6 December 2010   **Meeting called to order 3:02 pm**
Faculty Senate meeting   **Approved**
Center for International Education, Sara Spencer Event Hall

Senators Present: Greg Blalock (COEHP), Pat Duttera (COEHP), Josh Eyler (COLS), Pat Hogan (DATCOBCS) , Rita Jones (DATCOBCS), Ellen Martin (COEHP), Brenda Ito (COA), Tom McCormack (COEHP), Mike McFalls (COA), Jacqueline Radebaugh (Library), Neal Rogers (DATCOBCS), Kim Shaw (COLS), Melody Shumaker (UC), Glenn Stokes (COLS), John Studstill (COLS), Paul Vaillancourt (COA), Dan VanKley (COLS), Troy Vidal (COLS), Jeff Zuiderveen (COLS), Teresa Lang (DATCOBCS), Dan Ross (COLS)

Guests included: Interim Provost Tom Hackett, Brian Schwartz, Jay Kimbrough, Tim Howard, Barbara Hunt, Abraham George, Laurie Jones

1. Report from the Provost
    It is indeed chilly out today, but it is much chillier in Louisville, KY, where the SACS meeting is taking place now. We have good news from Louisville: our cross country team competed in theNational Division II competition, and our guy came in second. (This was the first time he had ever seen snow.)
    Commencement is this Friday at 6:30 pm. Be there early. BOR Chairman Louis Potts will be the speaker that night.
    Our Doctoral program underwent a SACS site visit last week. The report was truly outstanding, especially for a new program.
    The Distance Learning committee is going to report on several things today, among them the online fee distribution (which has been made for fall). Instructors made $151,000 of this distribution. Provost was very pleased with the amount of revenue generated, and with amount that went to instructors.
    Now I will turn this over to Dr. Domin. As many of you know, the Provost's office has internal grants to award. There was some confusion or inefficiency to this process last year. While a task force is working on streamlining this, the Provost's office comes to the Senate for advice on mentoring and summer work grants. They feel it may be more efficient to allow the funds to be distributed by the Colleges, rather than centrally (from the Provost's office). Based on the model worked out in Business and Finance, the Provost will return the funds to colleges this year, and roll out new process next year.
    Question: – are these faculty development grants? Answer: They are part of that family of grants. Rather than have committees review it all of the time, we will have College decisions this year. We need to do it much earlier so that state will not take the money back.
    Question: Do you know how Colleges will be responsible for this? Answer: Deans will appoint committees, with each Dean reporting how many grants, how many applications, etc.
    Question: Just for mentor and summer grants? Answer: Yes.
    Comment: That will be an action for January meeting.

2. Announcements from the Senate Executive Officer (5 minutes)
Reported about the new University System Advisory Committee. USG Faculty Council, which has one representative from all schools in USG. Report through Linda Noble and Susan Herbst to the Chancellor. There is a search for new Chancellor, and this group was able to have one member from the USG Faculty Council representing the faculty in this search. If you wish, you may pass on input to this representative as the Chancellor search goes forward. What are we looking for?   The

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one thing reported by the Faculty Council was that someone with some university experience was preferred.

We also have a representative from CSU on this search committee – John Lester (PR) is representing professional staff. There is a website for this Chancellor Search as well.

The Faculty Council asked the USG Office to conduct a salary study for the whole system, to get an idea of how far the system as a whole has gotten behind. About a third of the universities were conducting a study at present, and GCSU is currently adjusting salaries as a result of its study.

The group wants to recommend an official policy for renewal of lecturers, senior lecturers. They are not on same schedule as tenure track faculty, and it would be preferable for the policy to be more anticipatory than the current 30 day notice.

Next meeting of this group will be in early April.

3. Old Business
    a. Retention, Progression, and Graduation Committee report

Jay Kimbrough, assistant director of Academic Center for Excellence, and currently chairing RPG committee, reporting. The committee met once this semester, and will not be meeting for a second time this semester. The biggest piece of business at the first meeting was finding a Chair. We did discuss the possibility of instituting midterm grade reports – we were going to use that as a target, to look into this from a feasibility and willingness issue.

