

Articles of Academic Governance

I. Selection of the President

The President is the Chief Executive Officer of ICSW who supports the Board of Trustees in fulfilling their responsibilities and provides leadership in all activities of the Institute such as hiring, policy changes, academic affairs, and developmental directions. The President reports to and is evaluated by the Board of Trustees.

The President is appointed by the Board of Trustees with the advice of faculty. The Board shall obtain input from the Faculty under procedures adopted by agreement with the Faculty Advisory Committee regarding matters such as the qualifications to be published for the position of the President, the screening of applicants for the position of President, and evaluation of finalists for the position.

a. Responsibilities of the President

The President of ICSW has the responsibility to collaborate with and support the Board of Trustees in fulfilling its responsibilities, such as Board development and fundraising (consistent with ICSW's Bylaws and with the President's Agreement with ICSW). Other principal responsibilities of the President, performed in collaboration with the Board and in consultation with the Academic Dean, staff, and faculty as appropriate, include the following:

1. Financial oversight
2. Operational oversight
3. Diversity enhancement
4. Development, implementation, and oversight of a strategic plan
5. Recruitment and hiring of the Academic Dean after consultation with the faculty, as well as recruitment and hiring of other ICSW staff and leaders in consultation with the appropriate ICSW personnel and decision-making regarding retention of administrative and professional staff
6. Supervision of the Academic Dean and exercise of additional oversight over academic programming, curriculum, and academic operations
7. Development of new programs and new academic directions in response to enrollment, recruitment, and mission needs, in consultation with the Academic Dean and faculty
8. Leadership and monitoring of accreditation process
9. Enrollment enhancement
10. Recruitment

The President of ICSW also has the primary and significant responsibility to develop and foster ICSW's reputation and relationships within the professional and academic communities; with alumni; with accreditors, agencies, and other stakeholders; with the professional community in which ICSW operates; and with the general public.

II. The Academic Dean of ICSW

The Academic Dean is the chief academic officer of the Institute. The Academic Dean shall report to and be evaluated by the President. The Academic Dean shall be an ex-officio, non-voting member of the Board of Trustees. The Academic Dean is appointed or re-appointed by the President, following the President's prior consultation with, and consideration of the advice of, the faculty. The Academic Dean is also the administrator of the academic programs of the Institute and is responsible for direction and control of the academic functioning of the Institute, subject to the shared governance provisions set forth below.

The faculty of the Institute for Clinical Social Work shall have primary responsibility over the Institute's academic program, including the determination of the curriculum and decisions to open, close, or change programs. This means that proposals for new programs; closure or reduction of programs; or curriculum adjustment will generally originate with the faculty through its governance structures, and the faculty's recommendations regarding curriculum or programmatic changes shall be entitled to deference on the part of the Academic Dean, President, and Board. Decisions regarding curriculum or programmatic changes are subject to final approval of the Academic Dean and President or, in the case of changes with financial implications, final approval of the Board. Should the decision-maker disagree with the recommendations of the faculty regarding a proposed curriculum or programmatic change, the decision-maker will first confer with the faculty and attempt to resolve the differences before making a final decision.

The Academic Dean's academic administrative responsibilities include:

1. Implementation of academic policies
2. Oversight of academic programming
3. Oversight of the matriculation and the progress of the students
4. Calling and presiding over regular meetings of the faculty. At least four faculty meetings a year must be held. In the Academic Dean's absence, a faculty member designated by the Academic Dean shall substitute in presiding over the meeting. If none has been designated, the Faculty Advisory Committee shall select a committee member to preside over the meeting in the Academic Dean's absence.
5. Curriculum and programmatic adjustments, subject to the President's and Board's final decision-making authority over changes to the curriculum and programmatic offerings of ICSW
6. Faculty assignments and responsibilities
7. Faculty supervision and evaluation
8. Appointment and re-appointment of faculty members
9. Periodic reports to the faculty on the affairs of the Institute.
10. Other responsibilities that may arise in the course of carrying out the duties of the Academic Dean.

