



Northeastern University Faculty Senate

TO: All Full-time Faculty Members
FROM: Faculty Senate Agenda Committee
SUBJECT: Faculty Senate Meeting

The twelfth meeting of the sixty-fifth Faculty Senate will be:

Date: Wednesday, March 11, 2026

Time: 11:45 AM to 1:25 p.m. ET

VIRTUAL MEETING via Teams

Please note, the meeting will be recorded for the purpose of taking notes. All Senators and Appointed Administrators have been sent an invite.

**We ask all participants to start the meeting muted.
For other faculty who wish to participate, please click on the link below.**

I. CALL TO ORDER.

APPROVAL OF 2_25_26 MINUTES.

II. REPORTS

- A. SAC REPORT (PROFESSOR DEE SPENCER, DMSB).**
- B. PROVOST'S REPORT (PROVOST BETH WINKELSTEIN).**
- C. QUESTIONS AND DISCUSSION.**
- D. CURRICULUM ITEMS:**

III. CONTINUING BUSINESS:

PRESENTATION:

ACADEMIC FREEDOM COMMITTEE.

ANNA LAMIN, DMSB.

CHARLES KECKLER, CPS.

MICHELLE REGO, COPS, CO-CHAIR.

JACK THOMAS, KHOURY.

LOUISE WALKER, CSSH, CO-CHAIR.

ACADEMIC FREEDOM RESOLUTIONS:

1 - RESOLUTION TO SHARE BEST PRACTICES WITH RELEVANT UNITS (PROF. JACK THOMAS).

WHEREAS the Charge 1 asks the Academic Freedom Committee to research and recommend best practices for fostering viewpoint diversity and cultivating a pluralistic learning environment, while simultaneously supporting all community members' sense of belonging and engagement; and

WHEREAS the Academic Freedom Committee has presented 16 recommendations based on information given by Northeastern faculty in a response to the all-faculty survey and based on research of relevant literature; and

WHEREAS many of these recommendations connect to the ongoing work done by CATLR, ADVANCE and the Office of the Chancellor; and

WHEREAS the Academic Freedom Committee has produced a memo cover letter, included in Appendix G of its report;

BE IT RESOLVED that the Senate Agenda Committee deliver a memo, that shares the recommendations in Charge 1 for consideration for future programming, to CATLR, ADVANCE, the Office of the Chancellor, and any other parties that SAC believes would be interested in the research.

BE IT FURTHER RESOLVED that the Senate Agenda Committee consider charging an appropriate committee next year with evaluating the feasibility of enhancing Northeastern's civil discourse curricula, including appropriateness of adding a "civil discourse" NUPath attribute and a "viewpoint diversity" TRACE student evaluation question.

2- RESOLUTION FOR THE FACULTY SENATE TO ENDORSE INSTITUTIONAL NEUTRALITY FOR THE UNIVERSITY AND ITS LEADERS (PROF. JACK THOMAS).

WHEREAS the university's core mission is the production and transmission of knowledge through research, teaching, and learning—a mission that requires maintaining the university as society's preeminent space for open inquiry where competing ideas are tested through evidence and argument rather than predetermined by institutional orthodoxy; and

WHEREAS official institutional statements on matters beyond the university's core educational and research mission create several interrelated problems: they imply institutional orthodoxy that chills dissent from faculty and students who disagree; they displace the individual expert voices that should be engaging these issues; they privilege the institution's voice in domains where it is not the scholarly expert; they risk societal perception of the university as a political actor rather than a knowledge institution; and they erode the legitimate authority universities have earned in their actual domains of expertise; and

WHEREAS Northeastern University has issued statements on events that do not directly concern the institution's core mission, which can lead to requests that the university opine on myriad events; and

WHEREAS institutional neutrality — meaning that the university as an institution refrains from taking positions on political, social, or policy questions except where they directly affect core mission or operations, while individual faculty, students, and staff retain full freedom to express their views — is a well-recognized [1] and long-standing [2] principle for maintaining universities as spaces for open inquiry and genuine intellectual pluralism;

BE IT RESOLVED that the Faculty Senate endorses the principle of institutional neutrality for Northeastern University, as described below:

- a) The university and its leaders may speak officially on matters that directly affect its core educational and research mission (such as academic freedom, educational policy, research funding, accreditation) and matters essential to its operations (such as legal obligations, campus safety, student access, institutional autonomy).

b) The university and its leaders will exercise institutional restraint on matters that do not directly affect its core educational and research mission or operations (such as taking positions on social and political issues unless those issues threaten the mission of the university and its values of free inquiry).

c) Boundary determinations — deciding whether a given issue relates directly to the university's core mission — will inevitably involve judgment and good-faith disagreement, with policies applied consistently regardless of viewpoint or political valence, and using shared governance mechanisms.

d) Faculty, students, and staff retain full freedom to speak on any topic in their individual capacities, to conduct research on any subject, to teach according to their scholarly judgment, and to engage in civic and political activity. No individual should face sanction for expressing views that differ from any actual or perceived institutional position.