Question: Several years ago we looked at freshman learning communities and didn't see differences in retention between participants and non-participants. Will you look into this again? (4-5 years ago) Answer: Yes, we will look into this. Terry Irvin should have numbers for this.

Question: We had a number of communications from our Dean (COLS) asking for recommenations on how to increase RPG. Have they communicated with you yet? Our dean was making grants based on strategies. Answer: No, I have not heard about this.

Comment: The dean is supposed to get back to us this week about what was funded. This is just within our College. Reply: The committee will be interested to see what these are, how they are working.

    b. Faculty Governance Committee report

A handout distributed (and emailed). There are 3 models. One is a draft plan developed here a few years ago, one at Kennesaw, one at Virginia State. The Committee prefers Kennesaw or Virginia State models. These models were developed for larger schools than ours, so scaling would be needed. (Our last plan didn't have anywhere to deal with strictly faculty issues).

Kennesaw has a University Council, which is not necessarily above other groups – just communication facilitation between groups. Collects recommendations from Senates, and facilitates communication but doesn't make policy recommendations themselves. There is a big difference between these – should university council make own recommendations, or just facilitate communication?

Committee plans to do some forums early in spring term, but this is where is stands presently.

Question: in VSU plan, who designates at large representatives? Answer: Don't remember. Some were elected (at large faculty reps) but some may be presidential appointees. There are a number of positions we don't have here at present, and it is clearly a different system. If we want to go this direction, must do a lot of work to recast our current system.

Question: Also for comparison sake, could you draw the CSU model as it exists now? Answer: Yes, but will look strange. Might be valuable to see. If we show that, makes it clear that one or two people make the major decisions now.

Question: So you'll have forums in spring? Answer: Yes. One more thing. There is a website for the taskforce. We are posting minutes and meeting schedule on website, so that people can watch.
Question: When will you be prepared to report back with recommendations? March? Answer: We can shoot for report in March, don't know whether we can have a complete one done by then. We might need a month more, since we don't know what we will here from forums. April report will be better.

   c. Faculty Performance and Engagement task force report
        Emailed report to all.
        We took recommendations from Senate, and from Chairs. I will walk everyone through the changes. One item I need some input on. When there was a general statement of advanced degree of faculty, it was put at the beginning rather than repeated. The terminology about level of assessment – for consistency – was changed to be consistent. We removed entirely section on non-tenure track faculty, in order to make intent of document clear. We should charge a separate group to evaluate non-tenure track groups.   (It would not be fair to use same criteria). In addition, we must have university wide policy for evaluation if you have a senior lecturer.
        Idea of carrying out post-tenure review for someone about to retire? Even by old policy, if this goes badly, the faculty member would have 3 years to remediate. If someone is planning to retire in 2 years, do we need to do this?   Is there a consequence if they don't retire? You can go back on an intent to retire.
Comment: One faculty member asked me to submit something along these lines – then they would not be eligible for potential raises.
Comment: But how many times can this go on, before we issue a terminal contract? University system policy says that after 3 reviews, dean and chair may review a faculty member for non-renewal. But our internal policy says that this can happen any year. This is not necessarily connected to post-tenure review. The chair just has to document problems – this is just part of BOR policy. Should it be part of this document?
Comment: I haven't read it for a while, but there is a process for dismissal for cause. Can be dismissed for unsatisfactory performance – tenure does not protect you from negligence of duty.
Question: So which carries more weight – faculty handbook or this document?
Response: One should not preclude the other.
Comment: When we wrote the original post tenure review policy, it was meant that once you have tenure, you have a professional development plan that should be a part of your annual review with your chair. If you are 2-3 years out from your next review and you are way off the mark, that's something you should be addressing.
Comment: This will be folded into faculty handbook.
Comment: As a former dean, if there was a chair with unsatisfactory performance for 2 years, I would push to act.
Question: Can I get a motion to accept and discuss?
 Motion to accept the document made by Senator Jones, seconded by Senator Zuiderveen. The motion includes retirement statement as distributed. If a faculty member in the scenario above chooses to revoke retirement plan, a chair or dean can then invoke dismissal proceedings.
Comment: I am anxious to get this done so that department chairs will have something in place.
Question: Is there anything in there that addresses retirement in terms of age? Answer: That would violate state law, so no.
Comment: I was under impression that faculty have to vote on this. Reply: Whatever we do is a recommendation to the administration, who will then take it to faculty.

