

THE FACULTY HANDBOOK

CHAPTER 8

ACADEMIC STAFF-TEACHING: LECTURERS, SENIOR LECTURERS, AND ARTISTS-IN-RESIDENCE

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CORE POLICY STATEMENTS

I. STATEMENT ON ACADEMIC FREEDOM

The *Statement on Academic Freedom*, as adopted by the Senate of the Academic Council April 18, 1974; approved by the Board of Trustees September 10, 1974 upon the understanding that, as stated by the President of the University in his written recommendation to the Board, “The University’s processes of search and evaluation are designed to produce the best possible persons for membership on the faculty. The Statement on Academic Freedom would in no way change that goal or the practices used to reach it”; and amended by the Senate of the Academic Council on April 16, 1998 shall apply to members of the Academic Staff in a manner appropriate to their role and responsibilities (See Chapter 4 of this handbook)

II. GRIEVANCE PROCEDURES FOR THE ACADEMIC STAFF AT STANFORD UNIVERSITY

I. Definitions and Coverage

- A. Grievance. A grievance is a complaint in writing made to an administrative officer of the University concerning a decision, made by a person or group of persons acting in an official University capacity, that directly or adversely affects the grievant as an individual in his or her professional academic capacity. A grievance does not include dissatisfaction with a University policy of general application challenged on the ground that the policy is unfair or inadvisable.
- B. Coverage. A grievance may be filed and the appeal procedure hereunder may be utilized by any member of the Academic Staff-Teaching or Academic Staff-Research (as defined in Chapter 6 of the Stanford University Faculty Handbook and Chapter 9 of The Research Policy Handbook).

II. Grievance Structure

- A. The Grievance Structure consists of an Administrative Structure.
- B. The Administrative Structure includes, in order and as applicable, the following administrative officers of the University: head of administrative unit; department chair; dean of school; Provost and President.
- C. The President shall devise a set of standing rules of procedure which will govern proceedings for the filing and appeal of grievances in the Administrative Structure, provided that:
 - 1. The set of standing rules of procedure, and any amendments thereof, shall be valid upon promulgation;
 - 2. The rules shall provide that any communication or material solicited and received with the understanding that it would be kept in confidence shall be kept confidential and shall not be revealed to any person, including the grievant, who was not a party to the confidential communication or material, except that such communication or material may be

revealed to any person(s) consulted by the administrative officer for guidance on that grievance.

III. Grievance Procedures

A. Filing of Grievance.

1. A grievance arising out of a decision at the administrative unit or department level shall be filed with the dean of the school.
2. A grievance arising out of a decision at the dean's level shall be filed with the Provost.
3. A grievance arising out of a decision at the Provost's level shall be filed with the President.
4. A grievance arising out of a decision at the President's level shall be filed with the President. The President shall make a determination on the grievance, and such determination shall be final. The decision of the President, with the reasons therefor, shall be given to the grievant in writing.

B. The grievant shall file his or her complaint in writing, setting forth a statement of the decision that constitutes the subject matter of the grievance and all ground(s) on which it is being challenged. The written grievance shall also include the grievant's statement that he or she has made informal efforts to resolve the dispute at each administrative level (including, as applicable, with his or her principal investigator and with the department chair) below the level at which the grievance is filed, and shall describe those efforts in detail.

C. The administrative officer with whom the grievance is filed shall consider the grievance. The administrative officer may attempt to resolve the matter informally or make whatever disposition of the grievance he or she deems appropriate. The administrative officer may refer the grievance, or any issue therein, to any person(s) who shall consider the matter and report to the administrative officer as the latter directs. The administrative officer may also, in appropriate cases, remand the grievance to a lower administrative level (including to the original decision maker) for further consideration. The administrative officer shall notify the grievant in writing of the disposition made of the grievance.

IV. Appeal Procedure

A. A grievant who is dissatisfied with the disposition of the grievance by the administrative officer with whom the grievance was filed may appeal the decision in order to each of the higher administrative officers within the Administrative Structure as follows:

1. For a grievance filed with and decided by the dean, a grievant may appeal the decision in writing to the Provost. The Provost will follow the procedure for appeals set forth in Sections IV(D) and (E) and V below.
2. For a grievance (or an appeal) filed with and decided by the Provost, a grievant may appeal the decision in writing to the President. The President will follow the procedure for appeals set forth in Sections IV(D) and (E) and V below.
3. No appeal shall be available for a grievance (or an appeal) filed with the President. (See Section III(A)(4) above.)

B. The determination by any administrative officer of any grievance appealed to him or her shall be appealable by the grievant to the next higher administrative officer within the Administrative Structure, except that the determination of the President shall be final.

C. An appeal shall be made in writing and shall contain the following information:

1. a statement of the decision that constitutes the subject matter of the grievance and all ground(s) on which it is being challenged;

2. the names and positions of all administrative officers with whom the grievance has been filed or appealed and a copy of the determination made by each of those administrative officers.
- D. Each administrative officer within the Administrative Structure who considers a grievance appealed to him or her shall make a determination on the matter and shall inform the grievant in writing of the determination.
 - E. The administrative officer may attempt to resolve the matter informally, or refer the appeal, or any issue thereof, to any person(s) who shall consider the matter and report to the administrative officer as the latter directs. The administrative officer may also, in appropriate cases, remand the matter to a lower administrative level (including to the original decision maker) for further consideration.
 - F. In considering a grievance that arises out of a negative decision on appointment, reappointment, or promotion, an administrative officer may consult with the same body, if any, that makes recommendations on decisions involving appointment, reappointment, or promotion.
- V. Standards for Review and Procedural Matters
- A. The review of a grievance or of an appeal by the dean, the Provost or the President shall usually be limited to the following considerations:
 1. Were the proper facts and criteria brought to bear on the decision? Were improper or extraneous facts or criteria brought to bear that substantially affected the decision to the detriment of the grievant?
 2. Were there any procedural irregularities that substantially affected the outcome of the matter to the detriment of the grievant?
 3. Given proper facts, criteria, and procedures, was the decision one which a person in the position of the decision maker might reasonably have made?
 - B. Standing rules of procedure for the handling of grievances under the Statement on Academic Staff Grievance Procedures, which include time limitations for the filing of grievances and appeals, as well as other procedural matters, are available in the Office of the Academic Secretary, the Office of the Provost and on-line in the Portfolio Collection. Note that a delay in filing a grievance may, taking all circumstances into account, constitute grounds for rejection of the grievance by the administrative officer with whom it is filed. Similarly, appeals should be filed without delay.
 - C. Questions concerning the filing and appeal of grievances should be directed to the Office of the Provost or to the Office of the Vice Provost for Research and Graduate Policy.

Standing Rules of Procedure for the handling of grievances under the Statement of Grievance Procedures for the Academic Staff at Stanford University, which include time limitations for the filing of grievances as well as other procedural matters, are available in the Faculty Affairs Group in the Provost's Office. (Note that an unreasonable delay in filing a grievance may constitute grounds for rejection of the grievance by the administrative officer with whom it is filed.)