Student Academic Appointee Mediation Committee Policy

BL-ACA-D23

About This Policy

Effective Dates:
12-02-1975

Last Updated:
04-18-2023

Responsible University Office:
Bloomington Faculty Council

Scope

All student academic appointees on the Bloomington campus.

Policy Statement

The Student Academic Appointee Mediation Committee is drawn from the membership of the BFC Student Academic Appointees Affairs Committee (SAAC). The mediation committee shall be composed of no fewer than five members, including no fewer than two graduate student members. In grievances involving dismissal or academic freedom, the SAA Mediation Committee will meet as a full body; in cases involving the nature or conditions of work and reappointment, the mediation committee may meet in subcommittees or panels of no fewer than two members (at least one of whom must be a graduate student). Although membership of the SAA Mediation Committee varies from year to year, it is expected that the same roster of mediation committee members shall complete the investigation and mediation of any case they have begun to consider. If a member of the SAA Mediation Committee is involved in a case before the Committee, or is a member of a department (or a school which is not departmentalized) from which a grievance arises, they shall be disqualified to hear or to investigate the grievance. A member of the SAA Mediation Committee shall also disqualify themselves from hearing or investigating a grievance whenever the member believes it difficult to render an impartial judgment. No member of the SAA Board of Review can serve concurrently on the SAA Mediation Committee.

An SAA is entitled to appeal actions or conditions affecting his/her role, including such matters as dismissal, academic freedom, reappointment, and the nature and conditions of work. Issues B48-2023 regarding discrimination and research misconduct should be referred to the appropriate campus office. Mediation is an opportunity for individuals to discuss their conflict and develop a mutually agreeable resolution, or Memorandum of Understanding (MOU) within a structured process. The mediation committee will facilitate the conversation, providing a space for all involved individuals to tell their story and engage in open dialogue about the conflict. The role of the mediation committee is to facilitate the mediation process while maintaining neutrality and impartiality. Where appropriate, SAAs may opt to seek mediation through other organizations, such as the Office of Institutional Equity or the Dean of Students Office.

Procedure

1. SAA submits written request to the Chair of the SAAAC requesting mediation. The written request should clearly specify the nature of the grievance and a timeline of events associated with the grievance. An SAA may bring a request directly to the SAAAC without an attempted resolution at the department/unit level.
2. Mediation committee chair meets with each of the parties to discuss if mediation is appropriate for the grievance.
3. Participation in mediation is voluntary and participants can withdraw from the process at any time and for any reason. If mediation is determined to be appropriate and agreed to by each party, a mediation agreement is signed.
4. A mediation meeting is scheduled for a minimum of 3 hours no sooner than ten business days and no longer than 30 business days after the mediation agreement has been signed by both parties.

5. The grievance and the attempted resolution of the grievance must be an ongoing effort leading up to the request for mediation and through the duration of the mediation process.
6. The mediation committee can terminate the mediation at any point if 1) the participants are no longer acting in good faith, 2) the participants are unable to reach a resolution, 3) the agreed upon resolution will result in behavior that is a violation of university policy, or 4) the mediation committee is concerned for the safety or health of any participant and/or the greater community.
7. If mediation is successful, a mutually agreeable resolution or Memorandum of Understanding (MOU) will be established. Should anyone violate the agreement developed during the mediation process, participants will be referred back to mediation, unless they refuse to participate.
8. If mediation of the grievance fails, the SAA Mediation Committee reports its findings in writing to the grievant and to all parties named in the grievance. On request from the grievant, the mediation committee informally may give its opinion of the merit of the B48-2023 grievance and whether it should be taken to the SAA Board of Review. This opinion shall not constitute evidence before the Board. On request, the mediation committee shall assist the grievant in drafting a statement of the grievance and may assist the grievant in other ways in preparing a case for presentation to the Board. The mediation committee may not represent the grievant before the Board.

History

Approved: BFC 12/2/75, 4/18/00
Amended and adopted: 4/15/08
Amended: BFC Agenda Committee 5/22/09
Amended and adopted: BFC 3/21/17
Absorbed sections of BL-ACA-D29, which was rescinded on 04/18/23.

Previous versions of the policy:

5/22/2009 – 3/21/17

3/21/17 – 4/18/23

Related Information

BL-ACA-D24 SAA Board of Review
BL-ACA-D28 Recommendations To Departments On SAA Grievances
BL-ACA-D29 Student Academic Appointee Mediation Procedures