

#### **Article 4.4 Resolution of Faculty Disputes**

The university seeks to create and preserve mutual respect and trust among its various constituencies, and to promote the prompt review and correction of actions and policies that undermine those values. It does that by developing and promoting a culture that supports and affirms members of the university community working together as partners to address the sometimes contentious issues faced in a dynamic academic environment.

This article addresses the resolution of disputes regarding the fairness or propriety of particular procedural actions or the implementation of policy, and provides processes designed to resolve the dispute, achieve justice and restore trust. Matters covered in the article are about departure from stated policies or established procedures of the university.

Disagreements about the content of a policy or established procedure, rather than with their application or enforcement, shall be addressed through policy-making bodies, including the unit faculties, the Faculty Assembly, the Faculty Senate, and the Board of Trustees.

##### **Sec. 4.4.1 Guiding Principles of Dispute Resolution**

These dispute resolution procedures are based on the following tenets:

A. **Respect for Difference of Opinion**

All members of the university community must respect diversity of opinion and no one should fear retaliation for expressing dissent. When differences occur, all parties are expected to adhere to the university's Code of Conduct (The Board of Trustees 1.0 Policy Statement,) and maintain professional standards.

B. **Confidentiality**

The persons involved in the dispute resolution process will maintain the confidentiality of the participants to the extent permissible by law.

C. **Prompt Resolution**

Resolution of disagreements must receive prompt attention. All parties to a dispute shall ensure against unnecessary delay in all proceedings related to the dispute resolution process.

D. **Non-Retaliation**

Faculty members shall not be subject to reprisals, coercion or restraint for using or participating in any of the university's dispute resolution processes. Any retaliatory actions against a faculty member seeking to resolve a dispute through these channels is subject to disciplinary action up to termination from the university. This provision does not, however, limit the administrator's ability to pursue disciplinary or separate actions where appropriate. Additionally, faculty members shall not make frivolous or vindictive use of the dispute resolution procedures.

E. **Resolution at Lowest Level**

Disputes vary in their complexity and impact on the faculty member's career. For that

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reason, the university provides a range of dispute resolution procedures with the intent of resolving issues at the most informal level possible. When informal processes do not provide a satisfactory result, more formal grievance processes may be used to resolve differences.

#### F. Legal Status of Dispute Resolution

The university's dispute resolution processes are not legal proceedings and hearings do not follow the rules of the courts.

### **Section 4.4.2 The Administration of Faculty Disputes**

This section identifies the individuals who manage the dispute resolution processes when faculty members are unable to resolve the issue through direct, informal discussion. These offices provide assistance to faculty who are seeking to resolve a dispute, although none functions as an advocate for individual faculty members or on specific issues. Consultation with the Ombuds Office or the Faculty Grievance Officer does not constitute notice of claims against the university or any of its administrators.

#### A. Ombuds Office

The Ombuds Office provides information about a range of neutral and informal dispute resolution services to all faculty and staff at the university, including on matters not covered in this article. Use of the services of this office is required for faculty members with Type 1 disputes before participating in more formal dispute resolution services.

#### B. Faculty Grievance Officer

The Faculty Grievance Officer (FGO) is available to advise faculty on the procedural options available to them when issues cannot be resolved through informal means. The Faculty Grievance Officer also provides assistance to the Chair of the Grievance Committee in the administration of the grievance procedures. Appendix A contains the duties, appointment process and reporting requirements for the Faculty Grievance Officer.

#### C. University Faculty Grievance Chair

The Chair of the Faculty Grievance Committee is charged with the administration of the grievance process once a formal grievance has been filed. The chair oversees the processes for establishing jurisdictional and hearing panels, and ensures appropriate communication among the parties to the dispute and other appropriate university officers. The chair is also responsible for oversight of grievance records retention. Appendix A contains the duties, appointment process and reporting requirements for the Faculty Grievance Committee.

### **Section 4.4.3 Scope of these Procedures**

Term, probationary and tenured faculty members of the University of Louisville are covered by the provisions of this article. Administrators, faculty with administrative appointments,

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professional and administrative staff, classified staff, students, and trainees are covered in other articles of the Redbook. Part-time faculty members with an appointment may seek resolution to their disputes through their unit administrators or through the university's Ombuds Office.

