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CONSTITUTION AND BY-LAWS
of
THE FACULTY SENATE
of
INDIANA UNIVERSITY SOUTHEAST

ARTICLE I: PREAMBLE AND PURPOSE

We, the faculty and administration, in order to form a representative body for the purpose of exercising the legislative authority granted to the faculty by the Board of Trustees of Indiana University, making recommendations, sharing in the initiation of policies, and participating in the decision-making process, do ordain and establish this Constitution for the Faculty Senate of Indiana University Southeast.

ARTICLE II: RIGHTS AND RESPONSIBILITIES

Given the purpose of this Senate as stated in Article I and subject to the limitations imposed by the laws of the State of Indiana, this Constitution confirms and establishes in the Faculty Senate of Indiana University Southeast the rights and responsibilities herein enumerated:

SECTION 1: To define and review the goals of this University;

SECTION 2: To set requirements for degrees, determine when those requirements have been met, and authorize the granting of degrees;

SECTION 3: To recommend priorities of educational programs offered by the University, priorities in the creation of new resident faculty positions, priorities for new physical plant development; and priorities for the utilization of existing facilities;

SECTION 4: To make general policies relating to the development and utilization of the Library and other learning resources;

SECTION 5: To determine general policies regarding the scheduling of classes and the

academic calendar;

- SECTION 6:** To establish general procedures and criteria governing faculty salary increases, promotions, tenure, dismissal, and course loads;
- SECTION 7:** To elect a Faculty Board of Review which shall express its judgment on issues of academic freedom, tenure, dismissal, promotion, salary adjustment, the nature of conditions of work, and professional conduct;
- SECTION 8:** To determine standards and procedures for the appointment of academic administrative officers and to participate in the search for and the selection of administrative officers above the divisional level, (the faculty members of each division having the right to participate in the search for and the selection of their own divisional administrative officers);
- SECTION 9:** To establish guidelines for student admissions, academic probation, student conduct, and related student affairs;
- SECTION 10:** To establish such standing committees and ad hoc committees as are deemed necessary for the business of the Faculty Senate;
- SECTION 11:** To make decisions or recommendations on such matters of concern as the Faculty Senate may deem appropriate.
- SECTION 12:** The enumeration of rights and responsibilities in this article shall not be construed to preclude the Faculty Senate from exercising any other authority granted to the faculty the Board of Trustees.

ARTICLE III: MEMBERSHIP

SECTION 1: COMPOSITION

The Faculty Senate shall consist of the following members:

- A. Administrators
 - 1. Chancellor
 - 2. Vice Chancellor of Academic Affairs
 - 3. Vice Chancellor of Student Affairs
 - 4. Vice Chancellor of Administrative Affairs

 - B. Persons holding faculty rank in the following categories:
 - 1. Elected representatives of degree-granting divisions and the Library
 - 2. Elected part-time faculty members*
- *Note: Part-time faculty includes: adjuncts, part-time lecturers, part-time professorial faculty, and IUS full-time staff who also teach part-time.

- C. Director of the University Division

- D. Administrative Heads of degree-granting divisions who do not hold faculty rank

- E. Administrative Heads of degree-granting divisions not elected as senators

- F. Director of the Library (if not elected as a senator)

- G. One professional staff representative appointed by the Professional Staff Council

- H. President of Staff Council

- I. President of the Student Government Association

SECTION 2: VOTING PRIVILEGES

Voting privileges shall be limited to persons designated in **ARTICLE III, SECTION 1, PART B.**

SECTION 3: GUESTS

- A. Any faculty or staff member may attend a meeting and, at the request of a senator, may address the Senate.

- B. A student may attend a meeting as the guest of a senator and, at the request of a senator, may address the Senate.

- C. Members of the community, members of the news media, and other interested persons may attend a meeting of the Senate by receiving a two-thirds vote of the Executive Committee. The Executive Committee will report all refusals to the Senate. Such guests may address the Senate by receiving a majority vote of the Senate.

ARTICLE IV: OFFICERS

SECTION 1: PRESIDING OFFICER

The President of the Faculty Senate shall be the Presiding Officer of the Faculty Senate. In the President of the Faculty Senate's absence, the President of the Faculty Senate shall designate a member of the Senate to preside. If the President

of the Faculty Senate or the designated substitute is unable to preside, the most senior member of the Executive Committee present at the meeting shall preside. Seniority will be determined by the date of appointment as a full-time resident faculty member.

SECTION 2: PRESIDENT OF THE FACULTY SENATE

- A. A President of the Faculty Senate shall be elected each year by the Senate. The President of the Faculty Senate shall be a tenured member of the IUS Faculty who holds no more than six (6) hours per year reassigned time for other administrative or staff position for which reassigned time is provided. A faculty member need not be a member of the Senate to be eligible for election as President of the Faculty Senate. The Faculty Senate endorses the principle that the President of the Faculty Senate shall be granted nine (9) hours per year reassigned time, shall be assigned secretarial assistance on a continuing basis and shall be assigned professional stenographic assistance during meetings of the Faculty Senate
- B. The duties of the President of the Faculty Senate include the following:
1. To convene and chair the Executive Committee
 2. To convene and chair the Nominating Committee
 3. To solicit regularly from each academic division, administrative office and administrative committee a list of significant policy actions that are being considered and forward that list to members of the Senate so that the members may decide what items properly deserve or require advance consideration by the Faculty Senate according to its responsibilities under Article II.
 4. To distribute both the agenda and information pursuant to it to the members of the Faculty Senate in advance of its meetings.
 5. To receive in advance of meetings of the Faculty Senate the reports by Faculty Senate Committees.
 6. To supervise the keeping of the minutes and their distribution to the members of the Senate and other resident faculty.
 7. To refer agenda items to committees of the Faculty Senate when necessary.
 8. To issue appropriate charges to committees of the Faculty Senate.
 9. To represent the Faculty Senate at ceremonial occasions.
 10. To represent the Faculty Senate at appropriate administrative meetings.
 11. To preside at Senate meetings
 12. To prepare annual report at the end of the academic year of all policy decisions and recommendations approved by the

Faculty Senate.

13. To submit individual policy decisions and recommendations approved by the Faculty Senate to the appropriate administrators and staff for their implementation or consideration

SECTION 3: PARLIAMENTARIAN

A Parliamentarian shall be elected each year by the Senate from its membership.

ARTICLE V: SUPPORTING BODIES

SECTION 1: EXECUTIVE COMMITTEE

- A. The Executive Committee shall consist of the President of the Faculty Senate and two other tenured faculty members elected by the Faculty Senate. With the exception of the President of the Faculty Senate, only elected members of the Faculty Senate shall be eligible for membership on the Executive Committee. If elected, the members of the Executive Committee may serve two consecutive one-year terms.
- B. The duties of the Executive Committee shall include the following:
 1. To receive agenda suggestions from any member of the faculty, administration, staff, or student body.
 2. To prepare the agenda of the Faculty Senate.
 3. To ensure that background material on agenda items is available prior to Senate meetings.
 4. To prepare the minutes of the Faculty Senate if requested by the President of the Faculty Senate.
 5. To alert the Senate members to issues that may be brought before them at future Senate meetings.
 6. To prepare a recommended schedule of regular Senate meetings for presentation at the first meeting of the academic year.
 7. To call special meetings of the Senate when needed.
 8. To be available for consultation with the Chancellor or Vice Chancellor when matters affecting the faculty are being discussed and/or decided upon in the interim between Senate meetings.
 9. To review annually the list of Faculty Senate committees and, if so requested, the list of administrative committees, and recommend any needed changes in the nature or composition of those committees or the formation of new committees.

SECTION 2: NOMINATING COMMITTEE

- A. The Nominating Committee shall consist of the President of the Faculty

Senate and two other members elected by the Faculty Senate. Only elected members of the Faculty Senate shall be eligible for membership on the Nominating Committee.

