

Proposed New Faculty Tenure and Promotion Appeal Policy (FTPAP)

Draft – November 26, 2007

**A joint proposal by the TCU Faculty Senate
and the Provost's Council.**

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Table of Contents

<u>Topic</u>	<u>Page</u>
Faculty Tenure and Promotion Appeal Policy (FTPAP)	3
I. Purpose	3
II. Administrative Responsibility	3
III. Appeal Process	3
IV. Definitions	9
FTPAP Frequently Asked Questions	11
Interpretive Guide to the Current Faculty Grievance Policy	14
Appendix 1, Title 7, Chapter 154, Texas Civil Practices and Remedies Code	
Appendix 2, Texas Mediation Trainer Roundtable Annotated Standards	
Appendix 3, Standards of Practice established by Texas Association of Mediators	
Appendix 4, Ethical Guidelines for Mediators, State Bar of Texas Alternative Dispute Resolution Section	

Proposed New Faculty Tenure and Promotion Appeal Policy

Draft – November 21, 2007

This policy is exclusively for tenure-track and tenured faculty who wish to appeal promotion and/or tenure denial decisions. All other types of appeals are to be addressed by the *Conflict Resolution Policy for Faculty* (see *Handbook of Faculty & Staff*). Disputes that may occur during the tenure probation period, such as those that relate to the annual review, for example, are handled through this policy.

I. Purpose

This policy provides a respectful, fair, collaborative, timely and understandable process for the appeal of the denial of tenure and/or promotion decisions. This policy applies only to those tenure denial decisions that result in the termination of tenure track faculty or to tenure and promotion decisions that result in the termination of a tenure track faculty or to a promotion denial decision of a tenured Faculty Member.

II. Administrative Responsibility

Academic Affairs (the Provost's office) and the University Ombudsperson are responsible for administering this policy.

III. Appeal Process

Overview

Any eligible Faculty Member may choose to appeal a tenure and/or promotion denial decision that originates at the Department, College or Provost Level using the procedures described here. The appeal may begin as early as five days from the date the Faculty Member is first given formal notification of the denial, or the appeal may begin as late as five days from the date of final formal notification of the denial by the university. The process is initiated when the Faculty Member contacts the University Ombudsperson who will meet with and advise the Faculty Member. The appeal will originate at the level at which the denial took place and the appeal shall move from lower levels to higher levels within the university. That is, the case will move forward from the Department to the College and finally to the Provost. For example, an appeal that starts in the Department may not bypass the College level review. The Faculty Member who is appealing the denial of tenure and/or promotion may terminate or end the appeal process at any time. If the denial is set aside (overturned), the appeal process is ended. If the denial is upheld at all Levels through the Provost Level, (the final appeal step), the appeal process is ended.

Briefly stated, the appeal process is a review or a series of reviews of the Faculty Member's Appeal File. The process may, but does not have to, include Informal Facilitated Discussions. An Informal Facilitated Discussion can be requested by any appropriate party at any point in the appeal process to promote communication and clarification of relevant issues.

The Table of Contents directs interested parties to the relevant portions of the policy. Section IV of this document is a Definitions of Terms.

A. Ombud Consultation

a. Description

The Faculty Member begins the appeal of a tenure and/or promotion denial by contacting the University Ombud to discuss his or her case. The Ombud is a third-party facilitator who is available to assist the Faculty Member in determining the basis and procedures for the appeal, to answer questions, or to provide clarification. The Ombud will continue to serve and consult with the Faculty Member throughout the appeal process. The appellant will formally initiate the appeal of a denial of tenure and/or promotion by contacting the Ombud in writing (email notification satisfies this requirement). The procedure clock starts at this written contact. The Ombud will schedule an appointment within 3 days of Faculty Member contact. Within 10 days from the initial Faculty Member contact, the Ombud will meet with and advise the Faculty Member.

b. The Appeal File

If the Faculty Member chooses to pursue the appeal after the Ombud Consultation, within 3 days of that meeting she or he will provide the Ombud with a copy of the Tenure and Promotion Application Packet along with a written statement and supporting recommendations or documents for the appeal case. The contents of this packet become the original documents of the Appeal File. Additional information may be added to this file as the appeal proceeds.

