

**Policy Title:** Faculty Grievance Policy

**Policy Number:** BU-PP 712

**Date Issued:** May 1992

**Responsible Executive:** Provost

**Date Last Revised:** June 30, 2023

**Responsible Office:** Office of the Provost

## Faculty Grievance Policy BU-PP 712

---

### Policy Statement

Members of the University faculty may resolve grievances regarding adverse actions taken against them or undesirable conduct directed toward them by other members of the community.

---

### Reason for the Policy

Members of the University community, including students, staff, faculty, and administrators, must be able to resolve grievances regarding actions taken directly against a grievant by a respondent or conduct directed specifically toward a grievant by a respondent. While several University policies provide this opportunity in specific circumstances, this policy serves to address additional situations in which faculty might have grievances.

---

### Individuals/Entities Affected by this Policy

All members of the University community: students, staff, faculty, and administrators

---

### Exclusions

As noted in Principles section:

- Grievances by individuals other than faculty members.
- Grievances by individuals alleging violations of their civil rights, which are governed by the [Baylor Civil Rights Policy \(BU-PP 028\)](#).
- Grievances by individuals alleging conduct addressed by the [Sexual and Interpersonal Misconduct Policy \(BU-PP 022\)](#), including sexual harassment as defined by Title IX

("Title IX Sexual Harassment") and certain other forms of sexual and interpersonal misconduct not covered by Title IX.

- Grievances involving research misconduct and research regulatory committees (Institutional Review Board (IRB), Institutional Animal Care and Use Committee (IACUC), and Institutional Biosafety Committee (IBC)), which are governed by the [Policy on Misconduct in Research](#) and applicable regulations.
- Grievances involving tenure decisions, which are governed by the [Tenure Policy \(BU-PP 704\)](#), or other promotion decisions (such as Senior Lecturer, Clinical Associate, Professor, or Clinical Professor), which are governed under various Policies and Procedures Related to Faculty Employment at Baylor and can be found here: <https://www.baylor.edu/provost/index.php?id=948441>.
- Dismissal proceedings initiated by the University against a faculty member, which are governed by the [Dismissal Policy \(BU-PP 705\)](#).
- Grievances appealing course loads and course assignments, which are governed by the [Faculty Workload and Merit Evaluation Policy \(BU-PP 706\)](#).
- Grievances regarding termination decisions, such as non-renewal of Regular Lecturers, Clinical faculty, Academic Professionals, or faculty on tenure track.

---

## Related Documents and Forms

---

### University Policies and Documents

---

Academic Appeals Policy and Procedures

[BU-PP 022 Sexual and Interpersonal Misconduct Policy](#)

[BU-PP 028 Baylor Civil Rights Policy](#)

[BU-PP 702 Promotion for Tenured Faculty](#)

[BU-PP 704 Tenure Policy](#)

[BU-PP 705 Faculty Dismissal](#)

[BU-PP 706 Faculty Workload and Merit Evaluation](#)

[BU-PP 716 Policy on Full-Time Lecturers and Senior Lecturers at Baylor University](#)

[BU-PP 719 Policy on Clinical Faculty at Baylor University](#)

[BU-PP 822 Staff and Student Employee Grievances Policy](#)

[Policy on Misconduct in Research](#)

---

## Contacts

---

Subject	Contact	Telephone	Office email/web site
Submitting a grievance	Chair of Faculty Grievance Committee		

---

## Responsibilities

---

<b>Faculty Grievance Committee</b>	Receives grievants' bills of particulars and respondents' answers; determines whether hearings should be conducted, conducts hearings, makes recommendations to President through Provost
------------------------------------	---

2. Faculty Grievance Policy (BU-PP 712)

<b>Provost</b>	Consults with President on recommendations and reconsideration requests
<b>President</b>	Decides grievances, in consultation with Provost, based on recommendations from Faculty Grievance Committee, and decides reconsideration requests in consultation with the Provost and the Committee

