

BY-LAWS OF THE DEPARTMENT OF ARCHITECTURE (rev. 4.27.12)

As endorsed by the AAUP, faculty have obligations that derive from common membership in the community of scholars and thus accept their share of responsibilities for the governance of their institution. The involvement and the consent of the faculty in the decision-making procedures of the Department of Architecture is not only required by the Senate Code of the University but is at the heart and soul of the academy and the traditions of collegiality, self-governance, and academic freedom.

These by-laws are thus developed according to the *Rules and Regulations of the Faculty Senate* (FSRR) of the University which states that provision shall be made for the role of faculty in (1) determination of educational policy; (2) exchange of information between faculty and administration; (3) use of physical resources; (4) budgetary matters; (5) personnel practices to include faculty and unclassified staff appointments, promotions, tenure recommendations and selection of departmental chairpersons; and (6) relationships with other elements of the University and the community [FSRR section 1.1.1]. Furthermore, policies for admission and readmission are to be established by the faculty, within the parameters of state laws and Regents regulations [FSRR section 2.1.1]. In addition, enrollment procedures shall be determined by the faculty or its representatives [FSRR section 5.4.1].

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1. Faculty Membership

The faculty membership of the department shall consist of all full-time, tenure track faculty, all part-time faculty and all emeritus faculty. In accordance with the policies of the Office of Graduate Studies of the University, all tenure-track faculty members are automatically regular members of the Graduate Faculty of the University. Part-time faculty may serve as special members of the Graduate Faculty for renewable 5-year terms upon the written request of the Chair of the Department to the Dean of Graduate Studies of the University. In order to hold Dissertation Status membership on the Graduate Faculty for purposes of chairing a doctoral committee, the faculty member must meet the criteria established by the Office of Graduate Studies and be nominated by the Chair of the Department

2. Voting Membership

The voting membership of the department shall consist of all full-time, tenure-track faculty, all part-time faculty who hold at least a fifty percent appointment at the rank of lecturer and above, including Professors of the Practice, all emeritus faculty living in Lawrence who annually request voting membership, and a number of eligible students elected to membership in accordance with Article XIX of the *University Senate Code*. If such students have not been elected by the student body, they may be appointed until such elections take place.

3. Chairperson

The Chair or their designated representatives shall preside at all meetings of the faculty. Unless otherwise stated, the term "Chair" as used throughout this document refers to the Chairperson of the Architecture Department.

- A. The Chair is the administrative and operating head of the department, acts in all cases on its behalf, and is its sole official representative in meetings and communications with other departments, divisions, and administrators of the University except when he or she (or the department with his or her consent) designates another member of the department to act temporarily in that capacity.
- B. He or she will be selected in accordance with the rules and regulations established by the University for filling such positions and will be reviewed according to those rules and regulations providing for such review procedures.
- C. Personnel Responsibilities:
 - 1) Hire and assign duties to departmental classified and unclassified staff.
 - 2) Responsible for annual reviews for departmental classified and unclassified staff.
 - 3) Make recommendations for faculty hiring appointments to the Dean.
 - 4) Make temporary faculty hiring appointments.
 - 5) Transmit to the Dean and the Promotion and Tenure Committee of the School of Architecture, Design and Planning recommendations for promotion and tenure.
 - 6) Conduct annual review of faculty and staff members' performances (see Annual Evaluation Plan for faculty), which will typically include personal interviews and written evaluations.
 - 7) Assign a mentor to each pre-tenured faculty member. The assigned mentor may continue throughout the promotion and tenure process of the pre-tenured faculty member, or another mentor may be assigned depending upon the needs of the pre-tenured faculty member, his or her mentor, and the Chair.
- D. Administrative Responsibilities:

