

1.02.11.00 Appeals to the Chancellor



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Policy/Guideline Area

Governance, Organization, and General Policies

Applicable Divisions

TCATs, Community Colleges, System Office

Purpose

The purpose of this policy is to set the conditions and procedures for appeals to the Chancellor.

Policy/Guideline

- I. Scope and Process of Appeals
 - A. A student or employee may appeal a final decision of the president to the Chancellor only if alleging a violation of college or TBR policy or guideline (collectively, “policy”).
 - B. The following decisions will only be appealable if there is an alleged violation of policy prohibiting discrimination or harassment:
 - 1. Termination of executive, administrative, professional, clerical and support employees during or at the end of the initial probationary period;
 - 2. Non-renewal of a temporary faculty appointment;
 - 3. Salary determinations;
 - 4. Student academic matters, e.g., grade appeals, failure to meet retention policies, etc.;
 - 5. Performance evaluations of faculty or staff; and

6. Residency classification of students for tuition and fee purposes.
- C. A decision that is the subject of, or results from, a contested case hearing pursuant to the Uniform Administrative Procedures Act (UAPA) is only reviewable by the Chancellor when the Chancellor is serving as the “agency head” in the contested case proceeding.
 - D. The following decisions are not appealable to the Chancellor.
 1. Termination or suspension of a faculty member pursuant to the procedures in section II or section III of TBR Policy 5.01.00.03 Faculty Disciplinary Action. The options identified in section IV of TBR Policy 5.01.00.03 Faculty Disciplinary Action are the exclusive means for a faculty member to seek review of a decision made pursuant to section II or section III of the policy.
 2. Decisions made pursuant to TBR Policy [6.03.00.00 Sexual Misconduct](#).
 3. Any decision that is not appealable in accordance with the terms of another TBR policy.
 - E. Appeals and supporting documents must be submitted in writing to the Chancellor within 20 calendar days following the date of the written decision by the president.
 - F. The appeal must state the decision being appealed, the policy that is alleged to have been violated, and the redress desired.
 - G. The Chancellor may request a student or employee to appear, either in person or by videoconference, and present arguments in support of an appeal. The Chancellor shall determine the scope and conditions of any such appearance.
 - H. The Chancellor shall be permitted to recuse and designate another person to hear the appeal.

- I. Any available institutional complaint procedure must be exhausted prior to consideration by the Chancellor or designee.

II. Record

- A. The record on appeal shall consist of all relevant documents, statements, and other materials submitted by the person appealing and by the institution.
- B. New evidence may only be submitted if the Chancellor determines good cause is shown for why the evidence was not submitted previously.
- C. If the appellant does not submit sufficient information to allow review of the decision being appealed, the Chancellor may require the person appealing to furnish any additional information that may be necessary.

III. Standard of Review

- A. The following provisions shall govern review:
 1. A decision may be remanded for further consideration upon a finding that it was not made in accordance with applicable policy; provided, however, the decision should not be remanded if the procedural error was not material to the decision and therefore constituted harmless error.
 2. A decision may be modified or reversed only upon a finding that the decision constituted an abuse of discretion or was made in violation of applicable policy; provided, however, the decision should not be modified or reversed if the violation of policy was not material to the decision and therefore constituted harmless error.
 3. A decision should be affirmed in the absence of a finding of abuse of discretion or material violation of applicable policy.
- B. Notwithstanding any provision herein to the contrary, any decision may be remanded by the Chancellor for a resolution of the matter which is mutually

acceptable to the parties or which is, in the best judgment of the Chancellor, a fair and equitable resolution.

1. Conflict with Other Policy
 - A. The terms of this policy control in the event of a conflict with any other policy.

Sources

Authority

T.C.A. § 49-8-203; All State and Federal statutes, codes, rules, and regulations referenced in this policy.

History

Board of Regents Bylaws, as amended; TBR Meeting September 30, 1983; TBR Meeting December 12, 1986; TBR Meeting March 17, 1989; TBR Meeting March 25, 1994; TBR Meeting June 24, 2011; Board approved revision and name change on December 13, 2018; TBR Meeting June 11 and 12, 2026 (effective July 1, 2026).

Related Policies

[1.06.00.05 Contested Cases Subject to the Uniform Administrative Procedures Act](#)