- B. The duties of the Nominating committee shall include the following:
1. To nominate two members for the position of Parliamentarian.
 2. To recommend the number of members to be assigned to each Faculty Senate Committee not constituted by divisional representation.
 3. To nominate faculty for all Senate committees except those committees whose members are selected by their respective divisions.
 4. To nominate chairpersons for those Faculty Senate committees specified in the By-Laws.
 5. To nominate faculty, when requested, for other University committees.
 6. To nominate members and alternates for the Faculty Board of Review.
 7. To nominate faculty, as needed, to serve as representatives of the Faculty Senate.
 8. To nominate a member of the Faculty Senate to represent the Faculty Senate in the search for and the selection of administrative officers above the divisional level.
 9. To solicit from the Student Government Association nominees for the student positions on Faculty Senate committees.

SECTION 3: FACULTY BOARD OF REVIEW

- A. The Faculty Board of Review shall consist of five members. The Board shall include at least one professor, one associate professor, and one assistant professor. There shall be no more than two members from each of these ranks.
- B. The members shall hold office for a term of one year, but they shall complete the review of any case they have begun to consider. There shall be no restriction on the number of terms a person may serve, although consecutive terms are not permitted.
- C. A member of the Faculty Board of Review shall be disqualified in a particular case if the member is involved, or if a member of the same division is involved, or if the member feels unable to render an impartial judgment.
- D. Whenever a disqualification creates a vacancy for a particular case pending before the Board, the alternate ranked highest by the procedures

set forth in Article VIII, Section 5, whose assignment will meet the requirements of Parts A and C of this Article shall be assigned to that case. If there are no such alternates, then a substitute member shall be elected by the elected members of the Senate.

- E. Whenever a vacancy occurs on the Faculty Board of Review, the alternate ranked highest by the procedures set forth in Article VIII, Section 5, whose appointment to membership will satisfy the requirements of Parts A and C of this article shall become a member. If there are no such alternates, then a replacement for the vacating member shall be elected by the elected members of the Senate.
- F. There is no restriction on the kind of complaint which may be submitted by an aggrieved faculty member. However, the Faculty Board of Review shall, in general, restrict its review to procedural grievances involving university decisions or actions which significantly violate or ignore duly established procedures, including grievances regarding promotion, tenure, and reappointment. The Faculty Board of Review, however, is the sole arbiter of the merits of any case, and shall within ten working days of receiving it either dismiss it or begin the review process.
- G. Procedures of the Faculty Board of Review shall be specified in the By-Laws.

SECTION 4: OTHER FACULTY SENATE COMMITTEES

- A. All Faculty Senate committees shall be listed and described in the By-Laws.
- B. Selection of committee members shall conform to the dual principles of rotation of membership and carryover of information through staggered membership terms. Faculty members may not serve more than two consecutive terms on the same committee. (See exception, Article V, Section 1A)
- C. All Faculty Senate committees shall be chaired by a member of the full-time faculty.
- D. Ex-officio members of the Faculty Senate committees shall be voting members.
- E. Student members shall be non-voting members of committees.
- F. With a vote of two-thirds of the Faculty Senate, new Faculty Senate committees may be established, current Faculty Senate committees may be terminated, or committee descriptions may be revised.

ARTICLE VI: REPRESENTATION

SECTION 1: REPRESENTATION OF DIVISIONS

- A. Divisions or units will be allotted one senator and one additional senator for each eight resident faculty members in their division or unit.
- B. The number of senators to which each division is entitled is determined by the number of resident faculty at the time of the election.
- C. At least half of each division's elected senators must hold the rank of associate professor or higher. The number of senators to which each division is entitled is determined by the number of resident faculty at the time of election. For the purpose of determining the number, two half-time positions sharing the responsibilities of a full-time position shall constitute the equivalent of one resident faculty member.

SECTION 2: REPRESENTATION FOR PART-TIME FACULTY

Part-time faculty shall be entitled to two representatives from two separate divisions. These shall be elected by the part-time faculty.

ARTICLE VII: ELECTION OF SENATORS

SECTION 1: ELIGIBILITY

The persons eligible to vote for division senators shall be the resident faculty, consisting of professors, associate professors, assistant professors, instructors, and part-time faculty. Administrators who have been granted tenure by a division, but who are not automatically members of the Senate, shall be considered as resident faculty within a division. With the exception of those persons who are automatically members of the Senate, all those eligible to vote shall also be eligible for election. All current faculty members who are part-time faculty are eligible to vote for, and to be elected as, part-time faculty representatives to the Faculty Senate.

SECTION 2: CERTIFICATION OF NUMBER OF SENATORS TO BE ELECTED

By the sixth week of the spring semester, the Vice Chancellor for Academic Affairs shall certify to the President of the Faculty Senate the number of resident faculty in each of the divisions represented in the Faculty Senate. By the eighth week of the spring semester, the President of the Faculty Senate shall notify the chairperson of each division with Senate representation as to the number of senators to which that division is entitled.

SECTION 3: METHOD

- A. Each division shall approve an official procedure for its own nominations and election, consistent with following provisions. Before the tenth week of the spring semester, the chairperson of each academic division shall call and supervise the election of senators. The election of senators from the At-Large Division shall be supervised by the President of the Faculty Senate.

The number of nominees shall exceed the number of senators to which the division is entitled. Election shall be by secret ballot. Each faculty member shall cast a number of votes equal to the number of positions to be filled with no more than one vote for any one candidate. All senate positions shall be awarded in the order of number of votes received, from highest to lowest, consistent with the provisions stated in Article VI, Section 1, Part D.

- B. Before the tenth week of the spring semester, the President of the Faculty Senate shall elicit nominations from the members of the faculty who are part-time faculty and shall conduct the election of the two part-time faculty senators by mailed ballot in accordance with the principles set forth in Article VI, Section 2 and Article VII, Section 1.
- C. By the tenth week of the spring semester, each division dean shall send the names of the elected senators to the President of the Faculty Senate. By the eleventh week of the spring semester, after ascertaining that the requirements of Article VI have been met, the President of the Faculty Senate shall send a list of the members of the new Senate to the Chancellor and to each member of the new Senate.
- D. Vacancies shall be filled by special election called by the academic division dean or, in the case of a part-time faculty, by the President of the Faculty Senate. In the fall or spring semester, a special election must be called no later than one month after a vacancy occurs. When vacancies occur in the summer, a special election must be called during the first two weeks of the fall semester.

SECTION 4: IRREGULARITIES

Any faculty member who suspects election irregularities may petition the Executive Committee to review the case. If the evidence so warrants, the Executive Committee may require the division to hold another election.

SECTION 5: LENGTH OF TERM

Senators shall be elected to service for two-year staggered terms beginning the first day after the end of the spring semester; however, they shall meet to elect officers and committee members prior to that day. Those senators elected by a special election to fill vacancies shall serve only the unexpired term of office. There shall be no restrictions on the number of times a person may be re-elected.

To initiate the staggered terms, during the first year the senate terms are

lengthened, the divisions or units should elect half, or as close as possible, of their faculty representative to serve full, two-year terms and the remaining faculty representatives to serve one-year terms.

SECTION 6: RECALL

A division may at any time, by a two-thirds vote of the division faculty, recall any of its senators. Such a recall must be discussed at a division meeting, and then voted upon at a subsequent meeting no less than one week later. Vacancies so created will be filled by special election.

**ARTICLE VIII: ELECTION OF OFFICERS, SUPPORTING BODIES,
AND OTHER REPRESENTATIVES OF THE SENATE**

SECTION 1: PRESIDENT OF THE FACULTY SENATE

- A. The President of the Faculty Senate shall be elected before any other officers or members of the supporting bodies. The President of the Faculty Senate shall be chosen at the first meeting of the newly-elected Senate. There shall be at least two nominations for the office of President of the Faculty Senate. Votes will be cast by written ballot. To be elected President of the Faculty Senate, a nominee must receive a majority of votes cast.
- B. In the event that the President of the Faculty Senate is unable to complete the term of office, the vacancy shall be filled in the following manner. If the remaining term of office is less than one semester, the senior member of the Executive Committee shall service as President of the Faculty Senate for the remainder of their term of office. Seniority will be determined by the date of appointment as a full-time resident faculty member. If the remaining term of office is at least one semester, a new President of the Faculty Senate shall be elected in accordance with the procedures described in paragraph A. The election of the President of the Faculty Senate shall take place within two weeks after the vacancy occurs. A special meeting of the Senate may be called for this purpose. The senior member of the Executive Committee shall serve as Acting President of the Faculty Senate until the vacancy is filled.

