was constituted.

4.2.3. General Functions of Standing Committees

4.2.3.1. University-level Standing Committee members shall represent the interests of the entire University.

4.2.3.2. University-level Standing Committees shall initiate recommendations to, and communicate with, the Faculty Senate (3.3.5.) or the University Council (3.2.6.), as appropriate. Subject to the review of Faculty Senate or University Council, each University-level Standing Committee may make recommendations to the Provost and other administrators, as indicated in these Bylaws, on matters within the purview of the Committee.
4.2.3.3. Each University-level Standing Committee shall respond to reasonable requests for consultation or advice from administrators who initiate requests on matters within the purview of that Committee.

4.2.3.4. University-level Standing Committees shall regularly review their composition, procedures, and functions and recommend appropriate Bylaw revisions to the Committee on Academic Governance.

4.2.4. Meetings of Standing Committees

4.2.4.1. The administrator(s), or a designee, being advised by a University-level Standing Committee shall be present at meetings of the Committee except when the administrator(s) and Committee mutually agree otherwise.

4.2.4.2. Each University-level Standing Committee shall schedule its own meetings and post the schedule on its web page.

4.2.4.3. University-level Standing Committee meetings shall ordinarily be open, but any such Committee may formulate procedures for closing some of its meetings for stated reasons. When a meeting is to be closed, the reasons for such closure will be announced publicly and stated on the Committee web page.

4.2.4.4. Each University-level Standing Committee shall determine its own agenda. Members of The Steering Committee, administrators, faculty, and students may suggest items for a Committee's agenda. Announcements of University-level Standing Committee meetings must be posted on the relevant Committee’s web page at least one week in advance of the meeting and include the time and place of the meeting and an agenda.

4.3. UNIVERSITY COMMITTEE ON ACADEMIC GOVERNANCE

4.3.1. The University Committee on Academic Governance (UCAG) shall have seven faculty members selected from the elected faculty currently serving on the University Council or having served within the past three years. UCAG shall have five undergraduate student members, of whom at least one must be a member of the Academic Assembly of ASMSU, and two graduate student members. The Provost or designee and the Secretary for Academic Governance shall be ex officio members of UCAG.

4.3.1.1. The University Committee on Academic Governance shall report to the University Council.

4.3.1.2. The chairperson of the University Committee on Academic Governance shall be a member of The Steering Committee, and thus of the Faculty Senate and the University Council.
4.3.2. The University Committee on Academic Governance shall nominate to the University Council individuals who may be appointed to University-level Standing Committees, The Steering Committee, Advisory-Consultative Committees, and other committees as may be requested by the University Council.

4.3.2.1. Only the faculty members of the University Committee on Academic Governance shall nominate faculty to the committees listed in 4.3.2.

4.3.2.2. The Academic Assembly of ASMSU shall solicit nominations from the entire undergraduate student population for the undergraduate vacancies on the committees listed in 4.3.2. COGS shall appoint graduate and professional students to graduate vacancies on the committees listed in 4.3.2.

4.3.2.3. The Secretary for Academic Governance shall provide staff assistance to UCAG in developing nominations.

4.3.3. The University Committee on Academic Governance shall conduct a continuing review of the Bylaws and shall be responsible for recommending amendments in these Bylaws to the University Council.

4.3.4. The University Committee on Academic Governance shall interpret these Bylaws subject to review by the University Council.

4.3.5. The University Committee on Academic Governance shall review college bylaws for consistency with these Bylaws. It shall review each college's bylaws at least once every five years.

4.3.6. The University Committee on Academic Governance shall consider appeals of reviews of department/school bylaws by college committees.

4.3.7. Decisions of the University Committee on Academic Governance on college and department bylaws are subject to review by the University Council.

4.3.8. The University Committee on Academic Governance shall provide guidelines for elections to the University Council and to The Steering Committee, review challenged elections, and recommend appropriate action to the University Council.
4.4. UNIVERSITY COMMITTEE ON UNDERGRADUATE STUDIES

4.4.1. The membership of the University Committee on Undergraduate Studies (UCUS) shall include a faculty member from each college, and a faculty member from the non-college faculty. UCUS shall also have four undergraduate student members, of whom one must be a member of the Academic Assembly of ASMSU, and two graduate student members. The Provost or the Provost’s designee shall be a member with voice, but no vote.

4.4.1.1. The University Committee on Undergraduate Studies shall report to the University Council (3.2.6.).

4.4.1.2. Each year the University Committee on Undergraduate Studies shall appoint one of its faculty members to serve as an ex officio member on the Athletic Council.

4.4.2. The chairperson of the University Committee on Undergraduate Studies will serve on The Steering Committee and thus on the University Council and the Faculty Senate.

4.4.3. The University Committee on Undergraduate Studies shall exercise the faculty's delegated authority on grading policy for undergraduate students and the use of grades and grade point averages for undergraduate admissions and for advancement in or graduation from undergraduate academic programs.

4.4.4. The University Committee on Undergraduate Studies shall review all changes in undergraduate academic programs proposed by academic units and recommend their approval or rejection to the University Committee on Curriculum.

4.4.5. The University Committee on Undergraduate Studies shall have shared responsibility with the Dean of Undergraduate Studies to consult with the Provost on the establishment, moratorium, discontinuance, or merger of undergraduate academic programs; on policies pertaining to curriculum revision, methods of instruction, evaluation of instruction, and advising and counseling for undergraduate students and programs; and on other policies pertaining to undergraduate education. On issues of the establishment, moratorium, discontinuance, and merger of undergraduate academic programs, the University Council and the Faculty Senate will be informed of the UCUS's consultation with the Provost.

4.4.6. The University Committee on Undergraduate Studies shall have shared responsibility with the Dean of Undergraduate Studies to consult with the Provost on policy pertaining to admissions and retention, financial aid, and the use and distribution of educational and research resources for undergraduate students and programs.
4.4.7. The University Committee on Undergraduate Studies shall advise and consult with the Dean of Undergraduate Studies and the Provost and make recommendations to the University Council on all other matters of academic policy affecting undergraduate students.

4.4.8. The University Committee on Undergraduate Studies shall coordinate its activities with those of other committees, as appropriate.

4.5. UNIVERSITY COMMITTEE ON CURRICULUM

4.5.1. The members of the University Committee on Curriculum (UCC) shall include a faculty member from each college. UCC shall also have five undergraduate student members, of whom one must be a member of the Academic Assembly of ASMSU, and two graduate student members. The Provost or the Provost's designee shall be a member with voice, but no vote. The Provost shall also name an executive secretary to serve ex officio without vote.

4.5.1.1. The University Committee on Curriculum will report to the Faculty Senate. UCC may seek advice from the University Council before reporting to the Faculty Senate on a particular matter, and will do so if the Steering Committee so requests.

4.5.2. The chairperson of the University Committee on Curriculum will serve on the Steering Committee and thus on the University Council and the Faculty Senate.

4.5.3. The University Committee on Curriculum shall exercise the faculty's delegated authority to review and approve or reject all changes in undergraduate curricula and degree requirements recommended by the University Committee on Undergraduate Studies, and to review and approve or reject changes in graduate and graduate-professional curricula and degree requirements recommended by the University Committee on Graduate Studies. The University Committee on Curriculum shall not reject a recommendation from either the University Committee on Undergraduate Studies or the University Committee on Graduate Studies without providing a rationale for the rejection and consulting with the appropriate committee. In addition, the University Committee on Curriculum shall exercise the faculty’s delegated authority to review and approve or reject all undergraduate and graduate courses proposed by academic units.

4.5.4. The University Committee on Curriculum shall advise the Provost on criteria for the establishment and deletion of courses and curricula.

4.5.5. The University Committee on Curriculum shall coordinate its activities with those of other committees, as appropriate.
4.6. UNIVERSITY COMMITTEE ON FACULTY AFFAIRS

4.6.1. The faculty of each college, and the non-college faculty, shall select one faculty member to represent it on the University Committee on Faculty Affairs (UCFA). UCFA shall have as members at least two non-tenured regular faculty and two full-time fixed-term faculty who are eligible to be voting faculty under 1.1.2.1. Each year the University Committee on Academic Governance shall designate which colleges, or college groupings, shall select non-tenured faculty and full time fixed-term faculty as members of the University Committee on Faculty Affairs. The Provost or the Provost's designee shall be a member of UCFA with voice, but no vote.

4.6.1.1. The University Committee on Faculty Affairs will report to the Faculty Senate. At its discretion, the University Committee on Faculty Affairs may request an opportunity for UCFA representatives to appear before the University Council to seek advice.

4.6.1.2. The University Committee on Faculty Affairs shall make recommendations to the Faculty Senate on issues related to the University budget, and shall report annually to a meeting of the Faculty Senate on academic budget allocations and adjustments in salary and other forms of economic benefits.

4.6.2. The chairperson of the University Committee on Faculty Affairs shall be a member of The Steering Committee and thus of the Faculty Senate and the University Council.

4.6.3. The University Committee on Faculty Affairs shall have shared responsibility with the Provost for the formulation of faculty grievance procedures and on the rights and responsibilities of faculty.

4.6.4. The University Committee on Faculty Affairs shall advise the Provost on personnel policies relating to faculty, including appointment, reappointment, promotion, leaves, retirement, and assignment to teaching, research, and administration.

4.6.5. The Committee on Faculty Affairs shall consult with and/or advise the Provost during the formulation of the University's annual budget request to the State of Michigan.

