



UNIVERSITY OF GUAM  
UNIBETSEDAT GUÅHAN  
Board of Regents

Resolution No. 18-33

**RELATIVE TO ADOPTING AN AD HOC PROCEDURE FOR THE AUGUST 27, 2018 GRIEVANCE/  
DISCRIMINATION COMPLAINT AGAINST THE UNIVERSITY OF GUAM FORMER PRESIDENT**

**WHEREAS**, the University of Guam (UOG) is the primary U.S. Land Grant institution accredited by the Western Association of Schools and Colleges Senior College and University Commission (WSCUC) serving the post-secondary needs of the people of Guam and the Western Pacific region;

**WHEREAS**, the Rules, Regulations and Procedures Manual (RRPM), approved by the Board of Regents (BOR) on February 17, 2000, Article IV, Administrative Policies, Section E.4 states that "Grievances against the former President shall be filed with the Board of Regents who shall consider the grievance through an *ad hoc* procedure";

**WHEREAS**, on August 27, 2018, the BOR Chair received a grievance/discrimination complaint filed by employee Denise Mendiola Hertslet against former President Robert A. Underwood; and

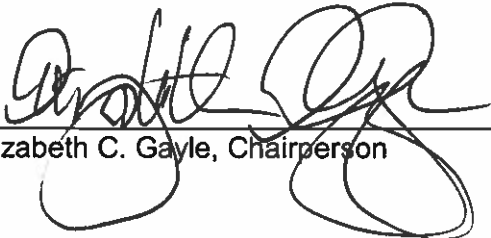
**WHEREAS**, the University has a Policy for Equal Employment Opportunity and Non-Discrimination/Non-Harassment (Policy), adopted by the BOR on July 17, 2003, Resolution No. 03-24, as amended on September 18, 2003, Resolution No. 03-33.

**NOW, THEREFORE, BE IT RESOLVED**, that the BOR will follow the complaint procedures stated in the above Policy; and

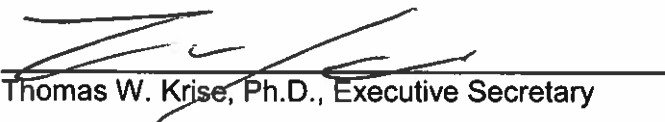
**BE IT FURTHER RESOLVED**, that the BOR adopts the following *ad hoc* procedure with respect to the "decision maker(s)" in the grievance/discrimination complaint against former President Underwood:

1. Regents Jillette Leon Guerrero, Jerold Filush and Liza Provide shall serve as members of an "Ad Hoc Grievance/Discrimination Complaint Committee" (Committee) in this matter;
2. The Committee will select and work with an independent investigator who will conduct informational interviews, review all relevant documents and provide the Committee with a report which will summarize and evaluate the evidence relating to the complaint;
3. The Committee shall then review the independent investigator's report and make recommendations to the full BOR;
4. The Committee shall present the report to the BOR and make its recommendations regarding the matter at the next regularly scheduled BOR meeting, unless otherwise agreed to by the BOR;
5. If further action is recommended, the BOR shall consider such a recommendation and a course of action shall be adopted and reported in an open meeting.

Adopted this 20<sup>th</sup> day of September 2018.

  
Elizabeth C. Gayle, Chairperson

**ATTESTED:**

  
Thomas W. Krise, Ph.D., Executive Secretary