Committee: Faculty Governance Committee

Date: 1-10-96 and 1-24-96

Location: Rawl Annex 142

Presiding: Jim Joyce, Chair

Meeting called to order: 2 p.m.

Agenda item 1: Approval of minutes of 13 December 1995 and 3 January 1996. Minutes approved.

Agenda item 2: Subcommittee Reports

Appendix L, section D, Code Unit Changes. Joyce distributed and discussed a revised version. Action: The revised version was approved as presented. Joyce will forward this version to the Chancellor and Vice Chancellors for their approval. Following their approval, the revised version will be submitted to the Faculty Senate.

Appendix C, personnel files. Report postponed until next meeting.

Appendix V, specification of penalties (attachment 1). Bailey presented 3 additions to this appendix. Action: Additions were approved. These additions will be forwarded to the Chancellor.

Appendix X, grievance procedures (attachment 2). Committee went into informal session. Carter distributed a "Proposal for Amendments and Clarifications to Appendix X Submitted by the Subcommittee on Appendix X on January 10, 1995." Carter explained that this subcommittee had no faculty members. She sought response from the Governance Committee.

Bailey commented on the addition in II.C.2 in the version distributed by Carter. In this version, complaints of substantiated harassment or discrimination are communicated by the Grievance Officer to the Chancellor for a ruling. Faculty may appeal the Chancellor's decision. The version prepared by Bailey (attachment 2) provides for a ruling by faculty peers before the Chancellor's ruling.

The committee discussed these two approaches: actions before a hearing vs. actions after a hearing. Confidentiality was a concern. Incorporating additional information about what steps are involved in informally resolving complaints would be beneficial.

The Governance Committee returned to regular session. Carter submitted an interim report which was discussed by the Committee. Bailey had submitted a version with the agenda (attachment 2). Action: Carter will present a revised version at the next meeting.

At 3:50 p.m., the Committee recessed until 2 p.m., January 24, 1996.

Committee reconvened at 2 p.m., January 24, 1996, in Rawl #106. Bob Hursey was able to attend. Bruce Albright, Patricia Anderson, and Jeff Jarvis were unable to attend.
Agenda item 3: Discussion of request to revise the Reconsideration Committee Charge (attachment 3). Committee considered the November 6, 1995, letter of Greg Lapicki, Chair of Reconsideration Committee. Issue involves persons having the opportunity to disqualify themselves from participation in a hearing when they may have a conflict of interest in a pending grievance. The revision would eliminate such an opportunity.

In addition to discussing the revision, the committee raised other concerns. Is appearance of a conflict enough or must such a conflict be proven? How is "cause" defined? Toi Carter will investigate this matter. Should criteria for determining when one should disqualify himself or herself be established? What are legitimate grounds for disqualifying oneself? Some are worried that their vote on a committee will be used against them later.

Action: Consensus was that action be postponed until committee hears Carter's report.

Agenda item 4: Further discussion on how to proceed with proposed revisions to Appendix X, grievance procedures. Carter distributed a revision of the document distributed and discussed at the January 10, 1996, meeting. She briefly covered changes and proposed that the committee approve the version submitted at today's meeting. She also suggested that she present, to the committee should members wish it, additional clarification of the procedures followed.

The committee discussed the new version. Action: Committee would like the presentation/suggested as soon as possible. Consensus was that matter be sent back to subcommittee.

Agenda item 5: Appendix D not providing for absentee ballots (Don Sexauer's letter of January 18, 1995, to Jim Joyce). Appendix D provides for units with 10 or more members to decide to have a mail ballot, but does not provide for absentee ballots for units not having enough members to constitute a mail ballot. Committee discussed ways of handling this situation without changing Appendix D. We will continue discussion of this matter at the next meeting.

Meeting adjourned: 3:55 p.m.

Next meeting: February 14, 1996

Submitted by Sherry Southard, Secretary