

Working Draft 11/11/2014

**UNIVERSITY OF DENVER**

**POLICIES AND PROCEDURES**  
**FACULTY PERSONNEL GUIDELINES**  
**RELATING TO FACULTY**  
**APPOINTMENT,**  
**PROMOTION, AND TENURE**

**Revised 2014**

NOTE:

The 3/3/2014 version was approved by the Senate and Faculty in April/May of 2014

Text like this = Text from the 3/3/2014 version that remains in the 11/11/2014 version  
Text like this

**Approved by the Board of Trustees**  
**XXXXXXXX**  
**TABLE OF CONTENTS**

1. Preface

- 1.1 Academic Freedom
- 1.2 Professional Behavior and Responsibility
- 1.3 Equal Opportunity Discrimination and

Page

- Associate Professor
- C. Reappointment to Associate Professor, Promotion to Full Professor, and Initial Appointment to Full Professor
- D. Reappointment to Full Professor
- 3.4.4 Term-Limited Appointments
- 3.5 Qualifications for: INSTRUCTOR
- 3.6 Qualifications for: ASSISTANT PROFESSOR
- 3.7 Qualifications for: ASSOCIATE PROFESSOR
- 3.8 Qualifications for: PROFESSOR

4. Promotion

- 4.1 Philosophy
- 4.2 Policies for Promotion
- 4.3 Types of Evidence for Promotion Decisions
  - 4.3.1 Vita
  - 4.3.2 Teaching
  - 4.3.3 Scholarly Research and/or Creative Activity
  - 4.3.4 University Service
  - 4.3.5 Professional/Public Service
  - 4.3.6 Regional, National, or International Stature
- 4.4 Procedures for Promotion
  - 4.4.1 Composition of the Academic Unit Promotion Committee
  - 4.4.2 Meetings of the Academic Unit Promotion Committee
  - 4.4.3 Soliciting Information
  - 4.4.4 Confidentiality
  - 4.4.5 Recommendation by the Academic Unit Promotion Committee
  - 4.4.6
  - 4.4.7 Recommendation by the College, School, or Division Promotion Committee
  - 4.4.8 Recommendation by the Dean
  - 4.4.9 Recommendation by the Provost
  - [4.4.10 Decision by the Board of Trustees](#)
  - 4.4.10 Gaps and Ambiguities

This heading was incorrectly omitted. No new Section has been added.

5. Tenure

- 5.1 Philosophy
- 5.2 Pre-Tenure Review
- 5.3 Policies for Tenure Decisions
- 5.4 Procedures for Tenure Decisions
- 5.5 Tenure Probationary Periods and Notification Dates

6. Termination of Appointments

- 6.1 Preamble

- 6.2 Involuntary Termination of Tenure of Non-tenured Appointments during their Term
  - 6.3 Termination for Cause
  - 6.4 Termination Because of Discontinuance of an Academic Unit
  - 6.5 Termination During a State of Financial Exigency
  - 6.6 Termination to Avoid Financial Exigency
  - 6.7 Rights of Terminated Faculty Members
- 7. Reviews and Appeals
    - 7.1 Scope
    - 7.2 Basis of Reviews and Appeals
    - 7.3 Review of Negative Academic Unit Recommendations
    - 7.4 Appeal of Negative Provost Recommendations



revised by the Faculty Senate from 1989 to 1992, were approved by the Board of Trustees on January 22, 1993 subject to a final vote of approval by the faculty, and were adopted by a vote of the full faculty on April 9, 1993. Additional modifications were adopted by the Faculty Senate in October, 1995, and were approved by the Board of Trustees on January 19, 1996. The Faculty Senate adopted further modifications on May 4, 2001 and the Board of Trustees approved these modifications on June 8, 2001. The Faculty Senate approved additional changes in March, 2014. Faculty members who held appointed and benefitted positions in either the Tenure-line Professorial Series, Professorial Series in University Libraries, Lecturer Series, Clinical Professorial Series, or Research Professorial Series were asked to vote on those additional changes in April,

[Additional changes \(including renaming the document Policies and Procedures Relating to Senate in XXXXXX. Faculty members who held appointed and benefitted positions in either the Tenure-line Professorial Series, Professorial Series in University Libraries, Lecturer Series, Clinical Professorial Series, or Research Professorial Series were asked to vote on](#)