[1] As of late 2024, at least 148 institutions of higher education have adopted policies of institutional neutrality, including Dartmouth College, Yale University, University of Massachusetts Amherst, Tulane University, Johns Hopkins University, Harvard University, Stanford University, Syracuse University, Princeton University. Arnold, A., Shaw, E., Tenhundfeld, N., & Barbaro Simovski, N. (2025, March). The rising tide of institutional statement neutrality: How universities are rethinking institutional speech. Heterodox Academy heterodoxacademy.org/reports/a-revival-of-institutional-statement-neutrality-how-universities-are-rethinking-institutional-speech-in-2024/

[2] The modern concept can be traced to the 1967 “Kalven Report” from the University of Chicago, which recommends a "heavy presumption against the university taking collective action or expressing opinions on the political and social issues of the day" because it emphasizes that "the instrument of dissent and criticism is the individual faculty member or the individual student. The university is the home and sponsor of critics; it is not itself the critic." (Kalven, Harry (Chairman) "Report on the University's Role in Political and Social Action." University of Chicago, November 11, 1967 [Kalven Committee: Report on the University's Role in Political and Social Action](#))

3 - RESOLUTION FOR FACULTY SENATE TO RECOMMEND THAT BOARD OF TRUSTEES ENDORSE INSTITUTIONAL NEUTRALITY FOR THE UNIVERSITY AND ITS LEADERS (PROF. JACK THOMAS).

WHEREAS the university's core mission is the production and transmission of knowledge through research, teaching, and learning—a mission that requires maintaining the university as society's preeminent space for open inquiry where competing ideas are tested through evidence and argument rather than predetermined by institutional orthodoxy; and

WHEREAS official institutional statements on matters beyond the university's core educational and research mission create several interrelated problems: they imply institutional orthodoxy that chills dissent from faculty and students who disagree; they displace the individual expert voices that should be engaging these issues; they privilege the institution's voice in domains where it is not the scholarly expert; they risk societal perception of the university as a political actor rather than a knowledge institution; and they erode the legitimate authority universities have earned in their actual domains of expertise; and

WHEREAS Northeastern University has issued statements on events that do not directly concern the institution's core mission, which can lead to requests that the university opine on myriad events; and

WHEREAS institutional neutrality — meaning that the university as an institution refrains from taking positions on political, social, or policy questions except where they directly affect core mission or operations, while individual faculty, students, and staff retain full freedom to express their views — is a well-recognized [1] and long-standing [2] principle for maintaining universities as spaces for open inquiry and genuine intellectual pluralism;

BE IT RESOLVED that the Faculty Senate recommends that the Board of Trustees endorse the principle of institutional neutrality, as described below, at their next meeting.

- e) The university and its leaders may speak officially on matters that directly affect its core educational and research mission (such as academic freedom, educational policy, research funding, accreditation) and matters essential to its operations (such as legal obligations, campus safety, student access, institutional autonomy).
- f) The university and its leaders will exercise institutional restraint on matters that do not directly affect its core educational and research mission or operations (such as taking positions on social and political issues unless those issues threaten the mission of the university and its values of free inquiry).
- g) Boundary determinations — deciding whether a given issue relates directly to the university's core mission — will inevitably involve judgment and good-faith disagreement, with policies applied consistently regardless of viewpoint or political valence, and using shared governance mechanisms.
- h) Faculty, students, and staff retain full freedom to speak on any topic in their individual capacities, to conduct research on any subject, to teach according to their scholarly judgment, and to engage in civic and political activity. No individual should face sanction for expressing views that differ from any actual or perceived institutional position.

BE IT FURTHER RESOLVED that following a Board of Trustees endorsement, the administration, in consultation with Faculty Senate Leadership, establish in Spring 2026 a working group comprising faculty, administrative, and student representatives to:

- a) develop guidelines for implementing the principle of institutional neutrality universitywide;
- b) develop an oversight or review mechanism, following shared governance norms, to ensure it serves its intended purpose of protecting open inquiry and intellectual pluralism;
- c) steer the process towards implementation with target date of Spring 2027.

[1] As of late 2024, at least 148 institutions of higher education have adopted policies of institutional neutrality, including Dartmouth College, Yale University, University of Massachusetts Amherst, Tulane University, Johns Hopkins University, Harvard University, Stanford University, Syracuse University, Princeton University. Arnold, A., Shaw, E., Tenhundfeld, N., & Barbaro Simovski, N. (2025, March). The rising tide of institutional statement neutrality: How universities are rethinking institutional speech. Heterodox Academy heterodoxacademy.org/reports/a-revival-of-institutional-statement-neutrality-how-universities-are-rethinking-institutional-speech-in-2024/

[2] The modern concept can be traced to the 1967 “Kalven Report” from the University of Chicago, which recommends a "heavy presumption against the university taking collective action or expressing opinions on the political and social issues of the day" because it emphasizes that "the instrument of dissent and criticism is the individual faculty member or the individual student. The university is the home and sponsor of critics; it is not itself the critic." (Kalven, Harry (Chairman) "Report on the University's Role in Political and Social Action." University of Chicago, November 11, 1967: [Kalven Committee: Report on the University's Role in Political and Social Action](#))

4 - RESOLUTION FOR THE FACULTY SENATE TO ENDORSE THE CHICAGO STATEMENT (PROF. JACK THOMAS).