III. Faculty Membership and Status

- A. **Membership:** The voting faculty of the Institute consists of the Academic Dean and all appointed faculty members.
- B. **Appointment:** Faculty members are appointed and re-appointed by the Academic Dean with the advice of the faculty. Regarding new hires, the following process will be used: (i) the Academic

Dean will nominate a potential faculty member to the FAC; (ii) the FAC will interview the candidate and make a recommendation to the full faculty; (iii) the full faculty will vote pursuant to FAC procedures and make a written recommendation to the Academic Dean; and (iv), if the Academic Dean agrees with the recommendation, the Academic Dean will implement the results of the vote by making an offer to the candidate. If the Academic Dean does not agree with the faculty's recommendation, the Academic Dean will confer with the FAC before making a final decision on the candidate.

Regarding decisions to reappoint, the Academic Dean will make decisions

C. Different Statuses of ICSW Faculty Members

1. ICSW faculty members do not serve pursuant to tenure, tenure-track, or extended year appointments. Appointments are offered on a yearly basis and memorialized in an appointment letter signed by the Academic Dean and setting forth the terms and conditions of employment. All appointment letters for ICSW faculty incorporate the terms of these Articles of Academic Governance, and all faculty members are responsible for complying with the policies and procedures applicable to ICSW employees as amended and updated annually. All appointments, other than emeritus appointments, must be affirmatively renewed on a yearly basis and do not automatically renew absent activity by ICSW.

2. Most faculty members serve as instructors. ICSW also recognizes the following special categories of faculty status:
 - a. Visiting lecturers, who receive appointments for one year and may be renewed at the discretion of the faculty.
 - b. Emeritus faculty:
 - i. "Emeritus faculty" is a title intended to acknowledge significant past contributions as an ICSW faculty member and to acknowledge current circumstances that may not permit full engagement with ICSW as a member of the Faculty.
 - ii. Emeritus status is a change in status that is recommended by the Academic Dean after consultation with the President and approved by FAC and the Full Faculty by majority vote of both bodies.

 - iii. Emeritus faculty members may attend faculty meetings but do not have voting privileges. They may also be invited by the Academic Dean to consult with students, chair dissertations, teach, or serve on committees. Emeritus faculty may only consult with students with prior approval of the Academic Dean.

 - iv. Emeritus faculty must continue to comply with the conduct and ethical expectations generally applicable to ICSW faculty members as set forth in below. In rare circumstances, and where the Academic Dean reasonably believes that an Emeritus faculty member has failed to meet these standards, emeritus status may be removed and an Emeritus faculty member's affiliation with ICSW may be terminated by written notice from the Academic Dean.

D. Faculty Meetings: Faculty meetings, called by the Academic Dean on a periodic basis, consider

such matters as are brought before it by the Academic Dean. Any three members of the faculty may, at any time, petition the Academic Dean to call a faculty meeting to consider any academic or educational matter to be brought before the full faculty. The Academic Dean shall issue a call for such a meeting to be held within two weeks from the time of the receipt of the petition.

IV. Faculty Committees

Faculty committees act in an advisory capacity and report to the Academic Dean. The Academic Dean serves ex officio on all academic committees. All committee chairs are to be selected by members of each committee with advice of the Academic Dean.

