

## **Resolution 2018-8. On Amending the Policies Governing Faculty Hearings.**

The Faculty Council asks the Board of Trustees to amend the *Trustee Policies and Procedures Governing Academic Tenure in the University of North Carolina at Chapel Hill* as follows (with proposed additions underlined and deletions struck out).

*Part 1.* In regard to a request that the Faculty Hearings Committee review a decision to suspend, demote or discharge a faculty member, Section 3.b.4 should read:

If the faculty member makes a timely written request for a hearing, the Chancellor or his or her delegate shall insure a process is in place so that the hearing is accorded before a standing committee of the faculty composed of at least five faculty members who had permanent tenure when elected by the voting members of the general faculty. The hearing shall be on the written specification of reasons for the intended discharge, suspension, or demotion. If a faculty member alleges that the University's decision resulted from conduct prohibited by the University's Policy on Prohibited Discrimination, Harassment and Related Misconduct, the hearing committee will immediately forward the faculty member's allegation to the Equal Opportunity and Compliance Office for assessment and, as necessary, investigation. The hearing committee will suspend any further action on the faculty member's hearing request until the Equal Opportunity and Compliance Office has completed its review. The hearing committee shall accord the faculty member thirty calendar days from the time it receives his or her written request for a hearing to prepare his or her defense. The hearing committee may, upon the faculty member's written request and for good cause, extend this time by written notice to the faculty member. The hearing committee will ordinarily endeavor to complete the hearing within ninety calendar days from the receipt of the request or, as applicable, the report or other final documentation from the Equal Opportunity and Compliance Office, except under unusual circumstances such as when a hearing request is received during official university breaks and holidays and despite reasonable efforts the hearing committee cannot be assembled.

*Part 2.* In regard to a request that the Faculty Hearings Committee review a decision not to reappoint a tenure-track faculty member, the fourth paragraph of Section 4.c should read:

The hearing committee shall consider the request and shall grant a hearing if it determines after a preliminary review that the request contains a contention that the decision was impermissibly based or affected by material procedural irregularities and that the facts suggested, if established, might support the contention. If the faculty member alleges that the decision not to reappoint was based on conduct prohibited by the University's Policy on Prohibited Discrimination, Harassment and Related Misconduct, the hearing committee will immediately refer the faculty member's allegation to the Equal Opportunity and Compliance Office for assessment and, as necessary, investigation. During the Equal Opportunity and Compliance Office's review of the faculty member's allegation, the hearing committee will suspend any action on the faculty member's request for a hearing until the Equal Opportunity and Compliance Office has completed its review. If the request is not granted, the committee shall make a recommendation to the Chancellor to uphold the decision not to reappoint. If the request is granted, a hearing shall be held within ~~44~~ 28 calendar days after receipt of the request or, as applicable, the report or other final documentation from the Equal Opportunity and Compliance Office, provided that the faculty member shall be given at least 7 calendar days' notice of the hearing.

*Submitted by the Faculty Hearings Committee.*