

Texas Woman's University University Regulation and Procedure

Regulation and Procedure Name: Faculty Grievance, Review, and Appeal Processes

**Regulation and Procedure
Number: URP: 02.350**

Policy Owner: Academic Affairs

POLICY STATEMENT

Texas Woman's University ("TWU") is committed to the fair and equitable treatment of all faculty members. As such, TWU seeks to provide for the prompt resolution of faculty grievances, faculty review of matters, and faculty appeal proceedings. It is the policy of TWU that any Faculty Member who believes they have not received fair treatment has a right to seek appropriate redress within a reasonable time under the terms of this policy.

APPLICABILITY

This policy is applicable to TWU Faculty.

DEFINITIONS

1. "Academic Component Administrator ("ACA")" means the leader of an academic component ("AC") with authority over Faculty, Staff, and budget. Titles may include, but are not limited to, chair, director, associate director, associate dean, and assistant dean. A program director with responsibility for budget and personnel is also considered an ACA.
2. "Administrator" within Academic Affairs means a Faculty Member with a 12-month administrative assignment. The administrative assignment includes significant duties relating to the operation of the University. Examples of Administrators include Deans, Vice Provosts, and Provosts.
3. "Appeals regarding Reappointment, Tenure, and/or Promotion ("RTP Appeals")" mean any appeal related to the revocation of appointment, tenure and/or promotion not due to fiscal exigency.
4. "Appeals and grievances regarding issues not related to Reappointment, Tenure, and/or Promotion ("Non-RTP Appeals")" mean any appeal or grievance that is not related to the revocation of appointment, tenure, and/or promotion. Grievances due to work conditions, academic freedom, and disciplinary actions other than RTP will be reviewed using the Non-RTP process.

5. "Appeal Dossier" means information submitted by a Faculty Member in connection with a grievance, disciplinary review, or appeal under this University Regulation and Procedure ("URP"), and should include:
- a. The URP 02.350 Transmittal Form with the Grievant section completed, including:
 - i. Summary of grievance
 - ii. Statement of the matter under review
 - iii. Statement of the relief sought
 - iv. Summary of any informal resolution efforts
 - b. A written statement that:
 - i. Identifies the specific actions or decisions being challenged
 - ii. References any violated university policies, procedures, or standards
 - iii. Explains how these policies or procedures were violated
 - iv. For Non-RTP Appeals only, this statement is part of the URP 02.350 Transmittal Form
 - c. A list of supporting documentary evidence, if applicable
 - d. Supporting documentary evidence, if applicable, that may include:
 - i. Annual review materials
 - ii. Written correspondence
 - iii. Meeting notes
 - iv. Documentation of informal resolution attempts
 - v. Written witness statements from individuals with direct knowledge based on factual information of the appeal as applicable
 - vi. Other documentary evidence relevant to the grievance
 - e. For RTP matters only:
 - i. A maximum three-page statement (double-spaced, 12-point font, 1-inch margins)

- ii. Timeline of relevant events
 - iii. List of potential witnesses with statements of relevance, if applicable
6. "Business Day" means Monday through Friday during regular TWU business hours (8:00 a.m. – 5:00 p.m. Central Time), when TWU offices are open.
 7. "Conflict of Interest" means any circumstance that could reasonably affect a person's ability to make fair and impartial judgments in the review process, including but not limited to:
 - a. Direct involvement in the matter under review;
 - b. Close personal or professional relationship with the Grievant or Respondent;
 - c. Direct supervisory relationship with either party;
 - d. Academic collaboration with either party within the past three years;
 - e. Financial or personal interest in the outcome;
 - f. Demonstrated pattern of actions or statements that raise reasonable questions about the ability to evaluate matters objectively; or
 - g. Other circumstances that would compromise impartial review.
 8. "Dismissal for Good Cause," in this policy, means dismissal of a Faculty Member for reasons that may include, but are not limited to:
 - a. Professional incompetence;
 - b. Continual or repeated failure to perform duties or meet professional responsibilities of the Faculty Member's position;
 - c. Failure to successfully complete any post-tenure review professional development program;
 - d. Moral turpitude adversely affecting the performance of duties or the meeting of responsibilities to TWU, or to students or associates;
 - e. Violation of TWU policies, regulations, rules, or laws substantially related to the performance of the Faculty Member's duties;
 - f. Conviction of a crime related to the fitness of the Faculty Member to engage in teaching, research, service, outreach, or administration;
 - g. Unprofessional conduct adversely affecting the performance of duties or the meeting of responsibilities to TWU or the Faculty Member's