- 1) Designate, when necessary and feasible, one or more members of the department's faculty as Associate Chair(s), and such other officers to assist. Duties will be outlined to the faculty
- 2) Administer day-to-day operations of the department.
- 3) Call and preside over faculty meetings.
 - a) Regular meetings: normally held bi-weekly, on Wednesdays. Agenda and notification of meeting times will be distributed at least 48 hours before the meeting.
 - b) Special meetings may be called on short notice and without agenda when necessary.
 - c) In all faculty meetings, Robert's Rules of Order will serve as the guide for parliamentary procedures.
- 4) Make committee assignments for those committees which are unelected.
- 5) Formulate departmental budget recommendations (including future hires) and communicate such to the faculty and the Dean's Office.
- 6) Establish enrollment and advising procedures in consultation with the faculty.
- 7) Schedule teaching assignments.
- 8) Schedule courses and room assignments.
- 9) Determine fair allocation of faculty loads.
- 10) Discuss with faculty any recommendations for facilities and space allocations.
- 11) Appoint ad hoc committees of the department.
- 12) Responsible for the distribution of scholarship funds, KUEA funds and any other funds designated for distribution in the Department of Architecture.
- 13) Responsible for proposals for use of Tuition Differential and communications to faculty and the Dean's Office.
- 14) Responsible for delegating the organization and implementation of an annual lectures and exhibits program.

4. Faculty Secretary

The Faculty Secretary is elected by the Architecture Faculty for a two-year term. The responsibilities of the Secretary are to take minutes of each faculty meeting and to post them in a timely fashion so that they may be read in advance of the next meeting and voted on for approval. In addition, the Secretary shall keep a copy of *Robert's Rules of Order* in order to also serve as parliamentarian if necessary.

5. Committees of the Department

All Departmental committees except Promotion & Tenure, Admissions and Student Scholarships shall have at least one student representative elected in accordance with article II above.

A. Promotion & Tenure

Membership shall include five tenured Full or Associate Professors for two-year appointments. They will annually elect one of their number as Chairperson of the committee. It will be required that at least two Full Professors be elected to serve. No committee member or a spouse may serve during any academic year that the committee is to consider that individual for promotion and/or tenure. In such a case, the Department Chair shall appoint another tenured Full Professor or Associate Professor to serve on the committee during the consideration and recommendation of that individual.

Responsibilities shall include the evaluation of candidates for promotion and/or tenure, as prescribed by the *Senate Code* and published in the *University Handbook for Faculty and Other Unclassified Staff* and the conducting of required pre-tenure reviews of untenured faculty.

For a full explanation of the Architecture Promotion and Tenure Committee's Policies, Procedures and Criteria, See Appendix B of the Department of Architecture Faculty Evaluation Plan (FEP).

B. Curriculum

The Curriculum Committee shall consist of four members of the faculty elected by the faculty for staggered four-year terms (one new member elected each year) plus the Chair of the Department and one student. The function of the Committee is to monitor all the curricula of the architecture department (B.A., M.Arch., M.A. and Ph.D.) Although the faculty must approve all curricular changes (as specified in the Rules and Regulations of the Faculty Senate), the Committee is delegated by the faculty to provide advice and recommendations on any changes or modifications based on its monitoring function as well as on any proposals coming from the faculty or the administration. The Committee acts as a clearing house for all curricular issues and discussions and provides continuity of decision-making for the curricula. The Committee may recommend to the faculty the creation of sub-committees or task forces charged with specific curricula or curricular issues, including coordination and interrelationships.

C. By-Laws

The By-Laws Committee shall consist of three members of the faculty elected by the faculty for staggered three-year terms (one new member elected each year) plus one student. The function of the Committee shall be to annually review the By-Laws of the Department so that they are congruent with the procedural reality of life in the Department and with any changes that may have occurred since the previous review. They should submit to the faculty for approval any changes, additions or deletions recommended by the Committee. They should also review any changes, additions or deletions recommended by any other committees or by individual faculty members for resubmission to the faculty for approval.

D. Admissions

According to section 2.1.1 of the *Rules and Regulations of the Faculty Senate* of the University, policies for admission and readmission are to be established by the faculty, within the parameters of state laws and Regents regulations. The tradition of the School has been to delegate this responsibility to the

Dean's Office; however, the Admissions Committee will be charged with advising the Dean's Office on admission and readmission criteria and procedures and to recommend to the Dean's Office any changes to existing criteria and procedures it finds compatible with the Department's mission – including the establishment of a portfolio requirement for the professional degree program and playing a role in the final selection of students for admission into all curricula of the Department.