WHEREAS Northeastern University is committed to experiential learning, interdisciplinary research, and the pursuit of knowledge through free and open inquiry, which requires robust protection of freedom of expression for all members of the university community; and

WHEREAS Northeastern University ranks 253rd out of 257 institutions in the Foundation for Individual Rights and Expression's 2026 College Free Speech Rankings, earning an overall score of 46.8 out of 100 and a grade of "F" for its speech climate (reported by media outlets such as Newsweek, The Boston Globe, CBS News Online and The Huntington News), representing a decline of 75 places from the previous year; [1] and

WHEREAS recent events at Northeastern, including concerns raised by last year’s Faculty Senate's Academic Freedom Ad Hoc Committee regarding university communications about demonstrations and free expression in AY2024-25, [2] and the controversy around a planned academic lecture in March 2025 that resulted in a deplatforming penalty from FIRE [3] demonstrate concrete problems that have resulted in reputational damage and diminished academic offering to the NEU community, requiring institutional reform; and

WHEREAS a question in the recent faculty survey demonstrates a majority of faculty have low confidence (61% “not very” or “not at all confident”) that the administration would protect a speaker’s rights to express controversial views; [4] and

WHEREAS the Report of the Committee on Freedom of Expression at the University of Chicago (the "Chicago Statement"), issued in January 2015, articulates core principles regarding freedom of expression that have been adopted or affirmed by over 100 colleges and universities, including Princeton University, Georgetown University, Johns Hopkins University, Brandeis University, Boston University, MIT, and Stanford University, and represents a widely recognized model for institutions seeking to strengthen their commitment to free expression; [5] and

WHEREAS the commitment to free expression in the Chicago Statement is broader than NEU’s Statement of Free Expression in the Faculty Handbook because the Chicago Statement covers all university community members while NEU’s statement covers only full-time faculty at NEU’s American campuses (because the Handbook does not cover part-time faculty and does not cover faculty at NEU’s Canadian and London campuses); and

WHEREAS the commitment to free expression in the Chicago Statement is deeper than NEU’s Statement on Free Expression because NEU’s Statement clarifies that the university’s responsibility to protect and support free expression is for expression that occurs “in an atmosphere of civility and mutual respect” while the

Chicago Statement recommends the fullest possible expression clarifying that “although all members of the University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas;” and

WHEREAS a clear institutional commitment to freedom of expression will enhance NEU’s reputation, support the academic freedom of faculty, enrich the educational experience of students, send a clear signal to the media, and uphold the University’s mission as a global research university dedicated to teaching, discovery, and engagement with society;

BE IT RESOLVED, that the Faculty Senate of Northeastern University endorses the “Chicago Statement.”

[1] Foundation for Individual Rights in Education (FIRE), “2026 College Free Speech Rankings,” Published Online September 2025 (retrieved 19 September 2025): <https://www.thefire.org/collegefree-speech-rankings>

[2] Northeastern University Faculty Senate Academic Freedom Ad Hoc Committee Report (April 2025), pg. 13-14 & appendix 7: <https://faculty.northeastern.edu/senate/wpcontent/uploads/sites/2/2025/04/Report-Academic-Freedom-Ad-Hoc-Committee-AFC-April-16-2025.pdf>

[3] “Fire Letter to Northeastern University,” from Aaron Corpora (FIRE, Program Officer, Campus Rights Advocacy) to Dean James R. Hackney (Northeastern University School of Law), 25 April 2025 (retrieved 19 September 2025): <https://www.thefire.org/research-learn/fire-letter-northeastern-university-april-25-2025>

[4] 2025 Northeastern University All-faculty survey, question (Q276_1), Likert-type, 5-point confidence scale, M=2.20, N=289. (Appendix C).

[5] FIRE “Chicago Statement: University and Faculty Body Support” (retrieved 19 September 2025): <https://www.thefire.org/research-learn/report-committee-freedom-expression-university-chicago-september-22-2021>

5 - RESOLUTION TO EDIT THE FACULTY HANDBOOK’S “STATEMENT ON FREE EXPRESSION” (PROF. JACK THOMAS).

WHEREAS Northeastern University is committed to experiential learning, interdisciplinary research, and the pursuit of knowledge through free and open inquiry, which requires robust protection of freedom of expression for all members of the university community; and

WHEREAS Northeastern University ranks 253rd out of 257 institutions in the Foundation for Individual Rights and Expression’s 2026 College Free Speech Rankings, earning an overall score of 46.8 out of 100 and a grade of “F” for its speech climate (reported by media outlets such as Newsweek, The Boston Globe, CBS News Online and The Huntington News), representing a decline of 75 places from the previous year; [1] and

WHEREAS recent events at Northeastern, including concerns raised by last year’s Faculty Senate’s Academic Freedom Ad Hoc Committee regarding university communications about demonstrations and free expression in AY2024-25, [2] and the controversy around a planned academic lecture in March 2025 that resulted in a deplatforming penalty from FIRE [3] demonstrate concrete problems that have resulted in reputational damage and diminished academic offering to the NEU community, requiring institutional reform;

