

## Commission on Faculty Affairs

### RESOLUTION TO REVISE FORMAL GRIEVANCE PROCEDURE IN FACULTY HANDBOOK

#### CFA 2025-26C

Resolution Proposal Form Sent to University Council Cabinet	August 28, 2025
First Reading by Commission on Faculty Affairs	October 3, 2025
Approval by Commission on Faculty Affairs	October 31, 2025
First Reading by Faculty Senate	October 10, 2025
Approval by Faculty Senate	November 7, 2025
Staff Senate Comment	October 9, 2025
Administrative and Professional Faculty Senate Comment	October 27, 2025
Graduate & Professional Student Senate Waived Right to Comment	November 7, 2025
Undergraduate Student Senate Waived Right to Comment	November 7, 2025
First Reading, University Council	December 1, 2025
Approved, University Council	February 2, 2026
Approved, President	February 9, 2026
Approved, Board of Visitors	Date
Effective Date	Upon Approval

**WHEREAS**, The Faculty Handbook describes procedures for filing a formal grievance; and

**WHEREAS**, the current grievance procedure lacks clarity and efficiency; and

**WHEREAS**, an opportunity to resolve the issue informally could avoid a formal grievance; and

**WHEREAS**, a Hearing Panel may not be necessary in some cases;

**NOW, THEREFORE, BE IT RESOLVED** that the Faculty Handbook, section 3.11.2, be revised as shown below with changes noted in **red**.

## Chapter 3: Tenure-Track and Tenured Faculty

### 3.11.2 The Formal Grievance Procedure

For this process, a grievance is defined as a complaint by a faculty member alleging a violation, misinterpretation, or incorrect application of a policy, procedure, or practice of the university that directly affects the grievant. Some examples of valid issues for filing a grievance are: improperly or unfairly determined personnel decisions that result in an unsatisfactory annual performance evaluation; unreasonable merit adjustment or salary level; excessive teaching load/work assignments; substantive violations of promotion and tenure procedures including the appeal process (see appeal process in chapter three of this handbook “Appeals of Decisions on Reappointment, Tenure, or Promotion”); reprisals; substantive error in the application of policy; and matters relating to academic freedom.

**Issues not open to grievance.** While most faculty disputes with the university administration may be dealt with by this grievance policy, the following issues may not be made the subject of a grievance: determination of policy appropriately promulgated by the university administration or the university governance system; those items falling within the jurisdiction of other university policies and procedures (for example, complaints of unlawful discrimination or harassment, appeals of non-reappointment, promotion and/or tenure decisions); the contents of personnel and other policies, procedures, rules, regulations, ordinances, and statutes; the routine assignment of university resources (e.g., space, operating funds, parking, etc.); usual actions taken, or recommendations made, by administrators or committee members acting in an official capacity in the grievance process; termination of appointment by removal for just cause, non-reappointment, or abolition of position; or allegations of misconduct in scholarly activities.

If the assistance of the DFR is not desired or is not requested; or if the DFR determines that they cannot provide assistance in the matter; or if the grievant finds that the length of time the DFR plans or takes with the case is excessive; or if the grievant is not satisfied with the recommendations of the DFR, the grievant may pursue the issue as a formal grievance through the following procedure. Department heads, chairs, or school directors, deans, directors, and other administrative faculty will cooperate with the grievant in the mechanics of processing the grievance, but the grievant alone is responsible for preparation of the case. For more information, consult the Tenured, Tenure-Track, Continued Appointment, Continued Appointment-Track, and Non-Tenure-Track Instructional Faculty Grievance Form.

**Step one.** The grievant must meet with the immediate supervisor (usually the department head, chair, or school director) within 30 calendar days of the date that grievant knew or should have known of the event or action that is the basis for the grievance and orally identifies the grievance and the grievant's concerns. The supervisor provides an oral response to the grievant within five weekdays10 university

business days following the meeting. If the supervisor's response is satisfactory to the grievant, that ends the matter.

Step two. If a satisfactory resolution of the grievance is not achieved by the immediate supervisor's oral response, the grievant may submit a written statement of the grievance and the relief requested to the immediate supervisor, the Vice Provost for Faculty Affairs, and the Director of Faculty Reconciliation within 10 university business days of receiving the oral response from the immediate supervisor. Faculty grievance forms are available at Faculty Forms. Once submitted, the written statement of the grievance and the relief requested may not be modified.

The immediate supervisor notifies the person or persons against whom the grievance is being made and then provides a written response on the faculty grievance form, citing reasons for action taken or not taken within 10 university business days after receiving the form. The grievant and the immediate supervisor will then meet with the Director of Faculty Reconciliation to discuss the grievant's concerns and explore possible solutions. If a solution that is satisfactory to all parties involved is reached, that ends the matter.