SECTION 2: EXECUTIVE COMMITTEE

Following the election of the President of the Faculty Senate, the Senate shall elect the two other members of the Executive Committee. At least four persons shall be nominated for the two positions. Votes will be cast by written ballot and the two candidates receiving the highest number of votes shall be elected. Each senator may vote for two candidates.

In the event of a vacancy on the Executive Committee a new member shall be

elected at the next regularly scheduled meeting of the Senate.

SECTION 3: NOMINATING COMMITTEE

Following the election of the Executive Committee, the Senate shall elect two persons who, together with the President of the Faculty Senate, shall constitute the Nominating Committee. At least four persons shall be nominated for the two positions. Votes will be cast by written ballot and the two candidates receiving the highest number of votes shall be elected. Each senator may vote for two candidates.

In the event of a vacancy on the Nominating Committee a new member shall be elected at the next regularly scheduled meeting of the Senate.

SECTION 4: PARLIAMENTARIAN

The Parliamentarian shall be elected by the Senate at the second meeting of newly elected members. Nominations for the office of parliamentarian shall be presented by the newly elected Nominating Committee, with other nominations permitted from the floor. Votes shall be cast by written ballot and the candidate receiving the highest number of votes shall be elected.

SECTION 5: FACULTY BOARD OF REVIEW

The members of the Faculty Board of Review shall be elected by the elected members of the Faculty Senate at the second meeting of the newly elected Senate. The first, second, third, fourth, and fifth ranking alternates shall be elected by the elected members of the Faculty Senate at the same meeting.

The members shall be elected in accordance with the requirements of Article V, Section 3, part A. The newly elected Nominating Committee shall submit nominations from the full-time teaching faculty, and other nominations may be made from the floor. Nominations must include at least two candidates within each faculty rank. Each elected senator shall be entitled to vote by written ballot for five members. The candidates receiving the highest number of votes in each professorial rank shall be elected. Of the remaining candidates, the two with the highest number of votes shall be elected.

Five alternates shall be elected after the election of the members. The procedures for electing the alternates shall be the same as those for electing the members. The elected alternate who receives the highest number of votes shall be designated the first ranking alternate, and the other elected alternates shall be designated the second, third, fourth, and fifth ranking alternates according to the number of votes each receives.

The members and alternates shall be notified by the Faculty Executive Officer within five working days of their election. Upon notification the member with most senior academic rank shall, again within five working days, convene the

Board to elect a chairperson.

SECTION 6: COMMITTEES AND OTHER REPRESENTATIVES OF THE SENATE

Members of the standing committees of the Senate, other than those with divisional representation, as well as other representatives of the Senate shall be elected by the Senate at the second meeting of newly elected members from a slate submitted by the Nominating Committee.

ARTICLE IX: MEETINGS

SECTION 1: FREQUENCY

During the academic year, the Faculty Senate normally shall meet once every month and in any case no fewer than three times each semester. A schedule will be established at the first meeting of the school year.

Special meetings to handle urgent matters may be called by the Chancellor on his own volition, at the request of the Executive Committee, or at the request of one-third of the Faculty Senate.

During the twelfth week of the spring semester, the newly elected Senate shall meet to elect the President of the Faculty Senate, the other two members of the Executive Committee, and the other two members of the Nominating Committee. During the fourteenth week of the spring semester, the newly elected Senate shall meet to elect the Parliamentarian, the Faculty Board of Review, committee members and other representatives of the Senate.

During the summer sessions, only special meetings will be held.

SECTION 2: ALTERNATES

Whenever a senator expects to be absent, the senator shall designate an eligible member of the same division to attend as an alternate. Alternates shall have the same privileges as the regular senators.

SECTION 3: CLOSED MEETINGS

By a two-thirds vote, the Senate may decide that a meeting should be confined to the members enumerated in Article III, Section 1, Parts A, B, C, D, E and F. That session or portion thereof shall be closed to all others, except those who might specifically be invited.

SECTION 4: QUORUM

A quorum of the Faculty Senate shall consist of two-thirds of the voting members.

ARTICLE X: DECISIONS

SECTION 1: SENATE ACTION

- A. All decisions pertaining to the enumerated rights and responsibilities of the Faculty Senate shall be by majority vote.
- B. When the Chancellor cannot or will not implement a decision of the Faculty Senate, the Chancellor shall provide an explanation at the next scheduled meeting of the Faculty Senate. Upon request of a majority of the Faculty Senate, a written explanation shall be mailed to all members of the resident faculty.
- C. When so requested by a majority vote of the Senate, the Chancellor shall call a general faculty meeting.

SECTION 2: FACULTY ACTION

Upon petition of one-third of the resident faculty, the Chancellor shall call a general faculty meeting for the purpose of discussing the possible rejection of an action of the Faculty Senate. The formal rejection of an action of the Faculty Senate shall require a majority vote of all resident faculty by mail ballot.

ARTICLE XI: AMENDMENTS

SECTION 1: PROPOSING AMENDMENTS

Amendments may be proposed by the Executive Committee of the Faculty Senate, a majority of the Faculty Senate, or a majority of the members in each of at least three of the academic divisions.

SECTION 2: RATIFYING AMENDMENTS

- A. Any proposed constitutional amendment is to be printed in the agendas of two successive Faculty Senate meetings of the same Senate. Time is to be allotted at both meetings for discussing the proposed change. Prior to submitting the proposed amendment to the full faculty for their vote, the proposed amendment and approved modifications must receive approval by a majority of all members voting at the second Faculty Senate meeting.
- B. Within one week after Senate approval, the President of the Faculty Senate will distribute a copy of the proposal as approved by the Senate to all eligible voters. Persons eligible to vote on amendments shall be the same as those eligible to vote for division senators.
- C. No later than two weeks after the circulation of the proposed amendments a general faculty meeting shall be held for discussion of the amendment.
- D. Within one week after the general faculty meeting, the President of the

Faculty

Senate shall distribute a mail ballot to those eligible to vote.

- E. The ballots must be returned to the President of the Faculty Senate within one week of distribution.
- F. Adoption shall require the support of two-thirds of those voting. The amendment shall be in effect immediately after the announcement by the Executive Committee that the required number of votes for adoption have been obtained.
- G. The deadlines indicated in this section shall not include vacation periods or summer sessions.

ARTICLE XII: BY-LAWS

Any proposed by-law change is to be printed in the agendas of two successive scheduled Faculty Senate meetings of the same Senate. Time is to be allotted at both meetings for discussing the proposed change. Adoption requires approval of any approved bylaw change with approved modifications by a majority of all members voting at the second Faculty Senate meeting.

DATE OF RATIFICATION: 17 March 1970

AMENDED: 21 April 1983
 14 April 1988
 30 August 1993
 24 February 1997
 30 July 1998
 30 July 1999
 18 April 2002

BY-LAWS

BY-LAW NO. 1 - RULES OF ORDER

The meetings of the Faculty Senate shall be conducted according to Robert's Rules of Order (most recent edition), except where superseded by the Constitution or By-Laws.

