

**Foreword: The BFC Student Affairs Committee recommends to the Council the following changes to Policy BL-ACA-D23 and its accompanying set of procedures. The changes in student academic appointee mediation policy and procedures are necessary to reflect the fact that the former Student Academic Appointee Affairs Committee was abolished by the BFC, and its functions transferred to the Student Affairs Committee. The following changes allow the Student Affairs Committee to carry out the function of mediating SAA grievances under the same basic terms and procedures as the former SAAAC, bringing campus policy into line with structural changes that have already been made and providing clear guidance to affected students.**

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**[IU Bloomington SAA mediation policy (BL-ACA-D23 ) currently found at <http://vpfaa.indiana.edu/policies/bloomington/governance-review/saa-mediation.shtml>]**

Scope:

All student academic appointees on the Bloomington campus.

Policy Statement

If a grievance cannot be resolved at the departmental or unit level, a Student Academic Appointee ~~the SAA~~ may bring the grievance to an ~~the~~ SAA Mediation Panel Committee. SAA Mediation Panel Committee information is available at <http://www.indiana.edu/~bfc/docs/policies/SAAGrievanceProcedures.pdf>

An ~~The~~ SAA Mediation Panel Committee is drawn from the membership of the BFC Student ~~Academic Appointees~~ Affairs Committee. The Mediation Panel Committee shall be composed of ~~no fewer than~~ five members, including three members designated by the chair of the Student Affairs Committee from among the membership of that committee, and no fewer than two graduate student

members nominated by the Graduate and Professional Student Government. ~~In cases involving dismissal or academic freedom, the SAA Mediation Committee will meet as a full body; in cases involving the nature or conditions of work and reappointment, the Committee may meet in subcommittees or panels of no fewer than two members (at least one of whom must be a graduate student).~~ In appointing members of an SAA Mediation Panel, preference should be given, whenever possible, to faculty members who have had experience supervising SAAs. Although membership of the Student Affairs Committee may vary ~~SAA Mediation Committee varies~~ from year to year, it is expected that the same roster of Panel Committee members shall complete the investigation and mediation of any case they have begun to consider. If a member of the Student Affairs SAA Mediation Committee is involved in another mediation case ~~before the Committee~~, or is a member of a department (or a school which is not departmentalized) from which a case arises, he or she shall be disqualified to hear or to investigate the case. A member of the Student Affairs Committee SAA Mediation Committee shall also disqualify himself or herself from hearing or investigating a case whenever the member believes it difficult to render an impartial judgment. No member of the SAA Board of Review can serve concurrently on an the SAA Mediation Panel Committee.

The SAA shall initially notify the Faculty Council Office Chair of the BFC Student Academic Appointees Affairs Committee in writing of her or his intention to bring a the grievance, and the Faculty Council Office shall transmit the request to the Chair of the Student Affairs Committee. ~~before the Committee.~~

Members of an the SAA Mediation Panel Committee shall address each grievance impartially, investigate it thoroughly, and base their findings on sound knowledge of University policies and procedures. The Panel Committee should strive to resolve grievances through flexible procedures and encourage discussions between the parties to the grievance. The meetings of the Panel Committee shall be informal with no stenographic record kept.

Where appropriate, SAAs may opt to seek mediation through other appropriate university offices, such as the Student Advocates Office.~~organizations, such as the Affirmative Action Office, the Office for Women's Affairs, the Gay, Lesbian, Bisexual, and Transgender Anti-Harassment Team, the Racial Incidents Team, the Gender Incidents Team, the Religious Bias Incidents Team, or the Student Advocates Office.~~ SAAs pursuing such alternatives may not concurrently bring a case before a Mediation Panel~~the Committee~~; however, pursuing these alternatives does not preclude the SAA from subsequently bringing the grievance to an~~the~~ SAA Mediation Panel~~Committee~~.

~~If mediation of the grievance fails, T~~the SAA Mediation Panel Committee shall in all cases reports ~~its findings~~ in writing to the grievant and to all parties named in the grievance a summary of its findings and recommendations. If mediation of the grievance fails, then Oon request from the grievant, the Panel committee informally may give its opinion of the merit of the grievance and whether it should be taken to the SAA Board of Review. This opinion shall not constitute evidence before the Board. On request, the Panel Committee shall assist the grievant in drafting a statement of the grievance and may assist the grievant in other ways in preparing a case for presentation to the Board. However, the members of the Panel Committee may not represent the grievant before the Board.

[Student Academic Appointee Mediation Procedures currently found at <http://www.indiana.edu/~bfc/docs/policies/SAAGrievanceProcedures.pdf>]

INDIANA UNIVERSITY BLOOMINGTON

Student Academic Appointee Mediation Panel Committee Procedures

~~(Formerly the Associate Instructor Grievance Committee)~~

~~(By Action of Bloomington Faculty Council: December 4, 2001)~~

A. Purpose of ~~the~~ Student Academic Appointee Mediation ~~Committee~~:

~~A The Bloomington~~ Student Academic Appointee Mediation Panel, which is composed of members of the BFC Student Affairs Committee plus graduate student members appointed by the Graduate and Professional Student Government, Committee (hereafter called the Committee) serves student academic appointees, faculty, and administration of the Bloomington Campus by investigating student academic appointee grievances and attempting to resolve them through mediation and consultation.