---

The Board of Trustees appro

centers must be consistent with the guidelines of any college, school, or division that

| In accordance with the University ~~of Denver~~'s commitment to the teaching and practice of ethics, faculty members should be guided by a deep conviction to the worth and dignity of the advancement of knowledge. Faculty members should also recognize the special responsibilities placed upon them because of their role as teachers and scholars.

| As public representatives of the University, faculty members ~~shall~~must demonstrate the highest standards of integrity, truthfulness, honesty and fortitude in all of their professional activities. Faculty members are expected to act with professionalism in all they do and to be good citizens of the University and the greater academic and public communities. Good citizenship, however, does not preclude the exercise of academic freedom (see Section 1.1).

| \_\_\_\_\_ Faculty members ~~shall~~may not intimidate, exploit, or illegally harass or discriminate in their treatment of students, staff, colleagues and other associates (also see Section 1.3). In addition, faculty members are obligated to treat others



harassment on the basis of the above listed classifications. Discrimination and/or harassment on these bases is a violation of the law and also threatens an academic atmosphere characterized by freedom of inquiry and expression and will not be tolerated.

To protect against unlawful discrimination and harassment and to ensure equal opportunity, the University ~~of Denver~~ has established an Office of Equal Opportunity to review the complaint of any person within the University community who feels that she or he has been the subject of discrimination or harassment in violation of University policy or the law. The process of review is described more fully in other University documents (for more details consult with the Office of Equal Opportunity). Harassment or unlawful discrimination of any kind is a violation of University policy and will be subject to severe sanctions up to and including termination for cause (see Section 6-).



appointments. Tenured faculty members have appointments that are continuing rather than annually renewed.

and the Provost.

**2.1.6 Administrative Appointments**

Administrators having earned faculty rank and/or tenure in an academic unit may maintain their faculty rank and tenure while serving as administrators. Newly appointed administrators desiring faculty rank and/or tenure must negotiate this with an academic unit and receive the approval of the Dean and Provost.

**2.2 Faculty Series**

Faculty appointments fall into the following series: Tenure-Line Professorial Series, Professorial Series in University Libraries, Teaching Professorial Series, Clinical Professorial Series, Professor of the Practice Series, Research Professorial Series, Adjunct Professorial Series, Visiting Professorial Series, In-Residence Series, and the Emeritus Professorial Series. These categories of faculty appointments and their associated titles are described below. Appointments that use categories other than those specified herein are not to

significantly.

### **2.2.1 Tenure**



Appointment, annual review, reappointment, promotion, and termination of faculty members in the Clinical Professorial Series shall be made in accord with the philosophies, policies, procedures, and evaluation criteria in the present document.

The evaluation criteria for appointment, annual review, reappointment, and promotion shall be the same as in Sections 3.5 through 3.8 except that they shall be based primarily on excellence in the field of specialization and quality of teaching, participation in [shared institutional self-governance](#), and service to the University, profession, and public.

### 2.2.5 Professor of the Practice Series

Faculty members in the Professor of the Practice Series have expertise, achievements, and reputations developed over a sustained period of time that qualify them to be distinguished professionals in an area of practice, although they [may-might](#) not have academic credentials or experience. Faculty members in the Professors of the Practice Series have extensive experience in professional practice outside a university setting and have the skill set they need to fulfill the responsibilities of their appointment from professional practice outside a university setting. The responsibilities of this position are teaching courses, seminars, and independent studies with undergraduate and graduate students or other duties that the academic unit and Dean determine are appropriate. A primary function of faculty members in the Professors of the Practice Series is to provide students with connections to the professional fields the students will be entering.

This series is BDC0 1 2cnTm.79 Tm(u)-9(nde)6(r)-6(g)10(r 548.93 Tm]-1d qm(nt)-12( )TJETBT1 0 0 1e

### 2.2.6 **Research Professorial Series**

The Research Professorial Series is appropriate for research positions in an academic unit. This series includes the ranks of Research Professor, Research Associate Professor, and Research Assistant Professor.

