

PART IV -- FACULTY PROCEDURES

4.0 Faculty Procedures

The institutions have a number of policies and procedures relevant to the faculty that do not require approval of the Board of Trustees to be adopted or amended. (See Section 2.16.3.4 for revision procedures.) Revisions of policies in Part IV become effective immediately upon approval by the Joint Faculty Senate and both presidents (or at an alternate date stipulated in the policy itself).

4.1 Grievance Procedure

This grievance procedure is the means by which grievances may be heard and adjusted within the College of Saint Benedict and Saint John's University. The intent and scope of the grievance procedure are described in Section 2.15.

In addition to this institutional grievance, the grievant(s) may file with a federal or state court or agency if the alleged conduct violates a law, but the grievants must do so within the applicable limits established by federal and state law (see Section 2.15.1).

Grievance proceedings shall be maintained as confidentially as possible, allowing for the need of the grievant(s), the party or parties grieved against, and the institutions to gather and present evidence concerning the grievance at these institutions and in other outside proceedings. All hearings shall be held in private.

Amendments to the grievance procedure (in accord with Section 2.16.3.4) will not affect an ongoing grievance if approval of the amendments by the faculty and the presidents occurs after the filing of the letter initiating the preliminary state, as described in Section 4.1.6.

4.1.1 Submission and Delivery of Information and Correspondence

Materials, documents, and correspondence required to be submitted or to be delivered as part of this grievance procedure may be transmitted in a manner that the parties agree is the most expedient in their circumstances in consultation with the Faculty Handbook Committee chair or the *ad hoc* grievance committee chair, as appropriate. Acceptable methods of transmission include email, postal mail, or hand delivery. For email and postal mail, the date of submission will be determined by the postmark or by the electronic time-stamp. In the case of hand delivery, the sender must make provision for a signed and dated receipt at the time of hand delivery. The date of submission will be determined by the signature and date on these receipts.

The Faculty Handbook Committee chair or, once appointed, the *ad hoc* grievance committee chair should receive copies of all materials, documents, and correspondence transmitted by the parties. The FHC chair or *ad hoc* committee chair is responsible for keeping a faithful, dated record of the materials, documents, and correspondence required by this grievance procedure and submitted between the parties and between the parties and the committee chairs.

4.1.2 Reasons for Initiating a Grievance Procedure

A grievance procedure may be initiated when a faculty member or a group of faculty members makes either or both of two types of claims: an allegation of a violation of rights, policies, procedures, or standards or

an allegation of inadequate consideration of the evidence (see Section 2.15.3). Although both types of allegations would be investigated by a single *ad hoc* grievance committee (in accord with Section 4.1.2.1 below), these two are distinguished because of the nature of the grievance.

In addition, the Faculty Handbook Committee may initiate a grievance when it believes the *Faculty Handbook* has been violated, as provided in Section 5.3.8.2.e. If the Faculty Handbook Committee initiates a grievance, it shall notify the Executive Committee of the Senate of its intention to file a grievance according to the process set forth in Section 4.1.6. The Executive Committee of the Senate shall thereafter perform all of the functions assigned to the Faculty Handbook Committee under this grievance procedure, including ruling on whether the alleged violation is grievable and appointing the *ad hoc* grievance committee.

If the Faculty Handbook Committee is a respondent in a grievance, the Executive Committee of the Senate will likewise perform the functions assigned to the Faculty Handbook Committee under this grievance procedure.

If the Executive Committee of the Senate and the Faculty Handbook Committee are opposing parties in a grievance, the two committees shall jointly agree on the appointment of an *ad hoc* grievance committee. The first task of that *ad hoc* grievance committee will be to rule on whether the alleged violation is in fact grievable. It will thereafter perform all of the functions assigned to the Faculty Handbook Committee under this grievance procedure for this alleged violation.

4.1.2.1 Violation of Rights, Policies, Procedures, or Standards

A grievance may be initiated when a faculty member or a group of faculty members' claims that there has been:

- a. a violation of policy or procedure of these institutions as set forth in the *Faculty Handbook*; other than a violation of the Joint Human Rights Policy or Sexual Misconduct Policy.
- b. an infringement of the rights of an employee or employees of these institutions as set forth in the *Faculty Handbook* which relates to compensation, appointment or reappointment, tenure, promotion, dismissal, suspension, reassignment, or layoff;
- c. unprofessional conduct or a violation of the academic freedom and integrity standards applicable to faculty (Section 2.10)

4.1.2.2 Inadequate Consideration

If a faculty member alleges that a decision by the institutions concerning contract status, tenure, or promotion was based on inadequate consideration of the evidence, a grievance may be initiated. An allegation of inadequate consideration refers to a procedural rather than a substantive issue. The substance of a decision, i.e., the judgment as to what outcome is warranted by the evidence, is not grievable. Rather, the standard of adequate consideration suggests questions such as whether those named in a grievance sought out and conscientiously considered all relevant evidence and standards, whether they excluded irrelevant and improper evidence and standards, and whether they made a good faith exercise of professional academic judgment (Section 2.15.3.2).

4.1.3 Time Limits and Definitions

The grievance procedure may stop at any time, providing principals (the grievants and party or parties grieved against) to the dispute unanimously agree.

Time limits, given throughout the preliminary and formal stages of the following grievance procedure, are prescriptive unless mutually agreed upon by all parties.

All parties should be aware throughout these procedures that the timelines are measured in working days, where “working days” refers to days on which classes are held on campus at either the college or the university, as determined by the registrar’s published Academic Calendar. The term “working days” will also include Scholarship and Creativity Day, study days, and exam period days. Faculty Workshop days, Commencement days and free days are excluded.

If any portion of the procedure, beginning with the filing of the letter initiating the 20 working day preliminary stage, or any stage thereafter, is still in progress at the end of the final examination period in the spring term, there will be an immediate recess until the first day of classes in the fall term, unless there is unanimous consent of the parties to the grievance, as well as consent of the members of the Faculty Handbook Committee, and the grievance committee, if one has been appointed, to continue the process.

4.1.4 Faculty Grievance Consultant

The Faculty Handbook Committee will maintain a roster of tenured faculty members, identified as grievance consultants, familiar with the grievance procedure who will be available upon request to provide technical advice and other consultation to parties involved in a grievance. A faculty member currently serving on the Faculty Handbook Committee or on the Executive Committee of the Senate may not serve as a consultant. Each party is allotted one consultant. The consultant is not to be construed as legal counsel and is only acting in an unofficial advisory capacity. While the position is not one of advocacy, an individual serving as consultant to one party of the grievance may not assist the other parties involved. The decision to utilize a grievance consultant is up to the individual party and is in no way required in the grievance process.

4.1.4.1 Responsibilities of the Faculty Grievance Consultant

The responsibilities of the faculty grievance consultant vary, depending on the phase of the grievance process. If, during the process, any party feels that a significant conflict of interest has arisen, the consultant must withdraw from the process and the parties involved are free to seek assistance from another consultant.

