Procedures for Intellectual Diversity Complaints

For addition to the IU Indianapolis Faculty Guide as Appendix F.

University policy ACA-33: Academic Appointee Responsibilities and Conduct informs these procedures for reviewing and addressing an allegation that expectations of intellectual diversity were not met. These procedures distinctly address concerns related to intellectual diversity complaints and are guided by the ideals of due process, transparency, and care. In substantiated or merited cases, faculty should be treated to developmental intervention as a means of resolution before any severe sanctions unless there is a pattern of repeated, egregious misconduct.

1. Any current student or employee may initiate a complaint against an academic appointee (respondent) for an alleged violation of this policy**.** Such complaints shall be made through the university’s system for reports of allegations of violations and routed to the chief academic affairs officer by the university compliance and policy office. The complainant’s university status should be validated before any investigation begins. The chief academic affairs officer may share the complaint with the principal administrator of the respondent’s unit and department chair or equivalent supervising administrator.
   1. If administrators receive a complaint through other means, the school should direct the complainant to re-submit it through the university’s system for reports of allegations of violations.
   2. The respondent should be notified of the complaint when their department chair or equivalent supervisor is notified, unless there is agreement otherwise.
2. The campus chief academic affairs officer and principal administrator of the respondent’s unit may confer with the respondent’s department chair or equivalent supervisor to determine if the claim is unmerited or merited.
3. Unmerited claims are claims describing instances in which a faculty member has:
   1. Helped the university foster a culture of free inquiry, free expression, and intellectual diversity within the institution;
   2. Introduced students to scholarly works from a variety of political or ideological frameworks that may exist within the curricula;
   3. And, while performing teaching duties within the scope of the faculty member’s employment, shared views concerning matters related to the faculty member’s academic discipline and/or assigned course of instruction.
   4. Unmerited claims include claims against commonly held, scholarly supported, or evidence-based disciplinary understandings or facts. Such complaints should not lead to formal proceedings or investigation.
4. Before initiating formal proceedings, the administrator who received the complaint may confer with the complainant and the respondent, either separately or together, and seek an informal resolution. The identity of the complainant may be withheld during these discussions.
5. If the complaint is not resolved informally, the principal administrator of the respondent’s unit or the campus chief academic affairs officer may conduct a formal investigation, make findings of fact, determine responsibility, and impose an appropriate sanction if the respondent is found responsible for a violation of this policy, pursuant to these guidelines:
   1. The respondent must be provided with a copy of the complaint and be given an opportunity to provide a written response. The respondent may formally seek support from the Ombudsteam in drafting the written response or otherwise responding to the complaint.
   2. The complaint may not be based solely on anonymous information or allegations from individuals whose identities are not disclosed to the respondent.
   3. The investigating official may interview witnesses, view documents, and collect written statements but is not required to conduct a formal hearing.
   4. Upon request of the respondent, a school or department-specific advisory group may offer recommendations on the evaluation of complaints and determining of sanctions to the investigating official.
   5. The investigating official shall make a determination based on available evidence whether the respondent is responsible for a violation of this policy and, if so, impose an appropriate sanction.
   6. Findings of responsibility and sanctions must be in writing, summarize the evidence, and be communicated to the complainant and respondent.
6. To the extent possible, the accusation of misconduct is to be kept confidential by the administration and those consulted. If the investigating official determines at any point that no further investigation is warranted, they shall inform the complainant.
7. Sanctions
   1. Upon a finding of responsibility, either a common sanction or a severe sanction may be imposed as appropriate to the circumstances. All sanctions shall include a prohibition against harassing or retaliating against the complainant.
   2. Common sanctions may be imposed by either the principal administrator of the unit or the campus chief academic affairs officer. Common sanctions are sanctions intended as proportional, corrective disciplinary responses to discrete policy violations. Their primary aim should be to provide the respondent an opportunity for professional development and to eliminate future violations.
   3. Severe sanctions are appropriate for intentional refusal to comply with prior sanctions, repeated violations of the same policy for which a respondent was previously sanctioned, harassment of or retaliation against a complainant, the commission of any act that constitutes a felony under criminal law, or any act that endangers the safety of members of the university community.
   4. Severe sanctions may be imposed only by the campus chief academic affairs officer. The decision to impose a severe sanction may involve taking into consideration prior complaints, findings of responsibility, and sanctions that were issued by the campus of the respondent. If a sanction significantly alters the terms or conditions of a respondent’s employment or infringes upon their ability to conduct forms of work previously assigned and entrusted to them by virtue of their position classification, it is considered a severe sanction. Severe sanctions may include salary reduction, demotion, termination, or other disciplinary action as determined by the chief academic officer. Termination is subject to [ACA-52, Permanent Separations for Academic Appointees](https://policies.iu.edu/policies/aca-52-permanent-separations-academic-appointees/index.html).
   5. Upon request of the respondent, the IFC Executive Committee may charge a faculty advisory group to review a case before a severe sanction is made. The chief academic affairs officer will provide the advisory group with the available evidence, and the advisory group will make recommendations on severe sanctions to the chief academic affairs officer. The advisory group should include at least three members from the Board of Review pool and at least one faculty member from the respondent’s school or unit. Members of the advisory group will maintain confidentiality of the proceedings and recommendations. Notification of this process will be included in the written notification.
   6. Respondents have a right to be notified in writing, both electronically and in print, that a finding of fact has been made and a sanction is being levied against them. Such notifications must explicitly state whether the sanction is intended as a common or severe one, per the characterizations of common and severe sanctions provided in sections (5.b) –(5.d) above.
   7. A finding of misconduct also must be considered in the regular course of annual reviews, salary adjustment, reappointment, and tenure decisions.
8. Academic appointees adversely affected by administrative action taken against them for violating this policy, or whose rights under this policy have been denied, have the right to a campus Faculty Board of Review.
9. Monitoring
   1. The IFC may request that the chief academic affairs officer or a designee present a report describing the number of complaints related to this policy, including information on how the complaints have been resolved.
   2. The IFC may review these procedures based on the report referenced above and in consultation with its membership.

Policy Approved by the IU Indianapolis Faculty Council on January 14, 2025.