Proposed revisions to University Rule 15.99.03.M1.04, Adjudication, Appeal and Review
(bold/underline indicates additions; bold/strikethrough indicates deletions)

1.1 Appeal

The respondent may appeal all or any part of the CAO’s final decision by filing a written appeal to the President of the Texas A&M University within ten working days of receiving the final decision. This time limit may be extended for good cause and must be documented in the record. The appeal shall state:

1. that there is new evidence that was not available to the investigative committee; or

2. that the recommended sanction is not commensurate with the severity or intent of the alleged misconduct; or

3. the decision is not supported by the evidence; or

4. that there exists a serious breach of this procedural process.

The appeal shall be conducted by the President of Texas A&M University using written documents only. No live testimony or hearings will be conducted. Unless Section 2.0 of this administrative procedure applies, the respondent shall have only one appeal. If the recommendation is to terminate employment of the respondent, see Section 2.0. In all other cases upon the President’s decision, the respondent shall have exhausted all of his/her options.

2. Termination and Subsequent Appeals

If the CAO of Texas A&M University elects to terminate the employment of the respondent, the respondent may request a hearing before the appropriate University committee established in accordance with the System policies and pursue the available means of appeal following such a hearing. The response from the appropriate University Committee concerning dismissal should be obtained by the President prior to the President’s decision. For cases in which the respondent(s) is a faculty member, refer to section 8.2.3 of System Regulation 12.01.12.01.99.M2 (University Statement on Academic Freedom, Responsibility, Tenure, and Promotion). This policy establishes who has the burden of proof in the hearing that good cause exists for dismissal and that dismissal is warranted. For cases in which the respondent(s) is a staff member, refer to System Regulation 32.01.01.