Comment: I was going to ask – what will the administration do?
Comment: This is a Senate document – faculty will still have opportunity to vote.
Comment: Last time, there was discussion about where presumptions lie. The idea was that task force put burden of proof on faculty. We wanted to shift burden to administration to prove someone unsatisfactory, rather than faculty proving they are satisfactory.
Comment: Current statement is that it is responsibility of faculty member to prove.
Comment: Changed some wording so that the worst result in the short term is a Professional Development Plan, review in a year, for 3 years.
Comment: Made the wording more consistent in post-tenure review – one part of the document stated that faculty had to be competent, but other parts said exceptional. Since the review is based on competence, the latest revisions removed references in exceptional performance.
Vote – take current document to the president – 19 aye, 1 abstain. Motion passes.

    d.   Technology Committee consolidation report
Attach handout.
Charged Abraham George and the Committee on Committees and Johnny Ho to discuss combining technology committees to discuss all these related issues. They recommend that we form a single committee with recommended membership: 8 faculty from colleges, 7 ex officio from UITS, provost, 1 student. (Committee motion, JZ second) Will be a senate committee. Motion passes unanimously.

    e.   Student Evaluation recommendations (10 minutes)
    Last time, this committee recommended that we go back to paper evaluations. Senate moved that we postpone the vote, in order to discuss it with our constituencies. Any responses?
    On behalf of COLS faculty, one senator invited responses. He got 26 replies. The majority of these wanted a return to paper. There were some concerns. Only 2 faculty in favor of doing evaluation 4 weeks before end of term. Most prefer the last week, or the last 2 week window. There was also concern about anecdotal evidence used for changing current policy.
Question: How do we want to proceed?
Motion: JE moves that we send it back to committee with these recommendations in mind, and to encourage the committee to work with new director of teaching and learning . Seconded by Senator Zuiderveen. Two issues – when to do evaluations, and basing the timing on anecdote instead of research.
Comment: Having served on the committee, we met once, knowing we needed to report. The timeline issue is one that the committee shared. I think the idea of the paper recommendation was due to low online response rates. Not really sure in terms of other issues, where we would be providing evidence.
Comment: What I meant was we should use SOTL.   Some articles have actually been published about timing of evaluations.
Comment: I believe that Dr Baltimore provided some references.
Comment: I believe that the references applied to the other recs, not timing.
Comment: How quickly do we need a decision?
Comment: Current online system paid until May. We have some time.
Comment: Our understanding was that we had a constricted time frame, were acting for fall semester at the time

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<u>Comment:</u> There are some departments that have opted out of online evaluations already. We have (in our department) been scrounging for paper forms for this fall. These two departments are really going to be up a creek in spring.

<u>Comment:</u> There still has to be a staffer who will do the scanning. We are talking about 3 days of work to generate these reports. As faculty, we need to look at specifics.

<u>Comment:</u> There is still a good bit up in the air. Are departments given certain leeway? There never has been one universal system.

<u>Comment:</u> When we went to Digital Measures, each college had uniform questions, but not down to department levels.

<u>Comment:</u> What will be done with it? Not just up to professor to determine what to do with data?

<u>Comment:</u> Policy is tied to departmental standards of excellence.

Call the question, seconded. Motion to call the question passes.

Motion passes, 18 aye votes, 2 nay votes.

4. New Business
    a. Distance Learning Committee report
Report by JRadebaugh. (ppt presentation – get this?)

        In 2009, 29.3% of students were in at least 1 online course. In 2010, 30% enrolled in 1 online class. Trend expected to continue. (Data from Educause). Why offer distance learning? Universities replied that it is more convenient to students, gives more access to higher education, especially for nontradional students. Helps alleviate space issues. Provides revenue generation.