B. The Panel's Committee's Role; Relation to Other Grievance Procedures:

Student academic appointees may bring ~~to the Committee~~ grievances concerning actions of dismissal, academic freedom, reappointment, and the nature and conditions of work. Members of a Mediation Panel the Committee shall address each grievance with impartiality, investigate it thoroughly, and base their report on a sound knowledge of University policies and procedures. The Panel Committee should strive to resolve grievances by keeping its procedures flexible and encouraging discussions between the parties to the grievance. An SAA Mediation Panel shall in all cases report in writing to the grievant and to all parties named in the grievance a summary of its findings and recommendations. If mediation of the grievance fails, then on request from the grievant if the grievance is not resolved, the Committee shall report its findings in writing to the grievant and all parties named in the grievance. On request from the grievant, the

~~Panel committee~~ informally may give its opinion of the merit of the grievance and whether it should be taken to the Student Academic Appointee Board of Review. ~~(hereafter called "the Board")~~. This opinion shall not constitute evidence before the Board. On request, the ~~Panel Committee~~ shall assist the grievant in drafting a statement of the grievance and may assist the grievant in other ways in preparing a case for presentation to the Board. However, members of the Mediation Panel ~~the Committee~~ may not represent the grievant before the Board.

Any student academic appointee, grader, or graduate student involved in teaching or teaching-related activities whose appointment includes responsibilities on the Bloomington Campus may bring a case before the Committee, to try to resolve matters without invoking the formal procedures of the Board of Review. In specific cases, a student academic appointee may opt to seek mediation through another appropriate university office organization, such as the Affirmative Action Office, the Office for Women's Affairs, the Gay, Lesbian, Bisexual and Transgender Anti-Harassment Team, the Racial Incidents Team, the Gender Incidents Team, or such as the Student Advocates Office. Student academic appointees pursuing such alternative avenues of mediation may not concurrently bring a case before a Mediation Panel ~~the Committee~~.

C. Organization of a ~~the~~ Student Academic Appointee Mediation Panel ~~Committee~~:

~~The~~ Mmembers of the BFC Bloomington Student ~~Academic Appointee~~ Affairs Committee shall serve, as needed, as members of SAA Mediation Panels. ~~concurrently as Student Academic Appointee Mediation Committee members.~~ In constituting the Student ~~Academic Appointee~~ Affairs Committee, the Bloomington Faculty Council's Nomination Committee should therefore give consideration to representation across academic ranks and among divisions of the University. A Mediation Panel shall be composed of five members, including three members designated by the chair of the Student Affairs Committee from among the members of that Committee, and two graduate student members nominated by the Graduate and Professional Student Government. ~~The Committee shall be~~

~~composed of no fewer than five members, including no fewer than two graduate student members. In appointing members of an SAA Mediation Panel, preference should be given, whenever possible, to faculty members who have had experience supervising SAAs.~~ Although the membership of the Student Affairs Committee varies from one academic year to the next, it is expected that the same ~~Panel roster of Committee members~~ shall complete the investigation and mediation of any case they have begun to consider. No member serving on the Student Academic Appointee Board of Review can serve concurrently on a the Student Academic Appointee Mediation Panel Committee.

D. Procedures of the Student Academic Appointee Mediation Committee:

The Student Affairs Committee shall accept and act upon all cases presented to it.

The meetings of a Mediation Panel ~~the Committee~~ shall be informal with no stenographic record kept. ~~The Committee shall accept and act upon all cases presented to it. In cases dealing with dismissal or academic freedom, the Committee will meet as a full body; in cases dealing with the nature or conditions of work and reappointment, the Committee may meet in subcommittees or panels of no fewer than two members (at least one of whom must be a graduate student).~~

Complaints addressed to the Student Affairs Committee ~~the Committee~~ should be in writing and shall specify the nature of the grievance and the remedy requested. The Mediation Panel, once appointed, ~~Committee~~ shall provide to the grievant a written summary of the information which it deems relevant to the case and a complete list of items made available to it in the process of its investigation. The University's administrative officers and the grievant shall cooperate with the Panel Committee in its requests for information; in the event that information the Panel Committee thinks relevant is not provided, this fact shall be made part of the written report. All confidential material relevant to the case under consideration shall be made available to the Panel Committee. Confidential material shall be treated in consonance with the policies and principles set forth in ~~the~~ Bloomington campus policies concerning access to employee records.

~~Faculty Council document, "Access to Employee Records," which is attached hereto. (See DOCUMENT A-XVI.)~~

All investigations and mediation undertaken by ~~a Panel the Committee~~ shall be completed and its final report and advice submitted within 45 days of the time the initial letter of complaint is received from the SAA. ~~by the Chairperson of the Committee.~~

#### E. Restrictions:

In cases of non-reappointment, dismissal, or any other action of which specific written notice is given, the student academic appointee shall bring his or her grievance ~~to the Committee~~ with reasonable promptness, but not later than 30 days after receipt of the notice. A Mediation Panel ~~The Committee~~ may, at its option, waive this time limit.

#### F. Disqualification:

If a member of the Student Affairs Committee is involved in a case before another Mediation Panel ~~the Committee~~, or is a member of a department (or a school which is not departmentalized) from which a case arises, he or she shall be disqualified to hear or to investigate the case. A member of a Panel the Committee shall disqualify himself or herself from hearing or investigating a case whenever the member believes it difficult to render an impartial judgment.

#### G. Publicity:

Members of a Mediation Panel ~~the Committee~~ and administrative officers shall not make public statements about grievances before the Committee. Nor shall the report of a Panel the Committee be made public by the grievant or by any member of the Panel ~~Committee~~.

#### H. Report to the Bloomington Faculty Council:

The Student Affairs Committee shall report annually to the Bloomington Faculty Council and to the Graduate and Professional Student Government Organization the number of SAA mediation cases brought before it in each of the following

categories: dismissal, academic freedom, reappointment, and the nature or conditions of work. The Committee shall also report in each category the number of cases successfully mediated and--if known--the number dropped by student academic appointee and the number taken to the SAA Board of Review.