The Research Professorial Series does not necessarily imply a remunerative relationship with the University. Appointment and reappointment are subject to the availability of [external](#) funding and may terminate due to the lack of [external](#) funding. Such termination shall not be considered a discharge. In most cases, the generation of adequate research funds is the responsibility of the faculty member. When approved by the Provost, faculty members in the Research Professorial Series may be hired without external funding when having a title in the Research Professorial Series would help in obtaining external funding.

[Assuming adequate funding,](#) appointment, annual review, reappointment, promotion, and termination of faculty members in the Research Professorial Series shall be made in accord with the philosophies, policies, procedures, and evaluation criteria in the present document [except that no](#)



employees of the University, other scholars and scientists, or emeritus professors.

The philosophies, policies, and procedures for the termination of the appointments of Adjunct faculty members during their term shall follow the procedures in Section 6. ~~Other p~~Philosophies, policies, and procedures- for appointment, reappointment, and promotion

### **2.2.9 In-Residence Series**

### 3. APPOINTMENT, ANNUAL REVIEW, AND REAPPOINTMENT

#### 3.1 Appointment Policies

The qualifications a candidate shall possess to be appointed to a rank are specified in Sections 3.5 - 3.8.

#### 3.2 Appointment Procedures

All appointments ~~shall~~<sup>must</sup> be recommended by and negotiated with an academic unit. Procedures for recruiting candidates for faculty appointments vary according to the nature of the position, i.e., whether the position is a full-time or part-time position, term-limited or renewable. Appointed faculty postings and contract terms are recommended by

~~Refer to the Faculty Hiring Guide~~  
(which can be found at the DU Portfolio) for posting requirements of faculty positions.

(wh2(ng)10( r)-5( 515.4 Tm0 gvv2)n85002F2P

schools, divisions, departments, and centers have an obligation to inform faculty members when changes are made to University, college, school, division, department, or philosophies, policies, and procedures. Correspondingly, faculty members have an obligation to ensure that they have a full understanding of the philosophies, policies, and procedures for appointment, annual review, reappointment, promotion, and (as applicable) pre-tenure and tenure review, and to keep themselves informed of changes in these philosophies, policies, and procedures.

### 3.3 Annual Review of Faculty Members Performance

All appointed faculty members are subject to annual review. Each academic unit ~~shall~~must conduct an annual review of each faculty member, wherein the past year's performance ~~shall~~will be discussed, evaluated, and documented. Mutually agreed upon goals and priorities for the subsequent year also shall be established during the annual review with the understanding that their attainment is to be considered as one aspect in the future evaluation by the academic unit for reappointment, promotion, salary increases, and pre-tenure and tenure review, if applicable. Academic units shall make reasonable effort to inform all non-tenured, tenure-line faculty members of the tenure process, standards of judgment, and the faculty member's relative progress in fulfilling expectations.

3.3.1 In preparation for the annual review, each faculty member ~~shall~~will submit a written summary to the \_\_\_\_\_ administrative head of her/his past year's performance and her/his goals and priorities for the subsequent year. The report ~~shall~~will be based on the appropriate criteria for subsequent annual review, reappointment, promotion, and (as applicable) pre-tenure and tenure review (see Sections 3.5 to 3.8).

3.3.2 The academic unit \_\_\_\_\_ or designated committee ~~shall~~will meet with each faculty member to discuss and evaluate the report.

3.3.3 In conjunction with the annual review meeting, the academic unit \_\_\_\_\_ administrative head ~~shall~~will prepare a brief written report of the evaluation and goals for the subsequent year with a copy given to the faculty member. The faculty member may attach a written response to the report.

3.3.4 The faculty member's report, the academic unit \_\_\_\_\_ evaluation and the faculty member's response ~~should~~ shall be entered as part of the faculty

A reappointment shall be offered only following a substantive review of a faculty member's performance during the previous appointment. The qualifications a candidate shall possess to be reappointed to a rank are specified in Sections 3.5 - 3.8.

Reappointment is primarily recognition of excellent performance. Reappointment decisions ~~shall~~ must be based on rigorous standards and reappointment ~~may~~ shall be denied if past performance is not of sufficiently high quality or does not meet the standards of professional behavior in Section 1. Reappointment may also be denied for

To be promoted in rank from Instructor to Assistant Professor, a faculty member ~~shall~~<sup>must</sup> meet the qualifications for the rank of Assistant Professor (see Section 3.6).

