

reviewed, discussed, and evaluated by the Personnel Committee. In the course of the review the faculty member shall have the opportunity to meet with the Personnel Committee. After completion of the review, the Personnel Committee shall then send the portfolio and the Committee's written decision to recommend or not recommend promotion to the department chair.

Step 4 – By December 1, the department chair reviews the portfolio, evaluates each performance criterion, and considers the recommendation of the department personnel committee to decide to recommend approval or disapproval of the request. In either instance, the department chair notifies the faculty member of the action, providing reasons in writing for the decision, and forwards the request with an evaluation and a statement recommending approval or disapproval to the Dean. If the chair recommends disapproval of the request, the faculty member shall have ten working days to forward to the Dean a rebuttal of the chair's recommendation.

Step 5 – By January 15, the Dean reviews the portfolio, evaluates each performance criterion, and decides to recommend approval or disapproval of the request. In either instance, the Dean notifies the department chair and the faculty member of the action, providing reasons in writing for the decision, and forwards the request with an evaluation and a statement recommending approval or disapproval to the VPAA. If the Dean recommends disapproval of the request, the faculty member will have ten working days to forward to the VPAA a rebuttal of the Dean's recommendation.

Step 6 – By February 15, the VPAA reviews the portfolio, evaluates each performance criterion, and decides to recommend approval or disapproval of the request. The VPAA will then forward a recommendation concerning the request and all documentation to the President. The Vice President for Academic Affairs will also provide reasons in writing for the decision to the Dean, the department chair, the Personnel Committee, and the faculty member.

Step 7 – By March 15, upon receiving all recommendations from the VPAA, the President decides either to approve or disapprove the request. If approved, the recommendation is forwarded to the Board of Regents, normally at the May meeting. The President informs the VPAA of the decision. In turn, the VPAA notifies the Dean, the department chair, the personnel committee, and the faculty member in writing. A decision by the President to disapprove a request for promotion should be accompanied by reasons in writing.

4.5 ACADEMIC TENURE

- a. Tenure is a distinctive honor. Tenure is defined as continuous reappointment which may be granted to a faculty member in a tenure-track position, subject to the terms and conditions of appointment.
- b. The tenure decision shall be based on a thorough evaluation of the candidate's total contribution to the mission of the University. While specific responsibilities of faculty members may vary because of special assignments or because of the particular mission of an academic unit, all evaluations for tenure shall address at a minimum whether each candidate has achieved excellence in the following areas: 1) teaching; 2) research and creative/scholarly activity; 3) and professional and University service and public outreach; and 4) performance of non-teaching or administrative duties, if appropriate. The academic department may formulate standards for this review and determine the appropriate weight to be accorded each criterion consistent with the mission of the academic unit.

- c. Tenure is granted by the Board of Regents upon recommendation of the President. Determination of merit and recommendation for granting tenure shall comport with the criteria and policies and procedures contained in this section.
- d. Tenure shall be granted only by written notification after approval by the Board of Regents. Only full-time faculty members holding the academic rank of Assistant Professor, Associate Professor, or Professor may be granted tenure.

4.5.1 Concepts Regarding Tenure

1. The interests of the University will best be served through a spirit of cooperation and a sense of mutual confidence among the faculty, the departments, the academic Deans, the VPAA, and the President. The procedure for recommending tenure is designed to systematize as well as to encourage such cooperation and mutual confidence.
2. A maximum of sixty-five percent of the full-time faculty at the University may hold tenure at any one time. In the event the sixty-five percent limit is reached, there will be no additions to the tenured faculty at the University. However, the tenure process on campus will continue. Faculty members recommended for tenure will be placed in a priority-hold status by year, pending vacancies. As tenured positions become available, faculty members will be removed from tenure-hold according to the following criteria in decreasing order of importance: longest time on tenure-hold, longest service to the University, highest rank, and longest tenure-eligible service.
3. The University acknowledges the following AAUP statement on tenure: “The heightened protection of the tenured faculty is not a privilege, but a responsibility earned by the demonstration of professional competence in an extended probationary period leading to a tenured position with its ‘rebuttable presumption of professional excellence’.” *“Post-tenure Review: an AAUP Response”*
4. Under exceptional circumstances, a new faculty member may be recommended for tenure by a department chair, an academic Dean, the VPAA, or the President without going through the normal process.
5. In the event that one of the deadlines in the tenure process falls on a weekend or holiday, the deadline becomes the next working date at the University.
6. After the tenure process is completed, the following action should be taken:
 - a) The results of all balloting and recommendations from the Dean, department chair, and VPAA will be placed in the personnel file of the candidate.
 - b) The portfolio and a copy of all recommendations will be returned to the candidate.
7. Once the tenure process had been initiated, it must be completed.