- a. Prior to the formation of an *ad hoc* grievance committee
 - a. To provide assistance to the party exploring whether there are grounds for filing a grievance (Section 2.15.3);
 - b. To participate actively in efforts to find an informal resolution of the issues, if the grievant(s) request(s) such assistance;
 - c. To provide advice, upon request, to the grievant(s) in the construction and filing of official statements such as the grievance statement (Section 4.1.7)
 - d. To provide advice, upon request, to the respondent(s) in the construction and filing of official statements such as the formal response to the grievant(s) (Section 4.1.7.4);
 - e. to answer questions and provide whatever relevant advice the faculty grievance consultant deems helpful.
 - f. The consultant will notify the chair of the Faculty Handbook Committee when accepting the role of advising one party or the other.
- b. After the formation of an *ad hoc* grievance committee
 - a. The faculty grievance consultant may attend meetings between the *ad hoc* grievance committee and the parties to the grievance and will be available for advice to the participants during the

committee’s preliminary efforts to find an informal resolution to the issues (Section 4.1.7.1).

- b. Upon the request of a party to the grievance, and upon a decision by the faculty grievance consultant that such advice would be helpful to the process, the faculty grievance consultant may continue to provide informal advice throughout the grievance process, including during the time when formal hearings may occur (Section 4.1.9).

4.1.5 Timeline

The following is a timeline for the grievance process. If any confusion arises between interpretations of this timeline and of the text describing these stages in detail, the text shall be taken as definitive. However, the timeline may be altered by mutual agreement of the parties to the grievance and the appropriate committee dealing with the grievance at that stage of the process. In the event of minor discrepancies in following the timeline, the goodwill of all parties involved is expected, as the intent of the grievance procedure is resolution of the situation rather than dismissal on technical grounds.

- a. Letter of intent to file a grievance initiates the preliminary stage (20 working days) (Section 4.1.5);
- b. 5 working days from the end of the preliminary stage for filing of the initial grievance statement (Section 4.1.7);
- c. 10 working days from the filing of the initial grievance statement for a decision by the Faculty Handbook Committee concerning the grievability of the violations alleged (Section 4.1.7.1);
- d. If the Faculty Handbook Committee determines that one or more alleged violations is grievable then the following will occur:
 - i. within 10 working days of the decision of the Faculty Handbook Committee the grievant will submit the final grievance statement to the chair of the Faculty Handbook Committee, any named party to the grievance, and the provost;
 - ii. Within 5 working days of the decision of the Faculty Handbook Committee, the committee will appoint the chair of the *ad hoc* grievance committee (Section 4.1.7.3) and so notify all parties to the grievance. The committee will provide the final grievance statement to the chair of the *ad hoc* grievance committee.
- e. Within 10 working days of the filing of the final grievance statement:
 - i. The committee will identify a slate of 10 candidates for the other two positions on the *ad hoc* grievance committee (Section 4.1.7.5);
 - ii. The chair of the Faculty Handbook Committee notifies the slate and provides them with the final grievance statement.
- f. Within 10 working days of identification of the slate for the *ad hoc* grievance committee, the chair of the *ad hoc* grievance committee will oversee and complete the process for constituting the *ad hoc* grievance committee;
- g. 15 working days are allowed from the filing of the final grievance statement for formal response by those grieved against (Section 4.1.7.4);
- h. 15 working days after the formal response from those grieved against for the *ad hoc* grievance committee to make its decision concerning formal hearings (Section 4.1.8) and communicate its decision to all parties and the Chair of the Faculty Handbook Committee;
 - i. If the *ad hoc* committee decides to hold formal hearings, those hearings must be completed within 40 working days. (Section 4.1.9);
 - j. 5 working days after the end of formal hearings for the communication of the *ad hoc* grievance committee’s decision to all parties (Section 4.1.10);

- i. 7 working days after receipt of the decision for parties to the grievance to acknowledge receipt of the *ad hoc* grievance committee's decision (Section 4.1.9);
- ii. 20 working days after all parties have formally acknowledged the *ad hoc* grievance committee's decision to submit an appeal of the decision (Section 4.1.10);
- k. 30 working day period for the provost to review the appeal and to notify all parties of a decision (Section 4.1.11).

4.1.6 The Preliminary Stage

The preliminary stage begins when the grievant files a letter of intent to file a grievance. The letter will outline the dispute, state the date the alleged event(s) occurred, and identify the parties involved. The letter will be delivered to the parties being grieved against, the chair of the Faculty Handbook Committee, and the provost in accord with the provisions of section 4.1.1. This 20 working day period is meant to be used for actively seeking a resolution to the dispute. Any record of what transpires during the preliminary stage does not become part of the grievance record. The human rights officer, the director of Human Resources, and/or the provost may be called upon at this time to aid in an informal resolution. While these persons may actively seek a satisfactory solution, the responsibility for resolving the dispute remains with the grievant and the parties grieved.

The grievant(s) and the parties grieved may call upon one of the faculty grievance consultants (as described in 4.1.4). If grievance consultant(s) is/are chosen, then the grievance consultant(s) must also receive copies of the letter of intent.

If a faculty member's grievable violation also alleges a violation of the Joint Human Rights Policy or the Sexual Misconduct Policy (see Section 2.15.1), the committee chair will consult with the institution's Human Rights Officer and the human rights or sexual misconduct violation will be referred to either the Joint Complaint Procedure for Human Rights Violations or the Sexual Misconduct Policy. If the alleged human rights or sexual misconduct violation can be separated from the grievable violation, the grievable violation will proceed under this procedure. If the alleged human rights or sexual misconduct violation cannot be separated from the grievable violation, they will be investigated pursuant to the Joint Complaint Procedure for Human Rights Violations or the procedure under the Sexual Misconduct Policy, as appropriate.

4.1.7 The Filing Process: Beginning of the Formal Stage

If the grievant has not settled the dispute within the 20 working day preliminary stage and wants to proceed with the grievance, the grievant shall submit an initial grievance statement within 5 working days after the 20-working day preliminary stage has ended. The initial grievance statement shall be submitted to the chair of the Faculty Handbook Committee, and the provost, If the grievant can establish to the chair of the Faculty Handbook Committee that a delay in filing is the result of extenuating circumstances, then the chair may establish a new filing date.

The initial grievance statement must contain sufficient information to determine the section(s) of the *Faculty Handbook* that relate to the dispute; it describes the specific nature of the grievance and specifies the factual claims upon which the grievance is based, names the party or parties against whom the grievance is made, and proposes a possible remedy or remedies. When the grievance statement is put into final form (4.1.7.2), additional factual claims may be specified, but the *matter* of the

grievance, including the section(s) of the *Faculty Handbook* to which it is related, cannot be altered.

Conflict of interest or the appearance of a conflict of interest shall be avoided throughout the grievance process. Any member of the Faculty Handbook Committee shall recuse herself or himself from participating in a grievance procedure if personal or other considerations may affect that member's judgment.

When the initial grievance statement is submitted to the FHC, the chair of the FHC will provide the grievant(s) with a list of all the members of the FHC. Within 2 working days, the grievant(s) must notify the chair of any potential conflict of interest with any committee member(s).

