

FEEDBACK RECEIVED BY OPE<sup>1</sup> ON LAWS AND POLICIES CURRENTLY UNDER REVIEW  
(as of 2/23/2026)

#	Date Received	Article/Policy	Feedback	Affiliation	Campus
158	1/31/2026	Policy 5.G: Faculty Grievance	<p>Comments:</p> <p>Line 1 Draft 0 does not track directly to current Regent Policy 5.G. It appears that several changes were made and accepted, and only additional revisions tracked here (ex.5.G.3.A. Jurisdiction). This has made considered evaluation of these proposed revisions difficult.</p> <p>Lines 105 to110 The proposed changes to the sentence beginning on line 105 and ending on line 108 do not clarify but instead add confusion. The grievance rights outlined in Regent law Article 5 5.D.2 (A) (2) speak to rights to grieve serous procedural and factual errors, or material violation of regent law or policy. What is not said but is often true is that the alleged violations or error may have occurred because of actions and judgement made by “authorized committees and administrators”. Thus, the revised statement in line 105-108 is in direct conflict with a role of the FSGC to judge whether “authorized committees and administrators” made procedural errors or violations of RL Law/policy. The current wording (proposed to be struck out) makes it clear that the FSGC shall not make judgements about an individual’s academic merit. This principle is useful in adjudicating grievances and setting expectations for grievant and should remain in the policy.</p> <p>Lines 126-156 This is an example of where the suggested revisions are not tracked to current Regent Policy and several concerns arise with the proposed revisions.</p>	Faculty	CU AMC

<sup>1</sup> Office of Policy and Efficiency

#	Date Received	Article/Policy	Feedback	Affiliation	Campus
			<p>First, the language in current Regent 5.G is very clearly written and has been extremely useful to both the grievant and the FSGC in defining the interaction with other specific entities. Why change it?</p> <p>The last sentence of current 5.G has been deleted but the proposed revisions do not show this deletion. The clause that was deleted is “The Faculty Senate Grievance Committee is not bound by the recommendation of sanctions made by any investigating official or entity and may propose alternative sanctions to the administration or Board of Regents”. No rationale for deleting this clause has been provided. It is already clearly stated that the FSGC shall be bound by the factual and policy determinations of other entities except in certain specified circumstances. The FSGC is not bound by sanction recommendations of chancellors or the president in certain circumstances and is permitted to propose alternative sanctions, so what is the rationale for eliminating that here?</p> <p>Line 145-149</p> <p>This wording is unclear and adds confusion. Who is the “they” in this clause? It would be beyond FSGC’s authority and jurisdiction to remand a case directly to another investigating official or authority for reconsideration at the campus level. It also would require that the grievance remain open until the FSGC received a new corrected report.</p> <p>Currently, the FSGC would review the case and make a recommendation to the chancellor in its final report that matter should be reconsidered. A decision would then be made by the chancellor or president, who is then required to provide a written response to FSGC about their decision. If the chancellor or President were to remand the case back to an investigating official or entity, then the faculty member could file a new grievance with FSGC once the new remanded report is submitted.</p>		

#	Date Received	Article/Policy	Feedback	Affiliation	Campus
			<p>Suggested wording:  , then FSGC in their final report to the chancellor or president shall include a recommendation that the case be remanded...</p> <p>Line 259  To accurately reflect current practices, minor revisions are proposed.  In current practice of FSGC procedures, grievance filings that are not accepted (or opened) due to lack of jurisdiction are not reported to the chancellor or the president but are summarized and shared semi-annually with Faculty Council per the Bylaws of the Faculty Senate.  We suggest a new clause “(1) If the chair determines that the FSGC does not have jurisdiction over the case, the chair shall not accept the case and shall notify the grievant. The grievant shall have the right to appeal the chair’s decision as outlined in FSGC procedures.”  Change the current clause in (1 ) to (2) and revise to “(2) Upon acceptance of a grievance filing, the FSGC chair shall provide...”</p> <p>Line 292  The revised wording is unclear. Grievances are confidential personnel matters. As such, the parties to the grievance (as in legal proceedings) are the chancellor or president as the administrative representative and the faculty member, who filed the grievance. Therefore, this would suggest that only these two individuals would participate and cooperate in the grievance review process rather than others who may have information about the situation.  Suggested language:  ‘the parties and all material witnesses’</p> <p>Line 298</p>		

