

Due Process/Promotion in Rank Appeal

Policy Adopted for BUCOM 9/29/2022

Policy Information			
Policy# :	BOD.1012	Reviewed Date(s):	
Date Created:	May 19, 2014	Revised Date(s):	4/16; 1/2021
Responsible University Administrator:	President	Approved by Board of Directors:	March 9, 2021

1. Purpose

- 1.1. To provide the faculty the opportunity to appeal decisions regarding promotion in rank.

2. Policy

- 2.1. A full-time faculty member has the right to request administrative review of the decision of the Academic Dean, Provost or Board of Directors, if a recommendation for promotion in rank has been denied. Each faculty member has the right to a fair and equitable evaluation of the evidence in the portfolio.
- 2.2. If the Peer Review Committee makes a recommendation to the Provost to deny the promotion in rank, and if this decision is upheld by both the Provost and the Board of Directors, the faculty member has the right to appeal to the University President.
- 2.3. The University President will review all documentation related to the denial of promotion; the decision rendered will be affirmed by the Board of Directors and considered final, and the faculty member will have no further recourse for an appeal.
- 2.4. Faculty can expect consistent application of the criteria across similar cases.

3. Definitions

- 3.1. None.

4. Procedure

- 4.1. Excluded from this procedure are appeals alleging discrimination, harassment or retaliation. If the faculty member believes he or she is a victim of discrimination, harassment or retaliation, the faculty should contact the Vice-President of Administrative Services as outlined in the Equal Opportunity Employer Policy.
- 4.2. If a faculty member is not recommended for promotion in rank, he or she may request a meeting with his/her Academic Dean to discuss the rationale for the decision. The faculty must initiate this review process within three (3) regularly scheduled work days for full-time faculty (hereafter "work days") after receiving notification from the Dean. In most circumstances, the discussion between the faculty member and the Dean should result in resolution.
- 4.3. If the faculty member concerns are not resolved following the discussion with the Academic Dean, the faculty may proceed with the review process by submitting a written request to the University Provost within three work days. The request for further review by the Provost must outline specifically why the faculty member feels the decision by the Academic Dean warrants additional evaluation.

- 4.4. The Provost will meet with the faculty member within three (3) work days of receiving the written appeal to discuss and/or substantiate reasons for disagreement with the Academic Dean's denial for promotion in rank decision. Upon thorough and independent review of the faculty member's portfolio, the Provost will render a decision within three (3) work days of the meeting. The decision will be forwarded via certified mail to the faculty member's mailing address.
- 4.5. The Provost determines whether further examination is warranted by the Peer Review Committee. The decision for Peer Review rests solely with the Provost after thorough investigation of the matter. In cases where the Peer Review Committee is asked to convene for review the promotion in rank decision, the faculty member's portfolio is submitted to the Committee, and the procedure to follow can be found on the University Intranet, Paw Prints.
- 4.6. If the Peer Review Committee makes a recommendation to the Provost to deny the promotion in rank, and if this decision is upheld by both the Provost and the Board of Directors, the faculty member has the right to appeal to the University President. The faculty member will have three (3) work days from receiving notification of denied promotion in rank, to submit a written appeal to the University President.

5. Related Information

- 5.1. None.