4.1.7.1 Decision to Form an Ad Hoc Grievance Committee

Within 10 working days after the chair of the Faculty Handbook Committee receives the grievance statement, the following must occur:

- a. The voting members of the Faculty Handbook Committee shall decide whether or not the issues of the dispute are grievable. For purposes of this decision, the committee will presume the accuracy of the facts presented by the grievant and will rule only on whether the violations are grievable, as defined in Section 2.15.3.
- b. If the committee decides that any of the alleged violations are grievable, it will proceed to form an *ad hoc* grievance committee to investigate the matter, as described in Sections 4.1.7.3, 4.1.7.5 and 4.1.7.6.
- c. If the Faculty Handbook Committee finds that any alleged violation is not grievable, the grievance process with regard to that alleged violation is ended. This decision cannot be challenged, and the grievant may not initiate another grievance on that alleged violation.
- d. If a faculty member's grievable violation also alleges a violation of the Joint Human Rights Policy or the Sexual Misconduct Policy (see Section 2.15.1), the committee will consult with the institution's Human Rights Officer and/or Title IX Coordinator and the human rights or sexual misconduct violation will be referred to either the Joint Complaint Procedure for Human Rights Violations or the procedure under the Sexual Misconduct Policy.
- e. If the human rights violation can be separated from the grievable violation, the grievable violation will proceed under this paragraph. In cases where a grievable violation is closely related to an alleged human rights or sexual misconduct violation that is being or was processed through the Joint Complaint Procedure for Human Rights Violations or the procedure under the Sexual Misconduct Policy, the Human Rights Office may be asked to serve as a nonvoting advisor to the *ad hoc* grievance committee and may be asked to submit to that committee and to all the parties to the grievance a report of findings concerning the alleged human rights or sexual misconduct violation.
- f. In accord with Section 2.15.2.d, if the faculty member alleges only a violation of the Joint Human Rights Policy or the Sexual Misconduct Policy or a grievable violation that cannot be separated from human rights or sexual misconduct allegations, a grievance cannot be filed, but a human rights or sexual misconduct complaint may be initiated.

4.1.7.2 Submission of the Final Grievance Statement

Within 10 working days after the grievant receives from the Faculty Handbook Committee notice of its decision that the issues of the dispute are grievable, the following must occur:

- a. The grievant must put the grievance statement in final form. Additional factual claims may be specified, but the *matter* of the

grievance, including the section(s) of the *Faculty Handbook* to which it is related, cannot be altered.

- b. The grievant shall submit copies of the final grievance statement to the chair of the FHC who will in turn transmit them to the appropriate president(s), appropriate parties named in the final grievance statement, the provost, dean of the faculty, the academic dean, and department chair and/or dean of the School of Theology.

4.1.7.3 Appointment of the Chair of the Ad Hoc Grievance Committee

Within 5 working days after the grievant receives from the Faculty Handbook Committee notice of its decision that the issues of the dispute are grievable, the following must occur:

- a. The faculty handbook Committee shall appoint one tenured member of the College of Saint Benedict or Saint John's University faculty, or a College of Saint Benedict or Saint John's University administrator with tenure, to serve as chair of the *ad hoc* grievance committee. The faculty handbook Committee must make every reasonable effort to ensure that the appointed chair does not have a conflict of interest in the case. Those efforts must include an affirmation from the candidate for chair that no conflict exists, as well as consultation with all parties to the grievance. The appointment of the chair cannot be challenged on any grounds other than conflict of interest.
- b. The Faculty Handbook Committee chair will write to all parties to the grievance to announce the appointment of the *ad hoc* grievance committee chair.
- c. When the chair of the *ad hoc* committee has been appointed, and the final grievance statement has been received, the Faculty Handbook Committee chair shall transmit the final grievance statement to the chair of the *ad hoc* grievance committee.

4.1.7.4 Response to Final Grievance Statement

Within 15 working days following the submission of the final grievance statement, the following must occur:

- a. the person or persons against whom the grievance is made shall respond to the charges in a written statement which shall be submitted to the chair of the *ad hoc* grievance committee and to the grievant.

Failure to respond in writing to the charges within 15 working days will be interpreted as meaning the grievance statement is an accurate account.

- b. The chair of the *ad hoc* grievance committee shall notify in writing the grievant and the respondent(s) to the grievance that the committee will be constituted in accordance with Sections 4.1.7.5 and 4.1.7.6, for purposes of hearing the grievance. The notification shall refer the parties to Section 4.1, for a description of the grievance procedure.

4.1.7.5 Construction of the Slate for the Ad Hoc Grievance Committee

Within 10 working days of the submission of the final grievance statement the following must occur:

- a. The Faculty Handbook Committee will construct a slate of 10 candidates. Faculty named in the slate can be from the College of Saint Benedict or Saint John's University but must be tenured. The slate may include up to three administrators. The administrator(s) must either be tenured to the faculty or have five or more years of full-time service as an administrator at the College of Saint Benedict or Saint John's University. The pool from which the

slate is selected must come from a list of all eligible faculty and administrators, provided to the committee by Academic Affairs and Human Resources.

- b. The chair of the Faculty Handbook Committee shall notify the ten that they are on the slate and provide them with the final grievance statement. The committee must make every reasonable effort to ensure that persons on the slate do not have a conflict of interest in the case. A person may withdraw from the slate by stating specifically in writing to the chair of the Faculty Handbook Committee that he or she has a conflict of interest in the case, in which case the Faculty Handbook committee will replace the candidate with another eligible person. The final slate may not be challenged.
- c. When a grievance is brought by a member or members of the College of Saint Benedict or Saint John's University against a member or members of the other institution, either party may request that the slate be divided into two slates of five, one composed solely of members of the college and one of members of the university, with one member of the *ad hoc* grievance committee to be chosen from each slate.
- d. In the case of a campus-specific grievance, either party may request that only members of the relevant institution be named on the slate.
- e. The Faculty Handbook Committee chair will provide to the appointed chair of the *ad hoc* grievance committee the slate of 10 candidates, from which two shall be chosen to serve on the *ad hoc* grievance committee (see Section 4.1.7.6).

4.1.7.6 Formation of the Ad Hoc Grievance Committee

Within 10 working days following formation of the slate (see Section 4.1.7.5) the *ad hoc* grievance committee chair shall circulate among the involved parties the slate of nominees (see Section 4.1.7.5) and shall convene the parties to the grievance to select and agree upon two members of the slate for the *ad hoc* grievance committee. In the event the parties cannot agree, each side shall have the right to exclude up to four of the slate; the chair of the *ad hoc* grievance committee shall choose two from among those not excluded.

When the slate of nominees is divided into two slates of five and the parties cannot agree on a member from one of the slates, each side shall have the right to exclude up to two of that slate; the chair of the *ad hoc* grievance committee shall choose from among those not excluded.

4.1.8 Initial Actions of the Ad Hoc Grievance Committee

Once formed, the *ad hoc* grievance committee will attempt to resolve the grievance in a manner mutually acceptable to the grievant(s) and parties named in the grievance (Section 4.1.8.1). If no mutually acceptable resolution can be reached, the committee shall proceed with a preliminary investigation. Once completed, the *ad hoc* grievance committee shall recommend reconsideration of the case due to inadequate consideration (Section 4.1.8.3) or decide that formal hearings should be held (Section 4.1.8.4) or dismiss the grievance (Section 4.1.8.5).