### **Section 4.4.4 Types of Disputes Covered**

This section describes the specific matters that are covered under Article 4.4. In all instances, the faculty member must initiate use of the dispute resolution procedures, usually by contacting the Ombuds or the Faculty Grievance Officer. The procedures for pursuing a Type 1 Dispute are found in Section 4.4.4.A. and the procedures for Type 2 Disputes are found in Section 4.4.4.B.

#### A. Type 1 Disputes

A Type 1 dispute arises when a faculty member believes that decisions or actions taken by an administrator or others have caused material disadvantage to the faculty member. For this type of dispute, the faculty member must be able to demonstrate that he or she has experienced professional damage, loss of resources or significant changes in work assignment as a result of decisions or actions as specified below.

1. The circumstances covered under this type of dispute are allegations of:
  - a. Violation of a university rule, policy;
  - b. Misapplication of a university rule, policy;
  - c. Differential application of a university rule, policy, procedure or usual unit practice or custom;
  - d. Discrimination or improper bias in the application of a university rule, policy or procedure; (improper bias may include inappropriate considerations in addition to the legally impermissible use of race, gender, sexual orientation, age, religion, national origin, or disability of an otherwise qualified individual);
  - e. Denial of promotion resulting from improper process;
  - f. Retaliation;
  - g. Decisions based on misrepresentation of material facts;
  - h. Decisions that are arbitrary or capricious as defined in guidelines approved by the Board of Trustees (January 26, 1987);
  - i. Infringement of academic freedom as set forth in the AAUP Statement of Principles (1940), and described in Redbook Sec. 2.5.1.
2. This category does not cover
  - a. Dissatisfaction with university rules, policies or procedures that apply to all faculty;
  - b. Dissatisfaction with compensation, or university benefits;
  - c. Dissatisfaction with annual performance reviews, unless the outcome is the result of circumstances covered in 4.4.4.A.1 and the unit appeals process has been exhausted;
  - d. Disputes with individuals outside the university;
  - e. Disputes resulting from participation in the conflict resolution process (including the F.G.O., Ombuds, Faculty Grievance Committee or its members;)
  - f. Procedures governed by state or federal law.

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- g. The professional judgments of faculty or administrators.

B. Type 2 Disputes

A Type 2 dispute is used for a decision that results in the termination of an appointment.

1. The circumstances covered under this type of dispute are allegations of
  - a. Denial of tenure resulting from improper process;
  - b. Non-renewal of a probationary appointment resulting from improper process.
  - c. Non-renewal of other faculty appointments resulting from improper process, except as described elsewhere in this document.
2. This category does not cover:
  - a. Non-renewal of a term contract at the end of the contract, unless the outcome is a result of circumstances covered in 4.4.4.A.1.
  - b. Termination for cause of an appointment with tenure, or of a special or probationary appointment before the end of a specified term. This is described by Article 4.5.3.
  - c. Termination for financial exigency or bona fide discontinuance of a unit, department program or service of an appointment with tenure, or of a special or probationary appointment before the end of a specified term. This is described by Article 4.5.3.

**Section 4.4.5 Procedures for Dispute Resolution**

For this article, a dispute is a difference of opinion between a faculty member and another faculty member or administrator that has led to a perceived material disadvantage by the faculty member. If the faculty member is unable to resolve the dispute personally and formally contacts either the University Ombuds or Faculty Grievance Officer, the dispute becomes a complaint. If the complaint is accepted for review by the Faculty Grievance Committee, it becomes a grievance.

All parties to the dispute resolution process may deliver “written” notification and documents either on paper or by the University’s e-mail system, unless specified otherwise in this document. The date on the written notification determines timeframes and deadlines. Oral communications are not adequate notification.

A. Procedures for Type 1 Disputes

For Type 1 disputes, the faculty member must seek informal remedies before filing a grievance. As a first step, the faculty member should seek direct communication with the respondent in the dispute to find a mutual understanding and resolution of the issue. However if this informal discussion among the parties to the dispute is unsuccessful or if the faculty member would prefer assistance with informal dispute resolution, the procedures described in the following section must be used.

1. Ombuds Consultation

Within sixty (60) calendar days of the disputed condition or action or within sixty (60) calendar days of the date the faculty member reasonably should have learned of the condition or action, the faculty member must request an appointment with the Faculty/Staff Ombuds in writing.

