Section 2. Faculty Rights Committee

A. Scope and Process

The Faculty Rights Committee shall be responsible for reviewing grievances of faculty members employed by the School of Medicine that do not fall within the purview of another review committee (e.g., compensation review committee established under the Faculty Compensation Plan, Faculty and Administration Affirmative Action Committee, Advisory Committee on Tenure and Academic Freedom, or such other committees as may exist at the time). Grievances must be submitted in writing to the Chair of the ECFC. Upon receipt of the grievance, the Chair and the Associate Dean for Faculty Affairs will determine whether the grievance falls within the scope of another committee, and if so will direct the faculty member to the appropriate committee. If the Faculty Rights Committee is determined to be the appropriate committee for the grievance, the Chair of the ECFC will convene the Committee after having ensured that consultation with the relevant division chief(s), department head(s), and/or the Dean has failed to resolve the matter.

The Faculty Rights Committee shall adopt procedures appropriate to the type of matter being reviewed. At a minimum, both the complainant and a representative of the relevant administrative unit (e.g., division, department) will be given an opportunity to present information orally and in writing if they desire. The Committee will report its findings and recommendations, if any, to the Dean and relevant department head(s). A copy of the Committee’s final report will be made available to the complainant.

In accordance with section VI.B.1.e of the Washington University Policy on Academic Freedom, Responsibility, and Tenure and section VI of the School of Medicine Appointments and Promotions Guidelines and Requirements, the Faculty Rights Committee shall also serve as the standing committee at the School of Medicine responsible for reviewing the claim of a faculty member that he or she has received inadequate or unfair consideration in terms of the relevant standards of the school in connection with nonrenewal or termination of his or her appointment. In such cases, the Faculty Rights Committee shall not substitute its judgment on the merits for that of the appropriate decision-making body.
B. **Composition**

The Faculty Rights Committee will be elected according to the bylaws of the Faculty Council. It will consist of:

1. The Chair and Vice Chair of the Faculty Council, who shall serve as the co-Chairs of the Committee.

2. Three additional members – one elected each year for a three year-term.

3. Alternate members of the committee may be selected by the Chair and/or Vice Chair of the Faculty Council as necessary to avoid a scheduling or other potential conflict (e.g., where a regular member of the Committee is unavailable, the complainant is a member of the Committee, or the complainant is a member of the same division as a Committee member).

4. If necessary to promote efficiency and ensure continuity, Committee members may continue beyond the normal expiration of their appointment in order to complete review of a pending complaint.

Department heads are not eligible to serve on the Faculty Rights Committee, and the committee ordinarily may not include more than one member from any department in the School of Medicine.

The following general principles and procedures will be used as guidelines for Faculty Rights Committee cases going forward:

I. **GENERAL PRINCIPLES**

A. All Faculty Rights Committee members will proceed with fairness and objectivity.

B. Confidentiality is imperative. Complaints and other fact-finding activities under these procedures will be shared only with the grievants, respondents, and Dean.

C. These are academic, not legal procedures. Any evidence that the Faculty Rights Committee deems relevant and trustworthy may be considered. Formal rules of evidence do not apply. Although grievants and respondents may seek legal advice, attorneys will not be present during hearings before this committee.

D. Upon prior notice to the parties, these procedures may be modified in order to reach a full and fair resolution of the complaint.
II. PROCEDURES

A. INFORMAL COMPLAINT PROCEDURES

In many instances, counseling, advice, informal discussion, mediation, or use of ombuds office (if established) may be useful in resolving perceived instances of unfairness, unprofessional relationships, abuse of authority, or other conflicts between members of the School of Medicine community. If the matter cannot be resolved informally, the grievant(s) may wish to pursue the matter through the formal complaint procedures described below. However, at any point in the informal process, the grievant(s) may choose to pursue the matter formally.

B. FORMAL COMPLAINT PROCEDURES

The formal procedures described below are available to resolve complaints involving members of the School of Medicine faculty.

1. The Faculty Rights Committee Initiation

A five member grievance panel will be constituted by the Faculty Rights Committee Chair from faculty elected from members of the School of Medicine as well as the Vice-Chair of the ECFC. The composition of the Faculty Rights Committee will ordinarily remain the same throughout an entire proceeding.

2. Initiation and Screening of a Formal Complaint

(a) A formal proceeding is initiated when a full written and signed statement of the complaint is submitted to the Faculty Rights Committee. The Faculty Rights Committee may dismiss the complaint without further process or review if the complaint is frivolous, insubstantial, not credible, clearly without merit, or outside the scope of the Committee or these procedures.

(b) If the complaint is not dismissed, the statement of complaint will be provided to the respondent. The respondent shall respond in writing to the complaint, ordinarily within 15 business days of receipt of the original complaint. This response will be provided to the grievant(s).

(c) The Faculty Rights Committee will consider the written documents of the grievant(s) and respondent, and may meet with each of them. The Faculty Rights Committee may interview other individuals with relevant knowledge, review evidence, and take any other action pertaining to the relevant information. The Faculty Rights Committee may record or document all discussions. The Faculty Rights Committee may dismiss the
complaint after gathering and reviewing relevant information if it determines the complaint to be without merit.

(d) The Faculty Rights Committee will prepare a written report of its findings, conclusions, and recommendations. The Faculty Rights Committee will endeavor to complete their report within six months from the receipt of the complaint. Throughout the process, the Faculty Rights Committee will endeavor to inform the parties of the status of the complaint.

(e) The Faculty Rights Committee will submit its report to the Dean, with copies to the grievant and the respondent. The grievant and respondent may, within 10 business days of receipt of the report, submit to the Dean written comments on the report. After receipt of any such comments, the Dean will communicate a decision on the grievance to the Faculty Rights Committee, the grievant and the respondent. The Dean will endeavor to reach a prompt decision, ordinarily within one month from receipt of the report.