4.6.6. The University Committee on Faculty Affairs recommendations regarding faculty rights and responsibilities and grievance procedures must also be approved by the Faculty Senate.
4.7. UNIVERSITY COMMITTEE ON FACULTY TENURE

4.7.1. The faculty of each college, and the non-college faculty, shall select one regular faculty member (1.1.1.1.) to represent it on the University Committee on Faculty Tenure (UCFT). UCFT shall have as members at least three non-tenured faculty. Each year the Committee on Academic Governance shall designate which colleges, or college groupings, shall select non-tenured faculty as members of the University Committee on Faculty Tenure. UCFT shall have two undergraduate student members, of whom one must be a member of the Academic Assembly of ASMSU, and one graduate student member. The Provost or the Provost’s designee shall be a member with voice, but no vote.

4.7.1.1. The University Committee on Faculty Tenure will report to the Faculty Senate. At its discretion, the University Committee on Faculty Tenure may request an opportunity for UCFT representatives to appear before the University Council to seek advice.

4.7.2. The chairperson of the University Committee on Faculty Tenure shall be designated as a voting member of The Steering Committee and thus of the University Council and the Faculty Senate.

4.7.3. The University Committee on Faculty Tenure shall advise the Provost on the formal and procedural rules for the award and revocation of tenure and on policies relating to tenure, and shall make recommendations to the Faculty Senate on such rules and on policies.

4.7.4. The role of the University Committee on Faculty Tenure on the interpretation of the rules of tenure is determined by Principle Seven of the Operating Principles of the Tenure System (see Faculty Handbook).

4.7.5. The University Committee on Faculty Tenure shall hear and act on all cases for exceptions to the rules of tenure and its decisions on the matters shall be binding on the administration and on the faculty member.

4.7.6. The University Committee on Faculty Tenure shall report promptly to the Faculty Senate if the administration acts in a manner contrary to UCFT’s decision on a question involving tenure.
UNIVERSITY COMMITTEE ON GRADUATE STUDIES

4.8.1. The members of the University Committee on Graduate Studies (UCGS) shall include a faculty member from each college with a graduate or graduate-professional degree program, plus one additional member from the Colleges of Agriculture and Natural Resources, Arts and Letters, Business, Education, Natural Science, and Social Science. UCGS shall have five graduate student members selected by the Council of Graduate Students. No more than one student member may be from any one department, with consideration being given to University-wide representation insofar as possible. The Dean of the Graduate School or the Dean’s designee shall be a member with voice, but no vote.

4.8.1.1. The University Committee on Graduate Studies will report to the University Council (3.2.6.).

4.8.2. The chairperson of the University Committee on Graduate Studies will serve on The Steering Committee and thus on the University Council and the Faculty Senate.

4.8.3. The University Committee on Graduate Studies shall exercise the faculty's delegated authority on grading policy for graduate and graduate-professional students.

4.8.4. The University Committee on Graduate Studies shall review all changes in graduate and professional academic programs and recommend their approval or rejection to the University Committee on Curriculum.

4.8.5. The University Committee on Graduate Studies shall have shared responsibility with the Dean of the Graduate School to consult with the Provost on the establishment, moratorium, discontinuance, or merger of graduate programs; on policy pertaining to methods of instruction, evaluation of instruction, advising and counseling, and admissions and retention of graduate and graduate-professional students; and on other policies pertaining to administration of graduate and graduate-professional programs. On issues of the establishment, moratorium, discontinuance, and merger of graduate programs, the University Council and the Faculty Senate will be informed of UCGS’s consultation with the Provost.

4.8.6. The University Committee on Graduate Studies shall have shared responsibility with the Dean of the Graduate School to advise the Provost on the coordination of graduate and graduate-professional programs.
4.8.7. The University Committee on Graduate Studies shall have shared responsibility with the Dean of the Graduate School to consult with the Provost on policies pertaining to financial aid and employment of graduate students and on the use and distribution of educational and research resources for graduate and graduate-professional programs and students.

4.8.8. The University Committee on Graduate Studies shall advise and consult with the Dean of the Graduate School and the Vice President for Research and Graduate Studies on policies relating to research development, as they pertain to graduate and graduate-professional education.

4.8.9. The University Committee on Graduate Studies shall maintain liaison with academic units offering graduate and graduate-professional programs.

4.8.10. The University Committee on Graduate Studies shall maintain liaison with the Council of Graduate Students.

4.8.11. The University Committee on Graduate Studies shall coordinate its activities with those of other committees, as appropriate.

4.9. UNIVERSITY COMMITTEE ON STUDENT AFFAIRS

4.9.1. The University Committee on Student Affairs (UCSA) shall have four faculty members selected by the Faculty Senate. UCSA shall have eight student members appointed as follows: three ASMSU Student Assembly appointees, including the Chairperson of the ASMSU Student Assembly or the Chairperson’s designee; two appointees from the Council of Graduate Students; and three ASMSU Academic Assembly appointees. UCSA appointees are expected to reflect the diversity of their constituencies. The Vice President for Student Affairs and Services or the Vice President’s designee and the University Ombudsman shall be members with voice, but no vote.

4.9.1.1. The University Committee on Student Affairs shall report to the University Council (3.2.6.). However, any policy amendment or statement reviewed by UCSA that affects the professional rights and responsibilities of the faculty must be approved by the Faculty Senate before consideration by the University Council.

4.9.2. The chairperson of the University Committee on Student Affairs shall be a voting member of the University Council.

4.9.3. The University Committee on Student Affairs shall advise the Vice President for Student Affairs and Services on all policies of the Office of the Vice President for Student Affairs and Services and on other University policies as they affect the academic achievement of students.
4.9.4. The University Committee on Student Affairs shall initiate and review proposed amendments to Academic Freedom for Students at Michigan State University, General Student Regulations, and policies relating to the academic rights and responsibilities of students.

4.9.4.1. Any such amendment affecting the professional rights and responsibilities of the faculty must be reviewed by the University Committee on Faculty Affairs and approved by the Faculty Senate before consideration by the University Council.

4.9.5. The University Committee on Student Affairs shall assume the duties of the Committee on Academic Rights and Responsibilities under the Academic Freedom for Students at Michigan State University.
Faculty Grievance Office
Mission Statement

The Faculty Grievance Office responds to inquiries from faculty, academic staff and administrators concerning alleged violations of MSU policies and practices. The FGO attempts to informally resolve grievances between faculty, academic staff and their administrators; schedules and conducts formal grievance hearings; recommends changes in the existing faculty grievance procedures to the University Committee on Faculty Affairs (UCFA); and carries out other administrative duties connected with provisions of the MSU Faculty Grievance Policy.

Contact Us

To contact us by mail write to:
FGO
W38 Owen Graduate Hall
Michigan State University
East Lansing MI, 48825-1109

Phone: 517-353-8884
Fax: 517-432-2487

Email:
John L. Revitte, Faculty Grievance Official: fgo@msu.edu
Deb Bennett, Secretary, fgo@msu.edu

For reporting problems with the site, contact Support

https://www.msu.edu/~fgo/
Faculty Grievance Policy Summary

- Any faculty member (whether professor, associate professor, assistant professor, lecturer, instructor, assistant instructor, research associate, specialist or librarian) may file a grievance under the FGP.

- The procedure seeks to resolve disputes between faculty and administrators. No grievance can be filed by a faculty member against another who lacks administrative standing. However, the FGO can assist informally in resolution of such disputes.

- A grievance is an alleged violation of existing policies or established practices by an administrator. "Violation" includes misinterpretation and misapplication of existing policies or practices or an unfair, unreasonable or arbitrary result of such; and "policy" and "practice" include rules, procedures and standards, including both procedural and substantive standards.

- Faculty who feel aggrieved can discuss the matter in a personal, confidential conference with the FGO. The FGO will determine whether the complaint falls in part under the jurisdiction of the FGP or only under other procedures and thus cannot be grieved.

- The FGO will assist the parties to resolve the grievance informally, include meetings between the FGO and the parties, separately or jointly, if appropriate. The FGO may recommend the grievance be dropped for lack of merit.

- The FGO informs the parties in writing of decisions whether the grievant has standing; the grievance has been filed in a timely manner; the grievance identifies the appropriate respondent(s); the grievance adequately identifies policies and/or practices alleged to have been violated, misapplied or misinterpreted; the grievance contains an adequate statement of the facts; and the redress being sought conforms to policy and procedures.

- While both parties are entitled to counsels of their choice, the presence of counsel at formal hearings is not required. Parties secure their own counsels and the role of counsels is a matter to be determined by counsel and his/her client. Counsels are usually faculty members at MSU who volunteer their service in a spirit of collegiality.

- The FGO selects (at random from a pool of names) a presiding officer and panel members for each formal hearing. Hearings include: introductory remarks, opening statements, a presentation of the grievant's case and cross-examination, a presentation of respondent's case and cross examination, and summation statements. The panel then excuses the parties, deliberates, and reaches its findings and recommendations.
Faculty Grievance Policy - Faculty Handbook

I. POLICY STATEMENT

This Policy is intended to provide a fair, internal process for resolving employment related disputes that arise between faculty or academic staff members and administrators. The formal procedures described in this Policy are intended to be used only when matters cannot be resolved informally. A faculty or academic staff member who feels aggrieved should first seek an informal resolution at the unit, department, or college level before filing a formal grievance under this Policy. The procedures contained in this Policy are not intended to be used to challenge the desirability of unit or University policies.

II. DEFINITIONS

A. Grievance: A written complaint filed by a faculty or academic staff member against an administrator of the University alleging a violation of University, college, department, school, or unit policy or established practice.

B. Faculty member: A person with a paid University appointment at the rank of professor, associate professor, assistant professor, or instructor, including those with fixed term and visiting status.

C. Academic Staff: A person with a paid University appointment at the rank of academic specialist, lecturer, assistant instructor, research associate, or librarian, including those in a continuing appointment system and those with fixed term and visiting status.

D. Administrator: A person appointed as the head of an administrative unit, school director, department chair, dean, or separately reporting director. The President, the General Counsel and members of the General Counsel’s staff, and the FGO are not subject to grievance under this Policy.