8. Once an application for tenure has been denied a faculty member may not apply for tenure again.
9. Any exception to the policy on tenure is subject to approval of the President and the Board of Regents.

4.5.2 Periods of Appointment and Tenure

Faculty members holding the academic rank of Assistant Professor, Associate Professor, or Professor may receive tenure at any time. A probationary period will be defined for each faculty member at the time of initial appointment consistent with Section 4.5.4. Six years shall be the maximum probationary period for the eligible faculty member to attain tenure.

If, at the end of six years any faculty member has not attained tenure, the faculty member may be retained on the faculty until the end of the academic year following that in which there was notification of the denial, unless there are reasons (under Section 4.5.6) to the contrary. For the purpose of determining probationary employment of faculty members for tenure consideration, sabbatical leave counts as a part of the period of probationary employment, and a leave of absence is not included as part of the probationary period.

4.5.3 Procedure and Timeline for Requesting Tenure

The normal procedure for granting tenure is initiated by the faculty member during the fifth or sixth year of service to the University in a tenure track position. The following steps outline the normal process:

A Portfolio Transmittal Form to certify the receipt dates and transmittal dates at each step of the tenure process must accompany the request and is available in the University Forms folder on the intranet. It is the responsibility of the faculty member to monitor the flow of materials through the process. At each stage of the tenure process, previous recommendations and any rebuttals should be forwarded with other documents.

Step 1 – By October 15:

The faculty member files a written request for tenure with the department chair. It is the responsibility of the individual faculty member to initiate the request for tenure and to prepare the portfolio of materials. The request must be accompanied by a portfolio exhibiting documentation of excellence in teaching or librarianship, in research and creative/scholarly activity; and professional and University service and public outreach, and in performance of non-teaching or administrative duties, if appropriate. The portfolio must also include the Annual Academic Performance Review documents.

Step 2 – By November 1:

A Tenure Committee shall be formed. If there are at least five (5) tenured faculty members within the department, all serve as the Tenure Committee. In the event that the number of tenured faculty members in the department is fewer than five, the Dean, in consultation with the faculty member and the tenured faculty members of the department, shall select additional members to form a group of at least five tenured faculty members that will serve as the Tenure Committee.

Step 3 – By November 15:

The Department Chair shall call a meeting of the Tenure Committee to initiate discussion of the request. After each member of the Tenure Committee critiques the portfolio and each performance criterion, the faculty member's performance shall be reviewed, discussed, and evaluated by the Tenure Committee. This review shall be conducted in a manner that allows for input from non-tenured colleagues, students, and alumni, as well as administrative information from the department chair. The department chair however is not allowed to participate in Committee deliberations. In the course of the review, the faculty member shall have the opportunity to meet with the Tenure Committee. After completion of the review, a poll by secret ballot of the Tenure Committee will be taken to determine whether a recommendation for the granting of tenure will be made. A simple majority rule shall prevail. The Tenure Committee shall then send the portfolio, the Committee's vote, and the recommendation to grant or to deny to the department chair. The Committee's recommendation should be signed by all members of the committee denoting the process was conducted according to procedures. All ballots are to be retained by the chair of the Tenure Committee until a final decision is reached concerning the request.

Step 4 – By December 1:

The department chair shall review the Tenure Committee's vote, critique the portfolio, evaluate each performance criterion, and decide whether to recommend the granting of tenure. The department chair will then forward a recommendation concerning the request and all documentation to the Dean. The department chair will also provide in writing a statement of his/her action to the Tenure Committee and the faculty member. If the chair recommends disapproval of the request, the faculty member will have ten working days to forward to the Dean a rebuttal of the chair's recommendation.

Step 5 – By January 1:

The Dean shall review the department chair's recommendation, and the Tenure Committee's vote, critique the portfolio, evaluate each performance criterion, and decide whether to recommend the granting of tenure. The Dean will then forward a recommendation concerning the request and all documentation to the VPAA. The Dean will also provide a written statement of his/her action to the department chair, the Tenure Committee, and the faculty member. If the Dean recommends disapproval of the request, the faculty member will have ten working days to forward to the VPAA a rebuttal of the Dean's recommendation.

Step 6 – By February 1:

The VPAA shall review the Dean's recommendation, the chair's recommendation, and the Tenure Committee's vote and recommendation, and decide whether to recommend or not recommend the granting of tenure. The VPAA recommends granting or denying tenure and notifies the President and the faculty member in writing. The VPAA will also provide a written statement of his/ her action to the Dean, the department chair, and the Tenure Committee.

Step 7 – By March 1:

Upon receiving a recommendation from the VPAA, the President decides to approve or

disapprove the request for tenure.

