

Include a 60 day presidential response to 04 rule

Proposal to Amend Rules 3335-5-04(I)

INCLUDE A PERIOD OF REVIEW BY THE PRESIDENT IN HEARING PROCEDURES

Resolution Number:

Synopsis: All review steps (letters C through H inclusive) in the procedures on complaints against faculty members, commonly known as the 04 rule, specify the number of days to “make every effort to complete the review.” Presidential review (I) is the only step with days not specified.

WHEREAS the Faculty Rule 3335-5-04 outlines the procedures related to complaints against faculty members; and

WHEREAS within the process, each level of review includes an expectation of resolution to include expediency of the process; and

WHEREAS the final review by the president outlined in 3335-5-04(I) currently does not include a period of review; and

WHEREAS every effort to complete the review is now specified as: chair 14 days, dean 14 days, college committee 45 days, dean decision 30 days, provost 14 days, hearing 60 days, it is prudent to afford the presidential review the maximum 60 days; and

WHEREAS the Faculty Hearing Committee has agreed that the president’s level of review be updated to include an expectation of resolution within a specific period of time (sixty days); and

WHEREAS the Faculty Hearing Committee recommends amending rule 3335-05-04(I) to include the addition of (e) sixty days; and

WHEREAS the office of the President intends to make every effort to conclude such a review within 60 days; and

WHEREAS the Rules Committee approved this resolution and proposal on November 1, 2019;

NOW THEREFORE

BE IT RESOLVED, That procedures be clarified with the addition of 3333-05-04(I)(e) **to make every effort** to conclude a presidential review within sixty days be approved by the University Senate and respectfully request concurrence of the Board of Trustees effective upon approval by the Board of Trustees.

3335-5-04 Hearing procedures for complaints against faculty members.

(I) The president.

(1) Upon receipt of the written findings of fact and recommendation and a record of the proceedings from a hearing panel, the president shall review the matter. The president may:

(a) Dismiss the complaint;

(b) Impose any sanction less than termination of employment whether or not it accords with the recommendation of the hearing panel;

(c) Recommend to the board of trustees termination of employment on such terms and conditions as the president may deem advisable;

(d) Remand the case to the hearing panel for reconsideration.

(e) The president shall make every effort to conclude their review and issue a decision within sixty days.

(2) Any decision of the president shall be communicated in writing to the hearing panel and to the respondent.