WHEREAS a question in the recent faculty survey demonstrates a majority of faculty have low confidence (61% “not very” or “not at all confident”) that the administration would protect a speaker’s rights to express controversial views; [4] and

WHEREAS the Report of the Committee on Freedom of Expression at the University of Chicago (the "Chicago Statement"), issued in January 2015, articulates core principles regarding freedom of expression that have been adopted or affirmed by over 100 colleges and universities, including Princeton University, Georgetown University, Johns Hopkins University, Brandeis University, Boston University, MIT, and Stanford University, and represents a widely recognized model for institutions seeking to strengthen their commitment to free expression; [5] and

WHEREAS the commitment to free expression in the Chicago Statement is broader than NEU’s Statement of Free Expression in the Faculty Handbook because the Chicago Statement covers all university community members while NEU’s statement covers only full-time faculty at NEU’s American campuses (because the Handbook does not cover part-time faculty and does not cover faculty at NEU’s Canadian and London campuses); and

WHEREAS the commitment to free expression in the Chicago Statement is deeper than NEU’s Statement on Free Expression because NEU’s Statement clarifies that the university’s responsibility to protect and support free expression is for expression that occurs “in an atmosphere of civility and mutual respect” while the Chicago Statement recommends the fullest possible expression clarifying that “although all members of the University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas;” and

WHEREAS a clear institutional commitment to freedom of expression will enhance NEU’s reputation, support the academic freedom of faculty, enrich the educational experience of students, send a clear signal to the media, and uphold the University’s mission as a global research university dedicated to teaching, discovery, and engagement with society;

BE IT RESOLVED, that the Faculty Senate requests the revision of the Faculty Handbook’s “Statement on Free Expression” to reflect the perspective represented by the Chicago Statement, along the lines suggested in Appendix I, with the final language to be confirmed by the Academic Freedom Committee in consultation with the Faculty Handbook Committee, the Office of the Provost, and the Office of General Counsel, and that the Academic Freedom Committee shall present the proposed revision to the Senate in April.

[1] Foundation for Individual Rights in Education (FIRE), “2026 College Free Speech Rankings,” Published Online September 2025 (retrieved 19 September 2025): <https://www.thefire.org/collegefree-speech-rankings>

[2] Northeastern University Faculty Senate Academic Freedom Ad Hoc Committee Report (April 2025), pg. 13-14 & appendix 7: <https://faculty.northeastern.edu/senate/wpcontent/uploads/sites/2/2025/04/Report-Academic-Freedom-Ad-Hoc-Committee-AFC-April-16-2025.pdf>

[3] “Fire Letter to Northeastern University,” from Aaron Corpora (FIRE, Program Officer, Campus Rights Advocacy) to Dean James R. Hackney (Northeastern University School of Law), 25 April 2025 (retrieved 19 September 2025): <https://www.thefire.org/research-learn/fire-letter-northeastern-university-april-25-2025>

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[5] FIRE “Chicago Statement: University and Faculty Body Support” (retrieved 19 September 2025): <https://www.thefire.org/research-learn/report-committee-freedom-expression-university-chicagoseptember-22-2015>

6 - RESOLUTION FOR FACULTY SENATE TO RECOMMEND THAT THE BOARD OF TRUSTEES ENDORSE THE CHICAGO STATEMENT (PROF. JACK THOMAS).

WHEREAS Northeastern University is committed to experiential learning, interdisciplinary research, and the pursuit of knowledge through free and open inquiry, which requires robust protection of freedom of expression for all members of the university community; and

WHEREAS Northeastern University ranks 253rd out of 257 institutions in the Foundation for Individual Rights and Expression's 2026 College Free Speech Rankings, earning an overall score of 46.8 out of 100 and a grade of "F" for its speech climate (reported by media outlets such as Newsweek, The Boston Globe, CBS News Online and The Huntington News), representing a decline of 75 places from the previous year; [1] and

WHEREAS recent events at Northeastern, including concerns raised by last year's Faculty Senate's Academic Freedom Ad Hoc Committee regarding university communications about demonstrations and free expression in AY2024-25, [2] and the controversy around a planned academic lecture in March 2025 that resulted in a deplatforming penalty from FIRE [3] demonstrate concrete problems that have resulted in reputational damage and diminished academic offering to the NEU community, requiring institutional reform;

WHEREAS a question in the recent faculty survey demonstrates a majority of faculty have low confidence (61% “not very” or “not at all confident”) that the administration would protect a speaker's rights to express controversial views; [4] and

WHEREAS the Report of the Committee on Freedom of Expression at the University of Chicago (the "Chicago Statement"), issued in January 2015, articulates core principles regarding freedom of expression that have been adopted or affirmed by over 100 colleges and universities, including Princeton University, Georgetown University, Johns Hopkins University, Brandeis University, Boston University, MIT, and Stanford University, and represents a widely recognized model for institutions seeking to strengthen their commitment to free expression; [5] and