BY-LAW NO. 2 - COMMITTEES OF THE FACULTY SENATE

A. Committee Structure and Responsibilities

(1) ACADEMIC ASSESSMENT COMMITTEE

- a. The Academic Assessment Committee shall consist of six faculty members, the Vice Chancellor of Academic Affairs, the Director of Institutional Research and Assessment, one member of the Library faculty, and one student member. Each of the six schools/divisions with elected senators shall select their own representative on the committee. The faculty representatives shall serve three-year, staggered terms. The Vice Chancellor of Academic Affairs and the Director of Institutional Research and Assessment will serve as ex-officio members of the committee. The student shall serve a one-year term.
- b. This committee shall be responsible for recommending policies and procedures to the Faculty Senate that will improve assessment of student learning in the academic programs at Indiana University Southeast. This committee shall advise and support the Director of Institutional Research and Assessment in all matters relating to assessment of student learning in the academic programs. The committee will monitor annual assessment reports submitted by the programs, review annual and cumulative evaluative summaries of the status of assessment, and recognize outstanding assessment projects. The committee will encourage faculty development related to assessment, including use of assessment techniques to improve teaching and learning in individual courses. The committee will provide advice and consultation on matters related to the funding of assessment projects. Finally, the committee will consult with the Vice Chancellor for Academic Affairs, providing faculty input to the ongoing strategic planning process.

(2) ACADEMIC POLICIES COMMITTEE

- a. The Academic Policies Committee shall consist of seven faculty members, the Vice Chancellor of Academic Affairs, an Academic Success Center counselor and two student members. Each of the six schools/divisions with elected senators and the Library faculty shall select its own representative on the committee. These representatives shall serve two-year staggered terms. The Vice Chancellor for Academic Affairs and the Academic Success Center counselor serve as ex-officio members of the committee.
- c. It shall be the responsibility of this committee to make recommendations to the Faculty Senate regarding the introduction of new degree programs or courses, and changes in the current degree programs or courses. Major changes in a degree program must be approved by the Academic Policies Committee and the Faculty Senate. Minor changes in a degree program must

be approved by the appropriate schools/divisions and communicated to the Academic Policies Committee and the Faculty Senate. Additionally, this committee shall have responsibility for making recommendations to the Faculty Senate regarding the scheduling of classes, the academic calendar, and other appropriate matters relating to academic policies. It shall also be the responsibility of this committee to review periodically the goals of this University.* The committee will consult with the Vice Chancellor for Academic Affairs, providing faculty input to the ongoing strategic planning process.

Major changes in a degree program must be approved by the Academic Policies Committee and the Faculty Senate. Examples of such changes would include: changing the number of credit hours required (or any other change that has this effect indirectly); changing the structure of degree requirements; and creating new options within the degree (tracks, concentrations, etc.) if those involve adding courses to the set of program offerings or creating new patterns of course requirements.

Minor changes in a degree program must be approved by the appropriate school/division and communicated to APC and the Faculty Senate. Examples of such changes would be substituting one required course for another; or creating options within the existing course offerings and degree structure, especially where these are primarily intended to allow students to pursue individual interests within the structure of the major.

(3) ACADEMIC SUCCESS CENTER COMMITTEE

- a. The Academic Success Center Committee shall consist of four faculty members, two representatives from the Academic Success Center, one professional advisor from the academic units, one student, and the Director of the First Year Seminar. The student will serve a one-year term. The First Year Seminar Director will serve as an ex officio member. The remaining committee members will serve two-year staggered terms and will be elected by the Faculty Senate from nominees presented by the Faculty Senate Nominating Committee.
- b. This committee will be responsible for oversight of the policies and standards that comprise the academic advising function of the Academic Success Center. The committee shall periodically review the role and structure of academic advising within the Academic Success Center. The committee shall also foster communication and cooperation between the Academic Success Center and the academic units to ensure the smooth transition of students from the Academic Success Center to the academic units.

(4) ARTS AND SCIENCES COORDINATING COMMITTEE

- a. The Arts and Sciences Committee shall consist of the representatives from Arts & Letters, Natural Sciences, and Social Sciences serving on the Academic Policies Committee.
- b. The function of this committee shall be to insure maximum input for the schools/divisions offering Bachelor of Arts degrees on matters pertaining specifically to those degrees. It shall be the responsibility of this committee to review issues of curriculum and degree requirements that pertain only to Bachelor of Arts degrees and to make recommendations about such issues to the Academic Policies Committee and to the Faculty Senate. The committee

will oversee the Individualized Major program, including review and approval of curriculum proposals. The committee will also monitor the program, report on its status and make recommendations to the Faculty Senate every two years.

(5) BUDGETARY AFFAIRS COMMITTEE

- a. The Budgetary Affairs Committee shall consist of eight faculty members and the Vice Chancellor ~~of~~ for Administrative Affairs. Each of the six schools/divisions with elected senators and the Library faculty shall select its own representative on the committee. The eighth member shall be a representative selected by the IUS Part-time Faculty Association and approved by the Faculty Senate Nominating Committee. These representatives shall serve three-year staggered terms. The Vice Chancellor for Administrative Affairs shall serve as an ex-officio member of the committee.
- b. It shall be the responsibility of this committee to gather information from various administrative offices regarding budgetary plans. It shall keep the Senate informed of budgetary matters and when appropriate shall make recommendations to the Senate concerning the allocation of state appropriations, gifts, student fees, bequests, and other sources of income. The committee will consult with the Vice Chancellor for Administrative Affairs, providing faculty input to the ongoing strategic planning process.

(6) FACULTY AFFAIRS COMMITTEE

- a. The Faculty Affairs Committee shall consist of nine faculty members. Each of the six schools/divisions with elected senators and the Library faculty shall select its own representative on the committee. These representatives shall serve two-year staggered terms. The eighth member shall be the IUS representative on the UFC Fringe Benefits Committee serving ex-officio. The ninth member shall be a representative selected by the IUS Part-time Faculty Association and approved by the Faculty Senate Nominating Committee.
- b. This committee shall be responsible for recommending to the Senate policies and procedures dealing with faculty promotion, tenure, dismissal, salaries, sabbatical leaves, course loads, academic freedom, faculty conduct, and other appropriate matters relating to faculty affairs.

(7) GENERAL EDUCATION COMMITTEE

- a. The General Education Committee shall consist of seven elected faculty members, the Vice-Chancellor for Academic Affairs, the Manager of General Studies, and a student representative. Each of the schools/divisions with elected senators, the Library and student government shall select its own representatives for the committee. These faculty representatives shall serve

staggered two-year terms. The Vice-Chancellor for Academic Affairs, and the Manager of General Studies shall serve as ex-officio members of the committee.

- b. This committee shall make recommendations to the Faculty Senate for the ongoing development and refinement of general education goals and student outcomes. All recommendations to the Faculty Senate for changes in general education goals and outcomes and for addition to the list of general education courses and experiences will come from this committee. This committee will ensure that general education is assessed, and that the data are used to improve general education. The committee will consult with the Vice Chancellor for Academic Affairs, providing faculty input to the ongoing strategic planning process.

(8) GENERAL STUDIES COMMITTEE

- a. The General Studies Committee shall consist of at least five faculty members, the Director of Continuing Studies, and a member of the Writing Program Administration. The faculty members shall serve two-year staggered terms with the exception of the Director who will serve a three-year term. The Director of Continuing Studies and the Writing Program Administrator shall be ex-officio members of the committee.
- b. The members of this committee shall constitute the supervising resident faculty for the associate and bachelors degrees in General Studies, in conjunction with the Indiana University Council for Extended Studies. The committee shall make recommendations to the Manager of Continuing Studies regarding the curriculum and administration of these degree programs and shall report its recommendations and actions to the Faculty Senate. The committee shall recommend the awarding of academic credit for life experience and certify the fulfillment of A.G.S. or B.G.S. degree requirements following the policies and guidelines of the Indiana University School of Continuing Studies. The committee shall also make recommendations to the Faculty Senate regarding priorities of and policies in the Continuing Studies Program. The chairperson of this committee shall serve as a member of the Indiana University Council for Extended Studies.

(9) HONORS COUNCIL

- a. The Honors Council shall consist of seven faculty members, the Honors Program Director, the Dean for Research, and one student. Each of the six schools/divisions with elected senators and the Library faculty shall select its own representative on the committee. These representatives shall serve two-year staggered terms. The Honors Program Director will serve as chair of the Honors Council and the Dean for Research will serve as an ex-officio member of the committee.
- b. The Honors Council shall be responsible for making recommendations to the

Faculty Senate on policies related to the development and refinement of the Honors Program. It shall advise and support the Honors Program Director in the implementation and growth of the program. All recommendations to the Faculty Senate for changes in the Honors Program will come from this committee. Honors Council members will seek to inspire a high level of collegiality and shared intellectual purpose among everyone involved in the program.

