CODIFICATION COMMITTEE
March 12, 2015
MINUTES

Members present: Dietz, Merrill, Satriana.
Members absent: Johnson, Welsh, Williams.
Guests: Temkin.

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

Approval of agenda/February 24, 2015 minutes
The agenda was approved without objection.
The February 24, 2015 minutes were approved unanimously.

Chair’s Report/Announcements
Senate Chair Temkin will join today’s Discrimination Complaint Procedures discussion.

Unfinished Business
1-1-508 Equal Opportunity
The proposed amendments to 1-1-508 were approved by the Faculty Senate and the Board of Trustees.

Discrimination Complaint Procedures
The Committee discussed the following amendment proposal (in bold) to the DCP Section 3-6-133 (amendment to document presented to Senate March 2, 2015):

3-6-133 Formal Complaint Procedures
   (4)(a)(i) Interviews of persons who may have relevant knowledge including but not limited to the Complainant, the Respondent and/or person identified in any written or oral information provided in the course of the investigation of the Complaint and/or..

MOTION: Approve the amendment to 3-6-133: Merrill.
SECOND: Satriana.
VOTE: The motion passed unanimously.

The Committee also discussed the following amendment proposals (in bold and strikethrough) to Section 3-6-144 (amendments to document presented to Senate March 2, 2015):

3-6-134 Investigators, Decision Makers, Collaborators, and Appeal Decision Makers
   (7) If the Respondent is a tenured faculty members and the disciplinary action of the Decision Maker(s) is that the Respondent’s employment be terminated, the Respondent may, within the time limit stated in Section 3-6-133(6)(f), make provide written request notification to the Appeal Decision Maker of his/her intention decision to exercise his/her right to appeal using: for 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 recommendation for the Decision Maker, or
      (b) The Appeal Process described in the DCP.

The Committee discussed amendments to: “If the Respondent does not provide such written notification, the procedures described in Board Policy 2-3-1101(3) will be used with respect to the Respondent’s appeal.” The Committee agreed that the language should be amended to clarify the procedure if the Respondent does not provide notification of his/her choice of the alternative processes. Satriana will include language in the DCP document to outline/clarify the procedure.

3-6-134 Investigators, Decision Makers, Collaborators, and Appeal Decision Makers
   (8) If the Respondent is a student and the sanction of the Decision Maker(s) is that the respondent be suspended or expelled from the University, the Respondent may, within the time limit stated in Section 3-6-133(6)(f) provide make written request notification to the Appeal Decision Maker of his/her intention decision to exercise his/her right to appeal using for 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 recommendation of the Decision Maker, or
      (b) The Appeal Process described in the DCP.
The Committee agreed that additional language should be added after (9) to outline the procedure for disciplinary action of a tenured faculty member, referencing BPM Section 2-3-1101(3). Satriana will include language to outline/clarify the procedure, to become (10).

Review Senate Actions /Board Policy Manual and University Regulations Updates: Topic not covered due to time constraints.

Revision Date Documentation (Satriana): Topic not covered due to time constraints.

**New Business**

1-1-310 Disciplinary Action of Tenured Faculty

The Committee agreed that this policy should align with the DCP and be referenced during the presentation of the DCP amendments to the Senate, but did not confirm any amendments. Discussion will continue at the April 2, 2015 Codification Committee meeting.

2-3-1101 Disciplinary Action of Tenured Faculty

The Committee agreed that this policy should align with the DCP and discussed amendments to Section 2-3-1101(3)(b) Conduct of Proceedings:

- Amend “working days” to read “calendar days”
- Deletion of (c) “call, examine, and cross examine witnesses”
- Additional language outlining the procedure for contesting any assertions, findings and the opportunity to review the evidence.

The Committee did not confirm any amendments, but will reference the document during the presentation of the DCP amendments to the Senate. Discussion will continue at the April 2, 2015 Codification Committee meeting. Temkin recommended that the Committee also continue discussion during the next academic year on Section 2-3-1101-to revisit the designation of the Faculty Welfare Committee in the Dismissal process.

**Adjournment**

The meeting adjourned at 4:20 p.m.

Richard Dietz
Chair

Lori Riley
Recording Secretary