Whatever its decision at this stage of the grievance, the *ad hoc* grievance committee must make a written report of its decision and its rationale to the grievant(s), the parties named in the grievance, the grievance consultant(s), the provost, dean of the faculty, the academic dean, the department chair and/or the dean of the School of Theology, the chair of the Faculty Handbook Committee, and the president(s). This report must be submitted within 15 working days of the formation of the *ad hoc* grievance committee (See section 4.1.7.6).

4.1.8.1 Mutually Acceptable Resolution of Grievance

The *ad hoc* grievance committee shall make every reasonable effort to resolve the grievance in a manner mutually acceptable to the grievant and the parties named in the grievance at this stage. If resolution occurs at this stage, the final grievance statement, the formal response and the *ad hoc* grievance committee's announcement of the resolution are placed in the custody of the appropriate Human Resources Office, or the Office of the Provost if the person grieved against is the Human Resources officer. The *ad hoc* grievance committee must send a written announcement of the resolution to the grievant(s), the parties named in the grievance, the provost, and the chair of the Faculty Handbook Committee.

4.1.8.2 Preliminary Investigation

If the grievance is not resolved, the *ad hoc* grievance committee shall proceed to a preliminary investigation. The goal of the preliminary investigation is to determine whether there are sufficient grounds to believe that a violation, as specified in Section 2.15.3, may have occurred. The preliminary investigation must include, but is not limited to:

- a. Interviews with the grievant(s) and the parties named in the grievance,
- b. A review of the final grievance statement, and
- c. A review of the formal response of the parties grieved against.

After completion of the preliminary investigation, the committee shall take one of the following three actions:

- a. Require reconsideration of the case due to inadequate consideration (Section 4.1.8.3),
- b. decide that formal hearings should be held (Section 4.1.8.4), or
- c. dismiss the grievance (Section 4.1.8.5).

This action must occur, and the report must be filled within 15 working days from the end of the final grievance statement formal response period (see Section 4.1.7.4). The action of the *ad hoc* grievance committee as a result of the preliminary investigation cannot be appealed.

4.1.8.3 Allegations of Inadequate Consideration of Evidence

Allegations of inadequate consideration (as described in Section 2.15.3.2) will be handled as follows:

- a. Any grievance committee investigating such an allegation must discover whether those grieved against gave adequate consideration to the evidence.
- b. The grievance committee must recognize that it should not substitute its own judgment for the judgment of the original evaluators on the merits of whether the grievant should have been reappointed or promoted or granted tenure, or otherwise dealt with.
- c. If the grievance committee finds sufficient evidence (see Section 4.1.8.3.d below) to believe that inadequate consideration occurred, it will recommend a reconsideration of the case, indicating the respects in which consideration may have been inadequate.

In particular, the grievance committee will not proceed to formal hearings (described in Section 4.1.7.4 below) because of evidence of inadequate consideration.

- d. If the committee concludes that a decision may have been based on inadequate consideration (as defined in Section 2.15.3.2), the committee's formal report must require that the person(s), or committee(s) which gave inadequate consideration assess the merits

of the case once again, this time remedying the inadequacies of their prior consideration. This requirement is also binding on person(s) or committee(s) who based subsequent decisions on the possible inadequate consideration, including the Board of Trustees.

- e. The formal report of the *ad hoc* grievance committee must be submitted in writing to the grievant(s), the parties named in the grievance, the grievance consultant(s), the provost, dean of the faculty, the academic dean, the department chair and/or the dean of the School of Theology, the chair for the Faculty Handbook Committee, and the president(s).

4.1.8.4 Decision Concerning Formal Hearings

If the committee concludes that a violation specified in Section 2.15.3.1 may have occurred, it will proceed to formal hearings (see Section 4.1.9).

4.1.8.5 Dismissal of Grievance

If the *ad hoc* grievance committee (by a majority vote) concludes that insufficient grounds exist for believing that a violation specified in Section 2.15.3.1 may have occurred, it must dismiss the grievance. The *ad hoc* grievance committee's order of dismissal may not be appealed by either of these institutions or the grievant(s). The grievant(s) may not file another grievance pertaining to any of the matters included in the final grievance statement.

4.1.9 The Formal Hearings

Formal hearings must begin within 20 working days after the *ad hoc* grievance committee's decision to hold them has been made.

The following are components of the formal hearings, including rights and expectations of the involved parties.

4.1.9.1 Collection of Relevant Information

A conscientious effort will be made by the *ad hoc* grievance committee to obtain the most reliable evidence from whatever sources seem necessary to them. All parties to the grievance have the right to timely knowledge of all evidence on which the *ad hoc* grievance committee will determine its decision of recommendation.

a. Request for Information

All parties to the grievance and the *ad hoc* grievance committee may request in writing that the chair of the *ad hoc* grievance committee collect specified documentary or other information relevant to the grievance from all parties and from other relevant persons or offices within the College of St. Benedict and St. John's University. All requests for information will come from and be delivered to the chair of the *ad hoc* grievance committee. In cases where the relevance of the requested material is questioned, the *ad hoc* grievance committee will determine whether the requested material is deemed to be relevant. All requests must be submitted within 5 working days after the *ad hoc* grievance committee's decision to hold formal hearings has been made (4.1.8.2).

b. Response to Request for Information

All parties must respond to the request for production of information within 10 working days of receiving such a request. In responding to a request for production of information, all parties must:

- i. Use every reasonable effort to make available for inspection by the *ad hoc* grievance committee which is bound by the confidentiality statement in Section 4.1 all documentary and

other information within their control (except material subject to any legally recognized privilege;

- ii. If they are not in possession of the information requested or if the information requested is subject to any legally recognized privilege, they must make a written statement to that effect to the *ad hoc* grievance committee. Legal privilege does not extend to information about, or documents relevant to, equitable application of institutional procedures.

c. Sharing information with the parties

- i. The *ad hoc* grievance committee will share all non-privileged and non-confidential information with all parties to the grievance within 3 working days of receipt of the information.
- ii. The *ad hoc* grievance committee will determine which confidential documents will be shared or not shared with each party based on the original confidential nature of the documents and whether the party was originally entitled to view the documents (See sections 2.4, 2.6.5.2, 2.7.2.3 and 4.1).

4.1.9.2 Formal Hearings Procedure

Formal hearings of the *ad hoc* grievance committee are open only to persons invited by the committee. The formal hearing procedures must be completed within 40 working days following the *ad hoc* grievance committee's decision to hold them.

4.1.9.3 Representation

Whenever the parties to the grievance are present at a meeting or a hearing held by the *ad hoc* grievance committee, all parties have the right to have a faculty grievance consultant present as defined in section 4.1.4.

As noted in 4.1.4, the faculty grievance consultant is not to be construed as legal counsel, is only acting in an unofficial advisory capacity to one party, and therefore may attend the meeting or hearing only as an observer.

4.1.9.4 Observer Representing a Recognized Educational Association

At the request of any party, the chair of the *ad hoc* grievance committee will invite a representative of a recognized educational association to attend the proceedings as an observer. The educational association will decide how that person should be selected. The observer will be bound by the principles of confidentiality outlined in 4.1.

