

32.01.01.R0.01 **Grievance and Appeal Process for Faculty Members**



Approved May 27, 2013
Revised November 8, 2024
Next Scheduled Review: November 8, 2029

Procedure Summary

All faculty members of East Texas A&M University (the University) Commerce are encouraged to resolve problems in an open manner through normal administrative channels without the fear of reprisal for seeking such resolution. Open communication between faculty members and administrators is encouraged so that resorting to the formal grievance procedure will not be necessary.

This procedure is required by System Regulation *32.01.01 Complaint and Appeal Procedure for Faculty Members* and applies only in the resolution of grievances when procedures are not specifically established elsewhere.

Procedures and Responsibilities

1 PEER REVIEW

Any faculty member who has a grievance that cannot be resolved by reasoned discussion within the normal administrative channels of the University is entitled to have this grievance reviewed by an elected committee of peers. Depending on the nature of the grievance, the reviewing body will either be the Advisory Committee or the Hearing Committee. Refer to *12.01.99.R1 Academic Freedom and Responsibility*, Sec. 6.

2 INFORMAL GRIEVANCE PROCEDURE

Every effort should be made to resolve grievances by reasoned discussion and negotiation. If at all possible, the resolution of grievances should be accomplished within the normal administrative structure of the University.

2.1 A faculty member with a grievance should request, in writing, a personal conference with the appropriate administrative officer, usually the Department Head. This request should be informal, with the grievance explored in depth and discussed rationally by all parties concerned. If a mutually acceptable resolution of the grievance is not achieved, the faculty member will be given, within 10 business days, a personal conference with the administrative officer at the next administrative level, usually the Dean.

2.2 If the concern is not resolved through this informal discussion with the Dean, or the Dean is the object of the concern, the faculty member may request a meeting with the faculty ombuds.

2.3 Faculty Ombuds

2.3.1 The role of the faculty ombuds is to listen to and discuss the concerns with the faculty member and help address faculty concerns by providing relevant information and engaging in informal efforts to resolve conflicts. In that role, the faculty ombuds remains neutral, rather than advocating or appearing to advocate for any individual.

2.3.2 The faculty ombuds does not have any formal decision-making authority and does not participate in any formal complaint or grievance processes.

2.4 This procedure will be repeated until the grievance is resolved or reaches the Vice Presidential level.

3 FORMAL GRIEVANCE PROCEDURE

Should an equitable and mutually acceptable resolution of a faculty grievance not be achieved within the normal administrative channels, the faculty member has a right to a fair hearing before an elected committee of peers, namely the Advisory Committee. Such grievances will be resolved by the following procedure:

3.1 If no acceptable informal resolution of the grievance is achieved at the Vice Presidential level within 10 business days, faculty members will have the right to have the matter considered by the Advisory Committee. The faculty member will have 10 business days to request this review. An intake form may be completed with Human Resources or Title IX offices. All pertinent materials will be collected from the faculty member, department head, dean, and/or Vice President and forwarded to the Provost office. The Provost office will notify the Chair of the Advisory Committee of the grievance and need for Advisory Committee review.

3.2 Within 25 business days (or as soon thereafter as possible) of receiving a faculty grievance, the Advisory Committee will be convened by its chairperson. The committee will hear all allegations made by the faculty member. It may request the presence of any involved parties as well as any additional information it deems necessary to fully explore the problem.

3.3 The committee will do its utmost to bring about a mutually acceptable resolution of the grievance. Should it not be possible to do so, the committee will submit to the President a full report of its efforts to effect reconciliation as well as its recommendation. A copy of this report will simultaneously be sent to the faculty member. Any formal votes taken by the committee will be by secret ballot. If not all members concur in the final committee recommendation, this fact will be noted in the report to the President. Furthermore, any committee member who desires may submit personal comments on the final committee recommendation.

- 3.4 If the President does not concur with the committee's recommendation, this fact will be communicated in writing to the committee within 25 business days of receipt of the report, accompanied by the president's rationale. The committee will review this response and may reply in writing to the President within 14 business days. At any time after receiving the committee's initial recommendation, either the President or the committee can request a joint meeting to discuss the case.
- 3.5 Unless there are extenuating circumstances, the President will take final action on the grievance: 1) within 25 business days after receiving the committee's initial recommendation if the President and the committee concur in the matter; 2) otherwise, within 10 business days of the committee's final response to the President. The decision of the President will be final.

Related Statutes, Policies, or Requirements

System Policy [32.01 Employee Complaint and Appeal Procedures](#)

System Regulation [32.01.01 Complaint and Appeal Procedures for Faculty Members](#)

University Rule [08.01.01.R2 Civil Rights Compliance](#)

University Procedure [12.01.99.R1 Academic Freedom and Responsibility](#)

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