

## Office of the Provost Faculty Performance Review

### Appeals Procedures

COMMITTEE CHARGE: The Faculty Appeals Committee hears claims from faculty members of procedural error or contested merit scores, or both, in their faculty performance review.

1. The faculty member receives the decision of the Dean on the college-level appeal and is dissatisfied with the decision.
2. The faculty member writes to the Provost appealing the evaluation. In this letter the faculty member must state specific reasons for the appeal. Pertinent documents may be submitted with the appeal.
3. The Provost obtains from the Dean the faculty person's performance review materials, the rating materials forwarded to the Dean by the faculty person's unit administrator and, if the Dean utilized an advisory committee during the college-level appeals process, the letter from the college-level advisory committee.
4. The Provost acknowledges the appeal in writing, and includes with the acknowledgement letter a copy of the "Procedures" document on the Provost-level appeals process. The Provost then appoints a committee to hear the appeal. The Committee shall consist of no fewer than three (3) faculty persons. The Chair of the Faculty Appeals Committee will be notified of all appeals.
5. The Chair of the Faculty Appeals Committee (or his/her delegate) notifies the committee members of the materials to be reviewed and discusses possible dates for the appeal.
6. The Chair of the Committee (or his/her delegate) contacts the appellant and discusses possible dates for the appeal.
7. The Chair of the Committee (or his/her delegate) contacts the dean of the appellant's college and discusses possible dates for holding the appeal. The dean of the college coordinates with the appropriate unit administrator or other individual in the college (e.g., an Associate Dean) who has knowledge of the evaluation.
8. The faculty member, the college dean, or the unit administrator may submit evidence for the Committee's consideration, so long as such evidence is received by the Committee Chair at least five (5) business days prior to the hearing.
9. The Chair of the Committee (or his/her delegate) selects a date, time and location for the appeal and notifies the committee members, the faculty member, the college dean, the unit administrator and the Provost. The appeal normally is held in a location outside the college of the appealing faculty member. A copy of the "Procedures" document is provided to each of the college personnel involved and to each committee member.

10. An appeals meeting shall not be conducted if fewer than three (3) members of the Faculty Appeals Committee are present.
11. Before the start of the meeting, the Faculty Appeals Committee meets in Executive Session to review the established procedures by which the meeting will be conducted.
12. The faculty member, unit administrator and dean (in some cases the same person) are then invited into the room with the Committee.
13. The appeal session is not a formal hearing. Each of the three individuals will be allowed to make a statement, in turn, and will be limited to 30 minutes each. The order of presentation is as follows: appellant, educational unit administrator and dean. The committee may alter this order if requested by one or more of the three individuals involved in the appeal and the committee chair believes the request is appropriate. Any of the individuals may submit written materials to the Committee, with copies to the other individuals.
14. No transcript or tape shall be made of the appeal.
15. After hearing from all parties, and answering any questions asked by Committee members, the Committee goes into Executive Session to consider the case. A letter from the Committee Chair to the Provost indicates whether the Committee recommends that the appeal be upheld or denied. The vote of the Committee shall be included in the letter, as well as a list of individuals who presented statements (oral or written) to the Committee. The Chair's letter shall also include a narrative that explains and supports the committee's recommendation.
16. The Provost makes a decision based on a review of the written documents and the Committee's recommendation. The Provost communicates the decision, in writing, to the faculty member, with a copy to the college dean. The decision of the Provost will be to uphold or deny the appeal. The Provost's decision is final.

#### General Notes

**CONFIDENTIALITY** – The members of the Faculty Appeals Committee shall uphold the strictest terms of confidentiality about all matters related to an appeal.

**EVALUATIONS OF OTHER FACULTY** – The Committee is not to compare evaluations among faculty. If concrete evidence is provided by the appellant that involves looking at another faculty member's evaluation, the Committee Chair, after consultation with UK Legal Counsel, may request that the college dean bring copies of documents to the appeal session.

*Amended August 8, 2019*