If the President approves the request for tenure, she/he shall recommend the granting of tenure to the Board of Regents, normally at the May meeting. The President then reports the action of the Board of Regents to the VPAA, the Dean, the department chair, and the faculty member.

If the President disapproves the request for tenure, she/he shall notify the VPAA, the department chair, the Tenure Committee, and the faculty member. A decision by the President to disapprove a request for tenure shall be accompanied by reasons in writing.

Since only the Board of Regents may grant tenure based upon a recommendation by the President, de facto tenure is not recognized by the University.

4.5.4 PROBATIONARY PERIODS FOR TENURE TRACK FACULTY

1. Notification of Employment

The Employment Letter furnished to a candidate for appointment to the faculty shall specify, in addition to the rank and salary, the length of the probationary period for the appointment and any special conditions pertaining to the appointment. All such conditions must be set forth in writing by the VPAA and approved by the President whenever any faculty appointment is offered.

2. Commencement Date of Probationary Period

The probationary period for a faculty member whose effective date of appointment is later than the start of the academic year but no later than the first day of the second semester will be considered as dating from the beginning of the first semester, provided that the department or division in question records in writing its prior agreement to such an arrangement. If the effective date of appointment is later than the first day of the second semester, the probationary period shall begin with the first semester of the next academic year. (The beginning of academic year appointments is August 15, and the beginning of the second semester is January 1.)

3. Term of Probationary Period for Professors

A new faculty member appointed at the rank of Professor may be given tenure from the date of appointment, or a probationary period may be set. Persons with three or more years of prior service may have a probationary period of no more than three years. The probationary period's length shall be set at the time of offer by the tenured members of the appointee's academic department, subject to agreement by the Dean, the VPAA, and the President. If a majority of the department's tenured faculty members do not favor tenure upon appointment, the determination of tenure shall be made in the regular fashion, as specified in Section 4.5.2.

4. Term of Probationary Period for Assistant and Associate Professors

For a faculty member who is eligible for tenure and whose initial appointment is at the rank of Assistant Professor or Associate Professor, the probationary period shall be no more than six academic years or 12 regular semesters, and will be established in the formal offer of employment letter from the VPAA to a faculty applicant. Included in the probationary period may be prior full-time service (up to a maximum

of three years) in professorial ranks at other institutions of higher education, or prior regular full-time service (up to a maximum of three years) that the appointee may have performed in the past at the University in the rank of Instructor or above subject to approval by the President after consideration of the recommendations of the appropriate department chair and Dean. Prior full-time service as Instructor or in a comparable non-professorial rank at other institutions of higher education and prior full-time service on temporary appointments at the University may also be included as part of the probationary period if this arrangement is agreed upon in writing at the time of the first regular appointment. The parties to such an agreement are the appointee, the academic department chair, the Dean, and the VPAA.

5. Converting from Part-Time to Full-Time Service

Whenever an untenured part-time faculty member converts from part-time to full-time service, with the rank of Assistant Professor or above, specific written understanding must be approved by the VPAA as to if and how the period of part-time service will be counted toward satisfying the probationary period for tenure.

6. Family Medical Leave During Probationary Period

If a tenure-track faculty member takes Family Medical Leave, the probationary period prior to a tenure decision may be extended for one year at the written request of the faculty member with approval of the President after consideration of the recommendations of the appropriate department chair, Dean, and VPAA.

7. Annual Performance Evaluation During Probationary Period

During the probationary period, a faculty member will be provided by the chair of the academic department with an annual, written evaluation of performance. Such annual evaluation shall be provided prior to the applicable notification deadline for reappointment, with a copy sent to the Dean and the VPAA (See Section 4.3).

8. Starting Date for Tenured Appointments

Faculty members accorded tenure normally will commence their tenured appointments in the academic year immediately following the Board of Regents' action.

4.5.5 Notification of Denial of Tenure

A faculty member at any rank who is denied tenure may be retained on the faculty until the end of the academic year following that in which there was notification of the denial, unless there are reasons (under Section 4.5.6) to the contrary.

4.5.6 Causes for Dismissal or Suspension of Tenured Faculty

The University strives to exercise great care in selecting its faculty appointees and to confer tenure upon only those faculty members who have demonstrated their merit for tenured appointment. For that reason, severe sanctions such as a dismissal proceeding involving a tenured faculty member (abrogation of tenure) or of a regular faculty member during a non-tenure track or tenure-track appointment should be an exceptional event. It is also recognized, however, that a few faculty members may, from time to time, engage in improper conduct which require severe sanctions short of dismissal. Such sanctions may

include but are not limited to loss of prospective privileges for a stated period; restitution; a fine; a reduction in salary; or suspension from service for a stated period, without other prejudice. As in the case of dismissal, the imposition of severe sanctions short of dismissal should be viewed as a serious and infrequent step usually undertaken only after administrative remedies and minor sanctions have failed.