4.1.9.5 Record of the Formal Hearings

Beginning at this formal stage an audio recording will be made of all portions of the hearings and the master copy will be kept by the chair of the *ad hoc* grievance committee who will allow the grievant and the persons named in the grievance to listen to another copy. The *ad hoc* grievance committee, in consultation with the president(s) of the appropriate institution(s), or the chair or vice-chair of the Joint Academic Affairs Committee of the Boards of Trustees, when a president is a party to the grievance, shall determine the extent to which the records of its hearing will be accessible to other parties.

4.1.9.6 Witnesses

a. Cooperation and Testimony

If any party to the grievance believes that additional information may be obtained from witnesses, all parties to the grievance will cooperate with the *ad hoc* grievance committee in securing witnesses. The *ad hoc* grievance committee may limit the number of witnesses. All parties will assume that witnesses will testify truthfully; this assumption must be stated to each witness.

b. Testimony as Evidence

All parties to the grievance have the right to hear the testimony of all witnesses on which the *ad hoc* grievance committee will be determining the findings. The *ad hoc* grievance committee should be guided in evaluating testimony by the principles of relevance, materiality, credibility, and firsthand knowledge.

c. Witnesses' Participation

Witnesses called are expected to participate in the proceedings. In the event a witness cannot appear before the hearing body, the *ad hoc* grievance committee will request that the witness either

- i. make a written statement of testimony or
- ii. privately make an audio recording of the testimony in the presence of a member of the *ad hoc* grievance committee. The *ad hoc* grievance committee may recall the witness for further questioning. In the event a witness does not appear at a hearing, a note will be made in the record that the named witness did not appear but gave testimony by other means.

4.1.9.7 Violation of the Ad Hoc Grievance Committee's Request

If any party continues to refuse to produce information after being requested to do so by the *ad hoc* grievance committee, the committee shall make a decision based on the information it has. The committee may also refer the non-compliance to the Office of the Provost (see Section 2.13.6).

4.1.9.8 Findings of Fact and Decision

At the completion of the formal hearings, by majority vote, the *ad hoc* grievance committee must arrive at a decision and make recommendations of action, sanction, or other resolution. The decision will consist of findings of fact, conclusions, and recommended disposition, all of which must be based solely on the hearings, records, and the pertinent procedures of the *Faculty Handbook*. At the completion of the hearing, the *ad hoc* grievance committee must arrive at a decision and make recommendations of action, sanction, or other resolution. The recommended dispositions are binding on all parties to the grievance, as well as on all persons(s) or committee(s) who based subsequent decisions on the matter grieved, including the Board of Trustees. The chair of the *ad hoc* grievance committee will give a generic summary of the decision to the chair of the Faculty Handbook Committee (see Section 4.1.11.2).

4.1.10 The Resolution Procedure

By majority vote, the *ad hoc* grievance committee will make its decision based on the evidence presented at the hearings. Within five working days after the formal hearings have ended, the chair of the *ad hoc* grievance committee must inform all parties to the grievance of that decision, as described in section 4.1.1. The *ad hoc* grievance committee will also report its decision to the appropriate president(s). If the president is a party to the grievance, the *ad hoc* grievance committee's decision will go to a panel consisting of members of the Joint Academic Affairs Committee of the Board of Trustees.

The *ad hoc* grievance committee's decision will be considered final and may be appealed by the parties to the grievance only on grounds that the procedures of this section (4.1) have not been properly followed. Within seven working days, all parties to the grievance must provide the chair of the *ad hoc* grievance committee written acknowledgment of the receipt of the decision. The parties may choose to include in the letter their reactions to the decision, which the chair will submit in writing to all parties within 1 working day.

4.1.11 The Appeal Stage

Within 20 working days after the committee's notification of the decision, any party to the grievance has the right to appeal. The appeal may be based only on the grounds that the grievance procedures have not been properly followed. The party or parties appealing must submit a statement of appeal to the provost. The review of the appeal must be based solely on the *ad hoc* grievance committee's record of its hearings.

The statement of appeal must set forth the grounds upon which the appealing party charges that the grievance procedures in this section (4.1) have not been properly followed.

4.1.11.1 Notification of Review of the Appeal

Within 3 working days after receipt of the statement of appeal, the provost must send written acknowledgement to the appealing party or parties.

4.1.11.2 Administrative Review of Appeal

Within 30 working days, the provost will review the record to determine whether or not the procedures of this section have been properly followed and notify all parties to the grievance of the final decision regarding the appeal. Should it be determined that the grievance procedures were not properly followed, the case will be remanded to the *ad hoc* grievance committee with specific directives. If the provost determines that there were insufficient grounds for appeal, the prior decision of the *ad hoc* committee is final.

4.1.11.3 President as a Party to the Grievance

Notwithstanding sections 4.1.11.1 and 4.1.11.2, if a president is named as a party in the grievance statement, the grievant may file an appeal for review to a panel consisting of the members of the Joint Academic Affairs Committee of the Boards. The same time limits, contents of the appeal, notification of action, and review of the appeal as set forth in Section 4.1.11.1 and 4.1.11.2 and subsections apply to the panel's review.

4.1.11.4 Reporting

Within 5 working days, the provost will report the *ad hoc* grievance committee's decision, the parties' acceptance, rejection and/or appeal, and the provost's own decision to all parties to the grievance, the members of the *ad hoc* grievance committee, the department chair and/or dean of the School of Theology, the presidents, dean of the faculty, academic dean, and the chair of the Faculty Handbook Committee.

If a president is grieved against, the chair and vice-chair of the Joint Academic Affairs Committee of the Boards will report this information and the committee's own decision to these same persons within 5 working days of the deadline for appeal.

4.1.11.5 Report to Joint Faculty Senate

The chair of the Faculty Handbook Committee will annually report all grievances about which a final decision has been made. The above-mentioned chair's report will be a written generic summary as provided by the chair of each *ad hoc* grievance committee. The generic report shall specify the reason for initiating the grievance as set forth in Section 2.15.3, the section of the *Faculty Handbook* violated, a summary of the formal hearings, and the decision of the *ad hoc* grievance committee. In a generic summary, no parties to the grievance may be named nor information that identifies an individual be given.

4.1.11.6 Custody and Right to See the Record

Any records of formal hearings of the *ad hoc* grievance committee and any appeal to the provost or Joint Academic Affairs Committee of the Board are placed in the custody of the appropriate Human Resources officer (or the Office of the Provost if the person grieved against is

the Human Resources director.) These records are available only for responses to state and federal courts and administrative agencies, which by statute, rule or regulation have a right to examine their contents, and to the parties to the grievance. Any of the parties may, for the cost of duplication, obtain copies of the materials in the record of their formal hearings and any appeal. Any copies will be made by a member of the Human Resources staff or a member of the provost's staff. Information that the college or university have an obligation to keep confidential may be redacted from the record provided to the parties.

4.2 Further Procedures for Faculty Review

These procedures are the means by which the Post-Tenure Faculty Development Program is implemented.

