

2. The recommendation was made in violation of the Tennessee Board of Regents or university policies or procedures.
 3. The recommendation was made in violation of the faculty member's right to equal employment opportunity.
- B. A faculty appeals committee shall serve as an advisory body to the president on matters arising from an appeal filed by a faculty member. The committee shall be composed of two tenured professors from each undergraduate college. For the purpose of committee composition, the James E. Walker Library should be considered part of the college of Mass Communication. There should be race and gender diversity on the committee secured by temporarily expanding the committee if necessary. Tenured minority race faculty of lower academic rank should be appointed to achieve a diverse committee if there is an insufficient number of minority race full professors. Conflicts of interest should be avoided.

At its discretion, the committee shall be permitted to utilize the services of any administrator needed as consultant. Members of the committee and three qualified alternates shall be appointed by the president upon recommendation of the faculty senate. An alternate may be asked to sit in place of an appointed committee member in those cases in which that committee member is unable to serve or cannot be present for one or more scheduled committee meetings. Inasmuch as this committee is an advisory body only, its deliberations shall not be open to the public.

- C. A faculty member with an appeal may discuss the case informally with any member of the faculty or the administration except a member of the faculty appeals committee. A committee member who discusses committee deliberations with the faculty member concerned shall be disqualified from any further proceedings in the case.
- D. The appeal, to be made on forms obtained from the office of the provost, must set forth in detail the nature of the alleged violation along with all factual data deemed pertinent. Ten (10) copies of the appeal forms must be supplied to the faculty appeals committee, through its chairperson, within ten (10) days of receipt of notification of the denial of tenure/promotion. At the same time, a copy of the appeal must be provided to each university official and/or committee whose decision is being challenged.
- E. In its initial review of the appeal, the faculty appeals committee shall determine whether the appeal appears to qualify for further consideration based on one or more of the alleged violations stated in section III A 1-3 above. If adjudged to have merit sufficient for further consideration by the committee, an inquiry shall be scheduled on the appeal to provide the faculty member an opportunity to present additional evidence in support of the appeal. The inquiry shall also provide any official of the university who wishes, an opportunity to submit

written and/or oral statements to the committee regarding the allegations in the appeal. Such inquiry shall be investigatory rather than adjudicative in nature.

- F. The committee shall then report its findings and recommendations to the president, with copies of the report sent simultaneously to the faculty member. The committee's findings and recommendations shall be limited to the following:
1. The committee determined that there was neither a procedural nor a substantive error.
 2. The committee determined that a procedural or substantive error was made. In such case, the committee shall define the error(s) and make a recommendation supported by its findings that the case be remanded to the appropriate level for reconsideration.
- G. If the faculty member is not satisfied following the president's recommendation for tenure and/or promotion, he/she may appeal, if permitted by Board policy, within twenty (20) days of receipt of the president's decision to the chancellor of the Tennessee Board of Regents for final disposition. Review by the chancellor and the Board will follow the criteria and process established in the policy, Appeals and Appearances Before the Board (I:02:02).

IV. MISCELLANEOUS

- A. The number of days indicated in section III shall be considered the maximum, but every effort shall be made to expedite the process. The stated time limits may be extended only by mutual consent.
- B. An appeal may be withdrawn without prejudice and may be re-filed subject to provisions related to timeliness, and other relevant procedural requirements.
- C. All matters pertaining to the processing of an appeal shall be kept as confidential as may be appropriate.
- D. The faculty member and the committee shall have access to all persons, places, and official records for information necessary to the determination and processing of an appeal.
- E. It shall be the general practice to process an appeal during the time which does not interfere with normal working duties.

MIDDLE TENNESSEE STATE UNIVERSITY
FACULTY APPEAL FORM

1. NAME OF PERSON APPEALING: _____
2. DATE: _____
3. DEPARTMENT: _____
4. DATE OF RECEIPT OF NOTIFICATION CONCERNING TENURE AND/OR PROMOTION RECOMMENDATION FROM THE PROVOST:

5. REASON FOR THE APPEAL
 - A. Notification of a negative recommendation for tenure

 - B. Notification of a negative recommendation for promotion

6. GROUNDS FOR THE APPEAL. SEE POLICY II:01:05C. SECTION III-A.