COMMITTEE ON PRIVILEGE AND TENURE PROCEDURES

Grievance Cases: Pre-Hearing and Hearing and Post-Hearing Procedures

Disciplinary Cases: Hearing and Post-Hearing Procedures

Early Termination Cases: Hearing and Post-Hearing Procedures

Grievance, Disciplinary, and Early Termination Cases: Comparison Chart
PRE-HEARING PROCEDURES IN GRIEVANCE CASES
(SENATE BYLAW 335)

Preliminary Review of the Evidence:
- During the preliminary review, CPT shall give the grievant the opportunity to discuss their allegations with the Committee, either orally or in writing.
- Upon an appropriate showing of need by any party or on its own initiative, CPT may ask for files and documents from the Administration. Confidential documents shall remain confidential within the Committee unless disclosure is required by law.
- CPT may give notice of the grievance to the administrator with authority to offer a remedy and offer the administrator an opportunity to respond.
- CPT may ask other persons involved in the events giving rise to the grievance to appear before or provide information to CPT.

Resolution:
Throughout the process, CPT may attempt to bring the parties together to seek a resolution.
HEARING AND POST-HEARING PROCEDURES IN GRIEVANCE CASES
(SENATE BYLAW 335)

The Hearing Committee may reconsider case if either party presents, within a reasonable time, newly discovered facts or circumstances that might significantly affect the Committee’s findings and recommendations and that were not reasonably discoverable at the time of the hearing.

CPT shall appoint a Hearing Committee for each unresolved grievance.

Before a hearing, the Hearing Committee shall schedule a conference with the parties and/or their representatives.

The Hearing Committee holds a hearing.

The Hearing Committee shall promptly make its findings of facts and recommendations and produce a final report.

The final report will be forwarded to the parties in the case, the Chancellor, the Chair of the Divisional CPT, and the Chair of the University Committee on Privilege and Tenure.

In the event of the Chancellor’s tentative decision to disagree with CPT’s findings or recommendations, the Chair of CPT should either meet with the Chancellor or arrange for the full Committee to meet with the Chancellor.
HEARING AND POST-HEARING PROCEDURES IN DISCIPLINARY CASES  
(SENATE BYLAW 336 AND APM 016)

The Hearing Committee may reconsider case if either party presents, within a reasonable time, newly discovered facts or circumstances that might significantly affect the Committee’s findings and recommendations and that were not reasonably discoverable at the time of the hearing.

CPT shall appoint a Hearing Committee for each case in which disciplinary charges have been filed by the Administration.

Before a hearing, the Hearing Committee shall schedule a conference with the parties and/or their representatives.

The Hearing Committee holds a hearing.

The Hearing Committee shall promptly make its findings of facts and recommendations no more than 30 days after the conclusion of the hearing.

The final report will be forwarded to the parties in the case, the Chancellor, the Chair of the Divisional CPT, and the Chair of the University Committee on Privilege and Tenure.

In the event of the Chancellor’s tentative decision to disagree with CPT’s findings or recommendations, the Chair of CPT should either meet with the Chancellor or arrange for the full Committee to meet with the Chancellor.
HEARING AND POST-HEARING PROCEDURES IN EARLY TERMINATION CASES  
(SENATE BYLAW 337 AND APM 075)

NOTE: If the hearing has not started by the end of the faculty member’s term of appointment, the faculty member no longer has a right to an early termination hearing pursuant to SBL 337. Instead, the faculty member may seek a grievance hearing by grieving the non-reappointment pursuant to SBL 335 in the case of Senate faculty or the Academic Personnel Manual in the case of non-Senate faculty.

The Hearing Committee may reconsider case if either party presents, within a reasonable time, newly discovered facts or circumstances that might significantly affect the Committee’s findings and recommendations and that were not reasonably discoverable at the time of the hearing.

CPT shall appoint a Hearing Committee for each request to hold a hearing from a Senate or non-Senate faculty member to determine whether the proposed early termination (a) is for a good cause and (b) has been recommended in accordance with a procedure that does not violate the privileges of the faculty member.

Before a hearing, the Hearing Committee shall schedule a conference with the parties and/or their representatives.

The Hearing Committee holds a hearing.

The Hearing Committee shall promptly make its findings of facts and recommendations and produce a final report.

The final report will be forwarded to the parties in the case, the Chancellor, the Chair of the Divisional CPT, and the Chair of the University Committee on Privilege and Tenure.

In the event of the Chancellor’s tentative decision to disagree with CPT’s findings or recommendations, the Chair of CPT should either meet with the Chancellor or arrange for the full Committee to meet with the Chancellor.
<table>
<thead>
<tr>
<th>CHART COMPARING GRIEVANCE, DISCIPLINARY, EARLY TERMINATION CASES</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INITIATION OF PROCEEDINGS</strong></td>
</tr>
<tr>
<td>By Senate member filing grievance with CPT</td>
</tr>
<tr>
<td><strong>TIME LIMITATIONS</strong></td>
</tr>
<tr>
<td><strong>DETERMINATION OF PRIMA FACIE CASE (AND PRELIMINARY REVIEW)</strong></td>
</tr>
<tr>
<td><strong>BURDEN OF PROOF</strong></td>
</tr>
<tr>
<td><strong>STANDARD OF PROOF</strong></td>
</tr>
</tbody>
</table>
| **BASIC ISSUE(S) TO BE DETERMINED AT THE HEARING**             | • Whether Senate member’s rights or privileges were violated  
• In cases involving tenure, promotion, or reappointment, the only issues which may be reviewed are:  
  (a) whether the procedures were not in consonance with the applicable rules and requirements of the University or any of the Divisions, or  
  (b) whether the challenged decision was reached on the basis of impermissible criteria, including race, sex, sexual orientation, gender identity, or political conviction | Whether Senate member or other qualifying faculty member violated the Faculty Code of Conduct (APM 015) | Whether the proposed early termination is for good cause and has been recommended in accordance with a procedure that does not violate the privileges of the faculty member |