

## **CUSF PROCEDURE FOR FACULTY TO APPEAL VIOLATIONS OF USM AND INSTITUTIONAL POLICIES\***

### **RATIONALE**

Students, Faculty and Staff - including Presidents, Vice Presidents and other administrators of the University System of Maryland (USM) - are required to follow the policies and procedures of their respective campuses. These policies and procedures in turn must, by law, follow those established general policies of the USM Board of Regents. According to Regents policy, every campus Senate (or organizational equivalent) must have an *elected* faculty committee charged with handling any grievances that arise from a faculty member's belief that a policy or procedure has been violated. Although faculty members are expected both to consult with their campus grievance committees and to exhaust all on-campus remedies before appealing to the Council of University System Faculty (CUSF), when a Faculty member at one of the USM institutions does bring a matter to CUSF, the following procedure shall be followed.

### **CUSF POLICY-VIOLATION APPEAL PROCEDURE**

Any member of the USM Faculty may consult with the CUSF Chair on matters in which it is alleged that a President has violated USM or institutional policy/procedures or has failed to rectify a violation of such policy/procedure by lower-ranking administrators. The Faculty member shall identify the specific policy/procedure and the particular administrative action or non-action in question, and shall provide a detailed written explanation of the facts of the matter, including supporting evidence. The Faculty member must also detail the administrative procedures he/she utilized while attempting to seek an on-campus remedy prior to consulting with the CUSF Chair.

The CUSF Chair, at his/her discretion, may either deal personally with the matter, or call a meeting of the CUSF Policy-Violation Appeals Committee to review the matter.

### **CUSF POLICY-VIOLATION APPEALS COMMITTEE**

This committee serves in an advisory capacity to the CUSF Chair on matters concerning alleged violations of USM or institutional policies/procedures.

In addition to the CUSF Chair (ex officio), the Committee shall consist of three members elected by CUSF and serving two-year terms. The three elected members need not be members of CUSF but must be from different USM institutions. Their terms shall be so staggered that normally no more than two elected members need be elected in any one year.

After careful investigation of any matter referred to it, the Committee will issue its Findings, among which could be the following: A Finding of No Violation, A Finding of a Decision Falling within the Realm of a Presidential Authority, or a Finding of Violation of USM or Institutional Policies/Procedures. Committee Findings may also recommend corrective actions. All Committee Findings and associated evidence and recommendations will be transmitted to the CUSF Chair, who shall convey them to the Faculty member and to the USM Chancellor.

The Committee's actions will be guided by the following principles:

! Whenever possible, privacy and confidentiality of persons involved shall

be protected.

- ! If the CUSF Policy-Violation Appeals Committee issues a Finding that there has been a violation of USM or institutional policies/procedures and that the USM or institutional remedy is insufficient, the CUSF Chair and the Chancellor's Office shall meet to review the Finding and its associated recommendations.

Ideally the Chancellor will resolve the matter with the institutional President satisfactorily by mutual written agreement. Such an agreement shall be reported to the Faculty member with a copy to the CUSF Chair.

If there is no resolution of the respective views of the Committee and the Chancellor, the CUSF Chair shall so notify the Faculty member and the CUSF.

- ! If the USM Faculty member who lodged the complaint disagrees with a Finding of No Violation or a Finding of a Decision Falling within the Realm of Presidential Authority, he/she may personally file an appeal directly to the Chancellor. The Faculty member shall notify the CUSF Chair when making such an appeal.

- ! The CUSF Policy-Violation Appeals Procedure shall operate in accordance with the POLICY ON SHARED GOVERNANCE IN THE UNIVERSITY SYSTEM OF MARYLAND which can be found at <http://www.usmd.edu/Leadership/BoardOfRegents/Bylaws/>.

\*Approved unanimously by CUSF  
15 December 2004