

	Subject: Grievance Policy	Number: ES-EMS-01-06
	Function: EMS Education	Origination Date: April 29, 2014 Review Date: April 29, 2016

RULES OF PROCEDURES IN STUDENT AND FACULTY GRIEVANCE

The following procedures are addressed within this policy:

- I. Policy – Student Conduct Related Grievance
- II. Policy – Grievance Procedure for Non-conduct Related Issues (student)
- III. Policy – Grievance Procedure -- Faculty

I. **POLICY – Student Conduct Related Grievance:**

To set forth a policy to assure the student has the right to grieve sanctions made by EMS Education Institute. The process for grieving any sanction that has been imposed is detailed in the Rules of Procedure in Student Conduct Matters. The intent is to afford the student the full rights of due process should they feel that their concerns were not met at the time of imposition.

PROCEDURE:

1. **Preamble:** The following rules of procedure in student conduct matters are hereby adopted in order to ensure insofar as possible and practicable:
 - a. That the requirements of procedural due process in student conduct grievance proceedings will be fulfilled by EMS Education Institute.
 - b. That the immediate effectiveness of the rules, regulations, and procedures relating to student conduct and sanctions may be secured for all students in EMS Education.
 - c. That procedures shall be definite and determinable within EMS Education.
2. **Definitions:** As used in these rules, the following definitions shall apply:
 - a. **Primary Administrative Officer:** As used in these procedures, the Program Director is the Primary Administrative Officer in all cases, administrative or academic. The Primary Administrative Officer may appoint designee(s) who are responsible for the administration of these conduct procedures, provided all such appointments must be in writing, filed with General Counsel. The Primary Administrator Officer will certify in writing that the given designee has been trained in the administration of student conduct matters.
 - b. **Student:** A person having been admitted to EMS Education Institute who has not completed a course of study. For the purpose of these rules, student status continues whether or not EMS Education's academic programs are in session.
 - c. **Student Conduct Committee:** The formal group called by the Primary Administrative Officer/Designees when required to review the appeal of sanction(s) by the student.

3. **Records Retention:** Student conduct records shall be maintained for a minimum of five years after EMS Education action is completed.
4. **Policy and Procedures:**
 - a. **Request for Appeal:** If the student believes that any sanction(s) that have been meted out give the student grounds for a grievance (defined below), then the student shall submit a Request for Appeal to the Primary Administrative Officer, within 10 business days from the imposition of the sanction(s). A request for appeal can be in the form of a letter, e-mail, or other form of communication from which it can be determined that it was definitively submitted by the student.
 - b. **Grievance, Defined:**
 - 1) There has been a violation, a misinterpretation, an arbitrary or discriminatory application of EMS Education policy, regulation, or procedure which applies personally to the student, notwithstanding that it may apply to others within or without the grievant unit, relating to the privileges, responsibilities, or terms and conditions of being a student.
 - 2) The student has been discriminated against on the basis of race, color, religion, sex, national origin, age, disability, status as a Vietnam era veteran, or sexual orientation.
 - 3) There has been an infringement on the academic freedom of the student.
 - 4) This policy shall not be interpreted in such a manner as to violate the legal rights of religious organizations or military organizations associated with the Armed Forces of the United States of America.
 - c. **Preliminary Procedures:** The Primary Administrative Officer/Designee(s) shall investigate any reported student misconduct before initiating formal conduct procedures and give the student the opportunity to present a personal version of the incident or occurrence. The Primary Administrative Officer/Designee(s) may discuss with any student such alleged misconduct and the student shall attend such consultation as requested by the Primary Administrative Officer/Designee(s). The Primary Administrative Officer/Designee(s), in making an investigation and disposition, may utilize student courts and boards to make recommendations.
 - d. **Informal Dispositions:** The Primary Administrative Officer/Designee(s) shall have the authority to make a determination and to affirm or impose appropriate sanctions and shall fix a reasonable time within which the student shall accept or reject a proposed informal disposition. A failure of the student either to accept or reject within the time fixed may be deemed by the University to be an acceptance of the determination, provided the student has received written notice of the proposed determination and the result of the student's failure to formally reject and, in such event, the proposed disposition shall become final upon expiration of such time. If the student rejects informal disposition it must be in writing and shall be forwarded to the Primary Administrative Officer/Designee(s). The Primary Administrative Officer/Designee(s) may refer cases to the Committee for a hearing without first offering informal disposition.
 - e. **Formal Procedure and Disposition:**
 - 1) **Student Conduct Committee:**

