STATEMENT OF POLICY

Purdue University has a well established tradition of excellence in all of its academic endeavors. In order to sustain this standard, Faculty and administrators must work together in a respectful and collegial manner. To accomplish this, it is essential that the University maintain a climate that values Faculty and fosters prompt and fair resolution of their concerns and Grievances.

Purdue University encourages its academic personnel to resolve their disagreements through informal, frank, and open discussion. However, the University also recognizes that occasionally more formal processes are needed. All such activities, whether informal or formal, must be carried out by all participants within a framework of good faith collegiality. None of these activities are judicial in nature, nor may legal counsel participate. Purdue Faculty or staff who are attorneys may take part in the Grievance process in their role as a University employee, but not as attorney for any of the parties.
Everyone participating in the Grievance resolution process as outlined in this policy may exercise his or her prerogatives and fulfill his or her responsibilities without being subject to reprisal or retaliation.

Grievances and the proceedings under this policy will be treated with the greatest degree of confidentiality possible. Initiators are advised, however, that confidentiality can only be respected insofar as it does not interfere with the University’s obligations to investigate allegations of misconduct that require it to take corrective action, or to fulfill duties imposed by law, including, but not limited to, the Indiana Access to Public Records Act, responses to discovery requests in litigation, and third-party subpoenas.

When extenuating circumstances warrant, the Executive Vice President for Academic Affairs and Provost or a Vice Chancellor for Academic Affairs, as the case may be, has authority to extend any of the time limits set forth in this policy except those relating to the filing of an appeal.

In the event that a Grievance concerns an action or decision of a Chancellor or the Executive Vice President for Academic Affairs and Provost, the President will designate an individual to be responsible for implementing the responsibilities of such Chancellor or the Executive Vice President for Academic Affairs and Provost pursuant to this policy. In the event that a Grievance concerns an action or decision of the President, the Chairperson of the Board of Trustees is responsible for implementing the responsibilities of the President pursuant to this policy.

Any question of interpretation regarding this policy will be referred to the Executive Vice President for Academic Affairs and Provost for final determination.

**REASON FOR THIS POLICY**

This policy exists to provide a fair and equitable process to resolve Faculty Grievances regarding employment including, but not limited to, alleged violations of academic freedom, professional ethics, or procedural fairness.

**INDIVIDUALS AND ENTITIES AFFECTED BY THIS POLICY**

All campuses, units, students, Faculty, and staff of Purdue University are affected by this policy.

**WHO SHOULD KNOW THIS POLICY**

President
Chancellors
Vice Presidents
Vice Chancellors
Vice Provosts
Deans
EXCLUSIONS
This policy applies only to issues of procedural fairness, and does not apply to substantive decisions made with regard to the following situations:

- Tenure or promotion
- Non-reappointment or non-extension of appointment
- Reductions in workforce
- Compensation
- Evaluation of performance

This policy also does not apply to:

- Complaints involving the establishment, revision, or substantive content of University policies, rules, or regulations
- Termination of tenured faculty for cause or termination of non-tenured faculty for cause prior to the expiration of their term of appointment

Complaints involving tenure or promotion may be brought under the University Promotions Policy. Complaints concerning the application of the Tenure-Clock Extension Policy, Procedures, and Guidelines may be brought under that policy. Complaints involving allegations of discrimination or harassment may be brought under the University’s Procedures for Resolving Complaints of Discrimination or Harassment (Revised). Complaints regarding termination for cause may be brought under Executive Memorandum No. B-48.

WEB SITE ADDRESS FOR THIS POLICY

[University Policy Office will complete.]

CONTACTS

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DEFINITIONS

Advisor
A University colleague invited to accompany an Initiator or Respondent to a hearing to provide advice and support or to observe the proceedings.

Days
Calendar days.

Faculty
For purposes of this policy, Faculty include all Purdue University tenured and non-tenured faculty; clinical faculty; research faculty; full-time or part-time faculty, including those on leave of absence with or without pay; continuing lecturers; limited-term lecturers; and instructors.

Faculty Mediation Committee
A campus committee with a minimum of three and a maximum of five members appointed jointly by the Executive Vice President for Academic Affairs and Provost or Vice Chancellor for Academic Affairs, as the case may be, and the University Senate Chair of the corresponding campus (senate participation is of its own volition and according to its own selection procedures). An impartial mediator from this committee is appointed to assist in the resolution of Grievances under the Informal Grievance Resolution Process set forth in this policy.