(10) IMPROVEMENT OF LEARNING COMMITTEE

a. The Improvement of Learning Committee shall consist of seven elected faculty members, the Associate Vice-Chancellor for Academic Affairs, the FACET liaison, the director of ILTE, and one student member. Each of the schools/divisions with elected senators and the Library faculty shall elect its own representatives on the committee. These representatives shall serve two-year staggered terms. The Associate Vice-Chancellor for Academic Affairs, the FACET liaison, and the Director of ILTE shall serve as ex-officio members of the committee.

b. This committee shall be responsible for devising and recommending policies, procedures, and programs that would improve teaching and learning. It shall advise the Coordinator of the Student Development Center regarding the Center's programs and services, including the assessment of student and university needs, the evaluation of existing classes, and services to offer in the future. In addition, the committee shall oversee the administration of the Student Evaluation of Teaching Program and shall review applications for grants-in-aid of teaching and shall recommend allocation of IUS funds for improvement of teaching. The committee shall also review nominees for the Distinguished Teaching Award and select the recipient. The recipient of the award each year shall be nominated by the committee for the all-university Distinguished Teaching Award the following year. In addition, the committee shall review applications submitted by faculty members for faculty conferences and workshops pertaining to improvement of teaching and make appropriate recommendations regarding those applications. The committee will consult with the Associate Vice Chancellor for Academic Affairs, providing faculty input to the ongoing strategic planning process.

(11) IMPROVEMENT OF WRITING COMMITTEE

a. The Improvement of Writing Committee shall consist of six faculty members, the coordinators of the Writing Program, and the Director of the Writing Center, and the librarian serving as Coordinator of Bibliographic Instruction. Each of the six schools/divisions with elected senators shall select its own representative on the committee. These representatives shall serve two-year staggered terms. The coordinators of the Writing Program, the Directors of the Writing Center, and the librarian serving as Coordinator of Bibliographic

Instruction shall serve as ex-officio members of the committee.

- b. This committee shall be responsible for assisting in devising and recommending policies, procedures, and programs that would enhance the writing proficiency of students at IUS. It shall advise the coordinators of the Writing Program and the Director of the Writing Center regarding their programs and services. It shall assist in developing mechanisms for the assessment of writing skills and shall participate in the planning of faculty development efforts related to the teaching of writing. The committee shall also monitor, assess, and propose changes in the implementation of the research writing requirement.

(12) INFORMATION TECHNOLOGY COMMITTEE

- a. The Information Technology Committee shall consist of the Vice Chancellor for Information Technology and an elected representative from the Library faculty and each of the academic schools/divisions with elected senators. The faculty shall serve two-year staggered terms. The Vice Chancellor for Information Technology shall be an ex-officio member of the committee.
- b. This committee shall be responsible for studying the technology requirements for teaching and research, for making recommendations regarding equipment and personnel needed to meet these requirements, and for recommending policies and procedures regarding the utilization of technology for teaching and research purposes. The committee will consult with the Vice Chancellor for Information Technology, providing faculty input to the ongoing strategic planning process.

(13) INTERNATIONAL PROGRAMS COMMITTEE

- a. The International Programs Committee shall consist of six faculty members, a professional staff member from the Academic Success Center, a representative from the Library faculty, the Director of International Programs and the Associate Vice Chancellor for Academic Affairs. Each of the six schools/divisions with elected senators, the Library faculty, the Academic Success Center shall select its own representative on the committee. These representatives shall serve two-year staggered terms. The Director of International Programs and the Associate Vice Chancellor for Academic Affairs shall serve as ex-officio members of the committee.
- b. The purpose of the committee shall be to work with the Director of International Programs to increase the campus community's awareness, understanding, and appreciation of the wide variety of international cultures, practices, and thoughts. This committee shall be responsible to oversee program development and curriculum matters pertaining to the international studies minor and overseas study programs. This committee shall advise and assist the Director in developing and promoting international programs and events at IUS. The committee shall also constitute as a supervisory body to the Director in his/her capacity as resident advisor to international students at

IUS. The committee will consult with the Associate Vice Chancellor for Academic Affairs, providing faculty input to the ongoing strategic planning process.

(14) LIBRARY COMMITTEE

- a. The Library Committee shall consist of six faculty members, the Director of Library Services and two student members. Each of the six schools/divisions with elected senators shall select its own representative to the committee. These representatives shall serve three-year staggered terms. The Director of Library Services shall serve as an ex-officio member of the committee.
- b. This committee shall be responsible for recommending to the Faculty Senate and to the Director of Library Services policies and programs which will enable the Library to serve better the needs of faculty and students and shall assist the Library faculty in planning for the future development of the Library. Each faculty committee member serves as a liaison with the faculty in the school/division he or she represents and is responsible for monitoring the schools/divisions budget allocation for Library materials to ensure that it is spent in a timely manner. This is accomplished by working closely with the Library faculty member who has liaison responsibilities in the selection process for that particular school/division. In addition, the committee shall monitor the formula used to apportion the funds budgeted for Library materials into divisional allocations.

(15) RESEARCH AND GRANTS COMMITTEE

- a. The Research and Grants Committee shall consist of seven faculty members and the Dean for Research. Each of the six schools/divisions with elected senators and the Library faculty shall select their own representative on the committee. These representatives shall serve two-year staggered terms. The Dean for Research shall serve as an ex-officio member of the committee. The ex-officio member shall not vote. In addition, each school/division shall select an alternate member. In the event that a vote before the committee directly involves or affects a regular member, the alternate member will serve temporarily as representative of the unit.
- b. This committee shall be responsible for establishing general policies pertaining to research related programs such as summer faculty fellowships, grant-in-aid of research, sabbatical leaves, and supplemental travel funds related to professional meetings. The committee shall review all applications for these programs and recommend to the Vice Chancellor for Academic Affairs which should be approved. The committee also shall review nominees for the Distinguished Research and Creativity Award and select the recipient. The recipient of the award each year shall be nominated by the committee for any appropriate all-university award pertaining to research and creativity. In addition, the committee shall serve as a review board for faculty members seeking nomination for research grants and fellowships from Indiana

University or external agencies.

Nominations from IUS for Honorary Degrees shall be reviewed and approved by the committee before being submitted to the Faculty Senate for consideration in executive session and forwarded to the University Faculty Council Honorary Degrees Committee. The committee will consult with the Dean for Research, providing faculty input to the ongoing strategic planning process.

(16) STUDENT RECRUITMENT AND RETENTION COMMITTEE

- a. The Student Recruitment and Retention Committee shall consist of at least seven faculty members, the Director of Admissions, the Vice Chancellor of Student Affairs, the Director of the Academic Success Center, the Registrar and the Director of Scholarships and Financial Aid, and two student members. The faculty members shall serve three-year staggered terms. The Director of Admissions, the Vice Chancellor for Student Affairs, the Director of the Academic Success Center, the Registrar and the Director of Scholarships and Financial Aid shall be ex-officio members of the committee.
- b. This committee shall be responsible for recommending to the Faculty Senate policies regarding student admissions, probation, suspension, and readmission. The committee shall also recommend policies regarding the distribution of scholarships and financial aid. In addition, the committee shall recommend programs that promote student enrollment and retention and aid new students in their successful adjustment to university life.

Also, the committee shall serve as a board of appeals when petitioned by students who have been denied financial aid and who have exhausted their appeals with the Office of Scholarships and Financial Aid. The committee will consult with the Vice Chancellor for Student Affairs, providing faculty input to the ongoing strategic planning process.

