

 UNIVERSITY OF DENVER	UNIVERSITY OF DENVER POLICY MANUAL FACULTY GRIEVANCE POLICY AND PROCEDURES	
Responsible Department: Provost and Executive Vice Chancellor Recommended By: Provost and Executive Vice Chancellor, Vice Chancellor for Human Resources, Faculty Senate Approved By: Chancellor	<u>Policy Number</u> PROV 3.10.060B	<u>Effective Date</u> 11/7/2025

I. INTRODUCTION

This document sets forth the University's internal policies and procedures for faculty Grievances of administrative decisions or actions ("Faculty Grievance Policy").

The University strictly prohibits retaliation against any person who initiates, or attempts to initiate, a Grievance pursuant to this Policy.

The procedure set forth herein is an internal, administrative process.

This Policy applies only to appointed faculty members. This Policy does not apply to adjunct faculty.

II. DEFINITIONS

- A. **"Business Days"** – any weekday Monday through Friday in which the University is in operation, including days when the University is in operation, but classes are not in session. For example, University Holidays (as defined in University Policy HRIC 3.40.050 – *Holidays*) are not Business Days.
- B. **"Grievant(s)"** - the person(s) initiating the Grievance. Hereafter, Grievant (in the singular) will be used to designate one or more Grievants.
- C. **"Respondent(s)"** - the person(s) who is/are alleged to have carried out the action or made the decision that is the subject of the Grievance. Hereafter, Respondent (in the singular) will be used to designate one or more Respondents.

III. POLICY OVERVIEW

It is the policy of the University to establish an internal faculty Grievance

process for complaints of appointed faculty members related to the terms and conditions of their employment.

A. Grievances Addressed

For purposes of this Policy, a Grievance is a complaint by an appointed faculty member related to their employment such as:

1. Disagreement regarding the application of University policies;
2. Disagreement regarding annual reviews;
3. Availability or amount of an employee benefit such as holidays, vacations, or sick leave; or
4. Any other significant matters adversely affecting terms or conditions of employment.

5. Grievances do not include complaints related to:

- a. [POLICIES AND PROCEDURES RELATING TO FACULTY APPOINTMENT, PROMOTION, AND TENURE \("APT"\)](#). Grievances addressed in the APT concern policies and procedures regarding reappointment, promotion, tenure, and involuntary termination of tenure or the termination of non-tenured appointments during their term.

- b. The application of [University Policy CREO 3.10.010 - Discrimination and Harassment](#) (CREO Policy), and the Office of Civil Rights and Equal Opportunity (CREO) procedures.

- i. Prior to filing a Grievance under this Policy, individuals with complaints solely alleging discrimination, harassment, or other matters that fall within the CREO Policy and procedures must submit the complaint to CREO for review. Similarly, if the employee raises an allegation falling within the CREO Policy and procedures during the Grievance process, that allegation must be referred to CREO for review.

- ii. If a faculty member has concerns covered by both this Policy and by the CREO Policy, the faculty member may choose to pursue the Grievance under this Policy and the discrimination/harassment complaint under the CREO Policy at the same time or in succession.

- iii. CREO will address the complaint or allegation, as applicable, following its established procedures.

- iv. If the faculty member chooses to pursue the discrimination/harassment complaint under the CREO Policy first, the deadlines set forth in this Policy shall toll while the complaint or allegation is pending within CREO.
- v. If the Respondent in a Grievance under this Policy is also the Respondent in a related matter involving the Grievant pursuant to the CREO Policy, then the Respondent may submit a written request to the Provost to be recused from a decision-making role in the process set forth in Section IV. below. The Provost may designate an individual to serve in the decision-making role and will notify the Grievant and Respondent of any such designation.

B. Time Limits.

The time limits described below may be extended by the Provost if the Grievant or the Respondent provides documentation of extenuating circumstances, such as sickness or accident, which prevented that party from meeting an applicable deadline.

C. Effect on Administrative Action.

An administrative decision or action that is subject to a Grievance under this Grievance Policy will remain in effect while the Grievance is pending, unless a Respondent suspends the decision or action.

