

## 32.01.01.H0.01

# Complaint and Appeal Procedures for Faculty Members



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Revised: April 5, 2023

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## Procedure Summary

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Informal and formal complaint or appeal processes are available to all faculty members. Texas A&M University-Texarkana shall promptly investigate and resolve faculty complaints and appeals.

This procedure addresses Section 3.2 of [System Regulation 32.01.01, Complaint and Appeal Procedures for Faculty Members](#) by establishing a published process for the handling of complaint and appeals when procedures are not specifically established elsewhere.

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## Procedures and Responsibilities

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### 1. CONFIDENTIALITY

Everyone involved in the complaint and appeal shall respect the confidentiality of information and records and the privacy of all parties whose interests are affected.

### 2. INFORMAL RESOLUTION OF COMPLAINTS AND APPEALS

Faculty and administrators at all levels should strive to maintain open lines of communication with peers, supervisors and subordinates. In so doing, most problems can be resolved informally (orally) by mutual consent before they ever reach the formal complaint stage.

- 2.1 A faculty member initiates the informal process by presenting the complaint to his/her department head. The department head is responsible for listening and discussing the complaint with the faculty member and resolving the complaint. Discussions shall be informal for the purpose of settling differences in the simplest and most direct manner.
- 2.2 The department head shall reach a decision within five (5) working days from the date the complaint was presented. If the complaint is not resolved through informal discussion with the department head, the faculty member may request a meeting with the college dean. The dean shall reach a decision within five (5) working days from the date the complaint was presented.

- 2.3 If the complaint is not resolved through informal discussion with the college dean, the faculty member may request a meeting with the Vice President of Academic Affairs (VPAA). The VPAA shall reach a decision within five (5) working days from the date the complaint was presented. If the complaint is not resolved to the satisfaction of the faculty member, the faculty member may initiate a formal written complaint.
- 2.4 If an administrator in the line of authority is a party to the informal complaint, the process by-passes that position.

### **3. FORMAL RESOLUTION OF COMPLAINTS AND APPEALS**

If informal discussions and procedures do not resolve the complaint, the faculty member may elect to pursue a resolution through the formal complaint and appeal process. The formal process may be initiated without first going through the informal process. A faculty member may be disciplined for the bad faith filing of a complaint.

- 3.1 The faculty member begins the formal complaint and appeal process by filing a signed, written Formal Complaint Form. The faculty member must:
  - 3.1.1 include copies of the written complaint and successive responses (if applicable),
  - 3.1.2 describe the nature of the complaint and a resolution the faculty member hopes to achieve by filing the complaint; and
  - 3.1.3 provide a copy to the Provost's Office and the Director of Human Resources.
- 3.2 The faculty member may request a formal review of the complaint by the Faculty Complaint and Appeal Committee or by the President.
- 3.3 The Faculty Complaint and Appeal Committee (if applicable) has ten (10) working days from receipt of the complaint to review the complaint and provide a statement of its conclusions and recommendations to the President.
- 3.4 The President (if applicable) may issue a final written decision to the faculty member within ten (10) working days.

### **4. FACULTY COMPLAINT AND APPEAL COMMITTEE**

- 4.1 The President has delegated the responsibility for appointing the Faculty Complaint and Appeal Committee to the Faculty Senate. The ad hoc Faculty Complaint and Appeal Committee reviews faculty complaints covered by this document and shall include a tenured, senior faculty member from each college. Faculty members appointed to the Faculty Complaint and Appeal Committee may not be parties to the complaint.
- 4.2 The President or designee shall meet with the ad hoc Faculty Complaint and Appeal Committee to provide the committee charge, an overview of committee tasks, and the format for the Committee report.

- 4.3 The chair will convene the committee, which will review the complaint and all subsequent responses (if applicable), and will then forward a statement of its conclusions and recommendations to the President within ten (10) working days of receipt of the complaint. A copy will also be sent to the Provost and the Director of Human Resources.
- 4.3.1 The committee should begin its investigation in a timely manner.
- 4.3.2 The committee will provide the faculty member with an opportunity to present his or her complaint.
- 4.3.3 If the complaint is directed toward a particular individual or department, that individual or a representative from the department will be provided an opportunity to respond to the complaint.
- 4.3.4 The committee may also seek information from other persons related to the complaint.
- 4.4 The President may conduct further inquiry, may remand the complaint and appeal to the Faculty Complaint and Appeal Committee for further consideration and/or may accept, reject, or modify the conclusion and recommendations of the Faculty Complaint and Appeal Committee Report.
- 4.4.1 In the case of the President remanding the complaint back to the committee, the committee shall have ten (10) working days to review and provide a statement of its conclusions and recommendations to the President.
- 4.5 The President shall forward a written decision, along with a copy of the committee report, to the faculty member within ten (10) working days of the receipt of the Faculty Complaint and Appeal Committee report. A copy will also be provided to the Provost's Office and the Director of Human Resources. The decision of the President is final and will be considered the last step in the university's formal complaint procedure for faculty.

## **5. REQUEST FOR TIMELINE EXTENSION**

- 5.1 Administrators are expected to promptly review and respond to complaints within the described timeframes. However, if an administrator requires additional time to effectively review a complaint or appeal; the administrator may extend their timeline up to ten (10) additional working days. This allowance is available to the Faculty Complaint and Appeal Committee as well.
- 5.2 The administrator must communicate the extension in writing to the complainant and the Director of Human Resources. Failure to communicate extensions or failure to respond by the expected timeframes may be cause for a separate complaint.

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## **Related Statutes, Policies, or Requirements**

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

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

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## **Appendix**

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[Formal Complaint Form](#)

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## **Contact Office**

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Provost and Vice President for Academic Affairs  
(903) 223-3004