

Introduction

Tenure is awarded only by positive action by the Tennessee Board of Regents (TBR), pursuant to the requirements and procedures of this policy at Pellissippi State Community College. The awarding of tenure is recognition of the merit of a faculty member and of the assumption that he or she will meet the long-term staffing needs of the department or academic program unit and the College. The continued professional growth and development of faculty is necessary for Pellissippi State to continue to provide educational programs in accordance with the institution's mission, goals, and changing needs. Tenure is awarded only to those members of faculty who have exhibited professional excellence and outstanding abilities sufficient to demonstrate that their future services and performances justify the degree of permanence afforded by academic tenure.

The quality of the faculty of Pellissippi State is maintained primarily through the appraisal, by faculty and administrative officers, of each candidate for tenure. Tenure at Pellissippi State provides eligible full-time faculty with the assurance of continued employment during the academic year until retirement or dismissal for adequate cause, financial exigency, or curricular reasons, as further discussed herein. Tenure is not awarded in non-faculty positions.

The following policy of Pellissippi State Community College on academic tenure specifically acknowledges compliance with [TBR Policy 05:02:03:70 Academic Tenure for Community Colleges](#).

I. Definitions

The following are general definitions of words and terms used in this policy and are further defined in the subsequent sections of this policy.

- A. Academic Tenure A personnel status in an academic department or academic program unit of Pellissippi State Community College pursuant to which the academic or fiscal year appointments of full-time faculty who have been awarded tenure are continued at Pellissippi State until expiration or relinquishment of that status, subject to termination for adequate cause, for financial exigency, or for curricular reasons.
- B. Adequate Cause A basis upon which a faculty member, either with academic tenure or in a tenure-track, term, or temporary appointment, may be dismissed or terminated prior to the end of the specified term of the appointment. The specific grounds which constitute adequate cause are set forth herein.
- C. Financial Exigency The formal declaration by the Tennessee Board of Regents that Pellissippi State Community College faces an imminent financial crisis, that there is a current or projected lack of sufficient funds (appropriated or non-appropriated) for the campus as a whole to maintain current programs and activities at a level sufficient to fulfill its educational goals and priorities, and that the budget can only be balanced by extraordinary means that include termination of existing and continuing academic and non-academic appointments. Additional information may be found in [TBR Policy 5:02:06:00 Financial Exigency](#).

- D. Faculty Member A full-time employee who holds academic rank as instructor, assistant professor, associate professor, or professor. Further definition is in [TBR Policy 05:02:01:00 Definition of Faculty](#) and [Pellissippi State Policy 06:01:01 Faculty](#).
- E. Probationary Period A period of full-time professional service by a faculty member for whom an appointment letter denotes a tenure-track appointment in which he or she does not have tenure and in which he or she is evaluated by the College for the purpose of determining his or her satisfaction of the criteria for a recommendation for tenure. Probationary employment provides an opportunity for the individual to assess commitment to the College and for the College to determine whether the individual meets its perception of quality and/or projected need.
- F. Peer Group A group consisting of all tenured faculty from the tenure candidate's academic department or division, or Library Services, who vote whether or not to recommend the candidate for tenure to the candidate's academic dean or immediate supervisor. For candidates in departments with fewer than five tenured faculty members, a peer group of tenured faculty from related departments will be assembled as the candidate's peer group. In order to be eligible to participate in the peer review process for tenure, the faculty member must not have been released from more than 50 percent of his or her teaching load or other departmental duties for two of the last three academic years.
- G. Vote Peer group members vote by casting a ballot to recommend the candidate for tenure, not recommend the candidate for tenure, or abstain. An abstention is not a refusal to vote; rather, it signifies that the voter would be equally satisfied with either outcome (i.e., the candidate receiving tenure or not receiving tenure).
- H. Peer Group Meeting A meeting of as many members of the peer group as possible in which the members of the peer group may ask questions of the candidate, discuss the candidate's qualifications, and cast individual votes.

