

**PRAIRIE VIEW A&M UNIVERSITY  
UNIVERSITY ADMINISTRATIVE PROCEDURE**



**32.01.01.P0.01 Complaint and Appeal Process for Faculty Members**

Approved December 10, 2001

Revised November 07, 2017

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Revised July 11, 2022

Next Scheduled Review: July 1, 2027

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**UAP Purpose**

The purpose of this University Administrative Procedure (UAP) is to outline the complaint/appeal resolution process for all faculty members and promote prompt and efficient investigation and resolution of complaints/appeals that are not addressed elsewhere in System Policies or Regulations or University Rules or Administrative Procedures.

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**Official Procedures and Responsibilities**

**1. GENERAL**

- 1.1 This UAP supplements System Regulation 32.01.01 Complaint and Appeal Process for Faculty Members. It applies to all members of the faculty at Prairie View A&M University (PVAMU), including but not limited to persons holding tenure, those on tenure track, and instructors.
  - 1.1.1 This UAP does not cover complaints/appeals related to issues of discrimination, sexual harassment and related retaliation, academic tenure/promotion, non-renewal/non-reappointment, dismissal for cause or reduction in force. These complaints/appeals are subject to specific System Policies [08.01 Civil Rights Protections and Compliance](#) and [12.01 Academic Freedom, Responsibility, and Tenure](#).
- 1.2 It is intended that all misunderstandings be resolved, whenever possible, before the filing of a formal complaint/appeal. Faculty members who are considering filing a formal complaint/appeal are encouraged first to seek alternative mechanisms, such as discussing the matter with their supervisor(s). Open communication between faculty members and administrators and fair decisions are important so that resorting to the formal complaint/appeal process described in Section 3 of this UAP will not be necessary.

**2. INFORMAL RESOLUTION OF COMPLAINTS/APEALS**

- 2.1 A faculty member initiates the informal complaint/appeal process by presenting the complaint/appeal to their department head within 30 days of the date that the grievant knew, or should have known, of the alleged violation. The department head is responsible for listening and discussing the complaint/appeal with the

faculty member and resolving the complaint. Discussions shall be informal for the purpose of settling differences in the simplest and most direct manner.

- 2.2 The department head shall reach a decision within ten (10) working days from the date the complaint/appeal was presented. If the complaint/appeal is not resolved through informal discussion with the department head, the faculty member may request a meeting with the college dean.
- 2.3 The college dean shall reach a decision within ten (10) working days from the date the complaint/appeal was presented. If the complaint/appeal is not resolved to the satisfaction of the faculty member, the faculty member may initiate a formal written complaint/appeal.
- 2.4 Any individual with a direct conflict of interest should recuse themselves from the process.

### **3. FORMAL RESOLUTION OF COMPLAINTS/APEALS**

- 3.1 If informal discussions and procedures do not resolve the complaint/appeal, the faculty member may elect to pursue a resolution through the formal complaint/appeal process. The formal process may be initiated without first going through the informal process.
  - 3.1.1 A faculty member may be disciplined for the bad faith filing of a complaint.
- 3.2 A faculty member initiates the formal complaint/appeal process by filing a written complaint/appeal with their department head. The faculty member must describe the nature of the complaint/appeal and the resolution they hope to achieve by filing the complaint/appeal. Copies of the written complaint/appeal must also be provided to the Office of Human Resources. The department head has ten (10) working days from receipt of the complaint/appeal to review the complaint/appeal and provide a written statement of their conclusions and recommendations to the faculty member and Dean.
  - 3.2.1 If the department head has considered the complaint/appeal through the informal process, or the department head is a party to the complaint/appeal, the formal complaint/appeal should be filed with the college dean.
- 3.3 If the department head's response is not satisfactory to the faculty member, the faculty member has five (5) working days from receipt of the response to appeal to the appropriate college dean. The faculty member must notify the dean in writing that they wish to appeal and provide copies of the original complaint/appeal and successive responses. Copies of the original complaint/appeal the appeal must be provided to the Provost and Senior Vice President for Academic Affairs and the Office of Human Resources. The dean has ten (10) working days to review the complaint/appeal and provide a written response to the faculty member and the Provost.
  - 3.3.1 If the college dean has considered the complaint/appeal through the informal process, or the college dean is a party to the complaint/appeal, the formal complaint/appeal should be filed with the Provost.