B. Informal Facilitated Discussion

a. Description

An Informal Facilitated Discussion is a meeting that occurs during the appeal process between the Faculty Member and appropriate level Administrators (e.g., if the appeal is at the Department Level, the appropriate level administrator is the Department Chair and/or the Department Advisory Committee). This meeting will include two trained mediators to facilitate conversation. The purpose of the Informal Facilitated Discussion is to promote open, confidential dialogue and to further explore and discuss reasons for the decision to deny tenure and/or promotion. The Informal Facilitated Discussion is a voluntary process and all parties involved in the discussion must agree to confidentiality concerning the content of these discussions. If the appeal case moves forward, additional Informal Facilitated Discussions may be requested by the Faculty Member or Administrators.

b. Sequence and Timing

The Ombud will guide the sequence of events of the Informal Facilitated Discussion according to the following:

1. If the Faculty Member or an appropriate-level Administrator requests an Informal Facilitated Discussion, the Ombud will contact the appropriate parties, determine their agreement to the session and then notify all parties that the discussion will occur. Additionally, the Ombud will assign 2 faculty mediators from a list of trained mediators.
2. The informal discussion will take place within 10 days and may be extended by mutual consent of parties involved in the session.
3. At the conclusion of the Informal Facilitated Discussion, the parties to the discussion and the mediators have 3 days to notify the Ombud of the session outcome and any subsequent decisions. For example, if the Informal Facilitated Discussion has occurred during a Departmental Level Review, the Department Chair will have 3 days after that discussion to issue a written response.
4. Within an additional 3 days, the Faculty Member will notify the Ombud of relevant decisions regarding the continuance of the appeal. That is, if the denial is set aside, the appeal case is ended; if the denial is upheld and the Faculty Member chooses not to continue the appeal process, the appeal case is ended. Or, if the denial is upheld and the Faculty Member so chooses, the appeal will continue through the Provost Level Review.
5. The Ombud will report the outcome of the session and the Faculty Member's decision to all concerned parties within 1 day of notification by the Faculty Member. If the appeal continues, the Ombud will notify the appropriate party (Department Chair, Dean or Provost) in writing to request a review of the case. Within an additional 2 days, the Ombud shall assemble and/or forward the Appeal File for review to the appropriate level.

C. Department Level Review

a. Overview

When a Faculty Member has been denied tenure and/or promotion at the Department Level, the Faculty Member starts the appeal process with the Ombud Consultation. The Faculty Member may request an Informal Facilitated Discussion to clarify elements of the tenure/promotion denial (see Section III. B). Alternatively, the Faculty Member may pursue the appeal without the Informal Facilitated Discussion, through requesting a Department Level Review of the Appeal File. The Ombud will inform the Faculty Member's Department Chair of the request for a reconsideration of the tenure/promotion decision. The Department Chair in consultation with the Department Advisory Committee will conduct the review of the case.

b. Sequence and Timing

The Ombud will guide the remaining sequence of events according to the following.

1. Within 3 days of the Faculty Member's decision to request a Departmental Level Review, the Ombud will notify the Department Chair of the Faculty Member's appeal and will forward the Faculty Member's Appeal File to the Department Chair.
2. The Department Chair or an Advisory Committee member may request an Informal Facilitate Discussion for communication and clarification.
3. The Department Chair has 10 days from the receipt of the Appeal file to review the Faculty Member's case and issue a written response to the appellant and Ombud. This document becomes part of the Appeal File.
4. Within 3 days of the receipt of the Department Chair's written response, the Faculty Member will notify the Ombud of the decision either to: a) end the appeal process; b) request an Informal Facilitated Discussion with the Department Chair or c) continue the appeal through the next step which is the College Level Review.
5. Within 1 day of the Faculty Member's notification, the Ombud will report the decision to the Department Chair.
6. If the Faculty Member has chosen to continue the appeal, he or she may generate a written response to the Department Chair's written statement of denial; this response is to be provided to the Ombud within 2 days of the Faculty Member's notification to continue the appeal. This document becomes part of the Appeal File.
7. Within 1 day of receipt of the Faculty Member's written response to the Department Chair's statement that upholds the denial decision, the Ombud shall send in writing a request of the appropriate Dean for either an Informal Facilitated Discussion or a College Level Review.
8. Faculty Members whose appeals originate at the Department Level may not bypass College Level Review