**Step two. If a satisfactory resolution of the grievance is not achieved by the immediate supervisor's oral response, the grievant may submit a written statement of the grievance and the relief requested to the immediate supervisor. This statement must be on the faculty grievance form, must define the grievance and the relief requested specifically and precisely, and must be submitted to the immediate supervisor within five weekdays of the time when the grievant received the immediate supervisor's oral response to the first step meeting. Faculty grievance forms are available at the Faculty Forms. Within five weekdays of receiving the written statement of the grievance, the immediate supervisor, in turn, gives the grievant a written response on the faculty grievance form, citing reasons for action taken or not taken. If the written response of the immediate supervisor is satisfactory to the grievant, that ends the matter.**

**Step three. If a satisfactory resolution of the grievance is not achieved through reconciliation, the grievance form and the immediate supervisor's written response are then submitted to Faculty Affairs which will forward it to the Faculty Senate Review Committee, and the Grievability Committee consisting of the Director of Faculty Reconciliation, Chair of the Faculty Senate Review Committee, and a representative appointed by the Faculty Senate president. Via the Chair of the Faculty Senate Review Committee, the Grievability Committee considers the matter (including consultations with both parties if deemed necessary) and rules by majority vote if the matter is eligible for further consideration within the grievance process. The Grievability Committee sends a written report of the results of the deliberations to all parties concerned within 10 university business days. If the matter is deemed ineligible for the grievance process, that ends the matter. If the matter is deemed eligible for the grievance process, the**

Faculty Senate Review Committee via the committee chair will then provide feedback to the all parties concerning the relative merits of the case.

**Step ~~four~~three**. If the matter is deemed eligible for consideration within the grievance process and the resolution of the grievance proposed in the written response by the immediate supervisor is not acceptable to the grievant, the grievant may advance the grievance to the next level of university administration by checking the appropriate place on the faculty grievance form, signing and sending the form to the next level administrator via the Vice Provost for Faculty Affairs within five weekdays~~10 business days~~ 10 university business days of receiving the Grievability Committee's decision. The next level of administration for college faculty is usually the college dean. The administrator involved at this next level is hereafter referred to as the second-level administrator.

Following receipt of the faculty grievance form, the second-level administrator, or designated representative, meets with the grievant within five weekdays~~10 university business days~~. The second-level administrator may request the immediate supervisor of the grievant be present; the grievant may similarly request that a representative chosen from among the university faculty be present. Unless the grievant is represented by a member of the faculty who is also a lawyer, the second-level administrator does not have legal counsel present. The second-level administrator gives the grievant a written decision on the faculty grievance form within five weekdays~~10 university business days~~ after the meeting, citing reasons for the decision. If the second-level administrator's written response to the grievance is satisfactory to the grievant it ends the matter.

**Step ~~four~~five**. If the resolution of the grievance proposed in the written response from the second-level administrator is not acceptable, the grievant may advance the grievance within five weekdays~~10 university business days~~ to the level of the provost, via the Vice Provost for Faculty Affairs, including consideration by an impartial hearing panel of the Faculty Senate Review Committee.

Upon receiving the faculty grievance form requesting step ~~four~~five review, the provost, or appropriate designated representative, acknowledges receipt of the grievance within five weekdays~~10 university business days and forwards a copy of the "Procedures of the Faculty Senate Review Committee" to parties in the grievance process~~. The provost immediately forwards a copy of the grievance to the president of the Faculty Senate, who also writes to the grievant to acknowledge receipt of the grievance within five weekdays~~10 university business days~~ of receipt of the faculty grievance form from the provost. The Faculty Senate president also forwards a copy of the "Evidential and Hearing Procedures of the Faculty Senate Review Committee" to parties in the grievance process.

The grievant may petition the provost to bypass the Faculty Senate Review Committee and rule on the grievance. If the provost accepts the request, there is no subsequent opportunity for the grievance to be heard by a hearing panel. The provost's decision, however, may be appealed to the president, as described in step ~~five~~six. If the provost does not accept the petition, the Faculty Senate Review Committee hears the grievance

as outlined in these procedures. The Faculty Senate Review Committee does not normally consider the subject of a grievance while it is simultaneously under review by another committee or panel of the university.

**Hearing panel****Evidential Review Committee and Recommendation Panel**. An **hearing****Evidential Review Committee and Recommendation Panel, hereafter evidential panel, panel** consists of five faculty members appointed by the chair of the Faculty Senate Review Committee from among the members of the Faculty Senate Review Committee. The chair of the Faculty Senate Review Committee polls all appointees to ensure that they have no conflict of interest in the case. Both parties to the grievance may challenge one of the appointments, if they so desire, without need to state cause, and the chair of the Faculty Senate Review Committee appoints the needed replacement or replacements. Other replacements are made only for cause. The chair of the Faculty Senate Review Committee rules on issues of cause.

To ensure uniformity in practice, the chair of the Faculty Senate Review Committee or their designee serves as the non-voting chair of each **hearing evidential** panel. If the chair of the Faculty Senate Review Committee has a conflict of interest concerning a case, the chair appoints a disinterested third party from among the members of the Faculty Senate Review Committee not already appointed to the **hearing evidential** panel for the case to serve as chair **of the hearing evidential panel**.

