

Track Change Revisions to Motion 2023-66: Expanding and Re-defining the Grievance Committees: Amend ACD 112-01, Bylaw I.B.2.

**a. The Committee on Academic Freedom and Tenure**

- 1) Membership: six from the Tempe campus and two each from the Downtown campus, the Polytechnic campus and the West Valley campus. Members shall be elected by the Academic Assembly from among tenured professors and tenured associate professors. Membership: Members shall be elected to serve a term of three years by the Academic Assembly from among two groups:
  - ~~a) tenured professor and tenured associate professors~~
  - ~~b) full-time career track faculty who have associate or full professor rank and who have been employed at ASU for at least three years.~~
  - ~~c) Tenured and tenure-track faculty shall elect twelve members of this committee: six from the Tempe campus and two each from the Downtown campus, the Polytechnic campus and the West Valley campus. Career track faculty shall elect career track Professors who have been employed at ASU for at least three years: three from the Tempe campus, and one each from the Downtown campus, the Polytechnic campus and the West Valley campus.~~ Assembly members may vote only for those nominees for their campus. The term shall be three years, one-third of the elected members to be replaced each year. Members may not hold administrative positions at the level of department chair or above.
- 2) The committee shall follow the policies and procedures for grievances established in ABOR Policy 6-201 and ASU policy ACD 509-02, "Grievance Policy for Faculty."
- 3) Functions of the committee
  - a) the committee shall hear cases assigned to it by the Clearinghouse Committee
  - b) the committee shall deal with cases of disability status. the committee shall investigate alleged infringements upon the academic freedom of tenured or tenure-track faculty members, as defined and described in ACD 201, or alleged infringements relating to the tenure of faculty members
  - c) the committee shall deal with disability status. When an individual has been placed on disability status for more than 18 months, there is no assurance of reemployment with the university. In such cases, dismissal may not be appealed on the basis of employment rights endowed with

Formatted: Indent: Left: 1.25", Hanging: 0.25"

Formatted: Font: (Default) Times New Roman, 12 pt

~~tenure, the committee shall investigate alleged infringements upon academic freedom as defined and described in ACD 201.~~

~~d) The committee shall meet to deal with cases of dismissal, but only the tenured members of the committee shall investigate dismissal of tenure-track or tenured faculty, or alleged infringements upon the tenure of faculty members."~~

4) The Conditions of Faculty Service (ABOR Policy 6-201) require that CAFT handle the hearing process for: (1) dismissal or suspension without pay of any faculty member (but not non-renewal at the end of a contract term) and (2) any adverse decision on promotion, tenure, nonrenewal or release from employment that is alleged to be discriminatory, unconstitutional, a violation of due process, or a violation of academic freedom.

**b. The ~~Governance~~ Grievance Committee**

1) Membership: Members shall be elected to serve a term of three years by the Academic Assembly from among two groups:

- a) tenured professor and tenured associate professors
- b) full-time career track faculty who have Associate or full Professor rank and who have been employed at ASU for at least three years.

Tenured and tenure-track faculty shall elect six members of this committee: three from the Tempe campus and one each from the Downtown campus, the Polytechnic campus and the West campus. Career track faculty shall elect career track Professors who have been employed at ASU for at least three years: three from the Tempe campus, and one each from the Downtown campus, the Polytechnic campus and the West Valley campus. Assembly members may vote only for those nominees for their campus. One-third of the elected members shall be replaced each year. Members may not hold administrative positions of department chair or higher.

c) The University Academic Council shall devise a method for transitioning from the previous membership system to the system outlined in this section.

- 2) The committee shall follow the policies and procedures for grievances established in ASU policy ACD 509-02, "Grievance Policy for Faculty."
- 3) Functions of the committee. ~~The committee shall hear cases assigned to it by the Clearinghouse Committee. These cases are normally cases other than those involving academic freedom and tenure or discrimination. Such cases include grievances involving salary inequities, teaching assignment, access to equipment, and any unfair treatment of faculty by other faculty or administrators.~~

The committee shall hear cases assigned to it by the Clearinghouse Committee.

The committee shall hear such cases as those involving salary inequities, teaching assignments, access to equipment, and any unfair treatment of faculty by other faculty or administrators.

The committee shall also hear cases of academic freedom involving career track faculty.

The committee shall also hear cases involving dismissal proceedings against a career track faculty member who has  
--satisfactorily completed any probationary period established under the existing personnel policies of the university, or  
-- whose contract period has been established under the existing personnel policies of the university, or  
-- whose contract period has not expired.

The matter shall be resolved by procedures described in the Academic Affairs Policies and Procedures Manual— ACD 501, “Conditions of Faculty Service.” This process differs substantially from other grievance procedures. Grievant(s) have the right to seek mediation through a Conciliation Committee and to appeal to the Governance Grievance Committee directly.

The committee shall also hear cases involving disability status, although when an individual has been placed on disability status for more than 18 months, there is no assurance of reemployment with the university.

4) The Conditions of Faculty Service (ABOR Policy 6-201) require that CAFT handle the hearing process for: (1) dismissal or suspension without pay of any faculty member (but not non-renewal at the end of a contract term) and (2) any adverse decision on promotion, tenure, nonrenewal or release from employment that is alleged to be discriminatory, unconstitutional, a violation of due process, or a violation of academic freedom.