D. College Level Review

a. Overview

If the tenure and promotion denial decision was made and upheld at the Department Level, the Faculty Member may continue the appeal at the College level. Or, if the denial decision originated at the College Level, the Faculty Member will begin the appeal process at this same level. The Dean, in consultation with the College Advisory Committee, will conduct the review of the case. An Advisory Committee member who is also part of the Faculty Member's department shall not participate in this review, and the Dean may replace the Advisory Committee member with another faculty from the College.

The Faculty Member may request an Informal Facilitated Discussion (see Section III. B.). Alternatively, the Faculty Member may pursue the appeal without the Informal Facilitated Discussion, through requesting a College Level Review of the Appeal File. The Ombud will inform the Faculty Member's Dean of the request for a reconsideration of the tenure/promotion decision.

b. Sequence and Timing

The Ombud will guide the sequence of events according to the following.

1. If the appeal is a continuance from a Departmental Level review, the Faculty Member may have sent a written response to the Department Chair's statement that upholds the denial decision. Within 1 day of the receipt of this document, or within 3 days of the decision to appeal the case beyond the Department Level if no response is provided by the Faculty Member, the Ombud shall forward the Appeal File and send in writing a request to the appropriate Dean for either an Informal Facilitated Discussion or a College Level Review. If the denial decision originated at the College Level, then within 3 days of the Faculty Member's decision to appeal, the Ombud shall forward the Appeal File and send in writing a request of the appropriate Dean for either an Informal Facilitated Discussion or a College Level Review.
2. The Dean may request an Informal Facilitated Discussion with some or all of the parties to clarify elements of the tenure/promotion denial or the Appeal File.
3. If an Informal Facilitated Discussion occurs, within 3 days of that session the Dean shall issue a final written response to the Faculty Member, Department Chair, and Ombud. If this discussion does not occur, within 5 days, the Dean will issue a written response regarding the College Level Review to the Faculty Member, Department Chair and Ombud.
4. Within 3 days of the receipt of the Dean's written response, the Faculty Member will notify the Ombud of the decision either to: a) stop the appeal process; b) request an Informal Facilitated Discussion with the Dean or c) continue the appeal through the next step, the Provost Level Review.
5. Within 1 day of the Faculty Member's notification, the Ombud will report the decision to the Department Chair and Dean.
6. If the Faculty Member has chosen to continue the appeal, within 2 days she or he may generate a written response to the Dean's written statement of denial. This document becomes part of the Appeal File. Within 1 days of receiving the Faculty Member's response, the Ombud shall assemble and forward the Faculty Member's Appeal File to the Provost for review.

E. Provost Level Review

a. Overview

If the tenure/promotion denial decision originated at the Provost Level, or if the denial has been made or upheld at the College level, then the Faculty Member may continue the appeal by requesting a (final) review by the Provost. The Provost, in consultation with the Provost Review Committee, will conduct the review. This Provost Review Committee includes members of the University Advisory Committee and the Faculty Senate Chair. Any member of the University Advisory Committee who belongs to the same department as the Faculty Member shall not participate in this review. If the Faculty Senate Chair is in the same department as the Faculty Member, the past Faculty Senate Chair will serve instead.

The Faculty Member may request an Informal Facilitated Discussion (see Section III. B.). Alternatively, the Faculty Member may pursue the appeal without the Informal Facilitated Discussion, by requesting a Provost Level Review of the Appeal File. The Ombud will inform the Provost of the Faculty Member's request for a reconsideration of the tenure/promotion decision.

b. Sequence and Timing

The Ombud will guide the sequence of events according to the following.

