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## Academic Programs and Faculty

80.10 Complaint and Appeal Procedures for Faculty Members

Issued: December 10, 2001

### 1. Governing Policies and Regulations

These procedures are subject to the requirements contained in System Policy 12.01 - Academic Freedom, Responsibility and Tenure and in System Regulation 32.01.01 - Complaint and Appeal Procedures for Faculty Members.

### 2. Application of Procedures

The procedures apply to all members of the faculty and apply only to complaints for which procedures are not specifically established elsewhere. Complaints related to academic tenure, sexual harassment, equal employment opportunity, and reduction in force will be handled under separate procedures provided for in the System Policy and Regulation Manual.

### 3. Informal Complaint Resolution

As per Section 3 of System Regulation 31.01.01, a faculty member believing he/she has cause for a grievance should discuss the matter in a personal conference with his/her department head. If the matter cannot be resolved by mutual consent with the department head, the issue should be discussed with his/her dean.

### 4. Formal complaint Resolution

#### 4.1 Submission of Formal Complaint

A faculty member who believes he/she has cause for a grievance and who has been unable to obtain satisfactory resolution through the informal complaint resolution procedures may submit a formal (written) complaint to the Human Resources Office. The formal complaint must contain: (1) the names of the parties involved in the complaint, (2) the specific issues and actions upon which the complaint is based, (3) the desired outcome or remedy, and (4) documentation supporting the basis for the complaint. Within five working days of receipt of the formal complaint, the Director of Human Resources will forward the complaint to the applicable dean and will provide a copy to the Provost.

#### 4.2 College/School Grievance Committee

4.2.1 Within ten working days of receipt of the formal complaint, the dean will appoint a College/School Grievance Committee to hear the complaint.

4.2.2 Within 30 working days from receipt of the complaint, the committee will hold a hearing on the complaint. The committee's findings and recommendations will be submitted to the dean in a formal report within 15 working days of the hearing.

4.2.3 The dean shall issue a decision in writing within 15 working days of receipt of the committee's report.

4.2.4 Any delays in processing of the complaint will be communicated to the faculty member bringing the complaint.

4.2.5 Copies of all documentation and reports relating to the complaint will be provided to the Human Resources Office for inclusion in the faculty member's complaint file.

#### 4.3 University Grievance Committee

4.3.1 If resolution cannot be reached at the college/school level, the faculty member may formally appeal (in writing) the dean's decision to the Office of the Human Resources. The formal appeal must contain (1) a copy of the College/School Grievance Committee report, (2) a copy of the dean's decision, (3) the basis for the appeal, and (4) any

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report, (2) a copy of the dean's decision, (3) the basis for the appeal, and (4) any additional information or documentation not considered by College/School Grievance Committee. Within five working days of receipt of the appeal, the Director of Human Resources will forward the appeal to the Provost. Within ten working days of receipt of the appeal, the provost will forward the appeal to the University Grievance Committee for review.

- 4.3.2 Within 20 working days from receipt of the appeal, the committee will review the appeal and make a determination as to whether the grievance has sufficient merit. If the committee determines there is insufficient merit, it will notify the Provost in writing of its determination. If the committee determines that there is sufficient merit, it will hold a hearing within 20 working days to allow the faculty member to present his/her case. The committee's findings and recommendations will be submitted in writing to the Provost in a formal report within 20 working days of the hearing.
  - 4.3.3 The Provost will issue a decision in writing within 20 working days of receipt of the committee's report. The Provost's decision will be final.
  - 4.3.4 Any delays in processing of the complaint will be communicated to the faculty member bringing the complaint.
  - 4.3.5 Copies of all documentation and reports relating to the complaint will be provided to the Human Resources Office for inclusion in the faculty member's complaint file.
5. Composition of University Grievance Committee
- 5.1 The faculty of each college or school will elect one tenured faculty member to serve on the committee for one year. No administrative officer (i.e. department head, dean, or director) may serve on the committee.
  - 5.2 The committee membership will elect a chair and a vice chair.
  - 5.3 Once assigned to hear a case, membership of the committee will remain intact until completion of its work. In the event that the term of office of the members expire, their term will be extended until completion of the case.
  - 5.4 A quorum of five committee members must be present at all meetings and hearings.
  - 5.5 All committee hearings will be recorded and will be closed (unless otherwise requested by faculty member filing grievance).
6. Salary Grievances
- A faculty member should first discuss the matter in a personal conference with his/her department head.
- 6.1 The faculty member should first discuss the matter in a personal conference with his/her department head.
  - 6.2 If the matter cannot be resolved by mutual consent with the department head, the faculty member should discuss the matter with his/her dean.
  - 6.3 If the matter cannot be resolved by mutual consent with the dean, the faculty member may file a formal grievance with the Office of Human Resources. The grievance must include: (1) the basis for the grievance, (2) the desired outcome or remedy, and (3) documentation supporting the basis for grievance. Within five working days the Director of Human Resources will forward the salary grievance to the Provost.
  - 6.4 The Provost will review the grievance and will consult with the Director of Human Resources and/or Director of Institutional Research, as deemed necessary, to obtain data required to assess the merits of the grievance. The Provost may request additional information from the faculty member, department head, and dean to complete his/her review and assessment. The Provost may, as his/her option, appoint an ad hoc advisory committee of three faculty members to review the grievance and provide advice. Upon completion of review, the Provost will make a decision regarding the grievance and will notify all parties in writing. If reasonable, the Provost will issue his/her decision within 60 working days of receipt of the grievance.
  - 6.5 If the Provost finds sufficient grounds to support the salary grievance, the Provost will consult with the department head and dean, and make a recommendation to the President on the appropriate corrective action.

**Point of Contact: Provost and Vice President for Academic Affairs**

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