Unless the policy and procedures of the academic unit stipulate otherwise, the

upon by the faculty of that academic unit and approved by the Dean.

TheA reappointment review shall be conducted no later than during the last year of contract. The decision reached in a reappointment review shallmust be shared with the faculty member in writing.

If the decision to reappoint an Assistant Professor is negative and if the faculty member has been employed as an Assistant Professor at the University for less than three years, shall end in one of two ways. If the decision reached in the reappointment review wasis shared with the faculty member on or before April 1 of the last year of the current contract, t appointment shall contract. If the decision reached in the reappointment review is shared with the faculty member after April 1 of the last year of the faculty current contract, the faculty member shall be awarded a contract for one additional year beyond the current contract, after which the faculty appointment shall end.

If the decision to reappoint an Assistant Professor is negative and if the faculty member has been employed at the rank of Assistant Professor for three years or more, appointment shall end in one of two ways. First, if the decision reached in the reappointment review is shared with the faculty member before the beginning of the last year of the shall expire at the end of the current contract. Second, if the decision reached in the reappointment review is shared with the faculty member after the beginning of the last ye the faculty member shall be awarded a contract for one additional year beyond the current contract, after which the faculty memb appointment shall end.

Unless the policiesy and procedures of the academic unit stipulate otherwise, the appeal and review procedures in Section 7 are not available for negative reappointment decisions at the rank of Assistant Professor. However, faculty members may pursue grievance procedures (see the Department of Human Resources for further information).

**B. Promotion to Associate Professor and Initial Appointment to Associate Professor**

An Assistant Professor may request review for promotion to Associate Professor at any time during service at the rank of Assistant Professor. If

the faculty member does not request review at an earlier time, the review



**C. Reappointment to Associate Professor, Promotion to Full Professor, and Initial Appointment to Full Professor**

A review for the reappointment of an Associate Professor shall include a review for promotion to Full Professor. Conversely, a review for the promotion of an Associate Professor shall include a review for reappointment.

The policies and procedures for the reappointment and promotion of an Associate Professor shall be the same as the policies and procedures for promotion as specified in Section 4 (including the policies and procedures

Section 4.

The review for reappointment and promotion of an Associate Professor shall be conducted no later than the next to last year of the faculty

unit and the faculty member, a review for reappointment and promotion may be conducted prior to the next to last year of the faculty memb

If the review for the reappointment and promotion of an Associate

current contract, the review shall result in one of [the](#) following three outcomes:

- i. The Associate Professor may be promoted to Full Professor and awarded a seven-year contract that begins the year after the year in which the review was conducted. To be promoted to Full Professor and receive a seven-year contract, an Associate Professor ~~shall~~[must](#) meet the qualifications to be appointed to the rank of Full Professor (see Section 3.8).
- ii. The Associate Professor may be awarded another five-year contract without promotion in rank (where the new contract begins the year after the year in which the review was conducted).
- iii. The Associate Professor may be denied a reappointment, in shall expire ct.

If the review for reappointment and promotion of an Associate Professor

contract (because the academic unit and the faculty member agreed to an  
shall result in one of the two following  
outcomes:

- i. The Associate Professor may be promoted to Full Professor and awarded a seven-year contract that begins the year after the year in which the review was conducted. To be promoted to Full Professor and receive a seven-year contract, an Associate Professor ~~shall~~must meet the

#### **3.4.4 Term-Limited Appointments**

Term-Limited appointments are not renewable. The length of appointment is specified in the contract letter.

#### **3.5 Qualification for: INSTRUCTOR**

The candidate shall possess the same qualifications as for promotion to Assistant Professor (see Section 3.6) except that the candidate does not yet have the educational background or achievement appropriate to Assistant Professors in his/her discipline. Normally, this means the candidate is working toward but has not yet completed his/her

- C. Ability to perform scholarly work and/or creative activity shall be judged on:
  - i. statements from his/her professors in graduate school, including research directors (if applicable);
  - ii. copies of published and unpublished writing, including the dissertation, and/or evidence of creative activity.
- D. Where feasible and appropriate, the types of evidence described in ability to teach and perform scholarly work and/or creative activity.