1. If the appeal is a continuance from a College Level Review, the Faculty Member may have sent a written response to the Dean's statement that upholds the denial decision. Within 1 day of the receipt of this document, or within 3 days of the decision to appeal the case beyond the College Level if no response was provided by the Faculty Member, the Ombud shall forward the Appeal File and send in writing a request to the Provost for either an Informal Facilitated Discussion or a Provost Level Review. If the denial decision originated at the Provost Level, then within 3 days of the Faculty Member's decision to appeal, the Ombud shall forward the Appeal File and send in writing a request to the Provost for either an Informal Facilitated Discussion or a Provost Level Review.
2. The Provost may request an Informal Facilitated Discussion with some or all of the parties to clarify elements of the tenure/promotion denial or the Appeal File.
3. If an Informal Facilitated Discussion occurs, within 5 days of that session the Provost shall issue a final written response to the Faculty Member, Department Chair, Dean, and Ombud. If an Informal Facilitated Discussion does not occur, within 5 days of the request for the Provost Review, the Provost shall issue a final written response to the Faculty Member, Department Chair, Dean, and Ombud. Upon consultation with the Ombud, the Provost may extend either of these 5-day deadlines but not to exceed 20 days total.
4. The decision of the Provost ends the appeal process.

IV. Definitions

Appeal: An appeal is any complaint or concern voiced by the appellant regarding the failure to recommend the appellant for tenure and/or promotion or the denial of tenure and/or promotion.

Appeal File: A file containing the Faculty Member's original tenure and promotion application packet and all relevant documents needed for a formal review of the promotion or tenure denial decision. The file consists of a brief written statement by the appellant, written recommendations of the Department Chair, Dean, and/or Advisory Committees, and any other documents produced during the appeal process.

Appellant: An appellant is any tenure-track or tenured Faculty Member who seeks to appeal a tenure and/or promotion denial decision using the procedures available within this process.

Faculty Mediator: A faculty mediator serves as a neutral third party who listens to both sides of a dispute. A mediator does not issue a decision, but rather assists all parties to the conflict to reach their own settlement. The Ombud will typically appoint two faculty mediators from the Mediators Committee when mediation is requested. All appointed faculty mediators (either TCU-employed or non TCU-employed mediators) will have received 40 hours of training in compliance with Title 7, Chapter 154, Texas Civil Practice and Remedies Code (See Appendix 1), and consistent with the Texas Mediation Trainer Roundtable Annotated Standards (See Appendix 2). The mediators must abide by the Standards of Practice established by the Texas Association of Mediators (see Appendix 3) and the Ethical Guidelines for Mediators established by the State Bar of Texas Alternative Dispute Resolution Section (See Appendix 4).

Informal Facilitated Discussion: An Informal Facilitated Discussion is designed to promote open dialogue between parties as they inquire, clarify, or explore relevant issues and concerns. These mediated sessions are voluntary and based on agreement by each party that confidentiality of the information shared in the discussion will be maintained. The discussions are informal in that the format is conversational. The discussion is facilitated by Faculty Mediators who are professionally trained to guide others' dialogue impartially (see Faculty Mediator above). The sessions are discussions, thus there may be a need for more than one meeting as questions are raised and solutions sought. This process allows Faculty Members, Department Chairs, Deans, and the Provost to meet informally and talk about the elements of the case and is an opportunity for all parties to seek win-win outcomes in this dispute.

Ombudsperson (Ombud): The Ombud is a current TCU Faculty Member who represents the FTPAP and assists the parties engaged in the FTPAP. The Ombud will not make decisions for the parties. The Ombud is neither a representative of the appellant, the faculty, or the administration. The Ombud, similar to the mediators (see below), will receive 40 hours of training in compliance with Title 7, Chapter 154, Texas Civil Practice and Remedies Code (See Appendix 1). Ombuds may also receive additional training related to dispute resolution. The Provost will appoint: a) an Ombud for a term of three years after consultation with the Faculty Senate Executive Committee, and b) an Ombud Alternate, for the same three year period, a person to serve as both an apprentice to the Ombud, and where necessary (e.g., a conflict of interest situation) as a substitute for the Ombud. Normally, the Ombud Alternate will succeed

the Ombud upon completion of the three year appointment. The Ombud and Ombud Alternate will report to the Provost.