**Hearing****Evidential Meeting**. After an **evidential****hearing** panel is appointed, the chair of the Faculty Senate Review Committee requests that each party to the grievance provide relevant documentation to be shared among the parties and the **evidential****hearing** panel. **Materials submitted by either party that do not conform to the evidential requirements specified in the "Evidential and Hearing Procedures of the Faculty Senate Review Committee" as determined by the chair of the Faculty Senate Review Committee may be disregarded.** The panel holds its initial **hearing****meeting** to decide if they need to have **an additional information from one or both principals** parties. The decision to not have a hearing is reviewable by the president of the Faculty Senate~~ovest~~.

**Hearing.** **If the panel decides additional information would be helpful, the panel may holds a hearing with both principals parties** present within 15 **university business days**~~weekdays~~ of receipt of the grievance by the Faculty Senate president. If the panel feels it needs to investigate the case further, or requires more information, or desires to hear witnesses, the hearing is adjourned until the panel completes the necessary work or scheduling. The hearing is then reconvened as appropriate.

Each party to the grievance may have a representative present during the sessions of the hearing at which testimony is presented. The representative may speak on their behalf if so requested. Representatives may be legal counsel, if both parties are so represented, but if the grievant does not wish to have legal counsel at a hearing, neither party to the grievance may have legal counsel present.

These impartial panel hearings are administrative functions, not adversarial proceedings. Therefore, if legal counsels are present, they must understand that the proceedings do not follow courtroom or trial procedures and rules. Participation by legal counsel is at the invitation of the parties they represent and is subject to the rulings of the chair of the hearing-evidential panel.

**Provost's action.** The provost meets with the grievant within 10 university business week days after receiving the findings and recommendations of the hearing-evidential panel to discuss the case and advise the grievant about the prospects for disposition of the case. Within 10 university business week days of that meeting, the provost sends to the grievant, the party being grieved, and the first and second level supervisors -the decision in writing concerning the disposition of the grievance. If the provost's decision is fully consonant with (or exceeds) the recommendations of the hearing panel, or if it is satisfactory to the grievant even if it differs from the recommendations of the hearing panel, that ends the matter.

**Step ~~five~~six.** If the provost's decision is not acceptable to the grievant and not consonant with the recommendations of the hearing panel, the grievant may appeal in writing to the president within 20 university business calendar days. The president's decision is final.

### 3.11.4 Valid Issues for Grievance

~~For this process, a grievance is defined as a complaint by a faculty member alleging a violation, misinterpretation, or incorrect application of a policy, procedure, or practice of the university that directly affects the grievant. Some examples of valid issues for filing a grievance are: improperly or unfairly determined personnel decisions that result in an unsatisfactory annual performance evaluation; unreasonable merit adjustment or salary level; excessive teaching load/work assignments; substantive violations of promotion and tenure procedures including the appeal process (see appeal process in chapter three of this handbook "Appeals of Decisions on Reappointment, Tenure, or Promotion"); reprisals; substantive error in the application of policy; and matters relating to academic freedom.~~

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~~capacity in the grievance process; termination of appointment by removal for just cause, non-reappointment, or abolition of position; or allegations of misconduct in scholarly activities.~~

**Adjudication of disputes on the validity of issues qualifying for consideration under the faculty grievance procedures.** If a university administrator rules that an issue does not qualify for the grievance process, the grievant may write to the chair of the Faculty Senate Review Committee within five university business weekdays of receiving such notification and request a ruling from a special committee consisting of the president of the Faculty Senate, the chair of the Faculty Senate Committee on Ethics, and the chair of the Faculty Senate Review Committee. The special committee considers the matter (including consultations with both parties if deemed necessary) and rules by majority vote on the admissibility of the matter to the grievance process. This special committee is called together by the chair of the Faculty Senate Review Committee, who also sends a written report of the results of the deliberations of the committee to all parties concerned.



## AP Faculty Senate Comments

### CFA 2025-26C – Resolution to Revise Formal Grievance Procedure in Faculty Handbook

October 27, 2025

The A/P Faculty Senate Policies and Issues Committee has reviewed and approves/endorses the CFA 2025-26C – Resolution to Revise Formal Grievance Procedure – Faculty Handbook

Although the resolution received majority approval and endorsement from the A/P Faculty Senators, we are providing all submitted comments for your awareness and thoughtful consideration. A formal response to these remarks is not required:

In response to these changes, will we need to revisit the faculty handbook section that outlines our grievance process to make it align?



## Staff Senate Comments

CFA 2025-26C

10/9/2025

Staff Senate noted that the changes are not in red as stated.

On page 3 in the updated step five, the second statement seems like it should read "Upon receiving the faculty grievance for requesting step FIVE review..." not step four.

On page 5 in the updated step six, should there be statement for if the provost's decision is not acceptable to the grievant but IS consonant with the recommendations of the hearing panel?

Staff Senate has no further comment.

Thank you,

Gabe Petry, Chair, Staff Senate Policies and Issues Committee