

**College of Arts and Sciences**  
**Georgia State University**  
**COMPOSITION AND DUTIES OF**  
**GRIEVANCE BOARD FOR FACULTY APPEALS**

- 1   **I.**    The faculty grievance board is composed of fifteen (15) members of the college faculty.  
2        These faculty are appointed by the college executive committee according to the  
3        following scheme: four (4) members shall be appointed from each of the three areas of  
4        the college - humanities, natural and computational sciences, and social and behavioral  
5        sciences - and three (3) members appointed at large. All appointed members serve four-  
6        year terms. If, for any reason, an individual faculty member must be replaced, the  
7        college executive committee appoints a replacement from the appropriate area to  
8        complete the unexpired term.
- 9   **II.**    The faculty grievance board has two (2) officers, a chair and a vice chair. These officers  
10        are elected by the members of the board. The chair serves one (1) year. Normally, the  
11        vice chair serves one (1) year as an active assistant to the chair and advances to the  
12        office of chair in the second year. This provides continuity in leadership of the board  
13        and allows for flexibility that may be necessary in conducting the training and  
14        conciliatory functions of the board. At the initial election, the board elects a chair from  
15        any of its membership and a vice chair from those of its members who have at least two  
16        years remaining in their terms. At each succeeding annual election, the board elects a  
17        new vice chair from those of its members who have at least two years remaining in their  
18        terms, and the previous vice chair with the approval of the board shall assume the office  
19        of chair.
- 20   **III.**   The board is advisory to the dean and functions in accordance with the "Faculty Appeals  
21        Policy and Procedure" adopted by the executive committee and approved by the dean of  
22        the College of Arts and Sciences.
- 23   **IV.**    The duties of the board are:
- 24                1. to provide training for board members in grievance conciliation and in the  
25                conduct of formal appeal hearings;
- 26                2. to attempt to conciliate differences that arise between faculty members and  
27                department chairs/school directors or administrators;
- 28                3. to conduct formal grievance appeal hearings and to report its findings and  
29                recommendations to the dean; and
- 30                4. to conduct procedural hearings on promotion and tenure appeals when  
31                referred to the board by the executive committee.

**College of Arts and Sciences**  
**Georgia State University**  
**FACULTY APPEALS POLICY AND PROCEDURES**

1 The following policy and procedures relative to faculty appeals are applicable to all faculty  
2 members of the College of Arts and Sciences at Georgia State University with the following  
3 exceptions: 1) non-renewal of faculty; 2) dismissal of faculty (see Article XI, Sections 24 and  
4 25 of the University *Statutes*); and 3) faculty appeals procedures related to promotion and  
5 tenure issues as described in the *College of Arts and Sciences Promotion and Tenure Manual*.

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7 **I. Policy**

8 A. The appeals process is designed to provide an impartial review of decisions or  
9 actions which are believed to be capricious, arbitrary, or discriminatory.

10 B. Faculty members of the College of Arts and Sciences at Georgia State University  
11 who desire to appeal a decision rendered at the departmental/school level (with  
12 the exception of items 1, 2, and 3 above), have the right to seek redress by  
13 following the procedures described herein. All appeals must be brought forward  
14 no later than the end of the semester immediately following the semester during  
15 which the alleged grievance occurred.

16 C. Appeals are heard at the college level only after an initial decision has been  
17 rendered at the departmental/school level in accordance with established  
18 procedures.

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20 **II. Procedures**

21 **A. Procedures for Initiating an Appeal**

22 1. If a faculty member has a grievance which is alleged to involve a capricious,  
23 arbitrary, or discriminatory decision or action, he/she should attempt to  
24 resolve the issue informally in a conference with the departmental  
25 chair/school director or other appropriate authority (referred to hereafter as  
26 chair/administrator). If this conference fails to resolve the issue, the faculty  
27 member may either discontinue the appeal or exercise one of the following  
28 options no later than thirty (30) days following receipt of the  
29 chair/administrator's written decision regarding the appeal:

30 (a) the faculty member may forward a formal, written appeal directly to the  
31 appropriate chair/administrator;

32 (b) the faculty member or the chair/administrator may request the chair of the  
33 faculty grievance board (or his/her designate from the faculty grievance  
34 board, hereafter referred to as faculty conciliator) to mediate the

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disagreement. This process will not proceed if either party objects to the mediation process.