- performance of duties or meeting of responsibilities;
 - h. Falsification of academic credentials;
 - i. The reduction or discontinuance of institutional programs based on educational considerations and requiring the termination of Faculty Members, in accordance with URP 02.342: Faculty Promotion and Tenure; or
 - j. A finding of sexual misconduct or other serious misconduct, in accordance with TWU policy.
9. "Faculty Member" means an individual who is employed by TWU as a member of the faculty and whose duties include teaching, research, service, and administration. Professional librarians and graduate assistant titles are excluded from the definition of faculty member.
10. "Faculty Ombudsperson" means a designated neutral party who provides confidential and informal assistance to Faculty and ACAs in resolving workplace concerns, conflicts, and grievances while remaining independent from formal university administrative structures.
11. "Good Faith Effort" means honest and respectful attempts to resolve concerns through timely communication, active participation in discussions, and consideration of reasonable compromises.
12. "Grievance Dossier," "Disciplinary Review Dossier," and "Appeal Dossier" mean information submitted by a Faculty Member in connection with a grievance, disciplinary review, or appeal under this URP, and may include the following information:
- a. The URP 02.350 Transmittal Form;
 - b. A written statement of the issue(s) to be reviewed;
 - c. Supporting documents and information, such as annual review materials, the names of other individuals with knowledge of relevant information, written witness statements, and written correspondence, if applicable;
 - d. A copy of the Regent Policy or URP that Faculty Member feels was violated, if applicable, and an explanation of how the Regent Policy or URP was violated. This explanation should be included in the written statement of the issue(s) to be reviewed; and
 - e. A statement of relief sought.
13. "Grievant" means a Faculty Member who files a grievance, seeks a disciplinary review, or requests an appeal under this URP.

14. “Informal Resolution” means faculty should attempt to resolve concerns directly with the involved parties through respectful dialogue and good faith efforts before initiating a formal grievance process. This includes documented meetings, discussions, and proposed solutions aimed at finding a mutually agreeable resolution.
15. “Live Hearing” means a formal proceeding where parties present evidence and testimony in person before a review panel, with opportunities for questioning witnesses and providing statements according to established procedures in this policy.
16. “Respondent” means TWU and its designated representative(s).
17. “Response Dossier” means information submitted by a Respondent in connection with a grievance, disciplinary review, or appeal under this URP, and should include:
 - a. The URP 02.350 Transmittal Form with the Respondent section completed
 - b. A written statement responding to the issue(s) raised in the grievance that:
 - i. Explains the actions or decisions being challenged
 - ii. References relevant university policies, procedures, or standards
 - iii. Provides context for understanding the rationale behind the actions or decisions
 - iv. For Non-RTP Appeals only, this statement is part of the URP 02.350 Transmittal Form
 - c. A list of supporting documentary evidence, if applicable
 - d. Supporting documentary evidence, as applicable, that may include:
 - i. Annual review materials
 - ii. Written correspondence
 - iii. Meeting notes
 - iv. Documentation of informal resolution attempts
 - v. Written witness statements from individuals with direct knowledge based on factual information of the appeal
 - vi. Other documentary evidence relevant to the response
 - e. For RTP matters only:

- i. A maximum three-page statement (double-spaced, 12-point font, 1-inch margins)
 - ii. Timeline of relevant events
 - iii. List of potential witnesses with statements of relevance, if applicable
18. "Tenure" means the entitlement of a Faculty Member of TWU to continue in the Faculty Member's academic position unless dismissed by TWU for Good Cause in accordance with TWU's policies and procedures. The granting of tenure may not be construed to create a property interest in any attribute of a faculty position beyond a faculty member's continuing employment, including their regular annual salary and any privileges incident to their status as a tenured faculty.

REGULATION AND PROCEDURE

I. General

- A. Non-reappointment and termination of employment at the expiration of the contract term are not subject to faculty grievance, faculty disciplinary review, or faculty appeal process.
- B. In addition, matters arising out of federal and state laws regulations or statutes, which are under the purview of other policies and procedures, are not subject to this policy. This includes but is not limited to the following URPs:
 - 1. URP 05.100: Non-Discrimination, Equal Opportunity, and Diversity
 - 2. URP 01.220: Title IX Policy
 - 3. URP 01.225: Prohibition of Sexual Misconduct
 - 4. URP 01.230: Consensual Relationships
 - 5. URP 05.110: Americans with Disabilities Act Policy
- C. The grievance and appeal processes available to Faculty Members at Texas Woman's University are as follows:
 - 1. Non-RTP processes are applied in any of the following types of situations:
 - a. This process addresses employment-related concerns such as working conditions, hours of work, compensation,

environment, or relationship issues with supervisors or other employees.

- b. This process addresses any academic freedom concerns that do not result in RTP.
 - c. This process addresses appeals related to Faculty discipline that do not have reappointment, tenure, or promotion ramifications and that are based on at least one of the following:
 - i. Discipline imposed without documented evidence of misconduct or without following established disciplinary procedures outlined in [URP 02.330: Faculty Responsibilities, Standards of Conduct, and Disciplinary Processes](#)
 - ii. Discipline that, even though imposed for a bona fide basis or because of serious misconduct, is deemed disproportionate to the Faculty Member's misconduct based on:
 - a. Established university precedent for similar cases
 - b. Progressive discipline guidelines per [URP 02.330: Faculty Responsibilities, Standards of Conduct, and Disciplinary Processes](#)
 - c. Recommendations from Faculty review committee
 - d. Severity of documented misconduct
 - iii. Procedural errors or lack of due process in administration of the sanction
2. RTP Processes are applied to any appeals related to Faculty discipline that do have appointment, tenure, or promotion ramifications, including:
- iii. Recommendations to revoke tenure and terminate employment of a tenured Faculty Member

- iv. Recommendations to demote a contract Faculty Member during the term of the contract
- v. Recommendations to deny an application for tenure and/or promotion for a tenure-track Faculty Member
- vi. Recommendations to not renew the employment contract of a tenure-track Faculty Member

D. The timelines established in this policy are designed to ensure both thorough review and timely resolution of Faculty concerns. Tasks requiring substantial preparation of materials or detailed review are generally allotted ten (10) business days, while administrative tasks such as forwarding documentation are generally allotted five (5) business days.