---

## Principles

---

This policy provides a process that may be used to resolve grievances among members of the University community, including students, staff, faculty, and administrators. This process is applicable only to grievances regarding actions taken directly and specifically against the grievant by the respondent, or conduct directed specifically toward the grievant by the respondent. This process shall not be used to challenge University policies and procedures of general applicability. Moreover, grievances regarding the following matters are specifically excluded from the scope of this policy:

- Grievances by individuals other than faculty members.
- Grievances by individuals alleging violations of their civil rights, which are governed by the [Baylor Civil Rights Policy \(BU-PP 028\)](#).
- Grievances by individuals alleging conduct addressed by the [Sexual and Interpersonal Misconduct Policy \(BU-PP 022\)](#), including sexual harassment as defined by Title IX (“Title IX Sexual Harassment”) and certain other forms of sexual and interpersonal misconduct not covered by Title IX.
- Grievances involving research misconduct and research regulatory committees (Institutional Review Board (IRB), Institutional Animal Care and Use Committee (IACUC), and Institutional Biosafety Committee (IBC)), which are governed by the [Policy on Misconduct in Research](#) and applicable regulations.
- Grievances involving tenure decisions, which are governed by the [Tenure Policy \(BU-PP 704\)](#), or other promotion decisions (such as Senior Lecturer, Clinical Associate, Professor, or Clinical Professor), which are governed under various Policies and Procedures Related to Faculty Employment at Baylor and can be found here: <https://www.baylor.edu/provost/index.php?id=948441>.
- Dismissal proceedings initiated by the University against a faculty member, which are governed by the [Dismissal Policy \(BU-PP 705\)](#).
- Grievances appealing course loads and course assignments, which are governed by [BU-PP 706](#).
- Grievances regarding termination decisions, such as non-renewal of Regular Lecturers, Clinical faculty, Academic Professionals, or faculty on tenure track.

### 3. Faculty Grievance Policy (BU-PP 712)

---

## Procedures

---

---

### Informal Resolution

---

The goal of informal resolutions is to resolve disputes among individual members of the University community without resort to a formal grievance procedure. Members of the University community should make reasonable and good faith efforts to resolve disputes with each other directly, promptly, and informally. Persons seeking to resolve a dispute informally may seek the assistance of the University Faculty Ombudsperson, academic administrators (including department chairs, deans, and the provost) or staff supervisors as appropriate.

Faculty are strongly encouraged to begin with this informal approach. However, if this seems unworkable for some reason, or in the event that an informal approach has not yielded a result that he or she finds to be satisfactory, the faculty member has the right to pursue the formal grievance process.

---

### Formal Grievance Process

---

Most disputes between or among university faculty, staff, and students should be resolved informally. At times, however, informal resolution is not possible. If resolution of the grievance is not accomplished informally, then the grievant may initiate the formal grievance process.

#### A. Faculty Grievance Committee

To assist in the formal resolution of grievances, the University shall establish a Faculty Grievance Committee (the "Committee"). The Committee shall be composed of fourteen faculty members, including three from the College of Arts and Sciences and one from each of the other schools and colleges, two students selected by the Student Body President, and two staff members. Student representatives participate in grievance proceedings only when one or more students are involved in the grievance. Staff representatives participate in grievance proceedings only when one or more staff members are involved in the grievance. Membership on this Committee and the Chair and Vice Chair shall be determined through the established University Committee process involving the Committee on Committees. The Vice Chair shall perform the functions assigned to the Chair under this policy in the event the Chair is unavailable or disqualified.

#### B. Committee Procedures

*Bill of Particulars.* The grievant initiates the formal grievance process by submitting a bill of particulars to the Chair of the Committee. The bill of particulars shall (1) identify the person(s) against whom the grievance is

brought (the “respondent(s)”); (2) describe in detail the factual basis for the grievance; (3) describe the reasonable and good faith efforts made by the grievant to resolve the matter informally; and (4) describe the remedy or relief sought by the grievant. The grievant must sign the bill of particulars.