File and Filed
The relevant document has been received and acknowledged by the University official specified in the Procedures.

Grievance
A complaint brought by an Initiator who claims to have been wronged by a University action or decision related to his or her employment.

Grievance Hearing Committee
A campus committee comprised as follows:
- Three to four members selected from each college or school by its voting Faculty. In instances where a school is a subunit of a college, the requisite number is only required at the college level.
- All members must be part of the voting Faculty.
- Members serve three-year, staggered terms.
Impartial panels are drawn from this committee to hear Grievances under the Formal Grievance Resolution Process set forth in this policy.

Grievance Hearing Panel
A campus panel of three members drawn from the Grievance Hearing Committee, which conducts a Grievance Hearing and makes recommendations for the resolution of Grievances.

**Initiator**
A member of the Faculty who seeks to resolve a complaint through the procedures set forth in this policy.

**Mediator**
A member of the Faculty Mediation Committee appointed to assist in the resolution of a Grievance through the Informal Grievance Resolution Process set forth in this policy.

**Notice**
A statement written by the Initiator declaring his or her intentions to begin the Formal Grievance Resolution Process as set forth in this policy.

**Respondent(s)**
The University employee(s) who made the decision or took the action on behalf of the University that precipitated the Grievance.

**University**
Purdue University, including, but not limited to, its regional campuses: Indiana University-Purdue University Fort Wayne, Purdue University Calumet, Purdue University North Central, and Purdue University Statewide Technology.

**Witness**
A person with knowledge of the alleged action or decision being grieved who attests to or furnishes evidence about what did or did not occur.

**RESPONSIBILITIES**

**President**
Appoint another University Faculty member or academic administrator to perform the duties of the Executive Vice President for Academic Affairs and Provost or the Chancellor in the event that he or she participated in the Grievance hearing or was a party to the Grievance.

Respect the confidentiality of the information and records related to the Grievance.

**Chancellor**
Appoint another University Faculty member or academic administrator to perform the duties of the Vice Chancellor for Academic Affairs in the event that he or she participated in the Grievance hearing or was party to the Grievance.
Make a determination on any written appeals made requesting that a Grievance be allowed to proceed to the Formal Grievance Resolution Process as specified in sections C.2 and C.3 of the Procedures.

Make a determination on any appeals concerning the outcome of the Grievance hearing.

Respect the confidentiality of the information and records related to the Grievance.

**Executive Vice President for Academic Affairs and Provost**
Appoint members to the Faculty Mediation Committee for the West Lafayette campus jointly with the campus University Senate Chair.

Provide training to the West Lafayette Faculty Mediation Committee and Grievance Hearing Panels regarding procedures and resources.

Make a determination on any written appeals made requesting that a Grievance be allowed to proceed to the Formal Grievance Resolution Process as specified in sections C.2 and C.3 of the Procedures.

Appoint another University Faculty member or academic administrator to perform the duties of the Vice Provost for Academic Affairs in the event that he or she participated in the Grievance hearing or was party to the Grievance.

Make a determination on any appeals concerning the outcome of the Grievance hearing.

Respect the confidentiality of the information and records related to the Grievance.

**Vice Chancellor for Academic Affairs**
Appoint members to the Faculty Mediation Committee for his or her campus jointly with the campus University Senate Chair.

Provide training to his or her campus Faculty Mediation Committee and Grievance Hearing Panels regarding procedures and resources.

Determine whether any Grievance Notices Filed on his or her campus meet the criteria to proceed to the Formal Grievance Resolution Process as specified in section C.2 of the Procedures.

In the event that a Grievance will proceed to the Formal Grievance Resolution Process, provide copies of all materials as specified in sections C.4 and C.5 of the Procedures.

When necessary, appoint additional members to the Grievance Hearing Panel.

Review and consider all information provided regarding the Grievance hearing and make a determination on the outcome as specified in section C.8 of the Procedures.
Respect the confidentiality of the information and records related to the Grievance.

**Vice Provost for Academic Affairs**
Determine whether any Grievance Notices Filed on the West Lafayette campus meet the criteria to proceed to the Formal Grievance Resolution Process as specified in section C.2 of the Procedures.

In the event that a Grievance will proceed to the Formal Grievance Resolution Process, provide copies of all materials as specified in sections C.4 and C.5 of the Procedures.

When necessary, appoint additional members to the Grievance Hearing Panel.