2. If option (a) is selected, a written appeal detailing the nature of the capricious, arbitrary, or discriminatory treatment being alleged and setting forth a full statement of the problem, the issue or issues involved, and the redress being sought is forwarded by the appellant directly to the appropriate chair/administrator.
3. If option (b) is selected, the faculty conciliator discusses the grievance with the appropriate chair/administrator and/or the departmental/school committee whose recommendations gave rise to the grievance. If within thirty (30) days of having been informed of the grievance, the conciliator has failed to reach a satisfactory settlement, a written appeal may be presented by the appellant to the appropriate chair/administrator and the faculty conciliator detailing the nature of the capricious, arbitrary, or discriminatory treatment being alleged and setting forth a full statement of the problem, the issue or issues involved, and the redress being sought.

**B. Departmental/School Appeal Procedures**

1. Within ten (10) working days of receipt of the written appeal under option (a) or (b) above, the chair/administrator initiates the department's/school's informal appeal procedure. Within twenty (20) working days of receipt of the written appeal, the departmental/school appeal process is completed and a written report forwarded to the appropriate chair/administrator and the faculty conciliator (if utilized).
2. The chair/administrator reviews the findings and recommendation(s) resulting from the departmental/school grievance procedure and provides the appellant and the faculty conciliator (if utilized) with a written statement of his/her response to those recommendations within five (5) working days of having received them.
3. If the appellant does not accept the chair/administrator's decision, he/she may appeal the decision in writing through the chair/administrator and the faculty conciliator, if utilized, to the dean of the college within twenty (20) days of the date of the written decision.
4. At this point an attempt should be made to resolve the issue informally in conference at a time and place mutually agreed upon within five (5) working days of the dean's receipt of the appeal of the chair/administrator's decision. The dean is responsible for arranging the conference, which is attended by the two (2) parties to the dispute, the dean or his/her designated representative, and the faculty conciliator (if utilized).

74 5. If this conference fails to settle the issue, the faculty conciliator (if utilized) is  
75 excused from any further involvement in this matter. The chair of the faculty  
76 grievance board (or his/her designate) is then responsible for establishing a  
77 hearing committee within ten (10) working days of the informal conference.

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79 **C. Procedures for Establishing the Hearing Committee**

- 80 1. The two (2) parties to the dispute each nominate four (4) members of the  
81 faculty grievance board to the appeal hearing committee. Beginning with the  
82 appellant, each party alternately strike names from the list until only four (4)  
83 members remain.
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- 85 2. The four (4) members of the hearing committee, selected through the  
86 procedure described above, appoint a chair from among the remaining  
87 members of the faculty grievance board who were not nominated under C (1)  
88 above.
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- 90 3. If, for any reason, a member of the hearing committee must be replaced in  
91 order to constitute a full committee, committee members must select the  
92 replacement from among those members of the faculty grievance board who  
93 were not struck by either party.

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95 **D. Conduct of the Hearing**

- 96 1. The hearing committee, through its chair, sets the date for a hearing of the  
97 written appeal of the chair/administrator decision to occur within fifteen (15)  
98 working days of receipt of all written materials pertaining to the appeal,  
99 including a list of the witnesses (if any) to be called.
- 100 2. All parties involved are notified in writing as to the date, time, location, and  
101 witnesses (if any) to be called at least ten (10) working days in advance of the  
102 hearing.
- 103 3. Each party is given one (1) hour during the hearing to present respective  
104 positions, including testimony and questioning of witnesses (questioning of  
105 witnesses by the opposing party is not included, however, the hearing  
106 committee shall establish any time limits which it feels are necessary to  
107 maintain proper decorum). Additional time may be allowed at the discretion  
108 of the committee.
- 109 4. Counsel for both parties is permitted to attend the hearings; counsel is not be  
110 permitted to question witnesses of either of the parties involved or to address  
111 the committee. The sole role of counsel is to informally advise and counsel  
112 the party he/she represents.