*Answer.* The Chair shall promptly provide the respondent with a copy of the grievant’s bill of particulars. The respondent shall file an answer with the Chair no later than seven (7) calendar days after the respondent’s receipt of the bill of particulars. The Chair may extend this deadline for submitting an answer, but should not extend the response date more than fourteen (14) additional calendar days without the agreement of the grievant or some extraordinary circumstance. Once the respondent has submitted an answer, the Chair shall promptly provide the grievant with a copy of the answer.

*Determination of Hearing.* The Committee shall meet promptly (ordinarily within fourteen (14) calendar days following the filing of an answer) to determine whether a Hearing is warranted. A Hearing is not warranted if the Committee determines: (1) that the grievance is outside the scope of this policy; or (2) that reasonable and good faith efforts have not been made to resolve the matter informally. Should the Committee determine that no Hearing is warranted, the Committee shall promptly (ordinarily within seven (7) calendar days of the determination) provide notice and a brief written explanation of this decision to the grievant and the respondent. The Committee may decide to rule on a grievance without meeting if they feel there is enough evidence to rule outside of a hearing. This may only occur under the conditions that 1) both the grievant and the respondent agree that a hearing can be forgone, and 2) a simple majority of the Committee votes to rule without a hearing. The Committee should then proceed to Procedure 9 below. Otherwise, the Committee shall promptly (ordinarily within twenty-one (21) calendar days of the determination) schedule a Hearing.

*Notice of Hearing.* Notice of the time, date, and place of the Hearing shall be mailed to the grievant and respondent at their last known University addresses. Notice of the Hearing date shall be given at least fourteen (14) calendar days before the scheduled Hearing date, unless the Committee, the grievant, and the respondent otherwise agree.

*Hearing Procedures.*

1. *Who May Attend.* Only members of the Faculty Grievance Committee, the grievant, and the respondent may attend the full Hearing. Other witnesses may be present only while giving testimony. A committee member shall be disqualified if the member determines that he or she could not act without unfair bias or prejudice in reaching a decision. Objections to the participation of the particular Committee members must be submitted in writing to the Committee Chair in advance of the Hearing. Further, all members of the grievant’s chain of command fall under a mandatory recusal

(e.g. involved department chairs, deans, etc.) The Chair's decision on the objection is final and binding.

The grievant and the respondent may each designate one member of the Committee to be excused from participation in resolution of the grievance. In the event that more than one member of the committee is involved in the complaint, the grievant and respondent may ask one additional member of the committee be excused.

In the event there are multiple grievants, the multiple grievants may collectively designate one Committee member to be excused, provided the grievants are in agreement regarding who is to be excused.

Likewise, in the event there are multiple respondents, the multiple respondents may collectively designate one Committee member to be excused, provided the respondents are in agreement regarding who is to be excused. In the event multiple grievants or multiple respondents cannot collectively agree on the member to be excused, then such grievants or respondents shall not be entitled to excuse a member. The grievant and the respondent must provide the Chair written notice in advance of the Hearing of Committee members to be excused. Since the grievance process is an internal, professional procedure for resolving disputes, it should not be construed as a formal legal proceeding such as a trial. Thus, while an individual may seek legal advice pertaining to the process, lawyers representing the disputants are specifically prohibited from attending any portion of the Hearing.

