

32.01.01 Complaint and Appeal Process for Faculty Members

Revised [February 20, 2020](#)

Next Scheduled Review: February 20, 2025

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Regulation Summary

This regulation establishes a process for a complaint or appeal by a faculty member of the universities (academic institutions) of The Texas A&M University System (system) when processes are not specifically established elsewhere in system policies or system regulations.

Regulation

1. GENERAL

Faculty and administrators at all levels should strive to maintain open lines of communication with peers, supervisors and subordinates. Where such attitudes, management styles and work environments are maintained, most misunderstandings can be resolved by mutual consent before they have the opportunity to grow into disputes needing resolution through formal proceedings.

2. APPLICATION AND EXCLUSIONS

2.1 Provisions are made elsewhere in system policies and system regulations for certain categories of complaints or appeals including, but not limited to, discrimination, academic tenure, non-renewal/non-reappointment, dismissal for cause or reduction in force. See e.g., System Policy *08.01, Civil Rights Protections and Compliance*, and System Policy *12.01, Academic Freedom, Responsibility and Tenure*.

2.2 This regulation applies to all faculty members as defined by each academic institution including persons holding tenure, persons on tenure track, non-tenure track, adjunct and instructors. System Regulation *32.01.02, Complaint and Appeal Process for Nonfaculty Employees*, applies to all other system employees.

3. COMPLAINT RESOLUTION

Each system employee has the right under the statutes of Texas to present complaints concerning wages, hours of work or conditions of work. A complaint may be presented individually or through a representative provided such representative does not claim the right to strike. Any retaliatory action taken against an employee for filing a complaint or otherwise participating in the processes established by this regulation or established by an academic

institution pursuant to this regulation is prohibited. Such retaliatory action will be regarded as a separate and distinct cause for complaint. The filing of a complaint, however, will not constrain an academic institution from taking appropriate employment action. An employee may be disciplined for the bad faith filing of a complaint.

- 3.1 A faculty member believing that there is cause for complaint or appeal concerning a matter covered by this regulation should discuss the matter in a personal conference with the department head. If the matter cannot be resolved by mutual consent at this point, the issue should be discussed with the dean or equivalent administrator.
- 3.2 The chief executive officer (CEO) or designee of each academic institution must establish published process(es) for the handling of complaints or appeals that cannot be resolved as described above. An academic institution's process(es) must include the following features:
 - (a) the use of a designated administrator (which may be a committee) appointed by the CEO or designee with the responsibility to review complaints and/or appeals and make recommendations to the chief academic officer (CAO) or designee;
 - (b) the definition of steps in the process, including the limitations on time that may be taken in each step; and
 - (c) the provision for a final decision by the CAO or designee on cases that cannot be resolved at a lower level in the organization.

Related Statutes, Policies, or Requirements

[Tex. Gov't Code §§ 617.003, .005](#)

[System Policy 08.01, Civil Rights Protections and Compliance](#)

[System Regulation 08.01.01, Civil Rights Compliance](#)

[System Policy 12.01, Academic Freedom, Responsibility and Tenure](#)

[System Regulation 12.01.01, Institutional Rules for Implementing Tenure](#)

[System Policy 12.06, Post-Tenure Review of Faculty and Teaching Effectiveness](#)

[System Policy 32.01, Employee Complaint and Appeal Procedures](#)

[System Regulation 32.01.02, Complaint and Appeal Process for Nonfaculty Employees](#)

Member Rule Requirements

A rule is not required to supplement this regulation.

Contact Office

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