II. Consideration for Tenure

A. Tenure Appointments

1. No faculty member will be entitled to or acquire any interest in a tenure appointment at Pellissippi State without a recommendation for tenure by the president of the College and an affirmative award of tenure by the Board of Regents. No other person will have any authority to make any representation concerning tenure to any faculty member, and failure to file timely notice of non-renewal of a contract will not result in the acquisition of a tenure appointment, but will result in the right of the faculty member to another year of service at the College, provided that no tenure appeals remain outstanding due to lack of cooperation and/or appropriate action on the part of the candidate in completing the appeal process.
2. Recommendations for or against tenure should originate from the department or academic program unit to which the faculty member is assigned and include appropriate participation in the recommendation by a peer committee of tenured faculty. Peer committees have qualified privilege of academic confidentiality against disclosure of individual tenure votes unless there is evidence that casts doubt upon the integrity of the peer committee. This policy will be interpreted in a manner consistent with the [Tennessee Public Records Act](#), as recorded in

T.C.A. Sections 10-7-503 Records Open to Public Inspection and 504 Confidentiality of Certain Records. The recommendation for tenure must be made by the president to the chancellor and by the chancellor to the Board. In the event that tenure is awarded by the Board, the president will furnish to the faculty member written confirmation of the award.

3. The president may request tenure upon appointment for candidates with extraordinary credentials. The exception should be requested to the chancellor when the faculty member is employed.

B. Minimum Eligibility Requirements

1. Academic tenure may only be awarded to regular full-time faculty members who: (1) hold academic rank as instructor, assistant professor, associate professor, or professor and meet the minimum rank criteria for the rank held under [TBR Policy 5:02:02:30 Faculty Promotion at Community Colleges](#) and [Pellissippi State Policy 06:03:00 Faculty Promotion](#); (2) have been employed in a tenure-track appointment and have completed not less than the minimum probationary period of service as described in section C below; and/or as agreed upon in writing and signed by the president or his or her designee; and (3) have been determined by the College to meet the criteria for recommendation for tenure and have been so recommended pursuant to this policy.
2. Faculty members supported in whole or in part by funds available to the College on a short-term basis, such as grants, contracts, or foundation sponsored projects, may be eligible for tenure if continuing support for such members can be clearly identified in the regular budget of the College upon the recommendation of tenure to the Board.
3. Pellissippi State may establish additional reasonable requirements for the eligibility of faculty for consideration for tenure. These may include but are not limited to the completion of a specified degree in the faculty member's discipline.

C. Length of Probationary Period

1. Faculty may be employed on annual tenure-track appointments for a maximum probationary period that may not exceed six years. A recommendation for tenure of a faculty member may be made by the president following a probationary period of not less than five years. Exceptions to the minimum probationary period may be made under special circumstances upon recommendation by the president and approval by the chancellor. Upon approval of such an exception by the chancellor, the faculty member's recommendation for tenure will go forward to the Board as meeting the requirements for the probationary period.
2. When a faculty member on a tenure-track appointment completes the fifth year of the probationary period or is granted an exception in the length of the probationary period as noted above, the faculty member is notified by the chief academic officer during the spring semester of his or her eligibility to apply for tenure during the following academic year. Tenure eligible faculty may only apply for tenure one time, and the faculty member must apply for tenure consideration in accordance with the official tenure procedure in the academic year immediately following notification. At the conclusion of the tenure process, the faculty member will either be recommended for tenure by the

president or will be given notice of non-renewal of the appointment following the sixth year of service. Such notice of non-renewal should be given not later than the final day of the fifth academic year. The faculty member's right in an instance where timely notice is not given is described in A1 above.

D. Calculating the Probationary Period

Only full-time continuous service at the College will be included in determining completion of the probationary period unless a break in service is approved. Employment during summer terms and in part-time positions will not be credited toward satisfying the probationary period.