- 1. After the grievance is presented, the time periods for action prescribed in these procedures should be followed unless reasonable extension is required by unusual circumstances. In the absence of the foregoing conditions, times for action should be extended only for university holidays or by mutual agreement of the parties and, in an appeal, with concurrence of the Executive Vice President of Academic Affairs/Provost ("EVPAA/Provost").
- 2. Any request for timeline modification must include specific justification and be submitted in writing to the EVPAA/Provost's office before the original deadline. The EVPAA/Provost's office will maintain oversight of timeline compliance to ensure consistent application of these standards.
- 3. The timelines established in this policy allow for concurrent preparation of materials:
 - a. Faculty Members may begin preparing their Appeal Dossier materials during any informal resolution attempts
 - b. The Chair of the Faculty Review Committee (FRC) may begin the panel selection process while waiting for the Response Dossier
 - c. The Response Dossier preparation and the FRC Panel assembly occur concurrently

II. Non-RTP Appeals Process

A. Overview

Matters that are subject to the Non-RTP process under this policy are defined in Section 1.C.1.

B. Process

A Faculty Member requesting a Non-RTP process in connection with one of the above-listed bases must request a review as follows:

1. STEP ONE – Initiation of the Appeal including Informal Resolution Attempt and Concurrent Appeal Dossier Preparation (Initiation).
 - a. The Faculty Member must submit the Appeal Dossier to the EVPAA/Provost within ten (10) business days after the triggering event.
 - b. Informal Resolution
 - i. Faculty Members should attempt informal resolution through direct engagement with the individual responsible for the issue and seek resolution through direct communication grounded in good faith and mutual respect. Faculty are encouraged to engage the Faculty Ombudsperson in the process.
 - ii. Faculty Members are assured freedom from retaliation for pursuing an informal resolution.
 - c. The purpose of the Non-RTP Appeal Dossier is to provide a clear and concise record of the grievance, supporting evidence, and efforts made toward resolution. For complete requirements, see definition of Appeal Dossier above. It should include the following key components:
 - i. The URP 02.350 Transmittal Form including;
 - a. Completion of the Non-RTP Grievant portion of the form
 1. Grievant information.

2. Summary of any informal resolution attempts, including dates of meetings or discussions, proposals made to address the concerns, and outcomes of those discussions.
3. Statement of the matter, recommendation, action, or issue to be reviewed, including relevant dates and participants involved.
4. Regent Policy or URP relevant to the review.
5. Statement of the relief sought.
6. Summary of the grievance.

ii. Supporting documentation:

- a. A list of all attached documentary evidence should be provided.
- b. Documentation should be directly related to the grievance, such as annual review materials, written correspondence, meeting notes, documentation of informal resolution attempts, witness statements from individuals with direct knowledge of the grievance that focuses on the factual information relevant to the appeal, and other documentary evidence, as appropriate and if applicable.

2. STEP TWO – Grievance Validation by EVPAA/Provost Evaluation (Grievance Validation)

- a. The EVPAA/Provost must complete the initial review and designate a respondent within five (5) business days after receiving the Appeal Dossier.
- b. The EVPAA/Provost will conduct a preliminary review to determine if:

- i. The review process began within ten (10) business days of the event.
 - a. If the review request did not occur within the ten (10) business days of the event and an extension was not granted, the Non-RTP process will be ended and the EVPAA/Provost will email the signed URP 02.350 Transmittal Form to the Grievant.
 - ii. The matter falls outside of the scope of the Non-RTP process.
 - a. If the matter should be addressed through other processes/procedures, the EVPAA/Provost will provide an updated URP 02.350 Transmittal Form to the Grievant with the following:
 - 1. The specific policy and office for addressing the concern
 - iii. Should the matter have been appropriately brought to the Non-RTP process, the EVPAA/Provost will:
 - a. Designate a TWU ACA or Administrator to serve as the Respondent on behalf of TWU.
 - b. Send a copy of the Grievant's Appeal Dossier with an updated URP 02.350 Transmittal Form to the appointed Respondent and the FRC Chair.
- 3. STEP THREE: Preparation of the Response Dossier and Assembly of the Non-RTP FRC Panel (Response and Panel Formation)
 - a. Preparation of the Response Dossier by the Respondent
 - i. The Respondent must prepare a Response Dossier and submit it to the FRC Chair within ten (10) business days of the Grievance Validation.
 - ii. The Response Dossier should include:

- a. An updated URP 02.350 Transmittal Form;
 - 1. Completion of the Non-RTP Respondent portion of the form which will include:
 - a. The Respondent's position, addressing the appeal and the specific actions or decisions being challenged.
 - b. References to the policy, procedure, or standards that justify the actions or decisions.
 - c. Additional context the Respondent deems important for understanding the rationale behind the actions or decisions.
 - b. Supporting documentation:
 - 1. A list of all attached documentary evidence should be provided.
 - 2. Documentation should be directly related to the grievance, such as annual review materials, written correspondence, meeting notes, documentation of informal resolution attempts, witness statements from individuals with direct knowledge of the grievance that focuses on the factual information relevant to the appeal, and other documentary evidence, as appropriate and if applicable.
- b. Assembly of the Non-RTP FRC Panel by the FRC Chair
 - i. The FRC Chair will oversee the assembly of the Non-RTP FRC Panel while the Respondent is preparing the Response Dossier.

