GRIEVANCE POLICY AND PROCEDURES

FOR INFORMATION ON INTERIM MEASURES BEING PUT IN PLACE FOR THE IMPLEMENTATION OF THIS POLICY AND THESE PROCEDURES PENDING THE RECRUITMENT OF THE OMBUDS AND TITLE IX COORDINATOR, VISIT THE INSTITUTIONAL INTEGRITY PAGE OF THE PROVOST’S OFFICE WEBSITE.

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For any comments, feedback, or query, please contact: policies@aub.edu.lb.
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Section 1 - University Grievance Policy

In order to ensure the integrity of its operations and the appropriate application of its policies and procedures, the University maintains appropriate means (“Grievance Procedures”) by which members of the AUB community who believe themselves to be aggrieved may obtain consideration and, where warranted, redress of their grievances.

Section 2 - Applicability of Grievance Procedures

The Grievance Procedures set forth below are applicable to AUB faculty, non-syndicate staff, and members of the student body, who may file grievances on issues related to the following matters:

1. Academic freedom;
2. Academic integrity;
3. Work conditions;
4. Discrimination;
5. Non-discriminatory harassment;
6. Professional misconduct; and
7. Stipulations in the grievant’s employment contract.

AUB staff who are syndicate members are required to file grievances in accordance with the provisions of their collective bargaining agreement.

Aspiring members of the AUB community, non-student participants in university programs or activities, and recipients of health care services provided on university property also have recourse to these Grievance Procedures to pursue allegations of discrimination which violate the University’s Non-Discrimination Policy.

Recognizing the sensitive nature of allegations of discriminatory harassment, including sexual harassment, the University maintains a special grievance procedure for their pursuit. In such cases, complainants may file a formal Notice of Discrimination and Harassment in accordance with AUB’s Procedures to Address Formal Allegations of Sexual and Other Discriminatory Harassment.

Similarly, the Grievance Procedures set forth below do not apply in cases in which AUB has established other policies and procedures to address concerns and appeals related to certain types of academic activity, unless the complainant is alleging discrimination (as defined in the University’s Non-Discrimination Policy). Some examples of such policies and procedures include:

b. Animal Care and Use Program.
c. Research Integrity Policy and Procedures to Address Allegations of Research Misconduct.
d. Intellectual Property Policy.
e. Student Code of Conduct (including policies and procedures related to academic and non-academic misconduct and appeals).
f. Student Grade Appeals.
g. Student Financial Aid Awards.
h. Etc.

Guidance on identifying the appropriate policy and procedure to address a concern may be sought from personnel in the Ombuds Office, the Department of Human Resources (campus or medical center), or the relevant dean’s office, as well as from the Title IX coordinator in the Provost’s Office.

Section 3 - General Provisions

A formal grievance must be filed within 30 calendar days of the date when the problem or dispute first arose. The grievant must be personally affected by the action or decision underlying the grievance and may not file on behalf of another individual or a group of people. Dissatisfaction with a generally applicable university policy on the grounds that it is unfair or inadvisable is not grounds for a grievance. Neither is discourteous or disrespectful behavior on the part of a colleague or superior, unless it reflects a serious and aggravated lack of civility or is part of a pattern of activity that may indicate abuse of authority.

In negotiating grievances, the parties involved should remember that the purpose of a grievance policy and procedure is to resolve differences, where possible, on a basis mutually acceptable to all parties.

Grievants are normally expected to represent themselves during any proceedings. However, they do have the option of choosing another member of the university community to accompany and speak for them so long as a) their representative is not a member of their immediate family or the legal profession; b) the person that they select is acceptable to the University; and c) exercising this option involves no delay to the proceedings.

The use of the university grievance procedure will not, in any way, reflect unfavorably upon the character, reputation, or employment status of any grievant. AUB prohibits retaliation or the threat of retaliation against any individual who files a grievance, assists someone in filing a grievance, or participates in the investigation or resolution of a grievance.