WHEREAS the commitment to free expression in the Chicago Statement is broader than NEU's Statement of Free Expression in the Faculty Handbook because the Chicago Statement covers all university community members while NEU's statement covers only full-time faculty at NEU's American campuses (because the Handbook does not cover part-time faculty and does not cover faculty at NEU's Canadian and London campuses); and

WHEREAS the commitment to free expression in the Chicago Statement is deeper than NEU's Statement on Free Expression because NEU's Statement clarifies that the university's responsibility to protect and support free expression is for expression that occurs “in an atmosphere of civility and mutual respect” while the Chicago Statement recommends the fullest possible expression clarifying that “although all members of the University community share in the responsibility for

maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas;" and

WHEREAS a clear institutional commitment to freedom of expression will enhance NEU's reputation, support the academic freedom of faculty, enrich the educational experience of students, send a clear signal to the media, and uphold the University's mission as a global research university dedicated to teaching, discovery, and engagement with society;

BE IT RESOLVED that the Faculty Senate recommends that the Board of Trustees endorse the "Chicago Statement" at their next meeting.

BE IT FURTHER RESOLVED that following a Board of Trustees endorsement, the administration, in consultation with Faculty Senate Leadership, establish in Spring 2026 a working group comprising faculty, administrative, and student representatives to: d) develop guidelines for implementing the principles of the "Chicago Statement" university-wide; e) develop an oversight or review mechanism, following shared governance norms, to ensure it serves its intended purpose of protecting open inquiry and intellectual pluralism; f) steer the process towards implementation with target date of Spring 2027.

1] Foundation for Individual Rights in Education (FIRE), "2026 College Free Speech Rankings," Published Online September 2025 (retrieved 19 September 2025): <https://www.thefire.org/collegefree-speech-rankings>

[2] Northeastern University Faculty Senate Academic Freedom Ad Hoc Committee Report (April 2025), pg. 13-14 & appendix 7: <https://faculty.northeastern.edu/senate/wpcontent/uploads/sites/2/2025/04/Report-Academic-Freedom-Ad-Hoc-Committee-AFC-April-16-2025.pdf>

[3] "Fire Letter to Northeastern University," from Aaron Corpora (FIRE, Program Officer, Campus Rights Advocacy) to Dean James R. Hackney (Northeastern University School of Law), 25 April 2025 (retrieved 19 September 2025): <https://www.thefire.org/research-learn/fire-letter-northeastern-university-april-25-2025>

[4] 2025 Northeastern All-faculty survey, question (Q276_1), Likert-type, 5-point confidence scale, M=2.20, N=289. Appendix C.

[5] FIRE "Chicago Statement: University and Faculty Body Support" (retrieved 19 September 2025): <https://www.thefire.org/research-learn/report-committee-freedom-expression-university-chicagoseptember-22-2015-26>.

7 - RESOLUTION FOR NEXT YEAR'S SAC TO CHARGE A COMMITTEE WITH IMPROVING ACADEMIC FREEDOM FOR FACULTY NOT COVERED BY THE FACULTY HANDBOOK (PROF. JACK THOMAS).

WHEREAS Northeastern University is committed to experiential learning, interdisciplinary research, and the pursuit of knowledge through free and open inquiry, which requires robust protection of academic freedom and freedom of expression for all members of the university community; and

WHEREAS Northeastern University articulates its protection of academic freedom and free expression in the Faculty Handbook; and

WHEREAS the Faculty Handbook applies to only full-time faculty at NEU's American campuses, because the Handbook does not cover part-time faculty and does not cover faculty at NEU's Canadian and London campuses; and

WHEREAS if the Board of Trustees endorses the Chicago Statement, as requested in Resolution 7, which would improve the free expression rights of all community members, there would remain important elements of academic freedom to be endorsed for faculty who are not covered by the Faculty Handbook;

BE IT RESOLVED that next year's Senate Agenda Committee shall assign to an appropriate committee the charge of researching how to improve academic freedom for faculty who are not covered by the Faculty Handbook.

IV. PRESENTATION:

**BELONGING COMMITTEE.
JENNIFER CASSANO, MCNU, CO-CHAIR.
TARIK GOUHIER, COS.
BHAWESH SAH, DMSB.
BRIDGET SMYSER, COE, CHAIR.**

BELONGING COMMITTEE REPORT

RESOLUTION (PROF. BRIDGET SMYSER):

BE IT RESOLVED that the university adopts the following definition of belonging:

"Belonging means that everyone is treated and feels like a full member of the larger community and is able to thrive through a culture of inclusivity, empowerment, and collaboration."

V. PRESENTATION:

**FACULTY HANDBOOK COMMITTEE.
MARKETA REJTAR, BCHS, CHAIR.
PETER DESNOYERS, KHOURY.
OYINDA OYELARAN, COS.
KRISTIN STANKARD, BCHS.
LANEY STRANGE, KHOURY.**

FINAL REPORT FOR AY 2025-2026.

