

ROBERT HOLLAND FACULTY SENATE AGENDA

April 11, 2025

1. Call to Order
2. [Adoption of Minutes, March 7, 2025](#) (p.2)
3. Introduction of Guests
 1. Dr. Mark Keenum, President
 2. Dr. Brent Fountain, FAR Representative
 3. Dr. David Shaw, Provost and Executive Vice President
4. [Report of the Faculty Senate President](#)..... (p.9)
5. [Report of the Faculty Senate Vice President](#)..... (p.11)
6. Reports from Faculty Senate Designates on University Committees
7. Business sent to Committee
 - 7.1. AOP 12.09 Class Attendance and Reporting Absences (Academic Affairs)
8. Business to be sent to Committee
9. Standing Committee Reports
 - 9.1. Academic Affairs
 - 9.1.1. [AOP 12.09 Class Attendance and Reporting Absences](#) (p.12)
 - 9.2. Ancillary Affairs
 - 9.3. Charter & Bylaws
 - 9.4. Faculty Affairs
 - 9.4.1. [AOP 13.05 Faculty Grievance Procedures](#) (p.18)
 - 9.5. Student Affairs
 - 9.5.1. [Student Course Surveys](#)..... (p.35)
 - 9.6. University Resources
10. Old Business
11. New Business
 - 11.1. [Election of Officers](#)..... (p.38)
12. Adjourn



Robert Holland Faculty Senate

Uncorrected Minutes of March 7, 2025

The Robert Holland Faculty Senate of Mississippi State University held its regular monthly meeting in the Grisham Room of the Library at 2:00 p.m. on Friday, March 7, 2025.

Members absent and excused were Mike Breazeale, Alexis Gregory, Andrew Jarosz, Fris Krishnan, Rocky Lemus, Fred Musser, Rosanne Nunnery, Swapnil Patole, Lauren Priddy, Matthew Priddy, Amber Robinson, Tara Sutton, Eric Vivier, and Kim Walters.

Members on Sabbatical: Kimberly Kelly and Peter Messer

Faculty Senate President Robert Banik called the meeting to order and asked for corrections to the minutes of the March 7, 2025 Faculty Senate meeting. Hearing no corrections, President Banik accepted the minutes as presented.

Guests

Dr. Reuben Burch, Associate Vice President for Research

Dr. Burch greeted the senate and discussed the importance of research support and faculty participation. He emphasized the decline in attendance for research events and sought feedback. Dr. Burch gave a PowerPoint presentation which can be found in the online version of these minutes under [Appendix A](#).

Dr. David Shaw, Provost & Executive Vice President

Dr. Shaw greeted the Senate and stated he needed assistance from the senators to disseminate information regarding the Great Colleges to Work for Survey that was recently sent out. This survey is from The Modern Think Company, which randomly selected 177 faculty to participate, and they have been emailed by the Modern Think Company. This is the survey where the company picks and contacts the participants without input from the university. Dr. Shaw stated that as of now 13 of those 177 faculty members have completed the survey.

Dr. Shaw stated the Department of Education sent out a Dear Colleague letter, which he received upon returning to his office after the last senate meeting. He said the last two weeks had been very challenging and this institution has done its best to be able to comply with the intent of the letter.

Dr. Shaw stated the NIH cap has been paused, and several research programs on campus were notified they were to stop work. He said many things are starting to play out as it is government in action from the standpoint of the executive branch, judicial branch, and the legislative branch trying to grapple with all the changes happening at a blinding rate of speed and the institutions are caught in the middle.

Dr. Shaw stated the amount of federal funding this institution received last year is \$298 million dollars. He said if we choose to do something we know is putting us at risk, then that affects the fiscal viability of the institution. The administration is wrestling with how we interpret this to the best of our ability and not overreact or underreact so that we are choosing the pathway that protects our students and protects our institution in the best way that we can.

Dr. Shaw stated there was a great deal of conversation about the Mississippi School for Math & Science. He said the State Department of Education has had a great deal of conversation about the school's future and there should be a decision within the month.

Senator Kundu asked Dr. Shaw if he could give an update on the ORP process. Dr. Shaw said there was good news and a word of caution. The good news is that the bill that was going to dramatically impact ORP died in committee. Under normal circumstances we would not see anything else happen with the bill, however the word of caution is that just today there has been some conversations about that being added in to the tax cut bill. He said we are not out of the woods and are working furiously to ensure that everyone in the House and the Senate fully understands the impact that that would have. He said we are not letting up in any way to be sure that we represent our faculty here at this institution as well as the other institutions in the state.

Senator Williams asked if the proposal for the MSMS building will be shaped as in the design shown in the proposal. Dr. Shaw stated it will not be in that shape and that all they were wanting to do was show the position on the property.

REPORT OF THE FACULTY SENATE PRESIDENT

Spring is in the air, and I personally hope that the cold weather is completely behind us now. Other than the pollen, I love this time of year. Spring break officially starts very soon.

We have a couple events to be mindful of between now and our April 2025 meeting. Nominations close for new senators on Tuesday, March 11th. Elections for new senators will open on March 17th and will close on March 28th. Please vote for your new representatives and encourage your colleges to do the same. We will also be working on the Confidence Survey that will be conducted in April, so be on the lookout for that.

Faculty Senate will also begin accepting nominations for Senate officers after the Senator elections close. Be on the lookout for more information near the end of March. As the outgoing president, I will serve as our elections officer. The new officers will be elected at our April 2025 meeting.

On February 21st, I attended the National Alumni Board meeting at the Mill Conference Center. Dr. Julie Jordan presented on generative AI, and other updates were given by athletics, the student

association, and development. It was a pleasure representing this body at the board meetings for the last two years.

Vice President Breazeale and I met with President Keenum and Provost Shaw on Monday, February 24 to discuss a wide variety of topics including the possibility of a DEI bill being passed in the Mississippi Legislature, the “Dear Colleague” letter, the bills being considered regarding state income tax, and the possible reforms on retirement accounts. I have also passed along the University of Connecticut letter to both Dr. Keenum and Dr. Shaw. After talking to President Keenum, his resolve is dedicated to looking out for the employees of this university. The people of this university are important to him, and he is going to bat for us every day in Jackson. Though everything does not get a response in writing from the administration, Dr. Keenum and the rest of the administration are there fighting for us.

On March 4th, I will be hitting the road to help in recruiting transfer students. I will be going to Northeast Mississippi Community College in Booneville, MS, which is the community college that both I and Dr. Keenum attended. I’ll be representing this body to the students and faculty at NEMCC.

Reports from Committees on which I Serve:

Athletic Council – The next meeting should be on March 19, 2025.

Dean’s Council – The next meeting should be on March 10, 2025.

Design Review Committee – The next meeting should be on March 6, 2025.

Inclusive Excellence Leadership Council – This council held an additional meeting for February on February 19th. This meeting concerned the “Dear Colleague” letter and possible DEI legislation in the Mississippi House of Representatives and Mississippi Senate. The council discussed what things should be or must be changed throughout the university, such as making all student organizations “registered” instead of “sponsored.” Also discussed were impacts on scholarships, presentations, teaching lectures, and exhibits. Much of what was discussed was looking to what “may” happen and trying to be proactive in our approach for opportunities for all students.

Executive Council – This council met on February 24, 2025. AOP 12.12 Credit and Grades and AOP 12.38 Undergraduate Academic Advisement were considered and passed. AOP 13.03 Responsibilities in Instruction and Curriculum, and Attendance at Classes was tabled for various reasons, mostly due to the wrong version being on the agenda. OP 70.05 Federal Property at Mississippi State University was on the consent agenda due to updating URLs in the policy. A technical change occurred to AOP 12.01 Academic Add/Drop due to a change in the drop time from 8am to 5pm.

Game Day and Special Events – No meeting is currently scheduled for this committee.

Master Plan Development and Advisory Committee – This committee did not meet in February.

Parking and Traffic Regulations Committee – This committee met on February 27th. Walker Consultants were in attendance and discussed the capacity issues from a parking aspect, stating that MSU operates at approximately 78% capacity at peak times. Full capacity is greater than 85%. They also discussed that if there was a 1.5% increase in demand for parking, at current levels, we would be out of parking spaces, especially for commuter students, within about five to seven years. Data from the recent parking survey and suggestions were discussed. The committee will consider all suggestions at the March 2025 meeting, but the plan is to implement some changes this year.