Review and consider all information provided regarding the Grievance hearing and make a determination on the outcome as specified in section C.8 of the Procedures.

Respect the confidentiality of the information and records related to the Grievance.

**Faculty Mediation Committee**
Select a member of the committee to serve as its chair.

Attend any training sessions and/or read any training materials provided by the Executive Vice President for Academic Affairs and Provost or Vice Chancellor for Academic Affairs, as the case may be.

**Chair of Faculty Mediation Committee**
Appoint one member of the committee to assist the parties in resolving the Grievance.

Review all Informal Grievance Status Report Forms for his or her campus.

Respect the confidentiality of the information and records related to the Grievance.

**Mediator**
Assist the Initiator and Respondent(s) in resolving the Grievance through informal means.

Complete and submit to the committee chair an Informal Grievance Status Report Form following the conclusion of the Informal Grievance Resolution Process.

Respect the confidentiality of the information and records related to the Grievance.

**Initiator and Respondent**
Follow the procedures outlined in this policy and adhere to all timelines.

Demonstrate a willingness to work toward a resolution.

Respect the confidentiality of the information and records related to the Grievance.
Abide by all determinations made during the course of both the Informal and Formal Grievance Resolution Processes.

**Grievance Hearing Panel**
Determine the order in which the hearing will proceed and set forth any time limits on elements included in the hearing; provide a written outline of such to both the Initiator and Respondent.

Question participants speaking at the hearing and call any additional Witnesses for questioning as necessary.

Respect the confidentiality of the information and records related to the Grievance.

Meet in executive session following the hearing and report the panel’s findings and recommendations in writing to the Vice Provost or the Vice Chancellor for Academic Affairs, as the case may be.

**PROCEDURES**

**A. Resources and Training**

The offices of the Executive Vice President for Academic Affairs and Provost at West Lafayette and the Vice Chancellors for Academic Affairs at the regional campuses will provide procedural consultation and resource materials as well as arrange training sessions for individuals participating on either the Faculty Mediation Committee or a Grievance Hearing Panel on such topics.

**B. Informal Grievance Resolution Process**

Conflicts frequently can be resolved if the parties involved communicate their concerns, listen to each other, and show a willingness to compromise and/or change. Often conflicts can be lessened, if not eradicated, by clearing up misperceptions and misunderstandings. Faculty are strongly encouraged to try to take care of their employment-related concerns in this manner.

The Informal Grievance Resolution Process is designed to empower the parties to a Grievance to reach a mutually satisfactory agreement.

1. To begin the Informal Grievance Resolution Process, the Initiator must File a written statement of his or her concerns with the chair of the Faculty Mediation Committee for his or her campus within 30 Days from the date in which he or she first knew, or could reasonably be expected to know, of the alleged violation or within 30 Days from the most recent incident in a series of related incidents. The letter must include:
   - A description of the alleged impropriety, including the date it occurred and/or the date the Initiator became aware of the occurrence;
• The University policy, procedure, standard, or established practice allegedly misinterpreted or violated if the concern is procedural in nature;
• The name(s) of the person(s), if known, responsible for the alleged impropriety; and
• The remedy sought.

2. The chair of the appropriate Faculty Mediation Committee will appoint one of its members who is mutually acceptable to the Initiator and the Respondent(s) (the Mediator) to assist the parties in resolving the Grievance. The Informal Grievance Resolution Process will be concluded by one of the following:
   • A decision by the Initiator to stop further action on the Grievance.
   • A resolution of the Grievance by agreement of the parties.
   • Expiration of the time period allowed for the Informal Grievance Resolution Process.

The Informal Grievance Resolution Process must be concluded within 30 Days from the appointment of the Mediator unless the parties mutually agree to extend the time for conclusion of the Informal Grievance Resolution Process, provided however, that it is not extended more than 10 additional Days.

3. Within 10 Days following the conclusion of the Informal Grievance Resolution Process, the Mediator must complete and submit to the chair of the appropriate campus Faculty Mediation Committee, an Informal Grievance Status Report Form. Copies of such will be sent to the Initiator and Respondent(s).

C. Formal Grievance Resolution Process

Before beginning the Formal Grievance Resolution Process, an Initiator must try to resolve the Grievance through the Informal Grievance Resolution Process.

