

## Commission on Faculty Affairs

### RESOLUTION TO REVISE APPEALS PROCEDURE IN FACULTY HANDBOOK

CFA 2025-26F

Resolution Proposal Form Sent to University Council Cabinet	November 3, 2025
First Reading by Commission	December 12, 2025
Approval by Commission	Date
First Reading by Senate	Date
Approval by Senate	Date
Faculty Senate Comment	Date
Staff Senate Comment	Date
Administrative and Professional Faculty Senate Comment	Date
Graduate and Professional Student Senate Comment	Date
Undergraduate Student Senate Comment	Date
First Reading, University Council	Date
Approved, University Council	Date
Approved, President	Date
Approved, Board of Visitors	Date
Effective Date	Upon Approval or Date

**WHEREAS**, the *Faculty Handbook* sets forth the policies and procedures governing the evaluation of faculty members for promotion and tenure, including the process by which a candidate may appeal a negative decision; and

**WHEREAS**, the integrity and transparency of the promotion and tenure process are essential to ensuring fairness, equity, and confidence among faculty members in the university's systems of review; and

**WHEREAS**, the current *Faculty Handbook* language describing procedures for filing an appeal of a negative promotion and tenure decision does not provide adequate clarity regarding the steps, timelines, and expectations associated with the appeal process at each stage; and

**WHEREAS**, clearer and more detailed language will promote consistency across colleges and enhance understanding among candidates, administrators, and review committees regarding the rights and procedures involved in appeals;

**NOW, THEREFORE, BE IT RESOLVED** that the Faculty Handbook, section 3.4.6, be revised as shown below with changes noted in red; and

**THEREFORE, BE IT FURTHER RESOLVED** that the Faculty Handbook, section 3.5.2, be revised as shown below with changes noted in red.

### 3.4.6 Candidate Notification

At each level of review in the process, the candidate must be notified of the result of the review, whether positive or negative. The department head, chair, or school director notifies the candidate of the result of the departmental or school review, and the dean notifies the candidate of the result of the college level review. Notifications will only indicate whether the candidate's case moved on to the next level of review or not; they will not include the results of votes, the names of external evaluators, statements from evaluations, or excerpts from committee or administrative letters.

Notification of a negative recommendation for promotion and/or tenure must include all substantive reasons for that recommendation, including references to the relevant department, school, and/or college "Expectations Guidelines for Promotion and/or Tenure". ~~Notification~~ The candidate must be notified of a negative recommendation ~~will occur~~ within ten university business days after the completion of committee' ~~and administrator deliberations~~ vote and the administrator's decision, whichever comes later. Notification must include options for appeal. Exceptions to the time frame must be agreed upon by all parties.

In cases with a negative recommendation from the provost, the provost does not forward the case to the president until the candidate has been notified and has had time to appeal per the section on Appeals of Decisions on Non-Reappointment, Tenure, or Promotion. The notification must include all substantive reasons for that recommendation, including references to the relevant department, school, and/or college "Expectations Guidelines for Promotion and/or Tenure" and the candidate must be notified within ten university business days of the provost's decision. In cases with a final positive recommendation by the president, the provost notifies the appropriate dean who informs the candidate in writing of the reasons for the decision.

### 3.5 Appeals of Decisions on Non-Reappointment, Tenure, or Promotion

(for *grievances* see Faculty Grievance Policy and Procedures in this chapter of the faculty handbook)

**Appeal.** A faculty member who is notified of a negative decision following an evaluation for a term reappointment during the probationary period, for a tenured appointment, or for promotion 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 for the denial.

An appeal must be filed, in writing, within 10 university business days of formal notification of the decision, which shall explain the appeal procedures.

An appeal must be based on the following claims only: department or school criteria established in the relevant department or school's promotion and/or tenure guidelines

were not appropriately applied; material from a dossier was unavailable to, or disregarded by, reviewers through no fault of the candidate; or information in the dossier was not considered, or that the decision was influenced by improper consideration.

Administrators and committees hearing an appeal must limit the scope of their recommendations to the claims presented above: in particular, they must not substitute their own judgment on the merits of the case for that of the body or individual responsible for the decision under appeal. The recommendations should address the allegations in the appeal with specificity and cite appropriate evidence.

A faculty member can appeal the decision at more than one level. There is no appeal of the president's recommendation to the Board of Visitors or the board's final decision.

Appeals should be resolved as quickly as possible without compromising thoroughness of review. Whenever possible, the appeal should be resolved in time to be reviewed at the first meeting of the Board of Visitors in the fall semester.

A faculty member with questions or concerns about the appeal process or who believes that the procedures described in this section have been improperly followed may, at any point, seek advice from the [Director of Faculty Reconciliation](#).

**Grievance.** For more information, consult the [Tenured, Tenure-Track, Continued Appointment, Continued Appointment-Track, and Non-Tenure-Track Instructional Faculty Grievance Form](#). Additionally, faculty have the option to grieve procedural violations of the promotion and tenure process—including violations of the appeal process presented in this section—after a negative decision on an appeal or instead of filing an appeal in the first place. Since the grievance procedures allow the grievant to state the grievance, they believe they have experienced and the relief they seek, it has a wider range of possible outcomes than the appeal process. However, because it is a slower process that may not be completed until the promotion and/or tenure cases in a given year have been decided, and because faculty cannot grieve “items falling within the jurisdiction of other university policies and procedures,” a grievance should be thought of as a means for faculty to seek an outcome they cannot seek through the appeal process. The grievance process is described in chapter three of this handbook below, “Faculty Grievance Policy and Procedures.”