- a. If the faculty member does not inform the Ombuds within the stated timeframes, the faculty member may not pursue or request a formal

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- grievance hearing through the university's dispute resolution process related to the specific issue under dispute.
- b. Consultation with the Ombuds does not constitute notice of claims against the university.
  - c. Following the consultation, the Ombuds has thirty (30) calendar days to advise the faculty member in writing of options for resolving the complaint. These options may include mediation services, facilitated discussion, referral to other offices on campus, etc.
  - d. If the faculty member decides not to participate in any of the options proposed by the Ombuds within thirty (30) calendar days after the Ombuds written statement of options, the Ombuds will document the results of the resolution attempts and provide a copy to the faculty member, the Faculty Grievance Officer, and the Dean. The Executive Vice President and Provost will also be notified if the Dean is a respondent. The faculty member may pursue a formal grievance process by filing a written statement with the Faculty Grievance Officer within thirty (30) calendar days from receipt of the Ombuds written statement of options.
  - e. If the faculty member's preferred option(s) include mediation or some other form of facilitated discussion with the respondent, the Ombuds will contact the respondent(s) to inform him or her of the complaint and to discuss the preferred option for resolution.
    - i. If the complaint is resolved through informal means (such as mediation or some other form of facilitated discussion), the Ombuds will document the conclusions reached through this process and provide copies for each of the parties, the Dean of the faculty member's unit, and the Faculty Grievance Officer. If the respondent is a Dean, the Executive Vice President and Provost will also receive a copy.
    - ii. If the complaint is not resolved through informal means (such as mediation or some other form of facilitated discussion), the Ombuds will document the results of the resolution attempts. If the administrator or respondent has refused to participate in the process, then the Ombuds will document this and provide copies of all documents to for each of the parties, the Dean of the faculty member's unit, the Faculty Grievance Officer and the Executive Vice President and Provost (if the respondent is a Dean). If the complaint is not resolved to the faculty member's satisfaction, he or she may file a formal grievance.
  - f. The faculty member may then decide to pursue a formal grievance process by filing a written statement with the Faculty Grievance Officer within thirty (30) calendar days from receipt of the Ombuds' written statement of options.
  - g. The Ombuds will send a copy of all reports that result from informal complaint resolution to the University Archives and Records Center for permanent retention.

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### 2. Filing a Type 1 Grievance

- a. When the informal process is not successful, the faculty member has thirty (30) calendar days from receipt of the Ombuds report to file a written complaint with the Faculty Grievance Officer. The written complaint shall contain the following information:
  - i. A brief narrative statement (no more than five pages) of the immediate circumstances leading to the complaint;
  - ii. The date(s) the alleged problem occurred;
  - iii. How the action allegedly violated an existing rule, policy, or procedure;
  - iv. A designation of the respondents (i.e., any person whose acts are alleged to meet the conditions of a Type 1 dispute upon which the complaint is based) and the specific actions that the respondent was alleged to have taken which resulted in the grievance;
  - v. Documentary evidence of the actions taken by the respondent leading to the grievance.
  - vi. A statement of the informal steps taken to resolve the matter; and
  - vii. A statement of the remedy requested.
- b. The FGO will review the documents provided by the grievant and request missing items. Once the FGO has received complete documentation from the grievant, the FGO has seven (7) calendar days to forward the information to the Chair of the Faculty Grievance Committee.
- c. The chair of the Faculty Grievance Committee will then convene a panel of five committee members within thirty (30) calendar days to determine whether or not to accept jurisdiction for the alleged grievance and to clarify the specific issues or questions to be addressed by the hearing panel. Rules for convening the panel are found in Appendix A. The decision to accept jurisdiction will be based on the documentation filed by the faculty member, the respondent, and any additional documentary evidence the panel requests. The panel will decide not to hear a grievance if it determines that the complaint does not meet the standards for a Type 1 Dispute described in Section 4.4.4.A.1., or that it should be handled through a different university procedure.
- d. If the Faculty Grievance Committee panel decides not to accept the complaint for a hearing, the panel chair will notify the Faculty Grievance Committee Chair in writing within seven (7) calendar days of their decision. The statement should document the reasons for the refusal to accept jurisdiction.
- e. Within seven (7) calendar days of receiving the panel's decision to deny a hearing, the Chair of the Grievance Committee will provide written notification to all parties in the dispute, the FGO and the Executive Vice President and Provost. This decision is final and may not be appealed.