While extreme action will be required infrequently, the University must be prepared for such an eventuality, so that both the integrity of the University and the rights of the faculty member may be preserved. Toward this end, the faculty must be willing to recommend severe sanctions upon or dismissal of a colleague when necessary. By the same token, the President and the Board of Regents shall give all reasonable consideration to faculty recommendations.

Only the Board of Regents has the power to impose severe sanctions. The Regents shall exercise this power only in cases where it determines that there exists sufficient cause for such action.

A faculty member against whom the imposition of a severe sanction is to be brought or whose dismissal is to be requested must have given such cause for the action as relates directly and substantially to his/her professional capabilities or performance. It is not possible to specify all proper grounds for these drastic measures. Proper reasons for dismissal of a regular faculty member who has tenure or whose tenure-track appointment has not expired include, but are not necessarily limited to, the following:

- a) Professional incompetence or dishonesty, including but not limited to, academic dishonesty, or misuse of University property or resources;
- b) Substantial, manifest, or repeated failure to fulfill professional duties or responsibilities;
- c) Personal behavior preventing the faculty member from satisfactory fulfillment of professional duties or responsibilities, including but not limited to, deliberate and grave violations of the rights and freedoms of fellow faculty members, administrators, or students.
- d) Serious violations of law which are admitted or proved before a competent court, preventing the faculty member from satisfactory fulfillment of professional duties or responsibilities, or violations of a court order, when such order relates to the faculty member's proper performance of professional responsibilities;
- e) Changes in the University's educational function through action of the Board of Regents and/or the State Regents for Higher Education, which result in the elimination of an academic unit. In such instances the University will make every reasonable effort to reassign affected faculty members to positions for which they are properly qualified before dismissal results from such elimination; *
- f) Financial Exigency; *
- g) Action(s) involving moral turpitude.

* Although not considered severe sanctions, (e) and (f) are proper reasons for dismissal of a faculty member who has tenure or whose tenure-track appointment has not expired.

Suspension of a faculty member or assignment to other duties in lieu of suspension is justified only if immediate harm to the faculty member or to others is threatened by that person's continued performance of regular duties. The faculty member may on request, and at the convenience of the department, be relieved of some professional duties if this is necessary to provide time for the preparation of a defense. Summary suspension does not remove from the University the obligation to provide due process within a reasonable period of time following action. (*The University of Oklahoma Board of Regents' Policy Manual Section 2.3.4.2*)

1. Suspension of a Tenured Faculty Member

The President shall have the authority to suspend any faculty member formally accused of the causes listed above. The President shall notify the Board of Regents of the terms and conditions of the suspension. A faculty member should be suspended only if harm to the faculty or students is imminent or disruption of the educational process is threatened by the faculty member's continuance. During the suspension period, compensation for the faculty member will be continued unless, during the suspension period, the faculty member is convicted of a felony or a crime involving moral turpitude.

2. Dismissal of a Tenured Faculty Member for Cause

Dismissal proceedings shall begin with a conference between the faculty member and the appropriate academic officer. The conference may result in agreement that the dismissal proceedings should be discontinued or that the best interest of the tenured faculty member and the University would be served by the faculty member's resignation. If this conference does not result in mutual agreement, the academic officer will submit a recommendation in writing with rationale to the faculty member and to the VPAA. Within fourteen University business days, the VPAA shall have a conference with the faculty member.

This conference may result in agreement that the dismissal proceedings should be discontinued or that the best interest of the tenured faculty member and the University would be served by the faculty member's resignation.

If this conference does not result in mutual agreement, the VPAA will submit a recommendation in writing with rationale to the faculty member and to the President. If the President concurs with the recommendations for dismissal, the President shall send written notice of pending suspension or dismissal to the faculty member and to the VPAA. The faculty member will be notified by registered mail with a return receipt requested. Every reasonable effort must be made by the President to insure that the communication is delivered to the faculty member without delay.

3. Termination for Cause or Suspension of Non-Tenured Faculty

The termination of employment for cause or suspension of a non-tenured faculty member within an existing contract period shall follow the same procedures and be limited to the same reasons as provided for tenured faculty members who are terminated for cause or suspended. A failure to re-appoint may be without specific or stated cause.

