

## Procedures for Performance Review Appeals

**COMMITTEE CHARGE:** The committee hears claims from faculty members of procedural error or contested merit scores, or both, in their faculty performance review.

1. The faculty member receives the decision of the Dean on the college-level appeal and is dissatisfied with the decision.
2. The faculty member writes to the Provost appealing the evaluation. In this letter the faculty member must state specific reasons for the appeal. Pertinent documents may be submitted with the appeal.
3. The Provost obtains from the Dean the faculty person's performance review materials, the rating materials forwarded to the Dean by the faculty person's unit administrator and, if the Dean utilized an advisory committee during the college-level appeals process, the letter from the college-level advisory committee.
4. The Provost acknowledges the appeal in writing, and includes with the acknowledgement letter a copy of the "Procedures" document on the Provost-level appeals process. The Provost then appoints a committee to hear the appeal. The Committee will consist of no fewer than three faculty members. The Chair of the Faculty Appeals Committee will be notified of all appeals.
5. The Chair of the Faculty Appeals Committee (or his/her delegate) notifies the committee members (including the alternate members) of the materials to be reviewed and discusses possible dates for the appeal.
6. The Chair of each Committee (or his/her delegate) contacts the appellant and discusses possible dates for the appeal.
7. The Chair of the Committee (or his/her delegate) contacts the dean of the appellant's college and discusses possible dates for holding the appeal. The dean of the college coordinates with the appropriate department chair or other individual in the college (e.g., an Associate Dean) who has knowledge of the evaluation.
8. The Chair of the Committee (or his/her delegate) selects a date, time and location for the appeal and notifies the committee members, the faculty member, the college dean, the department chair and the Provost. The appeal normally is held in a location outside the college of the appealing faculty member. A copy of the "Procedures" document is provided to each of the college personnel involved and to each committee member.
9. The Faculty Appeals Committee meets in Executive Session to review procedures and organize for the appeal.

10. The faculty member, department chair and dean (in some cases the same person) are then invited into the room with the Committee.

11. The appeal session is not a formal hearing. Each of the three individuals (or two) will be allowed to make a statement, in turn, and will be limited to 30 minutes each. The order of presentation is as follows: appellant, department chair, and dean. The Committee if requested by one or more of the three individuals involved in the appeal and if it is, in the committee chair's judgment, appropriate may alter this order. Any of the individuals may submit written materials to the Committee, with copies to the other individuals.

12. Three committee members must consider the appeal in person.

13. No transcript or tape shall be made of the appeal.

14. After hearing from all parties, and answering any questions asked by Committee members, the Committee goes into Executive Session to deliberate the appeal. A letter from the Committee Chair to the Provost indicates whether the Committee recommends that the appeal be upheld or denied. The vote of the Committee must be included, as well as a list of individuals who presented statements (orally or written) to the Committee. The Chair's letter shall include a narrative that explains and supports the committee's recommendation.

15. The Committee letter is sent to the Provost. The Provost makes a decision, based on review of the written documents and the Committee recommendation. The Provost communicates the decision, in writing, to the faculty member, with a copy to the college dean. The decision of the Provost will be to uphold or deny the appeal. The Provost's decision is final.

#### General

**CONFIDENTIALITY** – Committee deliberations and what the Committee hears from presenters during the appeal must be maintained in the strictest of confidence by all Committee members.

**EVALUATIONS OF OTHER FACULTY** – The Committee is not to compare evaluations among faculty. If concrete evidence is provided by the appellant that involves looking at another faculty member's evaluation (to insure a sound appeal process), the Committee Chair, after consultation with UK Legal Counsel, may request that the college dean bring copies of documents to the appeal session.