#	Date Received	Article/Policy	Feedback	Affiliation	Campus
			<p>This language is confusing and can be understood in various ways and it is unclear if the intent is to significantly alter the current grievance process and reinstitute a hearing-like procedure for non-dismissal for cause grievances.</p> <p>This wording is currently associated with dismissal for cause (and formerly Level-2) hearings and not grievance reviews. This could potentially slow the grievance review process, since if the grievant wants to question witnesses with legal counsel, then the university would want to have legal counsel present to also question witnesses.</p> <p>If the intent is to allow grievants to seek legal counsel and not alter the current review process, then, the following is suggested wording:</p> <p>“The faculty member shall be permitted to have legal counsel and the opportunity to participate in the grievance process, including presenting alleged violations, and suggesting relevant witnesses and documents to FSGC.”</p> <p>Line 304 For consistency with other proposed changes to this policy, references to policies used in dismissal for cause cases (such as burden of proof in dismissal for cause cases) should be referred to Policy 5.E.</p> <p>Line 321 Clause (1) here can be removed since this now addressed on line 259 in new proposed clause (1)</p> <p>Line 325 Incomplete sentence</p> <p>Line 339 Since the current time frame for completing a grievance review is 120 business days and circumstances may arise</p>		

#	Date Received	Article/Policy	Feedback	Affiliation	Campus
			<p>that delay this process, the option of granting an extension is important. Suggested wording, “ , unless the FSGC chair grants an extension of 20 business days. The chair shall notify the parties within 5 business days of granting an extension and shall provide justification(s) for this decision.”</p> <p>Line 368-370 This wording is confusing, since all parties could be interpreted as including anyone involved in the tenure review process. The parties to the grievance are the president and the faculty member in this confidential personnel matter. Current wording: “the president and all other parties” Suggested new wording: “the president and the faculty member”</p>		
159	2/2/2026	Policy 5.G: Faculty Grievance	<p>Comments: I am a member of the CU Faculty Senate Grievance Committee (FSGC). I have personally reviewed the revisions and concur with FSGC consolidated comments provided by FSGC Chair Dr Steve Cass.</p>	Faculty	CU AMC
160	2/2/2026	Policy 5.G: Faculty Grievance	<p>Comments: In 5.G.3 (A) (2), "fist" should be "first"</p>	Faculty	CU AMC
161	2/2/2026	Policy 5.G: Faculty Grievance	<p>Comments: Under 5.G.3 (B) regarding academic freedom, these polices only cover tenure and tenure-track faculty, yet Regent law provides academic freedom to anyone teaching at the university. If an at-will employee is fired for reasons involving academic freedom, they have no recourse because they are no longer employed by the university. FSGC and the grievance process should be available to these faculty even if they have been terminated, admittedly with some time limits.</p>	Faculty	CU AMC
162	2/2/2026	Policy 5.G: Faculty Grievance	<p>Comments: This is a general comment that applies to all the policies and laws. "Tenure and Tenure-track" does not include many of the faculty that are now "tenure eligible".</p>	Faculty	CU AMC

#	Date Received	Article/Policy	Feedback	Affiliation	Campus
			<p>This is quite common on the AMC campus, and over half of my school, predominantly the clinical faculty, are "tenure eligible".</p> <p>Typically these faculty do not receive tenure even though they have been at the school for decades. This wording also ignores faculty that are still involved with the University but have agreed to take a retirement package that involves surrendering tenure. All of these faculty are technically "at-will" and can be fired for no reason at all, and they have no access to FSGC because they are no longer employees after they are fired.</p> <p>Administrators use this "at-will" situation to terminate faculty without having to provide any explanation, and the former faculty members have no recourse. The ramifications of this is that only faculty with tenure are comfortable speaking up, and 'tenure eligible" faculty are well aware that they can be fired on a whim if they irritate a high level administrator.</p> <p>This is detrimental to University culture.</p>		
163	2/2/2026	Policy 5.G: Faculty Grievance	<p>Comments: 5.D.2 (B) pertains to any university employee, but it does not protect those that are fired for academic freedom issues that are at-will employees. Once fired, they are no longer employees and therefore are not eligible to file a grievance. This is problematic. I think the grievance process should be open to any employee who has been terminated in the past 6 months. Administrators use this "at-will" situation to terminate faculty without having to provide any explanation.....this is abused on AMC.</p>	Faculty	CU AMC
166	2/8/2026	Policy 5.G: Faculty Grievance	<p>Comments: I serve as a member of the CU Faculty Senate Grievance Committee (FSGC). I have reviewed the revised materials and concur with the consolidated comments provided by FSGC Chair Dr. Steve Cass.</p>	Faculty	CU AMC
168	2/12/2026	Policy 5.G: Faculty Grievance	<p>Comments: I am writing to agree with all the comments made by the Anschutz faculty member on January 31.</p>	Faculty	CU Boulder
169	2/18/2026	Policy 5.G: Faculty Grievance	<p>I am a member of the CU Faculty Senate Grievance Committee (FSGC).</p>	Faculty	CU Colo Springs