1. To initiate the Formal Grievance Resolution Process, an Initiator must File a Notice with the Vice Provost for Academic Affairs or the Vice Chancellor for Academic Affairs, as the case may be, no later than 10 Days after receiving notification of the outcome of the informal proceedings. If the Vice Provost or Vice Chancellor is a party to the Grievance, the Initiator must send the Notice to the Executive Vice President for Academic Affairs and Provost or the Chancellor, as the case may be, who will designate another University Faculty member or academic administrator to perform the Vice Provost or Vice Chancellor’s duties assigned in this Formal Grievance Resolution Process.

The Notice must include all of the following and cannot contain any new concerns or complaints:
   • A statement of the alleged impropriety that was not resolved informally.
   • A description of the facts giving rise to the Grievance.
   • The remedy sought.
1. Copies of all documents concerning the Grievance that the Initiator sent or received during the Informal Grievance Resolution Process.

2. Upon receipt of the Notice, the Vice Provost or Vice Chancellor for Academic Affairs, as the case may be, will review the Grievance and determine whether the Initiator attempted to resolve the Grievance under the Informal Grievance Resolution Process, whether the Formal Grievance is timely, and whether the matters cited in the Grievance are covered by this policy. Within 10 Days, the Vice Provost or Vice Chancellor will notify the Initiator in writing whether the Grievance will proceed further.

3. In the event it is determined that the Grievance will not proceed further, the Initiator may appeal such determination to the Executive Vice President for Academic Affairs and Provost or the Chancellor, as the case may be. Such appeal must be in writing and filed within 10 Days of the issuance of the determination not to hear the Grievance. Decisions not appealed within such time are deemed final.

4. In the event that a Grievance will proceed further, the Vice Provost or Vice Chancellor will forward a copy of all materials received from the Initiator to the Respondent(s) whose alleged actions or decisions are the basis for the Grievance. The Respondent(s) must furnish a written response summarizing his or her position on the matter within 10 Days.

5. Upon receipt of the response(s) from the Respondent(s), the Vice Provost or Vice Chancellor will forward a copy of the materials received from the Respondent(s) to the Initiator and copies of the material received from the Initiator and the Respondent(s) to the chair of the appropriate campus Grievance Hearing Committee.

6. An impartial Grievance Hearing Panel of three persons will be drawn from the Grievance Hearing Committee’s membership based on the following criteria:
   - No one who is in the same academic program, section, division, or department as the Initiator or the Respondent(s) or who has a conflict of interest with either party may serve on a panel.
   - Prospective panel members may withdraw from consideration if they have a scheduling conflict with an out-of-town commitment or served on another hearing panel that semester.
   - The Initiator and the Respondent each may exclude up to three members from the Grievance Hearing Committee as prospective panelists.
   - If additional panelists are needed, the chair of the Grievance Hearing Committee will inform the Vice Provost or Vice Chancellor accordingly, who will randomly select the number of additional Faculty needed to constitute a panel from either the voting Faculty at that campus or from members of another campus Grievance Hearing Committee. Panelists so selected must meet all the criteria stated above. In addition, they may choose to withdraw from further consideration for the reasons noted above.
• The chair of the panel, selected by the panel from its membership, must be a tenured Faculty member. The chair will be responsible for conducting hearings, meetings, and issuing all communication on behalf of the panel.

7. Grievance Hearing Proceedings

a. At any time before the hearing, the Initiator may withdraw the Grievance. Once the hearing begins, however, the Grievance may be withdrawn only under the following conditions: (1) the Initiator decides to withdraw the Grievance, (2) the Respondent(s) agree to provide the remedy sought by the Initiator in the Grievance Notice, or (3) both the Initiator and the Respondent(s) agree to withdraw the Grievance for another reason.

b. Hearings will commence no later than 20 Days after a panel is constituted.

c. The order in which the various elements of the hearing described below occur is determined by the panel. The panel also may set reasonable time limits in which these elements must be completed. The determined order of hearing and the time limits, if the panel chooses to set them, must be sent to both the Initiator and the Respondent(s) at least five Days prior to the hearing.

d. The hearing will be open only to the participants unless both the Initiator and the Respondent(s) request otherwise.

e. The Initiator and the Respondent(s) may each invite up to two Faculty or staff colleagues from their campus to serve in an advisory capacity. Advisors can be present throughout the hearing to provide support and advice to their advisee and/or to observe the proceedings. However, they may not provide testimony, make statements, or otherwise participate in the hearing.

f. Both the Initiator and the Respondent(s) may present oral and written statements, question each other, introduce Witnesses, and question all Witnesses.

