CODIFICATION COMMITTEE
April 9, 2015
MINUTES

Members present: Dietz, Merrill, Satriana, Welsh.
Members absent: Johnson, Williams.
Guest: Reynolds.

Call to Order
The meeting was called to order at 3:00 p.m.

Approval of agenda/April 2, 2015 minutes
The agenda was approved without objection.
The April 2, 2015 minutes were approved unanimously.

Chair’s Report/Announcements

DCP Discussion Timeline
Dietz outlined the current timeline for the DCP, noting that the Codification Committee motion was postponed until the April 20, 2015 Senate meeting.

2015-2016 Meetings
Dietz asked for Committee input on the meeting day for 2015-2016 (Wednesdays vs. Thursdays). The Committee agreed to meet on Thursdays at 3:00 p.m.

Unfinished Business

Discrimination Complaint Procedures
Dietz asked Reynolds to update the Committee on the progress of communication/research regarding the Discrimination Complaint Procedures. Reynolds outlined proposals for the procedures to include a website that would outline the policy intent, complaint process, prohibited conduct, how to file a complaint, timelines for the process, and student accessibility. The website would also include a form, and be accessible through additional sites (e.g. DSS, HR, DOS-directed to a centrally maintained form). Additional recommendations included clarification/additional definitions, clarification of the appeal process, determination of who is responsible for education/communication of the process, and who is responsible for articulation of responsibilities (decisions), and updates. Reynolds will meet with Wacker and Norton next week to continue discussion of the DCP draft.
The Committee discussed the current Student Complaint form, and agreed that the University should have one form, with a procedure in place to determine the type of complaint, and a procedure for distribution to the appropriate area(s). Reynolds has corresponded with Rodriguez regarding the current Student Complaint Form/Process.
The Committee discussed the proposed date of April 15th that was given to the Board of Trustees, for placement of the DCP in the University Regulations and 1-1-508 Equal Opportunity in the Board Policy Manual. Dietz noted that the Faculty Senate will still be given the opportunity to discuss/amend the procedures after they are placed in the University Regulations. The Committee will continue discussion at the April 16th meeting (in the interim, Reynolds will meet with Wacker and Norton to discuss the DCP draft).
The Committee discussed additional amendments to the DCP:

3-6-125: Paragraph #2, add the following sentence (to clarify the procedure for simultaneous allegations):

If an allegation of Discrimination, Harassment and/or Retaliation is made during any other review, grievance or appeal process, such review, grievance, or appeal will be held in abeyance pending resolution of such allegation under DCP.

3-6-133 (4)(a)(i): Amend as follows:

Interviews of persons who may have relevant knowledge including but not limited to the Complainant, the
Respondent and/or persons identified in any written or oral information provided in the course of the investigation of the Complaint and/or….

3-6-134(7)-(9): Amend as follows:

(7) If the Respondent is a tenured faculty member and the disciplinary action of the Decision Maker(s) is termination of employment, the Respondent may, within the time limit stated in Section 3-6-133(6)(f), make a written request notification to the Appeal Decision Maker of his/her decision to exercise his/her right to appeal using either:
   (a) The procedures described in Board Policy 2-3-1101(3), in which case the Appeal Decision Maker will communicate to the President the Decision of the Decision Maker, or
   (b) The Appeal Process described in the DCP.

If the Respondent files a timely appeal but does not provide written notification of his/her choice of the alternative processes described in subsection (a) and (b), above, the procedures described in Board Policy 2-3-1101(3) will be used with respect to Respondent’s appeal.

(8) Notwithstanding the investigation and decision making processes of the Complaint as described in the DCP, if the Disciplinary Action to be implemented with respect to a Respondent who is a tenured faculty member is his/her dismissal (termination of employment), such Respondent is entitled to all the processes contained in Board Policy 2-3-1101(3).

(9) If the Respondent is a student and the sanction of the Decision Maker(s) is suspension or expulsion from the University, the Respondent may, within the time limit stated in Section 3-6-133(6)(f), make a written request notification to the Appeal Decision Maker of his/her decision to exercise his/her right to appeal using either:
   (a) The procedures described in Board Policy 2-1-504(1), in which case the Appeal Decision Maker will communicate to the Chief Disciplinary Officer of the University the Decision of the Decision Maker, or
   (b) The Appeal Process described in the DCP.

If the Respondent files a timely appeal but does not provide written notification of his/her choice of the alternative processes described in subsections (a) and (b), above, the procedures described in Board Policy 2-1-504(1) will be used with respect to Respondent’s appeal.

(10) A Respondent who, under subsection (7) or (8), above, requests the Appeal Process described in the DCP waives his/her right to the procedures referenced in Subsection (7)(a) or (8)(a), above, as the case may be.

MOTION: Accept the proposed amendments (as outlined) and present at the April 20, 2015 Faculty Senate meeting: Merrill.
SECOND: Welsh.

VOTE: The motion passed unanimously.

The current DCP document will be updated for the April 16th Codification Committee meeting, to include the March 18th and April 9th amendments.

Review Senate Actions /Board Policy Manual and University Regulations Updates: Topic not covered.
Revision Date Documentation (Satriana): Topic not covered.

New Business
Adjournment
The meeting adjourned at 4:30 p.m.

Richard Dietz
Chair

Lori Riley
Recording Secretary