4.2.1 The Post-Tenure Faculty Development Program Coordinator

The Post-Tenure Faculty Development Program coordinator is a tenured faculty member elected to a three-year term by the faculty. The coordinator recruits faculty to participate in the program, based on eligibility as set out in Section 4.2.2 below. The coordinator meets with program participants in the fall term to discuss the post-tenure program, the process of reflection and the development of personal goals for continued professional development. In the spring semester, the coordinator schedules and facilitates collegial interaction among program participants to aid in further reflection and conversation about participants' chosen professional goals. Based on these goals, and if desired by the participant, the coordinator will provide feedback and support in developing a proposal to be submitted to the FDRC for post-tenure-development funds. At the end of the academic year, the coordinator writes an annual report (sent to the Dean of the faculty) that summarizes the activities of the program but maintains the anonymity of the participants. The coordinator also gathers evaluative feedback on the program from participants two to three years after the year of participation to improve the program.

4.2.2 Frequency of Participation

All tenured faculty whose most recent rank and tenure review occurred at least 5 years prior to the year of potential participation are eligible to participate. Participants are eligible to participate again after at least 5 years have passed. The program coordinator will direct 4 to 10 participants per year. Priority for participation is given to those having the longest time since either rank and tenure review or previous participation.

4.2.3 Procedures for the Post-Tenure Faculty Development Program

The Post-Tenure Faculty Development Program includes the following steps.

- a. **Establishment of Goals:** At the beginning of the year of participation, each faculty member will assess career accomplishments and identify goals for further development over the next three to five years in at least one of the following areas: teaching, scholarship and creative work, and/or service. This process will include two components: an oral discussion with at least one other tenured faculty member from either inside or outside the participant's department and the preparation of a written summary as detailed in Section 4.2.3.c
- b. **Identification of Strategies:** Each participant will identify strategies to achieve his or her professional development goals and resources that would support the achievement of those goals. All participants will meet at least twice per semester with each other and the program

coordinator to discuss their goals, strategies, and desired resources. Each faculty member is encouraged to be creative in designing their program goals and strategies. Possible components of program design might include (but are not limited to):

- a. Collaborating with another faculty member or group of faculty members to observe classes and discuss teaching, or to discuss scholarly activity.
 - b. Course redesign.
 - c. Learning, developing, and implementing new pedagogical techniques or technologies
 - d. Planning a new program of scholarship and creative work
 - e. Planning new directions for future service activities.
- c. **Written Summary:** Each participant will summarize in writing their goals and the strategies and resources needed to achieve those goals over the next three to five years. The summary will be shared with the program coordinator, and the coordinator will notify the participant's department chair that the participant has completed the program.
- d. **Proposal:** Participants may apply for a Post-Tenure Development (PTD) grant upon completion of the program. Eligibility extends for one fiscal year beyond the program's end. PTD grants are overseen by the FDRC and are intended to support goals articulated in a participant's written summary.

4.3 Student Course Surveys

4.3.1 The Place of the Student Course Surveys in the Evaluation of Faculty

Faculty-student interaction, typically in the classroom and the context of a course, but also electronically in those instances where emergency remote teaching is required, is the foundation of teaching and learning. Although students are not in the position to evaluate faculty formally, their firsthand observations of the course and their classroom experiences provide information about the quality of instruction from a student's perspective. Furthermore, students have the reasonable expectation that their input will be solicited and reviewed. Faculty encourage students to respond to surveys in a thoughtful way; in turn, faculty consider these responses thoughtfully when thinking about how to improve their teaching and their courses.

At points of formal review, faculty present and respond to course surveys in their requests for retention, tenure, and promotion. During such formal review faculty responses to student course surveys are but one part of a larger body of evidence used to assess teaching effectiveness, as detailed in section 2.5.1.

Faculty ordinarily present the last four semesters of student course surveys in third-year review; all end-of-semester surveys since the last review for tenure review; and course surveys from the previous three years for promotion review apart from tenure.

If the review period for a faculty member includes semesters when emergency remote teaching was required, the dean of the faculty may authorize fewer semesters of student course survey data or allow applicants to substitute student course survey data from previous semesters when possible.

Student course surveys can play an important role in the processes of mentoring and curricular development as well; as always, they are most useful when read from the perspective of experienced instructors and considered in the context of other measures of teaching effectiveness.

4.3.2 Purposes and Principles

Student course surveys play important roles for all faculty members, tenured, tenure-track, or term. Specifically, they assist in faculty development, mentoring, and evaluation, as well as curricular improvement. Appropriate uses of student course surveys include:

- curricular and pedagogical improvement for all faculty, whether tenured, tenure-track, or term;
- mentoring of faculty, including developing specific skills and knowledge that will enhance the faculty member's professional and personal growth;
- evaluation of ranked faculty at times of annual reports and third-year, tenure, promotion, and post-tenure reviews;
- decisions regarding the retention of term faculty;
- addressing student complaints regarding courses or faculty professional conduct; and
- improvement of department/program curriculum, in accordance with departmental/program policy.

If the period covered by any review process includes semesters when emergency remote teaching is or was required, the dean of the faculty can determine that faculty have the option not to include the respective course surveys as part of the review process. In such circumstances, if a faculty member chooses not to include them as part of the review, the student course surveys shall not be used to evaluate faculty or to make decisions regarding the retention of term faculty.

4.3.3 Practices

4.3.3.1 Required Survey Questions

The Joint Faculty Senate determines and revises any required questions.

4.3.3.2 Additional Questions

Departments and programs may develop additional questions for purpose of curricular improvement and may establish supplementary protocols for access and required use as appropriate to their departmental and curricular needs.

Individual faculty members may develop and administer supplemental student course survey questions.

4.3.3.3 Frequency and Timing

Student surveys are to be administered by all faculty each semester for all credit-bearing courses with enrollment of five or more students.

For full semester courses, faculty administer the student course surveys on-line and in class in the last two weeks of the course (excluding the final exam period). In courses offered for less than a full semester, surveys are administered in the last week of the course. For courses without standard meeting times, faculty will make every effort to gather the students together in the above time periods to administer the surveys.

In semesters in which emergency remote teaching is required, the dean of the faculty may authorize faculty to administer the survey outside of regularly-scheduled class times as the circumstances warrant.

4.3.3.4 Electronic Administration of the Surveys

Students complete the on-line course surveys in class (except in those semesters in which emergency remote teaching is required) and with their own electronic devices. Provisions will be made for those students who do not have an appropriate device.

Student course surveys will be facilitated online, using either an outside third-party service provider or internal IT Services technology. In either format, IT services will provide technical support and assure anonymity for the students. Student course survey results will be available to the faculty member online but not until after the deadline for final grade submissions.

A secure repository will store completed surveys for each faculty member. Faculty who leave the employ of the college or university shall continue to have access to completed surveys for their course for a period of six months after the end of their contract term.

4.3.3.5 Raw Data Results

The raw data will be considered the property of the faculty person as follows: Faculty retain rights to the raw data as described in 4.3.3.4, which affords faculty access to survey data for a reasonable periods following the end of their contract term, and 4.3.4, which allows faculty members to share survey results with whomever they wish, both inside and outside the institutions. Because the purpose of this data collection is to track individual growth, this information is **not** to be used in statistical analyses comparing faculty members and departments with each other.