g. A Witness may be present at the hearing only when he or she is making a statement or being questioned. An Advisor may not also be a Witness, nor may a Witness be an Advisor.

h. The panel may question all participants speaking at the hearing as well as ask for additional information. The panel also may call and question Witnesses. In addition, the panel may stop the presentation of information it deems irrelevant to the allegations.

i. No new allegations may be introduced into the hearing.

j. All panel members, participants, and Advisors must respect the confidentiality of the information and records introduced into the hearing.

k. An audio recording will be made of the hearing and kept in the Office of the Executive Vice President or Vice Chancellor for Academic Affairs for use by the panel, the Initiator, the Respondent, the Vice Provost for Academic Affairs, the Chancellor, or any designee of such University officer, should they wish to review the proceedings. A written transcript will not be provided.

l. The panel’s recommendation must be based solely on information made available to both the Initiator and the Respondent(s) during the course of the Grievance. If additional information is received by the panel outside the hearing, it must be
shared with both parties to the Grievance prior to the hearing, and each must be
given a reasonable opportunity to respond in writing.
m. The panel will conduct the hearing as expeditiously as possible. After the
proceedings have concluded, the panel will meet in executive session and
determine by majority vote whether or not the preponderance of the evidence
presented supports the allegations made by the Initiator that the substance of a
decision or action was unfair or wrong or that an action was taken or a decision
was made in a manner that violated a University policy, procedure, standard, or
established practice.

n. Within 15 Days after completion of the Hearing, the panel will report its findings,
conclusions, and recommendations in writing to the Vice Provost or Vice
Chancellor for Academic Affairs, as the case may be (or other official designated
in accordance with section C.9 of these procedures). Copies of the report also
must be sent to the Initiator and the Respondent(s).

8. The Vice Provost or Vice Chancellor for Academic Affairs (or other official
designated in accordance with section C.9 of these procedures), as the case may be,
will make a determination on the outcome of the Grievance following review and
consideration of the findings, conclusions, and recommendations of the Grievance
Hearing Panel. When determining the implementation of a remedy in instances where
the determination requires such, the Vice Provost or Vice Chancellor, as the case may
be, will consult with the appropriate unit head (e.g., dean or director). This
consultation is only for the purpose of creating an implementation plan as needed, not
for revisiting the determination made by the Vice Provost or Vice Chancellor. The
determination will be announced in writing to the Initiator, the Respondent(s), the
appropriate unit head, and the members of the panel within 10 Days of receipt of the
panel’s recommendation.

9. If the Vice Provost or Vice Chancellor, as the case may be, took part in the hearing or
was a party to the Grievance, the Executive Vice President for Academic Affairs and
Provost or Chancellor, as the case may be, must either render and announce the
determination or appoint another University Faculty member or academic
administrator not associated with the Grievance to do so. If the Executive Vice
President for Academic Affairs and Provost or Chancellor, as the case may be,
participated in the hearing or was a party to the Grievance, the President must appoint
another University Faculty member or academic administrator not associated with the
Grievance to make and announce the determination.

D. Appeal Process

1. The Initiator and the Respondent(s) each have the right to appeal the determination
made by the Vice Provost or Vice Chancellor for Academic Affairs (or his or her
substitute, as the case may be) to the Executive Vice President for Academic Affairs
and Provost or Chancellor, as the case may be. Such appeal must be in writing and
filed within 10 Days of the issuance of notification of the determination with all
supporting materials attached. Decisions not appealed within such time are deemed
final.

2. If the Executive Vice President for Academic Affairs and Provost or Chancellor participated in the hearing or was a party to the Grievance, the President must appoint another University Faculty member or academic administrator not associated with the Grievance to accept and decide the appeal.

3. The Executive Vice President for Academic Affairs and Provost or Chancellor (or designee as assigned in section D.2) must make a determination on the appeal within 10 Days. Such determination will be communicated in writing to the Initiator, the Respondent(s), the members of the Grievance Hearing Panel, and the Vice Provost or Vice Chancellor for Academic Affairs who made the determination regarding the Grievance. The written determination concerning the appeal constitutes the University’s final action.

**RELATED DOCUMENTS, FORMS, AND TOOLS**

[Informal Grievance Form]
Informal Grievance Status Report Form

**HISTORY AND UPDATES**

Provide history of promulgation and revision of the policy. Where approval of the president and/or the Board of Trustees is required, it will indicate the date(s) of such approval(s). [The University Policy Office will complete.]

**APPENDICES**

There are no appendices to this policy.