- a. The assembly process must be completed within ten (10) business days of the Grievance Validation.
- b. During this period, the FRC Chair shall:
 - 1. Draw the names of ten (10) FRC members to assist with the assembly of the Non-RTP FRC Panel.
 - 2. Beginning with the first name drawn, the FRC Chair will ensure that each member meets the following criteria until three (3) members and two (2) alternates are selected. The criteria for selection include:
 - a. The FRC member is not a member of the Grievant's or Respondent's academic department
 - b. The FRC member does not have a close personal relationship with the Grievant or Respondent.
 - c. The FRC member does not have a Conflict of Interest as defined by this policy.
 - d. The FRC member is available to participate within the assigned timeline.
- c. The FRC Chair will notify the Grievant and Respondent of the three (3) selected panel members and two (2) alternates within five (5) business days of receiving the Appeal Dossier.
- d. The Grievant and Respondent have five (5) business days after panel notification to submit written objections to the FRC Chair. The Grievant or Respondent must email the FRC

Chair with a clear justification for the objection based on Conflict of Interest.

ii. Finalization of the Non-RTP FRC Panel and Distribution of Materials

- a. The FRC Chair will evaluate all objections to panel members and determine if replacement of any member is warranted.
- b. Replacement will be selected from the alternate names, ensuring prior review by the Respondent and Grievant.
- c. The FRC Chair will send the following to the Non-RTP FRC Panel, Grievant, and Respondent:
 1. An updated URP 02.350 Transmittal Form with the FRC Chair section completed.
 2. The Appeal Dossier.
 3. The Response Dossier.
- d. The finalized Non-RTP FRC Panel will elect a Panel Lead from among its members prior to Step Four.

4. STEP FOUR: Initial Non-RTP FRC Panel Evaluation (Panel Initial Review)

- a. Initial review of Dossiers by the Non-RTP FRC Panel
 - i. The Non-RTP FRC Panel must complete its initial review within ten (10) business days after receiving the Appeal and Response Dossiers.
 - ii. The Non-RTP FRC Panel may decide:
 - a. That no further review is warranted.

- b. That further review of written materials is necessary to fully evaluate the grievance.
- c. That a Live Hearing is required to gather additional information or testimony.

b. Criteria for Determination

- i. The Non-RTP FRC Panel will evaluate the Dossiers and supporting materials based on: Whether the grievance demonstrates that a violation of university policy, procedure, or standards occurred.
- ii. If the violation resulted in significant harm or adverse impact.
- iii. The completeness and relevance of the documentation submitted by both parties.
- iv. The clarity and sufficiency of evidence supporting or refuting the grievance.

c. Decision Process

- i. No further review
 - a. If the Non-RTP FRC Panel determines that there is insufficient evidence supporting the grievance, no violation of university policy, procedure, or standards occurred, and/or the violation did not result in significant harm or adverse impact, the grievance will be dismissed.
 - b. The Non-RTP FRC Panel Lead will notify the FRC Chair, the Grievant, the Respondent, and the EVPAA/Provost through the updated URP 02.350 Transmittal Form, providing the rationale for the decision.
 - c. This decision is final, and the Non-RTP review process has ended.
- ii. Further review of written materials

- a. If the Non-RTP FRC Panel requires additional context, the panel may request:
 - 1. Clarifications from the Grievant or Respondent.
 - 2. Supplemental documentation relevant to the grievance.
- b. The Non-RTP FRC Panel must specify the exact information or clarification needed through an updated URP 02.350 Transmittal Form.
 - 1. Parties must submit requested additional information to the Non-RTP FRC Panel and the other party within five (5) business days.

iii. Live Hearing

- a. If the Non-RTP FRC Panel determines that a Live Hearing is necessary, the Non-RTP FRC Panel Lead will schedule the hearing to occur within twenty (20) business days of the determination.
- b. The Non-RTP FRC Panel will outline specific issues to be addressed during the hearing through an updated URP 02.350 Transmittal Form.
- c. If the Non-RTP FRC Panel requires additional documentation prior to the Live Hearing, the panel may specify the exact information or clarification needed through an updated URP 02.350 Transmittal Form, which may include:
 - 1. Clarifications from the Grievant or Respondent.
 - 2. Supplemental documentary evidence relevant to the grievance.