Another topic of discussion was the north side of campus. Currently, there is a very high volume of pedestrians, scooters, bikes, and vehicular traffic at the intersection of Barr and George Perry near the Old Main Academic Center. Just to the north of this intersection, Hurst Lane is the one-way street that runs south of Zacharias Village, between Ruby Hall and what will be Azalea Hall. With the introduction of Azalea Hall this fall, the volume of each mode of transportation is expected to increase, which causes safety concerns. To help eliminate cut-thru vehicular traffic and to give a safe passage corridor from the Zacharias Village area southward across Barr Avenue, bollards are proposed on Barr Avenue to close a small portion of Barr from George Perry Drive to the P1 entry of the Old Main Parking Garage. Additionally, to eliminate unneeded traffic on Hurst Lane, which becomes inundated with the residents in the area, gates on Hurst Lane are proposed to only allow emergency, service, shuttle, and delivery trucks so that the node between the front doors of each of the residence halls is a safe pedestrian area. No decision was made or voted upon, but this will also be considered at the March 2025 meeting.

Sustainability Committee – This committee has not met since the last report.

United Faculty Senates Association of Mississippi (UFSAM) – This committee had its first in-person meeting on February 20, 2025. The committee met in Jackson at the IHL Board of Trustees meeting. After the IHL meeting, the committee met together to discuss several topics including updates from the parental leave bills, DEI bills, changes in federal grants, state tax structures, and retirement plan issues. As the upcoming deadline was approaching fast, the decision was to craft a statement concerning ORP retirement plans. The statement was passed by the Robert Holland Faculty Senate on Wednesday, February 26 via MS Teams. All other faculty senates across the IHL system passed the statement as well, and the UFSAM will distribute to pertinent legislators.

Faculty Success Team – This committee met on February 19, 2025. The committee of 16 members reviewed the survey distributed to the committee members to discuss topics to take up. The major topics were picked. These included Faculty Mentoring, Faculty Professional Development, and Faculty Recruitment. The 16 members were divided into 3 teams of 5 members each, with Dr. Jim Dunne floating between the three teams. Each team will take on one topic. The subgroups will work on gathering information before our next meeting on March 19th.

REPORT OF THE FACULTY SENATE VICE PRESIDENT

Committee on Campus Access

This committee met March 3. We approved the design of the route and wayfinding signage that was mentioned last semester. This project will be moving forward with some funding that was allocated earlier this academic year.

Calendar Committee

This committee has not met since the last Vice President's report.

Master Plan Development and Advisory Committee

This committee has not met since the last Vice President's report.

Undergraduate Research and Creative Discovery Committee

Spring Undergraduate Research Symposium will be April 9-10, 2025.

Also, this is just a reminder that ORED provides annual internal funding for faculty projects with undergraduate student participation.

Reports from Faculty Senate Designates on University Committees

Business Sent to Committee

1. AOP 11.05 Requirements for Shortened-Format Courses

Business to be Sent to Committee

Standing Committee Reports

ACADEMIC AFFAIRS — No Report

ANCILLARY AFFAIRS

1. Confidence Survey

Senator Grala, on behalf of the Ancillary Affairs committee, presented the committee report on the updates to the Confidence Survey.

Senator Carskadon gave a friendly amendment to keep the original question of "Conducts themselves in a professional manner when interacting with faculty, staff, and students" and add "Effectively supports their faculty, staff, and students". The friendly amendment passed unanimously.

The motion to accept the committee's recommendation as amended passed by unanimous hand vote.

CHARTER & BYLAWS

1. Faculty Handbook

Senator Spurlin, on behalf of the Charter & Bylaws Committee, presented the committee report on the updates to Section V of the Faculty Handbook.

The motion to accept the committee's recommendations on the Faculty Handbook passed unanimously.

FACULTY AFFAIRS

1. AOP 11.05 Requirements for Shortened-Format Courses

Senator Tschume, on behalf of the Faculty Affairs Committee, presented the committee report to rescind AOP 11.05 Requirements for Shortened-Format Courses.

The motion to accept the committee's recommendation to rescind AOP 11.05 Requirements for Shortened-Format Courses passed unanimously.

STUDENT AFFAIRS– No Report

UNIVERSITY RESOURCES – No Report

Old Business

New Business

1. Letter regarding Faculty Senate meeting space

President Banik, on behalf of Senator Gregory, presented an email from Senator Gregory regarding concerns about the Faculty Senate meeting space in the Grisham Room of the Library.

President Banik asked for questions or comments.

Senator Beckman asked about the cost of other meeting spaces vs. the Grisham Room. President Banik stated that the library does not charge the Faculty Senate for use but there was a charge for Bost.

Senator Carskadon stated he thought the Grisham room was fine as there is good ambiance, acoustics, and parking. He questioned if we had a capacity problem. He added Bost was almost too big and cavernous and challenging for those with a hearing problem.

Senator Stokes stated a survey was done three years ago of meeting spaces and the library was the only one that was not going to charge. President Banik replied that other spaces were investigated at the beginning of this senate year and the prices from three years ago had increased.

Senator Chamberlain stated he liked the Grisham Room but wondered if the seating could be re-arranged to use the space differently. President Banik stated we would try to find a better layout.

Senator Chamberlain asked about the budget and expenses and being able afford another meeting room. President Banik stated the Faculty Senate budget was about \$2,000 per year and the cost for the TV Center to film is about \$1,800 per year. He stated our budget had been increasingly cut for the last eight years.

Senator Crow asked logistically where the best place from the senate office would be to have the meetings. She added that everyone is going to have to have some kind of commute which was a commitment made when they became a senator, so it should be the easiest for the senate office to set up. President Banik replied that because the senate office is Walker Hall, which is two buildings over, the Grisham Room is the most convenient from the office standpoint. He said if we were

located somewhere else it would possibly not be the best. He added when the office was in Howell, it was fine to use Bost as we were going to be transporting meeting items anyway.

Senator Jaffe questioned why the senate is charged for the TV center to record the meetings. He stated it was not for the senate body but for the service of the university. President Banik replied that before Covid, we were not charged as the Provost Office covered the charge, but during Covid for the hybrid meetings we had to have all the extras needed, and the bill began being sent to the senate office instead.

Senator Tschume requested unanimous consent to conduct a non-binding poll to determine whether members of the Robert Holland Faculty Senate are interested in changing venues for the meeting locations of the Robert Holland Faculty Senate.

President Banik stated a poll could be done if it was unanimous that everyone agreed to do the poll.

President Banik asked if everyone agreed to conduct the non-binding poll and all agreed.

President Banik asked how many senators were fine with meeting in the Grisham Room and would like to remain. 32 senators polled found the Grisham Room favorable and wanted to remain.

President Banik asked how many would want to move out of the Grisham Room to another location. 1 senator plus Senator Gregory would want the meeting location to change.

President Banik stated he would pass the information on to Senator Gregory to follow up as she would like.

Senator Williams stated the arrangement could be better. President Banik replied they would work on the arrangement.

Senator Haynes gave the motion to adjourn the meeting. Senator Tschume seconded the motion. The motion to adjourn passed unanimously. The meeting adjourned at 3:31 pm.

Submitted for correction and approval.

Stacy Haynes, Secretary
Dinah Jenkins, Administrative Assistant

INTRODUCTION OF GUESTS

Dr. Mark Keenum, President
Dr. Brent Fountain, FAR Representative
Dr. David Shaw, Provost & Executive Vice President

REPORT OF THE FACULTY SENATE PRESIDENT

There comes a time for all of us when we must step aside and let others shape the world.

Serving as President of the Robert Holland Faculty Senate for the past two years has been an incredibly rewarding experience. It has been an honor to advocate for faculty, collaborate with university leadership, and contribute to meaningful discussions that shape the future of our institution. I have enjoyed working alongside dedicated colleagues who are passionate about improving academic policies, supporting faculty welfare, and enhancing the overall university environment as well as working with the administration who is always willing to listen to the concerns of the faculty. I am grateful for the opportunity I have played to foster positive change at MSU.

I would also like to thank those senators that will be leaving us today for their service to this body.

Andrew Jarosz – College of Arts & Sciences
Evan Kaplan – College of Arts & Sciences
Tara Sutton – College of Arts & Sciences
Eric Vivier – College of Arts & Sciences
Frank Adams – College of Business
Andy Perkins – Bagley College of Engineering
Beth Stokes – College of Forest Resources
Paul Spurlin – MSU Meridian

Welcome to the new and returning senators to the Robert Holland Faculty Senate as well.

Michelle Herrmann – College of Architecture, Art, & Design
Ryan Folk – College of Arts & Sciences
Amber Robinson – College of Arts & Sciences
Jon Woody – College of Arts & Sciences
Kelly Walker – College of Business
Cheryl Justice – College of Education
Matthew Priddy – Bagley College of Engineering
Neeraj Rai - Bagley College of Engineering
Carmen Sescu - Bagley College of Engineering
Chris Ayers – College of Forest Resources
Robert Grala – College of Forest Resources
Michael Jaffe – College of Veterinary Medicine
Darcie Sidelinger – College of Veterinary Medicine
Kayla Carr – MSU Meridian

Reports from Committees on which I Serve:

Athletic Council – This council met on March 19, 2025. Coach Nick Zimmerman from Women's Soccer spoke concerning updates to players and his appreciation to the fans at MSU when the team was going through the NCAA tournament. Athletics Director Zac Selmon said the NIL settlement ruling is set for April 7th. Athletic Academic 3-year report should be completed very soon, and Dr. Fountain should be giving an update on this report at our April 11th meeting. The next scheduled meeting is April 9, 2025.

Dean's Council – This council did not meet in the month of March, but the subgroup working on AOP 13.05 Faculty Grievance did substantial work on this AOP. It was shared with Associate Dean's Council, and then the AOP was sent to me on Tuesday, March 18th. I then assigned it to the Faculty Affairs committee for a report. The next scheduled meeting for this council is April 14, 2025.

Design Review Committee – This committee did not meet in March or April. The next scheduled meeting is May 1, 2025.

Inclusive Excellence Leadership Council – This committee met on April 2nd. The committee discussed the passage of HB1193 through the joint committee of the legislature and sent to the governor. This bill seems to limit the academic programs and courses universities may offer among other issues. The consensus of the committee was to see what General Council has to offer for input on this bill before any major considerations or recommendations come through this committee.

Executive Council – This council did not meet due to lack of agenda items. The next meeting is scheduled for April 28, 2025.

Game Day and Special Events – No meeting is currently scheduled for this committee.

Master Plan Development and Advisory Committee – This committee did not meet in March or April.

Parking and Traffic Regulations Committee – This committee met virtually on March 27, 2025. A vote was taken on the closing of Barr Avenue from the intersection with George Perry to the east side of Old Main Academic Center, and the closing of through traffic along Hurst. This vote passed unanimously to do both.

Sustainability Committee – This committee has not met since the last report.

United Faculty Senates Association of Mississippi (UFSAM) – This committee met on March 20, 2025. A discussion was had to send the IHL Commissioner a letter on behalf of UFSAM to reaffirm past statements and resolutions on academic freedom.

The committee called an emergency meeting on April 2, 2025, to discuss Dr. Dawn McLin (former JSU Senate President) and her termination from the university. Some committee members have

concerns with the termination of a tenured professor based on, from Dr. McLin's words, collegiality and for cause. A few members of the committee members were going to discuss what this committee could possibly do in response to this termination.

Faculty Success Team – Faculty Success met on March 19, 2025. Each subgroup gave updates on faculty mentoring, faculty recruiting, and faculty development. I am member of the mentoring subgroup, and we are working on information gathering from all colleges at MSU and other universities throughout the country. The goal is to create a list of recommendations or guidelines that all colleges at MSU can use to develop mentorship programs at all levels. My subgroup also met with Karyn Brown, Assistant Dean of Communication, from the College of Arts & Sciences on April 3, 2025, to get the latest updates that A&S offers in mentoring. Our next scheduled meeting is April 16, 2025.

REPORT OF THE FACULTY SENATE VICE PRESIDENT

Committee on Campus Access

This committee has not met since the last Vice President's report.

Calendar Committee

This committee has not met since the last Vice President's report.

Master Plan Development and Advisory Committee

This committee has not met since the last Vice President's report.

Undergraduate Research and Creative Discovery Committee

This committee has not met since the last Vice President's report.

I would like to say "THANK YOU" for allowing me to serve as your vice president for the past two years. It has been an honor and a privilege. I have one more year to serve on the senate before I have to sit out for a year, so I look forward to seeing you all in the fall.

REPORTS FROM FACULTY DESIGNATES ON UNIVERSITY COMMITTEES

BUSINESS SENT TO COMMITTEE

BUSINESS TO BE SENT TO COMMITTEE

STANDING COMMITTEE REPORTS

Report to the Robert Holland Faculty Senate
Academic Affairs Committee
Report on AOP 12.09 Class Attendance & Reporting Absences
April 1, 2025

Background

On November 3, 2024, RHFS President Robert Banik received a letter from the Stennis Montgomery Association. requesting that RHFS review AOP 12.09 to potentially include the date of the general election in years with a presidential election as an excused absence. This would allow in-state students to prioritize voting in person, while also giving out-of-state students the chance to travel home to vote. This request was sent to the Student Affairs Committee, and a report was presented at the February 14, 2025 meeting. At this meeting, a motion to review AOP 12.09 was passed. This policy was sent to the Academic Affairs Committee for review on Feb. 17, 2025.

Recommendation

The Academic Affairs Committee recommends that AOP 12.09 be approved as modified. This modification clarifies that instructors have the discretion to excuse absences that are not explicitly listed in AOP 12.09, which would include the day of the general election in presidential election years.

Discussion

The committee considered a letter provided by several faculty members to the Student Affairs Committee detailing difficulties faculty may face in excusing students for election day, and the concerns expressed in that letter. One of these points is whether elections other than the general election in presidential years should be considered and all agreed that we should consider only accommodating presidential elections at this time. Another concern was documentation regarding the absence, about which the committee suggested communicating with the Dean of Students Office. A representative from the Dean of Students Office suggested that providing documentation would be difficult and that faculty would likely need to be flexible in requiring documentation for these types of absences. The committee expressed reservations concerning the difficulty faculty may face in accommodating absences, particularly for large classes, when exams are scheduled, and for lab-based courses. Therefore, the committee recommended leaving it to instructor discretion as to whether this absence is excused. Since some faculty may not know they can excuse absences not listed in AOP 12.09, a clarifying sentence was added.

Committee Members: Andy Perkins (Chair), Frank Adams, Alison Lee, Jesse Morrison, Julie Parker, James Sobaskie, Kim Walters, Molly Zuckerman



AOP 12.09 CLASS ATTENDANCE & REPORTING ABSENCES

PURPOSE

The purpose of this Academic Operating Policy and Procedure (AOP) is to establish the policy related to student class attendance at Mississippi State University.

POLICY

Upon registration, the student accepts the responsibility of attending all classes and completing all in-class and out-of-class work that the instructor formally assigns. When absence from class is essential, the student must inform the instructor through a designated means of communication and provide satisfactory documentation of the impending absence unless prescribed otherwise in the syllabus. If possible, all arrangements should be made prior to the absence. The student should discuss and document the scope and time frame for completion of missed work with the instructor in an agreed-upon timely manner. The student should recognize that failure to comply with this documented, mutually agreed-upon procedure could result in a grade penalty, if prescribed in course syllabus.

A reasonable attendance policy is the purview of an individual instructor, subject to the limitations described later in the document. A policy should include, but is not limited to, how the instructor defines class attendance, particularly as it pertains to in-class responsibilities that go beyond the student's mere presence in the classroom, how attendance relates to student learning outcomes, the extent of credit or penalty, how excused and unexcused absences are measured, and how all absences are recorded.

Each instructor must describe his or her attendance and participation policy in the course syllabus. If the instructor has a prescribed policy, he or she should describe that policy in class; inform students in writing how attendance will be measured; maintain current, verifiable attendance records; and recognize that failure to comply could constitute grounds for grade appeal.

It is the responsibility of the university to ensure the highest academic standards; to recognize that events occur beyond the personal control of students or faculty; to establish

procedures that apply equally to on-campus and distance-learning students; to acknowledge that diverse course offerings and student learning outcomes mandate diverse attendance policies; and to provide procedures that assure appropriate resolutions of disputes.

Best practices would dictate if attendance and participation are used in the evaluation of a student's performance, passing or failing a course should not rest solely on class attendance and participation.

The instructor's department head will supervise all class attendance policies so as to assure compliance with departmental standards and university policy.

PROCEDURES

Excused Absences Defined

These approved excused absences are not subject to instructor discretion in course attendance penalties:

- Participation in an official university activity with authorization from an appropriate administrator sponsoring the activity (e.g., Department Head or higher). If the validity of the activity is questionable, the matter should be referred to the Office of the Provost and Executive Vice President for final resolution.
- Death in a student's immediate family to include a student's parent, legal guardian, sibling, grandparent, grandchild, spouse or partner, as well as natural, adopted and/or in-law children.
- Participation in legal proceedings or administrative procedures that require a student's presence.
- Religious holy day.
- Illness that is too severe or contagious for the student to attend class.
- Required participation in military duties.
- Mandatory admission interviews for professional or graduate school that cannot be rescheduled.

Other absences not appearing in the above list may be excused at the discretion of the instructor.

An illness or injury of a student's immediate family (to include parent, legal guardian, sibling, grandparent, grandchild, spouse or partner, as well as natural, adopted and/or in-law children) is eligible for excused absences, but is subject to the instructor's discretion.

University or other organized events intended to provide personal enrichment or entertainment will not be considered university authorized activities as it pertains to course attendance and will not qualify as an excused absence.

It is the student's responsibility to obtain valid documentation from a physician or clinical psychologist that contains the date and time the student sought medical consultation and/or treatment and present that documentation to the instructor upon returning to class. The instructor may ask the student to obtain verification of their excused absence through the Dean of Students Office.

Excused Absences and Grades

Excused absences shall not result in attendance or grade penalties. Use of a drop grade will be considered as a penalty. When excused absences occur on days of scheduled exams and/or quizzes or other measures of academic progress (e.g., assignments) listed on specific dates in the course syllabus, the instructor will provide a student with an opportunity for a comparable evaluation prior to or after the absence. It is the student's responsibility to initiate a request of making up missed exams or other measures of academic progress in a timely manner, and the instructor should communicate a response to such requests in a timely manner.

If a student accrues a significant number of excused absences and/or unexcused absences, then the instructor should contact the student about the best course of action regarding the timely completion of the course or withdrawal from the course.

Reporting Absences

Attendance should be reported for all students. Faculty are encouraged to report absences, especially for freshmen, in a timely manner. The university information system (Banner) supports the ability to report absences at any time as frequently as desired. An excused absence is still reported as an absence.

All absences and last dates of attendance (where applicable) will become a part of the student's file in the Registrar's Office. Instructors may report absences to the Division of Student Affairs at any time they feel it appropriate to do so and are expected to report students with continued consecutive absences.

Attendance of Online Classes

Student attendance in an online class should be explained in the course syllabus. A student will be considered to be in attendance in an online class when the student; a)

participates in a course activity (e.g., discussion board); and b) is in communication with the course instructor regarding a course topic within a specified time frame. Logging into an online course without active participation does not constitute attendance. When students who are enrolled in an online course are aware of necessary absences, they should inform the instructor as soon as is possible so that other arrangements can be made.

REVIEW

This AOP will be reviewed every four years or whenever circumstances require an earlier review by the Executive Vice Provost for Academic Affairs with recommendations for revision presented to the Provost and Executive Vice President.

REVIEWED:

Executive Vice Provost

Date

Provost and Executive Vice President

Date

President, Robert Holland Faculty Senate

Date

Associate Vice President, Institutional Strategy & Effectiveness

Date

General Counsel

Date

APPROVED:

President

Date

ANCILLARY AFFAIRS

CHARTER & BYLAWS

Report to the Robert Holland Faculty Senate
Faculty Affairs Committee
Report on AOP 13.05 Faculty Grievance Procedures

April 7, 2025

Background

On March 18, 2025, Robert Holland Faculty Senate President Robert Banik assigned AOP 13.05, Faculty Grievance Procedures, to the Faculty Affairs Committee for approval. This AOP was last seen by the Robert Holland Faculty Senate in November 2024. Since then, Dean's Council formed a subcommittee who completed a rewrite of the AOP to clean up all the edits that had been made over the past year. That AOP is what you see in this agenda along with the version of AOP 13.05 that the RHFS passed in November 2024 for comparison.

Recommendation

The Faculty Affairs committee recommends that the Robert Holland Faculty Senate approve AOP 13.05: Faculty Grievance Procedures with the edits presented in numbers 1 – 5. Also below, we have other comments made during discussion for the whole Faculty Senate to consider during the April 11th meeting.

Discussion

The members of the Faculty Affairs Standing Committee corresponded via email during the month of March and the first of April to offer suggestions of edits and reformatting to AOP 13.05. The overview of edits can be found below:

1. There were minor edits made throughout the AOP to help with grammar and formatting. There were also some random letters that were not deleted by Associate Dean's Council in their edits, so we took care of those as well.

2. In section 1.e, it talks about who will serve on the Faculty Grievance Committee and who is eligible. The eligibility of faculty members was listed after who will serve on the committee, so we reorganized this section to make it clearer and to help with flow by moving the last two bullet points to the intro paragraph of 1.e. We also deleted the "if eligible" statement on the Chairperson of the University P&T Committee as all members of that committee must be of Rank 2 or higher and the statement is unnecessary. The "if eligible" statement is left on the President of the Faculty Senate and the Chairperson of the Faculty Affairs Committee since those members could be a Rank 1 Faculty member.

3. In section 2, we brought the extra sentence about the University Ombudsperson up to the section on “Attempts at Resolution”.

4. In section 3.c.5, it was unclear as to whether the 30 days to schedule the hearing started at the same time as mediation (which we don’t think it should since some grievances may be resolved in mediation) or at the completion of mediation. So, we added in a statement to ensure that the 30 days to schedule the hearing begins when the grievant requests a formal hearing upon the completion of mediation.

5. In section 3.c.6, the paragraph was reorganized to ensure that it is clear that witnesses who provided a written statement ahead of time, must be present at the hearing. This is to ensure that a witness providing a statement can be questioned, if necessary, by the grievant or respondent.

Below are the further discussion points and comments made from members of the committee:

1. A comment was raised about whether there should be a restriction to Rank 2 or higher full-time faculty to serve on this committee. This was brought up since any faculty member can bring a grievance forward or be a respondent.

2. It was also discussed whether who conducts the elections for this committee should be put in the AOP. Also mentioned was the discussion of whether the dates of elections, when a chair is elected, and who is eligible to be chair should be put in the AOP. Typically this type of information is found in a committee’s bylaws and not within an AOP, so it was left out pending discussion within the whole Senate on April 11th.

3. Another comment is whether a witness who provides a statement should be required to attend the formal hearing. The two points discussed were: 1) The requirement of witnesses to appear in person is troubling. If someone is on sabbatical, on parental leave, on medical leave, and was witness to something important to a grievance but unable to appear in person that would then imperil the case. What is the point of a written statement if a witness is required to appear in person? 2) If we do not require a witness to appear when submitting a written statement, then this opens the possibility of a witness to write and submit whatever they would like without the ability for questions to be asked by the grievant/respondent or committee.

4. The last discussion was about the mediation mentioned within this updated version of AOP 13.05. In the version of the AOP that this body passed in November 2024, it mentions mediation as a way for the grievant and respondent to try and work out a solution before going to a grievance hearing. In this version presented today, it mentions that it is required and a “good faith effort” is necessary during the process. Then if an agreement cannot be found, the grievant can request a formal hearing. There was no consensus in discussion, so we are leaving as is until discussion can be had at the April 11th Faculty Senate meeting.

The version of AOP 13.05 we are currently editing along with the version of AOP 13.05 that the RHFS approved in November 2024 are both included in the agenda for comparison.

Committee Members: Jacob Tschume (Chair), Russel Carr, Whitney Crow, Alexis Gregory, Evan Kaplan, Krish Krishnan, Swapnil Patole, Amirtaha Taebi



AOP 13.05: FACULTY GRIEVANCE PROCEDURES

PURPOSE

The University operates under a philosophy that emphasizes the importance of ensuring the rights of its faculty. Both personnel and operating policies are formulated to assist administrators and faculty in working harmoniously toward the collective goals and objectives set forth by the Board of Trustees. When a faculty member has a grievance, efforts will be made to determine the information surrounding that grievance and to respond appropriately and justly in a timely manner. The purpose of these procedures is to address grievances of faculty members and to provide a mechanism for resolving them.

POLICY/PROCEDURE

1. Definitions

- a. Grievance: A grievance is defined as the claim of a faculty member that there has been a violation, misinterpretation or misapplication of a rule, policy or procedure in relation to personnel policies, including working responsibilities, working hours, working conditions, leaves, and other conditions of employment. A grievance may not be brought under this policy related to discrimination or harassment which matters should be directed to the Office of Civil Rights Compliance; termination, termination procedure, and notice of non-reappointment (which matters should follow OP 60.113); promotion or tenure (which should follow AOP 13.07); matters-Matters related to grievances by students or against students which should be referred to the Dean of Students' office; or while matters related to compensation which should be referred to Human Resources Management.
- b. Prior to filing a grievance, other administrative remedies should have been exhausted. For example, it would be improper to file a grievance related to an annual review if the annual review was not appealed. The Chair may reject a request for a hearing if they find prior administrative remedies were not exhausted.
- e.b. Grievant: A faculty member who filed a grievance as defined herein.
- d.c. Respondent(s): A University employee who a faculty member has filed a grievance against.

Commented [GA2]: Why is this in parentheses, but not the similar statement above?

Commented [JT3R2]: Added the parentheses to keep this consistent

e.d. Faculty: Use of this policy is restricted to faculty as defined by the faculty handbook. A faculty member holding an administrative position will have access to these procedures with regard to their faculty duties but will not have access to the procedures with regard to their administrative duties.

f.e. Faculty Grievance Committee: A standing committee charged with determining whether a matter is grievable under this policy and overseeing the administration of the faculty grievance process. All members of the Committee must be full-time faculty with rank 2 or higher. Specifically, committee members must have the titles of Professor, Clinical Professor, Teaching Professor, Professor of Practice, Extension Professor, or Research Professor at the associate level or higher, or Instructor II or III. Each year, the Faculty Grievance Committee shall elect a Chair. The committee shall consist of the following:

- President of the Robert Holland Faculty Senate (if eligible),
- Chairperson of the Robert Holland Faculty Affairs Committee (if eligible),
- Chairperson of the University Promotion and Tenure (Appeals) Committee (if eligible),
- Two faculty members elected from each college, MSU Extension Service, MSU Meridian, and the University Libraries serving two-year terms. Each of these committee members will serve staggered terms with half of the committee members (one from each of the above units) elected each year. Committee members can be re-elected but cannot serve more than ~~3~~three consecutive terms.
- All members of the Committee must be full-time faculty with rank 2 or higher. Specifically, committee members must have the titles of Professor, Clinical Professor, Teaching Professor, Professor of Practice, Extension Professor, or Research Professor at the associate level or higher, or Instructor II or III.
- Each year, the Faculty Grievance Committee shall elect a Chair.

g.f. Chair of the Faculty Grievance Committee: This individual, selected by the Faculty Grievance Committee, shall serve as the facilitator of all faculty grievances.

h.g. Faculty Grievance Panel: Typically, a 5five-member group will be chosen from the Faculty Grievance Committee pool by the its Chair of the Faculty Grievance Committee to preside over a faculty grievance hearing.

Commented [JT4]: Statement is not needed as any faculty on the University P&T Committee should be at Rank 2 or higher

Commented [GA5]: How are these members deemed eligible?

Commented [JT6R5]: I moved the last two bullet points into the intro paragraph to clarify the eligibility question and about electing a chair.

Commented [GA7]: Who are they elected by? Who holds the elections? When are these elections held?

Commented [JT8R7]: The current elections for Faculty Grievance are done by the Faculty Senate and are done at the end of the spring semester so that the committee can be set before the new year starts on July 1. I would assume this would continue as it already does.

Commented [GA9]: When is the Chair selected since any grievance goes to the Chair? They must be in place in a timely manner to make sure grievances are addressed in a timely manner. What is the process of the selection? Since each member only serves two years, should the Chair have at least one year of service before they can be Chair?

Commented [JT10R9]: I am not sure if this is something that should be put in the AOP. This would be a decision made by the Faculty Grievance Committee when they are set in July after the elections. As far as who can serve as chair, I think that is best decided within the committee bylaws and not through an AOP.

i.h. Panel Advisor: An individual selected by the Provost and Executive Vice President to advise the Chair of the Faculty Grievance Committee and the Faculty Grievance Panel on issues being considered in the grievance process. The Panel Advisor may attend the hearing but should not participate in any role other than advising on process/procedure. This individual should have no conflicts or previous involvement in the matters before the Panel. This individual may be the ombudsman-University Ombudsperson (Mississippi State University Office of the Ombuds) (if not previously contacted by the participants), an Associate or or Assistant Provost Vice Provost, or Associate Vice President from the Office of the Provost and Executive Vice President, or an attorney from the Office of General Counsel.

Commented [JT11]: Cleaned up here to help with consistency throughout the document.

Commented [GA12]: How is this individual selected? Does the Faculty Grievance Panel have any say?

Commented [JT13R12]: It mentions at the top of part h that the Provost and EVP select the Panel Advisor from the list of possible candidates at the bottom of part h. Since this person is just an advisor in nature, I don't think the Panel needs to make the decision in this situation.

j.i. Grievant/Respondent(s)'s Advisor: A person selected by the Grievant/Respondent(s) to advise them on issues being considered in the grievance process. This Aadvisor is typically not an attorney although either party may use an attorney. If an administrator is the Respondent(s) and their decisions have been made within the course and scope of their employment, the Provost and Executive Vice President may provide the Respondent(s) with an advisor. Should the Provost and Executive Vice President choose to do so, the Grievant shall also be provided an Aadvisor if requested by the Grievant. This Grievant's Aadvisor shall possess the same or equivalent skill set as the Respondent(s)'s Advisor. Neither Advisor may speak during either step of the grievance process to anyone other than the individual they are advising. Should either party choose to use an attorney as their Aadvisor, that party should notify the Chair 10 calendar days prior to the mediation or hearing.

Commented [TB14]: Double check with Dr. Dunne, but my notes indicate that he wanted to delete "mediation or" from this portion of the policy with regard to the notification process.

Commented [JD15R14]: Correct

2. General Principles:

a. Timelines: The timelines noted in these procedures are to be adhered to except under extenuating circumstances. If such circumstance exists, the Provost and Executive Vice President can request that the process be expedited or extended.

3.- Attempts at resolution: Whenever possible, problems of faculty members should be resolved within the University at the level at which they arise. The faculty member may wish to consult with the University Ombudsman-Ombudsperson (Mississippi State University Office of the Ombuds) prior to initiation of a formal grievance, can advise university faculty about additional process/policies that may exist as it relates to their grievance.-

Prior to filing a grievance, other administrative remedies should have been exhausted. For example, it would be improper to file a grievance related to an annual review if the annual review was not appealed. The Chair may reject a request for a hearing if they find prior administrative remedies were not exhausted.

Commented [TB16]: This highlighted portion is redundant with 3.c.2 is redundant with 2.a. The language is very specific. My concern is if we change the language at some point in the future, then we would have to note that we need to change it in both places. I recommend deleting it here and leaving it in 3.c.2 as a formal step in the hearing process.

Commented [JD17R16]: agree

4. ~~The University Ombudsman Ombudsperson can advise university faculty about additional process/policies that may exist as it relates to their grievance.~~

Commented [JT18]: Moved up to the end of the previous section.

5-3. Procedures:

- a. Submission of a grievance: A faculty member who would like to pursue a grievance pursuant to this policy should submit their grievance statement to the Chair of the Faculty Grievance Committee ("Chair"). The grievance statement must contain: (1) a statement of grievance including an explanation of the violation including the rule, policy, or procedure violated; (2) the individual(s) who the Grievant believes is responsible for the wrongful action; and (3) a description of the resolution sought by the Grievant. The grievance must be signed and dated by the Grievant.

- b. Step 1 – Mediation: Filing Submission of a grievance will be considered a request for mediation. The faculty and University are best served when there is regular, forthright communication. Accordingly, all parties must ~~should~~ must agree to make a good faith effort to resolve the grievance through mediation. A Grievant may not proceed to Step 2 absent this good faith effort.

Commented [TB19]: My notes indicated "should" instead of "must" because we can't force parties to agree.

Commented [JD20R19]: I suggested changing to "should" but I think others thought that was inconsistent with the first sentence and we decided to keep "must." Generally, mediation is a voluntary process. However, some family and civil cases are required to make good-faith attempts at mediation. If we are to keep "must," then maybe we can add:

"Attempting mediation does not mean that the parties are required to reach an agreement."

Commented [GA21]: This completely negates the need for a Faculty Grievance Committee. This is not appropriate. Faculty should be able to choose, not automatically be pushed into mediation.

Commented [JT22R21]: I think the intention is to have the Grievant try (in good faith) to see if a resolution can be found. If not, then a Grievant can move onto Step 2 (Formal Hearing). So the need for the Faculty Grievance Committee is still there, this is just a first step in the process.

There is a ~~thirty (30)~~ calendar day window from when a grievance is filed submitted to conclude the mediation unless all parties agree to an extension.

After reviewing the grievance, the Chair, in consultation with the Grievant and Respondent(s), will facilitate the mediation by bringing in the ombudsman ombudsperson to serve as the mediator (unless the ombudsman University Ombudsperson has already been consulted by one of the parties) or by providing an impartial mediator from a trained pool of mediators. Names of available trained mediators may be obtained from the Provost and Executive Vice President's Office.

If mediation is attempted by the Grievant in good faith but does not fully resolve the issues, the Grievant can request a formal hearing on the unresolved matters within five business days from the conclusion of the mediation.

Commented [TB23]: My notes indicate that we were going to add the Ombudsperson with the mediator. Should Mediator be capitalized to be parallel with the other referenced roles in this policy?

Commented [JD24R23]: I would like to add the Ombuds here; however, in section 1.(h) the Ombuds could be the Panel Advisor. I would like to remove the Ombuds from being the panel advisor and then add Ombuds to this sentence. Including the Ombuds as a possible panel advisor is likely a carryover from the previous version which had the Ombuds as the Chair (which I did not like either).

The Mediator cannot be called as a witness or participate in the hearing, ensuring the integrity and confidentiality of the mediation process.

Commented [TB25]: My notes ask whether we need to add a sentence specifying that if the respondent doesn't agree to mediation, then the grievance automatically goes to step 2.

- c. Step 2 – Formal Hearing:

Commented [JD26R25]: If we do not change "must" to "should" then respondent must also make a good faith effort at mediation.

1. To initiate a formal grievance hearing, the Grievant shall notify the

Chair that ~~s/he~~they wishes to pursue a formal hearing within five business days from the mediation conclusion.

2. The Chair shall first evaluate the grievance to determine if all other administrative remedies were followed prior to filing the grievance. For example, if a grievance is based on an annual review, the annual review must have been appealed before a grievance can be filed. If the Chair finds that administrative remedies were not followed, the grievance or the portion of the grievance that did not follow the administrative remedies should be dismissed.

Commented [TB27]: 3.c.2 is redundant with 2.a. My recommendation is to leave it here as part of the formal hearing step, and delete it from 2.a.

3. The Chair is also responsible for evaluating whether the grievance is a stand-alone issue or whether it should be consolidated with another grievance. Consolidating grievances into one hearing is appropriate if multiple grievances arise from the same or related facts and circumstances. If there are multiple Respondent(s), the Chair may modify the timelines established herein to address this and ensure that all parties receive due process.

Commented [JD28R27]: agree

4. The Chair shall select the members of the Faculty Grievance Panel ("Panel") in accordance with the following procedure:

- i. By eliminating any faculty members who disclose a potential conflict or who the Grievant discloses a conflict with (Members of the Panel should not come from the unit of the Grievant or Respondent(s). Members of the Panel should have no personal or significant professional connection with the Grievant or Respondent(s).);
- ii. By eliminating any members requested by the Grievant or the Respondent(s) (Each party will have the right to reject up to two members chosen to participate on the Grievance Panel);
- iii. By considering the availability of the remaining committee members to hear the faculty grievance promptly; and
- iv. By selecting at random from the remaining committee members.
- v. When the Grievant or Respondent(s) is a faculty member holding an administrative position, the Faculty Grievance Panel will include at least one administrator with a faculty appointment at the level of the Grievant and/or Respondent(s) and one higher level administrator with a faculty appointment both to be chosen by the Provost and Executive Vice President.

In grievances involving the Provost and Executive Vice President, the University President or ~~his~~ their designee will serve on the Faculty Grievance Panel and select one Vice President holding a faculty appointment to serve on the Panel. The President or ~~his~~ their designee shall assume thereafter the responsibilities of the Provost and Executive Vice President with respect to the remainder of the grievance procedure.

Commented [TB29]: We need to make clear the difference between MSU's President versus the Faculty Senate President.

Commented [JD30R29]: agree

5. The Chair is responsible for scheduling the hearing within 30 calendar days after receipt of the Grievant's request for a formal hearing, unless the availability of necessary individuals makes that not practicable or unless all parties mutually agree upon an extension. The Chair shall notify all parties of the hearing date 20 calendar days in advance of the hearing.

Commented [GA31]: How does this happen when the mediation has 30 days to be conducted?

Commented [JT32R31]: I have added clarification to know that this 30 days is different than the original 30 days as the way it was written would make it impossible to be accomplished.

6. ~~40~~ Ten calendar days before the hearing, the Grievant and Respondent(s) shall provide the Chair with a list of witnesses they intend to call (if any), witness statements they would like included in the record (if any), and relevant documents or other materials they would like included in the record. The Chair shall then provide that information to the other party and to the members of the Panel as soon as possible.

~~Neither party may compel any witness to participate in the process. Witnesses who opt to participate in the hearing must be available to attend the hearing in person and may be questioned by both parties. Witnesses may submit an optional written statement to provide information, but the statement will not be considered if a witness does not appear at the hearing. The hearing will not be rescheduled or delayed to accommodate witness availability. Witnesses but any University employee may voluntarily participate by either providing a written statement or appearing in person to provide information. Witnesses must be present at the time of the hearing, and the hearing shall not be rescheduled or delayed to accommodate witnesses.~~

Commented [GA33]: This is contradictory. Are the witnesses allowed to provide a written statement, or must they appear in person? Requiring appearing in person could potentially eliminate a witness based on their schedule and the expediency with which this process must be completed.

Commented [JT34R33]: I agree that this section needs to be rewritten. The witness may provide a written statement but they also must attend the hearing so that they may be questioned about their statement. Allowing a witness to just write a statement and not be questioned about it would be an issue in my opinion.

Commented [JT35R33]: I have reordered information to make this more clear that even if a witness provides a statement, they must still show up for the hearing.

Commented [JT36R33]: Upon further comments about contradiction, I have clarified the paragraph at the end of 3.c.6 about witnesses needing to be available at the hearing if they provide a statement.

7. The Chair will not be a member of the Faculty Grievance Hearing Panel but will be responsible for running the hearing in an orderly manner in accordance with the rules set forth herein.
- i. The hearing will be private, and all attendees shall be informed by the Chair that all matters discussed in the hearing should be kept confidential. Only the following individuals shall be

present in the hearing: the Grievant, the Grievant's advisor, the Respondent(s), the Respondent's ~~A~~advisor, the Chair, the Panel, the Panel Advisor, and any witness when called. ~~An~~ ~~audio~~A recording of the hearing shall be made by the Chair and delivered to the Office of the Provost and Executive Vice President following the hearing.

- ii. The hearing shall begin with the Grievant presenting their case which shall include the presentation of any documents ~~and~~ ~~other materials~~, evidence, witnesses, or personal statements.
- iii. The Respondent(s) may then present their side including any documents, evidence, witnesses, or personal statements.
- iv. Each side shall have ~~up to~~ ~~four~~ hour to present their case.
- v. Following each witness, the other side may have ~~five~~ minutes to ask the witness questions. The Panel may ask each witness additional follow up questions after the other party has had their opportunity to do so. This time shall not count against the ~~four~~-hour time limit.
- vi. After all information is presented, the Chair will dismiss the Grievant and Respondent(s) and meet privately with the Panel to consider the information. The Panel may call additional witnesses or request the production of additional information if the panel believes that it is necessary to do so to reach a decision. A majority of the Panel must vote to require the additional information to prolong the proceeding as all parties must ~~reconvene~~ ~~reconvene~~ if additional witnesses are to be called.
- vii. After hearing all information, the Panel shall decide by majority vote whether or not the grievance should be upheld or dismissed. A preponderance of the evidence standard should be used. If the Panel finds that the Grievance should be upheld, the Panel will then consider the appropriateness of the Grievant's proposed remedies or whether alternative remedies should be recommended. The Chair shall provide the committee's findings in writing to the Provost and Executive Vice President, with copies to the parties of the grievance, no later than ~~five~~ business days from the last date of hearing of the grievance. The Panel's findings are recommendations to the Provost and Executive Vice President and are advisory in nature.

8. The Provost and Executive Vice President should send a written notice of ~~his/her~~their final decision within ~~5~~five business days of receipt of the Faculty Grievance Panel's recommendations. Copies of the final decision will be sent to the Grievant, Respondent~~(s)~~, Chair, and Panel. The Provost and Executive Vice President's decision is final.
9. The Grievant may withdraw a formal grievance at any stage of this process but may not reinstate it once it is withdrawn. The withdrawal request should be made in writing to the Grievance Committee Chairperson, who will then notify the Grievance Committee if applicable.

REVIEW

This AOP will be reviewed every four years or whenever circumstances require an earlier review by the Executive Vice Provost with recommendations for revision to the Provost and Executive Vice President.

REVIEWED:

<div>Executive Vice Provost</div>	<div>Date</div>
<div>Provost and Executive Vice President</div>	<div>Date</div>
<div>President, Robert Holland Faculty Senate</div>	<div>Date</div>
<div>Associate Vice President, Institutional Strategy & Effectiveness</div>	<div>Date</div>
<div>General Counsel</div>	<div>Date</div>

APPROVED:

<div>President</div>	<div>Date</div>
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AOP 13.05: FACULTY GRIEVANCE PROCEDURES

PURPOSE

The purpose of this Academic Operating Policy and Procedure (AOP) is to establish a standardized procedure concerning the review and resolution of the grievance of a faculty member.

REVIEW

This AOP will be reviewed every four years or whenever circumstances require an earlier review by the Executive Vice Provost with recommendations for revision to the Provost and Executive Vice President.

POLICY/PROCEDURE

1. Foreword

- a. The University operates under a philosophy that emphasizes the importance of ensuring the rights of its faculty. Both personnel and operating policies are formulated ~~in order~~ to assist administrators and faculty in working harmoniously toward the collective goals and objectives set forth by the Board of Trustees.

When a faculty member has a grievance, efforts will be made to determine the facts surrounding that grievance and to respond appropriately and justly ~~within~~ a timely manner. The purpose of these procedures is to address grievances of faculty members and to provide a mechanism for resolving them. The time lines noted in these procedures are to be adhered to, followed except under extenuating circumstances.

- b. Whenever possible, problems of faculty members should be solved within the University at the level at which they arise. ~~The~~ faculty member may wish to consult with the University Ombud~~man~~ prior to initiation of a formal grievance.

Each member of the University faculty shall have the right to a hearing of a grievance through established channels. ~~Access~~ to these channels is restricted to University faculty members or those who were University faculty members when the event leading to the grievance occurred~~—~~.

- c. This policy (AOP 13.05) will not apply to some types of grievances~~—~~. Grievances related in any way to tenure, promotion, salary, grounds for termination, termination procedure, and notice of nonreappointment or termination are not covered by this policy. In such cases, the aggrieved faculty member should refer to other applicable University policies, including the Tenure and Promotion Policy (AOP 13.07) or the

Termination of Employment Policy (OP 60.113). If the grievance is related in any way to harassment or discrimination based on being a member of a protected class, this policy AOP 13.05 will not apply. The aggrieved faculty member should instead refer to the Discrimination, Harassment, and Retaliation Policy (OP 03.03) or Sexual Misconduct Policy (OP 03.04). ~~The grievance of a student or the~~ grievance of a faculty member against a student will not be covered by this policy.

d. A faculty member holding an administrative position will have access to these procedures with regard to ~~his/her~~their faculty duties, but will not have access to the procedures with regard to ~~his/her~~their administrative duties.

~~d.e.~~ To facilitate the resolution of grievances the University will establish a standing grievance committee to consist~~consisting of the following members:~~

- President of the Robert Holland Faculty Senate (if eligible),
- Chairperson of the Robert Holland Faculty Affairs Committee (if eligible),
- Chairperson of the Promotion and Tenure (Appeals) Committee,
- Two faculty members elected from each college, MSU Extension Service, MSU Meridian, and the University Libraries serving two-year terms. Each of these committee members will serve two-year staggered terms with half of the committee members (one from each of the above units) elected each year. Committee members can be re-elected, but cannot serve more than 3 consecutive terms.

All members of the Committee must be full-time faculty with rank 2 or higher. Specifically, committee members must have the titles of Professor, Clinical Professor, Teaching Professor, Professor of Practice, Extension Professor, or Research Professor at the associate level or higher, or Instructor II or III. The chair of the standing Grievance Committee will be elected at the first meeting of the academic year, will serve a one-year term, and will be eligible for reelection. ~~and will serve a one-year term.~~

2. Faculty Grievance Process

An aggrieved faculty member is encouraged to pursue an informal resolution of the grievance with the individual(s) with whom the faculty member believes caused the grievance prior to submitting a formal grievance. -If an informal resolution cannot be reached, the aggrieved faculty member may then ~~make~~initiate a formal grievance appeal and proceed according to the following process:

Membership on the standing Grievance Committee will include the following individuals:

- a. A written grievance must be submitted to the chair of the standing Grievance

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Committee, Office of the Provost and Executive Vice President. The grievance must contain a statement of the facts of the grievance, the individual(s) who the grievant believes is responsible for the wrongful action, and a precise description of the remedy sought by the grievant. The grievance must be signed and dated by the grievant.

b. After reviewing the grievance, the Provost or his/her designee may attempt to pursue an informal resolution with the grievant and the respondent. If such an attempt is not successful within thirty (30) days of receiving the grievance, or if the Provost, in his/her discretion, determines that informal resolution would be futile, the Provost will forward the grievance to the Grievance Committee.

Membership on the Grievance Committee ("the Committee") that hears an individual grievance will be determined by the level of the grievance. Each formation of the Committee will include five elected faculty members chosen by the Provost from the following:

President of the Robert Holland Faculty Senate (if eligible);

Chairperson of the Robert Holland Faculty Affairs Committee (if eligible);

Chairperson of the Promotion and Tenure (Appeals) Committee;

and a pool of full-time, tenured faculty members, two elected from each college, MSU Extension Service, MSU Meridian, and the University Libraries to serve two-year terms.

All the Committee must be full-time faculty with rank 2 or higher. Specifically, committee members must have their, or or

b. After reviewing the grievance, the chair of the standing Grievance Committee, in consultation with the grievant and respondent, may provide an impartial mediator or ask the Provost/Provost and Executive Vice President's Office to provide an impartial mediator to attempt to pursue an informal resolution. The mediator must be selected from a pool of trained mediators consisting of at least one full-time faculty member at rank 2 or higher, one department head or equivalent, and one associate dean.

When the grievance involves a faculty member holding an administrative position, the Committee to hear the grievance will also include at least one administrator at the level of the grievant and/or respondent and one higher-level administrator, both to be chosen by the Provost. The grievant and the respondent shall have the right to challenge any individual member of the Committee with the total number of challenges limited to two (n=2) for each party. As each challenged member is excused, his/her replacement will be selected by the Provost in consultation with the other members of the Committee.

c. If mediationan informal resolution is not successful within thirty (30) calendar days, as agreed upon by all involved parties, the chair will form a Hearing Committee consisting of five members of the standing Grievance Committee and will schedule a grievance hearing. Members of the Hearing Committee should not come from the unit of the grievant or respondent. Members of the Hearing Committee should have no personal or professional connection with the grievant or respondent. Upon receipt of the grievance from the Provost, the Committee will schedule a grievance hearing.

This hearing should be held within 10 business days after receiving the request. The Hearing Committee will elect its own chairperson, who will act as presiding officer. The notice of a time and place for the hearing must be delivered to the parties involved at least two business days prior to the hearing.

When the grievance involves a faculty member holding an administrative position, the Hearing Committee will also include at least one administrator with a faculty appointment at the level of the grievant and/or respondent and one higher level administrator with a faculty appointment, both to be chosen by the Provost and Executive Vice President. In grievances involving the Provost and Executive Vice President, the President will serve on the Hearing Committee and select one other administrator at the Vice President level holding a faculty appointment and assume thereafter receive appoint the relevant administrators and assume thereafter the recommendation and thereafter assume the responsibilities of the Provost and Executive Vice President with respect to the remainder of the grievance procedure.

e.d. The grievant and respondent parties, each of which may consist of multiple individuals, shall have the right shall have the right to challenge any individual member of the Hearing Committee with the total number of challenges limited to two ($n = 2$) for each party. As each challenged member is excused, their replacement will be selected by the standing Grievance Committee Chairperson (or Provost and Executive Vice President in the case that the excused member is an administrator) in consultation with the other members of the standing Grievance Committee.

~~e.e.~~ The formal hearing will be conducted in private. During the proceedings, the parties concerned will be permitted to have a nonparticipating advisor of their choice. -A recording or transcript of the proceedings shall be kept and made available upon request to the parties concerned. -The grievant will present ~~his~~their~~her~~ own case and has the right to present whatever evidence, written or oral, ~~he/she/they~~ considers relevant or material to the grievance. -This includes the calling of witnesses.

~~e.f.~~ After the presentation by the grievant, the respondent will be given an opportunity to present ~~his/her~~their case under the same rules as the grievant. -The ~~University~~respondent and grievant may be represented by counsel. -The Hearing Committee may also call witnesses as it considers appropriate. -Both the grievant and the respondent may question all witnesses. The Hearing Committee will not be bound by strict rules of legal evidence. -The Hearing Committee may receive any evidence of probative value in determining the issues involved. -Every reasonable effort shall be made to obtain the most reliable evidence possible. -All questions relating to the admissibility of evidence or other legal matters will be decided by the Chairperson of the Hearing Committee. -Evidence considered in the hearing must relate to the grievance and be of the type relied on by faculty members or administrators in the conduct of their professional affairs.

~~f.g.~~ After all evidence is received, the Hearing Committee will meet privately to consider the evidence. -The opinion held by the majority of the members will constitute the

Hearing Committee's recommendations. The Hearing Committee should provide its recommendations in writing to the ProvostProvost and Executive Vice President, with copies to the parties to the grievance, no later than 5 business days from the last date of hearing of the grievance. In grievances involving the Provost, the President will receive the recommendation and thereafter assume the responsibilities of the Provost with respect to the remainder of the grievance procedure. Minority opinions of the committee may be submitted to the ProvostProvost and Executive Vice President and involved parties at the same time as the Committee recommendations are submitted. Recommendations to the ProvostProvost and Executive Vice President are advisory in nature.

g-h. The ProvostProvost and Executive Vice President should send a written notice of ~~his/her~~their final decision within 5 business days of receipt of the Committee's recommendations. Copies of the final decision will be sent to the grievant, respondent, and Grievance Committee Chairperson. If the ProvostProvost and Executive Vice President's recommendation is different from that recommended by the Hearing Committee, the grievant, the respondent, and the Grievance Committee will be informed in writing of the reasons. The ProvostProvost and Executive Vice President's decision is the final University decision on the grievance.

h-i. The grievant may withdraw a formal grievance at any stage of this process but may not reinstate it once it is withdrawn. The withdrawal request should be made in writing to the Provost-Grievance Committee Chairperson who will then notify the Grievance Committee if applicable.

REVIEWED:

_____ Executive Vice Provost for Academic Affairs	_____ Date
_____ Provost and Executive Vice President	_____ Date
_____ President, Robert Holland Faculty Senate	_____ Date
_____ Associate Vice President, Institutional Strategy & Effectiveness	_____ Date
_____ General Counsel	_____ Date

APPROVED:

_____ President	_____ Date
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Report to the Robert Holland Faculty Senate (RHFS)

Student Affairs Committee

Report on Stennis Montgomery Association Letter

April 11, 2025

Background

On January 31, 2025, RHFS President Robert Banik received a letter from Senator Tom Carskadon requesting that Senate consider eight requests regarding student course surveys. The letter was sent to the Student Affairs Committee for review.

Recommendation

The Student Affairs Committee recommends that Faculty Senate approve the eight requests as amended below.

Discussion

The Student Affairs Committee recommends the following:

1) Increasing the number of optional, faculty-selected questions from 3 to a maximum of 10. Allowing faculty to include more questions they want answers to would provide more useful information to faculty (i.e., feedback about ways to improve their teaching and how well their current practices are working). The increase in the time required to fill out the survey would be quite modest and unlikely to deter participation. Based on a study conducted at the time of the last revision of the student course survey, we estimate that even if instructors added seven more questions (for a maximum of 10 questions), it would add only one-half to one minute (28 to 56 seconds) to the time it takes students to complete the survey. Achieving a high response rate is in everyone's best interest. If instructors have difficulty achieving acceptable response rates, with or without additional questions, they can find suggestions of proven value in the report of the Task Force on Student Evaluation of Courses (https://www.provost.msstate.edu/sites/www.provost.msstate.edu/files/2024-06/Student_Eval_of_Courses_Final_Report.pdf). One very effective method is to have the students take the survey in class, after explaining its purpose and importance.

2) Investigating the overall correlation, if any, between student course survey results and course grades. The research literature nationally on this point is inconsistent and appears to be dependent on the instrument used and the school using it. If student course survey results are to be considered as one part of the overall evaluation of teaching, we must know whether there is a significant overall connection between average course grades given and average student course survey results received here at Mississippi State University. (Because survey responses are anonymous, we cannot study this at the level of individual students, but we can do an aggregate study at the level of courses. We feel it better to do what research we can on this important topic rather than leaving it uninvestigated and unknown.)

We also recommend that future administrations of the student course surveys include a question about students' self-reported expected grade in the course. (This recommendation was not in the Carskadon letter to Senate but was unanimously approved by the Student Affairs Committee.)

3) Investigating whether any gender and/or racial bias exists in the student course survey results. We know that some bias was uncovered in our previous course survey instrument, but we do not know whether the current survey instrument improved upon that situation as it was intended to. To enable comparison between the two course surveys, we recommend using the same careful method of analysis that OIRE used on the last survey.

4) Investigating the correlation, if any, between student course survey results and academic discipline and between student course survey results and class size. (This recommendation was not in the Carskadon letter to Senate but was unanimously approved by the Student Affairs Committee.)

5) Investigating whether, on average, results on student course surveys are higher for an already recognized group of excellent faculty, specifically John Grisham Master Teachers, than for the overall faculty. Grisham Master Teachers have been thoroughly evaluated far beyond their student course survey results, including multiple peer observations and evaluation of course materials, by an independent committee. The suggested analysis would be useful to validate or invalidate the use of student course survey results as one measure of teaching excellence.

6) “Cherry picking” positive or negative comments, by those in administrative and/or evaluative roles, should be considered an inappropriate use of anonymous student comments. The use of anonymous student comments is often problematic. Anecdotally, there have been misuses and even abuses. The passing of anonymous student comments to instructors’ superiors is mandated by Board Policy, but recommendations on what use to make of these would seem warranted. If administrators and others wish to quote specific comments by students for evaluative purposes, they should attach all student comments to justify their conclusions.

7) Presenting in evaluative materials all four categories of student course survey responses to objective questions (e.g., “I would recommend this instructor to other students.”) rather than only “Percent Who Agree” and “Percent Who Disagree.” Such a dichotomy is too sensitive to the opinions of a very small number of students yet too insensitive to distinguish between average and excellent teaching performance (to the extent this can be suggested by student course survey results at all, as they are just one of many indicators).

8) Removing from statistical analysis the top and bottom 10% of student responses to the objective questions. In addition to presenting overall student course survey results (using all student responses), we recommend that results also be presented with outliers excluded (i.e., excluding the top and bottom 10%). Adding results with the top and bottom 10% eliminated from statistical analysis would yield more consistent, more reliable, more valid results.

Committee Members: Stacy Haynes (Chair), Iva Ballard, Olivia Boatman, Tom Carskadon, Caroline Kobia, Santanu Kundu, Rosanne Nunnery, Eric Vivier

UNIVERSITY RESOURCES

OLD BUSINESS

NEW BUSINESS

1. Election of Officers

President

Stacy Haynes

Vice President

Neeraj Rai

Jacob Tschume

Secretary

Amber Robinson

ADJOURN