

RESOLUTION CLARIFYING STANDARDS OF APPEALS LANGUAGE IN FACULTY HANDBOOK

WHEREAS, the Faculty Handbook outlines policies and procedures for all faculty; and

WHEREAS, chapter three of the Faculty Handbook titled Employment Policies and Procedures for Tenured and Tenure-Track Faculty includes the processes associated with promotion and tenure, and the appeals of same; and

WHEREAS, Section 3.4.5 of chapter three is titled Appeals of Decisions on Reappointment, Tenure, or Promotion and outlines the conditions under which an appeal can be filed; and

WHEREAS, this section of the Faculty Handbook requires clarification and would benefit from consistent language in regards to the standards for appeal of adverse decisions; and

WHEREAS, timely resolution of appeals is in the interest of both appellants and the university;

NOW, THEREFORE, BE IT RESOLVED that section 3.4.5 of the Faculty Handbook, and all associated relevant and appropriate materials, be amended and revised as attached (changes indicated in red).

RECOMMENDATION:

That the Board of Visitors approve the above resolution.

June 5, 2017

3.4.5 Appeals of Decisions on Reappointment, Tenure, or Promotion

A faculty member who is notified of a negative decision following evaluation for a term reappointment during the probationary period, for a tenured appointment, or for promotion, ~~and who believes that the decision was improperly or unfairly determined~~ may appeal for review of the decision under conditions and procedures specified in this section. ~~The appellant has a right to an explanation of the reasons contributing to the denial.~~

Such an appeal must be filed, in writing, within 14 calendar days of formal notification of the decision, which shall make reference to appeals procedure. The appeal can only be based on grounds that certain relevant information was not provided or considered in the decision, or that the decision was influenced by improper consideration.

~~In their recommendations, administrators and committees hearing an appeal should address the standards outlined in the previous paragraph. In particular, they shall not substitute their own judgment on the merits for that of the body or individual that made the decision under appeal. The recommendations should address the allegations in the appeal with specificity, and cite appropriate evidence.~~

~~Appeals should be resolved as quickly as possible without compromising fairness or thoroughness of review. Whenever possible, the goal should be to achieve final resolution in time to accommodate the first meeting of the Board of Visitors in the fall semester.~~

~~Although the provisions for appeal described below are designed to give faculty members protection against capricious or arbitrary decisions, the A~~ faculty member who believes that these appeals procedures described in this section have been improperly followed may, at any point, seek advice from [the Faculty Senate Committee on Reconciliation](#) and/or file a grievance in accordance with the grievance procedure in chapter three, "Faculty Grievance Policy and Procedures."