        At CSU, there are 164 courses that are 100% at a distance this semester. 6% of students are online only, 21% of students taking both face-to-face and online.

        The committee has been concentrating on administrating online course development grants. Awarded $36000 for 24 new courses. They are also developing a systematic approach for quality programs, and will be assisting with student focus groups in spring 2011.

        Last September, we had our first DL conference. It was much larger than we had expected.The next one will be Sept 29-30, 2011. Bigger and better, planning starts in January.

<u>Question:</u> has your group discussed pre-entry test for students who take these courses? Reading comprehension is important, in order to follow directions.

<u>Response:</u> We have the READI assessment, which allows students to gauge their own preparation.

<u>Reply:</u> But students often don't care. A certain SAT level, or GPA, or something, might be advisable as a gateway to taking online coursework.

<u>Comment:</u> What I hear is a lot of good effort to prepare faculty, but none to prepare students. If we teach in the core, we spend a lot of time face-to-face trying to motivate them. Those taking core classes online have large non-productive rates.

<u>Comment:</u> It would be good to check when online classes fill up – is there no real life course left, or did they want online?

<u>Comment:</u> It would also be useful to look at productive grade rates, compare to classes as whole.

<u>Comment:</u> Many of these questions are, or should be directed to all faculty. Where are we going with online courses? I don't know if this is a committee discussion, or if the faculty as a whole should be discussing this? How does this affect faculty morale? How does this affect faculty service, if faculty teach solely online? If people work harder when teaching online, they need course reductions. We have a 2-tier system – those who can't teach online due to discipline are at a disadvantage. There are certain courses that can be taught well online. For all of this discussion, quality teaching may be done by fewer than we would hope for.

Response: This is why we are looking at our systematic approach.

Comment: These are issues we should not be sweeping under the rug. A survey of students probably says they like online because it is accessible, easy.

Comment: However, I don't think we even know these reasons. There is no incentive for faculty to teach face-to-face. That doesn't guarantee I'm qualified to teach online.

Comment: So whose job is it, if not the DL committee? Is it a conflict - what is the committee charge?

Reply: What we tell them to do. If you want them to bring a recommendation, we just have to charge them.

Comment: My experience (anecdotal) has shown me that online course engagement is much better in summer than in fall/spring. Seems to me that there are a variety of reasons for choosing, summer students all over the country, much more involved than regular session. We should look by semester.

Comment: I hear horrendous stories about cheating online, eg in the Chronicle How is that being prevented? Reply: I don't know.

Comment: I have a simple suggestion: we do need campus discussion. Can the Distance Learning committee host forums? Gather concerns?

Reply: one solution to cheating – Proctor U is completely online, service student must purchase for exams. Faculty get report back after exam.

Comment: These are all good questions. Some are things that committee should address. But something in the presentation raises concern – so much more time, for example. Let's assume it does take a little more time, I'm concerned that so many faculty are enrolling 50 or more students. How are they really giving a quality course? I think we have a problem. Some contradictions seem to exist. What about evaluations of online vs in class course?

Comment: One other thing – I saw a website that is for our Lagrange campus that says we will have 13 totally online degrees soon. I wonder how are we developing promotional material prior to being sure these courses will exist? Are we being turned into University of Phoenix?

Comment: Obviously we can have both. We keep pushing forward with online courses. Financial incentives in this economy seem to ensure that some faculty will make bad decisions.

Comment: Charge committee to hold forums to gather faculty feedback for direction. Get input. Plan a few early in winter, gather and report back. We will give the committee a more specific charge at that time.