3. Both parties will have five (5) business days after Initial Review Determination to provide the additional requested information to the Non-RTP Panel and the other party.
- d. All parties will receive written notification of the hearing schedule at least ten (10) business days in advance of the hearing, including:
 1. Date, time, and location of the hearing.
 2. Procedures for presenting evidence or witness testimony.
- iv. Documentation and Communication
 - a. The Non-RTP FRC Panel Lead will provide the Grievant, the Respondent, and the EVPAA/Provost with the following information within five (5) business days of the Non-RTP FRC Panel Initial Determination:
 1. An updated URP 02.350 Transmittal Form with the decision, rationale, and any additional requested information.
 2. If further review or a Live Hearing is required, the updated URP 02.350 Transmittal Form will outline the next steps and associated timelines.
- v. Confidentiality and Impartiality
 - a. The Non-RTP FRC Panel will maintain confidentiality throughout the process, ensuring that all discussions, materials, and deliberations remain secure.
 - b. Any concerns regarding conflicts of interest in the panel's evaluation process must be promptly reported to the FRC Chair.

5. STEP FIVE: Non-RTP FRC Panel Review and Recommendations (Panel Determination)

a. Review of Written Materials

i. If the Non-RTP FRC Panel determines that further review of written materials is needed:

a. The Non-RTP FRC Panel will review all relevant documents, including:

1. The Appeal Dossier submitted by the Grievant.
2. The Response Dossier submitted by the Respondent.
3. Any supplemental materials requested and received during Step Four.

ii. Deliberation and Findings:

a. The Non-RTP FRC Panel will deliberate on the evidence presented and make a determination regarding the grievance.

b. The Panel's findings will include:

1. Whether the grievance has merit.
2. Recommendations for resolving the grievance, if applicable.

iii. Completion Timeline:

a. The Panel must complete its review of materials and issue an updated URP 02.350 Transmittal Form within ten (10) business days of the Non-RTP FRC Panel Lead notification of the Initial Review Determination.

b. Live Hearing Procedures

- i. If the Non-RTP FRC Panel determines that a Live Hearing is required:
 - a. The hearing will be conducted as scheduled in Step Four, following the guidelines outlined in this policy.
 - b. The Non-RTP FRC Panel Lead will be responsible for leading the hearing, ensuring adherence to procedures, maintaining decorum, and facilitating a fair and impartial review. The panel will guide the sequence of events, oversee witness testimony, and ask clarifying questions to assess the grievance thoroughly.
- c. Deliberation and Findings:
 - i. After the hearing, the Non-RTP FRC Panel will deliberate in private to determine:
 - a. Whether the grievance has merit.
 - b. Recommendations for resolving the grievance, if applicable.
 - ii. The Non-RTP FRC Panel Lead will document its findings in the updated URP 02.350 Transmittal Form.
- d. Completion Timeline:
 - i. The Panel must complete the Live Hearing and complete the URP 02.350 Transmittal Form within twenty-five (25) business days of the Non-RTP FRC Initial Review determination.
- e. Submission of the Non-RTP FRC Panel Report
 - i. The Non-RTP FRC Panel Lead will submit the Panel's written report to the following parties:
 - a. The Grievant.
 - b. The Respondent.

c. The EVPAA/Provost.

f. Next Steps Following the Non-RTP FRC Panel's Report:

- i. If the grievance is found to lack merit, the matter will be considered resolved. This decision is final, and the Non-RTP FRC review process has ended.
- ii. If the grievance is found to have merit, the Non-RTP appeal will proceed to the next step.

6. STEP SIX: Final Decision by the EVPAA/Provost (Final Decision)

- a. The EVPAA/Provost will review all materials submitted by the Non-RTP FRC Panel Lead and communicate their decision and any actions taken to the Grievant, Respondent, and FRC Chair within ten (10) business days of the issuance of the Non-RTP FRC Panel's report. This decision is final, and the Non-RTP review process has ended.

III. RTP Appeal Process

The RTP Appeal Process is as follows:

A. The following recommended actions may be the subject of RTP Appeal Process under this policy:

- 1. A recommendation to revoke tenure and terminate the employment of a tenured Faculty Member;
- 2. A recommendation to demote a contract Faculty Member during the term of the contract;
- 3. A recommendation to terminate the employment of a Faculty Member for Good Cause during the term of the employment contract;
- 4. A recommendation to deny an application for tenure or promotion for a tenure-track Faculty Member; and
- 5. A recommendation to not renew the employment contract of a tenure-track Faculty Member.

B. Procedure for RTP Appeals

A Faculty Member requesting an RTP appeal in connection with one of the above-listed recommendations must request an appeal as follows:

1. STEP ONE – Gather and Submit Appeal Dossier (Initiation)
 - a. The Faculty Member must submit a request for an appeal to the Chancellor and President (“Chancellor”) within ten (10) business days of receiving notice of the recommended action from the EVPAA/Provost.
 - b. The purpose of the RTP Appeal Dossier is to provide a clear and concise record of the grievance, supporting evidence, and efforts made toward resolution. It must include the following:
 - i. The URP 02.350 Transmittal Form;
 - a. Completion of the RTP portion of the form, which will include:
 1. Summary of grievance.
 2. Summary of informal resolution efforts (if applicable), including:
 - a. Dates and participants involved in discussions.
 - b. Any proposed resolutions and their outcomes.
 3. Statement of the matter, recommendation, action, or issue to be reviewed.
 4. Regent Policy or URP relevant to the review.
 5. Statement of the relief sought.
 - ii. A maximum three-page (double spaced, 12-point font, 1-inch margins) written statement, including:
 - a. The matter, recommendation, action, or issue under review.