1. Credit for Prior Service

- a. Credit toward completion of the probationary period may, at the discretion of the president, be given for a maximum of three years of previous full-time service at other colleges, universities, or institutes, provided that the prior service is relevant to Pellissippi State needs and criteria. Any credit for prior service which is recognized and agreed to must be confirmed in writing at the time of the initial appointment.
- b. Credit toward completion of the probationary period may, at the discretion of the president, be given for a maximum of three years of previous full-time service in a temporary or term faculty appointment at Pellissippi State or in an earlier tenure-track appointment at Pellissippi State which has been followed by a break in service. Any credit for prior service in a temporary full-time faculty appointment at Pellissippi State or in earlier tenure-track appointment at Pellissippi State which has been followed by a break in service must be recognized and confirmed in writing in the appointment letter to a tenure-track position.
- c. Tenure-track faculty who begin in January may be awarded one year of academic credit toward tenure.

2. Leave of Absence. The period of approved leave of absence will be excluded from the required probationary period. A faculty member may apply for a maximum of two, non-consecutive, one-year leave increments. Exceptions may be granted by the president if requested in writing prior to the leave of absence. Exceptions may include:

- a. crediting the leave periods to the probationary period and/or
- b. granting more than two, non-consecutive, one-year increments with approval of the chancellor.

3. Stopping the Tenure Clock. A faculty member may request to “stop the tenure clock” during his or her probationary period when circumstances exist that interrupt the faculty member’s normal progress toward qualifying for tenure. In such cases, the faculty member may request to “stop the clock” for one year if he or she demonstrates that circumstances reasonably warrant the interruption. Reasons will typically be related to a personal or family situation requiring attention and commitment that consumes the time and energy normally devoted to faculty duties and professional development. Examples may include childbirth or adoption, care of dependents, medical conditions or obligations, physical disasters or disruptions, military deployment, or similar circumstances.

4. Administrative Appointment. A faculty member appointed to an administrative position may remain eligible for tenure consideration. The faculty member must:
 - a. qualify for tenure under the College's guidelines;
 - b. maintain a significant involvement in academic pursuits including teaching, service/outreach, and scholarship/creative activities/research. The time or a prorated portion of the time spent in the administrative position may be credited toward completion of the probationary period.
5. Transfer to Another Department or Unit. When a faculty member is serving a probationary period in a department or academic program unit and is subsequently transferred to another academic unit or program the faculty member –may—with the approval of the president—elect to begin a new probationary period on the date the transfer occurs. If he or she does not so elect (and confirm in writing to the president), time spent in the first appointment will count toward establishing the minimum and maximum probationary period (see C1 above).

III. Criteria to be Considered in Tenure Recommendations

The nature and relative importance of the criteria for the recommendation for tenure are related to the nature, mission, and goals of Pellissippi State and of the department in which a faculty member is employed. The relative weight of each criterion depends upon the exact job description and assigned duties. After the faculty member has met the minimum eligibility requirements as outlined in section B above, the primary criteria for tenure consideration are the same as those used in the faculty evaluation system developed and implemented by Pellissippi State. These criteria include the following: teaching effectiveness, service to Pellissippi State, community service, student interaction/academic advising and professional development. Along with the results shown on the evaluation system, an additional criterion to be considered is the candidate's ability to achieve personal objectives and objectives of the department and the College. Criteria for tenure relate to the College's three traditional missions: teaching, service/ outreach, and scholarship/creative activities/research. In the community college setting effective teaching is of paramount importance.

A. Instruction

1. During the probationary period, the faculty member will have demonstrated successful teaching or, in the case of non-teaching faculty, will have demonstrated expertise commensurate with job responsibilities. A demonstration of successful teaching experience will include student perception of instruction during the entire probationary period.
 2. During the probationary period, the faculty member will have demonstrated a pattern of significant contribution in at least one instructional area.
- B. During the probationary period, the faculty member will have demonstrated a pattern of significant contribution in at least one service area.
 - C. During the probationary period, the faculty member will have demonstrated a pattern of significant contribution in at least one professional development area.
 - D. Potential areas for significant contributions are stated as criteria in the categories listed in the Faculty Evaluation Form. The lists are not inclusive; other possibilities should be discussed with the academic department dean or supervisor. Contributions

will be evaluated by the peer group for significance and appropriateness during the peer review and peer meeting process (described in Section V below). All contributions must be documented, and the faculty member will retain this documentation for at least three years after receiving tenure.