RESOLUTION: *FACULTY HANDBOOK GRIEVANCE PROCEDURE PROCESS, TIMELINE, AND EXCEPTIONS TO TIMELINE AND RELATED UPDATES* (PROF. MARKETA REJTAR):

WHEREAS The Faculty Handbook's timeline for the Full-time Faculty Grievance Procedure is cumbersome, and the section is in need of improved flow and clarity.

WHEREAS The Faculty Handbook does not specifically address how to manage grievances that are submitted when faculty are not on contract or they are on an approved leave.

WHEREAS The role of the *ad hoc* Mediation Committee appears clear; however, there is an opportunity to improve contextual wording for better clarity and flow.

WHEREAS Human Resources (HR) Department involvement in the grievance process is not explicitly mentioned in the FH, but its possibility can be inferred. FH should be inclusive but not

limiting in who should be included in the grievance proceedings, and such an opportunity and support should be offered fairly to both sides.

WHEREAS The Senate Agenda Committee liaison is not specifically mentioned in the Full-time Faculty

Grievance Procedure of the FH.

WHEREAS Faculty-related grievances filed specifically against the Provost, an administrator within the Provost's Office, or the Office of the Provost, are infrequent; they may happen, and as such, the FH should have a process in place for such instances, ensuring accountability at all levels of the University.

BE IT RESOLVED THAT The Full-time Faculty Grievance Procedure in the Faculty Handbook should have four distinct subsections: (1) Definitions and Eligibility, (2) Grievance Process and Details, (3) Typical Grievance Process Timeline, and (4) Grievance Process Timeline Exceptions, and shall be updated and amended as follows:

Full-time Faculty Grievance Procedure

1. Definitions and Eligibility

.... remains the same

2. Grievance Process and Details

a. Step One: Filing a Grievance

1. A formal grievance is filed in writing with the Senate Agenda Committee (SAC). The ~~Senate's grievance coordinator will send~~ copies of the grievance will be sent to the Department Chair (or equivalent), Dean, Provost, and (if not one of these) the person whose action occasioned the grievance. SAC may appoint a Senate Agenda Committee member to serve as a Liaison for each grievance. Normally, the SAC Secretary shall serve as the liaison to the grievance committee. Another SAC member shall be appointed as the liaison to the grievance committee when the SAC Secretary is unable to serve in this role, for example, due to a conflict of interest.
2. In ~~the~~ formal grievance, the grievant will state the exact nature of the grievance, against whom it is filed, and the remedy sought. At this point, they may request resolution through the Early Provostial Review Option (see 4.a for exceptions to process timeline).
3. When a grievance is filed specifically against the Provost, an administrator within the Provost's Office, or the Office of the Provost, another party must replace the role of the Provost's Office within the typical grievance procedure (see 2.e for the process).

b. Step Two: Mediation by an ad hoc Faculty Committee

1. The Senate Agenda Committee shall appoint an *ad hoc* Mediation Committee composed of three faculty members, with at least one member from the same faculty category. ~~4~~ In appointing this Committee, the Senate Agenda Committee will normally appoint faculty members not involved with the grievant or their department.
2. The *ad hoc* Mediation Committee shall be neutral and impartial as it attempts to mediate the dispute. During this phase of the procedure, the committee may suggest ways to resolve the dispute, but the Committee shall make no formal findings with respect to the grievance other than to determine whether the grievance falls within the

definition of a grievance, and/or whether it is insubstantial or frivolous. The *ad hoc* Mediation Committee shall conduct the meetings in Steps Two and Three.

3. At any meeting where the grievant is present, the grievant may be accompanied by a member or members of the Northeastern University community.
4. After an initial meeting with the grievant, the *ad hoc* Mediation Committee may at any point, by majority vote, determine whether the grievance meets a threshold for mediation: that it is neither insubstantial nor frivolous and falls within the definition of a grievance.
 - i. If the Committee rules that the entire grievance does not meet this threshold, it shall so inform the grievant, the other relevant parties, the Provost (or another party in cases of Grievance against the Provost, an administrator within the Provost's Office, or the Office of the Provost), and the Senate Agenda Committee.
 - ii. If the Committee rules that only some of the issues raised in the grievance do not meet this threshold, it shall so inform the grievant, the other relevant parties, the Provost (or another party in cases of Grievance against the Provost, an administrator within the Provost's Office, or the Office of the Provost), and the Senate Agenda Committee, also stipulating the issues which remain to be mediated. In this circumstance, mediation will proceed with respect to the remaining issues. Neither mediation nor arbitration will remain available for the issues deemed non-grievable.
5. As the mediation process continues, if the Committee deems it advisable, it may require the attendance of the person whose action occasioned the grievance and any other persons who might be of aid in resolving the grievance, ~~such as including~~ but not limited to the Director of the Office ~~for of~~ University Equity and Compliance, or the Director of the Disability Resource Center.
6. If mediation is unsuccessful without the participation of the Dean, the Committee ~~shall~~may require the attendance of the Dean for at least one meeting to attempt to reach a resolution.
7. If the grievant wishes to pursue the grievance at the end of *Step Two*, the Chair of the *ad hoc* Mediation Committee shall arrange a meeting with the Provost (or his or her designee (or another party in cases of Grievance against the Provost, an administrator within the Provost's Office, or the Office of the Provost), the grievant, and the *ad hoc* Mediation Committee for the purpose of resolving the grievance. If the *ad hoc* Mediation Committee considers it advisable, it may request the attendance ~~of and/or input by of~~ the party whose action occasioned the grievance and/or other involved individuals, who may help resolve the grievance. The grievant may be accompanied by a member or members of the Northeastern University community.
8. If, after this meeting, no resolution has yet been reached, the *ad hoc* Mediation Committee may submit to the parties a proposed resolution to the grievance.

