
STUDENT & UNIVERSITY PERSONNEL GRIEVANCE BOARD

Purpose:

To establish policy outlining procedures for addressing student grievances against university personnel.

Scope:

Applies to grievances filed with the Student/University Personnel Grievance Board.

Responsible Party:

Human Resource Services, 426-1616

POLICY

I. Policy Statement

The University takes its responsibility for equity and student care seriously. Therefore, it is imperative that a mechanism created and maintained that will give recourse to students who believe they have been maltreated or victimized by university personnel. In order to remain fair and equitable to all concerned parties, it is also imperative that the mechanism be representative of the various constituencies that constitute the university community.

II. Limitations

This grievance policy does not pertain to discrimination grievances or sexual harassment grievances covered by the BSU Policy #5005 "Nondiscrimination and Affirmative Action Policy," academic grievances already covered by the Academic Grievance and Academic Dishonesty Board, or matters of academic freedom.

III. Responsibilities

The Student/University Personnel Grievance Board (Grievance Board) has the responsibility to act as the final board of review in complaints arising from grievances filed by students against university personnel. No further appellate provision will be available at the university to the student bringing the grievance.

IV. Composition

This board will consist of seven voting members: the ASBSU Chief Justice as Chairperson, ASBSU Vice-President, an ASBSU student senator, Chairperson of the Faculty Senate, Chairperson of the Association of Classified Employees, Chairperson of the Professional Staff Senate and a seventh member to be selected (by the above-named members) from the same employee group that the defendant is from. The Director of Affirmative Action and the Director of Human Resources shall serve as non-voting members.

V. Procedure

- A. Initial Phase: In order to obtain a hearing before the Grievance Board, the complainant should: first present the complaint to the university employee concerned; if no solution is reached, the complaint should be presented to the appropriate department head or supervisor and to the unit head or dean of the appropriate college or administrative unit. If the complaint is against a dean or unit head, it should be presented to the appropriate vice president. If it is against a vice president, it should go directly to the Grievance Board. The complaint should be presented to and addressed by the appropriate university officials within a reasonable amount of time.
- B. Second Phase: If the grievance is not resolved after contacting the employee, department head or supervisor, unit head/dean or appropriate vice president it should be presented in writing to the Assistant Director of the Student Union for Student Activities utilizing the "Student/University Personnel Grievance Board" form. When the Assistant Director of the Student Union for Student Activities has received the written grievance, he/she will convene the members of the Grievance Board within five working days to determine if the Grievance Board has jurisdiction. A majority of the voting members of the Grievance Board is required for a decision on jurisdiction. At the first meeting of the Grievance Board it will, by majority vote, adopt an Order of Hearing and the "Student/University Personnel Grievance Board" form. The Order of Hearing and the form may be changed by majority vote of the Grievance Board.
- C. Third Phase: If the Grievance Board determines that it does not have jurisdiction, the complainant will be directed to the appropriate individual or body to handle the grievance. If the Grievance Board determines that it does have jurisdiction, the Director of Affirmative Action or a designated member of the Board will notify the defendant of the grievance in writing, including a bill of particulars, and ask him/her to respond in writing within five working days. When the response is

received, the Director of Affirmative Action or a designated member of the board will furnish all information pertinent to the grievance to all parties involved. The Grievance Board will meet within five working days of receipt of the defendant's written response to determine if the grievance merits a hearing.

- D. Fourth Phase: If the Grievance Board determines that the grievance does not merit a hearing, all parties to the grievance will be notified and no further action can be taken under university policy. If the Grievance Board accepts the grievance for hearing, the Director of Affirmative Action or a designated member of the board will then issue a Notice of Hearing, which will set the date, time, and place of the hearing (no sooner than five working days nor later than ten working days from the notice) and an Order of Hearing.
- E. Fifth Phase: If, after reviewing the case, the Grievance Board rules that a violation occurred, then all information pertaining to the case will be forwarded to the university President within five working days of the conclusion of the hearing with a recommendation for action, for final review, and disposition. All parties to the grievance will be notified in writing of the recommendation of the Board. All parties to the grievance will be notified of the President's decision in writing within ten working days after he/she has received the recommendations of the Grievance Board. If the recommendation of the Grievance Board results in disciplinary action being taken against a university employee, that individual will have full employee rights as outlined in the BSU Administrative Handbook of Policies and Procedures, State Board of Education policies, and Idaho Statute. If, after reviewing the case, the Grievance Board rules that a violation did not occur, the case will be closed. All parties to the grievance will be notified in writing of the decision of the Grievance Board within five working days of the conclusion of the hearing. The notification will be deemed made when the recommendation is deposited in the United States Mail addressed to the last known address of the parties. If disciplinary action is taken against a BSU employee as a result of this grievance procedure, the appropriate documents will be placed in the personnel file of that employee. If no disciplinary action is taken, there will be no documents regarding this procedure placed in the personnel file of the employee.