A. Faculty Advisory Committee

1. **Membership:** The Faculty Advisory Committee of the Institute shall be composed of six elected members of the faculty. Elected committee members shall serve a three (3) year term. FAC shall be led by a Chair, Vice-Chair, and Secretary. The Chair and Vice Chair shall serve for two- year terms. The Chair and Vice Chair will be elected by the members of FAC from current members of FAC. The function of the Chair is to serve as leader of FAC. The function of the Vice-Chair is to support the Chair, and the Vice Chair shall preside whenever the Chair is unable to preside over a meeting. The Vice Chair shall also serve out the unexpired term of the Chair if the Chair is removed or resigns from the position of Chair. The Secretary shall be appointed by the FAC Chair on a yearly basis. The Secretary is responsible for taking and maintaining minutes of FAC meetings or proceedings held by FAC pursuant to these Articles. The Chair, Vice Chair, and Secretary may serve in these capacities, or as other officers of FAC, for more than one term of office, provided that, as set forth in Section IV-A-2 below, no FAC member, including the Chair, Vice Chair, and Secretary, may serve upon FAC for more than six consecutive years of service in total.
2. **Election:** All members nominated for the Faculty Advisory Committee, including current members of FAC and leaders of FAC as described in Section IV-A-1 above, shall be current members of the faculty, and all current members of FAC, including leaders, must be renominated and reelected in order to continue FAC service for a second three-year term. Nominations shall be accepted from any voting member of the faculty. Names of all nominees shall be placed on the ballot. In the election, persons receiving the largest number of votes will be declared elected to the vacant committee positions. Voting for Faculty Advisory Committee membership shall be by secret ballot. The nomination and election process shall be initiated and completed by mail prior to the end of the winter/spring semester.
3. **Term of Office:** Election to the Faculty Advisory Committee is for a term of three (3) years.. Members of the faculty who have previously served on FAC are eligible for renomination and election to FAC no earlier than three years after completing a six-year term of service. The term of office shall coincide with the beginning of the fall semester. A member, including a member of the FAC leadership as described in Section IV-A-1 above, may serve only for two consecutive terms. The Chair of FAC will confer with a member whose first term is expiring no later than six months before the expiration of the member's first term, to gauge that member's willingness to serve for an additional three-year term. FAC will strive to stagger its members' terms of office so that two new members are elected each year. If a seat is vacated, the faculty shall elect a new

member for the unexpired term (except in the case of the Chair's resigning or being removed from office, which term will be filled by the Vice Chair as described above). If an elected member is absent from three successive regular meetings without an explanation acceptable to the majority of the members, exclusive of the one involved, that seat shall be declared vacated and the faculty shall elect a new member for the unexpired term. As noted in Section IV-A-1, the terms of office of the Chair and Vice Chair shall be for two years. FAC will seek to stagger these terms as well. A Chair and Vice Chair may serve up the entire period of his/her FAC service in one or the other of these FAC leadership positions but shall not serve beyond six years, except that the Vice Chair may serve in excess of six years where a Chair's resignation results in the Vice Chair's filling an unexpired term.

4. **Meetings:** The committee shall meet at least once during each semester and, by agreement of its members, may meet with greater frequency. The chair calls meetings of the committee as necessary. A special meeting shall be convened upon presentation of a written request directed to the Chair and signed by any two members of the faculty, or at the request of the Dean. A requested meeting shall be called not later than two weeks from the date the Chair receives the request.
5. **Quorum:** The quorum for a meeting of the Faculty Advisory Committee shall be a simple majority (four members). Should a quorum not be present, the meeting shall be adjourned and called again at the earliest convenient date.
6. **Responsibilities and Authority:** In carrying out its responsibilities, the Faculty Advisory Committee of the Institute may consider any and all matters relating to the educational policies of the Institute, other than those relating to curriculum. It shall serve as the major formal source of faculty advice to the Dean on: (a) identification of areas in which a need exists to formulate new policies; (b) re-examination of current policies; the execution of the Institute's policies and program priorities; (d) overall academic resource allocation; (e) faculty personnel matters; and (f) other issues effecting the Institute's academic operations. Since the Faculty Advisory Committee is elected by the total faculty to represent it, the committee also has the following specific functions:
 - A. To act on behalf of the faculty as directed by the faculty, and when it is not possible for a quorum of the faculty to be convened in time for urgently needed action.
 - B. To advise the Academic Dean on faculty personnel matters, including:
 1. Appointment of new faculty members
 2. Re-appointment or non-reappointment of faculty members
 3. Dismissal and termination of faculty members during faculty terms of appointment
 4. Appointment of chairs to standing committees other than the Curriculum Committee.
 - C. To serve as a dispute resolution mechanism for informal complaints or formal grievances brought under these Articles by faculty members regarding personnel or academic policy matters.
 - D. To advise the Academic Dean and/or faculty on other matters as it deems

appropriate.