IV. Portfolio Development

The faculty member must develop a portfolio that includes his or her formal annual faculty evaluations in combination with relevant narratives for the probationary period, providing evidence that the candidate meets tenure criteria. This portfolio will comprise the major input for tenure consideration. It will be reviewed and assessed by all levels involved in the decision-making process as outlined in this policy. The portfolio may be created either on paper and submitted as a notebook or electronically through a secure electronic system as implemented by the Promotion and Tenure Committee. The portfolio will have the following sections:

- A. Vita/Résumé. The candidate must submit a current résumé or teaching vita.
- B. Teaching. Effective teaching is an essential qualification for tenure, and tenure will be granted only with clear and documented evidence of the candidate's teaching ability and potential for continued development. Effective teaching may include the use of research-proven methods of active learning, such as common academic experiences, learning communities, writing assignments, collaborative learning activities, research projects, global or international course components, service-learning, internships, and capstone projects. The following items will be included in the portfolio, as appropriate, as evidence of effective teaching. (Although appropriate documentation in the teaching category must be kept by the candidate for a minimum of three years after receiving tenure, it is not required to be included in the portfolio.)
 1. Statement of teaching philosophy.
 2. Summary of the "teaching" section from the annual faculty evaluations during the probationary period, along with reflections on teaching experiences during that time and descriptions of the perceived impact of teaching activities and assignments on student retention and student learning.
 3. Limited documentation if it is of an extraordinary nature or provides clarity to the teaching narrative.
- C. Service/Outreach. Service and outreach includes the faculty member's activities in college service, outreach or public service, and professional service. Narratives to provide evidence of performance in one or more of the following activities should be submitted. (Although documentation in the service/outreach category must be kept by the candidate for a minimum of three years after receiving tenure, it is not required to be included in the portfolio.)
 1. College service refers to activities other than teaching and scholarship performed at the department or college level and is expected of every faculty member. College service includes, but is not limited to, serving on departmental, faculty, or college-wide committees, advising students, and participating in college activities. More extensive functions, such as membership on a specially appointed task force, serving as advisor to a student organization, and membership on a college search committee should be taken

into account in consideration for tenure. College service also includes serving as lead teacher or program coordinator.

2. The outreach or public service function is the College's outreach to the community and society at large, with major emphasis on the application of knowledge for the solution of problems with which society is confronted. Outreach primarily involves sharing professional expertise and should directly support the goals and mission of the College. A vital component of the College's mission, public service must be performed at the same high levels of quality that characterize the teaching function.
 3. Professional service refers to the work done for organizations related to the faculty member's discipline or to the teaching profession in general. Service to the profession includes activities such as service on statewide or TBR committees, guest lecturing on other campuses and other appropriate activities. Membership in professional organizations is also considered outreach.
 4. Although documentation is not normally included in the portfolio, some documentation can be included if it is of an extraordinary nature or necessary to clarify information in the narrative.
- D. Scholarship/Creative Activities/Research. Candidates for tenure must present narratives as documented evidence of their scholarship, creative activities, and research.

Such evidence should cite typical professional development activities such as participation in professional organization meetings, faculty development workshops and conferences; presentations at professional meetings; journal editorship, article and grant proposal reviews; performances, exhibitions, and creative activities, as well as completing books, journal articles or monographs, and other appropriate activities. (Although documentation in the scholarship/creative activities and research category must be kept by the candidate for a minimum of three years after receiving tenure, it is not required to be included in the portfolio.)

