

Procedure for Formal Investigations of Disputes and Misbehavior Claims within Academics

Faculty members who feel aggrieved should follow the current Grievance Policy posted on the University policies website. It provides means for solving the majority of difficulties encountered by faculty members either informally or formally through the various levels of academic leaders. In some cases, resolving a grievance requires a formal investigation, especially in cases that involve disputes between employees or claims of misbehavior perpetrated by an employee. The following procedure applies to investigations in which faculty members or other employees in Academics are respondents in grievances regarding such disputes or claims of misbehavior.

1. The complaint is received by the Academic Vice President (AVP) office from one of the following sources:
 - a. from Human Resources (HR) through "Ethics Point," "Report a Concern," or direct report
 - b. from a dean
 - c. from the Faculty Advisory Council (FAC)
 - d. from an ombud
 - e. from a faculty member directly
2. The Associate Academic Vice President for Faculty (AAVPF) reviews the complaint and interviews the complainant if possible. During the interview, the AAVPF determines whether all avenues for an informal resolution have been exhausted. If not, the AAVPF works with the complainant and, if appropriate, the corresponding dean to broker an informal solution agreeable to the complainant.
3. If an informal solution is not possible, the AAVPF examines the complaint to identify whether it contains any element of discrimination based on sex or sexual harassment. If it does, the AAVPF consults with the Title IX Coordinator to determine which jurisdiction corresponds to the case. If it is determined that the case is a Title IX matter, it is transferred to the Title IX Coordinator, and no further action is taken by the AAVPF.
4. If jurisdiction for the case remains with Academics, the AAVPF
 - a. interviews the respondent and offers the respondent an opportunity to reply to the allegation in writing;
 - b. interviews witnesses, if any, and obtains written statements from them as possible;
 - c. gathers all other available artifacts of evidence;
 - d. prepares a report summarizing the findings;
 - e. maintains neutrality throughout the investigation.
5. A decision on the case is rendered based on the evidence by a committee consisting of the AAVPF, the Associate AVP for Curriculum & Assessment (AAVPC&A) and a member of the HR staff assigned by the HR director. Possible decisions include:
 - a. no action if the complaint is unfounded or of a trivial nature,
 - b. informal counsel from the dean to the respondent,
 - c. informal counsel from the AAVPF to the respondent,
 - d. formal letter of reprimand presented to the respondent by the AAVPF together with the respondent's dean and a member of the HR staff assigned by the HR director.
6. The AAVPF reports the decision (in general terms) to the complainant.

7. Prior to executing the decision made in Section 5, the decision is reported to the AVP, who then has the responsibility to make sure that the actions required by the decision are carried out in a timely manner. The AVP also reports the decision to the deans of both the complainant and respondent as applicable.
8. The AAVPF maintains and retains a confidential file documenting the process, the findings, and the decision for each case and coordinates the record-keeping with HR.
9. If the respondent or the complainant chooses to appeal the decision, they may do so in writing to the AVP.
10. If a member of the investigation or decision committee has a conflict of interest associated with the case (e.g. the person or a family member is the complainant or respondent) substitutes in the process will be provided as follows:

Role:	Investigator	Committee member	Committee member	Receive Appeals
No Contingency	AAVPF	AAVPF	AAVPC&A	AVP
Substitute AAVPF	AAVPC&A	FAC Chair	AAVPC&A	AVP
Substitute AAVPC&A	AAVPF	AAVPF	FAC Chair	AVP
Substitute AVP	AAVPF	AAVPF	FAC Chair	AAVPC&A