

THE CALIFORNIA STATE UNIVERSITY AND COLLEGES
Office of the Chancellor
5670 Wilshire Boulevard
Los Angeles, California 90036

July 26, 1973

To: Presidents

From: Glenn S. Dumke, Chancellor

Subject: Executive Order No. 180, Grievance Procedures
for Academic Personnel of The California State
University and Colleges

Article 17 of Subchapter 7, Chapter 1 of Part V of Title 5 of the California Administrative Code consisting of Section 43750 was adopted by the Trustees on May 23, 1973. At that time, Section 42714 of Title 5 was repealed. These actions became effective on July 22, 1973. The attached Executive Order establishes Grievance Procedures for Academic Personnel of The California State University and Colleges in the form set out in Executive Order No. 176 with certain technical changes of an insubstantial nature.

Please arrange distribution to the various areas concerned with this matter.

The attached Executive Order in no way affects the continuing study of proposed substantive changes in the Grievance Procedures by the systemwide Monitoring Committee.

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Enclosures

Copies to: Chancellor's Staff

THE CALIFORNIA STATE UNIVERSITY AND COLLEGES
Office of the Chancellor
5670 Wilshire Boulevard
Los Angeles, California 90036

Grievance Procedures for Academic
Personnel of The California State University and Colleges
Executive Order No. 180

This Executive Order is issued under the authority, separately and in combination as applicable, of Education Code Sections 22600, 22604, 22607, 23604, 23605 and 24201, Sections 42701 and 43750 of Title 5 of the California Administrative Code, and the Standing Orders, Rules of Procedure and Resolutions of the Board of Trustees. Grievance Procedures for Academic Personnel of The California State University and Colleges are hereby established in the form set out in Executive Order No. 176, with the following changes:

1. Section 1.2 is revised to read:

"The Grievance Procedures herein provided are established under the authority, separately and in combination, as applicable, of Education Code Sections 22600, 22604, 22607, 23604, 23605 and 24201, Sections 42701 and 43750 of Title 5, California Administrative Code, and the Standing Orders, Rules of Procedure and Resolutions of the Board of Trustees, and are intended to be applicable to all campuses of The California State University and Colleges."

2. Section 1.3 is revised to read:

"Grievance proceedings under the Interim Procedures for Handling Grievances and Personnel Complaints of Academic and Administrative Personnel (issued in 1961) or under Executive Orders 56, 80, 112, 150, 173 or 176, which were commenced but not concluded by the effective date of this Executive Order, may continue under the procedures of the respective Interim Procedures or Executive Order, except that the Chancellor's Review Panel shall be advisory to the Chancellor and the Chancellor shall make the final decision. For those who filed grievances prior to the effective date of this Executive Order, if their grievances have not yet been heard, they may elect to have them heard pursuant to either the Executive Order specifying grievance procedures for academic personnel in effect on the date of filing of their grievances or this Executive Order. An election once made may not thereafter be changed.

3. Section 10.6 is revised to read:

"The Campus shall arrange for making an audio tape of any and all proceedings conducted by the Hearing Officer. No recording by the grievant or by other persons at the hearing will be permitted, but the grievant, at his own expense, may furnish a certified court reporter provided that a copy of the transcript made is promptly furnished to the President at no cost to the campus, and that use of such transcript shall be limited to this or subsequent administrative and judicial proceedings held in connection with the matter."

4. Section 10.11 is revised to read:

"It is the policy of The California State University and Colleges that evidence, proceedings, findings, and recommendations (but not the final decision of the President) are confidential and shall not be made public by the campus or by any participant in a hearing, including the faculty organization or Senate or Council observers, except as any of the foregoing may be filed in court or introduced as evidence in an administrative or court proceeding brought to review an action taken pursuant to these Procedures. In the event these matters should become public, however, the President may authorize such public statements as are appropriate. This policy of confidentiality shall not preclude the campus from taking any action following appropriate procedures against any person or entity on the basis of evidence developed at the hearing."

5. Sections 11.9 and 11.9.1 on page 9 of the Grievance Procedures are renumbered 10.9 and 10.9.1 respectively.

6. Section 12.9 is revised to read:

"Once a grievance has been set for hearing, the grievant may withdraw all or any part of his grievance only with the consent of the Grievance Committee. Once the hearing has been completed, the grievant cannot withdraw his grievance."

Dated: July 26, 1973



Glenn S. Dumke, Chancellor

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