- E. To represent faculty interests on the Board of Trustees. The Chair and Vice Chair will serve as voting Board members for the length of their respective terms. FAC members will recuse themselves from voting on Board matters when the matter involves faculty compensation/benefits.
- F. To make recommendations and address concerns regarding ethical standards, including concerns involving clinical practice, student/faculty relations, and research and other concerns of students and faculty, as assigned by the Academic Dean. As set forth in Section V below, the Institute and its faculty members derive their ethical standards from the current NASW Code of Ethics, as well as from the AAUP's Statement on Ethics set forth in Section V below. FAC serves as a resource in interpreting and applying these provisions and in addressing grievances and concerns using the Institute's various governance structures. Any ethics policies and procedures specific to ICSW shall be consistent with the NASW Code of Ethics, as well as the AAUP Statement set forth below.

B. Curriculum Committee

1. **Membership**: The Curriculum Committee of the Institute shall be composed of the Academic Dean, the Research, Conceptual Foundations, and Clinical Sequence Chairs, the Clinical Practicum Chair and the Director of the Master's program.

These members are appointed by the Academic Dean, with the advice of the faculty.

2. **Term of Office**: Appointment to the Curriculum Committee is for a term of three (3) years. The term of office shall coincide with the beginning of the fall semester. Appointments shall be made in May for the following academic year. If a seat is vacated the Academic Dean shall appoint a new member for the unexpired term. Appointments are made by the Dean in consultation with the faculty.
3. **Meetings of the Curriculum Committee**: The committee shall meet at least once during each semester (excluding summer) and, by agreement of its members, may meet with greater frequency. The chair calls meetings of the committee as necessary. A special meeting shall be convened upon presentation of a written request signed by any two members of the faculty, or at the request of the Academic Dean. A requested meeting shall be called not later than two weeks from the time the chair receives the request.
4. **Quorum**: The quorum for a meeting of the Curriculum Committee shall be a simple majority. Should a quorum not be present, the meeting shall be adjourned and called again at the next earliest convenient date.
5. **Responsibilities and authority**: The Curriculum Committee is responsible for the curricular mission of the Institute. This mission includes the development, integration and coordination of the Institute's curricular offerings and objectives. In carrying out its responsibilities the Curriculum Committee shall:
 - A. Serve as a major formal source of advice to the Academic Dean on the identification of areas in which a need exists to formulate new policies or re-examine current policies regarding the curriculum
 - B. Initiate recommendations to the sequence committees, as well as consider proposals from the sequence committees, for changes in curriculum.
 - C. Submit all proposed changes to the Dean who will submit it to the full faculty for its

approval.

6. **Sequence Chairs:** Sequence chairs are appointed by the Academic Dean. Sequence chairs will make recommendations about sequences to the Curriculum Committee.
 7. **Admissions Committee:** The Chair of the Admissions committee, along with the admissions committee, which includes the Academic Dean, Director of the Master's Program, and the Dean of Students, reviews applications of all applications to the doctoral and master's programs. The committee is responsible for making recommendations about admittance to these programs.
 8. **Other Standing Committees:** All other standing committees are appointed by the Dean with the advice of the Faculty Advisory Committee.
 9. **Ad Hoc Committees:** The Academic Dean may from time to time appoint ad hoc committees composed of faculty members to undertake specifically assigned tasks.
 10. **Student Involvement:** Students may be invited to faculty meetings in the discretion of the Academic Dean and in consultation with FAC. All standing and ad hoc committees may but need not have student members. The students may be excluded from the deliberations of any committee at the discretion of the chair of the committee and should not be involved in any discussions of confidential or sensitive personnel or programmatic matters.
- V. **Faculty Rights and Responsibilities**

