

## **32.01.01.C0.01 Complaint and Appeal Process for Faculty Members**



Approved: July 31, 2000  
Revised: March 6, 2017  
Next Scheduled Review: March 6, 2022

---

### **Procedure Statement**

---

This procedure addresses concerns and complaints from faculty members of Texas A&M University-Corpus Christi not specifically stated elsewhere. System policies and regulations and university rules and procedures exist to cover complaints including, but not limited to, the areas of civil rights, tenure, promotion, dismissal, reduction in force, and violations of academic freedom. This procedure should be read along with system regulation *32.01.01, Complaint and Appeal Procedures for Faculty Members*. Refer to the Related Statutes, Policies or Requirements section below for guidance on other types of complaints.

---

### **Reason for Procedure**

---

The purpose of this procedure is to outline the concern/complaint resolution process for all faculty members and promote prompt and efficient investigation and resolution of concerns/complaints that are not addressed elsewhere in system policies or regulations or university rules or procedures.

---

### **Procedures and Responsibilities**

---

#### **1. PURPOSE**

- 1.1 It is intended that all misunderstandings be resolved, whenever possible, before the filing of a formal complaint. Faculty members who are considering filing a formal complaint are encouraged first to seek alternative mechanisms, such as discussing the matter with their supervisor(s) or meeting with the faculty ombuds as outlined in section 2.3 of this procedure. Open communication between faculty members and administrators and fair decisions are important so that resorting to the formal complaint process described in Section 3 of this procedure will not be necessary.

#### **2. INFORMAL PROCESS FOR HANDLING A CONCERN**

This process applies to resolving a concern (a cause for a complaint) prior to the filing of a formal complaint. The responsibilities of the department chair, dean, and faculty ombuds in informal process are described below.

## 2.1 Department Chair

- (a) The department chair is responsible for listening to and discussing the concern with the faculty member and resolving the concern.
- (b) The discussions will be informal for the purpose of settling differences in the simplest and most direct manner.
- (c) If the concern is not resolved through informal discussion with the department chair, or the department chair is the object of the concern, the faculty member may request a meeting with the college dean.

## 2.2 Dean

- (a) The dean is responsible for listening to and discussing the concern with the faculty member and resolving the concern.
- (b) The discussions will be informal for the purpose of settling differences in the simplest and most direct manner.
- (c) If the concern is not resolved through informal discussion with the dean, or the dean is the object of the concern, the faculty member may request a meeting with the faculty ombuds.

## 2.3 Faculty Ombuds

- (a) The role of the faculty ombuds is to listen to, discuss, and help address faculty concerns, provide relevant information, and engage in informal efforts to resolve conflicts. In that role, the faculty ombuds remains neutral, rather than advocating for any individual.
- (b) The faculty ombuds shall hold all communications with those seeking assistance in strict confidence, and will not disclose confidential communications unless given written permission to do so. The only exceptions to this privilege of confidentiality are where there are allegations of discrimination, sexual harassment, related retaliation, sexual violence, fraud, waste, abuse, imminent risk of serious harm, and/or where required by state or federal law.
- (c) The faculty ombuds does not have any formal decision-making authority and does not participate in any formal complaint or grievance processes.

- (d) Refer to university procedure 32.01.01.C0.02, *Faculty Ombuds* for additional information on the faculty ombuds.

### 3. FORMAL COMPLAINT PROCESS

This process applies when a formal complaint is filed.

#### 3.1. Privacy

Complaint proceedings will be kept private, subject only to the need of the complainant and the university to comply with the processes specified below and to present evidence concerning the complaint in other administrative or judicial proceedings.

- 3.2. The roles of the dean, the provost and vice president for academic affairs, and the investigation committee are described below.

##### 3.2.1 Dean

- (a) If the informal process discussed in Section 2 of this procedure did not resolve the concern, the faculty member may elect to pursue the formal complaint process by sending a written complaint and a proposed solution to the dean. The dean will meet with the faculty member within ten (10) working days to resolve the complaint. If the complaint is not addressed within ten (10) working days, the complaint can be submitted directly to the provost.
- (b) The dean will notify the complaining faculty member of his or her decision, in writing, within ten (10) working days following the date of the meeting.

##### 3.2.2 Provost and Vice President for Academic Affairs

- (a) If the faculty member believes that the matter is still not resolved, (and the matter does not involve routine academic administration, i.e. performance evaluations, course/committee assignments, or interpersonal conflicts) he or she may forward a written complaint to the provost and vice president for academic affairs within fifteen (15) working days after the dean issues a written decision.
- (b) The president has delegated to the provost the responsibility for appointing committees to review faculty complaints covered by this procedure. The investigation committee will be chosen from the Faculty Hearing Committee/Advisory Committee pool and follow the selection process outlined in Section 4 of university procedure

*12.01.99.C0.06, Faculty Dismissal, Administrative Leave, Non-Reappointments and Terminal Appointments.*

### 3.2.3 Investigation Committee

- (a) The committee should begin its investigation in a timely manner, normally commencing within fifteen (15) working days after the complaint has been forwarded to the provost.
- (b) The committee will provide the aggrieved faculty member with an opportunity to present his or her complaint.
- (c) If the complaint is directed toward a particular individual or department, that individual or a representative from the department will be provided with an opportunity to respond to the complaint.
- (d) The committee may also seek information from other persons related to the case, excluding the ombuds.
- (e) The committee will provide its written findings and recommendations to the provost within fifteen (15) working days after commencing the investigation.

### 3.3 Final Decision

The provost will issue a written decision to the faculty member originating the complaint, the department chair, and the dean, normally within five (5) working days after receiving the recommendation of the committee. The decision of the provost and vice president for academic affairs will be final.

---

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

---

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

University Rule [08.01.01.C1, Civil Rights Compliance](#)

University Procedure [12.01.99.C0.06, Faculty Dismissals, Administrative Leave, Non-Reappointments, and Terminal Appointments](#)

University Procedure [12.02.99.C0.01, Tenure](#)

University Procedure [32.01.01.C0.02, Faculty Ombuds](#)

University Procedure [33.99.04.C0.02, Promotion of Tenured and Tenure-Track Faculty Members](#)

---

## **Contact Office**

---

Contact for interpretation and clarification: Provost and Vice President for Academic Affairs  
361-825-2722