Failing to participate and/or cooperate in a grievance investigation or providing false information may be grounds for discipline.
Section 4 - Procedure for Staff Filing Grievances

Non-Syndicate staff members who believe that they have a valid grievance should consider discussing the matter informally with the head of their department or asking the department head or the ombuds to mediate a satisfactory solution. The latter approach may be helpful if the problem is with a supervisor or someone working at another department at AUB. These steps are not required, however, and the employee may immediately choose to file a formal grievance.

There are three stages in the staff grievance procedure:

**Stage One:** The staff member begins the process by completing and signing a Notice of Faculty or Staff Grievance and submitting it, along with any corroborative material, to the head of his or her department. The form and documentation may be submitted to the next level of authority (see below, Stage Two) if the department head is the subject of the grievance. The ombuds can help with the completion of the form as necessary. The person submitting the form should retain copies of it and any other submitted materials.

The department head has 15 calendar days to write to the grievant to acknowledge receipt of the form and materials and to send copies of the form and materials to the appropriate human resources director (campus or AUBMC) and the dean or VP responsible for the department.

The applicable HR director monitors the grievance process, offers advice and assistance when needed, and keeps a record of the grievance process, findings, and decisions. If the HR director determines that sex discrimination may be a factor in the grievance, the director also forwards the form and materials to the Title IX coordinator and consults with the coordinator as necessary. At this point in time, the dean or VP takes no action.

At the discretion of the dean/VP/chief responsible for the faculty/unit or the president, the allegation of sex or gender-based discrimination may be fully referred to the Title IX Coordinator for investigation and preparation of a report to be shared with university official(s) addressing the grievance, and with the provost or the provost’s designee.

It is otherwise the responsibility of the department head to conduct an investigation into the situation and circumstances, which might include interviewing the grievant and any other party to the grievance if necessary, and to produce a brief, written report with a clear recommendation. Should this entire process take more than 45 calendar days, the grievant may contact the appropriate dean or VP to expedite the timeliness of the investigation.

Copies of the final recommendation are sent to the grievant, the applicable HR director, and the dean or VP responsible for the department. In cases in which a respondent is named, copies are also sent to the respondent and the respondent’s dean or VP (if different from that of the grievant). In cases in which sex discrimination is allegedly a factor, the Title IX coordinator additionally receives a copy of the recommendation.

Should the grievant (and/or respondent) not agree with the recommendation contained in the report, they have the right to have the outcome reviewed at the next level of authority (Stage Two).
Stage Two: Grievants and/or respondents dissatisfied with the recommendation of the head of a department have 14 calendar days to request its review by the appropriate dean or VP. If the administrative unit of the grievant or respondent falls under the Office of the President or Provost, the grievant or respondent may request a review by the president or provost as appropriate.

In most cases, the dean or VP already possesses a copy of the file to date, so the request takes the form of a letter explaining the reasons for disagreeing with the department head’s report. The dean or VP reviews the documentation, consults with the parties, if necessary, and issues a written response within 45 calendar days. If the grievance has not been reviewed at a lower level of authority, the dean or VP takes the steps detailed above (see Stage One) in the specified time frames. Copies of the response are sent to the grievant; the respondent (if applicable); the department head(s); and the applicable HR director. If alleged sex discrimination is a factor in the grievance, the HR director continues to keep the Title IX coordinator informed of the case’s progress, which includes sending a copy of the response of the dean or VP to the coordinator.

Stage Three: If the grievant and/or respondent believes that the matter has not been satisfactorily resolved, an appeal may be filed with the president of the University. Prior to rendering a decision on any appeal, the president has the discretion to refer the case to a staff grievance panel (as described below).

The president may designate the provost to fulfill the functions of the president set forth in these Procedures. However, all final decisions concerning action to be taken, including disciplinary measures, must be approved by the president.

Composition of the Staff Grievance Panel

The Staff Grievance Panel is made up of three members, including:

1. The applicable director of human resources (campus or AUBMC) or the director’s designee, who normally serves as chair;

2. Two members chosen by the president of the University:
   a. An academic dean or appropriate designee from a faculty uninvolved in the dispute (if the staff member works in a faculty/school) or a VP or senior manager from an administrative unit uninvolved in the dispute (if the staff member works in a non-academic unit);
   b. The director of an administrative unit uninvolved in the dispute.