Parties: Under the FTPAP parties to the appeal may include any of the following: the Faculty Member/appellant, Department Chair, Dean, Provost, Department, College, or University Advisory Committees (see pp. 33-34 of the *Handbook of Faculty & Staff, 2006-2007*).

Provost Review Committee: The Provost convenes this committee to serve in an advisory capacity in reviewing promotion and/or tenure denial appeal cases. The members of the committee are the University Advisory Committee (see p. 35 of the *Handbook of Faculty & Staff, 2006-2007*) and the Faculty Senate Chair.

Time limits: A day refers to normal business days during the academic year (i.e., fall and spring academic semesters). The parties and/or mediator/Ombud may, after mutual agreement, extend the time limits of the process.

Proposed New Faculty Tenure and Promotion Appeal Policy (FTPAP) Frequently Asked Questions (FAQ)

Why is a revision of the current policy needed?

A review of the current policy and feedback received from Deans, past Faculty Senate Chairs, faculty, and the Provost suggest that the current policy is cumbersome, hard to understand, and worst of all, not timely in addressing the appeals of faculty denied tenure and/or promotion. The current policy relies on a formalistic approach with heavy reliance on the faculty senate for resolving tenure/promotion disputes without the benefit of informal dispute resolution procedures. See the current Faculty Grievance Policy as listed on pp. 38-41 of the 2006-2007 TCU Handbook of Faculty & Staff and the interpretive guide to the current policy at the conclusion of this document.

What is new in the proposed policy and how does it differ from the current policy?

The proposed new policy originated in 2005 from a *clean sheet* approach taken by the Tenure, Promotion, and Grievance (TPG) Committee of the Faculty Senate in consultation with the Provost, academic Deans, Department Chairs, and faculty.

The proposed policy replaces the current 5-step process involving administrative appellate processes in addition to the use of three faculty senate committee reviews (mediator's, grievance, and hearing committees) with a 3-step procedure involving Department, College, and Provost level review, if needed. At each level, an informal process, facilitated discussion is available to the parties if they request and agree to use it. All appeals stop after a Provost Level Review.

What is an Ombud and how will this person function under the new policy?

An Ombudsperson is a neutral representative of the Faculty Tenure and Promotion Appeal Policy. The Ombud does not represent either the appellant or the academic unit that recommends tenure and/or promotion denial. The Ombud assists the parties to a dispute using the procedures outlined in the FTPAP policy to resolve their dispute.

Who can serve as an Ombud?

Most Ombudspersons have training in alternative dispute resolution in addition to having served as Faculty Members and having tenure with the organization such that they are knowledgeable of University policies and practices. Typically, the Provost appoints an Ombud after consultation with the Faculty Senate Executive Committee and Chancellor.

Won't this procedure make a large demand on the Ombud since grievances would only occur in the spring when tenure denial occurs?

The Ombud job description may evolve over time with experience. Tenure denials are not routine or frequent events at the university. The Ombud role may entail a negotiation of release time tailored to the needs of the job based on experience.

What is “” and why is it needed in this appeal process?

The is a voluntary and confidential process involving the disputing parties and trained mediators. These sessions assist the parties by facilitating dialogue. The facilitated discussion is a tool for creating shared meaning that can lead to resolution of the dispute. Facilitated discussion promotes conversation among the parties in conflict that in turn can lead to understanding, reconciliation or resolution.

The mediator serves only as an objective 3rd party interested in moderating others’ conversation. The only persons who can influence outcomes of a faculty appeal are the parties in dispute, not the mediators. This type of discussion sometimes benefits the party who feels less influential or powerful to express his/her point of view.

