

<b>Title:</b> Grievance for Faculty Terminations Policy – Peer Review Committee Procedure	<b>Procedure Number:</b> 6-I	Page 1 of 2
<b>Board Policy or Policies:</b> Policy 6.26 – Grievance for Faculty Terminations	<b>Adopted by:</b> Carrie Besnette Hauser, President  <b>Date of Last Revision:</b> December 12, 2016	

**Application.** When an eligible faculty member requests a review in accordance with the College’s Grievance for Faculty Terminations Policy, this procedure applies. Applications for appeal are limited to the grounds for dismissal and non-renewal appearing in the Grievance for Faculty Terminations Policy. Material that is unrelated to the grounds for dismissal and non-renewal appearing in the Grievance for Faculty Terminations Policy shall not be considered by the Peer Review Committee.

**Peer Review Panel.** The Faculty Senate shall elect a College-wide hearing panel of thirteen members in September of every even numbered year and notify the President of the members so elected. The purpose of the Peer Review Panel is to review the evidence provided by the Faculty Member and the College and provide a recommendation to the President concerning the accuracy, correctness, and relevance of evidence used by the College to satisfy the grounds for dismissal or the grounds for non-renewal as they appear in the Grievance for Faculty Terminations policy.

**Peer Review Committee Process.** If there is a request for a hearing in accordance with the Grievance for Faculty Terminations Policy, the following steps shall be taken:

1. Selection of Peer Review Committee. If the Faculty Member submits his/her request for review by a Peer Review Committee in a timely manner as provided for by the Grievance for Faculty Terminations Policy then, within three business days, the President shall strike four names from the list of panel members and send the list to the Faculty Member. Upon receipt of the list, the Faculty Member shall strike four names from the remaining panel members on the list and return it to the President within three business days. If for any reason the Faculty Member fails to strike any names or less than four names within the required period, the President shall strike a sufficient number to reduce the members to five. The five panel members whose names remain on the list shall constitute the Peer Review Committee.
2. Notification to Peer Review Committee. The President shall notify the members on the Peer Review Committee in writing that they have been selected to constitute the committee and shall designate one member to convene a meeting to select a chairperson.
3. Peer Review Hearing. The chairperson shall give written notice (may be electronic) of the time and place for hearing the appeal. The peer review hearing must begin within ten business days of the committee's notification by the President. The Peer Review Committee shall conduct a hearing on the issues presented by the parties. A full record of the Peer Review Hearing will be taken stenographically or by recording and thereafter made available to the Faculty Member and to the College. The Faculty Member and the College shall have the right to have advisory or legal counsel, provided that legal counsel’s role is limited to consultation with their clients. Each party shall pay its own costs.

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4. Peer Review Committee Recommendation. Within five days after the hearing, the Peer Review Committee shall submit to the College President written findings of fact and recommendations, including the rationale, and the record of the proceedings. A copy of the recommendation shall be provided to the Faculty Member.
  
5. College President’s Decision. The College President shall render a decision in writing to the Appellant and the Vice President of Human Resources within five business days after receiving the Peer Review Committee’s recommendation. If the College President substantially agrees with the Peer Review Committee recommendation, the decision is final. If the College President disagrees with the recommendation from the peer review committee, the College President must provide specific details regarding the reasons for his or her determination, which may include but not be limited to, the application of college policy, standards of faculty performance and conduct as found in college policies and procedures, observance of due process requirements under applicable law, and other requirements of state and federal law. If the decisions of the President and the Peer Review Committee differ, the Faculty Member may send to the President a written notice of appeal to the Board, and the President shall deliver such notice to the Board of Trustees, together with the Peer Review Committee findings, recommendations and record of proceedings, and shall schedule a review of the appeal by the Board of Trustees at its next meeting.
  
6. Board of Trustee Review. The review by the Board of Trustees shall be limited to a review of the record of the Peer Review Hearing. The Board shall consider the appeal at its next scheduled meeting so long as the appeal to the Board is received no later than 15 days prior to such meeting. The Board of Trustees shall accept or reject the President’s recommendation upon completion of its review, and in no event later than ninety days of receipt of the notice of appeal. The Secretary to the Board of Trustees shall serve a copy of the Board of Trustee’s decision upon all parties and the College President. This decision shall be final.

Additional Procedures. The President may promulgate additional procedures consistent with those set forth herein.