

**LEBANESE AMERICAN UNIVERSITY
FACULTY GRIEVANCE PROCEDURE**

PREAMBLE

Conflicts of an academic nature and employment-related concerns can be resolved if the parties involved communicate their concerns and show a willingness to resolve the conflicts. Faculty members are required to address their academic and employment-related concerns by raising the matter first with their respective Chair, and then their Dean. If not resolved at the school level, they can take the issue to the Faculty Grievance Council (FGC) in accordance with Article VII.f of the Faculty Bylaws and the Faculty Grievance Procedure terms and provisions.

The Faculty Grievance Procedure is designed to set a framework for the resolution to conflicts. The FGC is the main recourse for faculty members in this case, on issues that are within its mandate always in accordance with Article VII.f of the Faculty Bylaws:

- Infringement on academic freedom
- Unjustified termination prior to expiration of the appointment contract
- Performance evaluation and compensation actions inconsistent with the established process
- Concerns related to disciplinary due process and action
- Violation of contractual rights or infringement of rights guaranteed by LAU policy

The FGC shall reject matters that fall beyond the scope of its mandate as per Article VII.f of the Faculty Bylaws, such as issues related to promotion and tenure and sexual harassment.

PROCEDURE

1. A faculty member who has a grievance, henceforth called the Petitioner, must file a written statement (the "Complaint") of his or her concerns with the Chair of the FGC within sixty (60) calendar days from the date in which he or she first knew of the alleged violation or the most recent occurrence. The Complaint must include:
 - 1.1 A description of the alleged violation, including the date it occurred and/or the date the Petitioner became aware of the alleged violation;
 - 1.2 The University policy or procedure allegedly violated;

- 1.3 The name(s) of the person(s), if known, responsible for the alleged violation (hereinafter referred to as the “Respondent”);
 - 1.4 Any documentation pertinent to the alleged violation and legally obtained; and
 - 1.5 The remedy sought.
 - 1.6 If the Petitioner can bring evidence that the participation of a given member of the FGC would present a conflict of interest, the Petitioner can request that the member not participate in the review of the case.
2. The Chair of the FGC will call for a meeting of the FGC to be held within 15 working days of receiving the Complaint.
 - 2.1 The Chair of the FGC must send a copy of the Petitioner's complaint to the President, through the Provost.
 - 2.2 The Chair of the FGC will inform the Respondent(s), in writing, of the allegations that have been made, including pertinent documents submitted by the Petitioner.
 - 2.3 The FGC will act as a formal hearing panel on this case and conduct all of its deliberations on this matter confidentially. All members of the FGC shall sign the attached Confidentiality Form upon the submission of a Complaint and prior to the first FGC meeting regarding said Complaint. The signed Confidentiality Forms should at all times be kept with the Chair of the FGC.
 - 2.4 Members of the FGC who have a conflict of interest with either the Petitioner or the Respondent(s) will be required to stand down from the case. Each of the FGC members shall sign the attached Declaration of Absence of Conflict of Interest upon the submission of a Complaint and prior to the first FGC meeting regarding said Complaint. The signed Declaration of Absence of Conflict of Interest should at all times be kept with the Chair of the FGC.
3. All FGC hearings shall be documented in writing. The FGC will meet to review the Complaint and will make one of the following decisions:
 - 3.1 To dismiss the Complaint based on lack of evidence, misrepresentation of facts, or any issues that invalidate the Complaint.
 - 3.2 To pursue the investigation by calling for a hearing, after receiving a written response to the Complaint from the Respondent. The role of the FGC would be

to check the allegations made by the Petitioner against the response received from the Respondent(s), who would have had 14 calendar days to submit the response.

3.2.1 Should it be necessary, the FGC may elect to invite both the Petitioner and the Respondent(s) to the hearing.

4. The FGC will further deliberate and make its final report to the President via the Provost, including any pertinent recommendations, within forty-five (45) calendar days of the hearing. This report shall be confidential. The report shall include the minutes of all meetings, as well as any pertinent appendices.
5. The Petitioner and the Respondent(s) will, upon request, be provided an opportunity to present their position to the President.
6. Upon receipt of the FGC report, the President will review it, and may decide to:
 - 6.1 Accept the recommendation of the FGC.
 - 6.2 Dismiss the Complaint based on the lack of sufficient grounds as per this Procedure and the Lebanese American University policies.
 - 6.3 Refer the case back to the FGC for further investigation and recommendation. The FGC will have fifteen (15) working days to deliberate the matter again and revert back to the President with a new recommendation.
 - 6.4 Amend the FGC recommendation and issue a final decision.
7. The final resolution of the grievance case will be communicated to all involved parties in writing through the Office of the President. The final decision on the Complaint remains the prerogative of the President. There will be no further appeals.