- a) The Committee shall be appointed by the Primary Administrative Officer/Designee(s) and shall have the authority to impose appropriate sanctions upon any student or students appearing before it.
 - b) The Committee will be made up, at a minimum, of the Medical Director of EMS Education Institute, who will act as Chair, and two members from the clinical/administrative staff who are not directly involved with the student in any way.
 - c) Upon written request of a student charged before the Committee, made at least five (5) business days prior to the hearing, the Chair of the Committee or Hearing Panel shall appoint not more than two students to sit with the Committee for that particular case. When students from the Student Panel serve at the request of a student charged, they shall have the same rights as other members of the Committee or hearing Panel. These students will be appointed from the group of Class Presidents and Team Leaders for the current EMS Education Institute class.
- 2) **General Statement of Procedures:** A student charged is entitled to a written notice and a formal hearing unless the matter is disposed of under the rules for informal disposition. Student conduct proceedings are not to be construed as judicial trials and need not wait for legal action before proceeding; but care shall be taken to comply as fully as possible with the spirit and intent of the procedural safeguards set forth herein. General Counsel shall be legal adviser to the Committee and the Primary Administrative Officer/Designee(s).
- 3) **Notice:** The Primary Administrative Officer/Designee(s) shall initiate student conduct proceedings by arranging to call a meeting of the committee and by giving written notice by certified mail or personal delivery to the student charged with misconduct. The notice shall set forth the date, time, and place of the alleged violation and the date, time, and place of the hearing before the Committee. Notice by certified mail may be addressed to the last address currently on record with EMS Education Institute. Failure by the student to have a current correct local address on record with EMS Education shall not be construed to invalidate such notice. The notice shall be given at least seven (7) consecutive days prior to the hearing, unless a shorter time is fixed by the Chair for good cause. Any request for continuance shall be made in writing to the Chair, who shall have the authority to continue the hearing if the request is timely and made for good cause. The Chair shall notify the Committee and the student of the new date for the hearing. If the student fails to appear at the scheduled time, the Committee may hear and determine the matter.

f. **Right to Petition for Review:**

- 1) In all cases where the sanction imposed by the committee is other than expulsion, dismissal, or suspension, the Primary Administrative Officer/Designee(s) or the student may petition the Medical Director or Designee in writing for a review of the decision within five (5) business days after written notification. A copy of the Petition for Review must also be served upon the non-appealing party within such time. The Petition for Review shall state the grounds or reasons for review, and the non-appealing party may answer the petition within five (5) business days.
- 2) The Medical Director or designee may grant or refuse the right of review. In all cases where the Petition for Review is refused, the action of the Committee shall be final. If the Medical Director or designee reviews the decision, the action of

the Medical Director shall be final unless it is to remand the matter for further proceedings.

g. **Right of Appeal** (expulsion, dismissal, or suspension only).

- 1) When a student is expelled, dismissed, or suspended from EMS Education Institute by the Committee, the Primary Administrative Officer/Designee(s), or the student may appeal such decision to the Medical Director or Designee by filing written notice of appeal with the Nursing Director within ten (10) business days after notification of the decision of the Committee. A copy of the Notice of Appeal will contemporaneously be given by the student to the Primary Administrative Officer/Designee(s) or by the Primary Administrative Officer/Designee(s) to the student. The appealing party may file a written memorandum for consideration by the Medical Director with the Notice of Appeal, and the Medical Director may request a reply to such memorandum by the appropriate party.
- 2) The Medical Director or Designee shall review the record of the case and the appeal documents and may affirm, reverse, or remand the case for further proceedings and shall notify each party in writing of the decision on the appeal. The action of the Medical Director shall be final unless it is to remand the matter for further proceedings.

- h. **Status during Appeal:** In cases of suspension, dismissal, or expulsion where a Notice of appeal is filed within the required time, a student may petition the Medical Director in writing for permission to attend classes/clinical pending final determination of appeal. The Medical Director may permit a student to continue in school under such conditions as may be designated pending completion of appellate procedures, provided such continuance will not seriously disrupt EMS Education or constitute a danger to the health, safety, or welfare of members of the EMS community. In such event, however, any final sanctions imposed shall be effective from the date of the action of the Committee.

4. **Hearing Procedures:**

- a. **Conduct of Hearing:** The Chair shall preside at the hearing, call the hearing to order, call the roll of the committee in attendance, ascertain the presence or absence of the student charged with misconduct, read the notice of hearing and charges and verify the receipt of notices of charges by the student, report any continuances requested or granted, establish the presence of any adviser or counselor of the student, and call to the attention of the student charged and the adviser any special or extraordinary procedures to be employed during the hearing and permit the student to make suggestions regarding or objections to any procedures for the Conduct Committee to consider.

