



University of Colorado

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TO: Regent Governance Committee
FROM: Michael Lightner, Vice President of Academic Affairs
DATE: January 7, 2026 (Updated 3/12/26; 4/27/26; 5/6/26)
RE: Recommended Changes to Regent Policy 5.G – Faculty Grievance

Background

Regent Policy 5.G: Faculty Grievance, is scheduled for review in 2026 as part of the five-year review plan of the Board of Regents. Note that Regent Policy 5.G has an associated Regent Law, Article 5, Part D, which is also under review in the 2026 cycle. Together, the two documents provide a framework specifying standards and processes for faculty grievances, with one exception. Grievances filed by tenured and tenure-track faculty who have received notice of dismissal for cause are governed by Regent Law, Article 5.C.4 and Policy 5.E – Tenure and Tenure-Track Dismissal for Cause.

Because these four laws and policies are related (Policy 5.G, Article 5.D, Policy 5.E, and Article 5.C.4), they are being review concurrently and will reach the Board of Regents for approval at different times in the next seven months. The anticipated effective date of all four is January 1, 2027. Existing policies will remain in effect until that time. (Updated 5/6/26)

Stakeholders who will be participating in the review of regent policy 5.G include:

- Campus provosts and provosts' teams
- University Counsel
- Faculty Shared Governance
- CU System Office of Academic Affairs

Recommendations

Regent Policy 5.G has been restructured to enhance clarity and user understanding. Substantial updates include:

- An introductory policy outline for the reader to see at a glance the type of content in the policy.
- Content specific to dismissal for cause of tenured and tenure-track faculty is suggested for relocation to Regent Policy 5.E: Tenured and Tenure-track Dismissal for Cause.
- A new appendix, which provides a summary of grievance process timelines to help the reader see important time limits at a glance.

The following additional changes are recommended:

Section 5.G.1 and 5.G.2

In current policy, sections 5.G.1 and 5.G.2 specify grievance rights and Faculty Senate authority to hear grievance cases. Similar content is located in Article 5.D. To eliminate duplication, proposed changes consolidate this information in Article 5.D, and updated section 5.G.1 now simply refers to Article 5.D.

Section 5.G.2

This section is restructured and updated as follows:

- Information about jurisdiction of the FSGC Committee is re-organized first by type of employee (tenured/tenure track and any university employee with academic freedom), then type of grievance.

- Existing content related to investigations by separate entities or officials (e.g., in cases of alleged discrimination, harassment, sexual misconduct, research misconduct, fiscal misconduct) is updated and streamlined for clarity. (“sexual misconduct” added for consistency with other law and policy; Updated 4/27/26)
- A clarifying sentence is added that the FSGC chair must be included in communications in all grievance cases and at all levels to ensure awareness of outcomes.
- Several adjustments were made in 5.G.2 based on stakeholder feedback, including the following:
 - o FSGC shall not judge academic merit in denial of reappointment, promotion, or tenure grievance cases.
 - o FSGC may consider grievance filings related to disciplinary actions associated with alleged violations of academic rights under the principles of academic freedom.
 - o Clarification of pathway when FSGC recommends that a case be remanded back to an investigating entity or official (added “chancellor or president” to be clear).
 - o FSGC may propose alternative sanctions with appropriate justifications in grievance cases involving investigations by another entity or official (Updated 3/12/2026)

Section 5.G.3

This section is restructured and updated as follows:

- Information about time limits for filing a grievance is re-organized first by type of employee (tenured/tenure track and any university employee with academic freedom), then by type of grievance.
- There is clarifying language regarding denial of tenure cases, including reference to separate a section of regent policy (Policy 5.D.6; Updated 4/27/26) and system-level APS 1022 that guides the option of an administrative appeal to the president, which pending outcome, may be grieved to the FSGC.
- For denial of reappointment or promotion grievance cases, there is a suggested change to the time limit to file a grievance from 40 business days to 20 business days, to be consistent with other types of grievance filings.
- Reference to grievances for suspension or other disciplinary actions excluding dismissal for cause is removed from policy 5.G in favor of updated clarifying language in section 5.G.2.B.
- Termination of a tenured or tenure-track faculty appointment due to program discontinuance may be grieved to FSGC if there were alleged procedural errors in the personnel action. Proposed changes to 5.G.3(A)(4) (and in Article 5.D.2(A)(3)) clarify this grievance right.

Section 5.G.4

The section, called “grievance proceedings” in the updated draft, contains general standards for the grievance process. Previously, all content on grievance proceedings existed in a subsection of the same name. There are minor wording updates and some restructuring throughout. Additional changes include:

- An expectation that communications in grievance processes will occur via email, consistent with existing university policy, unless otherwise agreed.
- Suggested removal of section with detailed requirements for about receipt of notifications.
- Initial action by the FSGC chair upon receipt of a grievance is now specified in this section - previously was in a different section. A clause was added to clarify action of the chair upon receipt of a grievance filing, and an appeal procedure if case is not accepted. (Updated 3/12/2026)
- Edits to sections (C) and (D) to ensure improved flow and correct use of terminology, as recommended through stakeholder feedback (Updated 5/6/26)
- Proposed changes to time limits:
 - o Time extensions to file a grievance are permitted in the event of extenuating circumstances with authorization by the FSGC chair. The time allowed for extension is proposed to change from 40 to 20 business days.
 - o The current Policy 5.G specifies a time limit of 120 business days from the initial grievance filing to when the chair sends the findings and recommendations to all parties to the case. An updated time limit of 90 business days is proposed, with an option for the

FSGC chair to grant a 20-day extension by business day 85 to allow a five-day notification period (appendix also updated). (Updated 3/12/2026)

Section 5.G.5

This section is restructured and updated as follows:

- Information about findings and recommendations is re-organized first by type of employee (tenured/tenure track and any university employee with academic freedom), then by type of grievance.
- Edits are proposed to support understanding of process flows after the FSGC concludes investigations and finalizes their report. Depending on the grievance, either the president or chancellor responds to the FSGC report and recommendations. By separating out grievance types in this section, the intent is to provide needed clarification of process steps. For all grievances discussed in Policy 5.G, the president has the final decision-making authority (Updated 5/6/26)
- A clause was added requiring the FSGC chair to brief the president and chancellors on closed grievance cases on an annual basis. (Updated 5/6/26)

Several clarifying updates were made to Section 5.G.5 based on stakeholder feedback and discussion:

- For grievances related to denial of reappointment and promotion, termination of a tenured or tenure-track faculty appointment due to program discontinuance, or alleged violations of academic freedom, when FSGC is not satisfied with the Chancellor's response to their findings and recommendations, the president shall within 10 business days review the record of the case, make a decision, and provide response. Appendix A was updated accordingly along with language allowing the president to invoke an extension of 20 business days at the stage of final review and response. (Updated 4/27/26 and 5/6/26)
- Language was added so that individual recommendations for tenure revocation as part of a program discontinuance process will not proceed to the Board of Regents for action until after any associated process violations in the personnel action have been addressed by the campus. (Updated 4/27/26)

Fiscal Review

A. Do you think a fiscal review is needed for these proposed changes? **No**

1. If no, please explain. (e.g., This can be accomplished within existing resources.)
2. If yes, please share with the Office of the Vice President for Budget & Finance for review.
 - a. Date fiscal review completed: **N/A**
 - b. Person completing fiscal review: **N/A**
 - c. Would these changes create a fiscal or resource impact?
 NO **YES**

If yes, what resources will be required to implement and sustain these policy changes? **N/A**