

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



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[Revision History](#)

Procedure Summary

This procedure addresses concerns and complaints from faculty members of Texas A&M University-Corpus Christi not specifically stated elsewhere. It outlines the concern/complaint resolution process for all faculty members and promotes prompt and efficient investigation and resolution of these concerns/complaints. Other 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.

Procedure

1. GENERAL

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 roles and responsibilities of the department chair/supervisor, dean, and faculty ombuds in the informal process are described below.

2.1. Department Chair/Supervisor

- (a) The department chair/supervisor is responsible for listening to and discussing the concern with the faculty member in an effort to resolve 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 this informal discussion with the department chair/supervisor, or the department chair/supervisor is the object of the concern, the faculty member may request a meeting with the dean or faculty ombuds.

2.2. Dean

- (a) The dean is responsible for listening to and discussing the concern with the faculty member in an effort to resolve 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 this 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 and discuss the concerns with the faculty member and help address faculty concerns by providing relevant information and engaging in informal efforts to resolve conflicts. In that role, the faculty ombuds remains neutral, rather than advocating or appearing to advocate for any individual.
- (b) The faculty ombuds shall keep all communications with those seeking assistance private and will not disclose private communications unless given written permission to do so. The only exceptions to this privacy are where there are allegations of civil rights 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) Additional information on the faculty ombuds can be found in university procedure *32.01.01.C0.02, 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 and responsibilities of the dean, the Provost and Vice President for Academic Affairs (Provost), and the Designated Administrator 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 or the dean is the subject of the complaint, the complaint can be submitted directly to the Provost.
- (b) The dean will notify the complaining faculty member of their decision, in writing, within ten (10) working days following the date of the meeting.

3.2.2. Provost

- (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), they may forward a written complaint to the Provost within fifteen (15) working days after the dean issues a written decision.
- (b) The President has delegated to the Provost the responsibility to appoint a Designated Administrator (senior campus administrator or investigation committee) to review complaints and/or appeals and make recommendations to the Provost.
 - a. If an investigation committee is designated to review faculty complaints covered by this procedure, it will be chosen from

the Faculty Hearing Committee/Advisory Committee pool and follow the selection process outlined in section 4.1 of university procedure *12.01.99.C0.05, Faculty Dismissal, Administrative Leave, Non-Reappointments and Terminal Appointments.*

- b. If a senior campus administrator is designated to review faculty complaints covered in this procedure, they will be selected by the Provost in consultation with relevant campus and system administrators.

3.2.3. Designated Administrator (Senior Campus Administrator or Investigation Committee)

- (a) The Designated Administrator should begin its investigation in a timely manner, normally commencing within fifteen (15) working days after the complaint has been forwarded by the Provost.
- (b) The Designated Administrator will provide the aggrieved faculty member with an opportunity to present their complaint and provide witnesses.
- (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 and provide witnesses.
- (d) The Designated Administrator may also seek information from other persons related to the case, excluding private information from the faculty ombuds.
- (e) The Designated Administrator will provide their written conclusion 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/supervisor, and the dean normally within five (5) working days after receiving the recommendation of the Designated Administrator. The decision of the Provost 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 Rule [12.01.01.C1, Tenure](#)
University Procedure [12.01.99.C0.05, Faculty Dismissals, Administrative Leave, Non-Reappointments, and Terminal Appointments](#)
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

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