E. Policy: A written statement of principles and procedures that govern the actions of faculty, academic staff, and administrators, including written rules, bylaws, procedures, or standards.

F. Practice: Actions taken by the administrator within an administrative or academic unit based on customs or standards in that unit that are usually unwritten but of long-standing duration, and for whose existence the grievant can offer evidence.

G. Violation: A breach, misinterpretation, or misapplication of existing policy or established practice.

III. GRIEVANCE PROCEDURE

A faculty or academic staff member may file a formal grievance against an administrator that alleges a violation of University, college, department, school, or unit policy or established practice.

A. INITIATION OF GRIEVANCE PROCEEDINGS

A faculty or academic staff member who feels aggrieved may discuss his/her complaint in a confidential conference with the Faculty Grievance Officer ("FGO"). The FGO shall inform the faculty/academic staff member if the potential grievance falls under the jurisdiction of another University policy rather than this Policy.

B. FILING A GRIEVANCE

To file a grievance, an individual faculty or academic staff member must submit a written, signed statement (the "grievance") to the FGO within 28 days of the date that the grievant knew or should have known of the alleged violation. The grievance must contain the following information:

1. the specific policy or established practice that has allegedly been violated;
2. the date of the alleged violation and the date on which the grievant became aware of the alleged violation;
3. the facts relevant to the alleged violation;
4. the person(s) against whom the grievance is filed (the "respondent"); and
5. the redress sought.

The grievant must also submit any documents that are relevant to the FGO's initial jurisdictional findings pursuant to Section III.D of this Policy.

C. THE RESPONDENT
The FGO will provide a copy of the grievance and any documents submitted with the grievance to the respondent within three (3) days of receipt. The respondent shall submit any relevant documents concerning the FGO's initial jurisdictional findings to the FGO within seven (7) days of receipt of the grievance.

D. JURISDICTIONAL & PROCEDURAL DECISIONS

1. The FGO shall determine whether the following jurisdictional requirements have been met within 14 days of the date that the grievance was filed. The FGO may also seek information from appropriate University office(s) to assist in making these jurisdictional determinations:
   a. Whether the grievant has standing under the Faculty Grievance Policy;
   b. Whether the grievance has been filed in a timely fashion;
   c. Whether the grievance identifies an appropriate respondent(s);
   d. Whether the grievance adequately identifies the existing policies and/or established practices alleged to have been violated;
   e. Whether the grievance contains a reasonably adequate statement of the facts relevant to the complaint; and
   f. Whether any other jurisdictional issue(s) need to be decided in connection with the initiation of the grievance and, if so, an explanation of such issues.

2. The FGO shall inform the parties in writing if each jurisdictional requirement has been met, along with the names of any University offices consulted regarding the jurisdictional decisions. If any jurisdictional requirement has not been met, the FGO shall dismiss the grievance.

3. Each party shall have the right to appeal the FGO's jurisdictional decisions by filing a written statement explaining the reason(s) for the appeal with the FGO within 14 days of the issuance of such decision.

4. If any party files an appeal of the FGO's jurisdictional decision(s), the FGO shall submit the written appeal, together with any written response to the appeal from the parties and a written response by the FGO, to a three-person jurisdictional appeals panel drawn by the FGO from the list of faculty and librarians eligible to serve as members of the University Hearing Board or University Appeals Board. (See Section III.B.2 of this Policy.) The panel shall deliberate and submit to the FGO a written decision (including the basis for its decision) on the appeal within seven (7) days of its convening by the FGO. No faculty member or librarian may serve on more than one jurisdictional appeals panel in any period of seven consecutive years.

5. The FGO shall forward a copy of the jurisdictional appeals panel's decision to the parties within seven (7) days of its receipt from the panel.

E. INFORMAL RESOLUTION

1. The FGO shall confer with the parties and make every reasonable effort to resolve the grievance informally as quickly as possible. Discussions regarding informal resolution are expected to be treated with confidentiality and may not be disclosed or referenced during any subsequent formal proceedings on the grievance. The FGO may recommend that the grievant drop the grievance because it lacks merit or for other just cause. Such a recommendation, however, shall not be binding on the grievant.

2. If the FGO determines that the grievance cannot be informally resolved, the FGO shall so notify the parties in writing. If the grievant wishes to pursue the grievance, the grievant must submit a written request for a formal hearing to the FGO within 14 days of such notice. Failure to submit such a request will constitute a waiver of the faculty member's right to pursue the grievance.

F. AMENDMENTS

A grievant may amend his/her grievance until 28 days before the scheduled date for the formal hearing on the grievance, as long as the proposed amendment concerns the same subject matter as the grievance. The FGO shall decide whether to accept the proposed amendment, and any jurisdictional issues generated by the proposed amendment, at least 21 days before the scheduled date for the formal hearing. Either party may challenge the FGO's decision by filing a written appeal with the FGO within seven (7) days of the FGO's decision. Such appeals are processed in the same manner as other jurisdictional appeals under Section III.D.4 of this Policy. Any procedural issues (such as submission of new documents) generated by the amendment shall be decided by the hearing panel at the beginning of the hearing.

G. CONSOLIDATION OF GRIEVANCES

If a grievant files two or more separate grievances against the same respondent(s) that raise related allegations or arise from a common set of facts, the FGO may consolidate such grievances into one grievance to be heard by a single panel. If a grievant files two or more separate grievances concerning different issues and the grievances are not consolidated, such grievances will normally be processed and heard sequentially in chronological order determined by the date on which the initial grievance was filed. Separate grievances filed by different grievants that involve related allegations or arise from a common set of facts may also be consolidated.
H. GRIEVANCE PANEL COMPOSITION

1. A University Hearing Board and University Appeals Board shall be established from which hearing panels shall be selected.  
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2. All faculty with appointment in the tenure system, librarians and other academic staff with appointment in a continuing appointment system, and full-time fixed-term faculty who have served at least three consecutive years and are engaged in the academic activities of the University on a regular basis are eligible and expected to serve as members of the University Hearing Board or University Appeals Board.  
   No faculty/academic staff member or librarian may serve on more than one hearing panel in any period of seven consecutive years. At the start of each academic year, the Academic Human Resources Office will provide the FGO with a list of all faculty, academic staff, and librarians eligible to serve on these Boards.  
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3. A hearing panel shall consist of five members of the University Hearing Board or University Appeals Board, as 
   appropriate, who are selected randomly by the FGO. Hearing panels shall serve throughout an entire proceeding.

4. The FGO shall take reasonable precautions to avoid any conflict of interest on the part of the hearing panel’s members. No 
   member of the hearing panel shall be from the same department(s) (or college in the case of non-departmental colleges) as 
   the grievant or respondent.

5. A hearing panel selected for a grievance involving the denial of reappointment or tenure in the tenure system shall be 
   comprised solely of tenured faculty members. A hearing panel selected for a grievance involving the denial of promotion to 
   full professor shall be comprised solely of tenured faculty who hold the rank of full professor.

6. Each hearing panel shall have a Presiding Officer selected by the FGO from a list established by the UCFA. The 
   Presiding Officer shall have voice but not be a voting member of the hearing panel. The Presiding Officer shall apply the 
   rules of procedure consistent with the guidelines stated in Section III.1 of this Policy.

7. The FGO shall notify each party of the names of the Presiding Officer and five members of the hearing panel. Within 
   seven (7) days of that notice, either party may submit a written challenge to the presiding officer or any member of the 
   hearing panel for cause. The challenge must explain the cause for removing the Presiding Officer or hearing panel member. 
   The Presiding Officer shall determine if there is cause to dismiss the challenged member of the hearing panel and select 
   another member.  
   10,11 In addition, each party shall have two peremptory challenges. The FGO shall notify the parties of any 
   replacement Presiding Officer or members of the hearing panel. Either party may submit a challenge for cause to any 
   replacement Presiding Officer or member of the hearing panel to the FGO within three (3) days of that notice.

8. If a hearing panel loses two or more of its members during the course of a hearing, the hearing shall be terminated, and a 
   new panel selected.

I. GRIEVANCE HEARINGS: PROCEDURES

1. Hearings shall be scheduled as expeditiously as possible and with due regard for the schedule of both parties. Grievances 
   involving faculty/academic staff who hold academic year (AY) appointments will normally not be held during summer 
   semester unless the faculty/academic staff member has a summer appointment. On the rare occasion when a party fails to 
   respond to repeated attempts to schedule a hearing or unreasonably delays the scheduling of a hearing, the Faculty 
   Grievance Office will schedule the hearing for the first date available to the panel members and the other party.

2. The FGO shall convene the hearing panel and shall be present during all formal proceedings. The FGO shall provide 
   written notice of the time and place of the hearing, the names of counsel, the names of any witnesses, and copies of any 
   documents submitted by the parties and deemed relevant by the FGO, to each party at least seven (7) days before the 
   hearing.

3. The hearing shall be conducted in good faith and must be completed within 14 calendar days unless the FGO determines 
   that an extension of time is necessary.

4. All hearings shall be recorded. A party may request and obtain a copy of the recording from the FGO.

5. Hearings shall be closed unless the parties agree otherwise.

6. The privacy of confidential records used in the hearing shall be respected.

7. All parties may present their cases in person and may call witnesses on their behalf. The names of witnesses must be 
   provided to the FGO at least seven (7) days prior to the hearing date.

8. A party may elect not to appear, in which event the hearing will be held in his or her absence. Absence of a party shall not 
   be prejudicial to the case.

9. All parties are entitled to counsel of their choice. The name of counsel must be provided to the FGO at least seven (7) days 
   prior to the hearing date.

10. Any party or counsel shall be entitled to ask pertinent questions of any witness or the other party at appropriate points in 
    hearings. The Presiding Officer shall determine what questions are pertinent.