IV. PROCESS OVERVIEW

A. Procedures for Grieving an Administrative Decision or Peer Action

The process afforded a Grievant under this Policy following (a) a decision or action made by an administrator or (b) a peer action are:

1. Step One: Optional Informal Resolution

The Grievant is strongly encouraged, but not required, to discuss any complaint covered by this Policy with the Respondent and both Grievant and Respondent are strongly encouraged to make a concerted effort to resolve the complaint before proceeding with any further steps described below. The discussion should occur as soon as reasonably possible after the Grievant learns of the disputed matter.

a. Optional Facilitation

If both parties to the Grievance agree, they may invite a University

employee who (a) is not a party to the Grievance; and (b) does not otherwise have a role in the review process set forth below, such as a representative from the Division of Human Resources and Inclusive Community (HRIC) or the Division of Diversity Equity and Inclusion (DDEI) representative, a faculty colleague, Ombuds, or another University administrator to facilitate the discussion to assist in informal resolution of the matter that is subject to the Grievance. This process does not apply to complaints or allegations that are subject to CREO review pursuant to Section III.A.5.b above.

b. Optional Support Person

During the Grievance informal resolution process, participants have the option to be accompanied by a support person. As further set forth below, the support person's role is to provide emotional and moral support to the participant and not to serve as an advocate.

c. Role of the Support Person

- i. **Presence:** The support person may accompany the participant throughout all stages of the informal resolution process.
- ii. **Participation:** The support person is an observer and must not speak on behalf of the participant, negotiate, or otherwise engage directly in the informal resolution process unless specifically requested by the optional facilitator.
- iii. **Confidentiality:** The support person must maintain confidentiality regarding all matters discussed during the informal resolution sessions. By agreeing to serve as a support person, they commit to not disclose any information obtained during the informal resolution process.
- iv. **Respectful Conduct:** The support person must comply with the principles of respect, impartiality, and non-disruption. They should not interfere with the informal resolution process and must cooperate with the facilitator.
- v. **Formal Designation:** The participant must formally designate their support person in writing in advance to all parties involved before the informal resolution session begins. The support person must agree in writing to the restrictions and expectations set forth in this Policy.
- vi. The restrictions on and expectations regarding the role of the support person apply to any meeting or other proceeding under this Policy in which a support person is allowed to participate.
- vii. **Exclusion:** The University may exclude any support person who does not comply with the restrictions and expectations set forth above from that proceeding and/or future proceedings.

d. Timing

The informal resolution process described in Section IV.A.1 is designed to be flexible, aiming to resolve Grievances swiftly and amicably. The total time allocated for attempting informal resolution shall not exceed twenty (20) Business Days from the date on which the informal resolution is initiated by the Grievant.

2. Step Two: Written Grievance

If informal resolution described in Section IV.A.1 is not achieved within twenty (20) Business Days, or if the Grievant elects not to pursue or to discontinue informal resolution, a formal Grievance process may be initiated. The Grievant must submit the formal Grievance in writing to the Respondent and to the Vice Provost for Faculty Affairs.

a. Timing

The Grievant must file a formal Grievance within twenty (20) Business Days following the later of: (1) the date of the incident, (2) the date that the Grievant learns of the disputed matter, (3) the date of the last event in a series of actions, if the alleged adverse action resulted from a series of actions, or (4) the last date at attempted informal resolution pursuant to Section IV.A.1. above.

b. Submission Requirements

The Grievance, shall set forth in detail: (1) the nature of the adverse action including any supporting documentation, (2) any University policies or procedures implicated, (3) the relief sought, and (4) any attempts at informal resolution, or the reason(s) for not pursuing informal resolution.