The Admissions Committee shall consist of three tenured faculty members elected to serve three-year overlapping and sequential terms in order to provide consistency and continuity. The Chair of the Department shall serve as a fourth member and ex-officio Chair of the Committee. The Committee may recommend to the faculty the creation of sub-committees or task forces charged with admissions to the pre-professional, professional and post-professional degree programs.

E. Search Committee

The Search Committee shall consist of three members of the faculty elected by the faculty for staggered three-year terms (one new member elected each year) plus one student. The composition of the Committee shall consist of no more than one non-tenured faculty member and at least one full professor. The function of the Committee shall be threefold: first, to annually review the faculty hiring needs of the department in consultation with the Chair and the advice and consent of the faculty so that when a vacancy or new position occurs, a job description can be readily created ; second, to annually review the criteria for appointment to the architecture faculty to be congruent with the changing nature of the field, the Department and the expectations of the University; and third, to conduct a search process when a vacancy or new position is created, including the writing of the job description, the selection of candidates, the arrangement of interviews and the solicitation of the views of the students, faculty, Chair and Dean and to make recommendations to the Dean for hiring. In the event of more than one search, additional committees shall be elected solely for the purpose of conducting the additional search. When an actual search process has been initiated, the Chair of the Department may appoint one additional tenured faculty member to the Committee or Committees for the duration of the search.

F. Study Abroad

The function, composition and responsibilities of this committee are being determined by a task force (to be approved later).

G. Student Scholarships

The purpose of the Student Scholarships Committee is to work with the Dean's Office in selecting students for scholarships designated to architecture. The Committee shall consist of four faculty members elected for three-year overlapping and sequential terms to provide consistency and continuity. Representation should be diverse, including women and members of ethnic minorities as well as members having extensive student contact with a large cohort of students.

6. Student Council

The Student council of the Department of Architecture (ARCH STUCO) shall consist of graduate and undergraduate students assembled for the purposes of promoting academic, professional, and social programs within the Department. Architecture Student Council shall act as the voice of the student body and act as a liaison between the professional organizations, the faculty and administrators in

Architecture, the School, the University, and the community. All members of STUCO must be students in good academic standing in one of the degree programs offered by the Architecture Department. The Architecture Student Council shall be composed of the following members:

- A. One representative from each design studio within the Architecture Department.
- B. Representatives (at least 1) from the B.A. in Architectural Studies Program. This number will be based upon a 1:20 ratio of representatives to total number of
 - 1) B.A. students.
- C. Representatives (at least 1) from the M.A. and PhD. Degree programs in Architecture. This number will be based upon a 1:20 ratio of representatives to total number of M.A. + PhD students.
- D. A representative from all student organizations that have concerns within the Department of Architecture

The Department of Architecture By-Laws and University Regulations require student representation on all standing committees except those dealing with personnel and individual student matters. Accordingly, in coordination with the Chair of Architecture, ARCH STUCO shall choose from its membership one representative to sit on each standing committee. Each representative shall:

- A. Act as the liaison between ARCH STUCO and the committee.
- B. Give reports of committee activities at ARCH STUCO meetings and solicit responses as appropriate.
- C. Give reports of ARCH STUCO activities and responses as they pertain to committee business to the committee.

For the full policies and procedures of ARCH STUCO see Appendix A of these By-Laws.

7. Appeals and Petitions

A. Grade Appeals

The School Bylaws establish a grade appeal procedure described in the section on Grading. However, the Architecture Department has a separate grade appeal process for studio courses:

The student should first see the Instructor of Record. If the student is not satisfied with the studio grade after this discussion, the student may appeal to the Chair of Architecture to appoint a Faculty Review Committee to review the student's work. If possible, this committee should be composed of instructors who have taught other sections of the studio in question during the same semester in which the grade was assigned. This Faculty Review Committee will conduct a blind review (without knowing what grade was assigned) of the work done in the studio course and report its evaluation to the Department Chair. The Faculty Review Committee must evaluate all the projects upon which the final grade was assigned. A Faculty Review Committee will not be established to review grades given for single projects. The studio grading policy states that other factors will be considered in addition to the work done in the studio when assigning a final grade for a course. After the committee has submitted its recommendation to the Department Chair, the Chair will discuss the committee's evaluation with the Instructor of Record. If the instructor does not believe that an error was made in assigning the grade,

the student may then make an appeal to the Dean of the School for his or her evaluation. If the student wishes to appeal the Dean's evaluation, he or she is advised to see the University Ombudsman in order to explore further the normal grievance procedures of the University.

