

ARTICLE [x]. APPEALS

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affecting a bargaining unit faculty member’s employment status in the areas of granting or denial of tenure, appointment/reappointment, or promotion.

9 Section 1. Definitions.

10 The term “grievance” shall mean an allegation that there has been a violation, misrepresentation, or
11 improper application of the express terms of this Agreement. The term “grievance” shall not include
12 complaints related to matters of “academic judgment”, nor are matters of academic judgment
13 subject to Article [x] on Grievances.

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15 “Academic judgment” shall mean the judgment of faculty and administrators concerning
16 determinations, recommendations, decisions and criteria with respect to appointment,
17 reappointment, promotion, tenure status, and merit salary increases of members, and with respect to
18 matters of curricula and educational policy. A substantiated allegation that an academic judgment
19 was based on incomplete or false information will compel reconsideration of the judgment, as
20 defined in this Article.

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22 In this article, the term “days” refers to business days.

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25 Section 2. Appeals Procedure

26 A bargaining unit faculty member shall submit written notice, either in electronic form or in paper
27 form, to the Office of the Provost and the AAUP Grievance Officer within fifty-five (45) days
28 of the date a decision based on academic judgment is received by the bargaining member.
29 The written notice shall summarize the decision being appealed and the reasons why the appellant
30 disagrees with the decision, and shall specifically cite any errors or omissions alleged to have
31 influenced the decision-making process.

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33 The Office of the Provost may, in its sole discretion, resubmit the appealed decision to the
34 administrative level where the judgmental decision being appealed occurred, to permit the correction
35 of alleged errors or omissions and to resubmit the appealed judgmental decision. Within
36 fifteen (15) days of the completed reconsideration, the Office of the Provost will
37 communicate the results to the bargaining unit faculty member and the AAUP Grievance
38 Officer.

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40 If the Office of the Provost declines to resubmit the appealed decision, within fifteen (15) days they
will communicate the rationale for declining the request to the bargain

*OT-AAUP reserves the right to add to, modify, or amend proposals during the course of negotiations.