Faculty Appeals Hearing Board Procedures
for appeals under FSH 3840 (administrative decisions)

1. Filing and processing of appeal:
   • The appellant files a written request for a formal hearing with the FAHB chair.
   • The FAHB chair checks the timeliness of the request for hearing. (FSH 3840 B-2). If filed late, the FAHB is required to either dismiss the appeal or make a determination under FSH 3840 B-2 that “extraordinary circumstances” justify the delay.
   • Once a decision has been made regarding timeliness, the FAHB must notify both the appellant and the provost and other administrators. If the appeal is dismissed for failure to timely file, then the notice just needs to state the basic details, and the decision of the FAHB.
   • If the FAHB accepts the request for hearing, (either because it is timely filed or based on an extraordinary circumstances determination) the chair then forwards a copy of the request to the provost and other administrator(s) concerned. The forwarded request should have a cover letter to both the provost and the appellant notifying them of receipt and acceptance of the request, and, if acceptance is based on a finding of extraordinary circumstances, the findings of the FAHB regarding the extraordinary circumstances. The letter also should notify the parties of the following process points and deadlines:
     - Administration’s response to the appeal must be filed with the FAHB chair within 30 days of request.
       - Must provide copy to appellant and submit original to FAHB chair.
     - Appellant may, within 21 days of receipt of the administration’s response, submit a written reply.
       - Content is limited to new matters raised by the administration’s response. Must submit original to the FAHB chair.

   The chair’s letter should further inform the parties of the existence of the FAHB Procedures and include a copy, and should provide an estimated date range for hearing and indicate that the chair will follow up regarding scheduling.

2. Prior to the hearing:
   • After the deadline has passed for the appellant’s reply to the administration’s response, the FAHB meets to consider the case and select potential hearing dates.
     - FAHB chair sends letter to parties informing them of the hearing date and process and any decisions made under FSH 3840 D-2.
     - FAHB chair may elect to first call/email parties to identify a hearing date, then provide exact date in letter (note policy – this is a summons under FSH 3840 D-3).
   • FAHB chair confers in advance of the hearing with both parties to determine which witnesses, if any need to be formally summoned to ensure they are available at the hearing, and to decide any preliminary matters that the parties bring to the chair’s attention.

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• FAHB identifies any other witnesses it wishes to call and sends a summons to these individuals as well.

3. **During the hearing:**
   • All hearings of the Board are closed. However, a hearing may be open, at the request of either of the parties involved, with concurrence of the other party and a majority of the Board.
   • FAHB chair provides introduction, reminds parties of process, tracks and notifies parties of time limits.
   • Each party has ½ hour to present its case – not including time spent on questions by FAHB (if warranted, FAHB may extend time limits). Parties may present their case in whatever manner they desire: e.g., through the testimony of witnesses, submission of documents, or oral statements. The appellant presents first.
   • Each party has 10 minutes to summarize its case.

4. **After the hearing:**
   • FAHB “promptly” reports its findings and recommendations in writing to the appellant, departmental administrator, dean, provost and president.
   • President has 45 days following receipt of the report to respond in writing to the appellant and FAHB, stating his or her decision and the rationale for it.
   • Appellant may appeal an adverse decision to the Board of Regents.