1. The scholarship of teaching is a valid measure of research capability. It goes beyond doing a good job in the classroom; creative teachers should organize, record, and document their efforts in such a way that their colleagues may share their contributions to the art of teaching. Authoring appropriate textbooks, chapters within a book, or educational articles; making presentations; and utilization of innovative contributions to teaching constitute scholarship of teaching.
2. Performances, compositions, and other artistic creations are examples of appropriate creative activities.
3. Publications in journals or media of similar quality are considered indicators of professional and scholarly activities. Publications that are reviewed by peers are more significant than those that are not subjected to such rigorous examination.
4. Presentations made at professional organization meetings, in-service sessions, national or regional conferences, or other professional settings qualify as scholarly activities.
5. Attendance and participation in appropriate faculty development opportunities, including, but not limited to, in-service sessions, faculty development

workshops, teaching conferences, and professional organization meetings count in this category.

6. Although documentation is not normally included in the portfolio, some documentation can be included if it is of an extraordinary nature or necessary to clarify information in the narrative.

- E. Annual Evaluations and Classroom Observations. The portfolio must also include the candidate's annual evaluations for each year of the probationary period and classroom observations conducted by peers and department deans, as appropriate, for each year of the probationary period.

V. Tenure Guidelines and Procedures

- A. When a tenure-track employee is hired, that employee's academic department dean or immediate supervisor assigns him or her a mentor who is a senior member of the faculty (tenured with at least a rank of assistant professor) to assist that employee in progress toward tenure. Should for any reason a mentor be unable or unwilling to serve, the academic department dean or supervisor appoints another mentor at the earliest possible convenience. Upon the tenure-track faculty member's receiving tenure, the mentoring relationship may end.
- B. The academic department dean or supervisor has a specific conversation about a tenure-track faculty member's progress toward tenure at each annual evaluation.
- C. During each spring semester, the chief academic officer or designee notifies faculty members of their eligibility to apply for tenure the following academic year.
- D. By the end of the first week of classes of fall semester, candidates must notify their supervisor of their intent to apply for tenure.
- E. By their first fall semester meeting, the Faculty Senate selects the Promotion/Tenure Committee (PTC) chair(s) according to Faculty Senate guidelines. Each academic department and Library Services has a departmental representative to serve as a member of the PTC. The PTC chair(s) work with the academic department deans and the director of Library Services to select departmental representatives. PTC members may not be candidates for promotion or tenure.
- F. The chief academic officer or designee meets with the PTC chair(s) to discuss peer review group procedures and to establish the promotion and tenure calendar. The calendar will be established by the end of each fall semester. Once approved, the calendar is published by the office of the chief academic officer and distributed to faculty members who are eligible to apply for tenure and to their supervisors. The PTC chair informs academic department deans, the director of Library Services, and candidates for tenure of the guidelines for compiling portfolios.
- G. Each candidate compiles a portfolio that address tenure criteria as outlined Section IV of this policy and according to guidelines provided by the chief academic officer and the PTC. Candidates submit portfolios to their deans or supervisors, who verify that guidelines for contents and format have been met and are documented. Once the portfolio is reviewed by the dean or supervisor and the supervisor's verification form is added, the portfolio is made available for review to members of the peer group for a minimum of two weeks prior to the peer group meeting. Members of the peer group must review the portfolio to be eligible to vote.