c. *Step Three: Request for Arbitration*

1. When determining, by a majority vote, if the grievance shall be arbitrated, the ad hoc Mediation Committee will not determine whether or not the grievance shall be upheld, but only whether the grievance shall be arbitrated. The ad hoc Mediation Committee shall

determine if (a) the claim falls within the definition of a grievance, b) the remaining issues beyond any settlement currently offered by the Provost (or another party in cases of Grievance against the Provost, an administrator within the Provost's Office, or the Office of the Provost), are neither clearly insubstantial nor frivolous, and (c) the remedy sought is within the power of an arbitrator. If these conditions are met, the ad hoc Mediation Committee shall decide in favor of arbitration.

2. If the *ad hoc* Mediation Committee decides that the grievance does not meet the criteria for arbitration, the grievance is closed.
3. If the *ad hoc* Mediation Committee believes that the grievance has revealed needed improvements in policies, practices, or procedures in the University, it shall recommend such changes to the Senate by forwarding such recommendations to the Senate Agenda Committee, or to the appropriate supervisory unit.
4. If the *ad hoc* Mediation Committee decides that the grievance shall be arbitrated, the Committee will instruct the Provost's Office to institute arbitration proceedings.

d. *Step Four: Arbitration*

1. If the grievance is to be arbitrated, the arbitrator shall be chosen from a list of arbitrators maintained by the American Arbitration Association, or a comparable arbitration agency acceptable to the grievant and the University. The arbitrator must be qualified for academic arbitration by virtue of current or previous service as a faculty member or academic administrator of a college or a university. The conduct of the proceedings shall be governed by the rules of the American Arbitration Association.
2. The decision of the arbitrator, within the scope of their jurisdiction, shall be final and binding on the parties to the dispute and the University; however, the arbitrator shall be without power to:
 - i. Make a decision which requires the commission of an act prohibited by law,
 - ii. Substitute their judgment on the professional qualifications of a faculty member for the judgment of the relevant academic committee, or
 - iii. Add to, subtract from, or modify provisions of the Faculty Handbook or other relevant University policies and procedures.
3. The costs of the services of the arbitrator or arbitrator's associate shall be borne as follows:
 - i. If the arbitrator denies the grievance, the grievant will pay 1/3 of the fees of the American Arbitration Association (or comparable arbitration agency acceptable to the grievant and the University) and its arbitrator, and the University shall bear the remainder of such costs.
 - ii. Each party will pay for its own expenses, services and fees other than the costs of the American Arbitration Association (or comparable arbitration agency acceptable to the grievant and the University) and the arbitrator.
 - iii. To assure that the conditions of section (b) can be met, the grievant will place into a non-interest bearing escrow account in the Northeastern University Federal Credit Union, a sum equal to one-half of the American Arbitration Association (or comparable arbitration agency acceptable to the grievant and the University) processing fee plus one-half of one day's arbitrator's fee. Specific instructions for establishment of the escrow account are set by the Senate Agenda Committee and are available in the Faculty Senate office. The escrow account will be controlled by the Chair of the Senate Agenda Committee. Upon completion of the arbitration, with the signature of the Agenda Committee Chair and a copy of the arbitrator's decision, the deposited funds will be returned to the grievant if the grievance is upheld, or transferred to the University if the grievance is denied. If the arbitrator reaches a split decision on a multi-

element grievance, the arbitrator will determine the proportional distribution of the AAA/Arbitrator costs and the distribution of the deposited funds.

e. Grievance against the Provost, an administrator within the Provost's Office, or the Office of the Provost

1. If a matter rises to the level of a grievance against the Provost, an administrator within the Provost's Office, or the Office of the Provost, then it is the responsibility of the Elected Senators as the representatives of the whole faculty body to officiate the grievance process (to decrease the possibility of appointing biased parties).
2. The Senate Agenda Committee (SAC) shall serve as the Mediation Committee.
3. A three-member Elected Senator Grievance Subcommittee shall be appointed after a nomination and vote by the Elected Senators.
4. Each Elected Senator Grievance Subcommittee member shall be from a different College, and none shall be from the grievant's College(s).
5. SAC members are not eligible to serve on the Elected Senator Grievance Subcommittee, but they retain voting rights in the nomination process.
6. The remainder of the process is the same as for 2.a-d.