4.3.4 Access to the Survey Results

The following parties have access to the completed student course surveys:

- a. the faculty member teaching the course;
- b. the Dean of the Faculty or Academic Dean;
- c. the faculty member's department or program chair for courses taught within the department or program and cross-listed courses, as described in 4.3.5;
- d. tenured and tenure-track colleagues within the department, at third year, tenure, and promotion reviews, to aid both in the preparation of their letters of evaluation and in any departmental evaluation of the candidate's file; and
- e. the Rank and Tenure Committee, at the third year, tenure, and promotion reviews, as described in sections 2.5.0.1, 2.5.1, 2.6.5.2, and 2.7.2.3.

In addition, individual faculty members may share the results of their student course surveys with whomever they wish, both inside and outside the institutions, at times and for purposes they deem appropriate.

If a faculty member decides not to include student course surveys from semesters when emergency remote teaching was required, as described in 4.3.2, the parties in subsection b and c have access to those surveys but may not use them for faculty evaluation or decisions regarding retention; the parties in subsections d and e have no access.

4.3.5 Protocols Regarding the Chair's Access to Results of the Student Course Surveys

Reviewing student course surveys is an important responsibility that should be carried out collegially, respectfully, and in the context of other evidence about the faculty member's teaching. Department chairs and program directors must wait one week after the deadline for the final grade submissions to commence their review of any student course surveys specified below.

4.3.5.1 Department Chairs

Department chairs have access to the surveys of faculty with locus of appointment in their department and other faculty who teach courses in their department for the purpose indicated below.

- a. Tenure-track faculty: each semester for the purpose of mentoring; writing the annual evaluations for probationary faculty at first, second, fourth, and fifth years; and writing the chair's letter at review times;
- b. Tenured faculty; every three years, unless the tenured faculty member is already undergoing a formal promotion or post-tenure review, for the purposes of ongoing faculty evaluation and development; at the request of either the chair or the tenured faculty member, the Dean of the Faculty may conduct the review of the student course surveys. If the chair receives student complaints about a faculty member's course or professional conduct, she/he may access the results of the surveys, in conjunction with other evidence, to address concerns as appropriate. In this case, the chair notifies the faculty member.
- c. Term faculty: each semester, for the purposes of mentoring, ongoing faculty development, writing the annual report, and decisions regarding retention.

If a faculty member decides not to include student course surveys from semesters when emergency remote teaching was required, as described in 4.3.2, department chairs may continue to use student course surveys for the purpose of mentoring and ongoing faculty development but may not use student course surveys for the purpose of faculty evaluation or decisions regarding retention.

4.3.5.2 Chairs of Interdisciplinary Departments and Programs

Chairs and directors of interdisciplinary departments and programs have access to the surveys for the following courses in the respective departments and programs:

- a. Upper-division courses that are a requirement for the interdisciplinary program as listed in the Academic Catalog: each semester.
- b. First year Seminar, Ethics Common Seminar, and Honors: each semester.

If a faculty member decides not to include student course surveys from semesters when emergency remote teaching was required, as described in 4.3.2, chairs and directors of interdisciplinary departments may continue to use student course surveys for the purpose of mentoring and ongoing faculty development but may not use student course surveys for the purpose of faculty evaluation or decisions regarding retention.

In these cases, the chairs and directors use the surveys as part of a larger body of evidence to mentor faculty, assure instructional quality, and determine continued participation of the faculty person in the interdisciplinary department or program. At the request of either the chair or the faculty member, the Dean of the Faculty may be party to the review of the course surveys.

4.4 Protocol for the Addition of an Academic Program

A group of interested individuals who wish to create a new academic program should follow the procedure described below. See also sections 5.3.1.2, 5.3.4.2 and 5.3.5.2 for detailed descriptions of the additional committee responsibilities associated with this protocol.

This section applies both to undergraduate and post-baccalaureate programs. Post-baccalaureate programs may include: certificate-bearing

programs; post-baccalaureate programs for students seeking additional coursework in preparation for graduate programs; 4+1 programs in which students complete both a BA or BS degree in addition to a Master's degree over the course of five years; Master's programs (including but not limited to MA, MS, MBA, Med, MPH, etc.); specialist programs (such as an EdS); and Doctoral programs.

4.4.1 Addition of an Undergraduate Academic Program

- a. During the initial planning stage, the proposing group will gather evidence to support the claim that adding the program will improve academic opportunities for CSB/SJU students and the academic environment of our campuses. Specifically, the group should be able to:
 - a. demonstrate that the program is in concordance with the missions of the college and university and with the Academic Commitments to the Mission;
 - b. demonstrate that the program's goals cannot be met effectively within an existing department or program;
 - c. provide evidence of demand for the program;
 - d. compare the program to similar programs at other liberal arts institutions, with some emphasis on peer and aspirant institutions;
 - e. identify an academic home for the program; and
 - f. discuss how the addition of the program will affect existing departments or programs (letters from the chairs of affected programs will evince the thoroughness of consultation).
- b. The proposing group will submit an initial proposal to the Coordinating Committee for Academic Policies and Standards (CCAPS) and the Academic Planning and Budget Committee (APBC). CCAPS will coordinate the review of the proposal with the other committees mentioned in section 4.4. The initial proposal should outline the proposed curriculum for the new program as well as its rationale. APBC will advise the group on the proposal from both a budgetary and strategic planning perspective. In its budgetary role APBC will review the proposal for its budgetary, resource and space implications. In its planning role it will review the proposed program using the six criteria listed above. The committee will assess whether the application is (a) currently feasible, (b) feasible within a short time or with minor adjustments or (c) feasible only in the long-term or with major adjustments. APBC will submit the initial proposal to the Provost, who will review the proposal on the basis of the same criteria used by APBC. APBC will inform CCAPS of its decision.
- c. If APBC gives its preliminary approval of the program addition, and the proposal has support from the Provost, the planners then submit a formal proposal to the Academic Curriculum Committee (ACC). This proposal should include the rationale for the program, its learning goals, its curriculum (with any changes deemed appropriate) and an assessment plan. ACC will evaluate the academic merit of the program and its curriculum. If it approves the proposal it will forward it to the Program Assessment Committee (PAC) and inform CCAPS as well. The proposing group should remember that all new courses that are part of the proposal must be approved, as appropriate, by the AAC, PAC and General Education Curriculum Committee (GECC) before they may be offered.
- d. PAC will evaluate the plans for assessment of student learning and program effectiveness provided in the formal proposal. This committee will expect the proposal to evaluate the following items:
 - a. mission statements,
 - b. goals,
 - c. student learning outcomes,

- d. curriculum maps,
- e. and assessment plans for consistency with institutional missions and adherence to quality assessment standards including (a) the stage in the curriculum at which specific goals and objectives will be assessed and (b) the years and semesters these assessments will be conducted. PAC will then return the formal proposal to CCAPS with its recommendation. Should the program ultimately be added, PAC will monitor the program's annual reports closely to ensure that assessment targets are met.
- e. If, in the estimation of CCAPS, the feasibility of the final proposal is unchanged with respect to the criteria of 4.4.1.a, it will present the proposal directly to the Faculty Senate, as described in 4.4.1.f. However, if CCAPS decides further consideration from budgetary and planning standpoints is needed, it will return the proposal to APBC for reconsideration using the criteria specified in 4.4.1.a. APBC will then notify CCAPS of its recommendation in a timely fashion.
- f. If ACC, PAC and APBC support the formal proposal, CCAPS will forward the proposal to the Senate Executive Committee for consideration by the Joint Faculty Senate. ACC and the group proposing the new program will present the proposal, along with comments from other committees that reviewed the proposal, to the Joint Faculty Senate.
- g. If the Senate approves the proposal, it will be presented to the Boards of Trustees for final consideration.