### **3.5.1 Appeal of Probationary Non-Reappointment Decision**

Faculty members on probationary term appointments should make no presumption of reappointment. The department head, chair, or school director with the advice of the department/school personnel committee or the faculty development committee determines non-reappointment. Notice of non-reappointment is furnished according to the schedule in chapter two of this handbook, “Retirement, Resignation, and Non-Reappointment.”

If the negative decision is based on evaluation of the faculty member's performance, including perceived lack of potential for further professional development, the faculty member may appeal the decision to the dean of the college. If the dean sustains the departmental or school decision, the faculty member may request, through the dean, a further and independent review of the decision by the properly constituted college committee on promotion and tenure.

The faculty member presents the appeal in writing as specified in chapter three of this handbook, "Appeals of Decisions on Reappointment, Tenure, or Promotion." The faculty member has the right to appear before the committee to present arguments. The college committee makes a recommendation to the dean, who informs the faculty member of the committee's recommendation and the dean's subsequent decision. The dean's decision closes the appeal process, unless it varies from the college committee's recommendation, in which case the faculty member may appeal to the provost for a final decision. The provost's decision cannot be appealed.

### **3.5.2 Appeal of Promotion and/or Tenure Decision (and summary table)**

For the purposes of appeal, tenure cases receiving their second review prior to the final year of probation (mandatory year) are treated like mandatory year cases.

**Appeal of negative department or school decisions.** Because all tenure cases evaluated in the final year of probation (mandatory year), even those given a negative recommendation by the department or school committee and the head or chair or school director, receive a full college level review, there is no appeal of a negative tenure decision at the department or school level.

Promotion-only cases and tenure cases in non-mandatory years given a negative recommendation by the department or school committee and the head or chair or school director may appeal to the dean.

The faculty member appealing a departmental decision has the right to appear before the college committee considering the appeal and present arguments. If either the college committee or the dean grants the appeal of a negative department or school decision, the case resumes consideration, beginning with the college committee and dean.

If the college committee and the dean both make negative decisions, the appeal is denied and no further appeal is provided.

**Appeal of negative college decisions.** Faculty members whose pPromotion and/or tenure cases given—\_a receive negative recommendation from bothby the college committee and the dean may appeal to the provost.

The provost will review the appeal to determine whether it meets the grounds for appeal as described in section "Appeals of Decisions on Non-Reappointment, Tenure, or

Promotion” of this chapter. If the appeal does not *prima facie* meet these criteria, the provost may decline to accept it. A decision not to accept the appeal concludes the appeal process; no further appeal is available.

If the provost accepts the appeal, the University Promotion and Tenure Committee will be notified and provided with the candidate’s dossier and appeal materials prior to the beginning of its deliberations. The committee advises the provost if they feel it would be helpful for them to hear the candidate’s oral arguments. If the committee recommends a personal appearance, and the provost concurs, the candidate is invited to the final day of committee deliberations. The candidate may decline the opportunity to appear before the committee. The committee then makes its recommendations to the provost on the last day of deliberations.

~~The faculty member appealing a college decision has the right to appear before the University Promotion and Tenure Committee and present arguments. If either the University Promotion and Tenure Committee recommends granting the appeal and or the provost grants the appeal concurs of a negative college decision, the candidate’s case will subsequently be reviewed by an *ad hoc* subcommittee of the University Promotion and Tenure Committee, which will make a recommendation to the Provost, and then the Provost will make a recommendation to the President. Whenever possible, the appeal should be resolved in time to be reviewed at the first meeting of the Board of Visitors in the fall semester resumes consideration, beginning with the University Promotion and Tenure Committee and the provost.~~

**Appeal of negative university decisions.** Because all recommendations from the University Promotion and Tenure Committee and the provost are forwarded to the president, candidates may appeal negative recommendations by the provost to the [Faculty Senate Review Committee](#). The faculty member has the right to appear before the committee to present arguments. The Faculty Review Committee investigates the case and makes a recommendation to the president. The president makes a recommendation to the Board of Visitors whose decision is final and cannot be appealed.

**Table of appeal options.** The following table summarizes the progression of cases (whether promotion and tenure, tenure only, or promotion only) that receive negative recommendations from either a committee, an administrator, or both, including appeal options. References to departments are inclusive of schools and references to department heads or chairs are inclusive of school directors.

DECISION / RECOMMENDATION	NEXT STEP
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Positive by department committee and by the department head or chair	Moves to college committee and dean
Negative by department committee; positive by department head or chair	Moves to college committee and dean
Positive by department committee; negative by department head or chair	Moves to college committee and dean
Negative by department committee and by department head or chair	<b>Mandatory year:</b> Automatically moves to college committee and dean
	<b>All other cases:</b> May appeal to the dean
<i>Appeal granted by the dean and/or the college committee</i>	<i>Resumes review process in the college</i>
<i>Appeal denied by both the dean and the college committee</i>	<i>Process complete</i>
Positive by college committee and by the dean	Moves to University Promotion and Tenure Committee and provost
Negative by college committee; positive by dean	Moves to University Promotion and Tenure Committee and provost
Positive by college committee; negative by dean	Moves to University Promotion and Tenure Committee and provost
Negative by college committee and the dean	May appeal to <del>University Promotion and Tenure Committee</del> (via the provost)
<i>Appeal granted by the <del>University P&amp;T Committee</del> or provost <u>upon recommendation by the University P&amp;T Committee</u></i>	<i>Resumes review process at the university level</i>
<i>Appeal denied by the <del>University P&amp;T Committee</del> and provost</i>	<i>Process complete</i>
Negative by the provost	May appeal to Faculty Review Committee

<i>Faculty Review Committee makes recommendation to president</i>	<i>President makes recommendation to Board of Visitors</i>
Negative by president	No appeal
Negative by the Board of Visitors	No appeal