- b. The specific Regent Policy or URP alleged to have been violated.
 - c. An explanation of how the policy or procedure was violated.
 - d. A statement of the relief sought.
 - iii. Timeline of events including:
 - a. The event triggering the grievance.
 - b. Dates and parties involved at each point of the timeline.
 - iv. A list of all witnesses who will be called on behalf of the Grievant at a potential hearing, including a brief statement describing how each witness is important to the issue under review.
 - v. Supporting documentation:
 - a. A list of all attached documentary evidence should be provided.
 - b. Documentation should be directly related to the grievance, such as annual review materials, written correspondence, meeting notes, documentation of informal resolution attempts, witness statements from individuals with direct knowledge of the grievance that focuses on the factual information relevant to the appeal, and other documentary evidence, as appropriate and if applicable.

2. STEP TWO: Chancellor Appeal Validation

- a. Within ten (10) days of the receipt of the request for appeal by the Chancellor, they will conduct an initial review to determine if the request occurred within the required ten (10) days and that the request for appeal is properly before the Chancellor.
 - i. If the initial review reveals that the timeline was not met or that the matter is not appropriate for an RTP appeal,

the Chancellor will notify the Grievant that the request for an RTP Review has been denied and the decision is final.

- a. If the appeal is subject to another process, the Chancellor will include the appropriate policy and process the Grievant should pursue in the notification.
 - b. An updated URP 02.350 Transmittal Form will be sent to the Grievant to document the decision.
 - ii. If the initial review is determined to be appropriately brought to the Chancellor, the Chancellor will:
 - a. Designate a TWU Administrator to serve as the Respondent on behalf of TWU.
 - b. Notify the FRC Chair of the Respondent's name.
 - c. Forward all documentation, including an updated URP 02.350 Transmittal Form and the RTP Appeal Dossier, from the Grievant to the FRC Chair and Respondent within ten (10) business days.
- 3. STEP THREE – Preparation of the Response Dossier and Assembly of the RTP FRC Panel (Response and Panel Formation)
 - a. Preparation of the Response Dossier by the Respondent
 - i. Upon notification of the grievance, the Respondent must prepare a Response Dossier and submit it to the FRC Chair within ten (10) business days of receipt of the Appeal Dossier from the Chancellor.
 - a. The Response Dossier must include:
 - 1. Completion of the Respondent Section of the RTP portion of the form, which will include:
 - a. A summary of informal resolution efforts (if applicable), including:

- i. Dates and participants involved in discussions.
 - ii. Any proposed resolutions and their outcomes.
 - b. The Regent Policy or URP relevant to the review.
- 2. A maximum a three-page (double spaced, 12-point font, 1-inch margins) written statement, including:
 - a. The Respondent's position, addressing the grievance, and the specific actions or decisions being challenged.
 - b. References to the policy, procedure, or standards that justify the actions or decisions.
 - c. Additional context the Respondent deems important for understanding the rationale behind the actions or decisions.
- 3. Timeline of events, including:
 - a. The event triggering the grievance.
 - b. Dates and parties involved at each point of the timeline.
- 4. A list of all witnesses who will be called on behalf of the Respondent at a potential hearing, including a brief statement describing how each witness is important to the issue under review.
- 5. Supporting documentation:

- a. A list of all attached documentary evidence should be provided.
 - b. Documentation should be directly related to the grievance, such as annual review materials, written correspondence, meeting notes, documentation of informal resolution attempts, witness statements from individuals with direct knowledge of the grievance that focuses on the factual information relevant to the appeal, and other documentary evidence, as appropriate and if applicable.
 - ii. The FRC Chair will forward a copy of the Response Appeal to the Grievant as soon as practicable, but no later than ten (10) business days after issuance of the Response Dossier.
- b. Assembly of the FRC Panel by the FRC Chair
 - i. The FRC Chair will oversee the assembly of the RTP FRC Panel while the Respondent is preparing the Response Dossier.
 - a. During this period, the FRC Chair shall:
 - 1. Draw the names of ten (10) FRC members to assist with the assembly of the RTP FRC Panel.
 - 2. Beginning with the first name drawn, the FRC Chair will ensure that each member meets the following criteria until five (5) members and two (2) alternates are selected. The criteria for selection include:
 - a. The FRC member is not a member of the Grievant's or

Respondent's academic department.

- b. The FRC member does not have a close personal relationship with the Grievant or Respondent.
 - c. The FRC member does not have a Conflict of Interest as defined by this policy.
 - d. The FRC member is available to participate within the assigned timeline.
 - b. The FRC Chair will notify the Grievant and Respondent of the five (5) selected panel members and two (2) alternates within five (5) business days of issuance of the Chancellor's Initial Evaluation.
 - c. The Grievant and Respondent may submit written objections to any panel member within five (5) business days of issuance of the panel notification. The Grievant or Respondent must email the FRC Chair with clear justification for the objection based on Conflict of Interest.
- ii. Finalization of the RTP FRC Panel and Distribution of Materials
- a. The FRC Chair will evaluate all objections to panel members and determine if replacement of any member is warranted.
 - b. Replacements will be selected from the alternate names, ensuring prior review by the Respondent and Grievant.
 - c. The FRC Chair will send the following to the RTP FRC Panel, Grievant, and Respondent:

