

7-15-1974

Board of Trustees Ad Hoc Committee July 15, 1974

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APPROVED BY THE BOARD OF TRUSTEES

UNIVERSITY OF MAINE
BOARD OF TRUSTEES

Date: July 23, 1974
By: Margaret R. Dexter, Clerk

JULY 15, 1974

AD HOC COMMITTEE - APPEALS AND GRIEVANCES

Present: Chairman Susan R. Kominsky, Kenneth H. Ramage, Stanley L. Freeman, George M. Shur, Staff member Kenneth T. Winters and a guest, Kenneth Musen, intern with Mr. Shur.

Chairman Kominsky opened the meeting with a discussion of the June 18 revision of Section 9 of the Guidelines for Grievance Procedures. Following committee discussion, revisions were made and a copy of the revised paper is appended to the file of these minutes.

Hearings by the Board of Trustees. Mrs. Kominsky informed the committee that legal counsel had voiced an objection to a unilateral waiver by an employee and felt that the employee should be required to go through the entire process before the matter goes to court. The committee agreed to recommend that the right of appeal to the Board of Trustees could be waived if both parties agreed to do so.

Chairman Kominsky directed attention to the final sentence of the draft and the issue of whether it is the President's decision or that of a campus hearing committee which would be the primary focus of a Trustee Appeals Committee review. This prompted a discussion of whether the Trustees should entertain appeals at all if the President's decision were to be sustained unless clearly erroneous. It was pointed out that trustee responsibility and concern for employee morale suggest that the Trustees continue to be open to appeals in certain limited cases. Agreement was reached on the role of the Trustee Appeals Committee to affirm, revise or modify the decision of a President.

Change in By-Laws. It was suggested that a change in the By-Laws be drafted giving the Appeals Committee the authority to make a final decision in an appeal case.

Cost of Court Reporter and Transcript. In accordance with the recommendation of 1968 AAUP, Recommended Institutional Regulations on Academic Freedom and Tenure, it was decided that the University would bear the cost of both the court reporter or qualified stenographer and the transcript.

Cause for Dismissal. Discussion included consideration of what is adequate cause for dismissal. It was decided to adopt the guidelines set forth in Section 5, 1968 AAUP guidelines.

Janet C. Beaulieu

for
Margaret R. Dexter
Clerk, Board of Trustees