4.1.4 General Provisions

Formerly Known As Policy Number:
4.1.D

(1) Time Guidelines

Because it is important for all concerned that appeals be resolved expeditiously, the Provost, President and Advisory Board should attempt to follow these guidelines: within 30 days from the receipt of the appeal, the Provost should inform the appellant about the procedures to be used in his or her case. The Provost should seek to decide the case within 60 days from receipt of the appeal (or, in the case of an appeal of a reappointment or promotion decision, within 30 days from receipt of the Advisory Board’s recommendations), the Advisory Board should seek to reach its decision within 60 days of receiving the case from the Provost, and the President should seek to make his or her final determination within 90 days from receipt of the appellant’s request for further review. The application of these guidelines to a particular case may be modified by the President, Provost, or Advisory Board at their discretion. If such modifications become necessary, the appellant will be informed of the delay.

(2) Confidentiality

a. Any material that has been solicited or received with the understanding that it would be kept in confidence must not be revealed in the appeal process to any person, including the appellant, who was not a party to the confidential material. The material may, however, be examined by individuals who have been consulted by the Provost, President or the Advisory Board as part of the appeal process, and who will in turn maintain its confidentiality.

b. In order to obtain information in his or her personnel file, the appellant should follow the procedures set forth in the Faculty Handbook.

c. Because it concerns individual personnel matters, the appeal process is not a public proceeding.

(3) Advisors

The appellant, the persons(s) whose decision is being appealed, and anyone else called to provide information on the appeal, may be accompanied by an advisor to any discussion with the administrative officer or with his or her delegate, as well as to any appearance before the Advisory Board. The advisor’s role is to advise the relevant party; he or she, therefore, may not directly address those considering the appeal or question witnesses at a hearing of the Advisory Board. Except in hearings before the Advisory Board, advisors must be members of the professoriate.
Fact-Finders

The Provost should appoint eight to twelve persons (from the faculty, emeritus faculty or senior staff) to a standing panel of Fact-Finders. Fact-Finders serve for staggered three year terms and receive administrative support from the Provost's office. Taking into account the particular circumstances of the case, The Provost and/or the Advisory Board may select an individual from this panel to gather information about the appeal. The Fact-Finder is not an advocate for either the decision-maker or the appellant. The Fact-Finder's role is to answer clearly defined questions and to report on unexpected aspects of the case. The Fact-Finder is not to make formal recommendations about how the case should be resolved.

The Advisory Board

The Advisory Board may act on an appeal through a subcommittee of its members. Members who have participated in the decision under consideration will recuse themselves from participating in the Board's deliberations. The Board may, but need not, replace its recused member or members.

Inquiries

Inquiries about these procedures should be directed to the Provost's office.