Current 2011

Procedures for the University of Michigan Department of Public Safety Oversight Committee

I. Purpose

The University of Michigan Department of Public Safety Oversight Committee ["Committee"] is an oversight committee for the University of Michigan Department of Public Safety created under the authority of Act 120 of the Public Acts of 1990 of the State of Michigan. The function of the Committee is to comply with Act 120 and consider grievances by persons against police officers or the Department of Public Safety. The Committee may prepare and make recommendations concerning such grievances to the Executive Vice President and Chief Financial Officer, including recommendations for disciplinary measures against a police officer who was found responsible for misconduct in office.

II. Membership

Members of the Committee shall be elected and will include two members of the faculty, two members of the staff and two students.

A. Faculty:

1. All employees on the Ann Arbor campus who are not registered students at the University of Michigan and who have any phrase containing any of the words "professor", "scientist", "lecturer", "instructor", "librarian", "archivist" or "curator" in any of their titles at any percentage are deemed to be faculty for the purposes of these procedures.

2. These "faculty" are divided into two categories:

   a. Those who are members of the University Senate,[1] and

   b. Those who are not.

3. There will be one elected representative from each category:

a. The Senate Advisory Committee on University Affairs (SACUA) will develop a slate of at least two candidates, who are members of the University Senate

[1] See Rules of the University Senate for definition of faculty membership

and who are employed on the Ann Arbor campus, for one of these faculty positions. The Secretary of the Senate will organize an electronic ballot with the aid of the SACUA and University Human Resources offices every other year. Members of the University Senate will vote for one representative from a slate of at least two. The Senate member with the highest vote will then be appointed to the Committee for a term of two years. Vacancies during a term will be filled from the nominating slate in the order of votes.

b. The University Human Resources office will organize an election every other year for one representative for the active faculty who are not members of the University Senate. The slate will be developed by nominations at large and will contain at least two names. Members of this faculty category will vote for one representative from a slate of at least two candidates via an electronic ballot. The faculty member with the highest vote will then be appointed to the Committee for a term of two years. Vacancies during a term will be filled from the nominating slate in the order of votes.

B. Staff:

University Human Resources will organize the elections for the two staff member representatives. Staff members are employees on the Ann Arbor campus. One staff representative will be nominated and elected by staff members represented by a collective bargaining agreement. The other staff representative will be nominated and elected by all other staff members. These elections will be held on alternating years via electronic ballot. The two staff members with the highest number of votes will then be appointed to the Committee for terms of two years. Vacancies during a term will be filled from the respective ballot in order of the number of votes received.

C. Students: Two students will serve one year terms on the Committee. The Michigan Student Assembly Campus Governance Committee will nominate two students. These nominations must then be confirmed by a majority vote of the Assembly, comprised of all elected MSA student representatives and executives. [2]

III. Meetings

The Committee shall meet when in receipt of a grievance filed directly with the Committee. Business may not be conducted unless a quorum of the members are present. A quorum shall be one more than half of the current membership.

The Committee also shall meet two times a year to receive and discuss the semi-annual report made by the Executive Director of the Department of Public Safety regarding grievances submitted to the Department .

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[2] This process is under consideration for review by the Michigan Student Assembly

IV. Confidentiality

All grievances and reports made to the Committee pursuant to these procedures shall be treated confidentially by the Committee. Information about a grievance will not be released by committee members, except as specified in these procedures, or as required by law. The Committee as a whole may release written statements to advise the public of the procedural status of an ongoing investigation.

V. Procedures

A. Grievances

Grievances about a police officer or the Department of Public Safety and Security may be submitted to the Committee by calling (734) 647-7292, emailing ositecom@umich.edu, or filing a grievance at the office of Staff HR Services, 2005 Wolverine Tower, 3003 S. State St., Ann Arbor, Michigan 48109. Grievances should be presented in writing using the Committee's standard grievance form. Grievances may also be submitted directly to the Department of Public Safety. Grievances submitted to the Department shall be reported within five business days to the Committee by the Executive Director of the Department of Public Safety. The Executive Director will meet with the Committee on a semi-annual basis to provide a summarized report of all grievances received by the Department during the previous six-month period.

