

**Faculty Advisory Board
Operating Code**
Created November, 2018

OUTLINE:

1. FAB function and membership
2. Advisory Panel function and membership
3. Grievance Panel function and membership
4. Sexual and Gender Based Misconduct Panel function and membership

1. FACULTY ADVISORY BOARD (FAB)

FUNCTION:

If and when needed:

1. To provide a pool of faculty peers to staff an Advisory Panel (AP, see below), which is convened in the formal investigation of a discrimination or harassment charge made against a member of the Faculty
2. To staff a Grievance Panel (GP, see below), which is convened (i) when a member of the Faculty appeals disciplinary sanctions, based upon charges of professional incompetence, neglect of duties, professional misconduct, or personal misconduct or (ii) when the Associate Dean of the Faculty (faculty affairs) believes dismissal of a member of the Faculty is warranted, based upon charges of professional incompetence, neglect of duties, professional misconduct, or personal misconduct
3. To provide faculty to hearings related to sexual and gender based misconduct (SGBM, see below)
4. To provide three members to serve on the Administrative Hearing Board and one member to serve as Faculty representative in cases of academic integrity violations.

MEMBERSHIP: Five members of the Faculty, at least three of whom must be tenured and two of whom may be untenured at the time of appointment, serving overlapping three-year terms. For new member appointments, FEC holds an election; after conferring with FAB concerning the need to appoint a representative FAB, FEC consults with the DOF/VPAA regarding the election results; FEC then appoints new members of FAB. All FAB members will be trained in matters of discrimination, harassment, and disciplinary proceedings (organized and offered approximately once a year, as needed, by Human Resources and the Dean of Faculty office). FAB members will have additional training on sexual and gender-based misconduct (organized and offered once a year, typically in the fall, by the Title IX coordinator and the Dean of Student Affairs Office) . Appointments will be based on an initial expression of preference & the vote of the faculty, and when necessary FEC appointment. Members of FAB may not serve concurrently on CAFR, ATC, PC, or TRB. FAB will select its chair from its membership for the next academic year by May of the previous academic year from continuing members.

At the conclusion of each academic year, the chair shall submit FAB's annual report to the committee, and after approval by the membership, publish it for the faculty. This annual report will include the number of times that FAB members were called to serve for each panel outlined below. It will also include the hours and approximate dates of training, and how many times the committee met as a whole and any non-confidential business that was discussed. No confidential information, including names of members on panels, will be reported.

2. ADVISORY PANEL (AP) –

Appointed Function: To provide the Assistant Director for Employment, Compliance, and Workforce Diversity (ADEWD) with advice, suggestions, and comments during the formal investigation of a discrimination or harassment charge made against a member of the Faculty; to participate, with the guidance of the ADEWD, in interviews of the complainant, the respondent, and relevant witnesses (or in lieu of participation to review all documents pertaining to the charge, if the complainant or the respondent so requests and both parties agree); to review the ADEWD's final report and to ensure that the views of the AP are represented therein; to uphold the strictest standards of confidentiality both during and after an investigation (See further Part Six, Article VII, Sections D, E, and F.)

Membership: Two members of the Faculty Advisory Board (FAB, see above) selected by the ADEWD, and subject to the following restrictions. A faculty member may not serve on an AP if the faculty member is from the same department, program, or office as the complainant or the respondent, has a conflict of interest, or is recused by either the complainant or the respondent. In such instances, the ADEWD will select replacements from FAB. If there are no eligible faculty remaining on FAB, the Dean of the Faculty/Vice President for Academic Affairs and FEC will provide replacements from the faculty at large; any such replacements will receive training appropriate to the charge. If the complainant is a staff member, the AP will be augmented with two members chosen from the Staff Advisory Board (SAB), which is established by the Associate Vice President for Finance and Administration and Director of Human Resources and consists of staff members trained in matters of discrimination and harassment. The two staff members of the AP are subject to restrictions similar to those of the two faculty members.

3. GRIEVANCE PANEL (GP)—

Appointed Function: To provide a panel of peers to hear appeals brought by members of the Faculty regarding disciplinary sanctions involving professional incompetence, neglect of duties, professional misconduct, or personal misconduct; to consider cases involving dismissal of members of the Faculty, based on charges involving professional incompetence, neglect of duties, professional misconduct, or personal misconduct; and to uphold the strictest standards of confidentiality both during and after an investigation. (See, further, Part One, Article XI, Sections D, E, F, and G.)

Membership: The three members of the GP will be selected from FAB (see above) as follows: all three must be tenured; the Associate Dean of the Faculty (faculty affairs) will select one panelist; the faculty member will select one panelist; and FAB will select the third panelist. A panelist may not come from the same department or program as the faculty member (where "program" is understood as a unit whose members regularly engage with one another); any panelist with a conflict of interest may not serve. In addition, the faculty member and the Associate Dean of the Faculty (faculty affairs) may each make one request that FAB chair select a replacement. If there are not sufficient eligible faculty remaining on FAB to constitute the GP, the Dean of the Faculty/Vice President for Academic Affairs and FEC will provide replacements from the faculty at large; any such replacements will receive appropriate training. The GP will select a chair from among its membership.

4. SGBM PANEL:

Appointed Function: To provide a panel of faculty members to hear cases of SGBM, as organized by the Title IX Coordinator (see statement of policy on Title IX website: <https://www.skidmore.edu/sgbm/policy/index.php>)

Membership: Three panelists for SGBM cases will be selected by the Title IX Coordinator or designee. A faculty member may not serve on an SGBM panel if the faculty member has a teaching, advisory, or supervisory relationship with any of the parties involved, or has a conflict of interest, or recuses themselves for any reason related to potential bias. In such instances, the Title IX Coordinator or designee will select replacements from FAB. If there are no eligible faculty remaining on FAB, the Dean of the Faculty/Vice President for Academic Affairs and FEC will provide replacements from the faculty at large; any such replacements will receive training appropriate to the charge.