4.2.4 Procedures

Formerly Known As Policy Number: 4.2.D

The following procedures shall apply to all appeals (defined as in the Statement on Faculty Appeal Procedures) arising under this Statement on Academic Freedom:

(1) The rights herein conferred shall be enforceable only by a person who is directly aggrieved and who holds a faculty (as defined above) position; no other person or persons shall have standing to complain.

(2) If any faculty member feels aggrieved by a decision that he or she believes to be in violation of this Statement, he or she may file an appeal pursuant to the Statement on Faculty Appeal Procedures.

(3) For appeals brought in whole or in part for alleged violation of the Statement on Academic Freedom, the rules and procedures of the Statement on Faculty Appeal Procedures shall be modified as follows:

a. For an appeal not arising out of a negative decision on reappointment or promotion (and therefore for which consideration by the Advisory Board would otherwise be unavailable), the appeal structure shall nonetheless include the Advisory Board as to that portion of the appeal raising an alleged violation of the Statement on Academic Freedom.

b. To the extent that an appeal does not involve a violation of Section 4.2.2(1) of this Statement (that is, relating to the search for, and appointment and promotion of, faculty), the Advisory Board may, at its option, refer the appeal to any faculty member or committee of faculty members as it deems appropriate, which faculty member or committee of faculty members shall consider the matter and make recommendations to the Provost directly.

c. For each appeal raising an alleged violation of the Statement on Academic Freedom, the Standards for Review under Section 4.1.1(2) of the Statement on Faculty Appeal Procedures shall be expanded to include the consideration: Did the decision give weight to one or more of the factors ruled out of proper consideration by Section 4.2.2 of the Statement on Academic Freedom?