2. Record of Committee Proceedings. The Hearing shall be audio recorded, if such recording is requested by any grievant or respondent. The Chair shall maintain a written record of all action taken by the Committee on a particular grievance and shall make this record available to the parties to the grievance on request. In no event, however, should the vote of an individual Committee member be disclosed and the record shall be maintained in such a manner as to preserve the confidentiality of the votes of individual Committee members.
3. Decorum. Proper and professional decorum is required during the Hearing. The Chair may exclude from the Hearing any person who fails to maintain a proper and professional decorum.
4. Quorum. The Committee may take action only if a quorum is present at a meeting of the Committee. A quorum is a majority of Committee members eligible to participate in the formal resolution of a particular grievance. A Committee member is not eligible to participate if that member (1) has been determined to be disqualified, (2) has been excused by a party to the grievance, (3) is a student representative on the Committee and the grievance does not involve a student, or (4) is a staff representative on the Committee and the grievance does not involve a staff member.

5. Evidence. The grievant and the respondent may introduce evidence and examine witnesses. No rigid rules of evidence will be in effect. The Committee may allow hearsay testimony. The Committee may exclude character evidence and evidence that is irrelevant or unduly repetitious. The Committee may limit both the number of witnesses and the time granted to each witness during the Hearing.
6. Failure to Appear. Failure of the grievant or the respondent to appear at the Hearing shall not prevent the Hearing from proceeding. The Committee may, however, decide to cancel the Hearing if the grievant or the respondent is not present.
7. Order of Presentation. The grievant shall proceed first, followed by the respondent.
8. Questioning. The grievant and the respondent shall have a reasonable opportunity to rebut opposing evidence and to cross examine opposing witnesses. Committee members may question the grievant, the respondent, and witnesses.
9. Committee Recommendation. After the Hearing is concluded, the Chair of the Committee shall excuse the grievant and the respondent. The Committee shall then discuss the evidence presented during the Hearing. The Chair shall poll the members of the Committee present at the Hearing by secret ballot on the question of whether to sustain the grievance. Committee members should consider the preponderance of the evidence in making their recommendation. The recommendation to sustain or deny the grievance will be determined by a simple majority of the Grievance Committee members present at the Hearing.
10. Remedy. A grievant may request certain remedies. If the Committee recommends that the grievance be sustained, the Committee shall discuss and recommend an appropriate remedy. The recommendation for such a remedy will be determined by a simple majority of the Committee members present at the Hearing.

*Report of the Recommendation(s).* The Chair of the Committee shall prepare a written report of the recommendation(s) of the Committee. This report shall be reviewed by the Committee members who participated in the Hearing. Members shall indicate their approval by signing the report. The Chair of the Committee shall promptly report the recommendations(s) of the Committee to the President of the University through the Provost, and shall also provide a copy of the report to the grievant and the respondent.

*Determination of Grievance.* The President, in consultation with the Provost, shall decide the grievance. Because faculty status and related matters are primarily a faculty responsibility, the President should concur with the committee's judgment except in rare instances and for compelling reasons

which should be stated in detail. If the President rejects, in whole or in part, the recommendations of the Committee, the President must first seek further clarification from the Chair of the Committee or from the Committee as a whole. The President's decision will be communicated to the grievant, the respondent, and the Committee via the Chair of the Committee in a manner that is deemed appropriate. Ordinarily, the President's decision should be communicated within fourteen (14) calendar days of the President's receipt of the Committee's report. An unsuccessful grievant may request that the President reconsider the determination. The request must be received by the President within fourteen (14) calendar days of the grievant's receipt of the President's decision. In the course of this reconsideration, the President shall confer with the Provost and the Committee. The President shall respond to the grievant in writing within three weeks of receiving the request for reconsideration and that decision shall be final.

---

### **Implementation**

---

The process described in this policy is intended to facilitate the internal resolution of grievances among members of the University community. The University expects participants in the process to attempt in good faith to carefully follow the procedures described in this policy. Nonetheless, there may be circumstances when participants in the process err in attempting to follow the procedures described in this policy. If such an error is promptly brought to the attention of the Chair of the Faculty Grievance Committee, the University will make reasonable efforts to correct the error, if practicable. However, such an error in complying with the requirements of this policy shall in no event provide the basis for any legal claim against the University or against participants in the process.