1) **Opening Statements:**

- a) The Primary Administrative Officer/Designee(s) shall make opening remarks outlining the general nature of the case and testify to any facts the investigation has revealed.
- b) The student may make a statement to the committee about the charge at this time or at the conclusion of EMS Education Institute's presentation.

2) **EMS Education Institute Evidence:**

- a) EMS Education Institute witnesses are to be called and identified or written reports of evidence introduced as appropriate.

- b) The Committee may question witnesses at any time.
- c) The student or, with permission of the Committee, the adviser or counselor may question witnesses or examine evidence at the conclusion of EMS Education Institute's presentation.

3) **Student Evidence:**

- a) If the student has not elected to make a statement earlier under a (2) above, the student shall have the opportunity to make a statement to the Committee about the charge.
- b) The student may present evidence through witnesses or in the form of written memoranda.
- c) The Committee may question the student or witnesses at any time. The Primary Administrative Officer/Designee(s) may question the student or witnesses.
- d) **Rebuttal Evidence:** The Committee may permit EMS Education Institute or the student to offer a rebuttal of the other's presentation.
- e) **Rights of Student Conduct Committee:** The Committee shall have the right to:
 - (1) Hear together cases involving more than one student which arise out of the same transaction or occurrence, but in that event shall make separate findings and determinations for each student.
 - (2) Permit a stipulation of facts by the Primary Administrative Officer/Designee(s) and the student involved.
 - (3) Permit the incorporation in the record by reference of any documentation, produced and desired in the record by EMS Education or the student charged.
 - (4) Question witnesses or challenge other evidence introduced by either EMS Education or the student at any time;
 - (5) Hear from the Primary Administrative Officer/Designee(s) about dispositions made in similar cases and any dispositions offered to the student appearing before the Committee.
 - (6) Call additional witnesses or require additional investigation.
 - (7) Dismiss any action at any time or permit informal disposition as otherwise provided.
 - (8) Permit or require at any time amendment of the Notice of Hearing to include new or additional matters which may come to the attention of the Committee before final determination of the case; provided; however, that in such event the Committee shall grant to the student or Primary Administrative Officer/Designee(s) such time as the Committee may determine reasonable under the circumstances to answer or explain such additional matters.

- (9) Dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Chair of the Committee.
- (10) Suspend summarily students from EMS Education Institute who, during the hearing, obstruct or interfere with the course of the hearing or fail to abide by the ruling of the Chair of the Committee on any procedural question or request of the Chair for order.

b. **Rights of Students upon Hearing:** a student appearing before a Committee shall have the right to:

- 1) Be present at the hearing;
- 2) Have an adviser or counselor and to consult with such adviser or counselor during the hearing;
- 3) Have students sit with and act as part of the Committee;
- 4) Hear or examine evidence presented to the Committee;
- 5) Question witnesses present and testifying;
- 6) Present evidence by witnesses or affidavit;
- 7) Make any statement to the committee in mitigation or explanation of the conduct in question;
- 8) Be informed in writing of the findings of the Committee and any sanctions it imposes; and
- 9) Request review or appeal to the Nursing Director as herein provided.

c. **Determination by the Student Conduct Committee:** The Committee shall then make its findings and determinations in executive session out of the presence of the Primary Administrative Officer/Designee(s) and the student charged. Separate findings are to be made:

- 1) As to the conduct of the student.
- 2) On the sanctions, if any, to be imposed or modified. No sanctions shall be imposed on the student unless a majority of the Committee present is reasonably convinced by the evidence that the student has committed the violation charged.

d. **Official Report of Findings and Determinations:** The Committee shall promptly consider the case on the merits and make its findings and determination and transmit them to the Primary Administrative Officer/Designee(s) and the student charged forthwith.

e. **Other Procedural Questions:** Procedural questions which arise during the hearing not covered by these general rules shall be determined by the Chair, whose ruling shall be final unless the Chair shall present the question to the committee at the request of a member of the committee, in which event the ruling of the Committee by majority vote shall be final.

f. **General Rules of Decorum:** The following general rules of decorum shall be adhered to:

