

Agenda item for the Twin Cities Campus Assembly Meeting, Feb. 15, 1990

STEERING COMMITTEE

SUPPORT SERVICES COMMITTEE

Action (5 minutes)

MOTION:

To amend the Rules of the Assembly, Article III, Section 2, Ex officio Members of Assembly Committees, to add members as follows to the Support Services Committee:

Support Services -- Office of the Senior Vice President, Finance and Operations; Office of the Vice President, Student Development (Coordinator, Student Support Services); Associate Vice President, Physical Planning; Assistant Vice President, Support Services and Operations.

COMMENT:

The intent of the change is to place on the committee those individuals who are directly responsible for the major support services with which the committee will regularly deal. There are other support service units (Physical Plant, Athletics, etc.) who work directly with other Assembly and Senate committees and thus deal less frequently with the Support Services Committee. There are also other support service units which will work with the Support Services Committee (such as Police, Bookstores, etc.) but will do so on a less frequent basis and need not therefore be formal ex officio members of the committee.

WARREN IBELE
Chair

MBM
D65

TWIN CITIES CAMPUS ASSEMBLY MEETING

Proposed Amendment, Item V

MOTION:

That the proposed bylaws amendment with respect to the Intercollegiate Athletics Committee be amended as follows: The Twin Cities Campus Assembly of the University of Minnesota does not consider the working qualifications and remuneration of athletic performers to be academic matters. For this reason it serves notice that as of March 1, 1991, it will cease to pretend to exercise control over the major sports and will no longer empower its committees or representatives to do so.

HANS WEINBERGER
Senator

MEM
FILE

TWIN CITIES CAMPUS ASSEMBLY - Errata

See Item III on the Twin Cities Campus Assembly agenda:

Please make the following correction: Andrew Hinding
should read Andrea Hinding.

Marilee Ward
Assembly Clerk

EDUCATIONAL POLICY COMMITTEE

1989-90 AGENDA ITEMS

Information

The primary focus of SCEP since last spring has been on the quality of undergraduate education. Although under the new committee structure SCEP is responsible for other on-going affairs, its agenda for this academic year is crowded with a variety of important items related to the improvement of undergraduate education. The committee is most supportive of the appointment of the Task Force on Liberal Education and is not focusing our own efforts on matters which are to be addressed by the Task Force. There is close communication on this matter between SCEP and the Consultative Committee and the Provost's office.

Agenda items for SCEP currently include: inclusion of study space in the Minnesota Facilities Model, clarifying the University policy for changing grades after initially issued, timely completion of degrees, unification of honors program requirements, impact of the point of entry plan, separation of graduate and undergraduates in 5xxx-level courses, measurement of improvement in undergraduate education, using courses in which a grade of "D" was received as fulfilling the prerequisite for subsequent courses, up-grading an undergraduate review program, implementing the recommendations of the Task Force on Diversity, reviewing the progress of TA training programs, and considering policy related to how curricular changes made at local unit or college level (but which have University-wide implications), are to be handled.

In addition to specific discussion/action items, the committee will receive briefs from the President, Provost, and other administrative and academic officials. SCEP wishes to communicate as broadly and thoroughly as possible during its deliberation on issues in order to bring action items to the Senate/Assembly which have been collectively constructed. Your input is welcomed.

JOHN CLARK
Chair

MEMORANDUM OF UNDERSTANDING
REGARDING UNIVERSITY GRIEVANCE POLICY

This is a memorandum of understanding regarding the adoption, implementation, interpretation, and intent of various provisions of a revised Grievance Policy which has been approved by the University Senate (hereafter referred to as the "Grievance Policy"). The parties to this memorandum are the Senate Consultative Committee, on behalf of the University Senate, and the President, on behalf of the University Administration.

The parties jointly recommend that the Board of Regents adopt the Grievance Policy in the form passed by the University Senate subject to the following understandings.

1. The Grievance Policy is subject to state and federal laws and will be administered in accordance with such laws. Where there is a conflict between the law and the Grievance Policy, the law shall control.

2. The policy will be provisionally brought into force on September 16, 1990. It is the intention that there be thorough review of the operation of the policy after approximately two years has passed, so that any problems or difficulties can be dealt with. If necessary, however, earlier action might be taken to remedy problems which are seen by any of the parties to this understanding.

3. No later than January 1, 1992, the President and the Senate Consultative Committee will appoint a committee composed of faculty, administrators and professional staff to review the Grievance Policy and recommend changes in the Policy.

4. Under the Grievance Policy, it is agreed that the final decision-maker shall be the President or the President's designee and that a grievance panel's (or the University Grievance Committee's) report, findings, or recommendations are not binding on the President or the designee, as is provided in section 7.4.

