

## UVa AAUP Chapter Faculty Complaint Procedure

### Background

The American Association of University Professors (AAUP) advocates for academic freedom and shared governance in higher education. The University of Virginia (UVa) AAUP Chapter advocates for AAUP principals on behalf of UVa faculty primarily at the level of institutional policies related to academic freedom and shared governance. In some instances, violations of AAUP principles occur at the level of individual faculty members in response to actions by central, school, and/or departmental administrations. This document details the Chapter's procedure for filing and adjudicating complaints by individual faculty members alleging violations of AAUP principles related to shared governance and academic freedom.

### Complaint Committee (CC) Membership

The Chapter shall establish a CC consisting of two or more members both/all of whom are Chapter members and at least one of whom is a member of the Chapter's Executive Committee (ExCo). Committee members shall serve two-year terms.

### Complaint Filing

Any UVA faculty member may file a complaint for consideration by the UVa AAUP Chapter related to academic freedom or shared governance occurring at any level of the institution including university, school, department, and program area. Complaints should be submitted electronically to the chapter secretary and shall remain confidential. The complaint should be approximately 2 pages in length, detail the facts and corresponding chronology of events surrounding the alleged violation(s) of AAUP principle(s), cite supporting evidence from AAUP policies (Redbook or online AAUP resources), and specify the desired outcome. The complaint may be filed with the CC before, during, or after the complainant has initiated a complaint or grievance through official university channels (e.g., University Ombudsman, Faculty Senate Grievance Committee, Equal Employment Opportunity Commission (EEOC), appeal to the Provost). If alternative avenues for dispute resolution have been initiated within the university, the complaint should briefly summarize the status of each.

The secretary shall forward the complaint to the CC for consideration of the associated facts, principles, and proposed outcomes. After an initial review, the CC may request additional information from the complainant and/or schedule a meeting with the complainant to discuss the matter.

A faculty member may also file a complaint directly to the AAUP National Department of Academic Freedom, Tenure and Governance at [academicfreedom@aaup.org](mailto:academicfreedom@aaup.org). We request that the faculty member copy the AAUP-UVa chapter if this route is taken as a first step.

## Complaint Action

The CC will review the available evidence and determine whether the actions alleged in the complaint violate AAUP principles and that the proposed outcome is viable. If so, the CC will forward the complaint and the committee's recommendations to the Chapter ExCo for its consideration.

If the CC concludes that the available evidence is insufficient to demonstrate that AAUP principles have been violated or that the requested outcome is not viable, the CC will so inform the ExCo and the complainant and may offer the complainant suggestions for alternative avenues of dispute resolution (*e.g.*, University Ombudsman, EEOC, Faculty Senate Grievance Committee, appeal to the Provost, legal counsel, etc.).

If the ExCo concurs with the findings and recommendations of the CC and, with the permission of the complainant, the CC may issue a letter of inquiry to administrators and/or others involved in the alleged violation soliciting additional information related to the complaint.

If after the letter of inquiry and information gathering process have been completed and the CC determines that the complainant's alleged violation of AAUP principle is warranted and persists, the CC may recommend remedies to the complainant and the administration that comport with AAUP principles. If such remedies are not accepted and implemented such that the violation of AAUP principles persists, the CC will inform the ExCo and the complainant. The ExCo will then deliberate on the next steps, which may include filing a formal complaint with university administrators (*e.g.*, President, Provost, Dean, Board of Visitors), informing the AAUP national and state offices of the ongoing violation, referring the complainant to the AAUP National Office on Academic Freedom, Tenure and Governance, and/or other actions it deems appropriate to rectify the situation. At the request of the complainant, a representative of the CC or ExCo may accompany the complainant to related discussions or disciplinary hearings.

If at any time the CC finds that the complaint is no longer warranted, if the problem has been corrected, or if there is no longer an issue from the complainant's perspective, the complaint process will be closed, and all parties will be notified.

It is important to recognize that only the Washington AAUP office staff and ultimately the AAUP's Governing Council speak for the AAUP in matters involving individual cases. Involvement of the UVa AAUP Chapter is entirely advisory. Any communication by the UVa AAUP Chapter and university administrators should clearly differentiate between the local Chapter and the AAUP national office. If a case is referred to the national office staff, the CC may continue to play a role in providing information and facilitating discussions at the local level.

In addition, the UVa AAUP chapter is not a legal authority and the advice that we provide is not legal advice. In serious cases, especially those involving potential suspension or termination, the CC may refer the complainant to an attorney. Some UVa policies stipulate when an attorney is permitted to formally participate in institutional proceedings.

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