B. Petitions

Architecture students may petition the Chair of the Department for substitution of certain course requirements, waiving certain course requirements, or for other deviations from the established curricula. In certain cases, the Chair may refer the petition to the Curriculum Committee for their advice. Once the Chair has decided, the student may then appeal that decision to the Dean of the School for his or her evaluation as in the case of grade appeals described above.

8. Grievances

Pursuant to Article XIV of the University Senate Code and Articles V and VI of the University Senate Rules and Regulations of the University, the School of Architecture, Design and Planning has established a procedure to hear grievances arising within the School (see appendix B of these Bylaws). However, the procedure advises that if grievances arise within a particular department of the School, that department should follow its own established procedures. Thus, the Architecture Department needs to establish its own grievance procedures. In the meantime, the School procedures will be followed.

9. Appendices

A. Architecture Student Council (STUCO)

Structural Organization of ARCH STUCO

The Executive Committee shall be composed of the following elected positions:

- 1) President of Student Council
- 2) Vice-President of Student Council
- 3) Treasurer
- 4) Secretary

Duties of Executive Committee Members

The President shall:

- 1) Schedule and preside over ARCH STUCO meetings
- 2) Chair the Executive Committee
- 3) Attend The School of Architecture, Design and Planning STUCO meetings as the ARCH STUCO representative
- 4) Act as a liaison between ARCH STUCO and the School of Architecture, Design and Planning

The Vice-President shall:

- 1) Act as President in the elected President's absence

- 2) Act as assistant to the President
- 3) Coordinate the work of all committees within ARCH STUCO

The Treasurer shall:

- 1) Keep an account of all receipts and disbursements of ARCH STUCO
- 2) Make remittances when so ordered by ARCH STUCO
- 3) Produce an itemized report once each semester
- 4) Make a verbal report whenever necessary

The Secretary shall:

- 1) Record the minutes of each ARCH STUCO and Executive Committee meeting
- 2) Provide a copy of the minutes for each member of ARCH STUCO
- 3) Keep all records of ARCH STUCO up-to-date and in order
- 4) Prepare any correspondence for ARCH STUCO as necessary
- 5) Send out proper notices of all ARCH STUCO meetings

Duties of the ARCH STUCO General Body

Student Representatives from the Department of Architecture shall

- 1) Act as a liaison between their fellow students and ARCH STUCO
- 2) Attend ARCH STUCO meetings
- 3) Sit on ARCH STUCO committees as assigned or elected
- 4) Sit on a standing committee of the Department of Architecture as assigned or elected.
- 5) Participate in ARCH STUCO activities

Student Organization representatives shall:

- 1) Act as a liaison between ARCH STUCO and their organization
- 2) Represent their organizational concerns to ARCH STUCO
- 3) Attend ARCH STUCO meetings
- 4) May choose to sit on a committee (ARCH STUCO or Department)
- 5) May choose to participate in ARCH STUCO activities

Committees in the General Body of ARCH STUCO

Throughout the course of each year ARCH STUCO will deal with issues that will improve upon the Department of Architecture. To properly deal with these issues, a committee composed of general body members will be elected or appointed to complete such a task.

Each ARCH STUCO committee shall have a committee chairperson who shall:

- 1) Schedule and preside over committee meetings
- 2) Report to ARCH STUCO the progress of their committee

Committee members shall be ARCH STUCO representatives who volunteer to participate on the committee. In the case that there are no volunteers, the President of ARCH STUCO will appoint committee members. A committee will remain intact until the said task is completed.

Standing Committees of the Department of Architecture

The Department of Architecture By-Laws and University Regulations require student representation on all standing committees except those dealing with personnel and individual student matters. Accordingly, in coordination with the Chair of Architecture, ARCH STUCO shall choose from its members one representative to sit on each standing committee.

