



AOP 13.05: FACULTY GRIEVANCE PROCEDURES

PURPOSE

The University operates under a philosophy that emphasizes the importance of ensuring the rights of its faculty. Both personnel and operating policies are formulated to assist administrators and faculty in working harmoniously toward the collective goals and objectives set forth by the Board of Trustees. When a faculty member has a grievance, efforts will be made to gather the necessary information surrounding the grievance and to respond appropriately and justly in a timely manner. The purpose of these procedures is to address grievances of faculty members and to provide a mechanism for resolving them.

This AOP shall not apply to grievances pertaining to the following matters: allegations of discrimination or harassment, which shall be directed to the Office of Civil Rights Compliance; termination, termination procedures, or notice of non-reappointment, which shall be addressed in accordance with OP 60.113; promotion or tenure, which shall follow the procedures outlined in AOP 13.07; grievances filed by students or against students, which shall be referred to the Office of the Dean of Students; and grievances related to compensation, which shall be directed to Human Resources Management.

POLICY/PROCEDURE

1. Definitions

- a. **Grievance**: A grievance is defined as the claim of a faculty member that there has been a violation, misinterpretation or misapplication of a rule, policy or procedure in relation to personnel policies, including work responsibilities, working hours, working conditions, work environment, work leaves, and other conditions of employment.
- b. **Grievant**: A faculty member who filed a grievance as defined herein.
- c. **Respondent(s)**: A University employee or a group of employees against whom a faculty member has filed a grievance.
- d. **Faculty**: Use of this policy is restricted to faculty as defined by the faculty handbook. A faculty member holding an administrative position will have access to these procedures regarding their faculty duties, but will not have access to the procedures related to their administrative duties.
- e. **Faculty Grievance Committee**: A standing university committee charged with determining whether a grievance falls within the scope of this policy and overseeing the administration of the faculty grievance process. All members of the Committee must be full-time faculty members with a rank 2 or higher. The

Committee shall consist of the following:

- President of the Robert Holland Faculty Senate (if rank 2 or higher, if not, the President of the Robert Holland Faculty Senate will appoint a replacement from the Senate roster with rank 2 or higher),
- Chair of the Robert Holland Faculty Affairs Committee (if rank 2 or higher, if not, the President of the Robert Holland Faculty Senate will appoint a replacement from the Senate roster with rank 2 or higher),
- Two faculty members elected from each college, MSU Extension Service, MSU Meridian, and the University Libraries, serving two-year terms. Each of these committee members will serve staggered terms, with half of the committee members (one from each of the above units) elected each year. Committee members can be re-elected but cannot serve for more than two consecutive terms.

Each academic year, the Faculty Grievance Committee shall elect a Chair and a Vice Chair. The election should be completed as soon as possible after the start of the academic year, but no later than August 31. The past Chair, past Vice Chair, or the Robert Holland Faculty Senate President (or their designee) can serve as the election officer.

- f. Chair of the Faculty Grievance Committee: The Faculty Grievance Committee Chair will serve as the facilitator for all faculty grievance proceedings. The Chair shall act as a neutral party responsible for ensuring that the grievance process is conducted in accordance with applicable policies and procedures. The Chair shall not serve as an advocate for any party, nor shall they participate in deliberations or vote on the outcome of the grievance.
- g. Vice Chair of the Faculty Grievance Committee: The Faculty Grievance Committee Vice Chair will assist the Chair in administering the grievance process in accordance with applicable university policies and procedures. The Vice Chair shall serve as a voting member of the Faculty Grievance Panel.
- h. Faculty Grievance Panel: The Faculty Grievance Panel shall consist of members of the Faculty Grievance Committee who are available and eligible to hear the specific grievance, as determined in accordance with the procedures outlined in Section 3.f.2.
- i. Panel Advisor: An individual selected by the Provost and Executive Vice President to advise the Chair of the Faculty Grievance Committee and the Faculty Grievance Panel on issues being considered in the grievance process. The Panel Advisor may attend the hearing but should not participate in any role other than advising on the process and applicable procedures. This individual should have no conflicts or previous involvement in the matters before the Panel. This individual may be the University Ombudsperson (if not previously contacted by the

participants), an Associate or Vice Provost, or Associate Vice President from the Office of the Provost and Executive Vice President, or an attorney from the Office of General Counsel.