An additional member representing the Syndicate may be added to the panel if a member of the Syndicate is involved.

For grievances in which sex discrimination is alleged to be a factor, the president appoints the Title IX coordinator to serve as the non-voting chair of the panel.

Other than the applicable HR director and possibly the Title IX coordinator, who have followed the case from the start, panelists must disqualify themselves if they discover that they have
prior knowledge of the grievance or its circumstances, or if there is a real or perceived conflict of interest. Under such circumstances, the president of the University selects a substitute.

**What Happens Next?**

The task of the panel is to consider the case thoroughly and to report back to the president. The panel has the right to request information and documents that it deems relevant and to interview the grievant and any other member of the AUB community who may shed light on the matter. The proceedings will remain as confidential as possible consistent with the need for reasonable investigation.

In most cases, the chair submits the panel’s findings and recommendation in writing to the president no more than 30 calendar days after the panel’s first meeting. If the panel needs more time to conclude its work, the chair must provide the president with a progress letter and rationale for the extension. The numerical results of any votes held during the deliberations must appear in the report. If the panel was chaired by the non-voting Title IX coordinator, the coordinator may provide a separate recommendation in a letter submitted to the president alongside the report.

Should the president subsequently choose not to follow the panel’s recommendation, the president should inform the panel of the decision.

Unless it is impractical due to travel or other factors, the president normally advises the panel, the grievant, and the respondent in writing of the decision, which is final and binding, within 15 calendar days. Copies of the panel’s recommendation and the president’s decision will be kept by the relevant director of human resources (campus or AUBMC).

**Section 5 - Procedure for Faculty Filing Grievances**

Faculty members who believe that they have a valid grievance should consider discussing the matter informally with the chair/convener/director of their department/track/program (hereafter “chair” and “department”), or asking the chair or the ombuds to mediate a satisfactory solution. The latter approach may be helpful if the problem is with an individual of higher rank or someone working at another department at AUB. These steps are not required, however, and the faculty member may immediately choose to file a formal grievance.

There are three stages in the faculty grievance procedure.

**Stage One:** The faculty member begins the process by completing and signing a Notice of Faculty or Staff Grievance and submitting it, along with any corroborative material, to the chair of his or her department. The form and documentation may be submitted to the next level of authority (see below, Stage Two) if the chair is the subject of the grievance. The ombuds can help with the completion of the form as necessary. The person submitting the form should retain copies of it and any other submitted materials.
The chair has 15 calendar days to write to the grievant to acknowledge receipt of the form and materials and to send copies of the form and materials to the dean responsible for the department and the provost.

The provost or his/her designee monitors the grievance process, offers advice and assistance when needed, and keeps a record of the grievance process, findings, and decisions. If the provost determines that sex discrimination may be a factor in the grievance, he or she also forwards the form and materials to the Title IX coordinator and consults with the coordinator as necessary. At this point in time, the dean takes no action.

At the discretion of the provost or the president, the allegation of sex or gender-based discrimination may be fully referred to the Title IX Coordinator for investigation and preparation of a report to be shared with university official(s) addressing the grievance, and with the provost or the provost’s designee.

It is otherwise the responsibility of the chair to conduct an investigation into the situation and circumstances, which might include interviewing the grievant and any other party to the grievance if necessary, and to produce a brief, written report with a clear recommendation. Should this entire process take more than 45 calendar days, the grievant may contact the appropriate dean to expedite the timeliness of the investigation.

Copies of the final recommendation are sent to the grievant, the applicable dean, and the provost. In cases in which a respondent is named, copies are also sent to the respondent and respondent’s dean or VP (if different from that of the grievant). In cases in which sex discrimination is allegedly a factor, the Title IX coordinator additionally receives a copy of the recommendation.

Should the grievant (and/or respondent) not agree with the recommendation contained in the report, they have the right to have the outcome reviewed at the next level of authority (Stage Two).