4. Disciplinary Action Other Than Dismissal or Suspension

Disciplinary action affecting the terms of employment taken by the University against a tenured faculty member must be based upon causes stated in this section. Disciplinary action shall begin with a conference between the tenured faculty member and the Department Chair. If as a result of the conference, the academic officer finds that disciplinary action is warranted, a written recommendation for action should be forwarded to the appropriate Dean. If, after review, the Dean decides not to proceed with further disciplinary action, both parties should be notified in writing. If the Dean determines that additional action is warranted, then a conference with the tenured faculty member should be arranged. The Dean may determine that no further action is necessary. If however, additional action is warranted, the faculty member and the VPAA shall be notified in writing within fourteen University business days. The VPAA should arrange for a conference with the faculty member. The VPAA may then determine that no additional action is necessary. However, the VPAA should notify the faculty member in writing if an additional plan of disciplinary action is made. A copy of the disciplinary action should be placed in the faculty member's personnel file.

5. Dismissal of Tenured Faculty for Program Discontinuance or Financial Retrenchment

A faculty member with tenure whose position is terminated based on genuine financial retrenchment, bona fide discontinuance of a program or department, or lack of need for the faculty member's service, will be given five months written notice unless an emergency arises.

Before terminating an appointment because of discontinuance of a program or department or because of other lack of need of the faculty member's services, the University will make reasonable efforts to place affected members in other suitable positions.

If an appointment is terminated because of financial retrenchment or because of discontinuance of a program or department, the released faculty member's position will not be filled by a replacement within a period of two years, unless the released faculty member has been offered reappointment at the previous status.

6. Appellate Committee on Dismissal or Suspension of Tenured Faculty Members

A tenured faculty member who receives notice of suspension or pending dismissal may request and shall be afforded a hearing before the Appellate Committee on Dismissal or Suspension of Tenured Faculty Members. Failure to make a request in writing to the President within fourteen days after receipt of notification shall constitute a waiver by such faculty member of his right to a hearing before the Appellate Committee on Dismissal or Suspension of Tenured Faculty Members. The University shall institute an Appellate Committee on Dismissal or Suspension of Tenured Faculty Members. The Committee shall not exceed nine tenured faculty members, eight of whom shall be nominated or elected by the faculty governing body of the University and one member appointed by the President of the University. A quorum shall be five members or a majority of qualified members of the Committee. Initially, one half of the elected members shall be elected for twelve months and one half shall be elected for twenty-four months; thereafter, one half shall be elected

each year. No member may serve more than two consecutive terms. At least one alternate member of the Committee shall be elected to serve in the event a regular member is unable to serve. If any member of the Committee is an interested party in a case that comes before the Appellate Committee on Dismissal or Suspension of Tenured Faculty Members, said committee member shall not serve on that case.

The incumbent Committee shall serve until the completion of any case pending at the time their term of service expires.

The decision of the Committee will be based on majority vote. The Committee will elect its own chair, who will have the right to vote.

7. Appeal Procedures for Tenured Faculty

After a tenured faculty member has requested a hearing before the Appellate Committee on Dismissal or Suspension of Tenured Faculty Members, service of notice of hearing with specific charges in writing will be made at least twenty days prior to the hearing. The faculty member may respond by waiving the hearing and filing a written brief or the matter may proceed to a hearing. If the faculty member waives hearing but denies the charge or asserts that the charges do not support a finding of adequate cause, the Appellate Committee on Dismissal or Suspension of Tenured Faculty Members will evaluate all available evidence, including testimony and documentary evidence presented by the University and make its recommendation upon the evidence in the record.

- a. If the faculty member requests a hearing, the Appellate Committee on Dismissal or Suspension of Tenured Faculty Members shall, with due diligence considering the interests of both the University and the faculty member affected, hold a hearing and report its findings and recommendations to the President and to the involved faculty member.
- b. At hearings before the Appellate Committee on Dismissal or Suspension of Tenured Faculty Members, faculty members and the University shall be permitted academic advisors and/or counsel. A court reporter will be retained by the University to record the proceedings. Parties will pay the cost of a copy of the transcript. The hearing shall be conducted in a closed session.
- c. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence, and the administration of the University will attempt to secure the cooperation of such witnesses and will make available necessary documents and other evidence within its control. No employee of the University, regardless of position, should be excluded or excused from appearing before the Committee, if he/she is available.
- d. The faculty member and the University will have the right to cross examine all witnesses present. Depositions are admissible whenever a witness cannot appear.
- e. The Committee may conclude by secret ballot: a) that adequate cause for dismissal has been established by the evidence; b) that adequate cause for dismissal has not been established by the evidence, or c) that adequate cause for dismissal has been established, but an academic penalty less than

dismissal, including removal of tenure, would be more appropriate. The Committee may make any other recommendations it determines are appropriate. The Committee's findings and recommendations shall be made to the President. The Committee shall send a copy of its findings and recommendations to the affected faculty member.

