UNIVERSITY GRIEVANCE POLICY AND PROCEDURE

A. Policy

1. It is the policy of the University to treat each faculty member, staff member, and student in an open and fair manner and without discrimination. The University reaffirms here its fundamental belief in the rights of all persons and its firm position against any action that may infringe upon or abridge such rights. It is University policy that any member of the faculty, staff, student body, or administration, who believes that her/his rights may have been abridged or infringed by the University, may file a complaint with the University's Office of Institutional Access and Equity. This policy ensures the Complainant's protection against harassment, intimidation, and reprisal by any representative of the University for exercising the right to express dissatisfaction with any condition of employment or University life.

2. This Grievance Policy and Procedure may be used by any Complainant who believes that discriminatory action has been taken which abridges the Complainant's rights or contravenes the applicable policies and practices of Southern Methodist University or of any federal or state law.

3. The policy further guarantees that any complaint under investigation shall be treated with confidentiality. No record of any complaint may be placed, or referred to, in any employee's personnel file. No record of any discrimination complaint will be kept except by the Office of Institutional Access and Equity.

B. Complaint Resolution

The principal objective of the grievance procedure is the resolution of complaints with fairness and justice, while maintaining the dignity of all concerned. The Complainant is urged first to discuss the matter with the supervisor in an effort to reach a mutually agreeable conclusion. If such a result is not achieved, it is suggested that the matter then be discussed with the head of the particular department, or the vice president of the particular line. Should the department head or vice president be unable to resolve the problem within ten working days, it is advised that the following grievance procedure be used.

If the Complainant is a member of the faculty, that faculty member is urged to use the normal procedures for informal resolution of complaints. First through consultation with the department head, if applicable, then through consultation with the dean of the particular school, and finally an appeal to the Provost's Office. Should resolution be unsatisfactory to the Complainant, a faculty Complainant is advised, also, to use the following grievance procedure.
In the case of a student complaint, the student is urged to discuss the matter with the Dean of Students and if it is not resolved there to take it to the Vice President for Student Affairs. Should resolution be unsatisfactory, the student is advised to use the following grievance procedure, also.

C. Procedure for Handling Grievances

1. The Complainant should discuss the charge with the Director of the Office of Institutional Access and Equity, within a reasonable time after the date of the incident or condition which caused the complaint, or within ten working days after the Complainant's failure to gain the relief sought. The ten-working-day period may be extended at the discretion of the Director of the Office of Institutional Access and Equity.

The Complainant may choose one person from the University to accompany her/him to the initial conference.

2. The Director of the Office of Institutional Access and Equity shall attempt to resolve the matter within ten working days, and in so doing shall proceed as follows:

a. Discuss the matter with the Vice President in whose area the problem has arisen and enlist her/his support in a thorough investigation of the complaint; and

b. Enter into dialogue with all parties concerned in an attempt to resolve the matter on an informal basis.

3. If the Director of the Office of Institutional Access and Equity is unable to solve the problem, she/he will arrange a conference with the Complainant immediately to discuss the status of the matter and to advise the Complainant of the right to request a hearing by a grievance panel. Should the Complainant wish to pursue this course of action, the Director of the Office of Institutional Access and Equity shall advise the Complainant to request a formal hearing in writing within ten working days after being so advised.

4. If the Complainant requests that the matter be heard by a panel, the Director of the Office of Institutional Access and Equity shall proceed as follows once that office determines a hearing is appropriate

a. Acknowledge and grant in writing the Complainant's request. Copies of the response as well as the Complainant's request will be sent to all parties to the issue.

b. Request that organized bodies representing constituent groups each submit annually to the Office of Institutional Access and Equity no more than 15 names of individuals who may serve on hearing panels upon request. From these names, supplemented by those of other appropriate individuals, the Vice President of the line affected, the aggrieved person, and the Accused shall each select one person to serve on the hearing body. The three persons so selected shall constitute the panel to examine the grievance; and

c. Contact in writing all parties to inform them of the date, time, and place of the hearing.

5. The Director of Institutional Access and Equity shall be the permanent chairperson of the panel, serving without a vote.
6. The panel shall examine the problem with great care to ensure that the standards of due process are met. Witnesses may be identified and called to testify and documents may be requested for examination. The University Attorney and the Director of Human Resources may be invited as resource persons, as needed, by the grievance panel.

7. The panel shall make a determination based upon the greater weight of credible evidence. When necessary, it shall establish remedial recommendations as a part of its decision. The University administration is responsible for seeing that the remedial recommendations are carried out. Decisions of the panel are binding unless modified by the President.