Each such representative from ARCH STUCO shall:

- 1) Act as the liaison between ARCH STUCO and the committee.
- 2) Give reports of committee activities at ARCH STUCO meetings and solicit response as appropriate.
- 3) Give reports of ARCH STUCO activities and responses as they pertain to committee business to the committee.

The Executive Committee

The executive committee shall be the administrative and coordinating body of ARCH STUCO for the purpose of implementing policy decisions made by ARCH STUCO. The executive committee shall meet separately from general ARCH STUCO meetings when deemed necessary by the president of ARCH STUCO.

General ARCH STUCO Meetings and Quorum

At least six general meetings should occur during each school semester, exclusive of vacations and the summer semester, at a time to be determined by the president and approved by ARCH STUCO representatives.

Additional meetings of ARCH STUCO may be determined by members present at a designated ARCH STUCO meeting, or by the Executive Committee. All ARCH STUCO meetings shall be announced and publicized at least one week in advance. Robert's Rules of Order shall govern the conduct of the meetings. A copy of Robert's Rules of Order shall be kept by the secretary and made available to ARCH STUCO representatives at every meeting. The Executive committee shall appoint a representative to serve as parliamentarian. The parliamentarian shall have full power to render decisions and interpretations of such rules when requested. Fifty percent of ARCH STUCO representatives shall be considered a quorum for transaction of STUCO business.

The normal order of business shall be as follows:

- 1) Call to order
- 2) Consider the minutes of the previous meeting
- 3) Review officer reports
- 4) Review committee reports
- 5) Old business

- 6) New business
- 7) Announcements
- 8) Adjourn

Suspension of the regular order of business of ARCH STUCO may be accomplished at any meeting by a majority vote of the members present.

Proposals

Any proposals made before ARCH STUCO shall be presented in the following manner:

- 1) A written proposal outlining the concern to ARCH STUCO shall be given and presented to the Executive Committee
- 2) Once approved by the Executive Committee a designated meeting date will be assigned to have the proposal presented at an ARCH STUCO general meeting
- 3) The proposal will be presented at the designated ARCH STUCO general meeting, or will be tabled to the next meeting

Election of the Executive Committee Members

Nominations and elections of Executive Committee members will take place during the first three weeks of the Fall semester by a ballot of previous ARCH STUCO members. The term "previous ARCH STUCO member" shall refer to any person who has participated in the functions of ARCH STUCO for a minimum of one school year, and who is familiar with the activities of ARCH STUCO. Persons eligible for election to the Executive Committee must have been involved with ARCH STUCO for a minimum of one school year, participated in at least two committees within ARCH STUCO or on one of the Department of Architecture committees, and must be familiar with the activities of ARCH STUCO. Officers elected to the Executive Committee shall serve a term of one full year.

Elections to the Executive Committee shall be conducted in the following manner:

- 1) The existing Executive Committee will schedule the first meeting of the fall semester within the first three weeks of classes in order to nominate and elect a new Executive Committee
- 2) All current representatives of ARCH STUCO will be notified of this meeting immediately
- 3) Nominations and elections to the Executive Committee shall take place by ballot or show of hands. In case of a tie the faculty advisor of ARCH STUCO shall determine the best candidate
- 4) The names of the new Executive Committee will then be made available to the Office of the Chair of Architecture.

Existing executive committee members are excluded from voting for the newly elected committee

members. All positions of the Executive Committee shall be re-elected each year. A person elected

to the Executive

Committee can hold that position for up to two consecutive years, unless elected to a different position within the Executive Committee. A person may serve on the Executive Committee for a three-year

term, regardless of position held.

Election of General STUCO Representatives

All said parties who make up the general ARCH STUCO body shall remain a part of the general body for a minimum of one full year. Student Organization representatives shall remain so until otherwise deemed by their individual organization.

Vacancies and Renewals

In the case of a vacancy of the president, the vice-president shall succeed, and a new vice-president shall be elected. Vacancies in the offices of vice-president, treasurer or secretary shall be filled by a special election at a regular meeting of ARCH STUCO. Another person within the same program shall fill vacancies in any of the ARCH STUCO general representative's positions as they are vacated. The burden is placed upon the ARCH STUCO general representative wishing to vacate their position to find a new representative for their held position. ARCH STUCO shall have the power to remove any representative who fails to carry out his/her responsibilities in any office or position by a 75% majority vote of the total ARCH STUCO body.

