

## Report of Task Force on Appeals and Grievance Procedures

1. In the documents "Procedures for appealing a decision not to renew a non-tenure appointment", "Procedures for appealing a decision not to conduct a tenure review at the end of the ordinary tenure probation period on the basis of factors other than the candidate's merits", and "Procedures for appealing a negative tenure decision":

In the first sentence of I.A, add the words "in writing" after the word "notified".

In the first paragraph of I.B, add the word "written" before the second occurrence of the word "notification".

In the first paragraph of I.B , remove the footnote on the word "terminal", and insert the following as the second sentence of the paragraph.

"Notice of a terminal appointment must be given in writing to an individual, which allows that individual to serve two full academic terms following receipt of the first written notice of the negative decision. An academic term [i.e., semester] is the period of time beginning two working days before registration and ending on the last day of final exams. For those notified of nonrenewal before the start of the final year of appointment, the final year fulfills the requirement of two terms of notice."

2. In the document "Procedures for appealing a negative tenure decision", delete the entire second paragraph of III.A, which now reads "[Note: In the Graduate School of Management, the Hotel School, and the Law School, III.A. shall not apply.]".

3. In the document "Procedures for appealing a decision not to renew a non-tenure appointment", amend III.A. by adding the text shown below in upper case font. III.A would then read:

### A. Review by a Dean's Committee

If the department's (OR THE COLLEGE FACULTY'S IN THE CASE OF THE JOHNSON GRADUATE SCHOOL OF MANAGEMENT, THE HOTEL SCHOOL, AND THE LAW SCHOOL) final decision is negative, the dean shall, at the request of the faculty member, appoint a committee of CORNELL tenured faculty members OR TENURED FACULTY MEMBERS FROM AN APPROPRIATE ACADEMIC INSTITUTION OUTSIDE OF CORNELL to review that decision, if the dean has not already done so on his or her own initiative. NO ONE WHO HAS PARTICIPATED IN THE DECISION OR HAS TAKEN A POSITION ON THE REAPPOINTMENT MAY SERVE ON THE COMMITTEE. The candidate shall make his or her request for appointment of the committee within one week of notification of the department's final negative decision, and the dean shall appoint the committee within three weeks of the candidate's request.

4. Recommend to the Trustees the following changes in the document  
"Guidelines for College-Level Academic Grievance Procedures"

In Part IV.2.e, add the text in upper case font . Part IV.2. would then read in its entirety

2. Committee Organization and Structure:

- a. Designation by appointment or election of responsibility for handling grievances to either an existing committee or committees or especially created committee or committees.
- b. Adequate notice to all college academicians of such assignment and provisions concerning the assignment.
- c. Charge to the committee(s) regarding responsibilities, mandate, discretion, limitations, etc., for the handling of grievances under the established procedures.
- d. Adequate representation on the committee(s) of the various components of those with academic appointments by e.g. rank and/or discipline and/or department and/or nature of appointment.
- e. Exclusion from participation as a committee member any individual who is a directly affected party to the particular grievance at issue OR WHO HAS TAKEN PART IN THE DECISION WHICH IS BEING GRIEVED.
- f. TO MINIMIZE THE POSSIBILITY OF A CONFLICT OF INTEREST ON THE PART OF MEMBERS OF GRIEVANCE COMMITTEES, NEITHER PARTY TO THE DISPUTE MAY SELECT AS A MEMBER OF THE GRIEVANCE COMMITTEE SOMEONE WHO REPORTS DIRECTLY OR INDIRECTLY TO THAT PARTY. FURTHERMORE, SOMEONE WHO ACTS IN LIEU OF A PARTY MAY NOT APPOINT, AS A MEMBER OF THE GRIEVANCE COMMITTEE, SOMEONE WHO REPORTS DIRECTLY OR INDIRECTLY TO THAT PARTY. HOWEVER, IF A SCHOOL OR COLLEGE ADOPTS A PROCEDURE AS DESCRIBED IN 2.G BELOW, THE MEMBERS SELECTED BY EACH OF THE PARTIES MAY SELECT ANY INDIVIDUAL HOLDING AN ACCADEMIC APPOINTMENT AT CORNELL AS A CHAIR IRRESPECTIVE OF ANY EXISTING REPORTING ARRANGEMENTS.
- g. IN THE SCHOOL OF INDUSTRIAL AND LABOR RELATIONS, THE GRADUATE SCHOOL OF MANAGEMENT, THE COLLEGE OF HOTEL ADMINISTRATION AND THE LAW SCHOOL, THE GRIEVANCE WILL BE HANDLED BY AN AD-HOC COMMITTEE OF THREE MEMBERS SELECTED FROM THOSE INDIVIDUALS HOLDING ACADEMIC APPOINTMENTS AT CORNELL TO HEAR THE GRIEVANCE. EACH PARTY TO THE GRIEVANCE WILL SELECT ONE MEMBER (SUBJECT TO THE RESTRICTION IN 2.f) AND

THOSE TWO WILL SELECT THE THIRD, WHO WILL CHAIR THE  
COMMITTEE.

Revised  
3/4/02