A. Academic Freedom

ICSW recognizes a strong right on the part of its faculty to academic freedom as it is defined within this community and generally understood within the academic community. ICSW endorses the definition of academic freedom articulated by the American Association of University Professors in its 1940 *Statement on Academic Freedom and Tenure* and in its 1970 Interpretive Comments to that statement. Academic freedom at ICSW applies to both teaching and research. Academic freedom in research is fundamental to the advancement of truth. Academic freedom in teaching is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning, carrying with it duties correlative with rights.

Academic freedom at ICSW encompasses the following:

"Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.

Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.⁴ Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise

appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.” (AAUP, “Policy Documents & Reports (11th ed. 2016).

Academic freedom is not unlimited. In rare instances faculty conduct raises grave doubts about his or her fitness to serve, notwithstanding that the conduct at issue may implicate the exercise of academic freedom. In such circumstances, ICSW reserves the right, through its shared governance process as set forth in Section below, to review faculty conduct and potentially take disciplinary action. *See generally 1940 Statement, Fourth Interpretive Comment (1970)*. Any final decision in such a matter should take into account the faculty member’s entire record as a teacher and scholar.

B. Professional Ethics

The Institute and its faculty members derive their ethical standards from the current NASW Code of Ethics and are bound by those provisions in their clinical practices as well as in their direction of students during classroom and clinical work.

In addition, while no set of rules or professional code can guarantee or take the place of a scholar’s or teacher’s personal integrity, the Institute generally endorses the AAUP’s “Statement on Professional Ethics and believes that the following excerpt from that Statement generally describes the professional ethical responsibilities and conduct standards of faculty members of ICSW:

- a. “Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.”
- b. “As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student’s true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.”
- c. “As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings and conclusions that differ from their own. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.”
- d. “As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in

determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.”

- e. “As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.”

ICSW, as licensed clinicians, are also subject to the ethical standards of professional associations and disciplines and acknowledge the need not only to comply strictly with those standards but also to model ethical and professional conduct and engagement for students and members of the ICSW community.

C. Employment Responsibilities of ICSW Faculty Members

In addition to the responsibilities summarized above, ICSW faculty members have the following responsibilities:

To satisfactorily carry out the duties agreed to in the individual faculty appointment letter

To comply with general policies and procedures applicable to all ICSW employees (including but not limited to ICSW’s anti-discrimination policies, Title IX policies, ADA policies, conflict of interest policies, and other compliance obligations;

To comply with federal, state, or local laws, regulations, or ordinances to the extent compliance bears in any way upon faculty ability to continue serving the best interests of the Institute and its students;

To maintain necessary licensures and certifications required for the faculty member’s continuing clinical practice;

To comply with ICSW’s human subject research, academic integrity, and other internal policies governing appropriate conduct of research and scholarship;

To refrain from conduct that is clearly inconsistent with the mission and culture of ICSW and that may threaten the reputation of ICSW, its students, its faculty, or its stakeholders.

Faculty members who fail to abide by these standards may be subject to remediation, reprimand, or more serious action based upon the nature of the conduct at issue. Any review of such conduct will be undertaken in accordance with ICSW’s shared governance standards as set forth in Section VII below.

VI. Procedures for Review of Conduct, Termination, and Grievances

A. Resignation or Retirement. Faculty members may resign or retire from their faculty

appointments by submitting written notification to the Dean. In consideration of the welfare of students and the efficient operation of the Institution, faculty members are asked not to separate from employment on any effective date other than the end of the faculty member's contract term if at all possible.