3. Step Three: Respondent's Reply

The Respondent shall submit a written reply ("Reply") to the Grievance.

a. Timing

The Respondent's Reply (if any) must be submitted to the Grievant and the Vice Provost for Faculty Affairs within ten (10) Business Days of submission of the Grievance.

b. Reply Requirements

The Reply shall address every claim raised by the Grievant, including the Grievant's requested relief. The Respondent shall: (i) grant the requested relief, (ii) deny the requested relief, or (iii) propose alternative relief including an explanation of the reasons for the alternative relief. The Reply may also include any supporting documentation.

4. Step Four: Appeals When Respondent is not the Provost, a Vice Provost, or a Dean

a. Appeal to the Dean

If the Respondent is not the Provost, Vice Provost, or Dean, and if the Grievant is not satisfied with the Respondent's Reply (if any), the Grievant may submit a written appeal to the Dean ("Dean Appeal").

i. Timing

The Grievant must submit the Dean Appeal to the Dean, the Respondent, and the Vice Provost for Faculty Affairs within ten (10) Business Days from the date of the Respondent's Reply (if any) or within twenty (20) Business Days from submission of the Grievance, if the Respondent did not provide a Reply.

ii. Dean Appeal Requirements

The Grievant must include in the Dean Appeal a statement and explanation of the reasons why the Grievant is not satisfied by the Respondent's Reply and shall state the requested relief. The Grievant must also include the following: 1) the original Grievance, 2) Respondent's Reply (if any) and 3) a brief cover letter summarizing the arguments in the Dean Appeal.

b. Dean's Determination

The Dean shall submit a written determination ("Dean's Determination") in response to the Dean Appeal.

i. Timing

The Dean's Determination must be submitted to the Grievant, the Respondent, and the Vice Provost for Faculty Affairs within ten (10) Business Days from submission of the Dean Appeal.

ii. Dean's Determination Requirements

The Dean's Determination shall address in detail every claim raised by the Grievant in the Dean Appeal, including the Grievant's desired relief.

c. Appeal to the Provost

If the Grievant is not satisfied with the Dean's Determination, or the Grievant has not received the Dean's Determination within ten (10) Business Days of the submission of the Dean Appeal, the Grievant may appeal to the Provost ("Provost Appeal").

i. Timing

The Grievant must submit the Provost Appeal in writing to the Provost, the Respondent, the Dean, and the Vice Provost for Faculty Affairs within (a) ten (10) Business Days from the date of the Dean's Determination or (b) twenty (20) Business Days following submission of the Dean Appeal, if the Grievant has not received the Dean's Determination. If, however, the Grievant elects to submit the Grievance to the Faculty Review Committee ("FRC"), as described below, the deadline for submitting the Provost Appeal will be ten (10) Business Days from the date of submission of the FRC's Recommendation.

ii. Optional Review by the Faculty Review Committee

Prior to submitting the Provost Appeal, the Grievant may request a review by the FRC ("FRC Review Request").

a) Timing

The Grievant must submit the FRC Review Request in writing to the chair of the FRC, the Respondent, the Dean, and the Vice Provost for Faculty Affairs within (a) ten (10) Business Days from the date of the Dean's Determination or (b) twenty (20) Business Days following submission of the Dean Appeal, if Grievant has not received the Dean's Determination.

b) FRC Review Request Requirements

The Grievant may request a review by the FRC only on the grounds of (a) lack of adequate consideration as defined in section 7.2 of the APT; and/or (b) violation of academic freedom, as defined in sections 1.1 of the APT. Therefore, the Grievant shall clearly state and explain in the FRC Review Request the reasons why the Dean's Determination or Respondent's Reply reflected a lack of adequate consideration or a violation of

academic freedom and shall also state the desired relief. The Grievant must also include the following: 1) the original Grievance, 2) Respondent's Reply (if any), 3) the Dean's Determination, and 4) a brief cover letter summarizing the arguments in the Faculty Review Request.

c) FRC Recommendation

The FRC shall submit a written recommendation ("FRC Recommendation") in response to the FRC Review Request.

i) Timing

The FRC Recommendation must be submitted to the Grievant, the Respondent, the Dean, and the Vice Provost for Faculty Affairs within (20) Business Days of submission of the FRC Review Request.