- 1) All requests to address the Committee shall be addressed to the Chair.
 - 2) The Chair will rule on all requests and points of order and may consult with Committee's legal adviser prior to any ruling. The Chair's ruling shall be final and all participants shall abide thereby, unless the Chair shall present the question to the Committee at the request of a member of the committee, in which event the ruling of the committee by majority vote shall be final.
 - 3) Rules of common courtesy and decency shall be observed at all times.
 - 4) An adviser or counselor may be permitted to address the Committee at the discretion of the Committee. An adviser or counselor may request clarification of a procedural matter or object on the basis of procedure at any time by addressing the Chair after recognition.
- g. **Record of Hearing:** A taped or stenographic record of the hearing shall be maintained. The notice, exhibits, hearing record, findings and determination of the Committee shall become the "Record of the Case" and shall be filed in the Office of the Primary Administrative Officer/Designee(s). Files will be accessible for the purpose of review or appeal at reasonable times and places to both the University and the student.

II. **POLICY – Grievance Procedure for Non-conduct Related Issues:**

The intent is to afford the student the full rights of due process in matters which the student believes the program is not meeting their needs in compliance with policy or the process as laid out in the Student Handbook.

PROCEDURE:

1. **Preamble:** The following rules of procedure in matters other than student conduct are hereby adopted in order to ensure insofar as possible and practicable:
 - a. That the requirements of procedural due process in student conduct grievance proceedings will be fulfilled by EMS Education Institute.
 - b. That the immediate effectiveness of the rules, regulations, and procedures relating to student grievances which are non-conduct related may be secured for all students in EMS Education Institute.
 - c. That procedures shall be definite and determinable within EMS Education.
2. **Definitions:** As used in these rules, the following definitions shall apply:
 - a. **Primary Administrative Officer:** As used in these procedures, the Program Director is the Primary Administrative Officer in all cases, administrative or academic. The Primary Administrative Officer may appoint designee(s) who are responsible for the administration of these procedures, provided all such appointments must be in writing, filed with General Counsel. The Primary Administrator Officer will certify in writing that the given designee has been trained in the administration of student grievance proceedings.
 - b. **Student:** A person having once been admitted to EMS Education Institute who has not completed a course of study. For the purpose of these rules, student status continues whether or not EMS Education's academic programs are in session.

- c. **Student Grievance Committee:** The formal group called by the Primary Administrative Officer/Designees when required to review the appeal of sanction(s) by the student.
- 3. **Records Retention:** Records related to a student grievance shall be maintained for a minimum of five years after EMS Education action is completed.
- 4. **Policy and Procedures:**
 - a. **Request for Appeal:** If the student believes that any determination or action which has been meted out gives the student grounds for a grievance (defined below), then the student shall submit a Request for Appeal to the Primary Administrative Officer, within 10 business days from the announcement of the ruling. A request for appeal can be in the form of a letter, e-mail or other form of communication from which it can be determined that it was definitively submitted by the student.
 - b. **Grievance Defined:**
 - 1) There has been a violation, a misinterpretation, an arbitrary or discriminatory application of EMS Education Institute policy, regulation, or procedure which applies personally to the student, notwithstanding that it may apply to others within or without the grievant unit, relating to the privileges, responsibilities, or terms and conditions of being a student.
 - 2) The student has been discriminated against on the basis of race, color, religion, sex, national origin, age, disability, status as a Vietnam era veteran, or sexual orientation.
 - 3) There has been an infringement on the academic freedom of the student.
 - 4) This policy shall not be interpreted in such a manner as to violate the legal rights of religious organizations or military organizations associated with the Armed Forces of the United States of America.
 - c. **Preliminary Procedures:** The Primary Administrative Officer/Designee(s) shall investigate any student grievance before initiating formal grievance procedures and give the student the opportunity to present a personal version of the incident or occurrence. The Primary Administrative Officer/Designee(s) may discuss with any student issues related to the grievance. The student shall attend consultation as requested by the Primary Administrative Officer/Designee(s).
 - d. **Informal Dispositions:** The Primary Administrative Officer/Designee(s) shall have the authority to make a determination, affirm or impose such determination and shall fix a reasonable time within which the student shall accept or reject the proposed informal disposition. A failure of the student either to accept or reject within the time fixed may be deemed by the University to be an acceptance of the determination, provided the student has received written notice of the proposed determination and the result of the student's failure to formally reject and, in such event, the proposed disposition shall become final upon expiration of such time. If the student rejects informal disposition it must be in writing and shall be forwarded to the Primary Administrative Officer/Designee(s). The Primary Administrative Officer/Designee(s) may refer grievances to the Committee for a hearing without first offering informal disposition.
 - e. **Formal Procedure and Disposition:**
 - 1) **Student Grievance Committee:**