#	Date Received	Article/Policy	Feedback	Affiliation	Campus
			<p>I have personally reviewed the revisions and concur with FSGC consolidated comments provided by FSGC Chair Dr Steve Cass, except for shortening the amount of time for faculty to file a grievance. Lines 188-193 it has been suggested that 20 business days be shortened to 10 business days. Why? Given the disruptive nature of the proceedings and the reality that many faculty are 9-month whereas a dismissal comes from 12-month administrators, what is the benefit of shortening the time to file?</p> <p>Line 206-207: it has been suggested to shorten time from 40 business days to 20 business days. Why? Given the disruptive nature of the proceedings and the reality that many faculty are 9-month whereas a dismissal comes from 12-month administrators, what is the benefit of shortening the time to file?</p> <p>Line 276 it has been suggested to shorten time from 40 business days to 20 business days. Why? Given the disruptive nature of the proceedings and the reality that many faculty are 9-month whereas a dismissal comes from 12-month administrators, what is the benefit of shortening the time to file?</p>		
170	02/22/26	Policy 5.G: Faculty Grievance	<p>Line 78 and 121</p> <p>Since there have been significant changes to the former 'Jurisdiction' section (existing 5.G.3(A)), it wasn't immediately apparent that all three mentions of disciplinary action and FSGC's ability to review these cases has been removed in the revisions.</p> <p>Currently, grievances outside of tenure related grievances (as stated in this revision), are defined as both academic rights grievances and disciplinary grievances. Moreover, the parameters of FRGC are clearly defined- so why eliminate it?</p> <p>Under these revisions, only grievances related to academic rights violations would be permitted. It should be clearly stated (as it currently is) that disciplinary grievances should</p>	Faculty	CU Anschutz

#	Date Received	Article/Policy	Feedback	Affiliation	Campus
			<p>continue to be reviewable by FSGC for consistency with process outlined in Regent Law and Policy.</p> <p>If the administration wishes to divest reviews of disciplinary actions from the work of the FSGC, it needs to be placed somewhere else. Without a meaningful internal review of disciplinary action against a faculty member by a faculty committee, shared faculty governance will be compromised, and from a legal perspective, a punished faculty member will be denied due process.</p> <p>Lines 368-427</p> <p>The proposed changes would further restrict faculty access to a robust due process (a vital part of shared governance) by no longer permitting presidential review of grievances other than denial of tenure.</p> <p>Currently, when FSGC believes the chancellor's response is insufficient and/or the chancellor fails to respond to all of FSGC's findings and recommendations for all tenure and tenure-track grievances (denial of reappointment or promotion and termination due to program discontinuance) and all faculty and staff grievances related to allegations of academic rights violations, the reviewing panel may forward the case to the president for review and final decision.</p> <p>Having a comprehensive grievance process is grounded in the well-established legal principle that tenured employment constitutes a protected property interest under the Due Process Clause of the Fourteenth Amendment, and that tenured faculty are entitled to procedural safeguards before that interest is denied. Courts have consistently held that this protection extends not only to termination of tenured faculty but also, in appropriate circumstances, to the tenure process itself. Maintaining a grievant's right to presidential review of all grievances will safeguard faculty rights, reinforce institutional integrity, and ensure compliance with constitutional due process requirements</p>		

#	Date Received	Article/Policy	Feedback	Affiliation	Campus
171	02/23/26	Policy 5.G: Faculty Grievance	<p>I am writing to express concern regarding proposed changes to the Faculty Senate Grievance Committee's (FSGC) jurisdiction. Currently, FSGC has jurisdiction over most "rights" grievances and "disciplinary" grievances. While two separate issues, they are often intertwined in any particular case. If the new proposal serves to divest reviews of "disciplinary" actions from the work of the FSGC, it needs to be placed somewhere else. Without a meaningful internal review of disciplinary action against a faculty member by a faculty committee, shared faculty governance will be compromised, and, from a legal perspective, a punished faculty member will be denied due process. I have seen it happen even with the FSGC jurisdiction in place.</p> <p>Moreover, it will be a problem for the university if grievance reviews were limited to the chancellor or president of the university. Without substantive faculty oversight (even if only advisory as it is now), three negative things will happen: First, the university will occasionally make bad decisions that will force the issues into the costly legal system. Second, the university will violate the principles of shared governance. Third, this administrative overreach will constitute a serious due process violation of faculty rights guaranteed by both the state and federal constitutions.</p> <p>In sum, there may be some disciplinary actions that are not academic rights violations but may still be reviewed by the FSGC. Other issues have been placed other places (Office of Equity, for example). I would recommend that the university not slim the purview of the FSGC, but if that is to happen, whatever is taken from the FSGC has to be placed somewhere else. We are a public institution which means the administration has to work with transparency and oversight by faculty and the public. And faculty members have rights they would not have in a private university context in which purely administrative rules will apply.</p>	Faculty	CU Denver