Functions of ARCH STUCO

ARCH STUCO shall promote student interest and participation in the activities and governance of the Department of Architecture.

ARCH STUCO shall serve as a liaison between the administrative offices of the Department of Architecture and the School of Architecture, Design and Planning, the officers of student organizations, and University organizations concerned with Architecture.

ARCH STUCO may represent the professional views and interests of the Architecture students at all levels of the University structure.

ARCH STUCO shall be responsible for the coordinating of events between student organizations within the Department of Architecture and shall be the outlet by which student organizations may deal with any problems or concerns that they may have.

The objective of ARCH STUCO is to open communication between student organizations that have any association to the field of architecture, in a way that will benefit both the students and the organizations. It is also the objective of ARCH STUCO to respect and preserve the autonomy of each student organization.

B. Grievances: Existing School Grievance Policy

Pursuant to Article XIV of the University Senate Code and Articles V and VI of the University Senate Rules and Regulations of the University of Kansas, Lawrence, School of Architecture, Design and Planning establishes the following procedure to hear grievances arising within the School of Architecture, Design and Planning. If a subordinate unit has a grievance procedure, grievances arising within the subordinate unit or its subunits must be heard under the subordinate unit's grievance procedure unless exceptional circumstances, as determined by the Dean, make it more appropriate for those grievances to be heard at the Dean's level. Appeal of a grievance heard at a subordinate level is to the Judicial Board, not to the Provost. This procedure shall not be used to hear disputes assigned to other hearing bodies under USRR Article VI, Section 4. For disputes involving alleged academic misconduct or alleged violations of student rights, the initial hearing normally will be at the unit level. There is an option to hold an initial hearing at the Judicial Board level if both parties agree, or either party petitions the Judicial Board chair to have the hearing at the Judicial Board level and the petition is granted. The petition must state why a fair hearing cannot be obtained at the unit level; the opposing

party has an opportunity to respond to the petition (USRR 6.4.3.1). Except as provided in USRR 6.5.4, no person shall be disciplined for using the grievance procedure or assisting another in using the grievance procedure. The Dean's Office shall provide a copy of this procedure to anyone who requests it.

1. To start the grievance process, the complainant must submit a written grievance to the Office of the Dean. The complaint shall contain a statement of the facts underlying the complaint and specify the provision(s) of the Faculty Code of Conduct, University Senate Code, the University Senate Rules and Regulations, the Code of Student Rights and Responsibilities, or other applicable rule, policy, regulation, or law allegedly violated. The complaint shall also indicate the witnesses or other evidence relied on by the complaining party, and copies of any documents relevant to the complaint shall be attached to the complaint.
2. At the time the complaint is submitted to the Dean, the complaining party shall provide a copy of the complaint, with accompanying documents, to the respondent(s).
3. Upon receipt of the complaint, the Office of the Dean shall contact the respondent to verify that the respondent has received a copy of the complaint and to provide the respondent with a copy of these procedures.
4. Pursuant to University Senate Code 14.2.c, a respondent has the privilege of remaining silent and refusing to give evidence in response to a complaint. The respondent also has the right to respond and give evidence in response to the complaint.
5. The respondent shall submit a written response to the Office of the Dean within 14 calendar days of receiving the complaint. The response shall contain the respondent's statement of the facts underlying the dispute as well as any other defenses to the allegations in the complaint. The response shall also identify the witnesses or other evidence relied on by the respondent and shall include copies of documents relevant to the response. The respondent shall provide a complete copy of the response to the complaining party.
6. Upon receipt of the response, the Office of the Dean shall contact the complaining party to verify that a copy of their response has been provided.
7. Upon receiving the complaint and response, or if the respondent fails to respond within the 14-day time period, the Dean shall appoint a committee to consider the complaint. The committee members shall be disinterested parties who have not had previous involvement in the specific situation forming the basis of the complaint.
8. Pursuant to USRR 6.8.4.2, the chair of the committee may contact other hearing bodies within the University to determine whether a grievance or complaint involving the underlying occurrence or events is currently pending before or has been decided by any other hearing body.
9. Time limits. To use this procedure, the complainant must file the written complaint with the Office of the Dean within six months from the action or event that forms the basis of the complaint. The six-month time period shall be calculated using calendar days (including weekends and days during which classes are not in session).
10. Upon receiving the complaint, if the chair of the committee determines that if any of the following grounds exist, he or she may recommend to the Dean that the complaint be dismissed without further proceedings. The grounds for such dismissal are: (a) the grievance or another grievance involving substantially the same underlying occurrence or events has already been, or is being, adjudicated by proper University procedures; (b) the grievance has not been filed in a timely fashion; (c) the Dean lacks jurisdiction over the subject matter or any of the parties; (d) the grievance fails to allege a violation of a University rule; (e) the party filing the grievance lacks standing because he or she has not suffered a distinct injury as a result of the challenged conduct and has not been empowered to bring the complaint on behalf of the University; or (f) the party filing the grievance has been denied the right to file grievances pursuant to USRR 6.5.4.
11. If the chair of the committee determines that a grievance on its face properly should be heard by another body, the chair will recommend that the Dean send the grievance to the