4.4.2 Addition of a Post-Baccalaureate Academic Program

- a. During the initial planning stage, the proposing group will gather evidence to support the claim that adding the program will improve academic opportunities for CSB/SJU students and the academic environment of our campuses. Specifically, the group should be able to:
 - a. demonstrate that the program is in concordance with the missions of the college and university and with the Academic Commitments to the Mission;
 - b. provide evidence of demand for the post-baccalaureate program, including market analysis data and input from Admissions;
 - c. compare the program to similar programs at other relevant institutions;
 - d. discuss how the addition of the program will affect existing departments or programs, including how the program might enhance programmatic and/or professional opportunities for already-existing undergraduate programs (letters from the chairs of affected programs will evince the thoroughness of consultation);
 - e. provide an estimate of start-up funds needed for the program as well as the source of the start-up funds, if known;
 - f. propose a staffing plan, including whether new staff (tenured, tenure-track, or term) will need to be hired, and the extent to which current faculty would need to staff the program (letters from the chairs of affected programs will evince the thoroughness of consultation);
 - g. if applicable, explain how the program will meet and maintain licensure and/or accreditation standards from appropriate external accrediting/licensure bodies.
- b. The proposing group will submit an initial proposal to CCAPS and APBC. CCAPS will coordinate the review of the proposal with the other committees mentioned in section 4.4. The initial proposal should outline proposed curriculum for the new program as well as

its rationale. APBC will advise the group on the proposal from both a budgetary and strategic planning perspective. In its budgetary role APBC will review the proposal for its budgetary, resource and space implications. In its planning role it will review the proposed program using the seven criteria listed above. The committee will assess whether the application is (a) currently feasible, (b) feasible within a short time or with minor adjustments or (c) feasible only in the long-term or with major adjustments. APBC will submit the initial proposal to the Provost, who will review the proposal on the basis of the same criteria used by APBC. APBC will inform CCAPS of its decision.

- c. If APBC gives its preliminary approval of the program addition, and the proposal has support from the Provost, the planners then submit a formal proposal to CCAPS. This proposal should include the rationale for the program, its learning goals, its curriculum (with any new courses or changes to existing courses deemed appropriate) and an assessment plan. If appropriate, CCAPS will seek input from ACC and PAC.

ACC needs to be involved only if the proposal includes new or revised courses that undergraduate students might enroll in along with post-baccalaureate students (such as hybrid undergraduate/post-baccalaureate courses), and PAC needs to be involved only if the program will not entail a rigorous external accreditation, in which case:

- a. ACC will evaluate the academic merit of the undergraduate components of the program and its curriculum. If it approves the proposal it will forward it to PAC and inform CCAPS as well.
- b. PAC will then evaluate the plans for assessment of student learning and program effectiveness. This committee will expect the proposal to evaluate the following items:
 - a. mission statements;
 - b. goals;
 - c. student learning outcomes;
 - d. curriculum maps; and
- e. assessment plans for consistency with institutional missions and adherence to quality assessment standards including:
 - a. the stage in the curriculum at which specific goals and objectives will be assessed; and
 - b. the years and semesters these assessments will be conducted.

If it approves the proposal PAC will inform CCAPS.

The proposing group should remember that all new undergraduate courses that are part of the proposal must be approved, as appropriate, by ACC, PAC, and GECC before they may be offered.

- d. If, in the estimation of CCAPS, the feasibility of the final proposal is unchanged with respect to the criteria of 4.4.2.a, it will present the proposal directly to the Faculty Senate, as described in 4.4.2.f. However, if CCAPS decides further consideration from budgetary and planning standpoints is needed, it will return the proposal to APBC for reconsideration using the criteria specified in 4.4.2.a. APBC will then notify CCAPS of its recommendation in a timely fashion.
- e. If ACC and PAC (if appropriate), and APBC support the formal proposal, CCAPS will forward the proposal to the Senate Executive Committee for consideration by the Joint Faculty Senate. CCAPS and the group proposing the new program will present the proposal, along

with comments from other committees that reviewed the proposal, to the Joint Faculty Senate.

- f. If the Senate approves the proposal, it will be presented to the Boards of Trustees for final consideration.

4.5 Faculty Administrative Committees

The faculty of the college and university may serve on administrative committees. Administrative committees have a designated purpose, such as the protection of human and animal subjects in research but are outside of the formal faculty governance structure. Members may be volunteers or appointed by the administrative committee. Participation on these committees is recognized as service to the college and university.

4.5.1 Institutional Review Board

The United States Department of Health and Human Services has established regulations for the protection of human subjects according to the Code of Federal Regulations, Title 45, Part 46 (45 CFR 46). The Institutional Review Board (hereafter known as the IRB) carries out the requirements of 45 CFR 46. The IRB's policies apply to all human research and research-related activities of which this institution is a responsible participant regardless of the source of funding or whether or not funding exists.

4.5.1.1 Composition

The IRB shall be composed of at least 11 members including faculty, staff, and non-college community representatives. The number and composition shall be in compliance with 45 CFR 46.107. Members of the IRB will serve staggered three-year terms, with no limit to the number of terms for any member. The committee is appointed by the Academic Dean, Dean of the Faculty or Provost.

4.5.1.2 Responsibilities

All research involving human subjects must be reviewed by the IRB. In order to approve research, the IRB shall determine that research requirements are satisfied.

The IRB will notify investigators in writing of its decision to approve or disapprove the proposed research activity, or of modifications required to secure IRB approval. If the IRB disapproves a research activity, it will include in its written notification a statement of the reasons for its decision and give the investigator an opportunity to respond in person and in writing.

The use of human subjects is a privilege granted to the investigator rather than a right. The policies and procedures of this board are designed to meet minimal criteria established by Federal law and Federal regulations.

4.5.2 Institutional Animal Care and Use Committee

The Institutional Animal Care and Use Committee (IACUC) at CSB/SJU reviews research protocols involving animals to ensure compliance with Federal standards. It also oversees the animal care and use program at these institutions. All research involving animals must be reviewed and approved by the Committee before work may begin.

4.5.2.1 Composition

The committee is composed of faculty representatives from the sciences and at least one non-science member of the faculty. In addition, the IACUC must include a community member from outside the institutions, as well as the consulting veterinarian. The committee is appointed by the Academic Dean, Dean of the Faculty or Provost.

4.5.2.2 Responsibilities

The committee reviews research proposals involving animal subjects on an as-needed basis, inspects campus facilities that house animal subjects (biannually), maintains ongoing records of campus care and use of animals, prepares annual reports for and the USDA and receive unannounced inspections from USDA representatives.