- 113 5. All proceedings during the hearing are recorded, and, if requested, each party  
114 is provided a copy of the recording at his/her own expense. The record of the  
115 proceedings is retained in the dean's office.
- 116 6. Hearing procedures:
- 117 (a) the hearing is called to order and the recording device is started;
- 118 (b) the parties concerned with the appeal and all witnesses are sworn;
- 119 (c) the chair rules on any objections offered during the hearing. If a member  
120 of the committee objects to the chair's ruling, the hearing is recessed and  
121 members of the committee vote on the ruling in executive session. A  
122 majority vote is required to overrule the chair's decision;
- 123 (d) the appellant is first to present testimony, including documents and  
124 witnesses. Formal rules of evidence are not followed. The relevance of  
125 any evidence is determined by the committee in light of the issues  
126 involved at the time the evidence is presented. All relevant evidence may  
127 be presented; if the relevance of evidence is challenged by the opposing  
128 party or a member of the committee, the relevance of the evidence is  
129 determined in accordance with the procedures described in item (c)  
130 above;
- 131 (e) the chair/administrator may question witnesses called by the appellant;
- 132 (f) the chair/administrator presents testimony following the same guidelines  
133 as specified in item (d) above;
- 134 (g) the appellant may question witnesses called by the chair/administrator;
- 135 (h) the appellant may make a summary statement. The maximum time  
136 allotted is fifteen (15) minutes. This time limit is separate and distinct  
137 from the one hour time limit set forth in D(3) above. The appellant may  
138 choose to reserve a portion of the time allotted to summation for making  
139 a rebuttal statement after the summation by the chair/administrator;
- 140 (i) the chair/administrator may make a summary statement. The maximum  
141 time allotted is fifteen (15) minutes;
- 142 (j) witnesses identified by either party should be immediately available at all  
143 times during the formal hearing and are summoned at the request of the  
144 party calling upon them to testify;
- 145 (k) witnesses designated by either party who are unable to attend the hearing  
146 may submit affidavits;
- 147 (l) at their discretion, members of the appeals committee may question  
148 witnesses or recall witnesses; and
- 149 (m) members of the appeals committee may question either party or both  
150 parties about the documentary evidence submitted to the committee.

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Questions by the committee members of witnesses or of the parties are not counted against the time allotted to each party.

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7. Within five (5) working days of the hearing, the committee meets in closed, executive session to consider its recommendation(s). Committee recommendation(s) are decided by a majority vote. Those in the minority may choose to submit a minority report.

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8. Within five (5) working days of the executive session, the committee submits a written report of its findings and recommendation(s) to the dean.

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9. The dean reviews the findings and recommendation(s) of the committee and provides the appellant with a written copy of his/her decision along with a copy of the committee's written report within five (5) days of receiving the committee's report.

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#### **E. Further Appeals**

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If the appellant is dissatisfied with the dean's decision, he/she may appeal the decision through the dean to the provost and vice president for academic affairs within twenty (20) days of receipt of the dean's decision. Such an appeal must be in writing and will set forth the reason and basis for further appeal.

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170 **Glossary of Terms**

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172 **Arbitrary**--refers to a decision based on preference, notion, or whim; hence  
173 unsystematic.

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175 **Capricious**--refers to decisions changed abruptly and without reason; erratic, flighty,  
176 unpredictable.

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178 **Discriminatory**--refers to decisions reflecting an unfair showing of differences or  
179 favoritism in treatment based upon race, religion, color, age, sex, handicaps, or national  
180 origin.

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182 **Faculty members**--refers to all pertinent members of the College of Arts and Sciences  
183 faculty as defined by Article V, Section 1 of the University Statutes.

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185 **Mediator/Conciliator**--an intermediary who, upon the request of all parties involved in  
186 a dispute, seeks to reconcile differences, to promote compromise, and to effect the  
187 settlement of issues dividing conflicting parties.

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189 **Working Days**--refers to all days during which faculty and administrators are expected  
190 to report for assigned duties--all other time periods refer to calendar days.

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