- j. Grievant/Respondent(s)'s Advisor: A person selected by the Grievant/Respondent(s) to advise them on issues being considered in the grievance process. This Advisor is typically not an attorney, although either party may use an attorney. If an administrator is the Respondent(s) and their decisions have been made within the course and scope of their employment, the Provost and Executive Vice President may provide the Respondent(s) with an advisor. Should the Provost and Executive Vice President choose to do so, the Grievant shall also be provided an Advisor if requested by the Grievant. In good faith, efforts shall be made to ensure that the Grievant's Advisor has a reasonably comparable skill set to that of the Respondent(s)'s Advisor. Neither Advisor may speak during any step of the grievance process to anyone other than the individual they are advising. Should either party choose to use an attorney as their Advisor, that party should notify the Chair five (5) business days before the hearing.
- k. Conflict of Interest: Significant personal, professional, or financial relationships with the Grievant or Respondent(s) and any voting or non-voting member involved in the process should be avoided. If there is a question about a potential conflict of interest, the Chair, in consultation with the Panel Advisor, will make the final determination.

2. General Principles:

- a. Timelines: The timelines noted in these procedures are to be adhered to except under extenuating circumstances. If such a circumstance exists, the Provost and Executive Vice President may extend the timeline in consultation with all parties involved.
- b. Attempts at resolution: Whenever possible, grievances of faculty members should be resolved within the University at the level at which they arise. Prior to initiating a formal grievance, the faculty member may wish to consult with the University Ombudsperson, who can advise faculty on additional processes and policies that may be relevant to their grievance.

3. Procedures:

- a. Submission of a grievance: A faculty member who would like to file a formal grievance pursuant to this policy should submit their grievance statement to the Chair of the Faculty Grievance Committee ("Chair"). The grievance statement must contain: (1) a statement of grievance including an explanation of the violation, including the rule, policy, or procedure violated; (2) the individual(s) whom the Grievant believes is responsible for the wrongful action; and (3) a description of the resolution sought by the Grievant. The grievance must be signed and dated by the Grievant.

- b. Conflict of Interest for Chair & Vice Chair: If the Chair is unable to serve due to a conflict of interest, the Vice Chair (provided they are not conflicted) shall assume the duties of the Chair, and a new Vice Chair shall be elected for the specific grievance. If the Vice Chair is also unable to serve due to a conflict of interest, the Committee shall elect a new Vice Chair for the specific grievance. If both the Chair and Vice Chair are unable to serve, the Committee shall elect both a new Chair and a new Vice Chair for the specific grievance. This step should be completed within five (5) business days. The non-conflicted Chair/Vice Chair or the Robert Holland Faculty President (or their designee) can serve as the election officer.
- c. Step 1 – Initial Grievance Review: The Chair, in consultation with the Vice Chair, shall conduct an initial review of the grievance to determine whether all applicable administrative remedies have been exhausted before filing the grievance. For example, if the grievance arises from an annual review, the faculty member must have completed the appeal process for the annual review before submitting a grievance. If it is determined that required administrative remedies were not followed, the grievance, or any portion thereof that did not comply with such requirements, shall be dismissed. This step should be completed within five (5) business days.
- d. Appeal: If the Grievant is not satisfied with the outcome of the Initial Grievance Review, they can request that the Grievance be reviewed by the entire committee. A redacted copy of the grievance (to hide the identity of the Grievant and the Respondent(s)), along with the necessary policies and procedures will be shared with the Grievance Committee. A simple majority vote will determine whether all administrative remedies were exhausted. If there is a tie, the decision by the Chair and the Vice Chair in the previous step will prevail. This step should be completed within ten (10) business days.
- e. Step 2 – Mediation: If the grievance satisfies the administrative remedy requirements outlined in Step 1, the Chair shall promptly inform both the Grievant and the Respondent(s) that mediation is an important voluntary option available to both parties. The Chair shall also provide the parties with the names of potential mediators. A list of trained mediators may be obtained from the MSU Office of Ombuds. The decision to engage in or decline mediation shall not affect the eligibility for the formal grievance hearing process (Step 3).

