

2-22-1990

## SR-89-90-79 (FPC)

Marshall University

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FACULTY PERSONNEL COMMITTEE

Recommendation  
February 6, 1990

**SR-89-90-79 (FPC)**

To approve the changes in the "Institutional Hearing Panel Policy and Procedures Manual" as recommended by the Ad Hoc Committee on Institutional Hearing Procedures (indicated on attached), regarding enforcement procedures for the training requirement, and procedures for replacing members who resign (or are removed) from the Institutional Hearing Panel.

**FACULTY SENATE PRESIDENT:**

APPROVED BY SENATE: Kathryn Drejik DATE: 2/22/90

DISAPPROVED BY SENATE: \_\_\_\_\_ DATE: \_\_\_\_\_

**UNIVERSITY PRESIDENT:**

APPROVED: Don Schultz DATE: 2/28/90

DISAPPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_

## Section A

## The Institutional Hearing Panel

The Institutional Hearing Panel (IHP) at Marshall University shall consist of 30 tenured and probationary faculty members, representative of the various academic ranks. Elections to positions on the IHP will occur annually in the fall semester. Each member of the IHP will be elected to a two (2) year term, with one-half of the positions elected each year. IHP members may be re-elected.

IHP members will be selected by academic ranks according to the following formula: ten (10) full professors, ten (10) associate professors, eight (8) assistant professors and two (2) instructors. A reapportionment of the composition of the IHP shall occur every leap year to reflect the number of faculty at each academic rank.

In the event of a resignation or removal of a faculty member from the Institutional Hearing Panel, the President of the Faculty Senate will call for nominations for a replacement to fulfill that faculty member's term of office. The replacement must hold the same rank as the faculty member being replaced. The President of the Faculty Senate will then conduct a University-wide election by ballot. In the event that no nominations are received by the specified deadline, the President of the Faculty Senate will recommend a faculty member of the appropriate rank to the Senate for confirmation.

Members of the IHP will serve on Institutional Hearing Committees in accordance with the rotational selection process described in Appendix B, p.16. It shall be the responsibility of the University President to ensure that the rotational selection process is properly adhered to in the selection of the Institutional Hearing Committee Members.

Every fall, as soon as possible after the selection of the hearing panel members, a training program will be conducted under the auspices of the University President and the President of the Faculty Senate. This training will be conducted by a University attorney, a BOT attorney, or any other person with extensive knowledge of hearings, rules of evidence, and pertinent legal issues.

Prior to the scheduled date for the initial training session, each panel member will be provided with a copy of the Marshall University Institutional Hearing Panel Procedures Manual. Within the parameters established by this manual, training will include a review of procedures for organizing and conducting hearings, as well as information on grievant's rights, report writing, and other issues pertaining to evidence.

The initial training session will be videotaped, and will be followed by dinner provided by the University. A subsequent training session for panel members who, due to scheduling conflicts, were not able to attend the initial session will be scheduled within two weeks of the initial session. The second session will consist of a review of the video tape followed by a brief question and answer period.

All faculty members serving their first term on the Institutional Hearing Panel must participate in a training session during the first fall term following their election. Panelists serving during subsequent years must participate in a training session at least every two years. In the event that a panelist who is due to receive training is unable to attend either of the two scheduled sessions, it will be the responsibility of that faculty member to arrange with the President of the Faculty Senate to view the video tape within two weeks of the second scheduled session .

Any panelist who is due to receive training and who does not do so as prescribed above will receive a letter from the President of the Institution indicating

1. That the responsibility for participating in a training session is part of the obligation as a Faculty Member and a member of the Institutional Hearing Panel.
2. That he/she will be given one additional week to arrange to view the video tape of the training session.
3. That in the event that obligation cannot be met, he/she will be expected to submit a letter of resignation from the Institutional Hearing Panel to the President of the Faculty Senate within one week from the date of this letter.

In the event that none of the above prescribed procedures are met, the faculty member will be removed from the Institutional Hearing Panel by the President of the Faculty Senate, and a copy of the letter to this effect will be sent to his/her Academic Dean.

Under no circumstances will a faculty member serve on an Institutional Hearing Committee unless he/she has received training during the previous two years.