### **3.7 Qualifications for: ASSOCIATE PROFESSOR**

- 3.7.1 The candidate shall have demonstrated growth and accomplishments in his/her academic career. The normal career would span approximately six years of increasing academic responsibility, but persons demonstrating unusually high academic promise may have gained equivalent experience in a shorter time or in nonacademic fields. When the standards of certain disciplines differ in career patterns, consideration may be given to those standards. Growth can be judged by evidence of development of new talents or expertise in successively broader fields, or increasingly significant contributions made in a single field.
- 3.7.2 The candidate shall have the educational background appropriate to Associate Professors in his/her discipline. Normally this means possession of a terminal degree (a doctorate or its equivalent for his/her field), but a candidate having strong achievements in teaching, scholarly research, and/or creative activity,

- 3.8.1 The candidate shall have demonstrated growth and significant accomplishments in his/her academic career. The normal career would span approximately eleven to fifteen years of increasing academic responsibility, but persons demonstrating unusually high academic promise may have gained equivalent experience in a shorter time or in nonacademic fields. When the standards of certain disciplines differ in career patterns, consideration may be given to those standards. Growth can be judged by evidence of development by the individual of new talents, or expertise in successively broader fields, or increasingly significant contributions made in a single field.
- 3.8.2 The candidate shall have the educational background appropriate to Professors

## 4. PROMOTION

### 4.1 Philosophy

The University of Denver is committed to academic excellence as determined principally by teaching, scholarly research and/or creative activity, participation in [shared institutional self](#)-governance, and service to the University, profession, and public. Both promotion to a higher academic rank and reappointment are primary ways for recognizing such excellence in performance. Decisions about the promotion of a faculty member ~~shall~~ must be based upon high standards to ensure that the candidate possesses qualifications which meet current University, college, school, division, department, and center expectations. It is recognized that standards for promotion may change over time.

As we improve our quality standards for faculty performance, faculty members who may have qualified for promotion at some past time might no longer do so. As we state and invoke higher standards, however, we ~~shall~~ must avoid unfairness to previously appointed faculty members, which might be caused by retroactive application of higher standards without reasonable time and opportunity to meet these standards.

### 4.2 Policies for Promotion

Promotion to a higher rank by the University is primarily recognition of excellent performance in teaching, scholarship, and/or creative activity. Consideration is also given to contributions to the [shared institutional self](#)-governance of the University and to professional/public service. The qualifications a candidate red

The candidate shall submit to the academic unit promotion committee (see Section 4.4) a comprehensive and current vita.

**4.3.2**







- iv. The academic unit promotion committee or the administrative head of the academic unit is obligated to make written requests for evaluation of the candidate s scholarly/creative abilities from each of the persons on the list as amended by the candidate. Reasonable time should be allowed for securing written evaluations.

#### 4.3.4 University Service

Evidence of the quality and quantity of University service ~~should~~ shall be considered in the evaluation process to the extent University service is a component of the candidate s responsibilities. University service ~~shall~~ can be judged by memberships and performance on the various advisory or governmental committees and organizations of the University, by participation in the necessary advisory, examination, governance, and other duties of the academic unit, by participation in formal University functions and ceremonies, by advising student organizations, by student recruitments

form of recognition.

- B. Statements from recognized authorities in the candidate's specialized fields, cognate fields, interdisciplinary fields, and areas of applied practice relating to the individual's work and abilities. If evaluations will not be obtained to assess scholarly output as specified in Section 4.3.3 or if the evaluations to be obtained in Section 4.3.3 are not anticipated to be adequate to assess international stature, additional evaluations may be sought. The procedures to be used to solicit additional evaluations should follow the procedures in Section 4.3.3 to the extent those procedures are deemed reasonable.
- C. Invitations to speak at or participate in major international, national, or regional conferences.