11. The grievant bears the burden of proving that there has been a violation of policy or established practice. A hearing panel 
    shall decide whether the preponderance of the evidence supports the allegations made by the grievant.  
    12

12. Hearing panels shall resolve any procedural issues raised by the parties, after providing each party the opportunity to be 
    heard on such matters. However, neither party may challenge the FGO’s initial jurisdictional findings made pursuant to 
    Section III.5 of this Policy. The FGO shall distribute all documents submitted by the parties concerning procedural issues to 
    the hearing panel, and shall include such documents in the grievance record.
13. Hearing panels may consider evidence submitted by the parties concerning the relative credentials of other faculty members in determining the merit of grievances involving salary, appointment, re-appointment, or promotion.

14. Hearing panels shall report their findings and recommendations in writing within 21 days of the completion of the hearing to the FGO, who shall forward them to the grievant, the respondent, their counsel, the Provost, or the President, as appropriate, and to the administrator who is the respondent's immediate supervisor. The hearing panel's report is advisory to the Provost and does not bind the Provost to a particular decision.

15. When a hearing panel sustains an allegation made in a grievance, it shall recommend appropriate redress consistent with existing policies, procedures, and practices.

16. The Provost shall decide the grievance, in writing, within 28 days of receipt of the hearing panel's findings and recommendations.\(^1\)\(^2\)

17. All parties shall be notified in writing of their right to appeal by the FGO when a copy of any decision is forwarded to the parties.

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Footnotes:

\(^1\) If a grievance is filed against the Provost individually, a hearing will be held pursuant to Section III.1 of this Policy. The findings and recommendation(s) of the Hearing Panel will be forwarded to the President for decision instead of to the Provost. The President's decision will be final and not subject to appeal.

\(^2\) This Policy and its grievance procedures may not be utilized by faculty or academic staff who are covered by a collective bargaining agreement.

\(^3\) References to days in this document are to calendar days. If a deadline contained within this Policy falls on a weekend or University holiday, the deadline will be extended to the next business day on which the University is open for business.

\(^4\) The FGO may waive or extend the time limits specified in this Policy for good cause or by mutual agreement of the parties. "Good cause" includes, but is not limited to, circumstances outside of a party's control, such as illness, approved leave of absence, or extended travel for University business. Even with a showing of good cause, time limits will generally not be extended beyond an additional 28 days.

\(^5\) As part of the initial jurisdictional determination, the FGO shall determine whether the policy specified in the grievance applies to the named respondent.

\(^6\) Notices provided under this Policy will be delivered to the campus address for both the grievant and respondent unless either party notifies the Faculty Grievance Office in writing that an alternate address should be used.

\(^7\) The term "hearing panel" in this section is used to refer to either the initial grievance hearing panel or any subsequent appeals hearing panel.

\(^8\) A faculty member or librarian who also holds an appointment as an Administrator is not eligible to serve as a presiding officer or as a member of the University Hearing Board or University Appeals Board.

\(^9\) Faculty librarians who are on a sabbatical or other approved leave of absence are excused from service on the University Hearing Board and University Appeals Board for the duration of the leave.

\(^10\) The standard the Presiding Officer shall follow in ruling on challenges is whether, in light of the challenged person's knowledge of the case or personal or professional relationships with a party, the challenged person would be able to fairly and impartially hear the case and to render a fair and impartial judgment.

\(^11\) If the challenge is to the Presiding Officer, the challenge shall be decided by the FGO.

\(^12\) "Preponderance of the evidence" means that the existence of the fact in issue is more probable than not. The "preponderance" of the evidence standard would be met where the members of the hearing panel find that the evidence supporting at least one of the allegations in the grievance is more convincing than the opposing evidence.

\(^13\) The FGO shall forward the Provost's decision to the parties, their counsel, and the members of the hearing panel within three (3) days of its receipt.

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IV. APPEALS

A. Initiation of and Conduct of Appeals Hearings

1. The decision of the Provost in response to the findings and recommendations of the initial hearing panel may be appealed to the University Appeals Board. Appeals must allege either that there has been a prejudicial violation of the procedures established for the conduct of the initial hearing, and/or that the decision of the Provost is not consistent with the preponderance of the evidence presented at the initial hearing.

2. A written appeal must be filed with the FGO within 28 days of receipt of the decision of the Provost. Failure to appeal within the prescribed time shall be deemed acceptance of the Provost's decision.

3. If an appeal is filed, the Provost's decision on the grievance shall not be implemented, except insofar as it may subsequently be ratified by the President.

B. Appeals Panel Procedures

1. The FGO shall convene an appeals panel and shall be present during its formal proceedings. The FGO shall provide written notice of the time and place of the hearing on the appeal to each party seven (7) days before the hearing.

2. Appeals shall be conducted expeditiously.

3. Appeals shall be decided upon the written appeal, any written response to the appeal, the record of the hearing, the Provost's decision, and the argument of the parties presented to the appeals panel. The parties may not submit new information or evidence unless the information/evidence is relevant to the appeal and was previously unavailable to the party although the party acted with due diligence to obtain such evidence.

4. The appeals panels may recommend affirmation, reversal, or modification of the Provost's decision on the grievance.

5. The findings and recommendation of an appeals panel shall be forwarded to the FGO within 21 days of the completion of the hearing on the appeal. The FGO shall forward the findings and recommendations to the President and to the parties and their counsel within three (3) days of its receipt.

6. For stated cause, the President may return the findings and recommendations to the appropriate panel once for reconsideration.

7. The President shall decide the appeal within 28 days of receipt of the appeal panel's findings and recommendations. The FGO will forward a copy of the President's decision to the parties, their counsel, and the members of the appeals panel within three (3) days of its receipt.

V. CONFIDENTIALITY

All records and information related to grievance proceedings under this Policy (both formal and informal) shall be kept confidential to the degree permitted by law. The FGO, parties to the grievance, their counsel, and other relevant administrators and faculty (including witnesses, presiding officers, and panel members) shall respect the confidentiality of information and records and the privacy of all parties whose interests are affected by a grievance.

VI. OTHER UNIVERSITY POLICIES

A. This Policy does not preempt or replace the Anti-Discrimination Policy ("ADP") or the Anti-Discrimination Judicial Board. Any grievance alleging discrimination or harassment in violation of the ADP will be referred to the appropriate University office for investigation and determination regarding the claim of discrimination/harassment. The grievance will be held in abeyance pending investigation and determination of the discrimination/harassment claim.

B. A grievant must promptly notify the FGO if he or she initiates litigation against the University while a grievance is pending. A grievant may not pursue a claim under this Policy while litigating the same issue(s). A grievance filed under this Policy shall be held in abeyance by the FGO pending the conclusion of the litigation.

C. Decisions and actions taken by an Institutional Review Board (IRB) and its Chairperson cannot be grieved under this Policy. However, disciplinary action imposed by an administrator on the basis of IRB action is grievable under this Policy.

D. Decisions and actions taken under the Procedures Concerning Allegations of Misconduct in Research and Creative Activities, the Anti-Discrimination Policy, or the Faculty Conflict of Interest Policy cannot be grieved under this Policy. However, disciplinary action imposed by any administrator on the basis of a decision under one of these policies is grievable under this Policy.
VII. INDEMNIFICATION

In accordance with the University’s Indemnification Policy, indemnification shall be provided to the Faculty Grievance Official, members and presiding officers of hearing and appeals panels, and University faculty serving as unpaid, volunteer counsel for the parties to a grievance, in their roles as participants in a grievance.

VIII. UNIVERSITY COMMITTEE ON FACULTY AFFAIRS

A. The University Committee on Faculty Affairs (UCFA) serves as an advisory committee to the FGO regarding the University’s faculty grievance process.

B. The UCFA shall participate in the appointment, reappointment, and evaluation of the FGO, as described in the Appendix to this document.

C. The UCFA shall periodically review the performance of the FGO according to the procedures set forth in the Appendix to this document.

D. The UCFA shall have the responsibility to ensure that the procedures set forth in this document are fully implemented.

IX. FACULTY GRIEVANCE OFFICIAL

A. The FGO shall attempt to resolve grievances informally and without resort to formal hearings and to assure that all formal hearings are conducted in accordance with the procedures prescribed in this document.

B. The FGO shall administer the grievance procedures as set forth in this document and shall advise the parties about appropriate procedures to follow.

C. The FGO may request and shall have broad access to all relevant University information and records related to a pending or potential grievance, except those required to be kept confidential by law or contractual obligation. Upon request from the FGO, individuals or units should provide documents to the FGO in a form that protects the privacy and confidentiality of third parties. The FGO will share the documents with the grievant/potential grievant if the FGO determines that the documents are relevant to the grievance/potential grievance and that the grievant/potential grievant has need of them for resolution of the grievance.

D. Upon the request of either party, the FGO has the authority to request that appropriate individuals discontinue or postpone any action threatening irreparable harm to any party to a grievance pending final disposition of a grievance.

E. The FGO shall not serve as advocate for any party to any grievance and may participate in a grievance proceeding only as FGO.

F. The FGO may recommend to the UCFA changes in this Policy.

G. The FGO shall report once a semester to the UCFA and once each academic year to the Academic Council, and shall sit as an ex officio member of the Academic Council.

H. The FGO shall forward to the Chairperson of the UCFA a copy of all decisions of the Provost and President. The Chairperson of the UCFA may share the decisions with the members of UCFA. The Chairperson of UCFA and the members of UCFA shall maintain the confidentiality of the decisions.

I. The FGO shall maintain records of all grievances.

X. REVISION OF THIS POLICY

A. Any faculty member or administrator may propose revisions to this Policy.

B. All proposals for revision shall be submitted to the UCFA, which shall consider them and forward them to the Faculty Council.

C. If approved by the Faculty Council, the proposal shall be submitted to the Academic Council.

D. Proposed amendments and revisions approved by the Academic Council shall be forwarded to the President for action by the Board of Trustees and shall become effective upon Board approval.

