

INDIANA UNIVERSITY

FACULTY BOARDS OF REVIEW: MINIMUM STANDARDS FOR UNIFORM HEARING PROCEDURES

(By Action of the University Faculty Council: April 8, 1997; Amended: November 10, 1998)

These minimum standards for uniform hearing procedures apply to all hearings conducted by Faculty Boards of Review established by campus governing bodies under Article V of the *Constitution of the Indiana University Faculty*.

Purpose:

These minimum standards are intended to ensure that considerations of faculty* requests for review of university actions concerning academic freedom, reappointment, tenure, promotion, dismissal, salary adjustment, and the nature or conditions of work by Faculty Boards of Review are conducted fairly and reasonably.

1. All the members of a Faculty Board of Review shall be members of the faculty, and a majority of those shall be tenured. Members shall be elected by the faculty at large or by the faculty members of the campus faculty governance organization.
2. Complaints requesting a review of administrative action by a Faculty Board of Review shall be submitted in writing. The complaint shall specify the action to be reviewed, the reasons for requesting the review, and a proposed remedy.
3. Upon receiving a complaint, a Faculty Board of Review shall provide written notice of the complaint and its particulars to the administrators (1) who are named in the complaint and (2) who are believed to be responsible for representing the university in regard to the complaint.
4. A Faculty Board of Review shall allow reasonable time for the preparation of cases to both parties, set deadlines in order to dispose of cases in a timely fashion, schedule meetings and hearings at times convenient to both parties and the Board, and provide written notice of meetings and hearings in due time to all concerned.
5. A Faculty Board of Review, authorized to undertake informal efforts to resolve complaints, shall maintain a clear distinction between these efforts and its formal procedures and shall keep a written record of its informal efforts and the results these have produced.
6. A Faculty Board of Review shall prepare a written summary and a taped record of its proceedings in both formal and informal hearings, and these shall be available to members of the Board and both parties.
7. The faculty on each campus, through its governance system, shall establish the conditions under which the procedures for its Faculty Board of Review hearings will be open or closed.

8. A Faculty Board of Review shall develop rules to ensure that the confidentiality of all its proceedings, excepting open hearings, is preserved and that its findings and recommendations are determined and communicated without undue publicity.

9. Either or both parties to the complaint may be represented by an attorney or adviser at formal or informal hearings.

10. Both parties and the Faculty Board of Review may call witnesses, cross-examine witnesses, and request information bearing on the complaint from the university and others believed to have relevant information.

*In this document the word "faculty" is generic and includes librarians.

11. Members of a Faculty Board of Review shall recuse themselves from considering a complaint at any stage of the process if they are members of the complainant's department (or school/college if that unit is not organized in departments) or if there is any other association with the complainant which will make (or create the appearance of making) them unable to serve impartially.

12. Formal hearings shall be conducted before the full membership of a Board of Review. The document establishing a Faculty Board of Review shall include a provision for filling vacancies on the Board.

13. Formal hearings shall be conducted so as to guarantee that both sides are present, are permitted to participate, and are able to examine and respond to all evidence presented to the Board, nor shall recommendations regarding any complaint be sent to the Chancellor or Vice President until both parties have been heard.

14. A Faculty Board of Review shall prepare written recommendations regarding complaints and provide copies to both parties within a reasonable time following the conclusion of hearings.