Parties to facilitated discussion and mediation often discover that a neutral third party in the room encourages all parties to behave professionally. Managers sometimes appreciate the role mediators can serve in doing reality testing with all the parties while preserving face with each party. Not all faculty appeals will include this type of mediation. Some managers are quite skilled at conducting a conversation with an aggrieved Faculty Member without a mediator present. But, if either party (e.g., Faculty Member, or Chair, or Dean, or Provost, or Advisory Committee) requests an and both parties agree, the discussion is always available to assist parties in holding a conversation about the tenure/promotion denial decision.

What is the role of the mediator in a tenure and/or promotion denial appeal process?

Mediators, like the Ombud, are neutrals. They *do not make decisions* for the parties. They are there to facilitate understanding, reconciliation, and resolution of conflicts that brought the parties to mediation. Mediators do not and cannot force either party to change a previously made decision or to lobby for a compromise. Mediators receive at a minimum, 40 hours of professional training before serving under the FTPAP.

How does the function within the steps of the FTPAP process?

is not a step in the FTPAP process. Rather, it is a tool to facilitate dialogue among aggrieved parties at any step in the process. As the appeal moves through the levels from the Department to the College and/or Provost levels, seeking resolution at each level means that any party (Faculty Member, Department Chair, Dean, Advisory Committee, etc) can ask for a facilitated discussion for any number of reasons such as to: clarify information; seek additional information; express concerns; or make requests. If s bring the parties together to resolve their own disputes, then this is a positive outcome for both the Faculty Member and the university.

Won’t this proposal require a lot more trained mediators than we have at TCU?

Currently, 11 faculty are trained as mediators and serve TCU under both the staff and faculty Conflict Resolution Policies. Additional faculty may undergo training to support the FTPAP.

Why isn’t the Faculty Senate or Faculty Senate Chair as involved in the proposed policy as they have been in the current policy? What is the involvement of the Department Chairs, Deans, and Provost?

The Faculty Senate has two primary roles under the new policy: a) the Faculty Senate Executive Committee provides input to the Provost for the naming of a campus Ombudsperson and b) the Faculty Senate Chair serves on the Provost Advisory Committee (along with the Provost and the University Advisory Committee) who are responsible for conducting the final review of all tenure denials if unresolved at lower levels.

A tenure or promotion denial can originate at the department level, the college level or the Provost level. Therefore, the appeal for the denial will begin at the same level of the denial. Depending on the level at which the appeal originates, the Department Chair, Dean, and Provost may participate in or in leading the review of the appeal case with the advice of their respective advisory committees.

Why isn't there a peer or faculty review step in the proposed policy?

Actually, under the current Faculty Advisory Committee Structure (TCU Faculty & Staff Handbook, 2006-2007, pp. 33-35) any department (that is treated as a separate budget unit) is required to use a departmental faculty advisory committee consisting of full time Faculty Members elected and/or appointed. At the College level, a similar structure of tenured full time Faculty Members serve. Hence, the process currently in use relies on peer review of tenure track faculty for recommendation for tenure and/or promotion. The informal steps proposed in the new FTPAP permit both the Ombud and/or mediators to confer with these peers over a tenure/promotion denial dispute.

Won't this policy cost more than the current policy?

The greatest cost to the current policy is time. Not only the time commitment made of so many involved in numerous committee structures, but also the time investment of the appellant and the time delays in concluding the appeal. The proposed policy clarifies the roles of disputants and facilitators (Faculty Member, Department Chair, Dean, Provost, Ombud, Mediators, Department Advisory Committee, College Advisory Committee, Provost Advisory Committee). Moreover, reduction in lawsuits or fair employment practice complaints because appellants are afforded strong internal due process procedures can result in significant cost savings to the university and the appellant. Provision of strong internal due process procedures also discourages the sole use of litigation as a means of resolving tenure/promotion disputes.

Does having a clearer or simpler policy invite more grievances?

With any new procedure and increased awareness of the procedure, there is understandably a concern that supply will create its own demand. These concerns were raised both with the adoption of the staff conflict resolution policy and the faculty conflict resolution policy. Our experience at TCU with these two dispute resolution systems suggests that this concern will not be an issue if the new FTPAP is adopted.