appropriate hearing body without further proceedings in the Dean's Office. The Dean will send a copy of the referral to the complainant(s) and any responding parties.

12. Prior to scheduling a hearing, the parties shall participate in mediation of the dispute unless either party waives mediation. Mediation shall be governed by USRR 6.2.3.
13. If mediation is successful, the mediator will forward to the Dean, the committee chair, and all parties a letter describing the outcome of the mediation and the terms upon which the parties have agreed to resolve the dispute. This letter shall be a recommendation to the Dean. The Dean will notify the mediator, the committee chair, and the parties that the recommendation has been accepted, modified, or rejected.
14. If mediation is not successful, the mediator will notify the Dean, the committee chair, and the parties that mediation has terminated. If mediation is not successful, or if it is waived by either party, the grievance committee will schedule a hearing no later than 30 calendar days from the written submission of the complaint. The 30-day period may be extended for good cause as determined by the chair of the committee. The 30-day period shall be suspended during the mediation process. The hearing will be closed unless all parties agree that it shall be public.
15. Each party may represent himself or herself or be represented by an advisor or counsel of his or her choice.
16. Each party has the right to introduce all relevant testimony and documents if the documents have been provided with the complaint or response.
17. Each party shall be entitled to question the other party's witnesses. The committee may question all witnesses.
18. Witnesses other than parties shall leave the hearing room when they are not testifying.
19. The chair of the committee shall have the right to place reasonable time limits on each party's presentation.
20. The chair of the committee shall have the authority and responsibility to keep order, rule on questions of evidence and relevance, and shall possess other reasonable powers necessary for a fair and orderly hearing.
21. The hearing shall not be governed by the rules of evidence, but the chair of the committee may exclude information he or she deems irrelevant, unnecessary, or duplicative. Statements or admissions made as part of the mediation process are not admissible.
22. The committee will make an audiotape of the hearing but not of the deliberations of the committee. The audiotape will be available to the parties, their authorized representatives, the committee, and the Dean. If a party desires a copy of the audiotape or a transcript of the tape, that party will pay for the cost of such a copy or transcript. In the event of an appeal, the audiotape will be provided to the appellate body as part of the record of the case.
23. After the presentation of evidence and arguments, the committee will excuse the parties and deliberate. The committee's decision will be a written recommendation to the Dean. The committee shall base its recommendations solely upon the information presented at the hearing.
24. The committee will send its written recommendation to the Dean and the parties as soon as possible and no later than 14 calendar days after the end of the hearing.
25. Within 14 calendar days of receiving the committee recommendation, the Dean will notify the parties of the acceptance, modification, or rejection of the recommendation. The Dean will advise the parties of the procedure available to appeal the decision.

Approved September 30, 1999:
John C. Gaunt, Dean

These procedures have been reviewed by the Office of the University General Counsel and are effective

with the beginning of the fall semester 1999.

C. Promotion and Tenure (pending report from Task Force)