(17) WOMEN AND GENDER STUDIES ADVISORY COMMITTEE

- a. The Women and Gender Studies Advisory Committee shall consist of four members representing various academic units, one member representing the professional staff and the Associate Vice Chancellor for Academic Affairs. Members shall serve two-year staggered terms. The Coordinator of Women and Gender Studies and the Associate Vice Chancellor for Academic Affairs shall serve as ex-officio members of the committee.
- b. It shall be the responsibility of this committee to oversee program development and curriculum matters pertaining to Women and Gender studies and to recommend a coordinator of Women and Gender Studies to the Chancellor. The committee shall assist the Coordinator of Women and

Gender Studies with special events and on other occasions as needed. The committee will consult with the Associate Vice Chancellor for Academic Affairs, providing faculty input to the ongoing strategic planning process.

B. METHOD OF COMMITTEE MEMBERSHIP ROTATION

TO INITIATE THE STAGGERED MEMBERSHIP TERMS, THE NOMINATING COMMITTEE SHALL ESTABLISH A ROTATION PATTERN.

In subsequent years, by March 10, the President of the Faculty Senate shall send each school/division a notice showing the members of that school/division with ongoing committee terms and the committees for which that school/division shall select members for the next year.

To preserve the rotation pattern, if a committee member is unable to complete the full term of appointment, another member shall be selected to complete the remainder of that term.

BY-LAW NO. 3 - PROCEDURES AND POLICIES OF THE FACULTY BOARD OF REVIEW

A. PURPOSE, POWERS AND TERMS OF OFFICE

- (1) The intent of these provisions is to enable Indiana University Southeast to ensure academic freedom and tenure and to guarantee the requirements of academic due process. The principles implicit in this By-Law are for the benefit of all full-time faculty and where appropriate for associate faculty.
- (2) In accordance with the discretion granted to the Faculty Board of Review in Article V, Section 3, paragraph F of the Faculty Senate Constitution, the jurisdiction of the Faculty Board of Review shall extend to issues of academic freedom, discipline, dismissal, salary adjustment, and the nature and conditions of work, as well as matters of promotion, tenure and reappointment.
- (3) In the course of a review, the Board shall have the power to request reconsideration of a decision or a recommendation when it determines that:
 - * inadequate consideration was given to the faculty member's qualifications
 - * specified procedures were not followed
 - * erroneous information substantially affected an appealed decision
- (4) Members of the Faculty Board of Review will be elected in the spring of each academic year, in accordance with the provisions in Article VIII, Section 5 of the IUS Faculty Senate Constitution. Terms for members of the Faculty Board of Review begin August 15 and end August 14 of the following year. The members of the Faculty Board of Review with whom a case originates will see it through to

its conclusion even if their term expires.

- (5) The grievant shall be allowed to choose either open or closed procedures at formal hearings. The Faculty Board of Review shall develop rules to ensure that the confidentiality of all its proceedings, excepting open hearings, is preserved, and that its findings and recommendations are determined and communicated without undue publicity.

B. SUBMISSION OF CASES

- (1) In promotion, tenure, and reappointment cases, only decisions by the Chancellor may be the subject of a review; the Faculty Board of Review does not control the decision-making process and shall accept an appeal only after the Chancellor has made a decision. It is understood that decisions subsequent to the Chancellor's also may be subject to a grievance.
- (2) A faculty member wishing to present a case to the Faculty Board of Review shall submit a written notice to the chairperson of the Faculty Board of Review, with copies to the appropriate school/division, Review Committee, Academic Dean, Vice Chancellor for Academic Affairs, and the Chancellor. The written document shall, when appropriate, cite the procedures violated and give the grievant's evidence as to the existence of a case. The document shall also describe efforts made to exhaust other remedies such as meeting with the committee members and/or administrators who are responsible for the challenges and indicate the results of these efforts.
- (3) In all cases involving reappointment decisions, including tenure cases, a grievance must be filed no later than August 1, of the academic year following the decision. In all other cases, a grievance must be filed no later than six months following the date of the challenged action. In cases involving a series of actions, or repeated actions, the statute of limitations shall be six months from the date of the last challenged action. The Faculty Board of Review shall have the sole power to determine whether the grievant's case has been filed within the specified time limits.
- (4) The document is considered in its final form at the time of submission to the Board, except for supplementary evidence that the Board may request.

C. INITIAL CONSIDERATION OF A CASE

- (1) The chairperson of the Board shall request a written response from the appropriate party (School/Division Review Committee Chairperson, Vice Chancellor, Chancellor), which response shall include a review of the procedures employed and any additional facts, with sources, dates, and the reason(s) and the reason(s) leading to the decision. The response should be submitted within ten working days from the date requested.
- (2) During the initial study of the case, the Faculty Board of Review may:

- (a) Request additional data from any party concerned
 - (b) Interview either party separately
 - (c) Interview witnesses suggested by either party
 - (d) Conduct an informal review session with both parties without cross questioning
 - (e) Request additional meetings with either party for further clarification
- (3) On the basis of the evidence gathered, the Board shall decide whether or not sufficient matter for an appeal exists. This decision shall be made according to the policies stated in Article V, Section 3, paragraph F of the IUS Faculty Senate Constitution. The Board may choose to terminate a case at this point or decide to proceed to a formal hearing. The decision by the Board to reject a case or to proceed to formal hearing must be sent to all parties concerned within five working days of said decision.
- (4) Should the faculty member wish to withdraw the appeal, this may be done at any time prior to the beginning of the formal study of the case. Once the formal hearing has begun, the grievance may be withdrawn only by the mutual consent of the parties and the Faculty Board of Review.

D. FORMAL HEARING:

- (1) If the Board decides not to reject an appeal, a formal hearing automatically will be initiated.
- (2) At the formal hearing:
- (a) The chairperson of the Faculty Board of Review, or a designated member of the Board, will serve as the presiding officer
 - (b) The faculty member, or a chosen representative, may make a statement outlining the case
 - (c) The other party or representative may make a statement
 - (d) Either party may be questioned by legal counsel and by each other
 - (e) Members of the Faculty Board of Review may question either party
- (3) The Faculty Board of Review shall prepare a written summary and a taped record of its proceedings in both formal and informal hearings, and these shall be available to members of the Board and both parties.
- (4) Each party may have its own legal counsel or advisor at formal or informal hearings. It can only react as a Board of Faculty Members who make recommendations based on their experience in academic life and their wisdom as professors.
- (5) The chairperson of the Board, or in the event of the chairperson's leaving the University, a divisional secretary, bound by the same terms of confidentiality, shall keep the detailed accounts of the case. These files shall be kept for at least five (5) years and shall not become the property of any succeeding Board.

E. PROCEDURES FOR REPORTING RECOMMENDATIONS

- (1) Once the Faculty Board of Review has reached a decision in a case, it shall issue a final report within two working weeks. The report should summarize the evidence received on the issues considered relevant by the Faculty Board of Review and declare what the Board finds to be the facts (resolving disputes where resolution is necessary). Upon the basis of facts found by the Faculty Board of Review and its stated interpretations of meaning of policies (resolving disputed interpretations where resolution is necessary), the Faculty Board of Review should state its conclusions and make recommendations based thereon in accordance with Section A-3 of this By-Law.
- (2) The copies of the final report of the Faculty Board of Review shall be sent to the petitioner and to anyone who has acted in behalf of the University in the case in question [e.g., the Chancellor, the Vice Chancellor for Academic Affairs, the Dean of the School/Division (where appropriate), and the Chair of the Campus Review Committee (where appropriate).]
- (3) If the Chancellor, upon receipt of the Faculty Board of Review recommendation, proposes to take action substantially different from that recommended by the Faculty Board of Review, the Chancellor shall first review the case with the Board. The Chancellor shall, in writing, advise the interested parties of the decision and the reasons therefore.
- (4) In giving the annual Faculty Board of Review report to the Senate, the chairperson shall indicate only the number of cases received with the disposition of each one. Any procedural recommendations which would enhance the operation of future Boards may be made at this time.

