

## Rationale

The proposed changes are requested to clarify confusion and to align policy with historical practice. Several years ago, we reduced the time window for filing an appeal from 45 working days to 30 working days to ensure that P&T appeals were filed and could be resolved before the end of the spring semester. It is not fair to the faculty member (or the administration) for P&T appeals to drag out and it is meaningless to recommend or be granted an additional review if the decision is not made until the middle of the next P&T cycle in the fall semester. This timeline was based on the historical practice of using the provost decision as the triggering event. However, this section of the handbook was not updated at that time and has resulted in recent confusion regarding when a faculty member may initiate a P&T appeal.

### 5.2.4.4.5 Appeals

In a mandatory case, following the ~~president's provost's~~ decision not to forward a positive recommendation to the ~~Board of Regents~~president, a faculty member has the right to appeal through administrative channels or through the Faculty Senate Committee on Appeals. An appeal through administrative channels should be made to the president. An appeal to the Faculty Senate Committee on Appeals can focus on the decision made at one or more administrative levels depending on where the faculty member believes the improper decision was made. An appeal must be based on the grounds outlined in Section 9.1. The calendar to file an appeal (30 working days) starts when the faculty member receives notification from the provost, regardless of who is listed as the appellee(s), in the form of a request for reconsideration of his/her decision.

In non-mandatory cases, a faculty member must exhaust all possible review processes before filing an appeal. If a faculty member has the right to have a negative recommendation forwarded to the next administrative level, the request for additional review must be made rather than appealing the decision not to forward a positive recommendation. A faculty member may request a negative recommendation be forwarded unless a college or departmental governance document explicitly prohibits it. The request for further review must be made rather than appealing the decision not to forward a positive recommendation. Once the review process in a non-mandatory case has been exhausted, a decision not to forward a positive recommendation for promotion and tenure may be appealed through administrative channels or through the Faculty Senate Appeals Committee when the chair, dean, or senior vice president and provost ~~or president~~ decides not to forward the recommendation. An administrative appeal should be filed with the next person in the administrative chain, ~~except in the case of an appeal of the president's decision, in which case the appeal should be made to the president in the form of a request for reconsideration of his/her decision.~~