- B. Reappointment and Non-Reappointment.** Reappointment of a faculty member follows an affirmative decision of ICSW about whether to renew an appointment at the time its term lapses. Reappointment is never automatic. The Dean makes a decision, following consultation with the faculty and ICSW leadership, whether a faculty member should be reappointed. Faculty members may be non-reappointed for reasons related to programmatic needs, job performance, financial and strategic needs of ICSW, or any other lawful grounds for non-reappointment. Faculty members will be notified in writing if they are reappointed or not reappointed. Non-reappointment is not the same as termination (which is addressed below). Faculty members who are not reappointed may use the faculty grievance procedure to challenge non-reappointment decisions.
- C. Addressing Conduct or Performance Issues.** The Institute, through the Dean, may address conduct or performance issues on the part of a faculty member that fall below the appropriate standard for an ICSW faculty member using remediation strategies including, but not limited to, performance plans; mentoring; reprimands; warnings; modified teaching, committee, or program assignments; non-reappointment; suspension, or, in extreme cases, dismissal for cause during the term of an appointment. Discipline will be memorialized in writing and may be challenged using the grievance procedure set forth below. Dismissal for cause during the term of an appointment may only follow a procedure as set forth in Section E below.
- D. Termination of Appointment for Reasons of Severe Financial Strain, Program Reduction of Discontinuance, or Inability to Perform Essential Functions of the Position.**
1. A faculty member's appointment may be terminated prior to the expiration of the faculty appointment where ICSW's Board finds that it is experiencing severe financial strain necessitating the elimination of faculty positions; where ICSW's Board decides to reduce or discontinue programs or course offerings; or where a faculty member is unable to perform the essential functions of the position with or without reasonable accommodation.
 2. Where a faculty member's appointment is terminated under any of these grounds, the Academic Dean and President will confer with the faculty member in question to try to determine whether an alternative assignment or a reasonable accommodation of disability is available to permit the faculty member to serve out the remainder of the faculty appointment or otherwise continue to be employed within the ICSW community. If no such option exists or is practicable in the opinion of the Academic Dean and President, the President will inform the faculty member in writing of the termination of the faculty member's appointment, the effective date of that appointment, and the severance, if any, that will be provided under the circumstances.

3. The faculty member may challenge any such notice using the grievance procedure set forth below.

E. Dismissal for Cause

1. Dismissal for cause refers to termination of a term appointment before the conclusion of the specified term for reasons of deficient job performance or conduct. It may only be effected by ICSW pursuant to the standards and procedures set forth below. Non-reappointment does not constitute a dismissal for cause; nor do terminations for severe financial strain, program reduction or discontinuance, or inability to fulfill essential functions constitute dismissals for cause. A faculty member may only be dismissed for conduct or performance relating directly and substantially to the fitness of the faculty member in his or her professional capacity. Concerns about faculty performance or conduct, including but not limited to ethics issues, should be shared with the Dean who will investigate the concerns and discuss them with the faculty member. In most circumstances, ICSW will first attempt to remediate the performance issues or correct the conduct through sanctions short of dismissal, as noted above.
2. Where faculty performance or conduct is seriously deficient or involves repeated acts of misconduct or poor performance, the Academic Dean may decide to dismiss the faculty member for cause. The Academic Dean will provide written notice to the faculty member of the Dean's intent to dismiss the faculty member for cause. The faculty member will have an opportunity to respond in writing and also to meet with the Academic Dean. The Academic Dean will consult with the FAC before making a final determination to dismiss for cause. If the Academic Dean decides not to dismiss for cause, the Academic Dean may impose other appropriate remediation measures or sanctions and may also establish a timeline for improved performance or conduct. If the Academic Dean decides to dismiss the faculty member, the Academic Dean will notify the faculty member in writing of the decision to dismiss, the effective date, and the reasons for the decision.
3. A faculty member who is dismissed for cause may file a grievance using the grievance policy set forth below.

