Senate Resolution Number S-06-03

Faculty Senate Resolution

To: SCSU President Cheryl Norton

From: John DaPonte, President of the SCSU Faculty Senate

The attached Resolution of the Faculty Senate regards: Resolution in Support of the Provost’s Role in Mediation and Disciplinary Action Concerning Faculty

The Resolution is presented to you for your [X] APPROVAL
[ ] INFORMATION

After considering this resolution, please indicate your action on this form and return it to the President of the Faculty Senate.

In accordance with the CSU-AAUP Contract (Article 5.10), the President of the University will return the Resolution to the President of the Senate within 15 school days of the receipt of the Resolution.

cc: Dr. Selase Williams

[Signature]
John DaPonte, President, Faculty Senate
3/1/06

ENDORSEMENT of Faculty Senate Resolution, S-06-03

To: John DaPonte, President SCSU Faculty Senate
From: Cheryl Norton, President of the University

1. Motion APPROVED
2. Motion DISAPPROVED [X] (attach statement)
3. Motion NOTED
4. Comments

[Signature]

Date 3/1/06

Signature
Alternate Faculty Resolution:

In situations involving faculty where there is an allegation regarding a possible violation of the Collective Bargaining Agreement or University policy, every attempt will be made to resolve the matter informally at the appropriate managerial level within academic affairs either by the Provost or in consultation with the Provost. If the issue cannot be resolved informally or is found to require further investigation due to the nature of the complaint, it will be the responsibility of the Provost to initiate such an investigation in partnership with Human Resources. Further, the Provost will inform the President and the affected faculty member of the need to advance to a formal investigation. In all cases, contractual procedures will be followed and union representatives will be appropriately involved as specified by the CBA.

When at all possible, mediation services available through the Affirmative Action Office will be the first choice of action when internal conflict occurs between two or more members of the institution as long as no threat of physical harm is imminent.

Dr. Cheryl J. Norton
President
Southern CT State University
(203)392-5250
Resolution in Support of the Provost’s Role in Mediation and Disciplinary Action Concerning Faculty

Whereas SCSU exists for the primary purpose of furthering academic excellence;

Whereas this principle suggests that academic values and judgments be the central driving force of the university’s organization and mode of operation;

Whereas the Provost is the administrator institutionally designated to ensure that the academic mission of the university be implemented and that the values that generate and sustain that mission be advanced;

Whereas faculty are the primary means through which the university realizes its academic mission and therefore clearly work within the institutional domain of the Provost;

Whereas some recent cases of conflict adjudication and/or institutional disciplinary actions against faculty have bypassed the Provost and been addressed directly by the Human Resources Office;

Whereas the Human Resources Office does not have as its primary institutional purpose the academic mission of the university and therefore may not be fully sensitive to the ethos of academic work and its particular work habits and patterns;

Whereas mediation rather than disciplinary action should be the first intervention, whenever possible, in addressing potential conflict between faculty and administration;

Whereas the Provost’s academic knowledge and experience make her/him the administrator most likely to have the skills to mediate such situations equitably for all parties;

Whereas Human Resources therefore should work at the discretion of the Provost in these matters rather than independently or in place of the Provost:

Therefore,

1. Be it resolved that matters of disciplinary action against faculty by the administration will be handled by the Provost, who has institutional authority over faculty performance;

2. Be it further resolved that all academic aspects of faculty labor be recognized as occurring within the domain of collectively bargained collaborative governance administered by the Provost;
3. Be it further resolved that, except in cases of emergency (as outlined in Resolution 5), matters of possible discipline against faculty by the administration shall be initiated as mediation, and might become disciplinary action, if at all, only when mediation has failed;

4. Be it further resolved that Human Resources will become involved at the discretion of the President, acting on the advice of the Provost; and that such advice from the Provost shall be documented in writing; and that the faculty member shall be copied on any such advice before any disciplinary action is taken;

5. Be it further resolved that the only exception to this policy shall be in cases where charges that faculty members have conducted themselves in a violent manner require that extraordinary steps be taken to secure public safety on campus; that such an exception may occur only after a preliminary, fair investigation of probable cause; and that even in such cases, the Provost shall be involved in any disciplinary action by the university at the earliest opportunity.

6. Be it further resolved that the prior resolutions are not meant to alter the public authority of the criminal justice system. The full resolution's purpose is to protect faculty rights and to maintain a cooperative process of conflict resolution based in mediation whenever possible, consistent with our system of shared governance.