**Stage Two:** Grievants and/or respondents dissatisfied with the recommendation of the department chair have 14 calendar days to request its review by the appropriate dean. If the administrative unit of the respondent falls under the Office of the President or Provost, he or she may request a review by the president or provost as appropriate.

In most cases, the dean already possesses a copy of the file to date, so the request takes the form of a letter explaining the reasons for disagreeing with the chair’s report. The dean reviews the documentation, consults with the parties, if necessary, and issues a written response within 45 calendar days. If the grievance has not been reviewed at a lower level of authority, the dean takes the steps detailed above (see **Stage One**) in the specified time frames.Copies of the response are sent to the grievant; the respondent (if applicable); the department head(s); and the provost. If alleged sex discrimination is a factor in the grievance, the provost continues to keep the Title IX coordinator informed of the case’s progress, which includes sending a copy of the response of the dean or VP to the coordinator.

**Stage Three:** If the grievant and/or respondent believes that the matter has not been satisfactorily resolved, an appeal may be filed with the president of the University. Prior to rendering a decision on any appeal, the president has the discretion to refer the case to a faculty grievance panel (**as described below**).
The president may designate the provost to fulfill the functions of the president set forth in these Procedures. However, all final decisions concerning action to be taken, including disciplinary measures, must be approved by the president.

**Composition of the Faculty Grievance Panel**

The Faculty Grievance Panel is made up of five members, including:

1. The provost or the provost’s designee, who normally serves as chair;
2. An academic dean from a faculty uninvolved in the dispute and chosen by the president;
3. A member of the University Senate chosen by the president from a pool designated by the Senate at the start of the year;
4. Two members of the faculty chosen by the president and ranking equal to or higher than the grievant. These panelists are chosen from two separate faculties – one involved in the dispute and one uninvolved.

For grievances in which sex discrimination is alleged to be a factor, the president appoints the Title IX coordinator to serve as the non-voting chair of the panel.

Other than the provost and possibly the Title IX coordinator, who have followed the case from the start, panelists must disqualify themselves if they discover that they have prior knowledge of the grievance or its circumstances or if there is a real or perceived conflict of interest. Under such circumstances, the president of the University selects a substitute as appropriate.

**What Happens Next?**

The task of the panel is to consider the case thoroughly and to report back to the president. The panel has the right to request information and documents that it deems relevant and to interview the grievant and any other member of the AUB community who may shed light on the matter. The proceedings shall remain as confidential as possible consistent with the need for reasonable investigation.

In most cases, the chair submits the panel’s findings and recommendation in writing to the president no more than 30 calendar days after the panel’s first meeting. If the panel needs more time to conclude its work, the chair must provide the president with a progress letter and rationale for the extension. The numerical results of any votes held during the deliberations must appear in the report. If the panel was chaired by the non-voting Title IX coordinator, the coordinator may provide a separate recommendation in a letter submitted to the president alongside the report.

Should the president subsequently choose not to follow the panel’s recommendation, she/he should inform the panel of her/his decision.

Unless it is impractical due to travel or other factors, the president normally advises the panel, the grievant, and the respondent in writing of the decision, which is final and binding, within
15 calendar days. Copies of the panel’s recommendation and the president’s decision will be kept by the provost.

Section 6 - Procedure for Students Filing Grievances

Undergraduate or graduate students may consider informal procedures to seek redress for what they believe to be unfair, improper, or discriminatory decisions, actions, or treatment contravening the established policies and procedures of the University. Informal procedures may include the participation of the ombuds who can provide information on the rights of students and who possesses the necessary skills for effective mediation. Such steps are not required, however, and the student may immediately choose to file a formal grievance.

As noted above in Applicability of Grievance Procedures, these grievance procedures neither supersede, nor take precedence over established university procedures or due process for any and all matters related to academic misconduct, disciplinary appeals, grade appeals, financial aid, or other well-defined areas of faculty or staff responsibility. Moreover, grievances should not be confused with petitions related to academic issues, including deviation from academic requirements or policies (for more information on petitions, students and advisors should refer to the University Catalogue, the Student Handbook, and the Student Code of Conduct).

