

Grievance in Promotion and Tenure Matters

Beyond the rehearing option noted in the Promotion and Tenure Procedures (listed on the Provost's Office website at <http://www.uh.edu/provost/policies/faculty/promotion-tenure/>), the faculty member may have access to college-level and university-level grievance procedures. The [University of Houston Grievance Committee](#) exists as the final faculty body to which appeal may be made regarding a decision for non-renewal of contract of a non-tenured faculty member. Notice of a grievance must be made by the faculty member within 30 calendar days after s/he has received official notice that the Provost has recommended non-renewal of appointment to the Chancellor/President.

Decisions by faculty bodies and administrators responsible for recommendations not to confer tenure, not to promote, or not to reappoint must meet the following tests:

- A. They must not violate the faculty member's academic freedom or punish him/her for exercising his/her academic freedom, either in the performance of his/her duties or outside the institution.
- B. They must not violate the faculty member's constitutional and legal rights or punish him/her for exercising them, and must be in compliance with mandated equal opportunity policies.
- C. They must not be arbitrary or capricious.
- D. They must represent the exercise of professional judgment.

Faculty members who wish to invoke a grievance procedure against a negative promotion or tenure recommendation may do so at the college and/or university level. For details on the general grievance process, see procedures following. Also, refer to UH General Grievance Procedures in *pages 81-83*.

University of Houston Promotion and Tenure Grievance Procedures

On a promotion or tenure matter the following additional procedures for grievance shall be followed:

- A. In his/her written appeal or grievance to the University of Houston Grievance Committee, the faculty member shall set forth in detail the nature of the grievance and shall submit factual material pertinent to his/her case. By filing, the faculty member consents to the Grievance Committee having access to those materials and documents in the electronic dossier it deems relevant to the proceedings.
- B. Should the faculty member allege that there were procedural discrepancies in the process concerning the promotion and/or tenure decision, the Grievance Committee shall decide whether or not to recommend reconsideration by the Provost, with the understanding that the Grievance Committee shall not substitute its judgment for that of the review bodies. If the Grievance Committee recommends reconsideration by the Provost, it shall indicate in what respects it believes the initial consideration may have been inadequate. If the Grievance Committee decides that adequate consideration has been provided, its decision shall be considered final. Any Grievance Committee decision shall be reported in writing and transmitted promptly to the faculty member, the department chair, the college dean, and the Provost. In all actions resulting from a recommendation to reconsider, the decision of the Provost shall be final.

- C. If the faculty member alleges that violations of academic freedom significantly contributed to a decision not to grant him/her tenure or promotion, the Grievance Committee shall decide whether or not there should be a formal hearing. If the Grievance Committee decides in favor of holding a formal hearing, the matter will be heard in the manner set forth below in the section on "Dismissal of Faculty Members with Tenure and Special or Probationary Appointments Before the End of the Specified Term of Appointment," except that the faculty member making the *grievance* is responsible for stating the grounds upon which s/he bases his/her allegations, and that the burden of proof shall rest upon him/her. If the faculty member succeeds in establishing a *prima facie* case, it is incumbent upon those who contributed to the decision not to tenure or promote him/her to come forward with information in support of the decision. If the Grievance Committee decides against holding a formal hearing, its decision and the reasons therefore shall be stated in writing and transmitted promptly to the faculty member, the department chair, the college dean, the Provost, and the President.

For additional information: call the Office of the Provost, 832-842-0550.

Post-tenure Performance Review

See Board of Regents [Policy 21.11](#) on Post-tenure Performance Review

(<http://www.uhsa.uh.edu/board-of-regents/policies/index.php>)

University of Houston Post-tenure Review Policy

Preface

The university recognizes that the quality of the institution is directly dependent upon the quality of its faculty. The university is therefore committed to providing resources and policies which support the faculty's own efforts to enhance quality. These commitments are bonds uniting the university and its faculty in a common objective, the continued pursuit of academic excellence. These efforts to promote academic excellence confirm that the university and faculty remain accountable and worthy recipients of the public's trust. Several current policies promote these objectives: (1) departments and colleges undertake highly selective, national searches and only outstanding candidates are offered tenure track employment; (2) newly appointed faculty members undergo a comprehensive third year review; (3) candidates for tenure undergo a rigorous screening process in their sixth year of employment; and (4) departments and colleges also conduct reviews of faculty members for merit raises. Any time an evaluation results in a finding of incompetence, neglect of duty or other good cause, the university may initiate action for dismissal and revocation of tenure.

Tenure serves as the protection for the several facets of academic freedom: of inquiry, of teaching and of the expression of opinion.

The post-tenure review is a performance evaluation process for all tenured faculty members. The evaluation is based on a peer review process to confirm that faculty members are meeting the expectations of their professional or scientific discipline.

UH Performance Evaluation of Tenured Faculty

- A. A comprehensive peer review of all full-time faculty is conducted annually at UH.
1. This annual merit review is intended to function as the post-tenure review mandated by statute and Board policy. That is, it shall be a comprehensive performance evaluation, shall be based on the professional responsibilities of the faculty member in teaching,