    b.   Alternate Dispute Resolution document
    Tim Howard, Todd Myrick, Laurie Jones reporting. Handout. (email)
    This report is to raise awareness of the task force's activities, and to ask the Senate for its endorsement. Today they are just providing information.
    Conflict resolution program has been around system since early '90s, and CSU was involved from the beginning. Our policy w has drifted from current system norm. The current policy proposal is an attempt to bring it in line to USG, and looks to make improvements.
    Program promotes structure for mediating disputes. (Mediation is facilitated discussion, bring concerns to table to determine their own resolution – arbitration imposes a solution).
    Sometimes people fail to see, w/o mediation, that common ground is possible. Mediation is confidential, no notes kept after process is over. Parties agree to this before process begins. All the mediator will do is report to liaison that agreement was/was not reached for statistical reporting purposes. Several people on campus have been trained in mediation on campus. Sometimes

mediations are conducted by campus members, but you can also request one from system office. What we are hoping is the proposed initiative will help prevent conflicts from reaching this stage. Get involved in educating campus community and administrators about this process. If you are familiar with the 2004 proposal – major change has co-liaisons instead of just one. Adds a mediation coordinator position. Recommends expanding the size of committee, and renames the committee. Todd Myrick represents CSU on system steering committee, works with residence life and trains RAs.

Question: What happens next? Reply: Sent copies of proposed policy, to add to minutes. Please review these. Would like to come back in 2011, request your endorsement at that time. Look for nominations/volunteers for steering committee. Asking system initiative to do more training (at no charge).

Question: When would you return? Reply: Next meeting. If you have questions/comments/concerns email us and we will get your feedback.

Comment: This seems to be a process under control of President. Reply: That's correct, President appoints these people.

Comment: Why President and not the Provost? Reply: It is not just a faculty concern – staff and students also hopefully participate in process. If you have changes to suggest, send them on. The Senate is free to do what it wishes. However, the same proposal also going to Staff Council in parallel, so would have to figure out how to deal with changes if they are made.

Comment: This is not being mandated by chancellor's committee on campus conflict? Reply: The initiative was started in '04, all must have such a committee.

Question: But we have some leeway in how to organize? Reply: Yes.

   c.   Academic Standards Committee report

Barbara Hunt reporting. Document forwarded via email.

Dr. Hunt proposed several scenarios.

- Suppose a student came to you as advisor, and stated "I'm getting F in all my classes because meds are messed up." Where do you send them? They should be sent to Dean of Students, for medical withdrawl.
- Suppose last semester student had job change, and as a result flunked all classes. Where should they go? Advise an academic standards appeal.
- What if student claims a professor was racist/sexist, etc, in class? You should send the student to HR.

There are different tracks for different kinds of complaints, but information is lacking in how to do this. Information has now been compiled in the distributed documents. This might increase the number of complaints, but students and faculty have a right to know the proper processes.

Academic grievances (internal to class complaints, such as a professor not following syllabus, etc) Medical withdrawl should be handled by student affairs. Academic standards should be handling grade, medical withdrawl in semester past, and exception petitions.

        99% of this is what is already done, simply compiled in one place. Senate will look it over, vote to approve next month.

Comment: All joking aside, where will this eventually be posted? Reply: On provost site, near other advising info.

Comment: Some of these forms are not anywhere except the registrar's office. Forms will ideally be added online as well.

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    d.   Substitute for secretary January senate meeting

We will meet on the 2nd Monday in January 2011. Senator Radebaugh volunteers to fill in as secretary for that meeting, as Senator Shaw will be attending a professional meeting on that date.

Appendices

I.   Faculty Governance Committee report (pdf file, posted separately)
II.   Faculty Performance and Engagement Task Force report (Word document, using track changes – posted separately to preserve track changes)
III. Technology Committee Consolidation report (see below)
IV. Distance Learning Committee report (powerpoint, posted separately)
V.   Alternative Dispute Resolution report (see below)
VI. Academic Standards Committee report on Appeals processes (pdf file, posted separately)

Dear Dr. Stokes,

We are writing to inform you that the Academic Technology Utilization Committee and Administrative Technology Utilization Committee have agreed to merge into a single committee. The new committee is named Information Technology Utilization Committee and will consist of the following members:

Johnny Ho, DATCOBCS, Chair
Abraham George, ex officio
Valerie Alexander, ex officio
Michael Baltimore, COEHP
John Brown, ex officio
Lougene Brown, ex officio
Baiqiao Deng, COLS
Bob Diveley, ex officio
Troy Keller, COLS
Youngrak Park, COA
Jennifer Pitts, DATCOBCS
Ellen Roberts, COEHP
Cheryl Smith, COEHP
Sri Sitharaman, ex officio
Teneka Wilson, ex officio
Katrina Fields, student

If you have any questions, please feel free to contact Abraham or me.