Reviewing and Resolving Student Grievances

Filing a formal grievance requires the student to complete and sign a Notice of Student Grievance and to submit it, as well as any corroborative materials, to the dean/director of the relevant faculty/school (hereafter “dean” and “faculty”). The ombuds can assist with the completion of the form as necessary. The student should retain copies of the form and any other submitted materials.

In most cases, the dean will a) attempt to resolve the grievance informally; b) forward it to a lower administrative level for corrective action; or c) direct it to an appropriate faculty-level committee with student representation, such as the Student Affairs Committee, for investigation and recommendation. The committee chair may interview or request information bearing on the grievance from any member of the faculty, staff, or student body before reporting the committee’s findings and recommendations back to the dean. The dean of the faculty decides the matter and communicates the decision to the grievant in writing. Normally, no more than 45 calendar days should elapse between the filing of the grievance and the dean’s decision.

In cases in which the grievance is non-academic in nature, and involves a unit of the Office of Student Affairs (OSA), the faculty dean refers the matter to the dean of students for resolution. The dean or the dean’s designee a) attempts to resolve the grievance informally; or b) convenes and chairs a student grievance panel (as defined below), which may request information bearing on the grievance from any member of the faculty, staff, or student body.

If in the judgment of either the faculty dean or the dean of students, sex discrimination is deemed to be a factor in the case, copies of the submitted form and materials are forwarded to the Title IX coordinator as soon as they are received. The dean will ask the Title IX coordinator
for advice and assistance in addressing the grievance and, should it go to a committee or panel, to play a role in the proceedings. For the faculty dean, this means that the Title IX coordinator will be invited to join the faculty-level committee as a non-voting resource person during the investigation and deliberations. For the dean of students, it means that the Title IX coordinator will be invited to serve as the non-voting chair of the Student Grievance Panel.

At the discretion of the faculty dean, the dean of students, or the provost, the allegation of sex or gender-based discrimination may be fully referred to the Title IX Coordinator for investigation and preparation of a report to be shared with the university official(s) addressing the grievance, and with the provost or the provost’s designee.

**Composition of the Student Grievance Panel**

The Student Grievance Panel is made up of five members, including:

1. The dean of student affairs or his/her designee, who normally serves as chair;
2. One administrator chosen by the dean of student affairs;
3. One member of the University Senate chosen by the Senate Student Affairs Committee;
4. One member of the faculty chosen by the provost;
5. One student member chosen by the dean of student affairs from the USFC.

The dean of student affairs or the dean’s designee writes the grievant, the faculty dean, and the head of the OSA unit involved to inform them of the panel’s findings and recommendations and to initiate any corrective action that may be required. Normally, no more than 45 calendar days should elapse between the first meeting of the Student Grievance Panel and the dean of student affairs’ final disposition.

A student may appeal a dean’s decision concerning a grievance to the provost. To file an appeal, the student should submit a copy of the original Notice of Student Grievance, the dean’s decision, and a letter explaining the substantive or procedural grounds for the appeal. General dissatisfaction with the decision is not grounds for appeal. The appeal must be filed no more than 10 calendar days after the receipt of the decision. The provost may or may not decide to consider the appeal. The provost’s decision is final.

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**Section 7 - Procedure for Others Filing Complaints Alleging Discrimination**

As noted above in the Applicability of Grievance Procedures, aspiring members of the AUB community, non-student participants in university programs or activities, and recipients of health care services provided on university property may pursue allegations of discrimination in violation of the University’s Non-Discrimination Policy.

Individuals falling into these categories who believe that they have a valid discrimination complaint should consider discussing the matter informally with the head of the applicable university unit or the ombuds to mediate a satisfactory solution. These steps are not required, however, and the individual may immediately choose to file a formal complaint.
Formal complaints involving alleged discrimination may be conveyed by email, by post, or by hand to a designated receiving officer in the Office of the President, which is located on the 5th Floor of College Hall. Formal complaints of alleged sex discrimination may also be sent directly to the Title IX Coordinator in the Office of the Provost located on the 5th Floor of College Hall (integrityofficer@aub.edu.lb), who will log the complaint and submit it to the president for consideration. The grievance should take the form of a letter describing the facts surrounding the situation, as well as the discriminatory characteristic allegedly invoked, and should include any corroborative material(s). The person submitting the grievance should retain copies of it and any other submitted materials.

