

4-14-2015

Procedure for Appeals

Patricia Humphrey
Georgia Southern University

Senate Executive Committee

Follow this and additional works at: <https://digitalcommons.georgiasouthern.edu/faculty-senate-index>

 Part of the [Higher Education Administration Commons](#)

Recommended Citation

Humphrey, Patricia and Senate Executive Committee, "Procedure for Appeals" (2015). *Faculty Senate Index*. 16.
<https://digitalcommons.georgiasouthern.edu/faculty-senate-index/16>

This motion request is brought to you for free and open access by the Faculty Senate at Digital Commons@Georgia Southern. It has been accepted for inclusion in Faculty Senate Index by an authorized administrator of Digital Commons@Georgia Southern. For more information, please contact digitalcommons@georgiasouthern.edu.

Approved by the Senate: 4/21/2015

Not Approved by the Senate:

Approved by the President: 4/23/2015

Not Approved by the President:

Procedure for Appeals

Submitted by Pat Humphrey/For the SEC

4/14/2015

Motion:

Revise Section 210 of the Faculty Handbook to read as follows:

Appeals of post-tenure, tenure, and promotion review recommendations made by department or college committees or department/unit chairs must first be carried out according to college procedures, but may culminate in an appeal for reconsideration of the recommendation to the dean. Colleges should structure their timetables to allow for appeals to be acted upon in advance of the due date of the college recommendations to the Provost. Recommendations made by a dean may be appealed to the Provost within 14 calendar days of notification of the decision.

Final decisions are made by the president. In accordance with BOR Policy Manual Section 8.6, any appeal of the president's decision must be made to the USG Board's Office of Legal Affairs in accordance with that section.

Rationale:

This revision puts the appeal process back to what it was before section 210 was administratively changed in 2013. It also clearly states that any appeal of a presidential decision must be made through the Board of Regents.

Senate Response:

4/21/2015: **Procedure for Appeals (Revision of Handbook Section 210) (SEC motion, Lowell Mooney, COBA)**: Back in 2013, Section 210 of the Faculty Handbook on Appeals, Promotion and Tenure decisions was administratively changed to the current language. The SEC would like to remove that revised 210 to return the language and it would read as follows: "Appeals of post-tenure, tenure, and promotion review recommendations made by department or college committees or department/unit chairs must first be carried out according to college procedures, but may culminate in an appeal for reconsideration of the recommendation to the dean. Colleges should structure their timetables to allow for appeals to be acted upon in advance of the due date of the college recommendations to the Provost.

Recommendations made by a dean may be appealed to the Provost within 14 calendar days of notification of the decision." That's the original paragraph then we wish to add a clarifying sentence that reads as follows: "Final decisions are made by the president. In accordance with BOR Policy Manual Section 8.6, any appeal of the president's decision must be made to the USG Board's Office of Legal Affairs."

Pat Humphrey (COSM) Senate Moderator: Once again, that's a SEC Committee motion in response to some things that occurred when people realized that 210 had been changed back in December, so it doesn't require a second. Is there any discussion?

Mark Hanna (COBA): Just a question of clarification. Does this suggest then that there's already appeal of the department chair's decision?

Pat Humphrey (COSM) Senate Moderator: Excuse me. There what?

Mark Hanna (COBA): There's an appeal to the Department Chair's decision?

Pat Humphrey (COSM) Senate Moderator: The department chair's decision being appealed to the dean as long as that's in your college handbook.

Mark Hanna (COBA): I see. As I recall, our own college handbook the procedure for an appeal to the department chair for the department chair's decision to the dean for the dean's decision, and I'm wondering if this comports to that recollection.

Pat Humphrey (COSM) Senate Moderator: I'm not sure. I'm not familiar with the COBA policies, but normally an appeal of a decision or a recommendation, excuse me, is until you get to the president's level, it's all recommendations. An appeal of a recommendation at one level, level A, would then get appealed to the next level up, Level B. So if you to appeal the department chair's decision, that appeal would go through the dean's office. Appeal for the recommendation from the dean would be appealed to the provost and so on.

Mark Hanna (COBA): It seems the dean would get the department chair's recommendation in any case.

Pat Humphrey (COSM) Senate Moderator: I'm not sure I follow you.

Mark Hanna (COBA): To appeal to the department chair's decision, does not lead to reversal of a decision, if it would, the dean would not need considering the matter in any case.

Pat Humphrey (COSM) Senate Moderator: It could. What you're doing to appeal the department chair's recommendation it's not a decision, is you're asking them to reconsider it for whatever reason and a dean could very well say, oops I don't agree with that recommendation and I'm going to change it. I do know personally a case that the provost had overturned recommendations made by deans.

Mark Hanna (COBA): that would happen in the normal course of the packet moving forward without regard to any appeal potentially. If the dean disagrees with the department chair's decision, the appeal is superfluous.

Pat Humphrey (COSM) Senate Moderator: Could well be, yes, in terms of that negative recommendation from the department chair to the dean, the dean certainly has the option for not agreeing with that recommendation.

Janice Steirn (CLASS): I could be wrong about this, but my sense is that in appealing to the next higher level what it does is it gives the faculty member sort of like a rebuttal chance instead of the report going as it is, up to the next level, it's sort of a chance to do a yes vote rebuttal.

Pat Humphrey (COSM) Senate Moderator: I think it is, but also could be a chance to gather new facts. Any further discussion or questions? All in favor of the motion to basically change back Section 210 of the Handbook to what it used to be please say aye. All opposed? That motion is approved. Motion about granting departmental tenure for non-department hires. ie. administrative hires.