Sincerely,

Notes about the Conflict Management and Resolution Program
Presented to the CSU Faculty Senate
December 6, 2010

What is conflict resolution?
- Mediation, not arbitration
- Mediator provides structure, helps move discussion forward
- How it works – orange example from *Getting to Yes: Negotiating Agreement without Giving In, 2nd Edition* by Roger Fisher, William Ury, and Bruce Patton
- Confidential
  - Mediator retains no notes
  - Mediator does not serve as a witness in any formal grievance proceedings
  - Mediator does not divulge the details of the case nor the terms of any agreement
  - Mediator reports to the campus liaisons that a mediation occurred and gives an indication of its status ("settlement reached" or "settlement not reached")
- Parties in the conflict decide the outcome and enforce any agreement

The preventative role
- Educate campus community about the tools
- Educate administrators – referrals as alternative to formal proceedings

What changes are proposed?
- Moving from single liaison to co-liaisons
- Adding a mediation coordinator
- Creating an expanded committee to promote and educate
- Renaming to emphasize prevention and comply with USG changes

What next?
- Follow-up at a spring 2011 meeting to request senate endorsement and solicit volunteers for steering committee
- Assuming final approval, Lin Inlow – from the USG program – will be asked to provide training for steering committee members

Conflict Prevention and Resolution Program at Columbus State University

Endorsed by the Staff Council on April 1, 2004
Endorsed by the Faculty Senate on April 5, 2004
Endorsed by the Student Government Association on May 24, 2004
Reviewed by President Brown in August 2004.

Overview

Columbus State University recognizes the value of constructive conflict prevention and resolution. Faculty, staff, and students of the university are encouraged to seek resolution of any conflict through informal discussion with those persons involved. When unassisted efforts fail to settle a dispute, the parties are encouraged to consider an assisted approach, mediation. Informal discussion and mediation often require less time than the formal grievance process and offer greater promise of healing the underlying causes of conflict. Participation in mediation is purely voluntary and does not restrict one's access to the established formal grievance process. Because mediation is not suitable to some disputes, electing to bypass mediation must not be held against any employee of the university.

Oversight of the CSU Conflict Prevention and Resolution Program

1. Conflict Prevention and Resolution Committee

Three co-liaisons – one faculty member, one staff member, and one who represents student interests – represent the institution to the USG Chancellor's Advisory Committee on Campus Conflict Management Systems and serve as co-chairs of the Conflict Prevention and Resolution Committee (CPRC). The co-liaisons are appointed by the president of the university. Requests for mediation and assignment of cases are handled by the Mediation Coordinator, who is approved by the university president on the recommendation of the co-liaisons.

The co-liaisons maintain records pertaining to the conflict management program and the CPRC. They do not maintain any records, whatsoever, pertaining to specific disputes.

The Mediation Coordinator arranges neutral party mediation when it is determined to be appropriate. He or she maintains a record that mediation was requested or occurred, as well as the signed mediation agreement. He or she does not retain any records on the specific nature of a dispute.

The CPRC will function as a steering committee for the campus conflict management system. Its responsibilities include the following:
- Encouraging habits and processes that prevent or reduce conflict
- Promoting the university's conflict management program
- Evaluating the university's conflict management system and recommending appropriate modifications,
- Educating the campus community on the benefits informal conflict resolution and conflict resolution techniques

2. Requests for Mediation

Any member of the faculty, staff, or student body may request mediation to resolve a dispute with other faculty, staff, or students. The Mediation Coordinator will determine which requests are suitable for mediation. Participation in the mediation process (or refusal to participate) will not prevent an individual from the pursuit of claims through the formal grievance process or litigation.

It is usually preferable that the parties of a dispute attempt mediation before pursuing formal grievances or litigation. There might be cases in which the parties in a dispute wish to suspend or delay a formal grievance process while mediation is attempted.