B. Consideration of Grievances

1. Referral to the Executive Director of the Department of Public Safety:

a. The Committee may refer a grievance to the Executive Director of the Department of Public Safety, who shall conduct an investigation or review, in accordance with University policies and procedures. The Committee may supplement the referral with any specific suggestions, recommendations, or concerns it has with regard to the issues to be investigated or reviewed.

b. At any time, the Committee may request, and the Executive Director shall provide, an interim report on the progress of an investigation/review of a grievance submitted to her or him. The report may be oral and/or in writing.

c. Upon completion of the investigation or review, the Executive Director shall report to the Committee. The report shall include a summary of: the steps followed, the findings and conclusion, any actions taken, and an explanation for any unreasonable delays. The report may be oral and/or in writing. The Committee may accept the report as final, or it may ask the Executive Director to investigate further and submit another report, or it may choose to conduct additional investigation on its own.

2. Consideration by the Committee:

a. The Committee may conduct its own hearing of any grievance submitted to it. In conducting such a hearing, the Committee may question any employee believed to have any information relevant to the grievance, and such employee will meet with the Committee in a timely fashion. On terms that are consistent with the University's policies, procedures and labor agreements

b. If the Executive Director of the Department of Public Safety objects to the hearing, the Director may register that objection to the Committee. If, after receiving the Committee's response, the Executive Director continues to object, the Executive Director may appeal to the Executive Vice President and Chief Financial Officer. If the Executive Vice President supports the appeal, the matter shall be referred to the President for a decision.

C. Committee Action

Upon completion of the investigation of a grievance, the Committee may:

1. Determine that no further action is warranted, and notify all affected persons of that decision.

2. Report its findings and recommendations – including any recommendations for disciplinary measures against any officer of the Department of Public Safety – to the Executive Vice President and Chief Financial Officer of the University. No portion of any such report that contains confidential information provided to the Committee shall be made public unless required by law. The Vice President and Chief Financial Officer shall review the report and advise the Committee of the disposition of the matter.

VI. Administrative Support

University Human Resources will provide administrative support to the Committee, including receipt of grievances submitted to the Committee, logistical and communications support for the nomination and election processes for faculty and staff representatives, and any other needs identified by the Committee.

VII. Approval of Procedures

These procedures must be reviewed by the Office of the General Counsel and approved by the Executive Vice President and Chief Financial Officer or the President. If the Committee proposes changes to the procedures, the Executive Vice President and Chief Financial Officer may approve them; however, only the President may reject them.

Approved by the Committee, without dissent, on March 1, 1996; approved by the Executive Vice President and Chief Financial Officer, with modifications, May 3, 1996; modifications accepted by the Police Grievance Committee, without dissent, May 3, 1996. Modified by the Committee, without dissent, September 12, 1996.

Approved by the Committee, without dissent, on February 4, 2010; approved by the Executive Vice President and Chief Financial Officer on February 4, 2010.

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Rules of the University Senate for definition of faculty membership:

THE UNIVERSITY OF MICHIGAN
RULES OF THE UNIVERSITY SENATE ASSEMBLY AND THE SENATE ADVISORY COMMITTEE ON UNIVERSITY AFFAIRS (Last revised January 2009)

ARTICLE 1. THE UNIVERSITY SENATE

Section 1. Membership (Revised December 2008)

The University Senate shall consist of all members of the professorial staff, the executive officers of the University, the dean of each school or college, such members of the research and library staff as may be designated in accordance with standards and procedures approved by the Senate Assembly, and such other major officers as may be designated by the Board of Regents from time to time.

Research personnel who hold Primary Research rank (Assistant Research Scientist, Associate Research Scientist, Research Scientist, Senior Associate Research Scientist, Senior Research Scientist, Distinguished Senior Research Scientist) and have a full-time appointment as a regular staff member shall be designated as members of the University Senate.

Librarians of any rank who have full-time appointments as regular staff members shall be designated as members of the University Senate.

Visiting, Adjunct or Clinical Professors, acting or interim appointees to executive or Dean positions are not entitled to Senate membership in the absence of a regular professorial appointment. Directors of centers or institutes who do not hold professorial rank are not entitled to Senate membership unless they qualify under the preceding three paragraphs.