BARUCH COLLEGE
The City University of New York
Office of the President

ACADEMIC PERSONNEL APPEALS PROCEDURE

The following description is designed to clarify and bring up-to-date the Academic Personnel Appeals Procedure originally promulgated on April 17, 1974.

I. WHO MAY APPEAL ACADEMIC JUDGMENT DECISIONS, TO WHOM, AND FOR WHAT

Any full-time member of the professional teaching, counseling, and library staffs, and college laboratory technicians may appeal in writing to the President negative decisions made by a departmental committee or by a School or College Personnel and Budget (hereafter P&B) Committee, in regard to reappointment (with or without tenure or certificate of continuous employment), leaves, promotion in rank, or fellowship awards.

II. WHEN APPEALS MAY BE FILED

A. Non-Reappointment

A faculty member not reappointed as the result of the exercise of academic judgment by the appropriate departmental committee or by the School or College P&B Committee may appeal that action to the President in writing not later than two weeks after being informed of the decision. As soon as possible after the committee action, the School Dean shall inform the individual of the non-reappointment decision by certified letter with return receipt requested. A copy of this letter shall also be sent to the Chairperson.

B. Promotion

A faculty member who is not recommended for promotion as a result of the exercise of academic judgment by the appropriate departmental committee or by the School or College P&B Committee may appeal that action to the President in writing not later than two weeks after being informed of the decision. As soon as possible after the committee action, the School Dean shall inform the individual of the decision not to promote by certified letter with return receipt requested. A copy of this letter shall also be sent to the Chairperson. The President shall also issue a Spring Promotions List containing the names of all persons recommended for promotion. This list shall be posted by the Department Chairperson.

C. Fellowship Awards and Other Leaves

Any eligible faculty member who has applied for a fellowship award or other leave but has not been recommended to receive one by the appropriate departmental committee or by the School or College P&B Committee may appeal to the President in writing not later than two weeks after being informed of the decision. The School Dean shall inform the individual as soon as possible after the committee action by certified letter with return receipt requested. A copy of this letter shall also be sent to the Chairperson.

III. HOW APPEALS ARE CONSIDERED

In seeking advice on appeals, the President will normally refer appeals to the committees for review and recommendation usually adhering to the procedure outlined below. For each personnel action only one appeal shall be permitted at any level of personnel review, with appeals permitted at a maximum of two levels. Under the bylaws and policies of the University's Board of Trustees, the President has final responsibility for decisions on all appeals concerning academic judgment decisions.
A. Appeals from Departmental Committee Actions

Appeals from Departmental Committee actions will normally be referred by the President to the appropriate School P&B Committee for review and recommendation.

If the School P&B sustains the departmental decision, it will report this fact to the President. The President will consider this recommendation and notify the appellant of the decision on the appeal.

If the School P&B sustains the appellant, its recommendations will be transmitted to the College P&B for its review and recommendation to the President. The President will make a decision and inform the appellant of the action taken.

B. Appeals from Actions by the School P&B

Appeals from School P&B Committee actions will normally be referred by the President to the School Academic Review Committee for review and recommendation.

If the School Academic Review Committee sustains the decision of the School Committee, it will report this fact to the President. The President will consider this recommendation and notify the appellant of the decision on the appeal.

If the School Academic Review Committee sustains the appellant, its recommendations will be transmitted to the College P&B for its review and recommendation to the President. The President will make a decision and inform the appellant of the action taken.

C. Appeals from Actions by the College P&B

Appeals from actions by the College P&B Committee will normally be referred by the President to the College Academic Review Committee for review and recommendation. The President will consider this recommendation and notify the appellant of the decision on the appeal.

D. Appellant Responsibility

It is the responsibility of the appellant to provide the President with an updated vita and any other materials to be considered in the appeal. The appellant will normally have the opportunity to appear personally. If the appellant does not appear, the Committee may also invite the department chairperson and the appropriate School Dean to be present.

IV. NOTIFICATION TO THE PRESIDENT FROM EACH COMMITTEE CONSIDERING APPEALS

Any committee considering an appeal shall immediately notify the President in writing of its recommendation on each such appeal.

V. GRIEVANCES

Grievances alleging contract violations as distinct from these academic appeal procedures are governed by the collective bargaining agreement in effect.

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