F. Faculty Grievance Procedure

Each year, the FAC will establish a five-person Ad Hoc Committee on Grievance, grievances shall be filed with the FAC, which is intended to provide faculty members with an internal process in which colleagues can hear and attempt to resolve matters pertaining to an individual faculty member's employment.

Grievable issues include disputes between faculty members and formal employment actions by ICSW, such as decisions involving evaluation, non-reappointment, discipline, termination, or dismissal for cause. Grievance resolutions pertaining to a faculty member's grievance against another faculty member

shall constitute final resolutions. Grievance resolutions involving formal employment actions by ICSW constitute recommendations that will be directed to the Academic Dean for further or final action.

The Ad Hoc Committee on Grievance's membership, jurisdiction, and procedures are discussed below. Procedures for conducting grievance processes may be further elaborated by the Ad Hoc Committee on Grievance through the adoption of operating procedures consistent with this policy and will be shared with the FAC and Academic Dean before being implemented to ensure consistency with ICSW's policies and with the conduct of prior grievances.

1. Membership

- a. The Ad Hoc Committee on Grievance shall consist of 5 members of the faculty, two of whom shall be FAC members. The FAC will identify the two FAC members to serve on the Ad Hoc Committee on Grievance during a particular academic year; it will solicit expressions of interest from the rest of the faculty and select three additional members of the Ad Hoc Committee on Grievance by majority vote of the FAC and after consultation with the Academic Dean.
- b. A member of the Ad Hoc Committee on Grievance has a conflict of interest in a particular grievance matter and shall not sit on that panel, if:
 - i. The member has her/himself previously voted in any capacity or been involved in a meaningful way in the case being brought to the Ad Hoc Committee on Grievance ; or
 - ii. The Ad Hoc Committee on Grievance member is a current or former family member or close friend of either the petitioner or the person or administrator who is the primary subject of the grievance. The President and Academic Dean are not eligible to serve on the Committee on Grievance.
- c. Each year, the members of the Ad Hoc Committee on Grievance shall elect one of their members to serve for the year as Chair. If, in any individual matter, the Chair is recused from service because of a conflict or potential conflict as outlined above, the remaining members of the Ad Hoc Committee will elect another member of the Ad Hoc Committee to serve as Chair for the pending grievance matter alone.

2. Jurisdiction and Content of Petitions of Grievance

- a. Grievances must be made in the form of written petitions addressed to the Ad Hoc Committee on Grievance.
- b. To the greatest extent possible, petitions of grievance shall include or attach the following:
 - i. The nature of the grievance, specifically stating the decision or action giving rise to the petition;
 - ii. A chronology of events leading to the decision, if applicable; and
 - iii. The names of other person involved in making the decision, if possible.
 - iv. Directly relevant documentation available to the grievant.
- c. Petitions that do not include sufficient detail or information to permit preliminary evaluation by the Committee on Grievance may be returned to the grievant or dismissed. Grievances that do not address issues that are properly considered by the Ad Hoc Committee on Grievance may also be returned following consultation by the Committee with the Academic Dean or designate.

3. Procedure

- a. Petitions shall be filed in writing, within 30 days of the action giving rise to the petition,

directed to the attention of the Chair of the Ad Hoc Committee on Grievance. The Committee may extend this period of time at its discretion for good cause shown.