Interpretive Guide to the Current Faculty Grievance Policy
(The current policy is in the Handbook for Faculty & Staff, TCU 2006-2007, pp. 38-41)

Notification

Step 1: Administrative Appellate Processes (AAP)

- Within 15 days of the grievant becoming aware of the issue for which the grievance is based, the AAP must be initiated. (III.D)
- The grievant is to notify the Department Chair, Dean, or Provost, respectively.
- The AAP must be completed within 10 academic days. At the conclusion of the AAP, the grievant has 5 days to begin the grievance process. (III.D)

Informal (Mediation)

Step 2: Mediator's Committee

- A grievance must be initiated within 5 days of the completion of the appellate process. (IV.A.3.a)
- The grievant must present a written, signed statement of the grievance along with an explicit statement that this material constitutes an informal grievance.
- The chair of the Grievance Committee will confirm that the individual against whom the grievance is being lodged has been notified and is aware of informal proceedings.
- The first meeting between mediators and grievant begins a time limit of 20 academic days for filing a formal grievance. This time limit may be waived with consent of both parties and the Grievance Committee. If mediation procedures are unable to resolve issue, a written grievance report must be filed by the grievant with the Grievance Committee. (IV.B.3.a)

Formal (Grand Jury)

Step 3: Grievance Committee (Faculty Senate Executive Committee)

- The Grievance Committee may interview the grievant or the defendant, as well as any other individuals pertinent to the case, to determine validity of the grievance.
- Within 15 academic days, the Grievance Committee will issue a written report, which will either document the grievable issues referred to the Hearing Committee, or explain to the grievant and defendant that there is no reasonable information to conclude that a grievance has occurred. (IV.B.3.c)
- If the Grievance Committee recommends that the Hearing Committee hear the case, a date will be set, normally within 10 academic days, when the hearing will begin. (IV.B.3.e)

Formal (Jury)

Step 4: Hearing Committee

- Documents and statements will be made available to both parties at least 5 academic days prior to hearing. (IV.C.3.a)
- During proceedings, both parties are entitled to an academic advisor. Should the grievant engage legal counsel, the defendant may also engage legal counsel. If legal counsel is engaged, the Hearing Committee must be notified at least 5 days prior to hearing. Legal counsel may only act as advisors during proceedings, and may not participate directly. (IV.B.3.b)
- Verbatim records will be kept during proceedings, but will not be reproduced. Access will be given to grievant or defendant upon request.
- The Hearing Committee should complete hearing and deliberations as promptly as permits and report conclusions and recommendations as quickly as reasonable.
- The Hearing Committee will file a written report containing the nature of the grievance, the conclusions, and recommendations with the disputants, Grievance Committee and the Chancellor.
- Once the Chancellor receives the report, the Chancellor has the responsibility to accept or reject the findings of the report. If accepted, resolutions/recommendations should be implemented in a timely manner. If rejected, a written statement by the Chancellor giving reasons as to rejection shall be issued to both parties and the Hearing Committee.

Formal (Chancellor Recommends to Board)

Step 5: Chancellor recommends tenure, advancement, or appointment to the Board of Trustees.

Committee Definitions

Mediator's Committee

The Mediator's Committee consists of 5 tenured Faculty Members. These Faculty Members are nominated by the Committee on Committees of the Faculty Senate, approved by the Senate, and appointed by the Chancellor. Members of the Mediator's Committee are appointed for 3-year terms, with no more than two terms expiring each year. The Chancellor appoints the Chair of the Mediator's Committee.

Faculty Executive Senate Committee

The Faculty Executive Senate Committee consists of the Chair, the Secretary, the Chair-elect, the Assistant Secretary, and the immediate past Chair of the Faculty Senate.

Hearing Committee

The Hearing Committee consists of 3 tenured Faculty Members and 5 alternate Faculty Members. These Faculty Members are nominated by the Committee on Committees of the Faculty Senate, approved by the Senate, and appointed by the Chancellor. Members of the Hearing Committee are appointed for 3-year terms, which are staggered to ensure continuity. The Grievance Committee appoints the Chair of the Hearing Committee.