Adopted: 9 September 1976

Amended: 14 April 1988

16 February 1989

20 August 1993

24 February 1997

30 July 1998

30 July 1999

17 February 2000

17 April 2000

05 April 2007

BY-LAW NO. 4 FACULTY CONDUCT POLICY

I. SCOPE AND DEFINITION:

This policy provides procedures to review complaints against faculty members of substantial or chronic incompetence, serious professional misconduct, or violations of formal rules of the University, such as violations of the Code of Academic Ethics. (1)

Communication and action protected by principles of academic freedom may not be judged misconduct.

When deficiencies are found pursuant to this policy, the Committee may recommend development of a program to remedy those deficiencies (see §V.G.3, below) or a range of sanctions, including dismissal (see §V.G. 4, below). When a faculty member has been the subject of a recommendation made pursuant to an alternative disciplinary procedure, approved by the University Faculty Council or the IUS Faculty Senate, the faculty member is not entitled to proceedings under this resolution.

(2) The faculty members covered by this policy shall include IUS tenured and tenure-eligible faculty and librarians.

1. Cases of serious personal misconduct may be the subject of administrative action, with the right of the faculty member to petition the Faculty Board of Review for review of such action as a grievance.

2. There are alternative procedures for certain types of misconduct, including the Procedures for Responding to Allegations of Research Misconduct, the procedures under the Student Code of Ethics relating to claims against faculty members, and the Affirmative Action Complaint Procedures Guidelines.

II. COMMITTEE MEMBERSHIP:

By May 1 of each year, the elected faculty representatives of the IUS Faculty Senate shall elect five tenured members of the faculty as the IUS Faculty Conduct Review Committee and five tenured faculty members to serve as alternates. The members of the Committee shall select their own presiding officer immediately following their election. The members shall hold office from the first day of May for staggered terms of two years. Members and alternates shall complete the review of any case which they have begun to consider. At least two years shall elapse between terms of office of regular members of the Committee.

In offering nominations for election to the Faculty Conduct Review Committee, consideration should be given to representation across academic ranks and among ~~divisions~~ schools/divisions of the University.

III. DEFINITIONS:

For all purposes of this policy, the following terms shall have the meanings specified below:

A. "Chair" shall mean the presiding officer of the Committee.

B. "Committee" shall mean the IUS Faculty Conduct Review Committee, as duly constituted pursuant to this resolution.

C. "Dean" shall mean the person who submits a Request under §V.A.1 herein for review of a Faculty Member's alleged misconduct.

D. "Faculty Member" is the person whose alleged misconduct is subject to a review by the Committee.

E. "FBR" shall mean the IUS Faculty Board of Review, as duly constituted under Grievance and Review Procedures of the IUS Faculty of Indiana University.

F. "Parties" shall mean the Dean and the Faculty Member.

G. "Procedures" shall mean the procedures set forth below in part V of this policy.

H. "Request" shall mean the written complaint by a Dean (or, in cases under §V.D.1 herein, by the Chancellor) to the Committee seeking a review of a Faculty Member's conduct pursuant to these procedures.

I. "Working Day" shall mean any day other than a Saturday, Sunday or holiday on which the United States Postal Service is authorized to close.

IV. CONFLICT OF INTEREST:

Members of the Committee shall recuse themselves from a review if they hold an appointment in the faculty member's department (or school in the case of units that are not organized by departments), or if there is any other relationship with the Faculty Member that constitutes, or that creates the appearance of constituting, a conflict of interest. If a member of the Committee cannot serve during a review, the Chair of the Committee shall select an alternate member from the pool of elected alternates.

V. PROCEDURES:

A. Complaint Initiation and Notification

1. A Request for a review of complaints of misconduct shall be submitted to the Chair of the Committee by the Dean of the faculty member's unit. Such

Requests shall be in writing and be signed by the Dean. At the same time, the Dean shall give a copy of the Request to the faculty member.

2. Such Request shall set forth, in reasonable detail, the nature of the alleged misconduct, and shall include a statement as to prior efforts made to resolve the complaints by negotiation. The Request shall also contain notice if the Dean seeks dismissal of the Faculty Member based on the alleged misconduct.
3. The Committee shall notify the Faculty Member in writing of its receipt of a Request, and shall provide to the Faculty Member, along with the notice, copies of:
 - a. the IUS Faculty Review of Conduct Committee Policy and Procedures;
 - b. an explanation of the Faculty Member's rights and responsibilities under these Procedures, and also of his or her right to submit a written response to the allegations;
 - c. the current membership of the Committee, including alternates; and
 - d. the Request
4. The Faculty Member may submit a written response to the allegations in the request within 15 Working Days of the date of the receipt of the notification under §V.A.3 above.
5. Upon receipt of a Request, the Chair of the Committee, in consultation with the other members of the Committee, shall initiate efforts to have the Parties resolve the complaints raised by the Request using "informal adjustment." Such informal adjustment negotiations would be mediated by a person or persons unaffiliated with the Committee or the parties. In cases where the Parties cannot negotiate an informal adjustment, and in cases where the Committee determines such informal adjustment is not appropriate, the Committee shall provide written notification of such determination to the Dean and the Faculty Member within 30 Working Days from receipt of the Request.

The term "informal adjustment" means alternative dispute resolutions, such as negotiation or mediation, to achieve mutually agreeable settlements. Any such settlement may be recorded at the request of the Faculty Member.

6. The Committee, based on the Dean's Request and the Faculty Member's written response, may decline to proceed if it determines there is an insufficient basis to merit formal proceedings and shall, in that case, proceed to make its recommendation accordingly pursuant to § V.G below.

The Parties shall be notified in writing of such a decision within 10 Working Days after receipt of the Faculty Member's response, but in any case no later than 25 Working Days after the date of the Request.

B. Commencement of Review Hearings:

1. In the event that no informal adjustment is reached by the Parties, the Chair shall convene a hearing before the Committee to review the allegations presented in the Request. Such hearing shall begin within 20 Working Days after the expiration of the notification and response period under §V.A.4. Notice of the date, time and place shall be given to all parties, including the Faculty Member's counsel or advisor, if known.
2. The Faculty Member and the Dean may be represented by counsel or other advisors of his or her choosing during the proceedings, which counsel, in the case of the Dean, may be the University Counsel.
 - a. Counsel shall be entitled to fully participate in the hearing, including the examination of witnesses.
 - b. With the consent of the Faculty Member, a representative of a responsible educational association will be permitted to attend the proceedings as an observer.
3. The Faculty Member may object to the Committee membership on the grounds of Conflict of Interest or inability to render an unbiased judgment. Objections shall be made in writing to the Chair within 5 Working Days after notification of the membership, pursuant to §V.A.3.c above. The Committee, acting without the participation of the members objected to, shall consider the objections and, if reasonable, the Chair shall replace the person(s) with alternate(s) who do not have a Conflict of Interest.

C. Due Process:

1. In all of its proceedings the Committee shall be governed by principles of due process and orderly procedures for ensuring the impartial examination by the Committee of all pertinent facts, University policies and procedures, and the legitimate interests of all parties involved.
2. The Faculty Member shall be afforded an opportunity to obtain necessary witnesses, and documentary and other evidence.
 - a. The Faculty Member and the Dean will provide to the Committee and to each other the names of all persons he or she wishes to call

to testify within 5 Working Days after notice of the date set for the hearing. Thereafter, witnesses may be added only with the consent of the committee.

- b. The Committee and the Administration will cooperate in securing witnesses and making available documents and other evidence.
 - c. The Parties shall have the right to examine all witnesses. Where the witnesses cannot or will not appear, but the Committee determines that the interests of justice require admission of their statements, the Committee will identify the witnesses, disclose their statements, and, if possible, provide for interrogatories.
3. Hearings will be closed to the public unless the Faculty Member requests an open hearing. Requests for an open hearing shall be made to the Chair of the Committee in writing no later than 10 Working Days prior to the date set for the hearing. "Open" means any person may attend the proceedings; "closed" means that the meetings shall be attended only by the Faculty Member, the Dean, representatives of the Faculty Member and the Dean, members of the Committee, approved observers, and any witnesses that the Parties may request to be present. The Committee, however, in its discretion, may require that witnesses be excluded from any hearing prior to their own testimony.
 4. An audio or video tape recording of the proceedings shall be made and transcribed; and a copy of the transcript shall be provided to each Party. The audio or video tape shall be maintained as part of the record pursuant to §V.I.
 5. The Faculty Member may, in his or her sole discretion, waive the right to a hearing hereunder or stipulate to certain facts.