EFFECTIVE DATE:

This Procedure shall enter into effect and become enforceable and applicable as of Fall 2016.

Confidentiality Statement

Please read the following Confidentiality Statement thoroughly and acknowledge that you have read and understood the terms below by signing in the space provided.

I, the undersigned, _____, in my capacity as member/chair/coordinator in the Faculty Grievance Council, hereby, understand that the ultimate success of said Committee, and the integrity of the Lebanese American University, depend on the Committee acting in an impartial, ethical and respectful manner. I hereby undertake and agree to:

1. respect the absolute confidentiality of all petitioners and respondents; I undertake not to reveal the name(s) of petitioner or respondent, any relevant information to the petitioner or respondent and the grounds and/or content of the petition;
2. keep confidential all Confidential Information (including yet not limited to all minutes, records, deliberations, statements, positions, or votes of the Committee and any and all relevant information, be it verbal or in writing (including yet not limited to papers, books, files, documents, and electronic communications) that I am aware of or have come into my possession in my capacity as a member/chair/coordinator of said Committee;
3. refrain from divulging, disclosing, and/or communicating, in any form or manner, directly or indirectly, such Confidential Information to any person, firm, corporation, or other entity, other than a committee member or a person otherwise designated by the Chairman of the Committee to receive such Confidential Information;
4. inform LAU immediately and prior to disclosing such Confidential Information to any legal authority in any judicial proceeding or based on applicable laws in the event that there is a legal obligation to do so;
5. adhere at all times to the official and written communication through the Committee in the disclosure of any and all forms of communication, correspondence and/or statement to the concerned petitioner(s), whether directly or indirectly and in any manner whatsoever; I further undertake not to correspond or communicate in any form or manner whatsoever, whether directly or indirectly, with any of the petitioners' colleagues, family, in-laws, and/or or any individual with whom the petitioner(s) have/had business or emotional ties, regarding any matter in connection with, resulting and/or arising from the grievance, starting from the date of filing the relevant petition till a final decision is rendered in this respect; and
6. uphold the obligation to keep confidentiality as described in the paragraphs above, both during the period that the Committee is active and at any and all times thereafter.

I have read, understood, and agreed to abide by the terms of this Confidentiality Statement as a condition of my service to this Committee.

Signature: _____

Date: _____

Declaration of Absence of Conflict of Interest

Please read the following Declaration of Absence of Conflict of Interest statement thoroughly and acknowledge that you have read and understood the terms below by signing in the space provided.

I, the undersigned, _____, in my capacity as a member of the Faculty Grievance Council, hereby declare and confirm that:

1. I do not have any conflict of interest in association with the Petitioner, _____, or the Respondent, _____; a conflict of interest may arise in particular as a result of:
 - economic/financial interests, whether directly or indirectly, whether to me personally or any of my family members or in-laws up to the fourth degree or an individual with whom I had/have business or emotional ties or an entity with whom I was/am involved in making a decision or recommendation which has a bearing on such Petitioner and/or Respondent (s);
 - political affinities with the Petitioner and/or Respondent(s) or any of his/her family members or in-laws up to the fourth degree, whether the Petitioner or Respondent(s) is aware of such affinity or not;
 - family or emotional ties with the Petitioner and/or Respondent (s) or any of his/her family members or in-laws up to the fourth degree, whether the Petitioner and/or Respondent(s) is aware of such ties or not;
 - any other relevant association with;
2. I will inform the relevant bodies in LAU, in writing and without delay, of any potential situation constituting a conflict of interest or could give rise to a conflict of interest in connection with the Petitioner and/or Respondent (s);
3. I will inform the relevant bodies, in writing and without delay, of any situation constituting or that may constitute a breach to applicable Policies, Rules and Regulations in connection with any Petitioner and/or Respondent(s);
4. I have not made or received and will not make or receive, any offer or request of any type whatsoever which may influence my conduct and/or my judgement within the above mentioned Committee; and
5. I understand that the said Committee reserves the right to verify this information, and that I am aware of that any false declarations made herein will be considered a breach of professional ethics.

Based on the aforementioned, I hereby, confirm that I do not foresee any reason prohibiting me from serving on said Complaint brought to the Faculty Grievance Council.

Signed: _____

Date: _____