Mediation shall only proceed if both parties mutually agree to participate and select a mediator.

If the Grievant and the Respondent(s) choose mediation, there is a thirty (30) calendar-day window after the selection of the Mediator to conclude the mediation, unless all parties agree to an extension.

If mediation is attempted by the Grievant in good faith but does not fully resolve the issues, the Grievant can request a formal hearing on the unresolved matters

within five (5) business days from the conclusion of the mediation.

All mediation discussions shall remain strictly confidential. The Mediator cannot be called as a witness or participate in the grievance hearing, ensuring the integrity and confidentiality of the mediation process.

f. Step 3 – Formal Hearing:

1. To initiate a formal grievance hearing, the Grievant shall notify the Chair that they wish to pursue a formal hearing within five (5) business days following either the conclusion of mediation or a decision by either party not to participate in mediation.
2. The Faculty Grievance Panel (“Panel”) will be constituted in accordance with the following procedure overseen by the Chair:
 - i. By eliminating any faculty members who disclose a potential conflict or with whom the Grievant discloses a conflict. Members of the Panel should not come from the unit of the Grievant or Respondent(s). Members of the Panel should have no personal or significant professional connection with the Grievant or Respondent(s);
 - ii. By eliminating any members requested by the Grievant or the Respondent(s). Each party will have the right to reject up to two members from the Faculty Grievance Committee to participate on the Panel;
 - iii. By considering the availability of the remaining committee members to hear the faculty grievance within the stipulated timeframe;
 - iv. The Chair and the Vice Chair will select four (4) members from the available pool. The Panel will consist of five (5) voting members (including the Vice Chair) so that there is no possibility of a tie; and
 - v. When the Grievant or Respondent(s) is a faculty member holding an administrative position, the Faculty Grievance Panel will include at least one administrator with a faculty appointment at the level of the Grievant and/or Respondent(s) and one higher-level administrator with a faculty appointment, both to be chosen by the Provost and Executive Vice President. These appointments will follow the guidelines noted above (item i) about unit association. In this case, the Panel will consist of seven (7) members.

In grievances involving the Provost and Executive Vice President, the University President or their designee will serve on the Faculty

Grievance Panel and select one Vice President holding a faculty appointment to serve on the Panel. The President or their designee shall thereafter assume the responsibilities of the Provost and Executive Vice President with respect to the remainder of the grievance procedure. In this case, the Panel will consist of seven (7) members.

3. The Chair is responsible for scheduling the hearing within thirty (30) calendar days (excluding University Holidays) after receipt of the Grievant's request for a formal hearing unless the availability of necessary individuals makes that not practicable or unless all parties mutually agree upon an extension. The Chair shall notify all parties of the hearing date fifteen (15) calendar days (excluding University Holidays) in advance of the hearing.
4. Ten (10) calendar days (excluding University Holidays) before the hearing, the Grievant and Respondent(s) shall provide the Chair with a list of witnesses they intend to call (if any), optional witness statements they would like included in the record (if any), and relevant documents or other materials they would like included in the record. The Chair shall then provide that information to the other party and to the members of the Panel as soon as possible.

Neither party may compel any witness to participate in the process. Witnesses who opt to participate in the hearing must be available to attend the hearing in person and may be questioned by both parties. Under extenuating circumstances, witnesses may participate through video conferencing. After initial scheduling of the hearing, the hearing will not be rescheduled or delayed to accommodate the availability of witnesses.