#### **4.4 Procedures for Promotion**

##### **4.4.1 Composition of the Academic Unit Promotion Committee**

Each academic unit shall have an academic unit promotion committee constituted according to guidelines agreed upon by the faculty of that academic unit and the Dean, which will make recommendations on promotion to the administrative head of the academic unit, the ~~appropriate~~ Dean (if he/she is not the administrative head of the academic unit) and the Provost.

The academic unit guidelines may stipulate that a single promotion committee be formed to consider promotions of all candidates. Or, the academic unit guidelines may stipulate that different promotion committees be formed for different candidates.

With the approval of the Dean, the academic unit guidelines may stipulate that an academic unit promotion committee serve concurrently as an academic unit reappointment committee (see Section 3.4).

An academic unit promotion committee ~~shall~~must have at least three active members who are eligible to vote on each candidate being considered for promotion. A faculty member

replaced (or omitted from the proceedings) because of a conflict of interest or other bias. Such a request will be granted only ~~with~~subject to the approval of the Provost.

All members of the promotion committee ~~shall~~must hold a tenure-line or renewable faculty position at the University ~~of Denver~~ as faculty positions are defined in Section 2. Each academic unit should decide which faculty members are eligible to serve on an academic unit promotion committee. The stipulation of eligibility should be approved by the Dean and included in the academic unit guidelines.

The academic unit guidelines may also stipulate which faculty members are eligible to be elected by the academic unit to serve on an academic unit review committee (see Section 7.3.3). In the absence of a separate stipulation of which faculty members are eligible to be elected by the academic unit to serve on an academic unit review committee, the same criteria ~~shall~~ apply for eligibility to serve on both the academic unit promotion committ





reviewers. To maintain confidentiality, it is recommended that the memorandum contain no quotations from external reviewers.

The academic unit promotion committee shall assemble a portfolio of the  
| . The portfolio ~~should~~shall include  
Section 4.4.3), the annual  
performance reports with any accompanying written responses by the candidate  
(see Section 3.3), and







## **5. TENURE**

### **5.1**







- C. Any faculty member with a part-time appointment in the Tenure-Line Professorial Series with professorial rank ~~shall~~<sup>will</sup> accrue time toward the probationary period for tenure at an appropriate rate (see Section 5.5.3.D).
- D. One year of full-time equivalent service accrues in one year when an appointment in the Tenure-Line Professorial Series is full time or in two years when the appointment is half-time and similarly for other part-time appointments.
- E. The conditions of appointment, i.e., whether full-time, half-time, and the like, are to be specified in the letter of appointment to the faculty member.
- F. Under special circumstances (e.g., when a faculty member is on an approved leave of absence or family leave), the time allotted for the leave need not count as part of the tenure probationary period, depending on specific arrangements with the Dean and approved by the Provost.

5.5.4 As specified in Sections 5.5.4.A through 5.5.4.E, separate deadlines are established for the decision to award tenure and for the awarding of tenure.



5.5.6 The procedure for arriving at a mutual agreement to count years of service in any Professorial rank at another college or university or experience in non-academic fields as part of the probationary period is as follows:

- A. In no case will the probationary period exceed seven years of aggregate equivalent full-time service (except as described in Sections 5.5.4.D and 5.5.4.E).



probationary period shall be correspondingly shortened.

## **6. TERMINATION OF APPOINTMENTS**

### **6.1 Preamble**

Faculty members who have been awarded tenure by the Board of Trustees have the right to continuance of the appointment without periodic notice. Tenured faculty may be deprived involuntarily of such tenure, and non-tenured faculty (including non-t



undertaken, without its advice being binding upon the Provost.

6.3.2 Written notice of termination for cause ~~shall~~<sup>must</sup> be communicated from the Provost to the faculty member.

A. This notification ~~can~~<sup>may</sup> be delivered personally to the faculty member or will be considered to have been communicated if delivered to the faculty member's University address and last known home address.

B. The effective date of the termination shall be stated in the notice, which date (barring a finding by the Provost of emergency circumstances) shall not be less than 90 days after the date of the notice. Also see Section 6.3.10.

C. The basis for termination must be stated at least in general terms.

6.3.3 If requested by the faculty member, a decision to terminate for cause











6.4.8 The report of the Review Committee with its recommendations and supporting documentation and evidence shall be forwarded to the chair of the Faculty Senate Academic Planning Committee, the chair of the Undergraduate Council, the chair of the Graduate Council, the head of the affected unit, and the Dean of the affected unit. The report shall also be forwarded to the Provost and the Chancellor, who will make the final decision regarding discontinuance subject to the approval of the Board of Trustees.