XI. HISTORY

An Interim Faculty Grievance Policy was approved by the Board of Trustees on May 19, 1972. A revised Faculty Grievance Policy was approved by the Board of Trustees on April 5, 1991 and revised on June 28, 2002 and August 16, 2009.
APPENDIX

Appointment, Reappointment and Evaluation of the FGO

I. Appointment of and Support of the FGO

1. UCFA shall prepare a list of candidates for presentation and discussion with the Provost and President.
2. Upon approval of the Provost, the President shall appoint the FGO for a term not to exceed five years. The President may reappoint the FGO for additional terms of up to five years each.
3. The FGO shall work with but be independent of the other administrative structures of the University in the pursuit of grievance dispute resolution.
4. The UCFA shall consult as necessary with the Provost and President concerning salary, budget, office, and staff for the FGO.
5. Whenever a vacancy occurs in the FGO position, the UCFA shall confer and recommend to the Provost and the President an individual to serve as Acting FGO.

II. Evaluation and Reappointment of the FGO

1. The UCFA shall annually evaluate the FGO pursuant to criteria established by the UCFA in consultation with the Provost and the President.
2. The UCFA shall discuss the evaluation with the FGO and shall forward its evaluation and a recommendation as to salary to the Provost and President.
3. The UCFA shall establish procedures for review of the FGO's performance which shall be undertaken when reappointment of the FGO is under consideration. Such procedures shall involve input from individuals who have participated in grievances as grievants, respondents, their counsel, or hearing or appeals panel members or presiding officers.
4. If the FGO is a candidate for reappointment, the UCFA shall conduct a review of all of the FGO's years of service and submit a recommendation on the FGO's reappointment to the Provost and President.

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A User's Manual for
The Faculty Grievance Policy:

For Faculty, Academic Staff,
and Administrators

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Prepared by the Faculty Grievance Office
Michigan State University
W35 Owen Graduate Center
East Lansing, Michigan 48825-1109
517-353-8884
517-432-2487 (FAX)
fgo@msu.edu

Revised March 1, 2010
INTRODUCTION

This manual provides information to assist faculty, academic staff and administrators who use the Faculty Grievance Policy (FGP). In particular, it clarifies procedural issues that are not explicitly discussed in the FGP. Prepared by the Faculty Grievance Office and reviewed by the University Committee on Faculty Affairs (UCFA), this document reflects the legislative intent of the FGP and the administrative experience accumulated since the FGP was established in 1972. The contents of this manual are interpretative and do not replace or supersede provisions of the FGP. This document is available on the Faculty Grievance Office website at www.msu.edu/unit/fgo.

Questions concerning the FGP may be directed to the Faculty Grievance Official (FGO) at the Faculty Grievance Office, W38 Owen Graduate Center, 517-353-8884 or FAX 517-432-2487, or E-Mail (fgo@msu.edu). Owen Graduate Center and the Faculty Grievance Office are physically accessible to persons with disabilities.

SECTION 1: WHO MAY FILE A GRIEVANCE AND AGAINST WHOM?

Article III of the FGP provides that:

A faculty or academic staff member may file a formal grievance against an administrator that alleges a violation of University, college, department, school, or unit policy or established practice.

Article II of the FGP provides the following definitions:

Faculty member: A person with a paid University appointment at the rank of professor, associate professor, assistant professor, or instructor, including those with fixed term and visiting status.

Academic Staff: A person with a paid University appointment at the rank of academic specialist, lecturer, assistant instructor, research associate, or librarian, including those in a continuing appointment system and those with fixed term and visiting status.

Administrator: A person appointed as the head of an administrative unit, school director, department chair, dean, or separately reporting director. The President, the General Counsel and members of the General Counsel’s staff, and the FGO are not subject to grievance under this Policy.

A grievant must be employed by the University, either on a full-time, part-time, or temporary basis, at the time the grievance is formally filed. However, it is not required that the grievant be employed by the University at the time a final decision is rendered.

In those instances in which a respondent-administrator named in a grievance no longer holds the administrative position identified in the grievance, the grievance will be redirected against the respondent’s replacement. However, the original respondent will be permitted to submit written evidence and participate in any formal hearing.
A grievance must be filed by an individual regardless of whether it is filed on behalf of that individual only, or on behalf of that person and others similarly situated. Separate grievances raising related allegations or arising from a common set of facts may be consolidated pursuant to Article III.G of the FGP.

Since the FGP is intended to resolve disputes only between faculty members and administrators, a faculty member who also holds an administrative appointment may file a grievance against an administrator only when the grievance relates to his/her status as a faculty member. Grievances may not be filed by a faculty member against another faculty member. However, the FGO may be requested to assist informally in resolution of inter-faculty disputes.

SECTION 2: WHAT IS GRIEVABLE?

Grievances must allege a violation of University, college, department, school, or unit policy or established practice.

Article II of the FGP provides the following definitions:

**Grievance:** A written complaint filed by a faculty or academic staff member against an administrator of the University alleging a violation of University, college, department, school, or unit policy or established practice.

**Policy:** A written statement of principles and procedures that govern the actions of faculty, academic staff, and administrators, including written rules, bylaws, procedures, or standards.

**Practice:** Actions taken by the administrator within an administrative or academic unit based on customs or standards in that unit that are usually unwritten but of long-standing duration, and for whose existence the grievant can offer evidence.

**Violation:** A breach, misinterpretation, or misapplication of existing policy or established practice.

The procedures contained in the FGP are not intended to be used to challenge the desirability of unit or University policies. For example, a faculty member should not file a grievance under the FGP to disagree with the fact that the University has established an Outside Work for Pay policy. Such challenges should be addressed through the academic governance system and/or appropriate administrative offices. The faculty member may, however, file a grievance to allege that an administrator has violated a particular policy or has established a practice in violation of University, college, and/or department policy.

If a grievance alleges violation of an established practice rather than a policy violation, the FGO will determine as part of his/her initial jurisdictional decision whether such a practice exists. This provision is not intended to require the FGO to conduct an elaborate fact-finding hearing. Such an exercise is most appropriately conducted as part of the grievance hearing. Rather, the purpose of this provision is to require that the grievant provide the FGO with some tangible evidence that a practice has existed over a period of time and clearly something more than a mere assertion that a practice exists.
The procedures contained in the FGP are not intended to replace or diminish the role of the academic unit in making decisions about a faculty/academic staff member's professional competence. For example, a grievance panel hearing a case involving promotion and tenure should appropriately consider whether the unit's bylaws and promotion and tenure standards were followed. The grievance panel should not, however, seek to substitute its own judgment for that of the academic unit regarding the substance of the promotion and tenure decision. In other words, it is not the role of the grievance panel to determine whether the administrator reached the same decision the panel would have reached regarding promotion and tenure. Rather, the role of the grievance panel is to determine whether the grievant has proven by a preponderance of the evidence that there has been a violation of a policy or established practice.

SECTION 3: INITIATION OF GRIEVANCES

Article III.A of the FGP provides:

A faculty /academic staff member who feels aggrieved may discuss his/her complaint in a confidential conference with the Faculty Grievance Official (“FGO”). The FGO shall inform the faculty /academic staff member if the potential grievance falls under the jurisdiction of another University policy rather than this Policy.

Article III.B of the FGP provides:

To file a grievance, an individual faculty or academic staff member must submit a written, signed statement (the “grievance”) to the FGO within 28 days of the date that the grievant knew or should have known of the alleged violation. The grievance must contain the following information:

1. the specific policy or established practice that has allegedly been violated;
2. the date of the alleged violation and the date on which the grievant became aware of the alleged violation;
3. the facts relevant to the alleged violation;
4. the person(s) against whom the grievance is filed (the “respondent”); and
5. the redress sought.

Articles III.B and III.C of the FGP describe the process by which both parties may submit documents to the FGO regarding the FGO’s initial jurisdictional decisions. The FGO makes initial jurisdictional decisions within 14 days after the grievance is filed regarding the following requirements:

- Whether the grievant has standing under the Faculty Grievance Policy;
- Whether the grievance has been filed in a timely fashion;
- Whether the grievance identifies an appropriate respondent(s);
- Whether the grievance adequately identifies the existing policies and/or established practices alleged to have been violated;
- Whether the grievance contains a reasonably adequate statement of the facts relevant to the complaint; and
- Whether any other jurisdictional issue(s) need to be decided in connection with the initiation of the grievance and, if so, an explanation of such issues.
Both parties have the right to appeal any of the FGO’s decisions on these matters by filing a written statement, accompanied by supporting rationale, with the FGO within 14 days of the issuance of such decisions. In the event of an appeal, the FGO submits his/her initial decisions, together with the appeals from the parties, responses to the appeals by the opposing parties and a written response by the FGO, to a three-person jurisdictional appeals panel drawn by the FGO from the membership of the University Hearing and Appeals Boards. This jurisdictional appeals panel will deliberate and submit to the FGO its written decisions on the issue(s) being appealed within 7 days of its convening by the FGO. The FGO will then forward these decisions to the parties within 7 days of their receipt from the jurisdictional appeals panel.

During the pendency of a grievance, parties to the grievance and/or their representatives should not communicate with any University administrator(s) responsible for making decisions on any matter related to the pending grievance.

SECTION 4: INFORMAL RESOLUTION

Following the jurisdictional decision process, the FGO and the parties generally attempt to resolve the grievance informally. Such efforts usually include meetings between the FGO and the parties, both separately and, if appropriate, jointly. These discussions enable the FGO to engage in additional fact-finding, clarify questions that either party may have about the FGP, and determine whether the dispute can be resolved to the mutual satisfaction of both parties without resort to the formal hearing mechanisms.