- f. The President shall notify the affected faculty member of his/her recommendation to the Board of Regents. The faculty member shall have the right to request that the Board of Regents review adverse findings and recommendations of the President. The request must be in writing and filed within fifteen days after the President mailed the notification to the faculty member and to the Board of Regents. If the affected faculty member does not timely request that the Board of Regents review the President's findings and recommendations, the President's determinations become final and binding.
- g. In the event the faculty member submits a timely request to the Board of Regents to review adverse findings and recommendations of the President, the faculty member must indicate whether he/she desires a hearing of all of the evidence of the case; otherwise, the review will be a review of the record of the case. The Board of Regents has the discretion to determine whether the review will be a de novo hearing or a review of the record.
- h. Public statements and publicity about the case by the University will be avoided until the proceedings, including consideration by the Board of Regents, have been concluded.

4.6 POST-TENURE REVIEW POLICY

4.6.1 Purpose

Post-Tenure Review is a periodic peer-based evaluation of tenured faculty for the purpose of guiding career development and, when judged necessary, improving faculty performance. The Post-Tenure Review process is based on and extends the annual evaluation of faculty described in Section 4.3 through two processes: (1) a retrospective review of faculty performance in teaching or librarianship, research and creative/scholarly activity; and professional and University service and public outreach, and non-teaching or administrative duties, if appropriate, over the five years preceding the review, and (2) a formative evaluation for future professional growth.

Post-Tenure Review provides a formal opportunity for self-assessment and discussion with peers about professional development. For those faculty whose performance is judged to be below expectations, the evaluation shall lead to the formulation of a professional development plan, the purpose of which is to assist the faculty member to raise his/her level of performance to meet or exceed the expectations for tenured faculty.

Post-Tenure Review is mandatory for all tenured faculty who are reviewed under Section 4.3 unless they have signed an agreement to retire within the two years following the year of the scheduled review or have entered into a formal phased retirement agreement with the University.

Bearing in mind the value and importance of academic freedom and procedural due process to the well-being and success of the academic community, the University acknowledges and supports in principle the policies and procedures set forth in the AAUP's Standards for Good Practice in Post-Tenure Review. Post-Tenure Review is not a reevaluation of a faculty member's tenure status, nor is it intended as means to effect programmatic change. The Post-Tenure Review process will be

carried out in a manner that is consistent with the University's policies on academic freedom and responsibility (Sections 5.1 and 5.3) and faculty evaluation (Section 4.3). Post-Tenure Review will be based on the criteria for annual evaluation established by the faculty of the department and approved by the administration.

4.6.2 Timing of Post-Tenure Review

1. Schedule

Post-Tenure Reviews shall be initiated by the department chair immediately following the completion of the annual faculty evaluation process and shall proceed according to the following schedule.

By March 20: The faculty member shall submit to the Post-Tenure Review Committee the Post-Tenure Review dossier (4.6.4).

By April 15: The Post-Tenure Review Committee shall have reviewed the faculty member's dossier and met with the faculty member to discuss the faculty member's performance. The results of the review along with any recommendations for action shall be conveyed in writing to the Dean, the VPAA, and the faculty member. If the faculty member disagrees with the assessment or recommendation of the Committee, he/she shall have ten working days to submit a rebuttal to the Dean and to the VPAA.

2. Normal Review

Each faculty member shall undergo Post-Tenure Review in the fifth year after the year in which the faculty member is awarded tenure or promotion, whichever is later, and every fifth year thereafter. Annually, the office of the VPAA will identify those faculty members to undergo a normal Post-Tenure Review and establish and publish a time schedule for completing the required steps in the Post-Tenure Review process.

3. Early Review

A Post-Tenure Review shall be initiated earlier than the normal review cycle under the following circumstances:

- a. If the composite or overall rating of a tenured faculty member's performance on the annual evaluation is below expectations (2 or less on a 1-5 scale) for two consecutive years, an early Post-Tenure Review will be initiated immediately as an extension of the annual evaluation. Candidates for early Post-Tenure Review will be identified by the Post-Tenure Review Committee as part of the annual faculty evaluation process and reported to the Dean. However, the Post-Tenure Review Committee may request from the Dean permission to postpone initiation of an early review for one year if, in its opinion, the early review is not justified due to circumstances that the Post-Tenure Review Committee enumerates in its request to the Dean. With the approval of the Dean, the initiation of an early review shall be postponed one year. If the review is postponed and the faculty member is judged to have performed to expectations in this third year, no early review will be required. If performance continues below expectations, the early review will be conducted immediately following the third year annual evaluation.
- b. A tenured faculty member may request an early review for the purpose of

professional development. Such reviews are not subject to the mandatory professional development plan (Section 4.6.7).

