

Simpson College

Faculty Personnel Committee Appeal Guidelines

updated 10/17/2018

While the Faculty Handbook states that a faculty member can appeal the termination of their position, there are no clear guidelines for the Faculty Personnel Committee (FPC) on the process. FPC adopted these guidelines on 2/27/2018 as a way to address appeals that might occur due to the current program prioritization process.

Appeal and hearing process for tenured faculty wanting to appeal the termination of their position:

As per the Faculty Handbook, Part III Personnel Procedures: Section 13: Procedures for Discontinuance of Academic Programs and Majors, “The role of the Faculty Personnel Committee will be to make sure that the termination procedures have been followed. Tenured faculty members impacted by planned reduction in program funding will have the right of appeal using the procedures outlined in the Simpson College Faculty Handbook, Part III: Personnel Procedures, Section 13.3.0.”

13.3.0 Appeal Procedure for Tenured Faculty Affected By Retrenchment

13.3.1 Appeal to the Faculty Personnel Committee

“Any tenured faculty member under the threat of termination for reasons of retrenchment will have the right to appeal to the Faculty Personnel Committee. After hearing the appeal, the Faculty Personnel Committee will make a recommendation to the President.”

Rules for the appeal process established by FPC 2/27/2018:

- FPC’s interpretation of the Faculty Handbook is that any tenured faculty member (whose position is being eliminated) can appeal to FPC regardless of whether retrenchment is declared.
- The Administration will officially notify FPC of the positions being eliminated (Faculty Handbook, Part III, 13.1.2).
- The FPC appeal process is independent from the appeal process for the Learning Programs Committee of the Board of Trustees (Faculty Handbook, Part III, 13.3.2).
- Tenured faculty who wish to appeal the termination of their position must notify the chair of FPC in writing of their intent to appeal. Notice must be received within 30 calendar days following the notification of termination. FPC will respond within 10 calendar days to the request for appeal and set up a date and time for the hearing. FPC will schedule one hour closed hearings.
- At the hearing, the faculty member will make a statement and have the opportunity to provide supporting documents explaining the basis of their appeal.

- Members of FPC may ask questions as appropriate of the faculty member.
- FPC will consider the following as a part of their deliberations:
 - Whether the termination procedures as outlined in the Simpson College Faculty Handbook, Part II: Personnel Policies, Section 6: Non-reappointment were followed.
 - The validity of the educational judgments and criteria used to determine which positions are to be terminated.
 - Whether the criteria are being properly applied in the individual case.
- The Academic Dean will not be present at the hearing. Any FPC member with a potential conflict of interest with any individual appealing shall be recused from the hearing regarding that individual. If the chair is recused for a conflict of interest, FPC shall select an interim chair for that hearing.
- Following the hearing, FPC may ask the Academic Dean for clarifying information regarding the termination of the specific position, the educational judgements and criteria used to determine the elimination of the position, and whether the criteria was properly applied to the specific case under appeal. If FPC requires additional information, it will seek it from other college representatives or committees as it deems necessary.
- Following the hearing, FPC shall issue a written recommendation to the President. FPC will inform the faculty member making the appeal of its decision.
- FPC will adhere to strict confidentiality of the hearing and deliberations. Members should not disclose the nature of questions or arguments raised and advanced by members of FPC nor will any votes be disclosed. All questions concerning FPCs deliberations and actions should be directed to the Chair of FPC.