3. Typical Grievance Process Timeline

a. *Step One: Filing a Grievance*

1. A grievance is filed **within three months** after the faculty member became aware of the grievable event. During this period, the grievant attempts to resolve the matter informally.

b. *Step Two: Mediation by an ad hoc Faculty Committee*

1. **As soon as possible after Step One** has completed, the Senate Agenda Committee shall appoint an *ad hoc* Mediation Committee, which shall conduct the meetings in Steps Two and Three.
2. **As soon as reasonably possible** after the establishment of the *ad hoc* Mediation Committee, its Chair shall arrange for one or more meetings with the relevant parties in an effort to resolve the grievance.
3. The *ad hoc* Mediation Committee may at any point during Step Two, by majority vote, determine whether the grievance meets a threshold for mediation.
4. If no resolution has been formalized **within ~~ten~~10 working days** of the last *Step Two* meeting, or if the *ad hoc* Mediation Committee feels that no resolution is forthcoming, and if the grievant wishes to pursue the grievance, the Chair of the *ad hoc* Mediation Committee shall arrange a meeting with the Provost (or his or her designee) (or another party in cases of Grievance against the Provost, an administrator within the Provost's Office, or the Office of the Provost), the grievant, and the *ad hoc* Mediation Committee for the purpose of resolving the grievance.

c. *Step Three: Request for Arbitration*

1. If the grievance is not resolved in *Step Two*, the grievant may file a written request for arbitration to the Chair of the *ad hoc* Mediation Committee **by the end of 30 working days** after the *Step Two* disposition and/or meeting, or the transmittal of the Committee's proposed resolution.
2. The *ad hoc* Mediation Committee will, **within ~~ten~~10 working days** after receipt of the

request for arbitration, decide by a majority vote if the grievance shall be arbitrated.

d Step Four: Arbitration

1. If the grievance is to be arbitrated, the ad hoc Mediation Committee will ~~so~~ notify the Provost and the grievant, as per section 3.c.2.
2. Within ~~fiTeen~~**15 calendar days** after the notification of the Provost, the Provost (or their designee) shall meet with the grievant for the purpose of explaining the process of filing a demand for arbitration with the American Arbitration Association.
3. The University must file such demand **within 15 calendar days** after this meeting, as long as the escrow requirement has been met, or **within 5 days** after University Counsel receives notice that the grievant has met the escrow requirement, whichever comes later.

4. Grievance Process Timeline Exceptions

The time limits specified may be extended by mutual agreement if it is difficult to form an *ad hoc* ~~Mediation C~~ommittee ~~due to time of year.~~ Consent to agreement shall not be unreasonably withheld.

If a grievance is submitted when faculty grievant(s) is(are) not on contract or they are on an approved leave, the timeframe for *Step Two and subsequent steps* should proceed as written in the Grievance Procedure unless the faculty grievant(s) ~~off~~ is(are) unable to fulfill such a commitment. In such a case, the faculty grievant(s) shall provide a written statement to the Senate Agenda Committee ~~grievance coordinator~~ and the Grievance Procedure should be paused (except for the formation of the *ad hoc* Mediation Committee) and resumed when the faculty grievant(s) is(are) back on, but no longer than ~~one full semester~~15 weeks.

A grievant shall have two weeks to respond after each grievance step. If they fail to respond by the end of two weeks, the grievance will be considered ~~as~~ waived. An involuntary delay such as illness ~~or failure of the mails to deliver~~ shall not be construed as waiving the grievance.

a. Step One Timeline Exceptions

1. The grievant may request resolution through the Early Provostial Review Option at the time that they submit their grievance to the Senate Agenda Committee.
2. The time limit for filing a grievance, as specified, may be extended beyond three months with a written agreement of the Provost (or another party in cases of Grievance against the Provost, an administrator within the Provost's Office, or the Office of the Provost), the grievant, and the Senate Agenda Committee grievance officer.
3. In the event that informal steps to resolve the situation are ongoing, the grievant may request, in writing, that the Senate Agenda Committee automatically grant postponement for initiating of the Step Two for ~~an~~ additional two monthss.

b. *Step Two Timeline Exceptions*

1. Because it is difficult to form an *ad hoc* Mediation Committee during the summer months, the clock for *Steps Two and Three* will normally be suspended during summer terms.
2. In the event that informal steps to resolve the situation are ongoing, the grievant may request, in writing, that the Senate Agenda Committee automatically grant postponement ~~of~~ [for initiating the Step Two](#) for ~~an~~ additional two months. At any time that the grievant is dissatisfied with the progress of informal steps, they may, in writing, rescind this request and resume the normal grievance process.
3. The inability of a member of the *ad hoc* [Grievance Mediation](#) Committee ~~member~~ to attend meetings during *Steps Two and Three* shall in no way change any prescribed time limits.

c. *Step Three Timeline Exceptions*

1. If the grievant does not file a request for arbitration within 30 working days after the *Step Two* disposition and/or meeting, or the transmittal of the Committee's proposed resolution, then the grievance is closed.
2. If the grievant files a request for arbitration and the *ad hoc* Mediation Committee decides that the grievance does not meet the criteria for arbitration, the grievance is closed.

d. *Step Four Timeline Exceptions*

1. If the grievant has not met the escrow requirement within 90 calendar days of the demand for arbitration, the grievance will be deemed to have been withdrawn.

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