During the informal resolution stage, the FGO may forward suggestions for bridging the gap between the parties. Discussions regarding informal resolution may not be disclosed at subsequent formal proceedings. The FGO may also recommend that the grievance be dropped for lack of merit or another just cause. Such recommendation, however, is not binding on the grievant.

If the FGO determines that the grievance cannot be resolved informally, both parties will be so notified. A grievant wishing to pursue the grievance further must then submit to the FGO within 14 days of receipt of such notice a written request for a formal hearing. Failure to submit such request will constitute a waiver of the faculty member’s right to pursue the grievance.

SECTION 5: HEARING PANEL COMPOSITION

Formal grievance and appeals hearings are conducted by five member faculty panels randomly selected by the FGO pursuant to Article III.H of the FGP. The FGO takes necessary precautions to avoid any conflict of interest on the part of the hearing panel members. In particular, no member of the hearing panel shall be from the same department(s) (or college in the case of the non departmental colleges) as the grievant or respondent. A faculty member or librarian who also holds an appointment as an administrator is not eligible to serve.

A hearing panel selected for a grievance involving the denial of reappointment or tenure in the tenure system shall be comprised solely of tenured faculty members. A hearing panel selected for a grievance involving the denial of promotion to full professor shall be comprised solely of tenured faculty members who hold the rank of full professor. The FGO will inform both parties of the names of the proposed hearing panel and the presiding officer and their rights to challenge the proposed names, either peremptorily and/or for cause.
SECTION 6: ROLES OF GRIEVANCE PARTICIPANTS

A. The Role of Counsel

While both parties are entitled to counsel of their choice, the presence of counsel at hearings is not required. It is the responsibility of the parties to secure their own counsel, and to inform the FGO as soon as possible, but not later than seven days prior to the hearing date, of their identity. Counsel will be provided with copies of all communications sent to the parties. Councils are most commonly faculty members at Michigan State University who volunteer their service in a spirit of collegiality. The Faculty Grievance Office keeps on file names of individuals who have served as counsel and will share this information with either party upon request.

The role played by counsel in hearings is a matter to be jointly determined by counsel and the grievant/respondent. The role has ranged from passive observation of the formal proceedings to active participation in presentations of the party's case and cross-examination of witnesses.

B. The Role of the FGO

The FGO attends hearings to ensure compliance with the procedures set forth in the FGP. All hearings are taped by the FGO and are available to the parties by request. At the end of the procedure, the tapes and all other documents relating to the grievance must be deposited in the Faculty Grievance Office.

C. Presiding Officers

Presiding officers, while not voting members of the panel, may ask questions of parties, witnesses, and counsels during the hearing and have authority to assist the hearing panel to make rulings on procedural issues after consulting with the parties and/or the FGO. Presiding officers also convene and chair the deliberative sessions of panels at the end of formal hearings, and with the assistance for the FGO, coordinate the writing of the panel's report.

D. Hearing Panel Members

Panel members are expected to review all materials provided to them by the FGO in preparation for the hearing, to bring such materials to the hearing, and to treat them with utmost respect for confidentiality. All such materials should be returned to the Faculty Grievance Office upon completion of the hearing panel’s report. Panel members should not communicate directly with either party and/or its counsel about the grievance at any time other than during the course of the formal hearing, nor should they receive direct communication from such individuals about the grievance at any time other than during the formal hearing. All such communications are to be handled through the Faculty Grievance Office.

Any hearing panel member who is unable to attend a scheduled hearing due to an emergency, or who may feel that his/her participation in the hearing raises issues of conflict of interest, should so inform the FGO as soon as possible after receipt of the notice of the scheduled hearing. If a hearing panel loses two or more members during the course of a hearing, the hearing shall be terminated, and a new panel selected.

An individual’s participation as a member of a hearing panel, counsel, or presiding officer is one of the highest forms of civic service that faculty members can provide to their colleagues. Accordingly, such service is recognized as one of the elements that is to be taken into account in performance evaluations with
respect to decisions regarding promotion, granting of tenure, and annual salary adjustments. The FGO acknowledges the importance of such service to academic governance at Michigan State by providing letters of commendation to panel members, presiding officers, and counsels. Copies of such letters are also transmitted to panel member’s department chair, dean and the Office of the Provost.

SECTION 7: INITIAL HEARING PROCEDURES

Hearings are scheduled at a time that is mutually convenient to both parties and are held in the Faculty Grievance Office, W38 Owen Graduate Center. While neither party is required to be present at a hearing, the presence of both parties and/or their representatives is highly encouraged for the effective presentation of their case.

A. Hearing Documents

Consistent with Article III.I of the FGP, the following documents will be provided to the hearing panel, presiding officer, parties, and their respective counsel prior to the hearing:

- Statement of grievance (including any amendments);
- Statement of response by the respondents(s), if any;
- Documents concerning procedural and jurisdictional issues;
- Documents submitted as evidence by both parties;
- A copy of relevant unit, college, or University policies;
- A copy of the FGP and this User’s Manual; and
- Any other documents deemed relevant by the FGO.

Additional documents may be received during the course of the hearing pursuant to Article III.I of the FGP.

B. Hearing Structure

Grievance hearings will follow the format outlined below:

1. Introductory remarks by the FGO.

2. Introductory remarks by the presiding officer. At this point, the presiding officer will explain the format of the hearing and remind all participants that the burden of persuasion, in accordance with Article III.I.11 and footnote 12 of the FGP, rests on the grievant. That is, the grievant has the duty to establish by a preponderance of the evidence that the administrator (respondent) has violated existing policy or established practice.

3. Opening statement by grievant.

4. Opening statement by respondent.

5. Resolution by the presiding officer and hearing panel of procedural or jurisdictional issues raised by the parties, after providing each party the opportunity to be heard in the matter. However, neither party may advance any issue that has already been adjudicated through the procedures outlined in Article III.D. of the FGP.
6. Presentation of the grievant’s case, including cross-examination of grievant’s witnesses by respondent, followed by re-direct and re-cross; questions from the panel members directed at grievant and/or grievant’s witnesses.

7. Presentation of the respondent’s case, including cross-examination of respondent’s witnesses by grievant, followed by re-direct and re-cross; questions from the panel members directed at respondent and/or respondent’s witnesses.

8. Summation and closing argument by the grievant.

9. Summation and closing argument by the respondent.

The panel will then excuse the parties and deliberate and reach its findings and recommendations either in a session immediately thereafter or at a later meeting convened by the presiding officer at a mutually agreeable time. The FGO will then remind the panel of its obligation to produce a written report within 21 days of the completion of the hearing.

SECTION 8: OUTCOME OF INITIAL HEARINGS

The initial hearing panel should make a finding on each of the allegations contained in the grievance as to whether it is or is not supported by the preponderance of the evidence. If the panel finds that there has been a violation of existing policies or established practices, it shall recommend the appropriate redress, taking into account, but not necessarily limited to the redress sought by grievant. Panel members are reminded that all recommended redresses must be consistent with existing policies, procedures, or practices in the University and/or appropriate unit in question.

The written report of the hearing panel should be a self-contained document that sets out the facts of the grievance, the main arguments of both parties, the findings of the panel, and the recommended redress, so that the administrator who receives the report and who makes a decision can determine what the grievance was about and why the panel reached its conclusions.

The panel’s findings, recommendations, and report do not have to secure the panel’s unanimous support. If a panel is divided, dissenting opinion(s) should accompany the report of the majority. Reports of initial hearing panels are submitted, along with relevant documentary materials, by the FGO to the Provost for his/her decision. The panel’s report is advisory and non-binding to the Provost. The Provost shall decide the grievance in writing within 28 days of receipt of the hearing panel’s findings and recommendations.

SECTION 9: APPEALS

The FGP recognizes the right of either party to appeal within 28 days of the Provost’s decision. The appeal must allege at least one of the following:

- That there has been a prejudicial violation of procedures established for the conduct of the initial hearing; or
- That the decision of the Provost is not consistent with the preponderance of the evidence submitted at the initial hearing.
Before commencement of an appeal hearing, the appeal panel must resolve any procedural or jurisdictional issues raised by the parties, after providing each party an opportunity to be heard on the matter. Such issues may include, but are not restricted to questions concerning the appropriateness of introducing new evidence, the proper scope of the appeal hearing, and whether the appeal statement alleges either that there has been a prejudicial violation of the procedures established for the conduct of the initial hearing and/or that the decision of the administrator is not consistent with the preponderance of the evidence submitted at the initial hearing.

It is expected that appeals panels will make a good faith effort to hear appeals. However, if it is determined that the appeal statement does not allege either of the two legitimate grounds for appeal, then the appeal panel may decide to discontinue the formal appeal proceedings, and, thereby reaffirm the decision by the Provost that is being appealed. Such reaffirmation, along with the underlying rationale for the appeal panel’s decision, must be stated explicitly in the appeal panel’s report of its finding and recommendations.

Appeal hearings are not intended to rehash ground already covered in the initial hearing. Their main objective is to provide opportunity to address issues that give rise to the appeal. Generally, appeals are decided upon the record of the original proceeding.

As a matter of general practice, new information or evidence may be submitted by either party only if it is relevant to the appeal and previously unavailable to the party, although the party acted with due diligence to obtain such evidence. The appeal panel will determine, on a case-by-case basis, whether to accept such new information or evidence. If the newly discovered evidence is deemed such that its omission may have constituted prejudicial error if not considered by the original hearing panel, the appeal panel may recommend to the President that the case be remanded back to the original panel for reconsideration.

The general structure of an appeal hearing will follow the format outlined below:

a) Introductory remarks by the FGO.

b) Introductory remarks by the presiding officer.

c) Oral argument by the appellant, followed by questions from the panel members.

d) Oral arguments by the appellee, followed by questions from the panel members.

The panel will then excuse the parties and deliberate and reach its findings and recommendations, either in a session immediately thereafter or at a later meeting convened by the presiding officer at a mutually agreeable time. The FGO will then remind the panel of its obligation to produce a written report within 21 days of the completion of the appeal hearing.

Appeal panels may recommend affirmation, reversal or modification of decisions made in response to initial hearings. In preparing the written report, appeal panels are to be guided by the relevant guidelines for initial hearing panels (see Section 8 in this Manual).

Reports of appeal hearing panels are submitted, along with relevant documentary materials, by the FGO, to the President for his/her decision. The President shall decide the appeal within 28 days of the receipt of the
appeal panel’s findings and recommendations. The FGO will forward a copy of the President’s decision to the parties, their counsel and the members of the appeal panel within three days.

SECTION 10: MAINTAINING AND RESPECTING CONFIDENTIALITY

All records and information related to grievance proceedings under the FGP shall be kept confidential to the degree permitted by law. The FGO, parties to the grievance, their counsel, and other relevant administrators and faculty (including witnesses, presiding officers, and panel members) shall respect the confidentiality of information and records, and the privacy of all parties whose interests are affected by a grievance. The indiscriminate and/or public revelation of grievance outcomes is inconsistent with respect for collegiality and confidentiality.

SECTION 11: RELATIONSHIP WITH OTHER PROCEEDINGS

Article VI of the FGP describes the relationship between the FGP and other University policies such as the Procedures Concerning Allegations of Misconduct in Research and Creative Activities, the Anti-Discrimination Policy, and the Faculty Conflict of Interest Policy. Article VI also describes what happens when a grievant initiates litigation against the University while a grievance is pending.
SAMPLE GRIEVANCE STATEMENTS
APPENDIX #1

Date

John L. Revitte
Faculty Grievance Official
W38 Owen Graduate Center
Campus

Dear Professor Revitte:

I hereby file a grievance against __________, Chairperson of the Department of __________. I am an Assistant Professor with __________.

On Tuesday, March __________ I was verbally informed by the Chairperson that he/she was not going to reappoint me in my position as __________, which I had good reason to believe would be renewed on __________. I allege that Dr. __________’s actions violate several University policies and established promotion practices in our college and department.

I first assumed an Assistant Professor position in August __________ and worked with __________. __________.

The history provided above illustrates the obviously incorrect way of evaluating a person for reappointment.

The Chairperson was clearly in violation of several University policies outlined in the Faculty Handbook, as well as in violation of established college and department promotion practices. (See the Faculty Handbook: Faculty Rights & Responsibilities and department and college bylaws attached). Specifically, I note his/her violation of MSU policy in that he/she did not recognized the importance of both my teaching and research, the creativity of my efforts and its impact on students. The Chairperson also violated established college and department bylaws and practices to provide an objective appraisal of my professional performance (see department bylaws attached).

As redress for this grievance, I seek determination from the Provost that I am entitled to be reappointed as of ____________.

Sincerely,
APPENDIX #2

Date

John L. Revitte
Faculty Grievance Official
W38 Owen Graduate Center
Campus

Dear Professor Revitte:

I hereby exercise my right as a tenure-stream faculty member to file a grievance against _______________, Dean of the College of _____________________.

The basis of my grievance is that Dean _______ made his/her decision that I be denied promotion and tenure to associate professor in direct violation of University regulations in the Faculty Handbook under the Granting Tenure and the Appointment, Reappointment and Tenure sections in that he/she disregarded the mandated internal and external peer review and he/she failed to provide the professional guidance required of all MSU deans.

Dean _______’s letter of ______ states his/her refusal to recommend me for tenure and promotion stems from my performance in my department. He/she claims to have based that decision on the reports of my department, external reviewers and my college Reappointment, Promotion, and Tenure (RPT) committee. In fact, the most obvious reading of those documents demonstrates that they supported me and not the dean’s reading of them. My department unanimously recommended me for tenure and promotion. The external letters were very positive. The College RPT was almost unanimous in favor of my promotion.

Let me briefly review my accomplishments and the conclusions regarding it by my colleagues, chair, and external reviewers. I have an impressive record of external research grants and I recently obtained a $_______ grant. I currently have two proposals under review with ____________. I have conducted _____ outreach conferences throughout the U.S. I have authored a book and have 8 refereed and 6 non-refereed published research papers. I am a chair of a professional society and was the editor of the _______ Journal. I have been a member of several department and college committees ____________. I was assigned to teach __________ and __________. Both of these courses are large classes. Sample syllabi for these courses are presented in Appendix and they clearly list the objectives of the courses and methods of assessment of students. I modified course contents in response to suggestions and my SIRS results have improved.

I request that the hearing panel find that the Dean’s recommendation was arbitrary and contrary to University and college bylaws and recommend to the Provost to find for me for promotion to associate professor with tenure, under the terms of the original recommendation of my faculty peers.

Sincerely,
APPENDIX #3

Date

John L. Revitte
Faculty Grievance Official
W38 Owen Graduate Center
Campus

Dear Professor Revitte:

I hereby file a grievance against Dr. ________, Chairperson of the Department of ________.

In his letter of October ______ (attached), Dr. ________ summarizes my annual evaluation of performance for ____________ and he/she states it is of concern that your grant activity and research funding are lower than appropriate. This statement comes as a complete surprise to me.

Dr. ________’s evaluations are unfair and arbitrary and clearly in violation of MSU policies which indicate that “each faculty shall be informed of all factors used for evaluation of their performance and the relationship between their performance and the decisions on merit salary adjustments. Faculty are entitled to have all their assigned duties given weight in the evaluation.” and “Whenever appropriate such evaluations shall contain constructive and explicit recommendation and clarify expectations of what is needed to make additional scholar progress.”

The Chair’s decision is also in violation of Section ________ of the college bylaws which sets out the criteria for evaluating research, teaching and service. I submitted all the materials listed in the bylaws. These show that students consistently praised my teaching. As far as publications and research go, I had three items appear in print during ________. I gave two invited lectures in _____________. I also spoke at ________ seminar held at the University of _____________. As far as service goes, ________.

As noted above, I obviously have done well in research, teaching, service, and grants this past year and have been most productive. Dr. ________’s evaluation of my performance and my average merit increase is unfair and arbitrary and violates MSU and college policy and practices.

As redress for this grievance, I seek that 1) the annual review letter for ________ be revised to accurately reflect my accomplishments and 2) my salary/merit increase be adjusted 2% retroactively to accurately reflect my efforts.

Sincerely,
APPENDIX #4

Date

John L. Revitte
Faculty Grievance Official
W38 Owen Graduate Center
Campus

Dear Professor Revitte:

On January _______, I was informed that the Dean of the College of _________ had denied my request for a one year sabbatical leave of absence at half pay. I believe this denial is not in accordance with University sabbatical policy (attachment #1) nor with recent college and department practices. I am accordingly filing a grievance against the Dean _________. A summary of the sequence of events related to the denial of my proposal and my grounds for grievance follow: _____________________________.

For the reasons stated above I ask that the Provost approve my sabbatical request as submitted, commencing in ________ semester, ________.

Sincerely,

APPENDIX #5

Date

John L. Revitte
Faculty Grievance Official
W38 Owen Graduate Center
Campus

Dear Professor Revitte:

I hereby file a grievance against Dr. ________, Chairperson of the Department of ________ where I am a professor.

In an e-mail received from Chairperson ________ on August ________ (Attachment 1), I was informed that I must move my office and laboratory from ________ to ________. The proposed space is, however, inappropriate, inadequate and unsafe for the type of research that I do, and in fact would prevent me from doing most aspects of this research.

I allege that the Chairperson is therefore in violation of my rights of academic freedom as a faculty member and as are outlined in the MSU Faculty Handbook Section IV with regard to performance of research. That section clearly states: _____________________________.

I further allege that the Chairperson is applying the college’s established standard practices of allocating space in an unfair, unreasonable, and arbitrary manner and is therefore in violation of university and college established practices.

The redress that I request is to be allowed to remain in ________.

Sincerely,
June 21, 2011

MEMORANDUM

TO: University Committee on Faculty Affairs

FROM: John L. Revitte, Faculty Grievance Official

SUBJECT: End of SPRING SEMESTER 2011 Report

Article IX.G of the Faculty Grievance Policy requires the Faculty Grievance Official to report to the University Committee on Faculty Affairs once each semester. This report covers the activities of the FGO from January 10, 2011 to May 15, 2010.
1. **GRIEVANCE CASES SETTLED**

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<td>Subject: Promotion</td>
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**TOTAL CASES SETTLED** 3

2. **RESULTS OF SETTLED GRIEVANCES**

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<td>2.3</td>
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3. **GRIEVANCE CASES PENDING**

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**TOTAL CASES PENDING** 3
4. INQUIRIES

4.1 Subject: Discipline
Promotion 23
Promotion/Tenure 18
Settlement 14
Teaching Assignment/Load 10
Annual Evaluation/Salary 10
Discrimination & ADP 8
Information Request - FGP 6
Reappointment 5
Faculty Grievance Procedure 4
Outside Work/Pay 4
Consultancy/Retirement 2
Post Tenure Review 2
Administrative Review 2
Appointment 1
Assignment 1
Conflict of Interest 1
Office/Lab Space 1
Salary 1

4.2 Source: Faculty 76
Administrators 38
Others 5

4.3 Number of Discrete Faculty 27
Administrators 11
Other 2

4.4 Type: E-mail 68
Telephone 51
Other (in person, letter or fax) 0

TOTAL INQUIRIES 119
5. CONFERENCES

5.1 Subject:  
- Reappointment: 11
- Promotion/Tenure: 8
- Discipline: 7
- Faculty Grievance Procedure: 4
- Promotion: 4
- Annual Evaluation/Salary: 3
- Teaching Assignment/Load: 3
- Salary: 3
- Appointment: 2
- Consultancy/Retirement: 2
- Assignment: 1
- Bylaws: 1
- Discrimination & ADP: 1
- Student Concerns: 1

5.2 Participants:  
- Faculty: 48
- Administrators: 11
- Others: 0

5.3 Number of Discrete Faculty:  
- Administrators: 34
- Others: 8

5.4 Type:  
- One-Person: 40
- Two or More Persons: 11

TOTAL CONFERENCES: 51
There was some variation in the workload of the Faculty Grievance Office during the Spring 2011 semester as compared to the previous Spring of 2010. A total of 6 cases were processed during the Spring 2011 semester, which was ten less than the 16 cases in the equivalent reporting period last spring. The number of cases settled went down from eleven to three while those pending dropped from five to three. However, the number of inquiries went up from 109 to 119, and the number of conferences held by the FGO changed only from 54 to 51. I also made a total of 24 decisions on jurisdictional and procedural grounds in four separate cases, which was only a slight decrease from the prior spring’s 27 decisions involving four different cases.

