

Modification of FH Section 7.2.6.1. Appeals to the University President

Rationale

When the provost makes a decision regarding a conduct case and either dismisses the case or applies minor sanctions, the faculty member, complainant, or referring party may appeal this outcome to the president. The current handbook language provides very little detail other than stating that the decision can be appealed. These recommended changes are intended to clarify and add detail related to the process to bring the policy into alignment with practices to improve transparency.

7.2.6.1 Appeals to the University President

The final decision of the SVPP related to a faculty conduct case may be appealed by the respondent, the complainant, or referring party, if any, in writing to the university president within 20 days following receipt of the SVPP decision. The appeal is initiated by submission of a written statement with reference to the evidence that supports the appeal. The appeal must be based on one of the following four grounds: (a) improper procedures were followed, (b) academic freedoms were violated, (c) policy was interpreted improperly, or (d) arbitrary and capricious criteria were employed in recommending the decision being appealed (see FH 9.1). The burden of proof for documenting the grounds for the appeal is the responsibility of the appellant. The university president will issue a decision on the appeal within 15 days from the date the appeal was received. The appeal should include a statement of reasons for the appeal, with references to the evidence that supports the appeal.

The respondent may request ~~the~~ that the university president ~~to~~ delay the imposition of ~~the any~~ sanctions by the SVPP. The request for delay must be included in the respondent appeal and be accompanied by a statement of the reasons for the request. If the delay is granted, the president may continue interim action (s) in place, or may impose interim action (s) appropriate to the circumstances.

Approved as revised by the Faculty Senate on 1/21/2014; by the president on 2/2/14; and by the senior vice president and provost on 1/30/14.