5. The Chair will be responsible for running the hearing in an orderly manner in accordance with the rules set forth herein.
 - i. The Chair will begin by introducing both parties, Panel members (along with their unit affiliations), and the Panel Advisor. This will also be a moment to disclose any (new) conflicts of interest that are discovered. The Chair, in consultation with the Vice Chair and the Panel advisor, will rule on procedural aspects.
 - ii. The hearing will be private, and the Chair shall inform attendees that all matters discussed in the hearing should be kept confidential. Only the following individuals shall be present in the hearing: the Grievant, the Grievant's advisor, the Respondent(s), the Respondent's Advisor, the Chair, the Panel, the Panel Advisor, and any witness when called. A witness can be present only during their questioning portion of the hearing.

- iii. All meeting participants are expected to maintain utmost professionalism and decorum throughout the proceedings. There must not be any personal attacks, malicious and unjustified harming of a person's good reputation (character assassination), or name-calling by any of the participants. The hearing should focus on the objective facts. If a participant indulges in unruly behavior, the person should be removed from the proceedings. This should be documented in the Panel Report.
- iv. The hearing shall begin with the Grievant presenting their case, which shall include the presentation of any documents and other materials, evidence, witnesses, or personal statements.
- v. The Respondent(s) may then present their side, including any documents, evidence, witnesses, or personal statements.
- vi. Each side shall have up to one (1) hour to present their case.
- vii. Following each witness, the other side may have five (5) minutes to ask the witness questions. The Panel may ask each witness additional follow-up questions after the other party has had their opportunity to do so. This time shall not count against the one-hour time limit.
- viii. After both parties have presented their cases, including the calling and questioning of their witnesses, the Panel may call additional witnesses as it considers appropriate. Both the Grievant and the Respondent(s) may question all witnesses.
- ix. After all information is presented, the Chair will dismiss the Grievant and Respondent(s) and meet privately with the Panel to consider the information. The Panel may request additional information if it believes it is necessary to do so to reach a recommendation. A majority of the Panel must vote to request additional information to prolong the proceeding, as all parties must reconvene if additional witnesses are to be called.
- x. After hearing all information, the Panel shall decide by majority vote to recommend that the Grievance be upheld or dismissed. The voting must be anonymous. A preponderance of the evidence standard should be used. If the Panel finds that the Grievance should be upheld, the Panel will then consider the appropriateness of the Grievant's proposed remedies or whether alternative remedies should be recommended. Although not required, minority opinions of the committee may be submitted to the Provost and Executive Vice President and involved parties at the same time as the Committee recommendations are submitted. The Chair shall

provide the committee's findings in writing to the Provost and Executive Vice President, with copies to the parties of the grievance, no later than five (5) business days from the last date of hearing of the Grievance. The Panel's findings are recommendations to the Provost and Executive Vice President and are advisory in nature. In grievances involving the Provost and Executive Vice President, the Panel's recommendations will be addressed to the University President or their designee.

6. The Provost and Executive Vice President should send a written notice of their final decision within five (5) business days of receipt of the Panel's recommendations. Copies of the final decision will be sent to the Grievant, Respondent(s), Chair, and the Panel. The Provost and Executive Vice President's decision is final. In grievances involving the Provost and Executive Vice President, the University President or their designee will fulfill this role.
7. The Grievant may withdraw a formal grievance at any stage of this process. The withdrawal request should be made in writing to the Grievance Committee Chair, who will then notify the Grievance Committee if applicable.

REVIEW

This AOP will be reviewed every four years or whenever circumstances require an earlier review by the Executive Vice Provost with recommendations for revision to the Provost and Executive Vice President.

REVIEWED BY:

/s/ Peter Ryan 1/14/2026
Executive Vice Provost Date

/s/ David Shaw 2/9/2026
Provost and Executive Vice President Date

/s/ Stacy Haynes 3/6/2026
President, Robert Holland Faculty Senate Date

/s/ Tracey N. Baham 3/30/2026
Associate Vice President, Institutional Strategy & Effectiveness Date

/s/ Joan Lucas 3/31/2026
General Counsel Date

APPROVED BY:

/s/ Mark E. Keenum 4/27/2026
President Date