Of the three cases that were settled, one case was resolved informally without the use of formal hearings during the Spring semester of 2011, compared to eleven during the previous spring. The Grievant dropped the grievance case and was satisfied with a negotiated settlement concerning discipline. In one case, concerning promotion, the FGO jurisdictional ruling dismissing the grievance was not appealed.

The other settled case (regarding annual review) went to a formal grievance hearing during Spring 2011, whereas none were settled through a hearing and Provost decision in Spring 2010. The University Hearing Panel’s unanimous Findings and Recommendations for the Respondent and against the Grievant were forwarded to the Provost who upheld the Findings and Recommendations.

Three cases were pending resolution at the end of the Spring 2011 semester, which is less than the five cases that were pending at the end of Spring 2010. One case is in the informal resolution stage and hopefully can still be resolved, and it involves discipline. Meanwhile two cases (which concern promotion/tenure and salary) are in the formal phase. One case is pending a jurisdictional appeals panel hearing and one is waiting for the scheduling of a formal grievance hearing.

Overall I handled 119 inquiries, which was an increase from the 109 inquiries during the previous spring semester. Seventy-six (76) of the inquiries came from faculty, 38 were from administrators, and five were from outside attorneys. Of these 119 inquiries, 27 different faculty, 11 different administrators, and two others were the source. Sixty-eight (68) of the inquiries were in the form of e-mails, while 51 were phone calls. While a wide range of subjects were covered through these inquiries as is noted in the tables above, discipline, promotion, tenure and teaching assignments were the most common inquiry subjects during the Spring 2011 semester.

To facilitate the informal resolution of disputes, I held a total of 51 conferences, which was a slight decrease from the 54 meetings I held during spring semester of the prior year. Of these, 40 involved meetings with one person each, and the remaining 11 were held with two or more persons. At these meetings, 48 of the participants were faculty and 11 were administrators. Some of these meetings were held with the same individuals, often in the pursuit of an informal resolution. Therefore, during Spring 2011, the FGO held one or more meetings with 54 different faculty and 10 different administrators. The most common subjects involved reappointment, promotion/tenure and discipline, as well as the variety of other topics noted above in the tables.
Pursuant to Article III.D of the FGP, I made a total of 24 decisions on jurisdictional and procedural grounds in four separate cases. This was a slight decrease from the prior spring's 27 decisions involving four cases. There was one appeal filed by a grievant and one by a respondent of my decisions. Two separate jurisdictional appeals panels were convened to review the FGO's decisions. One panel upheld the FGO's decisions while the other review and decision (to dismiss a grievance) is still pending.

During the Spring of 2011, I attended the regular meetings of the UCFA and Academic Council, and I assisted UCFA and their personnel subcommittee as they conducted the annual review of the FGO and begin their search for the next FGO.

I take this opportunity to acknowledge the significant cooperation and assistance that I received from faculty and administrators who assisted me to informally resolve grievances and from others who volunteered as counsels for grievants and respondents. I want to acknowledge the assistance of UCFA and the Office of the Provost in administering the Faculty Grievance Policy. The helpful assistance of my secretary, Ms. Deb Bennett, is also deeply appreciated with gratitude.

Respectfully submitted,

[Signature]

John L. Revitte
Faculty Grievance Official and
Professor, School of Human Resources and Labor Relations

JLR/dkb
September 9, 2011

MEMORANDUM

TO: University Committee on Faculty Affairs

FROM: John L. Revitte, Faculty Grievance Official Emeritus

SUBJECT: End of SUMMER SEMESTER 2011 Report

Article IX.G of the Faculty Grievance Policy requires the Faculty Grievance Official to report to the University Committee on Faculty Affairs once each semester. This report covers the activities of the FGO from May 16, 2011 to August 16, 2011.
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**TOTAL CASES SETTLED**

4

2. **RESULTS OF SETTLED GRIEVANCES**

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<td>2.4 Grievances Dismissed by FGO</td>
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3. **GRIEVANCE CASES PENDING**

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**TOTAL CASES PENDING**

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4. **INQUIRIES**

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<td>Teaching Assignment/Load</td>
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<td>Confidentiality</td>
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<td>Promotion</td>
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<td>Study Abroad</td>
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<td>Bylaws</td>
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<td>Office/Lab Space</td>
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<td>Retirement/Consultancy</td>
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<td>Termination/Dismissal</td>
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</table>
4.4 Type: E-mail 58
   Telephone 35
   Other (in person, letter or fax) 0

TOTAL INQUIRIES 93

5. CONFERENCES

5.1 Subject: Reappointment 8
   Discipline 6
   Salary 6
   Promotion/Tenure 5
   Settlement 4
   Faculty Grievance Procedure 3
   Teaching Assignment/Load 3
   Administrative Review 1
   Annual Evaluation/Salary 1
   Bylaws 1
   Harassment 1
   Termination/Dismissal 1

5.2 Participants: Faculty 36
   Administrators 9
   Others 0

5.3 Number of Discrete Faculty 24
   Administrators 9
   Others 0

5.4 Type: One-Person 35
   Two or More Persons 5

TOTAL CONFERENCES 40
There were only modest shifts in the workload of the Faculty Grievance Office during the summer 2011 semester as compared to the previous summer of 2010. A total of 8 cases were processed during the summer 2011 semester, which is one less than the 9 cases in the equivalent reporting period last summer. The number of cases settled went down from six to four while those pending increased from three to four. Interestingly the number of inquiries remained the same at 93, while the number of conferences held by the FGO increased from 22 to 40. I also made a total of 24 decisions on jurisdictional and procedural grounds in four separate cases, which was the same as the prior summer’s 24 decisions involving four different cases.

Four cases were settled during the summer semester of 2011. Two cases were resolved informally without the use of formal hearings during the summer which was half the number of the previous summer. In these cases, which concerned discipline and promotion/tenure, a negotiated settlement was reached, and the grievants either “won” what they were seeking or were satisfied with a compromise and withdrew their grievances. In the other two settled cases, one of the FGO’s jurisdictional rulings dismissing a grievance as invalid was not appealed while the other was appealed and the University Jurisdictional Appeals Panel upheld the FGO ruling that the grievance was invalid. One settlement was reached the day before a formal hearing was held, and no hearings therefore occurred during this summer, whereas one hearing was held the previous summer.

Four cases were pending resolution at the end of the summer 2011 semester, which is more than the three cases pending at the end of summer 2010. Three cases are in the formal phase waiting for the scheduling of a formal grievance hearing and concern promotion/tenure, reappointment and salary. The other pending case involves promotion/tenure and hopefully can still be informally resolved.

Overall, I handled 93 inquiries, which was exactly the same number as during the previous summer semester. Sixty-nine (69) of the inquiries came from faculty, 23 were from administrators, and one was made by an attorney. Of these 93 inquiries, 22 different faculty, 9 different administrators, and one attorney were the source. Fifty-eight (58) of the inquiries were in the form of e-mails, while 35 were phone calls. While a wide range of subjects were covered through these inquiries, as is noted in the tables above, discipline, promotion/tenure, reappointment and salary were the most common inquiry subjects during the summer 2011 semester.

To provide information, answer questions and facilitate the informal resolution of disputes, I held a total of 40 conferences, which was an increase from the 22 meetings I held during the summer semester of the prior year. Of these, 35 involved meetings with one person each, and the remaining 5 were held with two or more persons. At these meetings, 36 of the participants were faculty and 12 were administrators. Some of the meetings were with the same individuals, often in the pursuit of an informal resolution. Therefore, during summer 2011, the FGO held one or more meetings with 24 different faculty and 9 different administrators. The most common subjects involved reappointment, discipline, salary and promotion/tenure, and the variety of other topics are noted above in the tables.
Pursuant to the Faculty Grievance Policy's Article III.D, I made a total of 24 decisions on jurisdictional and procedural grounds in four separate cases. (This was the same as the prior summer's 24 decisions involving four cases.) A grievant challenged the FGO ruling dismissing their grievance in one of the cases which was upheld by a Jurisdictional Appeals Panel. A respondent challenged one of these decisions in one case, but the grievant withdrew the grievance before it was heard by a Jurisdictional Appeals Panel. No challenges occurred in the other cases.

In my capacity as the MSU FGO, on August 9, 2011 I made a short presentation and answered questions regarding the FGP for the new administrators workshop sponsored by the Office of the Provost.

I take this opportunity to acknowledge the significant cooperation and assistance that I received from faculty and administrators who assisted me to informally resolve grievances and from others who volunteered as the panel members, presiding officer and counsels for the formal hearing which was cancelled. I want to acknowledge the assistance of UCFA and the Office of the Provost in administering the Faculty Grievance Procedure (FGP). The helpful assistance of my secretary, Ms. Deb Bennett, is also deeply appreciated with gratitude.

Respectfully submitted,

John L. Revitte
Faculty Grievance Official Emeritus and
Professor, School of Human Resources and Labor Relations

JLR/dkb