3. The Mediation Process

If an individual seeks mediation to resolve a dispute, a written request should be directed to the ADR Mediation Coordinator. If s/he determines that mediation is appropriate, s/he will appoint a mediator or co-mediators to assist the parties in resolution of their dispute(s). If it is determined that no mediator from the CSU pool is appropriate, a mediator may be sought from outside the CSU community. It will be the responsibility of the mediator(s) to arrange for an appropriate time and place to conduct the mediation, and to conduct the mediation according to applicable policies and procedures.

Guidelines that govern the mediation process include the following:

- Mediation is a form of dispute resolution in which a neutral party, a trained mediator, attempts to assist parties in conflict to negotiate a mutually satisfactory resolution to their dispute. A mediator facilitates a discussion of the conflict and an exploration of workable solutions. A mediator does not determine winners or losers. A mediator does not take sides in disputes and does not guarantee the results of mediation. Instead, a mediator is in the role of a neutral third party who establishes a fair and structured process that facilitates communication and mutual decision-making between and among parties to a dispute.

- At the beginning of the mediation session, the mediator(s) will inform the parties involved of the policies and procedures that will be followed and will ensure that participation in mediation is purely voluntary. No mediation will occur without the consent of all parties involved.

- If the mediator(s) allows each party to have an advisor present, the mediator(s) will decide to what degree the advisors may participate in the process.

- All parties will be given the opportunity to present their side of the matters at issue in their own words. Because mediation is essentially a communication process and not a legal proceeding, the customary rules of evidence do not apply. Parties are free to discuss any matters related to the issue(s) they believe will support resolution of their dispute(s).

- Confidentiality. The discussions held during mediation are strictly confidential, with two exceptions. First, confidentiality does not extend to a situation in which conduct acknowledged by either party is criminal in nature. Second, confidentiality will be broken if statements are made during the process of mediation that involve threats of imminent violence to self or others and lead the mediator(s) to reasonably believe that someone's safety is at risk.
  Because mediation discussions are to be kept confidential, the mediator(s) will not retain any notes taken during the mediation, no tape recording will be permitted during the mediation process by any parties involved and all parties must agree in writing that mediators will not be called to testify for or against any party should the dispute be subsequently pursued through grievance and/or legal proceedings.

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- A successful mediation is one in which the parties involved in the dispute reach an agreement described as "win/win." In mediation, parties agree only to things that are acceptable to them, to resolutions which each believes will actually resolve the dispute(s) between/among them. Because parties jointly work to resolve the dispute, the resolutions are frequently more creative and have the potential to enhance, or at least preserve, relationships better than other forms of dispute resolution.

- If an agreement is reached, the agreement will be written by the mediator(s) and signed by all parties of the dispute. The mediator is responsible for insuring that the parties in an agreement have the authority to carry out its terms. Copies of the agreement will be given to each of the parties, but not retained by the mediator(s).

- The mediator(s) will inform the CPRC co-chairs that a mediation occurred, and whether the parties reached an agreement, reached a partial agreement, or were unable to reach an agreement. No other information will be reported.

- Each participant in mediation will be given the opportunity to evaluate the mediation process at the conclusion of the mediation.

- Time spent in mediation will be considered part of the working day and will not require any person to take leave to participate. All supervisors will make reasonable efforts to enable employees to be available for participation in mediation.

- Neither the acceptance or refusal of either party to submit a dispute to a mediator nor the failure to reach an agreement will influence the outcome of any subsequent grievance proceeding.

4. Limitations to Mediation

Some disputes are not appropriate for mediation. Examples of disputes that are not appropriate for mediation include those that have been the subject of a final ruling or decision in accordance with University policies and procedures; disputes involving purely academic decisions (i.e., faculty assessment of students' work); contentions with established university policy (although disputes relating to the misapplication of established policy might be appropriate); disagreements stemming from recommendations for raises; frivolous allegations; and disputes that have no relation to the University. It is also important to understand that mediation will not result in resolution of every dispute.