

## 32.01.01 Complaint and Appeal Procedures for Faculty Members

Revised [November 21, 2013](#)

Next Scheduled Review: November 21, 2018

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### Regulation Statement

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This regulation establishes a process for a complaint and appeal by a faculty member of the universities (academic institutions) of The Texas A&M University System (system).

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### Reason for Regulation

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This regulation is required by System Policy *32.01, Employee Complaint and Appeal Procedures*.

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### Procedures and Responsibilities

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#### 1. GENERAL

Faculty and administrators at all levels should strive to maintain open lines of communication with peers, supervisors and subordinates. Where such attitudes, management styles and work environments are maintained, most misunderstandings can be resolved by mutual consent before they have the opportunity to grow into disputes needing resolution through formal proceedings.

#### 2. APPLICATION AND EXCLUSIONS

2.1 Provisions are made elsewhere in system policies and system regulations for certain categories of complaints including, but not limited to, complaints related to discrimination, academic tenure, non-renewal/non-reappointment, dismissal for cause or reduction in force. *See, e.g., System Policy 08.01, Civil Rights Protections and Compliance, and System Policy 12.01, Academic Freedom, Responsibility and Tenure.* This regulation applies only in the resolution of complaints when processes are not specifically established elsewhere.

2.2 This regulation applies to all faculty members as defined by each academic institution including persons holding tenure, persons on tenure track and instructors. System Regulation *32.01.02, Complaint and Appeal Process for Nonfaculty Employees,* applies to all other system employees.

### 3. COMPLAINT RESOLUTION

Each system employee has the right under the statutes of Texas to present complaints concerning wages, hours of work or conditions of work. A complaint may be presented individually or through a representative provided such representative does not claim the right to strike. Any retaliatory action taken against an employee for filing a complaint or otherwise participating in the processes established by this regulation or established by an academic institution pursuant to this regulation is prohibited. Such retaliatory action will be regarded as a separate and distinct cause for complaint. The filing of a complaint, however, will not constrain an academic institution from taking appropriate employment action. An employee may be disciplined for the bad faith filing of a complaint.

- 3.1 A faculty member believing that there is cause for complaint concerning a matter covered by this regulation should discuss the matter in a personal conference with the department head. If the matter cannot be resolved by mutual consent at this point, the issue should be discussed with the dean or equivalent administrator.
- 3.2 The chief executive officer (CEO) or designee of each academic institution shall establish a published process(es) for the handling of complaints that cannot be resolved as described above. An academic institution's process(es) shall include the following features:
  - (a) the use of a complaint committee, either standing or ad hoc, appointed by the CEO or designee with the responsibility to hear complaints and make recommendations to the chief academic officer or designee;
  - (b) the definition of steps in the process, including the limitations on time that may be taken in each step;
  - (c) the provision for a decision by the CEO or designee on cases that cannot be resolved at a lower level in the organization; and
  - (d) the implementation of a mediation process, if desired, with the final outcome of the mediation subject to review and approval or rejection by the CEO or designee.

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### **Related Statutes, Policies, or Requirements**

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[Tex. Gov't Code §§ 617.003, .005](#)

[System Policy 08.01, Civil Rights Protections and Compliance](#)

[System Regulation 08.01.01, Civil Rights Compliance](#)

[System Policy 12.01, Academic Freedom, Responsibility and Tenure](#)

[System Policy 12.02, Institutional Procedures for Implementing Tenure](#)

[System Policy 12.06, Post-Tenure Review of Faculty and Teaching Effectiveness](#)

[System Policy 32.01, Employee Complaint and Appeal Procedures](#)

[System Regulation 32.01.02, Complaint and Appeal Process for Nonfaculty Employees](#)

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## **Member Rule Requirements**

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A rule is not required to supplement this regulation.

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## **Contact Office**

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