- 3.4 If the dean's response is not satisfactory to the faculty member, the faculty member has five (5) working days from receipt of the response to appeal to the Provost. The faculty member must notify the Provost in writing that they wish to appeal and provide copies of the original complaint/appeal and successive responses. The Provost will determine if an ad hoc committee (Faculty Complaint and Appeal Process Committee) will be formed to review the complaint/appeal. Depending on the nature of the complaint/appeal, the Provost may consult with the Speaker of the Faculty Senate to refer the grievance to an Ombudsperson or similarly situated administrator, investigator, or an ad hoc Faculty Complaint and Appeal Process Committee. If the complaint/appeal is assigned to a committee, the requirements and timelines described in Section 4 of this UAP will apply.
- 3.5 Upon final resolution of a complaint/appeal, copies of all documentation and reports relating to the complaint/appeal should be provided to the Associate Vice President of Human Resources or their designee for inclusion in the faculty member's personnel file.

#### **4. FACULTY COMPLAINT AND APPEAL PROCESS COMMITTEE**

- 4.1 The President has delegated the responsibility for appointing the Faculty Complaint and Appeal Process Committee to the Provost. The ad hoc Faculty Complaint and Appeal Process Committee will review faculty complaint/appeals covered by this UAP. Faculty members appointed to the Faculty Complaint and Appeal Process Committee may not be parties to the complaint/appeal.
- 4.2 The Provost or their designee shall meet with the ad hoc Faculty Complaint and Appeal Process Committee to provide the committee charge, an overview of committee tasks, and the format for the committee report.
- 4.3 The chair will convene the committee, which will review the complaint/appeal and all subsequent responses (if applicable), and will then forward a statement of its conclusions and recommendations to the Provost within twenty (20) working days of receipt of the complaint/appeal.
- 4.3.1 The committee should begin its investigation promptly.
- 4.3.2 The committee will provide the faculty member with an opportunity to present their complaint/appeal.
- 4.3.3 If the complaint/appeal is directed towards a particular individual or department, that individual or a representative from the department will be provided an opportunity to respond to the complaint/appeal.
- 4.3.4 The committee may also seek information from other persons related to the complaint/appeal.
- 4.4 The Provost may conduct further inquiry, may remand the complaint/appeal to the Faculty Complaint and Appeal Process Committee for further consideration and/or may accept, reject, or modify the conclusion and recommendations of the committee report.

- 4.5 The Provost shall forward a written decision to the faculty member within ten (10) working days of receipt of the Faculty Complaint and Appeal Process Committee report. The decision of the Provost is final and will be considered the last step in the university's formal complaint/appeal process for faculty.

## **5. REQUESTS FOR TIMELINE EXTENSION**

- 5.1 Administrators are expected to promptly review and respond to complaint/appeals within the timeframes stated above. However, if an administrator requires additional time to effectively review a complaint/appeal; the administrator may extend their timeline up to ten (10) additional working days. This allowance is available to the Faculty Complaint and Appeal Process Committee as well.
- 5.2 The administrator must communicate the extension in writing to the complainant and the Associate Vice President of Human Resources. Failure to communicate extensions or failure to respond by the expected timeframes may be cause for a separate complaint.

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### **Related Statutes, Policies, Regulations and Rules**

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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 32.01.01 Complaint and Appeal Process for Faculty Members](#)

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### **Contact Office**

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Office for Academic Affairs 936-261-2175

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