5. The President may designate the Senior Vice-President for Academic Affairs as the President's designee for all matters under the Grievance Policy. If the Senior Vice-President for Academic Affairs is a party to a grievance, the President may designate another senior officer as substitute delegatee or may perform the functions personally. The final decision-making authority cannot otherwise be sub-delegated.

6. The University Grievance Policy does not, and is not intended to, create any legal rights for faculty members, students, staff, or other persons and is not part of any contract between the University and its employees or any other individual. The intent of the Policy is simply to improve internal mechanisms for addressing grievance matters and for providing recommendations to responsible administrators on such matters.

7. Understandings with respect to specific sections of the Grievance Policy include the following:

(a) Section 2.3 University Grievance Officer

The University Grievance Officer will be a faculty or staff member who is independent of direct administrative control or direction with respect to

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individual cases, but who is subject to performance review by the President or the President's designee and the University Grievance Committee. The initial Grievance Officer will be appointed on a part-time (release time) basis for a two-year period. Staff and support arrangements will be determined by the University President, or the President's designee, in consultation with the University Grievance Committee and the Grievance Officer.

(b) Section 3.8 Discretionary Decisions

The University Grievance Policy provides only limited review of discretionary decisions. The grievance panel will determine only (1) whether the particular exercise of discretion was within the scope of discretion or (2) whether it was taken in accordance with relevant University policies, procedures, and criteria as well as applicable provisions of this Policy, and (3) whether it was taken in a rational and evenhanded way. The third criterion would be satisfied if there is a rational basis for the decision, even if the grievance panel or committee themselves would have decided the issue differently as a matter of first impression.

(c) Section 4.26 Discovery

In ruling on "discovery requests" under this policy, the University Grievance Officer will adhere to the requirements of state and federal law, particularly the Minnesota Data Practices Act and the Federal Educational Rights and Privacy Act.

(d) Section 6.1 Time for Filing an Appeal

It is understood that the final recommendation of a panel (or of the University Grievance Committee) to the responsible University administrator is a final recommendation only. If the responsible administrator declines to implement the recommendation, the petitioner can ask that the matter be forwarded to the President (or the President's designee) for final administrative action as provided in section 7.4. The President (or designee) can request "special review" of such a recommendation as provided in section 7.2 of the document.

(e) Section 7.1 Final Decisions

The President (or the President's designee) is not bound to follow the recommendation of the panel (or of the Grievance Committee), but if the President or designee deviates from that recommendation, the final decision must be in writing and must include the substantive reasons for that action, as provided in section 7.4.

FOR THE SENATE CONSULTATIVE
COMMITTEE ON BEHALF OF
THE UNIVERSITY SENATE

FOR THE UNIVERSITY
ADMINISTRATION

Warren Ibele, Chair

Nils Hasselmo, President

Dated: _____

Dated: _____

UNIVERSITY OF MINNESOTA
TWIN CITIESLaw School
285 Law Center
229 19th Avenue South
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(612) 625-1000

MEMORANDUM

TO: University Senate

FROM: Ad Hoc Committee on Grievance Procedures *jm*

DATE: April 21, 1989

SUBJECT: Proposed Amendments

The Ad Hoc Committee has received two letters since the publication of the proposed policy in the Senate Docket. In response to the problems raised in those letters, we wish to propose some minor amendments to the policy.

The Student Employment Committee has pointed out that there is also a separate Student Employment Grievance procedure for non-academic student employees. We wish to preserve the jurisdiction of this procedure, while permitting any grievances which are inextricably enmeshed in a complex of other issues to be heard under the new policy.

Accordingly, the Ad Hoc Committee will move that a new subparagraph be added in section 3.2, Exceptions, to read as follows:

(f) Any matter involving non-academic student employment will be referred to the Student Employment Grievance procedure, unless the University Grievance Officer determines that it is part of a complex of issues which arises under this grievance policy.

and to re-identify the present item (f) as item (g).

The Committee has also received a communication from one incumbent collegiate grievance officer, who wishes to insure that disputes about appropriate jurisdiction can be resolved clearly and efficiently. While the Ad Hoc Committee believes that this is provided for in section 4.23 of the document, we wish to reinforce and emphasize the special role of the

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SUBJECT: Proposed Amendments

University Grievance Officer in deciding all disputes about appropriate jurisdiction. Accordingly, we will move to amend the document by inserting a new subsection, immediately before the present section 3.5, which will provide as follows:

3.5 Disputes About Jurisdiction. Any dispute about the appropriate body before which a grievance should be heard will be decided by the University Grievance Officer, subject to appeal to the Standing Subcommittee on Procedure. This decision on jurisdiction is binding, both on the grievance committees and panels established by this policy, and on the other bodies mentioned in section 3.2 (a) through (f) of this policy.

Sections 3.5, 3.6, and 3.7 would be appropriately renumbered, as would cross-references.

FLM/hc