4.6.3 Post-Tenure Review Committee

The review will be conducted by a Post-Tenure Review Committee composed of four tenured faculty members of the department of equivalent or higher rank as the faculty member undergoing review and the chair of the department with primary responsibility for evaluation of the faculty member, unless another arrangement has been approved in writing by the Dean and the VPAA. In the case that a department has more than four eligible tenured members of equivalent or higher rank, members of the Post-Tenure Review committee will be selected by the Dean in consultation with the faculty member and the eligible tenured members of the department of equivalent or higher rank. In the case that a department has fewer than four tenured members of equivalent or higher rank, additional members will be selected by the Dean in consultation with the faculty member and the eligible tenured members of the department of equivalent or higher rank. In the case of a joint appointment, the second department will be given an opportunity to provide input. In other exceptional cases, as determined by the VPAA, a senior faculty member outside the department but within the school shall be added to the Post-Tenure Review Committee, such member being chosen by the tenured faculty member under review from a list of three candidates selected by the VPAA. The results of the review will be forwarded simultaneously to the Dean and the VPAA. All recommendations for actions must be forwarded to the Dean for approval.

4.6.4 Components of the Review

Post-Tenure Review dossiers shall consist of the following elements:

1. Annual evaluations and mini-vitae for the previous five years. The annual evaluations and the accompanying mini-vitae from the five years previous to the review will constitute the primary sources of information about the faculty member's performance. The Post-Tenure Review will take into account the numerical evaluations (on a scale of 1 – 5) for effective classroom teaching or librarianship; research and creative/scholarly activity; and professional and University service and public outreach; non-teaching or administrative duties if applicable; and the composite evaluation reflecting the relative weights of the four categories.
2. A self-appraisal by the faculty member being reviewed. A written statement prepared by the faculty member will constitute a central element of the Post-Tenure Review dossier. This statement is intended to serve two purposes: provide a formal opportunity for the faculty member to reflect on his/her professional career and contributions to the University; and serve as a source of information to the Post-Tenure Review Committee to assist in helping the faculty member to develop professionally. In this statement, the faculty member should describe his/her past contributions to the department(s) to which he/she is appointed and to the University, assess the current state and direction of his/her career, and discuss what he/she has planned professionally for the next five years. This self-appraisal should include an evaluation of his/her past performance in the areas of teaching or librarianship, research and creative/scholarly activity; and professional and University service and public outreach, and non-teaching or administrative duties, if applicable; a statement of professional goals for the next five years; and an explicit discussion of how

achieving those goals will advance his/her professional career and contribute to achieving the goals of the department(s) to which he/she is appointed and the University as a whole. This document is not intended to be a contract but only a source of information to the Post-Tenure Review Committee to assist it in helping the faculty member to develop professionally.

3. The faculty member's current complete curriculum vitae.
4. Sabbatical leave reports. The report of activities and accomplishments of any sabbatical or other leaves that occurred during the interval being reviewed should also be included.
5. Post-Tenure Review Evaluations. A copy of the evaluations by the Post-Tenure Review Committee from the faculty member's previous Post-Tenure Review(s), if any.
6. Final Reports. A copy of previous professional development plans, if any.

In the course of the review, the faculty member shall have the opportunity to meet with the Post-Tenure Review Committee to discuss these documents and offer additional input.

4.6.5 Performance Expectations

Faculty members are expected to perform in all applicable categories of the annual evaluation and achieve a composite evaluation of higher than 2 on a criterion-referenced scale of 1-5. The criteria should be specified in the approved evaluation criteria of the department(s) to which the faculty member is appointed. As required under Section 4.3, academic departments should communicate carefully and clearly to their faculty the specific criteria for evaluation that are used for the basis of the annual evaluation.

When and only when a faculty member's five-year average composite evaluation is 2 or lower the faculty member shall be required to develop and participate in a professional development plan as described in Section 4.6.7.

4.6.6 Feedback

All faculty members undergoing Post-Tenure Review will be provided with written and verbal feedback about how they are developing as professionals and how the Post-Tenure Review Committee evaluates the professional goals of the faculty member in relation to the goals and mission of the department and the University. Within thirty days of receiving the faculty member's dossier, the Post-Tenure Review Committee will provide the faculty member with a written evaluation of his/her past performance, current status, and future professional goals.

4.6.7 Professional Development Plan

A professional development plan is intended to assist a faculty member whose performance is not meeting expectations to bring his/her performance up to the expected level. Participation in a professional development plan is mandatory for faculty members who, during Post-Tenure Review, are found not to meet the expectations for faculty performance, as described in Section 4.6.5. Other faculty members may request, from the Post-Tenure Review Committee, permission to participate in a professional development plan on a voluntary basis to assist in their professional development. Voluntary professional development plans are not subject to the sanctions described in Section 4.6.8 and shall not alter the cycles of the normal and/or early review or otherwise affect

those processes.

