



Category
APPEAL PROCESS FOR PROMOTION OR TENURE DENIAL – 05:02:03:25
Approval
President’s Council Approved: June 21, 2016
Effective Date/Approved: June 21, 2016
Revised: April 8, 2013; June 21, 2016
Responsible Party: Vice President for Academic Affairs

PURPOSE

The purpose of this policy is to outline the appeal process for any Motlow State Community College faculty member who has been denied a promotion or tenure.

I. TIME FRAME

Any faculty member who wishes to appeal the President’s recommendation for denial of tenure or promotion should do so in writing within five (5) business days of receiving a written notice of that decision.

II. WRITTEN APPEAL

- A. The written appeal to the President of the College should be in letter or professional memo form and state the basis of the appeal.
- B. The written appeal should provide evidence that the denial of tenure or promotion was based on one or both of the following circumstances:
 - 1. the faculty member’s supporting tenure or promotion packet was improperly evaluated, and/or
 - 2. the faculty member’s denial for tenure or promotion was based on unfair or discriminatory evaluation of the application.
- C. Improper evaluation appeals may occur when tenure or promotion materials do not receive adequate consideration.
- D. Unfair or discriminatory evaluation appeals may occur when tenure or promotion decisions are based on factors not set forth in the criteria of tenure and promotion policies.
- E. The candidate may not add any documentation to or revise his/her promotion or tenure packet in any way when making an appeal application, and the appeal process is not to be used as a mechanism for improving a poorly prepared packet or a packet that does not follow the relevant policies and guidelines.

III. APPEALS COMMITTEE

- A. Once the President has received the written appeal, he/she will form an Appeals Committee of five (5) faculty members.
- B. Committee membership must be comprised of tenured faculty who are not from the same department as

the faculty member filing the appeal.

- C. One of the committee members will be a Faculty Council member with tenure.
- D. Any member of the Promotion and Tenure Committee shall be excluded from membership due to the possibility of conflict of interest.
- E. The Executive Director of Human Resources will serve as a non-voting advisor to insure compliance with TBR policy.

IV. DUTIES OF THE APPEALS COMMITTEE

- A. The Appeals Committee members should meet within seven (7) business days after their initial appointment.
- B. The Appeals Committee shall elect a chairperson who will report in writing the findings of the committee to the President.
- C. Committee members shall review the written appeal and vote on the relevancy and appropriateness of its content as defined in paragraph II.
- D. The Appeals Committee shall reach one of the following decisions by a majority vote:
 - 1. Deny the appeal: There was not sufficient evidence to establish any grounds for the appeal or,
 - 2. Grant the appeal: At least one issue raised by the candidate was found to have clear and convincing evidence to merit reevaluation of the candidate's tenure or promotion packet.

V. FINDINGS

- A. If the appeal is denied, the President will report that finding in writing to the candidate and the appropriate Dean. The process will go no further.
- B. If the appeal is found to have merit, the President will give a final ruling on the appeal and communicate his/her final decision to the candidate.