

# PURDUE UNIVERSITY<sup>®</sup> FORT WAYNE

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Faculty Senate

OAA

HR

Text

- Today's Topic
- Review: SEA 202
- Review: Purdue's "Operation Procedures"
- Local Implementation

## • Review: SEA 202; specifically: IC 21-39.5.4

– IT +

### IC 21-39.5-2-4

### Complaint procedure; institution report; commission for higher education report; identification of complainant prohibited

Sec. 4. (a) Each institution shall do the following:

- (1) Establish a procedure that allows both students and employees to submit complaints that a faculty member or person described in section 3(a) of this chapter is not meeting the criteria described in section 2(a)(1) through 2(a)(5) of this chapter.
  - (2) Provide information regarding the procedure established under subdivision (1):
    - (A) at student orientations;
    - (B) on the institution's website; and
    - (C) during employee onboarding programs.
  - (3) Refer complaints submitted under subdivision (1) to appropriate human resource professionals and supervisors for consideration in employee reviews and tenure and promotion decisions.
  - (4) Make complaints submitted under subdivision (1) and any relevant documents, summaries, or investigations available to the board of trustees of the institution.
  - (5) Not later than April 1, 2025, and not later than April 1 each year thereafter, submit a report to the commission for higher education that summarizes the following:
    - (A) The procedure that the institution established under subdivision (1) for the submission of complaints.
    - (B) How and when the institution has provided or made available the information concerning the submission of complaints procedure to students, faculty members, other employees, and contractors of the institution.
    - (C) The number of complaints submitted, disaggregated by a brief description of the types or categories of complaints submitted, during the previous calendar year.
- (b) The commission for higher education shall do the following:
- (1) Prepare a report that provides the following information:
    - (A) The total number of complaint submissions that each institution received as provided by the institution under subsection (a)(5).
    - (B) The number of complaint submissions as described in clause (A), disaggregated by a brief description of the types or categories of complaints submitted.
  - (2) Not later than July 1, 2025, and not later than July 1 of each odd-numbered year thereafter, submit the report described in subdivision (1) to the legislative council in an electronic format under [IC 5-14-6](#).
- (c) An institution and the commission for higher education may not include information in a report submitted under this section that identifies the following:
- (1) A student or employee who submits a complaint under this section.
  - (2) A faculty member or person described in section 3(a)(2) of this chapter against whom a complaint was submitted.

- Review: SEA 202; specifically: IC 21-39.5.4

(1) Establish a procedure that allows both students and employees to submit complaints that a faculty member or person described in section 3(a) of this chapter is not meeting the criteria described in section 2(a)(1) through 2(a)(5) of this chapter

Section 2.(a) [ Five-year (post-tenure) review ]:

(1) Helped the institution foster a culture of free inquiry, free expression, and intellectual diversity within the institution.

(2) Introduced students to scholarly works from a variety of political or ideological frameworks that may exist within the curricula ...

(3) While performing teaching duties within the scope of the faculty member's employment, refrained from subjecting students to views and opinions concerning matters not related to the faculty member's academic discipline or assigned course of instruction.

(4) Adequately performed academic duties and obligations.

(5) Met any other criteria established by the board of trustees.

- Review: SEA 202; specifically: IC 21-39.5.4

(1) Establish a procedure that allows both students and employees to submit complaints that a faculty member or person described in section 3(a) of this chapter is not meeting the criteria described in section 2(a)(1) through 2(a)(5) of this chapter.

(3) Refer complaints submitted under subdivision (1) to appropriate human resource professionals and supervisors for consideration in employee reviews and tenure and promotion decisions.

In short: submission => HR & supervisor for their consideration

- Review: Purdue’s “Operation Procedures”

**Filing a Complaint.** Students, faculty, and staff of the University may file a complaint when they believe a faculty member, lecturer, teaching assistant, or other employee or individual assigned teaching responsibilities has not:

1. Fostered a culture of free inquiry, free expression, and intellectual diversity;
2. Exposed students to scholarly works from a variety of political or ideological frameworks within and applicable to the given academic discipline;
3. Refrained from subjecting students to views and opinions concerning matters not related to the discipline or assigned course of instruction; or
4. Adequately performed their academic duties and obligations.

Written complaints may be filed with Human Resources for the campus where the named employee works. The complaint must be filed in a timely manner and should be addressed to the Vice President or Vice Chancellor for Human Resources, as the case may be. The Vice President or Vice Chancellor for Human Resources will provide a copy of the complaint to the instructor within 10 days of receipt and afford the instructor an opportunity to provide a written response.

- Review: Purdue's "Operation Procedures"

**Review of Complaints.** The Vice President or Vice Chancellor of Human Resources, in consultation with the Provost or the Vice Chancellor for Academic Affairs, or their designee, will review complaints and communicate with the complainant and instructor regarding their determination.

In the event the employee against whom the complaint was filed is found not to have met the intellectual diversity criteria listed above, the employee may be subject to appropriate disciplinary action.

- Review: Purdue's "Operation Procedures"

**Reporting.** Human Resources reports the outcome of a complaint to the parties and the instructor's supervisor as applicable for consideration in performance reviews.

Human Resources provides to the Diversity Committee for their campus a report on complaints filed ...

Not later than April 1 of each year, each campus of the University submits to the Indiana Commission for Higher Education a report ...

submission => HR notifies instructor; they may respond

=> (HR & Provost) or designee consult

=> (HR & Provost) or designee communicate with  
both parties; may issue disciplinary actions

=> HR reports outcome to both parties & supervisor  
for their consideration in performance reviews



- Local Implementation

- Set up an “Intellectual Diversity Complaint Review Committee”
- New idea: Add a faculty Advisory Review Board (ARB)
  - ARB advises on individual complaints and on policies
  - Committee composition (complaints initiated by faculty/staff):
    - Provost, AVCHR, ARB
  - Committee composition (complaints initiated by students):
    - Provost, AVCHR, Director Student Conduct and CARE, ARB

- Local Implementation

- Today's Proposal: Populate the ARB like we do it for P&T

- major units run elections & submit ( $\geq 1$ ) names of candidates
- Chancellor and Faculty Chairs select 3+2 members from pool
  - members must be tenured faculty: full professor or librarian
  - each from a different major unit
  - three regular members
  - two alternates members  
(regular members recuse themselves if: (i) same major unit; (ii) other conflict of interest)
  - three-year staggered terms
- Initial composition

## COMPARISON

- SEA 202 / IC 21-39.5 (unmediated)  
submission
  - => HR & supervisor for their consideration in  
employee reviews and P&T decisions
- PWL [ PFW ] (mediated)  
submission
  - => HR notifies instructor; they may respond
  - => AVCHR & Provost [ & ARB (& DirSCC) ] designee consult
  - => AVCHR & Provost communicate with both parties;  
may issue disciplinary actions
  - => HR reports outcome to both parties & supervisor for their  
consideration in performance reviews

A wide-angle photograph of a modern cable-stayed bridge spanning a calm body of water. The bridge features two prominent white pylons on either side, with multiple stay cables fanning out to support the deck. The water is still, creating a clear reflection of the bridge and the sky. The background is filled with trees showing autumn foliage in shades of orange and yellow. The sky is a soft, pale blue with a few wispy clouds. The overall atmosphere is peaceful and serene.

Thank you!