1. An updated URP 02.350 Transmittal Form with the FRC Chair section completed.
 2. The Appeal Dossier.
 3. The Response Dossier.
 - d. The finalized RTP FRC Panel will elect an RTP FRC Panel Lead from among its panel members prior to Step Four.
4. STEP FOUR: Initial Review by the RTP FRC Panel (Panel Initial Review)
- a. Within ten (10) business days, the RTP FRC Panel will review the Appeal Dossier along with the Response Dossier, make an initial determination regarding the need for a hearing, and notify the FRC Chair, the Grievant, the Respondent, and the Chancellor of the decision. Notification must include an updated URP 02.350 Transmittal Form.
 - i. The RTP FRC Panel may deny a hearing if there is evidence of Good Cause for RTP.
 - a. If a determination is made that no appeal is warranted, the appeal has been denied, the decision is final, and the matter is closed.
 - ii. If an appeal is determined to be warranted, the RTP FRC Panel Lead will send an updated URP 02.350 Transmittal Form within ten (10) business days of issuance of the charge by the FRC Chair.
 - a. If the RTP FRC Panel determines that a Live Hearing is necessary, the RTP FRC Panel Lead will schedule the hearing to occur within twenty (20) business days of the determination.
 - b. The RTP FRC Panel will outline specific issues to be addressed during the hearing.
 - c. If the RTP FRC Panel requires additional documentation prior to the Live Hearing, the panel may specify the exact information or

clarification needed in writing, which may include:

1. Clarifications from the Grievant or Respondent.
 2. Supplemental documentation relevant to the grievance.
 - d. Both parties will have five (5) business days to respond to the RTP FRC Panel's request and share their response with the other party.
 - e. All parties will receive written notification of the hearing schedule at least ten (10) business days in advance of the hearing, including:
 1. Date, time, and location of the hearing.
 2. Procedures for presenting evidence or witness testimony.
5. STEP FIVE – Scheduling the RTP FRC Panel Hearing (Hearing Preparation)
- a. The RTP FRC Panel Lead will schedule the appeal hearing within twenty (20) business days of the RTP FRC Panel deeming that an appeal is warranted.
 - b. Materials not available at the time of Appeal Dossier Preparation may be introduced only if requested by the RTP FRC Panel or if approved by the RTP FRC Panel Lead. These materials must be sent to the RTP FRC Panel and the other party no later than five (5) business days before the hearing date.
 - c. The RTP FRC Panel will review the information submitted, giving equal deference to both parties of the hearing.
6. STEP SIX – The RTP FRC Panel Hearing Procedures (Hearing Proceedings)
- a. The RTP FRC Panel Lead ensures the hearing adheres to procedural rules and that both parties are treated fairly. The Panel Lead is authorized to manage the flow of the hearing,

maintain focus on relevant issues, and address time management to ensure an efficient process.

- b. The RTP FRC Panel Lead will introduce all persons present in the hearing room and state the reasons for the hearing.
- c. The Respondent will provide a brief summary about the action being recommended and why the action was recommended. The RTP FRC Panel will be permitted to ask questions of the Respondent after their brief summary.
- d. The Grievant will then provide a brief summary about the action being recommended and why the action was recommended. The RTP FRC Panel will be permitted to ask questions of the Grievant after their brief summary.
- e. At the conclusion of the brief summaries and any questions by the RTP FRC Panel, the Respondent will call its first witness and ask questions of the witness. After the Respondent concludes questioning the witness, the Grievant will have an opportunity to question the witness. Once the Grievant concludes questioning the witness, the RTP FRC Panel will have an opportunity to ask questions of the witness. This process will repeat for each of the Respondent's witnesses.
- f. At the conclusion of the Respondent's questioning of witnesses, the Grievant will call their first witness and ask questions of the witness. After the Grievant concludes questioning the witness, the Respondent will have an opportunity to question the witness. Once the Respondent concludes questioning the witness, the RTP FRC Panel will have an opportunity to ask questions of the witness. This process will repeat for each of the Grievant's witnesses.
- g. At the conclusion of witness questioning, the RTP FRC Panel will have an opportunity to ask follow-up questions of the Grievant and Respondent directly and to recall any witness or call any person from whom the RTP FRC Panel may need clarifying information. If a witness or other person is unavailable at this time, no extra time will be provided, nor any accommodation made for the witness or person to appear.
- h. Once the RTP FRC Panel has concluded asking follow-up questions and seeking clarifying information, the Respondent will have an opportunity to provide brief final statements regarding the administration's action. The Grievant will then

have an opportunity to provide a final statement. Once the Grievant has provided a final statement, the Respondent will have an opportunity to rebut the Grievant's position.