6.4.9 Termination because of discontinuance of an academic unit ~~shall~~ requires a minimum of twelve months notice.

## 6.5 Termination During a State of Financial Exigency

6.5.1 When financial exigency, defined according to Section 6.2.3, has been declared by the Board of Trustees, and such declaration recommends the reduction of faculty, the faculty of those academic units where reductions are to be made shall elect committees to develop a general plan for the reduction of faculty and to identify the positions to be eliminated or modified.

6.5.2 Each committee shall be composed of members who represent the major areas of instruction in the unit, and shall develop its plan in cooperation with the appropriate Dean. Plans identifying positions to be eliminated or modified ~~will~~ shall be submitted to the Provost and Chancellor within 30 days of the Board of Trustees declaration of a state of financial exigency.

6.5.3 In developing its recommendations to the Dean, the primary concern of the committees within units identified for reductions shall be the maintenance of a strong academic program. In evaluating the place of individual faculty members in the new structure, the following factors should be considered of primary importance where greater amounts of the following factors are to be given preference:

- A. Competence in teaching and in scholarly activities in the areas to be continued and emphasized,
- B. Competence, flexibility and adaptability in light of possible future shifts in emphasis and growth,
- C. Contribution to the University, to the profession and to the community in past and expected future performance, and
- D. Length of service, employability elsewhere within the University, rank, and seniority.

6.5.4 The recommendations from the committees within the academic unit(s) and the Deans shall be forwarded to the Chancellor and the Provost who will make the final decisions regarding terminations subject to the approval of the Board of Trustees.

6.5.5 Termination because a state of financial exigency has been declared ~~shall~~ requires a minimum of twelve months notice.

## **6.6 Termination to Avoid Financial Exigency**

6.6.1 If it becomes necessary to terminate tenured faculty members or non-tenured appointments during their terms due to financial conditions that threaten a state of financial exigency, a plan ~~shall~~ must be presented to the faculty and Faculty Senate for their approval accompanied by a clear demonstration of the need to terminate positions. The plan should include suggestions of the areas where

because of discontinuance of an academic unit, because a state of financial exigency has been declared, or because the faculty has voted to approve a plan for addressing financial problems.

- 6.7.2 Appeals by terminated faculty members shall be permitted ~~based~~ only upon alleged lack of "adequate consideration" (see Section 7.2), or upon the faculty member's belief that her/his academic freedom has been violated. The procedures for such appeals shall parallel, to the extent reasonable, those provided in Sections 6.3.3 – 6.3.10 of these Guidelines. In cases of dispute over the extent to which procedures parallel to those in Sections 6.3.3 – 6.3.10 are reasonable, the decision of the Provost, in consultation with the Personnel Committee of the Faculty Senate, is final.
- 6.7.3 Upon termination, the University shall make every effort, consistent with its educational mission, to relocate affected faculty members with tenure to other academic units within the University, where appropriate.
- 6.7.4 Upon request by a terminated faculty member, Deans shall try to assist terminated faculty members to remain in the employ of the University. For example, Deans might want to consider assistance such as a sabbatical or part-time employment during a retraining period for related employment or temporary employment in some position while waiting for an anticipated opening because of an impending retirement.
- 6.7.5 Terminated faculty members may not displace an untenured faculty member in any other academic unit. A terminated faculty member may apply for a vacant position and when such a faculty member has qualifications equal to those of outside candidates or when the faculty member would have been given the position had it been available at the time of termination, special consideration shall be given the terminated faculty member.

## **7. REVIEWS AND APPEALS**

### **7.1 Scope**



The academic unit review committee shall select its own chair. Committee decisions shall be reached by a simple majority vote [of the members of the](#)



Guidelines Policies and Procedures Relating to Faculty Appointment, Promotions, and Tenure will be suspended until the conclusion of any appeal taken under the procedures of the Office of Equal Opportunity (also see Sections 7.4.5 and 7.4.6).