The president or the president’s designee will have full discretion in determining the next steps in investigating and resolving the grievance. The president may appoint an individual from the administration, such as the provost and/or the Title IX coordinator, to investigate the matter and report back on the facts or may decide to appoint a formal investigative panel for this purpose. The president’s decision regarding any complaint pursued hereunder shall be final.
APPENDIX I
NOTICE OF FACULTY OR STAFF GRIEVANCE

AMERICAN UNIVERSITY OF BEIRUT
OFFICE OF THE PRESIDENT

(When completed and signed, the form should be submitted to the head of your department)

This form guides the grievant in providing information that will be needed to resolve the grievance. Please provide all names, dates, and facts pertinent to the complaint and attach additional pages to the form as needed. Grievances must be filed within 30 calendar days from the date when the problem or dispute first arose. Please retain a copy of the form and supporting documentation as submitted. For more details, please check AUB’s Grievance Policy and Procedures.

Contact Information

Grievant’s name: __________________________________________________________

E-mail address: ____________________________________________________________

Telephone number: _______________________________________________________
(Please provide your home number or AUB extension or mobile number)

University status: ( ) Faculty ( ) Staff ( ) Other______________________________

Faculty and/or department: ________________________________________________

Head of department’s name: _______________________________________________

1. Please describe, as fully as possible, what occurred, when it occurred, and the names of individuals present or involved when it occurred. If your grievance concerns something that did not occur, please describe the omission, the relevant time period, and the names of the individual(s) involved.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

2. If a university policy is involved, identify the policy if you can and explain how the action, decision, or omission does not conform to the policy.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
3. If you believe that your grievance involves discriminatory treatment, indicate the discriminatory characteristic that is involved.

4. Describe the informal means that you have tried to resolve the problem.

5. Describe the adverse effect on you as a result of the alleged improper action, decision, or omission.

6. What remedial action are you requesting to resolve the problem?

7. Is there any additional information that you would like to provide in relation to your grievance?

Signature of grievant: ________________________________

Date submitted: ________________________________

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APPENDIX II
NOTICE OF STUDENT GRIEVANCE

AMERICAN UNIVERSITY OF BEIRUT
OFFICE OF THE PRESIDENT

(When completed and signed, the form should be submitted to the dean of the faculty in which the student is majoring)

This form guides the student in providing information that will be needed to resolve the grievance. Please provide all names, dates, and facts pertinent to the complaint and attach additional pages to the form as needed. Grievances must be filed within 30 calendar days from the date when the problem or dispute first arose. Please retain a copy of the form and supporting documentation as submitted. For more details please check AUB’s Grievance Policy and Procedures.

Contact Information

Grievant’s name: ____________________________________________________________

E-mail address: ______________________________________________________________

Telephone number: __________________________________________________________
(Please provide your home or mobile number)

University status: ( ) Undergraduate ( ) Graduate ( ) Other ________________

Faculty and/or department: _________________________________________________

Head of department’s name: ________________________________________________

1. Please describe, as fully as possible, what occurred, when it occurred, and the names of individuals present or involved when it occurred. If your grievance concerns something that did not occur, please describe the omission, the relevant time period, and the names of the individual(s) involved.

_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________
_________________________________________________________________________
2. If you believe that your grievance involves discriminatory treatment, indicate the discriminatory characteristic that is involved.


3. Describe the informal means that you have tried to resolve the problem.


4. Describe the adverse effect on you as a result of the improper action, decision, or omission.


5. What remedial action are you requesting to resolve the problem?


6. Is there any additional information that you would like to provide in relation to your grievance?


Signature of student: ____________________________________________

Date submitted: ________________________________________________

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