- i. The RTP FRC Panel may also request supplemental information from any additional witnesses, including but not limited to another Faculty Member, student, the Grievant, the Respondent, any component review committee, any ACA, any administrator, or the EVPAA/Provost at any time during the RTP FRC Panel hearing. Such supplemental information will be provided to the RTP FRC Panel within five (5) business days of the RTP Disciplinary Appeal Hearing.
- j. All witnesses must appear, barring exigent circumstances subject to the approval of the RTP FRC Panel Lead. If requested to appear as a witness, the Chancellor or a Vice President may appoint an appropriate designee to appear before the RTP FRC Panel on their behalf. Witnesses for the Respondent may be compelled to appear as a result of their employment relationship with TWU.
- k. Each party to the hearing may have a personal representative present during the appeal hearing process.
- l. Should the Grievant's personal representative be an attorney, the Respondent will also be permitted to select an attorney as its personal representative during the appeal hearing process to assure University legal representation in cases with legal counsel.
- m. The personal representative is not permitted to address the RTP FRC Panel and may not speak at the hearing but may confer with the Grievant or Respondent during the hearing.
- n. The personal representative and parties may take notes during the hearing but may not record the hearing.
- o. Witnesses are not permitted to have personal representatives present during the appeal hearing process.
- p. Confidentiality. The only individuals present during the RTP FRC Panel hearing shall be the RTP FRC Panel members, legal counsel to the RTP FRC Panel, the Respondent, the Grievant, and the personal representatives of each party. A witness called to provide testimony may be present only while giving testimony. To ensure confidentiality, there will be no manual or electronic recording during the appeal hearing.

- i. No persons other than RTP FRC Panel members and legal counsel for the RTP FRC Panel may be present during the deliberations of the RTP FRC Panel concerning a hearing. The RTP FRC Panel may consult with legal counsel during the hearing or its deliberations for procedural advice.
- ii. It is anticipated that all parties to an appeal will respect the confidential nature of information and proceedings and respect the right of Faculty Members to participate in the appeal process.
- iii. Any recording or transmission of hearing proceedings, whether audio, video, or electronic, is expressly prohibited by University Policy. Any use or dissemination of recordings of hearing proceedings constitutes a violation of this policy, professional standards of conduct, and confidentiality obligations. Such violations may result in:
 - a. Disciplinary action up to and including termination.
 - b. Invalidation of the hearing process.
 - c. Other appropriate administrative sanctions.

7. STEP SEVEN – RTP FRC Panel Report (Panel Determination)

- a. When the appeal has been thoroughly heard, the RTP FRC Appeal Panel will deliberate on the information and testimony to determine any findings and recommendations to be included in a report as outlined below. In a hearing for termination of a Faculty Member for Good Cause, findings of the Appeal Panel shall be limited to determining whether the decision to dismiss was for Good Cause.
- b. The RTP FRC Panel shall submit the report and a copy of all materials considered in the review to the Chancellor within ten (10) business days of the Live Hearing.

8. STEP EIGHT – Chancellor Decision

- a. The Chancellor will have the opportunity to review all documents and information presented during the Live Hearing, including the Appeal Dossier, the evidence provided to the RTP FRC Panel by the Grievant and Respondent, supplemental information requested by the RTP FRC Panel,

and the RTP FRC Panel's report. The Chancellor will make a final decision on the recommended action, and shall communicate such decision to the Grievant, Respondent, and RTP FRC Panel Lead within ten (10) business days of issuance of the RTP FRC Panel Report. The Chancellor will issue their decision via email using the URP 02.350 Transmittal Form with a copy of all materials considered in their review.

9. STEP NINE – Board of Regents Appeal (Board Review)

- a. In the case of termination or demotion of a contract Faculty Member during the term of the contract, the decision of the Chancellor is final and may not be appealed to the Board of Regents ("Board").
- b. In the case of non-renewal of a tenure-track Faculty Member's contract or denial of an application for tenure or promotion for a tenure-track Faculty Member, the decision of the Chancellor is final and may not be appealed to the Board.
- c. In the case of a tenure revocation and termination of the employment relationship of a tenured Faculty Member, only the Grievant may appeal the decision of the Chancellor in Step Eight above to the Board, following procedures established by the Board.
- d. A written notice of appeal to the Board must be submitted to the Secretary to the Board within five (5) business days of receiving the Chancellor's decision from Step Eight. The Grievant must provide the Secretary to the Board with the following information, which will constitute the record on appeal:
 - i. An updated URP 02.350 Transmittal Form indicating a request for an appeal to the Board of Regents.
 - ii. Forwarding of the email from the Chancellor with all materials reviewed in previous steps.
- e. The Secretary to the Board will, as soon as practicable, schedule a review of the Board to consider the appeal. The Secretary to the Board will provide Board members with the documents from Step Eight.
- f. At the Board of Regents Meeting, the Board will review the record on appeal and will communicate its decision in writing to the Chancellor and the Grievant.

REVIEW

This policy will remain in effect and published until it is reviewed, updated, or archived. This policy is to be reviewed once every six years. Interim review may be required as a result of updates to federal and state law or regulations, Board of Regents policies, or internal processes or procedures.

REFERENCES

[URP 02.330: Faculty Responsibilities, Standards of Conduct, and Disciplinary Processes](#)

[URP 05.100: Non-Discrimination, Equal Opportunity, and Diversity](#)

[URP 01.220: Title IX Policy](#)

[URP 01.225: Prohibition of Sexual Misconduct](#)

[URP 01.230: Consensual Relationships](#)

[URP 05.110: Americans with Disabilities Act Policy](#)

FORMS AND TOOLS

[URP 02.350 Transmittal Form](#)

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