1. Process

The professional development plan shall be prepared cooperatively between the faculty member and the Post-Tenure Review Committee.

By May 1: The faculty member shall meet with the Post-Tenure Review Committee to discuss the results of the review and identify areas that should be addressed in the Professional Development Plan.

By September 1: The faculty member shall prepare a draft of the plan and submit it to the Post-Tenure Review Committee.

By September 15: The Post-Tenure Review Committee must prepare a final plan in negotiation with the faculty member and submit it to the Dean for approval. Should the faculty member disagree with the final plan prepared by the Post-Tenure Review Committee, he/she may write submit a written appeal to the Dean along with the plan, setting forth the reasons disagreement.

By October 1: The Dean must notify the faculty member and the Post-Tenure Review Committee, in writing, as to whether or not the final plan is approved. If the plan is not approved, the faculty member and the Post-Tenure Review Committee must be notified in writing of the reasons for the non-approval and the process described above shall be repeated until approval is obtained. Approval must be obtained by **November 1**.

Following approval of the plan, the Post-Tenure Review Committee must meet with the faculty member and explain both the contents of the plan, including the expected time-line, and the consequences to the faculty member of failure to attain the goals of the plan. Reasonable University resources to support implementation of professional development plans will be provided by the VPAA and the Dean. A faculty member shall have the two full annual evaluation cycles following the date the plan is approved to accomplish the goals of the plan and to bring his/her performance up to expected standards.

2. Content of the Plan

The professional development plan shall include the following components:

- a. Goals and expectations.
- b. Proposed activities.
- c. A time-line for the plan.
- d. Resources that will be made available to the faculty member to assist with completion of the plan.
- e. An explanation of the consequences of failure to attain the goals of the plan. (This provision is not applicable for a voluntary professional development plan.)

- f. Signatures of the faculty member, the Post-Tenure Review Committee members, and the Dean, verifying an understanding of the plan.

3. Monitoring, Follow-up, and Final Report

Formal written evaluation of the faculty member's progress towards meeting the goals of the professional development plan will take place as part of the annual evaluations of the faculty member following the implementation of the plan. Since less than a year will have elapsed between the implementation of the plan and the next annual faculty evaluation, that evaluation and the subsequent annual evaluation shall be used by the Post-Tenure Review Committee as opportunities to provide written feedback to the faculty member on his/her progress in meeting the goals of the plan. The final assessment of the faculty member's progress in meeting the goals of the plan shall occur during the third annual faculty evaluation after implementation of the plan. Following this third annual evaluation, a written report will be issued by the Post-Tenure Review Committee to the faculty member, with copies to the Dean explaining the outcome of the plan.

Failure of the faculty member to meet the goals specified in the plan and to bring his/her performance up to the level expected may lead to the recommendation for dismissal of the tenured faculty member, as defined in Section 4.5.6. The results of the professional development plan, including, without limitation, the final report, shall be relevant evidence in such a proceeding. In the proceeding, the University retains the burden of persuasion to show cause, as defined by the Faculty Handbook, provided nothing in this policy shall be construed to limit or restrict the University's authority to undertake the dismissal or suspension of a tenured faculty member as set forth in Section 4.5.6.

Alternative actions may be negotiated and implemented with approval of the Dean and the VPAA and may include, but are not limited to:

- a) resignation
- b) retirement.

4.6.8 Review of the Post-Tenure Review Policy and Procedures

The above Post-Tenure Review policy will be jointly reviewed by the Faculty Senate and administration at least every five years with respect to its effectiveness in supporting faculty development and redressing problems of faculty performance, the time and cost of the effort required, and the degree to which in practice it has been effectively cordoned off from disciplinary procedures and sanctions.

4.7 PERSONNEL RECORDS

An official personnel file will be maintained for all faculty members in the Human Resources Office and the appropriate Academic Dean's office. No other personnel files will be kept. The purpose of the file is to provide documentation supporting actions involving the faculty member. Personnel files shall not ordinarily contain political, social, or personal information without the permission of the faculty member. The faculty member may request to add or delete material from his/her file. If this request is denied, the proper grievance procedure may be followed (See Appendix G). Control of the personnel files will remain with the Human Resources Office or the appropriate Dean's office and access to the files will be supervised by personnel staff or the Dean's staff. Files may not be removed from the Human Resources Office or the Dean's office without written permission of the President. The personnel file will include, but not be limited to, the following: