

CHAPTER 4: FACULTY: APPOINTMENTS, PROMOTION, AND TENURE

SECTION 4.1 FACULTY MEMBERSHIP

The faculty of Tulane University is defined as those engaged in teaching and research/creative activity appointed to appropriate faculty status by the Board of Administrators of the University in accordance with the existing constitutions of the college, schools, and centers of the University.

SECTION 4.2 ACADEMIC TITLES CURRENTLY IN USE

The titles below are used by all Schools.

4.2.1 Tenured and Tenure-Track (Full-Time)

a) Assistant Professor:

This is an entry-level position to the tenure-track open to those who hold a Ph.D. or the terminal degree in their field. Candidates for appointment demonstrate promise as a scholar and teacher. The criteria for reappointment include evidence of scholarly and/or artistic achievement, success as a teacher and service to the University.

b) Associate Professor:

Appointment to this rank is accorded to an individual who has attained scholarly distinction of high quality as demonstrated by scholarly and/or artistic achievement, teaching excellence, service to the University and the profession, and extra-mural support, as appropriate to the field.

c) Professor:

Appointment to the Rank of Professor is made not merely on the basis of length of service but in recognition of outstanding quality. The title signifies that the holder is an accomplished scholar and/or artist of distinguished achievement who has won national or international standing in his or her field, and a successful teacher with a record of service to the University and the profession and a track-record of extra-mural support, as appropriate to the field.

4.2.2 Non-Tenure Track (Full or Part-Time) (For all Schools except the School of Medicine)

a) Instructor:

In most schools, this is an entry-level position for individuals who have not yet completed the terminal degree. Appointments are for no more than three years

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and may be renewed following appropriate review. In the School of Law, instructors hold the terminal degree and are appointed to the Law School clinics to supervise and assist students in the management of client cases. After completion of a second term and appropriate faculty review, instructors may be promoted to Senior Instructor.

b) Professor of Practice, Senior Professor of Practice, Lecturer, Senior Lecturer

For individuals engaged primarily in teaching and teaching-related duties. Professors of Practice /Lecturers typically hold a terminal degree in their field or have appropriate professional experience. Appointments are typically for no more than three years and may be renewed following appropriate review. After completion of a second term and appropriate faculty review, Professors of Practice and Lecturers may be promoted to Senior Professor of Practice /Senior Lecturer and reappointed for five-year terms. After completion of a second term as Senior Professor of Practice /Senior Lecturer and appropriate faculty review, Senior Professors of Practice/Lecturers may be reappointed for seven-year terms.

c) Clinical Professor (Instructor, Assistant Professor, Associate Professor, Full Professor)

A category of faculty membership in the School of Public Health and Tropical Medicine, the School of Social Work, and the School of Law for individuals engaged in clinical practice, clinical or skills teaching, and/or clinical research who do not have the same research expectations as tenure-track faculty. Clinical professors typically have a terminal degree in their field or appropriate professional experience. Clinical instructors do not have to have a terminal degree but should have appropriate professional experience. Appointments are typically for no more than three years and may be renewed following appropriate faculty review.

d) Research Professor (Instructor, Assistant Professor, Associate Professor, Full Professor)

For individuals engaged primarily in conducting research, usually with external funding. Research Professors (at any rank) are generally not expected to undertake regular service and/or teaching responsibilities. Appointments are typically for no more than three years and may be renewed following appropriate faculty review.

e) University Professor

A title awarded very selectively to individuals whose accomplishments in the public sphere bring special recognition to Tulane University. University Professors engage renowned public leaders and artists with Tulane's teaching and research missions. The title is bestowed upon the recommendations of the

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President in recognition of a uniquely distinguishing record of achievement. University Professors may teach at graduate and undergraduate levels, conduct research and/or creative activity and share their expertise with the greater Tulane community. University Professors do not receive and are not eligible for tenure. University Professors do not receive and are not eligible for tenure. University Professors are typically appointed for five-year terms, renewable upon appropriate faculty review.

4.2.3 Non-Tenure Track (Full or Part-Time) (For the School of Medicine)

4.2.3.1 Tracks

Non-tenure track faculty in the School of Medicine are appointed to one of three tracks: Research, Clinical, or Education. Full-time faculty in these tracks can hold the titles of Assistant Professor, Associate Professor and Professor. Non-tenure track faculty in the School of Medicine are not expected to undertake responsibilities outside of those identified for the particular track, as defined in the school's constitution. In addition, the following titles are also in use:

a) Instructor:

In the School of Medicine, instructors may be appointed to the research, clinical or education ranks. A terminal degree is not required. Appointments are normally for one year. After completion of a second term and appropriate faculty review, Instructors may be promoted to Senior Instructor.

b) Professor of the Practice, Senior Professor of the Practice, Lecturer, Senior Lecturer:

For individuals engaged primarily in teaching and teaching-related duties, Professors of Practice/Lecturers typically hold a terminal degree in their field or have appropriate professional experience. Appointments are for no more than three years and may be renewed following appropriate review. After completion of a second term and appropriate faculty review, Professors of Practice/Lecturers may be promoted to Senior Professor of Practice/Senior Lecturer and reappointed for five-year terms. After completion of a second term as Senior Professor of Practice/Senior Lecturer and appropriate faculty review, Senior Professors of Practice/Senior Lecturers may be reappointed for seven-year terms.

c) University Professor:

A title awarded very selectively to individuals whose accomplishments in the public sphere bring special recognition to Tulane University. University Professors engage renowned public leaders and artists with Tulane's teaching and research missions. The title is bestowed upon the recommendations of the President in recognition of a uniquely distinguishing record of achievement.

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University Professors may teach at graduate and undergraduate levels, conduct research and/or creative activity and share their expertise with the greater Tulane community. University Professors do not receive and are not eligible for tenure. University Professors are typically appointed for five-year terms, renewable upon appropriate faculty review.

4.2.4 Visiting Faculty (Lecturer, Professor of the Practice, Assistant Professor, Associate Professor, Professor)

This category of faculty membership is for individuals with the terminal degree or appropriate professional experience on temporary appointment. Appointment to the visiting ranks is normally made for no more than two years but may be renewed for an additional third year by permission of the Senior Vice President for Academic Affairs and Provost. If a visiting faculty member receives a tenure-track faculty appointment at Tulane, the period of the visit may be counted as part of the probationary period, at the discretion of the dean of the school and in negotiation with the faculty member.

4.2.5 Part-Time Faculty (Adjunct)

Individuals with part-time appointments; rank will be determined by the dean upon the recommendation of the department and with the approval of the Senior Vice President for Academic Affairs and Provost. Appointment to adjunct faculty ranks may also be used for academically qualified persons employed by the University for administrative duties or for faculty members whose primary appointment is in another department or school. Individuals may serve as adjunct faculty for an unlimited time through successive reappointments, so long as their teaching is part time. The University does not guarantee continuity of appointment for any person in the adjunct faculty. Part-time is defined as teaching no more than 6 credit hours per semester (12 credit hours per academic year) for 9 month-appointment faculty.

In the School of Medicine, the modifier “Clinical” is used as a prefix for part-time clinical faculty. The modifier “Adjunct” is used as a prefix for part-time non-clinical faculty.

4.2.6 Voluntary Faculty (Adjunct; Part-time non-salaried)

Title used in the School of Medicine for individuals who volunteer their services to the school. The modifier Adjunct is used in addition to the appropriate title (Professor, Associate Professor, Assistant Professor, and/or Instructor).

4.2.7 Affiliated Academic Staff (Non-Faculty Titles)

- a) Artist in Residence, Scholar in Residence, Writer in Residence, and Visiting Scholar: For individuals of special expertise, renown, or promise who come

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- to the university on a temporary or long-term basis and who are not members of the faculty. May be paid and/or unpaid.
- b) Postdoctoral Fellows: For individuals who come to the university to train with and/or do research with a faculty member for a specific period of time. May also involve teaching duties. See the Postdoctoral Fellows Handbook. Postdoctoral Fellows are neither faculty nor staff.
 - c) Assistant Research Fellow, Associate Research Fellow, Senior Research Fellow: For individuals who come to the university to participate in the research enterprise, typically funded by external grants. All are staff positions.
 - d) Research Scientist 1, Research Scientist 2, and Senior Research Scientist: All are staff positions.
 - e) Teaching Assistant, Research Assistants: For students registered in a degree program at the university. Both are not faculty positions.
 - f) Administrative Assistant Professor, Administrative Associate Professor, or Administrative Professor: For full-time administrators who ordinarily have the terminal degree in their field and continue to engage in faculty activities, specifically, teaching, academic advising, and research and publication. All are staff positions.

4.2.8 Emeritus/Emerita Faculty:

See Chapter 10.

4.2.9 Special Designations

a) Honorary Named Professor or Chair

The Board of Administrators names certain professorships for a benefactor or for individuals important in Tulane's history. Such names are usually applied to a full professorship but may be given at another rank.

b) Distinguished Professor:

Title is reserved for faculty members of extraordinary achievement whose scholarly or creative accomplishments have earned them substantial recognition from their academic peers. The title is bestowed by the Trustees of the University, upon the recommendation of the University President, in recognition of a uniquely distinguished record of scholarship, research, or artistic achievement. It transcends departmental and disciplinary lines, allows the designated individual the greatest latitude in teaching, writing, and scholarly research or creative activity, and provides them with a university-wide platform for continued accomplishment. To be eligible for appointment as a Distinguished Professor a faculty member must hold the rank of professor with tenure at Tulane University or have been recommended for tenure at that rank in accordance with the University's promotion and tenure policies and procedures and have an outstanding record of scholarly or creative accomplishment that establishes him or

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her at the front ranks of university faculty nationally and internationally.

SECTION 4.3 APPOINTMENTS

4.3.1 Authorization for New Appointments to the Faculty

Before a formal search can begin for a person to fill a faculty position, authorization in writing must be obtained from the dean of the school and from the Senior Vice President for Academic Affairs and Provost and/or the Senior Vice President for the Health Sciences for appointments in the School of Medicine as appropriate. A position is not authorized in any given department simply because a faculty member from that department has left. Authorization for a faculty position is terminated when the position is vacated or is not filled in the year in which it is budgeted. A position may be carried over to a new budget year only by specific authorization. All position authorizations, including renewal, must be determined in connection with school-wide and University-wide authorizations.

A national search is required for all new tenure track and full-time non-tenure track appointments to the Tulane faculty. When a department or school receives authorization from the dean and the Senior Vice President for Academic Affairs and Provost to appoint a new faculty member, the department chair or dean must appoint a Search Committee. The search committee must follow all procedures currently mandated by the Office of Academic Affairs and the Office of Institutional Equity. The committee shall develop a hiring plan, addressing strategies for generating a diverse pool of candidates and publicly advertise all new positions and use other appropriate methods of candidate solicitation. Announcements describing the position should be sent to those institutions of higher education or other sources that are likely to provide suitable candidates. Announcements describing the post should also be sent to appropriate professional societies and organizations including those representing minorities and women. In filling all faculty positions, as well as in all other University hiring, Tulane is an Equal Opportunity Employer. All employment and hiring practices must be in accord with relevant federal regulations and must follow the Equal Opportunity Policy of Tulane University. Deans of the schools and the Institutional Equity Officer have detailed information concerning the requirements for compliance.

The recommendation for hiring must be approved by the faculty of the department/area/unit, the dean and the Senior Vice President for Academic Affairs and Provost and/or the Senior Vice President for the Health Sciences for appointments in the School of Medicine as appropriate.. The search committee must document its process, indicating the creation of prioritized short lists (top 10, top 5), interviews conducted and its rationale for the selection of the individual recommended for appointment.

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4.3.2 Conditions of Appointments

The conditions of each appointment, including salary, rank, term of appointment, and tenure (or expected third-year and promotion and tenure review dates) shall be stated and confirmed to the faculty member in writing by the dean of the school and approved by the Senior Vice President for Academic Affairs and Provost and/or the Senior Vice President for the Health Sciences for appointments in the School of Medicine as appropriate. Any subsequent extensions or modifications of an appointment shall be stated and confirmed in writing by the dean of the school and the approval of the Senior Vice President for Academic Affairs and Provost and/or the Senior Vice President for the Health Sciences for appointments in the School of Medicine as appropriate.

Each person appointed to the faculty of a school shall be considered a member of the faculty of the University. The track and rank of all faculty members shall be available to the Tulane community.

Each school shall determine the qualifications required of the respective faculty (within the guidelines established in Section 4.2 of this chapter), apply its own rules for determining voting rights and apply its own standards of professional qualification for appointments and promotions (within the parameters established in Section 4.5 of this chapter).

4.3.3 Terms of Appointments

There are two kinds of faculty appointments: term-delimited non-tenure track and tenured/tenure track.

a. **Term-Delimited Non-Tenure Track Appointments:**

Other than visiting faculty (as defined above in Section 4.2), term-delimited appointments may be renewed upon performance review. These appointments may be full or part time (adjunct) and for service during the academic or fiscal year (9 or 12 month). The reappointment process shall include faculty review, and are subject to the rules and practices of each school and, where appropriate, the approval of the Office of Academic Affairs and Provost and/or the Senior Vice President for the Health Sciences for appointments in the School of Medicine as appropriate. If the term-delimited appointment is for three years or more, the faculty member will have one year's notice before his or her employment is terminated. All other terms of appointment and reappointment are subject to the rules and practices of each school and the Office of Academic Affairs and Provost.

b. **Appointments to Tenure-Track and Tenured Ranks:**

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Full-time tenure-track and tenured faculty appointments are for service during the academic or fiscal year (9-12 months).

Faculty members in their probationary period are appointed for specific terms (one to three years), in accordance with the practices of their school.

4.3.4 Joint Appointments

Tulane University welcomes work that crosses traditional disciplines, departments, schools, and centers/institutes. It encourages the appointment of individuals to the faculties of two or more schools, departments or centers/institutes concurrently when the appointee will make a significant contribution to undergraduate and graduate programs, research programs and/or administrative responsibilities in each of the schools, departments, and/or centers/institutes in which a joint appointment is made. [Note: joint appointments are distinct from courtesy adjunct appointments in secondary departments or schools.]

Joint appointments are available at all ranks and in all tracks, but in the tenure track, they are typically appropriate for associate and professor level appointments.

When a joint appointment of a new member of the faculty is anticipated, the initiating school or department must seek the participation of the proposed second school, department and/or center/institute in the search for candidates. Joint appointments require approval through the normal appointment procedures of schools, departments, and centers/institutes.

Appointment letters for joint appointments must clearly state the process to be used for the individual's promotion, salary recommendations, teaching, research, leaves, voting rights, committee responsibilities, and all other matters relating to that person's professional activities. The appointment letter must also specify the extent of the individual's responsibilities to each of the schools, departments, and/or centers/institutes for such matters, the arrangements for consultation, concerning the individual's assignments and the percentage of the individual's salary that will be paid by each school, department, and/or center/institute. When a significant portion of the faculty member's salary comes from one of the units, yearly consultation on salary recommendations for increases are required. The faculty member's title in each school/unit will be the same.

4.4 Length of Appointments

4.4.1 Probationary Period for Tenure-Track Faculty

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- a. The purpose of the probationary period is to provide opportunity for demonstration of the suitability of the appointee for an appointment with permanent tenure at Tulane University.
- b. The probationary period shall not exceed seven years (except as provided for approved extensions of the probationary period, see Section XXX and Chapter X).
- c. Appointment during the probationary period shall be for a period of one to three years, in accordance with the practices of each school.
- d. **Prior Service:** Any credit for full-time teaching done at Tulane University or at any other accredited institution of higher education and/or relevant prior experience may be negotiated at the time of hire. The probationary period agreed to must be stated in writing in the letter of appointment at the time of the tenure-track hire.
- e. **Tenure Decision Date:** The tenure decision date is twelve months before the expiration of the probationary period. The date must be specified in the letter of appointment.
- f. **Annual Review:** Like all faculty, probationary faculty should be assured that his or her record will be reviewed annually by his or her academic unit(s) according to known and established procedures. The review procedures shall include the participation of members of the department or unit, if appropriate, and the dean of the school. The nature of these procedures shall be specified in the guidelines for faculty evaluation developed within each school/unit. There will be a particularly thorough review midway in the probationary period, typically in the third year. See Section 4.5 below.

4.4.2 Extension of the Probationary Period

Chapter 9, Academic and Work-Life Balance, provides for excluding a certain amount of time in rank from the normal probationary period (“stopping the clock”), which has the effect of adjusting the tenure decision date.

As distinct from the circumstances outlined in Chapter 9, if unforeseen and uncontrollable circumstances, such as a fire in his or her laboratory, prevent a faculty member from conducting and completing his or her research, he or she may also request a one-year extension of the probationary period. The faculty member must submit the request, in writing, to the department and it must be approved by the Office of Academic Affairs upon the recommendation of the dean of the school. If the request is supported, the extension will be granted subject to the following conditions:

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- a. The probationary period may be extended for a maximum of two years under the provisions of this chapter and any other policies, including those in Chapter 9.
- b. No extension of the probationary period will be granted during the academic year in which an academic review (third year review or tenure review) is to take place. If the faculty member has satisfactorily met the standards set for third year review, the request for an extension of the probationary clock will be considered.
- c. No request for an extension of the probationary period can be made under this provision if the semester scheduled for initiation of the tenure review process has begun.

If a faculty member goes on leave during his or her probationary period there should be an agreement in writing between the faculty member and the dean (or other appropriate administrative officer of the university) before the beginning of the leave stating whether the leave time extends the remaining probationary period. If such an agreement is not executed in writing, the time of the leave will be counted as probationary time.

4.4.3. Administrative Suspension of the Tenure Probationary Period

The tenure clock for faculty in the clinical departments of the School of Medicine may be suspended to take into account special programmatic duties for a maximum of three years. This requires a written agreement to suspend the clock between the faculty member and the chair of the department. The Personnel and Honors Committee, the Dean, and the Vice President for Academic Affairs and Provost must approve this agreement in writing.

The maximum cumulative time that can be suspended or excluded from the probationary period for the reasons outlined above is three years.

The agreement to exclude time from the tenure clock is to be made prospectively and must be done before the end of the fourth year of faculty service on the tenure clock.

4.4.4 Terms of Employment for Non-Tenure Track Faculty

- a. Non-tenure track faculty are appointed to fixed-term contracts that must specify the starting and ending dates of the appointment and any duties of the appointment beyond the responsibilities stated in Section XXX of Chapter XX and in school guidelines. The date on which each appointment ends shall be specified in the appointment letter and any subsequent reappointment letter. Such a letter also constitutes adequate notice of non-reappointment, and the appointment will expire at the end of its term, unless there is written renewal.

- b. A signed copy of the non-tenure track faculty member's acceptance of the position must be filed with the dean prior to commencement of employment.
- c. Non-tenure track faculty appointments do not lead to consideration for tenure.

4.4.5 Limits on Appointments

No more than 25% of a school's full-time faculty (with the exception of the School of Professional Advancement) will consist of Professors of the Practice, Senior Professors of the Practice, Lecturers, or Senior Lecturers in each academic year.

4.5 CONDITIONS OF TENURE

An appointment with tenure may be made with the first appointment to the faculty of Tulane University or it may follow a probationary period as defined in Section 4.4.1 above.

Tenure confers on its bearer the right to hold his or her position with pay until retirement, subject to the extraordinary conditions identified in 4.5.1 below. See also Chapter 8, Faculty Code of Conduct, Disciplinary Actions, and Dismissals.

The President is empowered by the Board of Trustees to take action relating to appointments, promotions, demotions, dismissals and assignments to indefinite leave, of all personnel holding tenured positions as defined herein. In such actions, the President is advised by the Senior Vice President for Academic Affairs and Provost and the appropriate University committees and may delegate his or her authority to the Senior Vice President for Academic Affairs and Provost.

4.5.1 Termination of Tenure

An appointment with tenure shall be terminated only for the following reasons:

- a) For cause as outlined in Chapter X, Faculty Code of Conduct, Disciplinary Actions and Dismissals
- b) By extraordinary circumstances caused by financial exigency.
- c) By the bona fide discontinuance of a program or department of instruction.
- d) By incapacity for a major and indefinitely continuing medical reason, when, because of a disability, a faculty member is not qualified to perform the essential functions of their job with or without reasonable accommodations.

4.5.1.1 Terms and Conditions

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The terms and conditions of the latest consummated appointment shall not be modified without the consent of the faculty member except for extraordinary circumstances caused by financial exigency, bona fide discontinuance of a program or department of instruction, incapacity for a major and indefinitely continuing medical reason, or for cause as outlined in Chapter X.

4.5.2 Termination of Tenure Due to Financial Exigency

The Faculty is primarily responsible for realizing the core mission of the University, teaching and research. Accordingly, terminations of faculty due to a condition of financial exigency should be considered only as a last resort. Any terminations must be measured against the potential effects on the University's reputation and the subsequent impact on recruitment and retention of both students and faculty. Procedures for terminations must strive to protect tenure, a necessary condition of the academic freedom essential to the advancement of truth and unhindered creativity in teaching and research.

Ultimate authority for declaring a state of financial exigency and for the measures adopted to alleviate it rests with the Board of Administrators, based on its fiduciary responsibility. Stated below are procedures and policies to ensure faculty involvement in potential faculty terminations. The Board of Administrators, in consultation with the President and the Faculty Committee on Financial Exigency, may alter the deadlines for various actions set forth below.

- A. Formation of a special Faculty Committee on Financial Exigency (FCFE).
In anticipation of a state of financial exigency that might result in faculty dismissals, the President shall call together a special senate committee as a Faculty Committee on Financial Exigency (FCFE), consisting of the President's Faculty Advisory Committee and the faculty members (who are not administrators) of the existing Senate Committees on Educational Policy and Budget Review to represent the faculty in the decision-making process and consult on actions to deal with the situation.
- B. President presents case for financial exigency to FCFE.
At the outset of the crisis the President shall present to the FCFE explicit evidence of the severity of the financial condition of the University. The FCFE shall review the evidence and transmit to the Board as soon as possible but within 15 days from the date that the President has presented the above information to FCFE, either: 1) an endorsement of the President's assessment of the situation; or 2) its own assessment, explicitly stating its point(s) of disagreement with the President. The Board shall not make a determination on financial exigency until it has received the report from FCFE or the 15 days have elapsed. These proceedings and resulting document(s) shall be considered private unless the President and the FCFE both agree to make all or portions of them public.
- C. President presents remedies to FCFE.

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In the event that the Board of Administrators declares a state of financial exigency, the President shall as soon as possible but within 15 days from that declaration, present to the FCFE a report on the administration's plan, covering the full range of cost-saving measures it proposes and an estimate, with as much specificity as possible under the circumstances, of the anticipated savings to be achieved through possible program or faculty terminations, if any. The FCFE shall review the administration's report and transmit to the Board within as soon as possible but within 15 days of receipt of the President's report, either: 1) an endorsement of the administration's plan; or 2) its own assessment, explicitly stating its point(s) of disagreement with the plan. These proceedings and resulting documents shall be considered private unless the President and the FCFE both agree to make all or portions of them public.

D. President notifies FCFE and affected Schools.

As soon as possible, but within 15 days of the adoption of a program by the Board, the President shall inform the FCFE and the School(s) in which terminations of faculty are to be made. Any affected School will have 30 days to respond with recommendations to the President as to other cost-saving options that may be available to it, short of faculty terminations. All schools should establish internal procedures/policies to respond to such a contingency. If the School does not respond within 30 days, the President shall be entitled to act. If the School does respond, the President shall consider the School's recommendation before taking further action.

E. Whenever possible, dismissals should proceed from non-tenured to tenured faculty. However, consideration of program accreditation and integrity, mission criticality, and strategic priorities may affect specific terminations.

F. Before the administration issues notice to a faculty member of its intention to terminate his or her appointment because of financial exigency, the institution will make every effort to place the faculty member concerned in another suitable position within the University.

4.5.3 Termination due to Discontinuation of a Program or Department

Termination of a tenured/tenure track appointment or of a non-tenure track appointment before the end of the specified term may occur as a result of a bona fide formal discontinuance of a program or department of instruction.

A. The decision to discontinue a program or department of instruction will be based upon educational considerations, as determined primarily by the faculty. (Educational considerations do not include cyclical or temporary variations in enrollment.)

- B. Faculty members in a program or department being considered by the dean(s) for discontinuance for educational considerations will promptly be informed of this activity in writing and provided at least 30 days in which to respond.
- C. A recommendation to discontinue a program or department of instruction must be approved by the dean and the majority of the voting faculty of the school or schools involved. It must also be reviewed and approved by the University Graduate Council (if appropriate) and the Senate Committee on Educational Policy (CEP). The program or department affected has the right to participate in the CEP process. Final approval shall be granted by the Senior Vice President for Academic Affairs and Provost.
- D. Before the administration issues notice to a faculty member of its intention to terminate an appointment because of discontinuance of a program or department of instruction, the institution will make every effort to place the faculty member concerned in another suitable position within the University.
- E. A faculty member may contest a proposed relocation or termination resulting from a discontinuance of a program or department of instruction and has the right to a full hearing before the Senate Committee on Faculty, Tenure, Freedom and Responsibility. The issues in such a hearing may include the institution's failure to satisfy any of the conditions outlined in Section 4.5.3. In the hearing, a faculty determination that a program or department is to be discontinued will be considered presumptively valid, but the burden of proof on other issues, including the faculty member's appointment, will rest on the administration.

4.5.4 Notice of Termination of Appointment

In every case of financial exigency or discontinuance of a program or department of instruction, the faculty members concerned shall be given the lesser of the salary equivalent to the balance of their employment appointment or severance salary for twelve months.

If an appointment is terminated before the end of the appointment period because of financial exigency or because of the discontinuance of a program of instruction, the terminated faculty member's place shall not be filled by a replacement within a period of two years following the effective date of termination, unless the terminated faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

Twelve months' notice and/or twelve months' severance pay does not apply to terminations for cause as outlined in Chapter 8.

4.5.5 Termination for Medical Reasons

Termination of a tenured appointment or of a probationary appointment before the

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end of the appointment period, for medical reasons shall be based upon medical evidence for a major and indefinitely continuing medical reason, when, because of a disability, a faculty member is not qualified to perform the essential functions of their job with or without reasonable accommodations. At the request of the department chair and/or dean of the school, the Senior Vice President for Academic Affairs and Provost will make the final recommendation. The terminated faculty member has the right to appeal the termination through the Senate Committee on Faculty Tenure, Freedom and Responsibility.

4.6 EVALUATION, REAPPOINTMENT AND PROMOTION OF TENURE-TRACK AND TENURED FACULTY

4.6.1 Third Year (Midpoint) Review

Faculty appointed to the tenure track shall have an intensive midpoint review (“third year review”) during their probationary period, typically in their third year. Each school must develop specific guidelines for these reviews that include a rigorous assessment of the faculty member’s research and/or creative activity, teaching and service as well as their progress toward tenure. The tenured faculty of the department and/or school, the school’s academic review committee, and the dean of the school make recommendations to the Senior Vice President for Academic Affairs and Provost who makes the final decision. Before making a final decision, the Provost will discuss the case with the school’s dean and academic review committee in situations where the review has produced conflicting outcomes.

In the case of joint appointments, the two (or more) units will schedule a joint unit level meeting (the first level dossier reviewers of each unit) to discuss the case and establish any additional procedures, if necessary. Each department/school will then proceed with their normal processes for “third year review.” Each department/school will forward their recommendations to both schools’ Promotion and Tenure Committee. The Promotion and Tenure Committees will hold a special joint meeting to discuss and make a recommendation on the case. This recommendation will be forwarded to each dean. The deans will add their own recommendations and forward the dossier to the Senior Vice President for Academic Affairs and Provost.

If the review indicates satisfactory progress, the faculty member shall receive detailed feedback of the dossier from the dean and/or department chair in writing.

If the review indicates that the faculty member has not made satisfactory progress toward tenure, the faculty member shall be notified that the appointment will terminate at the end of the following academic year (or within twelve months for mid-year hires).

4.6.2 Tenure and Promotion Review

During the year before their tenure decision date, faculty on the tenure track will undergo a rigorous review for consideration of tenure and promotion to Associate Professor. A similar review is undertaken for promotion to Full Professor.

4.6.2.1 The Dossier

The dossier should present the evidence gathered by both internal and external peer review of a candidate's fitness for tenure, or for appointment or promotion as associate or full professor. It should include an assessment of the case by relevant departmental/area faculty, school committees, and the dean. With internal candidates for tenure and promotion, only tenured faculty with a higher rank than the candidate may participate in the review. For external candidates, only tenured faculty with rank equal to or higher than the rank of the candidate being considered may participate in the review for appointment, but only tenured faculty with an equal or higher rank than the one being proposed may participate in the review for tenure. In other words, for an appointment of an external candidate as Professor with tenure, Associate and Professors may participate in the appointment decision, but only Professors in the department/unit may participate in the tenure/title decision. Candidates for promotion and tenure should submit their curriculum vitae and a personal statement outlining their accomplishments and goals in teaching and research and candidates for appointment from outside the University should do so whenever feasible. The teaching record should be accompanied by evaluations of classroom instruction and all other pedagogical activity. External letters of evaluation should be solicited from leading experts in the field chosen for their competence to judge the candidate's academic and, where appropriate, professional qualifications (to be documented by inclusion in the dossier of biographical information); whenever possible, such experts should be full professors at research universities, but it is recognized that the relevant expertise may be found at other institutions and at other ranks as well. Although some of the reviewers may be selected from a list of names provided by the candidate, most should neither be from that list nor have a close personal or professional relationship with the candidate. The dossier must include all letters of evaluation received, as well as information on all those asked to give an evaluation that did not do so. Each school must develop specific and detailed guidelines and timetables for dossier preparation and evaluation.

4.6.2.2 Evaluation Process

Evaluation of each faculty member shall be made at the time of consideration for tenure and promotion to Associate Professor and/or promotion to Professor. The quality of the faculty member's work is to be assessed by a careful and thorough review by the faculty member's colleagues in the department, school, and discipline(s), the dean of the school, and the Senior Vice President for Academic Affairs and Provost. Before making a final decision, the Provost will discuss the

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case with the school's dean and academic review committee in situations where the review has produced conflicting outcomes.

In the case of joint appointments, the units involved will schedule a joint departmental level meeting (the first level dossier reviewers of each unit) to discuss the case and establish any additional procedures, if necessary. Each department/school will then proceed with their normal processes for promotion and tenure or promotion to full professor reviews. Each department/school will forward their recommendations to both school's Promotion and Tenure Committee. The Promotion and Tenure Committees will hold a special joint meeting to discuss and make recommendations on the case. These recommendations will be forwarded to each dean. The deans will add their own recommendations and forward the dossier to the Senior Vice President for Academic Affairs and Provost.

If the evaluations are positive, the faculty member shall receive a notification from the Senior Vice President for Academic Affairs and Provost on behalf of the President and the Board of Administrators stating the new status. If the decision is negative, the faculty member shall receive timely notice, as specified in Section 4.6.2.3 below, that his or her appointment of employment with the University will not be renewed. In the case of negative decisions, the faculty member shall have the right to request reconsideration (based on new evidence) as outlined in each school's Promotion and Tenure policies. Subsequently, the faculty member also has the right to pursue a grievance as outlined in Chapter 7.

If a formal review of a faculty member for promotion to Associate Professor and tenure has not been initiated by the beginning of the specified year as described above, or if formal tenure review has not been initiated by nine months before the Tenure Decision Date, it is the duty of the faculty member to bring this to the attention of the Senior Vice President for Academic Affairs and Provost by written notice. The Provost shall then notify the appropriate school to commence the review procedure. There is no such thing as de facto tenure or tenure by default.

4.6.2.3 Non-Reappointment for Tenure-Track Faculty

In the case of non-reappointment of a tenure-track faculty member, the faculty member shall receive notice of non-reappointment, in writing, at least twelve months before the expiration of the appointment after two or more years at the University as an Assistant Professor.

If the result of a formal review is to deny promotion and tenure, the faculty member shall be offered a terminal year of employment. Faculty may seek reconsideration in the terminal year in accordance with the policies of individual schools. They may also appeal such decisions, as outlined in Chapter X.

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In the case of non-reappointment or terminal year notice, during this period the faculty member will continue to receive his or her full salary and benefits, but the faculty member's responsibilities may be altered by mutual agreement between the faculty member and the University. Alternatively, the Senior Vice President for Academic Affairs and Provost may authorize early termination of the faculty member's performance of duties; in such a case, the faculty member will receive compensation equivalent to salary for the notice period.

4.6.2.4 Timing

Tenure and promotion ordinarily will occur on July 1 or January 1 for mid-year appointments, after approval by the Senior Vice President for Academic Affairs and Provost and approval by the Board of Administrators. In the School of Medicine, tenure and promotion reviews are conducted year-round.

4.7 EVALUATION, REAPPOINTMENT AND PROMOTION OF NON-TENURE TRACK FACULTY

1. The University has no obligation to renew a non-tenure track faculty appointment after its expiration and subject to applicable accreditation requirements.
2. Notice of non-renewal is not required for appointments of fewer than three years.
3. University policies and unit specific guidelines approved by the Senior Vice President for Academic Affairs and Provost address the question of review and recommendation procedures for appointment, review, reappointment and/or promotion of non-tenure track faculty.
4. Procedures for appointment, reappointment and promotion shall provide thoroughness and documentation sufficient for evaluation of the suitability and qualifications of the candidate, and review and recommendation by an appropriate faculty body. The quality of the faculty member's work is to be assessed by a careful and thorough review by the faculty member's colleagues in the department, school, and discipline(s), the dean of the school/unit, and the Senior Vice President for Academic Affairs and Provost.
5. Professors of Practice and Lecturers with appointments of three or more years are evaluated for reappointment during the penultimate year of the appointment term. If the results of the performance review are negative (recommendation to not reappoint), the faculty member will have one year's notice before his or her employment is terminated. Faculty may seek reconsideration in the terminal year in accordance with the policies of individual schools/units. They may also appeal such decisions, as outlined in Chapter X. If the results of the performance review are positive, the faculty member should receive detailed feedback from the dean and/or direct supervisor in writing.

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6. One year appointments of non-tenure-track faculty may be terminated earlier than their stipulated end, with a minimum of 90 days' notice, if there is a bona fide need to do so (a) based on cutbacks in external sources of funding for the specific activity, or (b) based on substantial program change or departmental reorganization or substantial resource limitations in the school, or (c) based upon poor performance or adequate cause, in which case the dean must consult first with the appropriate faculty committee. Dismissals for cause must be in accord with the procedures specified in Chapter X.

During any notice period the faculty member will continue to receive his or her full salary and benefits, but the faculty member's responsibilities may be altered by mutual agreement between the faculty member and the University. Alternatively, the Provost may authorize early termination of the faculty member's performance of duties. In such a case, the faculty member will receive compensation equivalent to 90 days salary.

7. Procedures for reappointment and promotion do not apply to individuals on non-renewable contracts.

4.8 PROCEDURES AND CONSIDERATIONS FOR OTHER APPOINTMENTS

4.8.1 Appointments to Administrative Office (other than Department Chair/Program Director)

A member of the faculty who is appointed to an administrative office retains full faculty status in his or her academic unit(s), even if he or she is either partially or entirely relieved of teaching/research duties. The rules of tenure (for tenured/tenure track faculty) or reappointment (for non-tenure track faculty) continue to apply in regard to faculty status but not to the administrative position.

Promotion or salary increase in the administrative position is independent of faculty considerations; promotion in faculty rank will continue to depend on policies of the school in which the faculty member retains membership.

Faculty members appointed to administrative office who are required to perform their administrative duties over a twelve-month period are eligible to take reasonable paid vacation leave. The grant of such vacation leave is not guaranteed, is discretionary in nature and is subject to the approval of the administrative officer's department head. Vacation leave does not accrue, and accordingly, "unused" vacation leave of this type will not be paid upon termination of the appointment.

A person from outside the University who is newly appointed to an administrative office, and who has qualifications for faculty status as shown by the appropriate

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process, may be given such status with or without tenure according to the established procedures of the appropriate academic unit regarding new faculty appointees of similar rank and experience.

Appointments to administrative positions, including departmental chair, dean, director, or general University administrative offices (such as the President and Provost) have no tenure in office. A faculty member who also holds an administrative position may be removed from the administrative position, but not from faculty membership, without reference to the principles of academic tenure.

4.8.1.1 Reappointments to Administrative Office

Administrators generally receive five-year appointments that are renewable after a multi-layered review. Review of deans and interdisciplinary center or program directors are conducted by the Office of Academic Affairs and Provost. In schools that have developed processes for the review of deans, reviews will be conducted in collaboration with the faculty of the schools/units.

4.9 RESIGNATION FROM A FACULTY APPOINTMENT

A faculty member may terminate his or her appointment by resignation effective at the end of an academic year, provided he or she gives notice in writing at the earliest possible opportunity in accordance with the rules of a particular school or unit.