- a) The Committee shall be appointed by the Primary Administrative Officer/Designee(s) and shall have the authority to impose appropriate determinations to grievances presented to the committee.
 - b) The Committee will be made up, at a minimum, of the Medical Director of EMS Education Institute who will act as Chair and two members from the clinical/administrative staff who are not directly involved with the student in any way.
 - c) Upon written request of a student filing a grievance before the Committee, made at least five (5) business days prior to the hearing, the Chair of the Committee or Hearing Panel shall appoint not more than two students to sit with the Committee for that particular case. When students from the Student Panel serve at the request of a student charged, they shall have the same rights as other members of the Committee or hearing Panel. These students will be appointed from the group of Class Presidents and Team Leaders for the current EMS Education class.
- 2) **General Statement of Procedures:** A student who initiates a grievance is entitled to a written notice and a formal hearing unless the matter is disposed of under the rules for informal disposition. Student grievance proceedings are not to be construed as judicial trials and need not wait for legal action before proceeding; but care shall be taken to comply as fully as possible with the spirit and intent of the procedural safeguards set forth herein. General Counsel shall be legal adviser to the Committee and the Primary Administrative Officer/Designee(s).
- 3) **Notice:** The Primary Administrative Officer/Designee(s) shall initiate student grievance proceedings by arranging to call a meeting of the committee and by giving written notice by certified mail or personal delivery to the student filing the grievance. The notice shall set forth the date, time, and place the alleged grievance occurred and the date, time, and place of the hearing before the Committee. Notice by certified mail may be addressed to the last address currently on record with EMS Education Institute. Failure by the student to have a current correct local address on record with EMS Education Institute shall not be construed to invalidate such notice. The notice shall be given at least seven (7) consecutive days prior to the hearing, unless a shorter time is fixed by the Chair for good cause. Any request for continuance shall be made in writing to the Chair, who shall have the authority to continue the hearing if the request is timely and made for good cause. The Chair shall notify the Committee and the student of the new date for the hearing. If the student fails to appear at the scheduled time, the Committee may hear and make a determination.
- f. **Right to Petition for Review of Determination in Grievances Which are Non-conduct Related:**
- 1) In all cases where the determination made by the committee is other than expulsion, dismissal, or suspension, the Primary Administrative Officer/Designee(s) or the student may petition the Medical Director or Designee in writing for a review of the decision within five (5) business days after written notification. A copy of the Petition for Review must also be served upon the non-appealing party within such time. The Petition for Review shall state the grounds or reasons for review, and the non-appealing party may answer the petition within five (5) business days.

- 2) The Medical Director or designee may grant or refuse the right of review. In all cases where the Petition for Review is refused, the action of the Committee shall be final. If the Medical Director or designee reviews the decision, the action of the Medical Director shall be final unless it is to remand the matter for further proceedings.
- g. **Rights of Students upon Hearing:** a student appearing before a Committee shall have the right to:
- 1) Be present at the hearing;
 - 2) Have an adviser or counselor and to consult with such adviser or counselor during the hearing;
 - 3) Have students sit with and act as part of the Committee;
 - 4) Hear or examine evidence presented to the Committee;
 - 5) Question witnesses present and testifying;
 - 6) Present evidence by witnesses or affidavit.
- h. **Official Report of Findings and Determinations:** The Committee shall promptly consider the case on the merits and make its findings and determination and transmit them to the Primary Administrative Officer/Designee(s) and the student charged forthwith.
- i. **Other Procedural Questions:** Procedural questions which arise during the hearing not covered by these general rules shall be determined by the Chair, whose ruling shall be final unless the Chair shall present the question to the committee at the request of a member of the committee, in which event the ruling of the Committee by majority vote shall be final.
- j. **General Rules of Decorum:** The following general rules of decorum shall be adhered to:
- 1) All requests to address the Committee shall be addressed to the Chair.
 - 2) The Chair will rule on all requests and points of order and may consult with Committee's legal adviser prior to any ruling. The Chair's ruling shall be final and all participants shall abide thereby, unless the Chair shall present the question to the Committee at the request of a member of the committee, in which event the ruling of the committee by majority vote shall be final.
 - 3) Rules of common courtesy and decency shall be observed at all times.
 - 4) An adviser or counselor may be permitted to address the Committee at the discretion of the Committee. An adviser or counselor may request clarification of a procedural matter or object on the basis of procedure at any time by addressing the Chair after recognition.
- k. **Record of Hearing:** A taped or stenographic record of the hearing shall be maintained. The notice, exhibits, hearing record, and the findings and determination of the Committee shall become the "Record of the Case" and shall be filed in the Office of the Primary Administrative Officer/Designee(s) and for the purpose of review or appeal be accessible at reasonable times and places to both the University and the student.

III. Policy -- Grievance – Faculty

Please refer to Human Resources policy – HR-502 Grievance procedure (Attachment 1):

Attachment 1: <http://www.umsystem.edu/ums/rules/hrm/hr500/hr502>

Workplace (HR-500)

HR-502 Grievance Procedure

Summary

The University recognizes the right of employees to express their grievances and to seek a solution concerning disagreements arising from working relationships, working conditions, employment practices or differences of interpretation of policy which might arise between the University and its employees. In addition, grievances may be filed alleging discrimination on the basis of race, color, religion, sex, sexual orientation, national origin, age, disability, and status as a Vietnam era veteran. This shall not be interpreted in such a manner as to violate the legal rights of religious organizations or military organizations associated with the Armed Forces of the United States of America. A regular employee may process a grievance regarding any of these matters upon completion of his/her probationary period. A probationary or nonregular employee may process a grievance concerning issues of prohibited discrimination or application/interpretation of University policies and procedures.

Grievance Definition

Any complaint by an employee concerning any aspect of the employment relationship other than merit increases, performance evaluations and job reclassifications, unless such exceptions include an allegation of prohibited discrimination or other illegality.

Procedures

Should an employee or the employee's representative feel, after oral discussion with the immediate supervisor, that employee's rights under University policy have been violated, the employee may originate a grievance within ten (10) days of the date the alleged grievable act occurred by presenting the facts in writing to the proper supervisor, department head, or designated representative of the University with a copy to the Campus Grievance Representative. The decision of such official shall be made in writing to the employee within ten (10) days after receipt of grievance. For an alleged act of prohibited discrimination, an employee has a 180-day filing period.

Should the employee decide the reply is unsatisfactory, the employee or the employee's representative shall, within five (5) days, submit an appeal to the Campus Grievance Representative. The Campus Grievance Representative or designate shall respond in writing to the grievance within five (5) days from the date of the review. If the grievance is resolved, no further action will be necessary.

If the grievance is not satisfactorily resolved, the employee or the employee's representative may appeal within five (5) days after receipt of response to the University Grievance

Representative for the purpose of reviewing the grievance. The decision of the University Grievance Representative or designate shall be made in writing to the employee and/or employee's representative within five (5) days after the date of the review.

Should the employee decide that the reply of the University Grievance Representative or designate is unsatisfactory, the matter may be appealed within five (5) days of receipt of the response through the University Grievance Representative to a grievance committee which shall be established: the employee or employee's representative may designate one (1) member; the University through its Grievance Representative, with the approval of the Chancellor of the campus, shall appoint one (1) member; and the selection of the third member shall be made by these two (2) members. If mutually agreeable, the two (2) designated members may select the third member from a list recommended by either and approved by both. Otherwise, selection will be made from a list of committee members supplied by the Federal Mediation and Conciliation Service and maintained by UM Human Resources. The selection will be made by reducing the list in alternate turns. The toss of a coin shall determine the elimination sequence.

A decision of the grievance committee may be reached upon the concurrence of any two (2) of the three (3) members. A hearing will be scheduled as soon as feasible after selection of the third committee member. The grievance committee shall keep a complete record of the hearing before it, including any exhibits or papers submitted to it in connection with the hearing and a complete record of any testimony taken. Upon the rendering of its decision, the complete record shall be filed in the Office of the President of the University and shall be available to the employee, employee's representative and the University Grievance Representative. Any cost of the third party on the committee and cost of transcript (if requested) shall be paid equally by the employee and the University.

In the event the decision of the grievance committee is unsatisfactory to either the employee or the University Grievance Representative, either may, within five (5) days after receipt of the decision of the grievance committee, file a written notice of appeal to the Board of Curators by delivering such notice of appeal to the President of the University. Upon the receipt of the notice of appeal, the President of the University shall cause the record of the hearing before the grievance committee to be filed with the Board of Curators of the University, who shall review such record. The decision of the Board of Curators, upon such review, will be final.

Time Limits

The prescribed time limits may be extended by mutual agreement whenever necessary in order for these provisions to be implemented. The interpretation of "days" within this section is to be normal workdays (Monday through Friday) exclusive of official University holidays.

University Grievance Representative

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