### 3. Hearing for a Type 1 Grievance

- a. If the panel's decision is to accept jurisdiction for the complaint, the Chair of the Faculty Grievance Committee selects a new, three-person panel within fourteen (14) calendar days of receiving the decision to accept.

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- The new panel is charged with conducting a hearing of the grievance.
- b. The hearing panel must conduct a pre-hearing meeting with the grievant and respondent(s) within thirty (30) calendar days of receiving the grievance from the Chair of the Grievance Committee. At this meeting, the grievant and respondent must present a preliminary list of witnesses and any other documents not already in the record to be used as evidence during the hearing. A date for the hearing will be established at the pre-hearing. The date of the hearing must be no later than sixty (60) calendar days following the pre-hearing.
  - c. The parties to the dispute shall exchange a list of materials to be presented and a list of witnesses annotated to indicate the purpose and general content of anticipated testimony, and notification of whether the witness will be present at the hearing or will provide a written statement. This exchange will take place at least twenty (20) calendar days prior to the hearing. At least seven (7) calendar days before the hearing, parties must provide a final list of materials and witnesses. Nothing in this requirement, however, shall limit the parties to the grievance from being afforded full opportunity to present written and oral evidence, to produce witnesses, and to cross-examine witnesses.
  - d. Respondent(s) and witnesses who are not able to attend may supply written statements. Those witnesses may be questioned by the panel by telephone or other electronic means. The hearing panel may use, at their discretion, a mediator or meeting facilitator to conduct the hearing. Attorneys for the grievant or respondent may not be present during the hearing.
4. Grievance Resolution
- a. The panel will have twenty-one (21) calendar days following the end of the hearing to prepare a written grievance resolution plan for the dispute that will recommend actions that any or all parties to the grievance must undertake in order to resolve the dispute. The recommendation of the panel shall be based on evidence presented in the hearing and communications to which the adversely affected party had the opportunity to respond. The plan will be distributed in writing to the parties, the respective deans of the faculty members' units, the FGO, and the Executive Vice President and Provost.
  - b. The parties to the grievance have thirty (30) calendar days to respond in writing to the Grievance Committee's resolution plan.
    - i. If both the parties to the grievance agree or if either does ~~de~~ not respond within thirty (30) calendar days to the proposed remedies, the conclusions are final contingent on agreement of the Dean or next highest level of administration if the dispute directly involves the Dean.
    - ii. If either party does not agree with the grievance resolution plan, then the plan is sent to the next level of authority who shall implement the plan.
  - c. The final outcome is reported to the parties in the dispute. The Ombuds,

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FGO, the respective deans of the faculty members' units, and the Executive Vice President and Provost are also notified in writing to ensure adherence to the resolution plan.

### 5. Procedures for a Type One Grievance Appeal

- a. Either party to the grievance may appeal the proposed remedies in the grievance resolution plan, if:
  - i. the decision of the hearing panel was arbitrary or capricious as defined in guidelines approved by the Board of Trustees for the summary screening of all such claims of arbitrary or capricious action;
  - ii. they are based on material misrepresentation of the facts; or
  - iii. they were made in the absence of newly discovered evidence clearly not available at the original hearing.
- b. Written notice of appeal to the Executive Vice President and Provost must be made within twenty-one (21) calendar days of receipt of the plan. If the disagreement is with the Executive Vice President and Provost, the appeal will be made to the President. If the disagreement is with the President, the appeal will be made to the Board of Trustees.
- c. The written notice of appeal shall contain the following information:
  - i. a brief narrative stating the basis of the disagreement with the proposed remedies ;
  - ii. suggested amendments to the grievance resolution plan.
- d. The Executive Vice President and Provost (or President, Board of Trustees) will make a final determination on the grievance resolution plan within fifteen (15) calendar days.
- e. The final decision is reported to all parties in the dispute by certified mail. The Ombuds, FGO, the Chair of the Faculty Grievance Committee, the respective deans of the faculty members' units, and the Executive Vice President and Provost will also be notified in writing to ensure adherence to the decision. A copy of the decision will also be sent to the University Archives and Records Center for retention.
- f. There is no further appeal within the university for Type 1 disputes.

### B. Procedures for Type 2 Disputes

Type 2 Disputes shall not be resolved through informal means.

#### 1. Filing a Type 2 Grievance

- a. A faculty member wishing to file a complaint related to a Type 2 Dispute must send a written request for a hearing to the Faculty Grievance Officer within thirty (30) calendar days of receiving notification of non-renewal, or denial of tenure. The written complaint shall contain the following information:
  - i. A brief narrative statement (no more than five pages) of the immediate circumstances leading to the complaint;
  - ii. The date(s) of the alleged actions taken against the faculty member;
  - iii. How the action allegedly violated an existing rule, policy, procedure or established custom;
  - iv. Designation of the respondent(s) and the specific actions that each

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- respondent was alleged to have taken which resulted in the grievance;
- v. Documentary evidence of the actions taken against the faculty member; and
  - vi. A statement of the remedy requested.
- b. The FGO will review the documents provided by the grievant and request missing items. When Once the FGO has received complete documentation from the grievant, the FGO has seven (7) calendar days to forward the formal hearing request to the Chair of the Faculty Grievance Committee.
  - c. The chair of the Faculty Grievance Committee will convene a panel of five committee members within thirty (30) calendar days to determine whether or not to accept jurisdiction for the complaint. This determination will be based on the written complaint and documentation filed by the faculty member and any additional documentary evidence the panel requests.
    - i. If a panel does not accept a complaint for a hearing  
The panel chair will notify the Chair of the University Faculty Grievance Committee in writing within seven (7) calendar days of the decision. The statement must clearly document the reason for the refusal to accept jurisdiction. This decision is final and may not be appealed.

The panel will decide not to hear a grievance if it determines that the complaint does not meet the standards for a Type 2 Dispute described in Section 4.4.4.B., or that it should be handled through a different university procedure.

The Chair of the University Faculty Grievance Committee will notify all parties involved in writing within seven (7) calendar days of receiving the panel's statement. The statement must include the reason for the panel's denial to hear the complaint.

- ii. If a panel accepts a complaint for a hearing  
The panel chair will notify the Chair of the University Faculty Grievance Committee in writing within seven (7) calendar days of the decision. The statement must clearly state the reason to accept jurisdiction and the rule or policy that they believe may have been violated. This decision is final and may not be appealed.

The Chair of the University Faculty Grievance Committee will notify all parties involved in writing within seven (7) calendar days of receiving the panel's statement. The statement must clearly state the reason the panel accepted jurisdiction and the rule or policy that they believe may have been violated.

The Chair of the Faculty Grievance Committee will select a new, five-person panel within fourteen (14) calendar days of receiving the panel's statement. The new panel is charged with conducting a

hearing for the grievance.

2. Hearing for a Type Two Grievance

- a. The hearing panel must conduct a pre-hearing meeting with the grievant and respondent(s) within thirty (30) calendar days of receiving the grievance from the Chair of the Grievance Committee. At this meeting, the grievant and respondent(s) must present a preliminary list of witnesses and evidence to be presented during the hearing. A date for the hearing will be established at the pre-hearing. The hearing date must be no later than sixty (60) calendar days following the pre-hearing. For Type 2 Disputes, a hearing officer may be appointed by the President at the request of a panel to assist with conduct of the hearings, however this is not required. A hearing officer conducts the meeting but does not decide the grievance, admissibility of evidence or other substantive issues related to the grievance.
- b. Attorneys are permitted as advisors, but are not required, to attend the hearings in a Type 2 Dispute. If the faculty member chooses not to be accompanied by an attorney at the hearing, the respondent(s) must also not be accompanied by counsel.
- c. The parties to the dispute shall exchange a list of materials to be presented and a list of witnesses annotated to indicate the purpose and general content of anticipated testimony, and notification of whether the witness will be present at the hearing or will provide a written statement. This exchange will take place at least twenty (20) calendar days prior to the hearing. At least seven (7) calendar days before the hearing, parties must provide a final list of materials and witnesses. Nothing in this requirement, however, shall limit the parties to the grievance from being afforded full opportunity to present written and oral evidence, to produce witnesses, and to cross-examine witnesses.
- d. The panel will have fourteen (14) calendar days following the hearing to prepare a written recommendation either affirming the action or decision originally grieved or directing the respondent to reconsider the action or decision. The recommendation must indicate findings and supporting evidence. The panel's written recommendation is sent to the faculty member, the faculty member's Dean, any other respondents, the FGO and the Executive Vice President and Provost.
- e. The respondent(s) to the grievance will reply in writing to the Faculty Grievance Committee's recommendation within fourteen (14) calendar days. This statement either accepting or rejecting the recommendation from the Faculty Grievance Committee is distributed to all parties in the grievance, the Executive Vice President and Provost, the FGO and the Faculty Grievance Committee Chair.
- f. The Executive Vice President and Provost shall render a decision on the matter with twenty-one (21) calendar days and distribute it to all parties to the grievance, the Dean, the FGO and the Faculty Grievance Committee Chair.