ii) FRC Recommendation Requirements

The FRC Recommendation shall address in detail every claim raised by the Grievant in the FRC Review Request, including the Grievant's desired relief, and may recommend remedies for procedural inadequacies or for inequities or injustices.

iii. Provost Appeal Requirements

The Grievant shall clearly state and explain in the Provost Appeal the reasons why the Dean's Determination was unsatisfactory and shall state the desired relief. The Grievant must also include the following: 1) the original Grievance, 2) Respondent's Reply (if any), 3) the Dean's Determination, 4) the FRC Recommendation (if any), and 5) a brief cover letter summarizing the arguments in the Provost Appeal.

d. Provost's Determination

The Provost shall submit a written determination ("Provost's Determination") in response to the Provost Appeal.

i. Timing

The Provost's Determination must be submitted to the Grievant, the Respondent, the Dean, and the Vice Provost for Faculty Affairs within ten (10) Business Days of submission of the Provost Appeal.

ii. Provost's Determination Requirements

The Provost's Determination shall address in detail every claim raised by the Grievant in the Provost Appeal, including the Grievant's desired relief.

iii. The decision of the Provost is final.

5. Step Five: Appeals When Respondent is a Vice Provost or a Dean

If the Respondent is a Vice Provost, Vice Chancellor or Senior Vice Chancellor with a faculty appointment, or a Dean, and the Grievant is not satisfied with the Respondent's Reply, or the Grievant has not received the Respondent's Reply within ten (10) Business Days of the submission of the Grievance, the Grievant may appeal to the Provost ("Provost Appeal").

a. Timing

The Grievant must submit the Provost Appeal in writing to the Provost, the Respondent, and the Vice Provost for Faculty Affairs within ten (10) Business Days from the date of the Respondent's Reply or within twenty (20) Business Days of the submission of the written Grievance. If, however, the Grievant elects to submit the FRC, as described below, the deadline for submitting the Provost Appeal will be ten (10) Business Days from the submission of the FRC's recommendation.

b. Optional Prior Review by the Faculty Review Committee

Prior to submitting the Provost Appeal, the Grievant has the option of requesting a review by the FRC ("FRC Review Request").

i. Timing

The Grievant must submit the FRC Review Request in writing to the chair of the FRC, the Respondent, and the Vice Provost for Faculty Affairs within (a) ten (10) Business Days from the date the Respondent's Reply (if any) or (b) twenty (20) Business Days following submission of the written Grievance, if Grievant has not received the Respondent's Reply.

ii. FRC Review Request Requirements

The Grievant may request a review by the FRC only on the grounds of (a) lack of adequate consideration as defined in section 7.2 of the APT; and/or (b) violation of academic freedom, as defined in sections 1.1 of the APT. Therefore, the Grievant shall clearly state and explain in the Faculty Review Request the reasons why the Respondent's Reply reflected a lack of adequate consideration or a violation of academic freedom and shall also state the desired relief.

The Grievant must also include the following: 1) the original Grievance, 2) Respondent's Reply (if any), and 3) a brief summary of the arguments in the Faculty Review Request.

iii. FRC Recommendation

The FRC shall submit a written recommendation ("FRC Recommendation") in response to the FRC Review Request.

a) Timing

The FRC Recommendation must be submitted to the Grievant, the Respondent, and the Vice Provost for Faculty Affairs within twenty (20) Business Days of submission of the FRC Review Request.

b) FRC Recommendation Requirements

The FRC Recommendation shall address in detail every claim raised by the Grievant in the FRC Review Request, including the Grievant's desired relief, and may recommend remedies for procedural inadequacies or for inequities or injustices.

c. Provost Appeal Requirements

The Grievant shall clearly state and explain in the Provost Appeal the reasons why the Respondent's Reply was unsatisfactory and shall state the desired relief. The Grievant must also include the following: 1) the original Grievance, 2) Respondent's Reply (if any), 3) the FRC Recommendation (if any), and 4) a brief cover letter summarizing the arguments in the Provost Appeal.

d. Provost's Determination

The Provost shall submit a written determination ("Provost's Determination") in response to the Provost Appeal.

i. Timing

The Provost's Determination must be submitted to the Grievant, the Respondent, and the Vice Provost for Faculty Affairs within (10) Business Days of submission of the Provost Appeal.

ii. Provost's Determination Requirements

The Provost's Determination shall address in detail every claim raised by the Grievant in the Provost Appeal, including the

Grievant's desired resolution. The decision of the Provost is final.

