



SUBJECT: Appeals & Grievance	Effective Date: February 18, 2022	Policy Number: 01-1-035
	Supersedes: Policy: Date:	Page 1 of 2
	Responsible Authority: Provost/Vice President of Academic Affairs	

I. Purpose and statement of operational policy underlying the procedure.

LeMoyne-Owen College (LOC) recognizes and endorses the importance of establishing a prompt, fair, and efficient mechanism for the orderly resolution of appeals. The following process is designed to provide equitable and effective opportunities for faculty members to receive a fair hearing to appeal adverse decisions, resolve disputes and address grievances. A grievance consists of a violation of rights, discrimination, unfair treatment or working conditions, or a violation of written policies, procedures, or rulings of the institution.

A faculty member should make every attempt to resolve disputed matters individually and at the source. These can include mediation by a faculty member mutually agreed upon between the disputants, if the faculty member is not on the Faculty Review Committee. If genuine attempts at resolution do not bear results, the faculty member may file a written appeal with the Chair of the Faculty Review Committee. There are special procedures for tenure and promotion appeals.

II. Procedure

The written appeal should set forth in specific detail the grievance, the relief sought and any other information that the grievant deems pertinent. The written grievance must be received by the chair of the Faculty Review Committee within thirty (30) calendar days of the date of the alleged action. The time limit does not apply to matters alleging fraud or criminal activity.

The request from the grievant should contain the following information:

- A. Their full name, address, and telephone number.
- B. The full name and title of the party against whom the grievance is made; (if that party is not a college employee).
- C. A clear and concise statement of the facts including pertinent dates constituting the alleged violation.
- D. Any provisions of the Faculty Handbook, Employee Handbook, or any standard rule, policy, procedure and/or directive believed to have been violated.

The Chair of the Faculty Review Committee will provide a dated receipt to the grievant. Time frames for action by the committee refer to the nine-month period when the full-time faculty are employed and may require extensions for review during the summer months.

Upon receipt of the grievance, the Faculty Review Committee shall schedule a hearing within thirty (30) calendar days of the receipt of the grievance. This is an internal process, and attorneys will not be allowed to be present for the hearing.

The appellant/grievance will be informed in writing of the hearing date, time and place. The appellant/grievant will be informed of the opportunity to:

- A. Bring witnesses and documentary evidence.
- B. Question any witnesses or parties.
- C. Have an impartial review.

Any information furnished by any person or organization relating to or assisting in an investigation of a possible violation shall be kept confidential to the extent possible consistent with a fair determination of the issue.

The Faculty Review Committee shall issue a written decision within sixty (60) calendar days of the receipt of the grievance except in cases alleging fraud or criminal activity.

If the grievant does not receive a decision within sixty (60) calendar days, or receives an unsatisfactory decision, the grievant has the right within the next ten (10) calendar days to request a review of grievance by the PVPAA or, if the PVPAA was included in the original appeal or grievance, to the President. The written appeal to the PVPAA or President must be received within 10 days of the Report of the Faculty Review Committee report. The PVPAA or the President will issue in writing a determination within 30 days of the receipt of the appeal. If the appeal has been heard by the PVPAA and the grievant is still dissatisfied, they may apply within 10 days of the date of the PVPAA's decision to the President who will have 30 days to reply in writing. The decision of the President will be final.

In addition, the College safeguards faculty entitlement to due process if one feels that there rights to full freedom in research, and to discuss subject matter in their classrooms as they see fit as referenced in the Academic Freedom Policy.

Authorizing Official: <u>Alisa Kang</u>	Authorization Date: <u>2.22.22</u>
Title: <u>PVPAA</u>	