3. Procedures for a Type 2 Grievance Appeal

- a. The grievant or any party directly involved may appeal the Executive Vice

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President and Provost's decision to the Chair, University Faculty Grievance Committee within fourteen (14) calendar days from the receipt of the final decision of the Executive Vice President and Provost . The reasons for appeal are:

- i. The Executive Vice President and Provost's decision does not concur with the recommendation of the hearing panel; or
  - ii. The decision of the hearing panel was arbitrary or capricious as defined in guidelines approved by the Board of Trustees for the summary screening of all such claims of arbitrary or capricious action; or
  - iii. The final decision was based upon misrepresentation of material facts; or
  - iv. The final decision was made in the absence of newly discovered evidence clearly not available at the original hearing.
- b. Notice of any appeal must be delivered in writing to all parties within seven (7) calendar days of receipt of the Executive Vice President and Provost's written decision.
- c. The request for appeal shall contain the following information.
- i. All correspondence from the Faculty Grievance Committee and the Executive Vice President and Provost concerning decisions in the case.
  - ii. A one page letter stating why the faculty member believes the Executive Vice President and Provost's decision is in error.
  - iii. Material submitted to the Faculty Grievance Committee during the grievance process will be submitted as supporting material.
  - iv. The Executive Vice President and Provost will submit a one page letter stating the rationale for the decision.
- d. The Chair of the Faculty Grievance Committee will select and convene a five (5) member appeals panel to consider the appeal. The panel will must include one representative of the grievant's unit and of other parties directly involved in the original grievance. Panel members who participated on the original hearing panel may not serve on the appeals panel.
- e. An appeal shall be based on the record established in the original action, provided the appeals panel may secure addition information if needed. All parties will be given timely opportunity to review and comment on newly added information. The appeals panel shall decide if there are grounds for an appeal within fourteen (14) calendar days and shall conduct any hearing on an appeal with thirty (30) calendar days of the date it is filed. Reports of the appeals panel shall be made within fourteen (14) calendar days following a hearing or within forty-five (45) calendar days following the filing of an appeal if there is not a hearing to supplement the original record. The report of the appeals panel is made to the President and is distributed to all persons directly involved in the grievance, the Executive Vice President and Provost, the FGO and the Faculty Grievance Committee Chair.
- f. The President may accept and implement the remedy recommended by the appeals panel within thirty (30) calendar days.
- g. If the President believes a policy question is involved or additional

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consideration of the facts is warranted, the case may be remanded within twenty-one (21) calendar days to the Faculty Grievance Committee with a statement of the reasons therefore, and the Committee shall reconsider the appeal. The President shall also provide a copy of the statement to all persons involved and they shall have seven (7) calendar days to comment on the President's report. The Committee shall report its reconsideration to the President within twenty-one (21) working days of the remand.

- h. The President may disagree with the Committee's recommendation in whole or in part within thirty (30) calendar days and shall recommend a remedy in writing to the Faculty Grievance Committee Chair, to all persons directly involved in the grievance, the FGO, the Dean, and the Executive Vice President and Provost. The President's proposed remedy will be presented to the Board of Trustees for final action. The Board of Trustees shall have access to the record of the proceedings or a summary of the record prepared by the Faculty Grievance Committee Chair or the chair's designee.
- i. All parties directly involved in the matter shall have the right to attend any meeting of the President or President's representative with the Faculty Grievance Committee if that matter is discussed.

#### **Section 4.4.6 Records of Dispute Resolution Processes**

A record of hearings shall be kept which will include a record of oral testimony. All recorded evidence, exhibits, correspondence, recommendations and any other written documents associated with Type 1 and Type 2 grievance proceedings shall be retained by the grievance committee during the time in which an appeal of the committee decision may be made. Thereafter, all records will be transferred to the University Archives and Records Center for retention in a restricted file as an official university record.