D. Emergency Cases:

1. In cases of alleged misconduct which the Chancellor determines require immediate actions to protect the interests of members of the University community, the Faculty Member may be suspended with pay or reassigned. The Chancellor shall give the Faculty Member notice of the emergency action and shall offer the Faculty Member the opportunity for an informal conference to discuss the emergency action.

2. If the Faculty Member objects to the propriety of the emergency action, the Faculty Member shall notify the Chancellor and the Committee of that fact in writing. The Chancellor shall, within 2 Working Days, provide the Committee and the Faculty Member a memorandum specifying the information on which the Chancellor is acting and the reasons why that information justifies the emergency relief. The Faculty Member shall submit to the Committee and the Chancellor a memorandum containing information and argument opposing the emergency relief within 2 Working Days of receipt of the Chancellor's memorandum. The Committee shall furnish its recommendation on the propriety of the emergency action to the Chancellor and the Faculty Member within 2 Working Days of receipt the Faculty Member's memorandum.

3. When emergency action has been taken, the Chancellor shall immediately submit a Request setting forth in reasonable detail the nature of the alleged misconduct and the sanctions the University seeks to impose. The Committee shall provide the Faculty Member with written notice of the Chancellor's Request and with the documentation called for in §V.A.3 above. The Faculty Member shall have 15 Working Days from the date of notice to provide a written response. The Chair shall convene a hearing to review the allegations presented in the Request within 25 Working Days after the date of the Request. Notice of the date, time and place of the hearing shall be given to all Parties, including the Faculty Member's counsel or advisor, if known. The Hearing will be governed by the provisions of §V.B.2 and §V.B.3 and §V.C above. The Committee shall make its findings and recommendations pursuant to § V.F. and § V.G below as soon as possible, but in any case within 10 Working Days of completion of the hearing.

E. Privacy:

Except in the cases of open hearings pursuant to §V.C.3 above, and, except for simple announcements as may be required, such as the time of the hearing and similar matters, public statements and publicity about the case by either Party shall not be allowed until the proceedings have been completed, including consideration by the FBR. The members of the Committee and all persons contacted in connection with the Committee's review shall be reminded that they are responsible for maintaining confidentiality of the case.

F. Findings:

1. No deficiencies:

If the Committee finds that the Faculty Member has met accepted standards of

conduct, the Committee shall make its recommendation accordingly pursuant to § V.G below.

2. Some deficiencies, but deficiencies not substantial or chronic:

If the Committee identifies some deficiencies in the Faculty Member's conduct, but these deficiencies are not judged to be substantial or chronic, the Committee will state their findings, in writing as provided in §V.G below.

3. Substantial or chronic deficiencies:

If the Committee determines that there are substantial or chronic deficiencies in the Faculty Member's conduct the Committee will state their findings in writing as provided in § V.G below.

G. Recommendations:

1. The Committee shall render its written findings and recommendations within 15 Working Days of completion of a hearing. Whether or not there was a hearing, the Committee shall document its findings in a report that specifies the allegations, summarizes relevant information, and states the conclusions reached and the evidence on which it reached those conclusions. It should make explicit findings of fact with respect to each allegation and list the evidence relevant to that finding. The decision should then state the Committee's recommendations. The report and other retained documentation must be sufficiently detailed to serve as a basis for the Dean's action on the Committee's recommendations and to permit a later review by the FBR, should the Faculty Member grieve the Dean's actions.
2. Findings of misconduct and recommendations of sanctions shall be based on substantial evidence developed in the hearing record considered as a whole. Based on its findings, the Committee may recommend that no action is warranted, that a remediation plan be developed pursuant to § V.G.3 below, or that sanctions be imposed pursuant to § V.G.4 below.
3. The Committee may recommend a plan designed to assist the Faculty Member in remedying the identified deficiencies.
 - a. The plan will be developed by the Dean, or other administrative officer appointed by the Dean, and the Faculty Member.
 - b. At the request of either the Faculty Member or the Dean or such other administrative officer, the assistance of a third party (a mediator or a professional expert in the problem area identified) will be provided to assist in the development of the plan.
 - c. A plan should identify the deficiencies to be addressed, define

goals or outcomes that are needed to remedy the deficiencies, outline the specific activities and programs that should be completed to achieve these goals and outcomes and indicate the appropriate benchmarks to be used in monitoring progress.

- d. If agreement on the plan cannot be reached within three months of the date of the Committee's written recommendations, either party may petition the Committee, as provided for in §V.H.1 hereof.
4. The Committee may recommend any of the following sanctions:
 - a. A written reprimand with a warning that additional sanctions will be imposed if there is a repetition or continuation of the misconduct.
 - b. Salary penalties.
 - c. A probationary period during which the Faculty Member must abide by certain specified conditions or be subject to the imposition of further sanctions.
 - d. A temporary suspension without pay.
 - e. Dismissal, provided that the Faculty Member had notice of the possibility of dismissal pursuant to §V.A.2 above.
 5. On its completion, the Committee's report shall be forwarded to the Dean and the Faculty Member. In cases in which dismissal is recommended, the report shall also be sent to the Chancellor.
 6. Either Party shall have 10 Working Days to submit written comments to the Committee and the other Party. The Committee shall consider such comments and make any changes to its recommendations it determines are reasonable. Written notification of the Committee's decisions shall be given to both Parties.

H. Further Proceedings:

1. In the event that the Parties cannot agree on a remediation plan as recommended by the Committee within three months after the recommendation, either Party may petition the Committee in writing (with a written copy to the other Party) for a proceeding on the matter.
 - a. Such petition shall describe in detail the status of discussions and the terms of any plan presented and the areas of disagreement.
 - b. The other Party may submit a written response within 5 Working Days.
 - c. The Committee shall set a date for a proceeding not less than 15 Working Days after receipt of the petition for review.

- d. The Committee, in its discretion, may meet with each of the Parties, alone or together. The Parties may have a representative with him or her, but such person may not participate in the Committee's proceedings.
 - e. The Committee shall within 15 Working Days of the proceeding produce a remediation plan binding on the Parties or make such other recommendations it determines is warranted under these procedures, subject to review by the FBR.
2. In the event that a Faculty Member, previously sanctioned by the Committee pursuant to § V.G.4, is allegedly not observing the conditions of the original sanction or is allegedly engaged in the same misconduct for which such Faculty Member was sanctioned, the Dean may submit a written petition for a re-hearing to the Committee, with a written copy given to the Faculty Member.
- a. The Faculty Member may submit a written response to the allegations within 10 Working Days after receipt of the written petition.
 - b. The Chair shall convene a hearing before the Committee within 15 Working Days after receipt of the Faculty Member's response.
 - c. The hearing shall be conducted in accordance with the proceedings set forth in §V.B and §V.C of these Procedures.
 - d. The Committee shall render its written findings and recommendations as provided in §V.F and §V.G of these Procedures.

I. Records:

After completion of the case and all ensuing related actions, the Committee Chair shall prepare a complete file, including the original records of all proceedings and copies of all documents and other materials furnished to the Committee. Access to the materials in the file shall be available to the FBR, and to others only upon authorization by the Committee for good cause. The records of the Committee shall be kept and maintained in the Office of Academic Affairs.

J. Waiver of Time Requirements:

Either Party may request an extension of time under these Procedures by written request given to the Committee and the other Party. Such extension shall be given if the other Party agrees in writing or if, in its discretion, the Committee determines an extension is reasonable, it may also, grant such extension in writing given to each Party and notify the parties.

K. Report to the IUS Faculty Senate:

The Committee shall report annually to the IUS Faculty Senate the number and types of cases presented to it and the number and types of case dispositions.