- b. Within 14 calendar days after receipt of a petition, the Ad Hoc Committee on Grievance shall engage in a preliminary review to determine whether or not the allegations fall within its jurisdiction and are sufficient to merit consideration by the Ad Hoc Committee on Grievance. This preliminary review does not involve conducting a hearing or interviewing the petitioner or respondent. Submission of a petition does not guarantee consideration of the petition by the Ad Hoc Committee on Grievance.
- c. The Ad Hoc Committee on Grievance shall determine whether the petition is appropriately considered by the Committee; the Committee may confer with the Academic Dean or designate about the appropriate parameters of the Grievance Procedure. If the Ad Hoc Committee on Grievance decides not to consider a grievance, the petitioner will be notified in writing and assisted in determining whether another ICSW policy permits grievance or appeal of the matter in question. If the Ad Hoc Committee on Grievance decides that it will consider a petition, the Ad Hoc Committee on Grievance shall initiate a review as soon as practicable. If a petition is accepted for review, the President and Academic Dean shall be notified and provided with a copy of the grievance.
- d. Once the Ad Hoc Committee on Grievance has decided to review a grievance, it shall, upon written request, be provided reasonable access to relevant, non-privileged ICSW documents which the Committee deems pertinent to the grievance. The petitioner shall also provide relevant, non-privileged documents requested by the Committee. Requests from the Ad Hoc Committee on Grievance for ICSW documents should be addressed to the Academic Dean. Both parties (including, as appropriate, ICSW) must provide the Ad Hoc Committee on Grievance with access to information relevant to the matter under consideration, *provided that* information and documentation may be withheld if it involves medical information, extremely sensitive personnel, financial, or proprietary issues; if it is privileged; or if the request for documentation is unusually burdensome. The Academic Dean and Ad Hoc Committee on Grievance agree to cooperate in addressing concerns about the production of information from ICSW in order to facilitate the resolution of grievances.
- e. The Ad Hoc Committee on Grievance may also request information from, and seek meetings with, individual members of the ICSW community, including faculty, staff, or student, and identify recent deadlines for the submission of information and appearance before the Committee. Approval of requests for extension will not be unreasonably withheld by the Ad Hoc Committee on Grievance; however, if requested information has not been produced within the time allotted or an individual declines to meet with the Committee/panel for reasons that are not deemed compelling, the Committee may proceed to consider and resolve the grievance. Faculty members filing or responding to a grievance may be accompanied to all meetings with an advisor, provided that (except as otherwise required by law), the advisor may not be a practicing lawyer or J.D. An advisor serves as a support person and confidential advisor to the faculty member during the meeting and may not address the Ad Hoc Committee or witnesses and may not participate actively in the grievance meeting. No one otherwise involved as a witness, or serving as a FAC member or non-faculty Institute staff member, may serve as a faculty member's advisor during a grievance.
- f. The Committee shall render a written resolution of the grievance, which will be provided to the petitioner, to the body or person whose action or decision gave rise to

the petition, and to the Academic Dean. Such a resolution generally includes at least the following:

- i. Whether or not a violation of policy occurred;
- ii. Whether or not a procedural irregularity occurred in the application of a procedure, policy, or administrative decision;
- iii. Whether or not an inappropriate consideration affected an administrative decision or action regarding the petitioner's employment; and
- iv. Whether the Committee recommends additional action by ICSW.

g. Effect of Grievance Resolution

- i. If a grievance resolution concerns a petition filed by one faculty member against another, the resolution of the Committee on Grievance is final.
- ii. If a grievance resolution concerns a formal employment action taken by the ICSW (e.g., negative evaluation, non-renewal, discipline, termination, or dismissal for cause), the grievance resolution will be provided to the Academic Dean for further action or final resolution.

VII. Amendments

- A. Any member of the faculty, the Academic Dean, or the President may propose an amendment to these Articles. Such a proposal must be submitted to all faculty at least 30 calendar days prior to the meeting at which changes are to be considered.
- B. To be adopted, a proposed amendment must secure the affirmative vote of two-thirds of the faculty members voting.
- C. These Articles shall be effective upon their adoption by a two-thirds majority of faculty members present and voting at the meeting where they are proposed and subsequent approval by the Board of Trustees. If any faculty member believes that he or she is disadvantaged in a pending employment action or in any other respect by the timing of an amendment to these Articles, he or she may petition the Academic Dean for relief from the effect of the amendment, which the Academic Dean has the discretion to grant or refuse. The Academic Dean's granting of such a petition applies only to the case at issue and does not serve to amend or modify these Articles for any other situations or going forward.

Adopted by faculty February 23, 2018