6. Step Six: Appeals When Respondent is the Provost

If the Respondent is the Provost and the Grievant is not satisfied with the Respondent's Reply, or the Grievant has not received the Respondent's Reply within ten (10) Business Days of the submission of the Grievance, the Grievant may appeal to the Chancellor ("Chancellor Appeal").

a. Timing

The Grievant must submit the Chancellor Appeal in writing to the Chancellor, the Respondent, and the Vice Provost for Faculty Affairs within (a) ten (10) Business Days from the date of the Respondent's Reply (if any) or (b) twenty (20) Business Days following submission of the written Grievance. If, however, the Grievant elects to submit the Grievance to the Faculty Review Committee ("FRC"), as described below, the deadline for submitting the Chancellor Appeal will be ten (10) Business Days from the FRC's recommendation.

b. Optional Prior Review by the Faculty Review Committee

Prior to submitting the Chancellor Appeal, the Grievant has the option of requesting a review by the FRC ("FRC Review Request").

i. Timing

The Grievant must submit the FRC Review Request in writing to the chair of the FRC, the Respondent, and the Vice Provost for Faculty Affairs within (a) ten (10) Business Days from the date the Respondent's Reply (if any) or (b) twenty (20) Business Days following submission of the written Grievance, if Grievant has not received the Respondent's Reply.

ii. FRC Review Request Requirements

The Grievant may request a review by the FRC only on the grounds of (a) lack of adequate consideration as defined in section 7.2 of the APT; and/or (b) violation of academic freedom, as defined in sections 1.1 of the APT. Therefore, the Grievant shall clearly state and explain in the Faculty Review Request the reasons why the Respondent's Reply reflected a lack of adequate consideration or a violation of academic freedom and shall also state the desired relief. The Grievant must also include the following: 1) the original Grievance, 2) Respondent's Reply, and 3) a brief cover letter summarizing the arguments in the Faculty Review Request.

iii. FRC Recommendation

The FRC shall submit a written recommendation ("FRC Recommendation") in response to the FRC Review Request.

a) Timing

The FRC Recommendation must be submitted to the Grievant, the Respondent, and the Vice Provost for Faculty Affairs within twenty (20) Business Days of submission of the FRC Review Request.

b) FRC Recommendation Requirements

The FRC Recommendation shall address in detail every claim raised by the Grievant in the FRC Review Request, including the Grievant's desired relief, and may recommend remedies for procedural inadequacies or for inequities or injustices.

c. Chancellor Appeal Requirements

The Grievant shall clearly state and explain in the Chancellor Appeal the reasons why the Respondent's Reply was unsatisfactory and shall state the desired relief. The Grievant must also include the following: 1) the original Grievance, 2) Respondent's Reply (if any), 3) the FRC Recommendation (if any), and 4) a brief cover letter summarizing the arguments in the Chancellor Appeal.

d. Chancellor's Determination

The Chancellor shall submit a written determination ("Chancellor's Determination") in response to the Chancellor Appeal.

i. Timing

The Chancellor's Determination must be submitted to the Grievant, the Respondent, and the Vice Provost for Faculty Affairs within (10) Business Days of submission of the Chancellor Appeal.

ii. Chancellor's Determination Requirements

The Chancellor's Determination shall address in detail every claim raised by the Grievant in the Chancellor Appeal, including the Grievant's desired resolution.

iii. The decision of the Chancellor is final.

Revision Effective Date	Purpose
11/7/2025	<i>Minor change to update the title of the Office of Civil Rights and Equal Opportunity and the corresponding reference numbers for its policies</i>