- H. Each departmental representative works with his or her academic department dean or supervisor to determine a date, time, and location for the departmental peer meeting during the appropriate week as identified in the approved promotion and tenure calendar. The departmental representative and dean or supervisor ensure that the candidates for tenure and as many members of the peer group as possible are available to attend the meeting. The PTC announces the day, time, and location of the departmental meeting to all members of the peer group. The PTC assigns two members of the committee to monitor each peer group meeting. The monitors may not be members of the academic peer review group they will monitor.
- I. Before attending the peer group meeting, faculty who intend to vote are required to read tenure portfolios and sign a roster to verify their review.
- J. Attendance at the peer group meeting is limited to the peer group itself, the PTC representatives, the candidates, and the academic department dean or supervisor of the candidates. PTC representatives are present only to conduct the meeting and administer ballots, and deans or supervisors are invited for the purpose of answering any questions that may arise that cannot be answered by anyone in the peer group. The dean or supervisor does not otherwise participate in the meeting or discussion. If an academic department dean is a candidate for tenure, the chief academic officer must be present as his or her supervisor. If the director of Library Services is a candidate for promotion, the chief academic officer must be present as his or her supervisor.
- K. During the peer group meeting, the monitors introduce the tenure candidates, one at a time, to the peer group. Candidates under consideration for tenure must be in attendance to answer any questions put forth by their peer group. The candidate for tenure remains in attendance to answer questions but must leave the room during the peer discussion and vote. Prior to the vote on each candidate, there is an opportunity for discussion. The discussion must be limited to items outlined in the job description, qualifications of the candidates, and categories by which faculty are evaluated. Peers then vote by secret ballots which are collected and sealed by the PTC representatives monitoring the meeting. Vote results are not announced to the peer group or to the candidates.
- L. Peer group members are strongly encouraged to attend the peer group meeting; however, absentee votes will be counted if the absentee ballot is approved by the PTC chair(s). The request for an absentee ballot must be made in writing by filling out the Absentee Ballot Request form (see Attachment I) and will be considered if the peer group member has a class conflict or extenuating circumstances. An absentee ballot must be requested a minimum of 24 hours prior to the peer group meeting for the requestor's department.
- M. In the event that a tenure candidate is not in attendance for the peer group meeting, the peer group must agree via a simple majority vote, conducted by the PTC monitors, to one of the following two options. Options must be presented in the order listed, and voting will continue until a simple majority is reached.
 - 1. Vote to continue the discussion on a candidate's application and hold the subsequent peer vote in his or her absence.
 - 2. Vote to defer discussion and subsequent vote and agree to reconvene the peer group with the absent candidate in attendance at an alternate time. The rescheduled peer group meeting must occur before the posted deadline for the

academic department dean or supervisor to submit written recommendations to the chief academic officer according to the approved promotion and tenure calendar.

- N. After the peer group meeting, the monitors count the ballots and record results of the peer group votes for each candidate on Forms A and B (see Attachment II). In the case of a tie vote, Form A will indicate that the vote was a tie. By the close of the working day following the peer group meeting, the PTC chair delivers Forms A and B to the candidate's academic department dean or supervisor and a copy of Form B to the chief academic officer. The PTC chair or designated member of the PTC delivers all ballots to the Executive Director of Equity and Compliance to be held until the tenure process is satisfactorily completed. By the end of the second working day following the peer group meeting, the supervisor adds Form A to the candidate's portfolio and orally informs the candidate of the recommendation or non-recommendation of the peer group. If the supervisor is a candidate for tenure, the results of the vote are sent to the chief academic officer.
- Prior to making his or her recommendation to the Chief Academic Officer (to recommend for tenure or do not recommend for tenure), the dean must inform the candidate of his or her recommendation and its justification.
- O. If a candidate for tenure wishes to withdraw from tenure consideration at this point in the process, she or he may do so. If the candidate elects to exercise this option, the tenure process is halted at this point, and the candidate's employment records will not reflect denial of tenure. The candidate may not, however, reapply for tenure and will be given notice of non-renewal of his or her appointment following the sixth year of service. Such notice of non-renewal should be given not later than the final day of the candidate's fifth academic year.
- P. The supervisor adds to each candidate's portfolio her or his statement of recommendation or non-recommendation and forwards that statement, along with any portfolios created in notebook form, to the chief academic officer. In the case of those faculty assigned to Library Services, the director of Library Services forwards her or his statement of recommendation or non-recommendation, along with portfolios in notebook form, to the chief academic officer. Recommendations must be sent within the time frame allowed in the approved promotion and tenure calendar.
- Q. The chief academic officer submits her or his written comments and recommendations to the president. If the recommendation is negative, the chief academic officer also informs the candidate. Recommendations must be sent within the time frame allowed in the approved promotion and tenure calendar.
- R. The president recommends candidates for tenure to the chancellor and informs the candidates when he or she has done so. Recommendations must be sent within the time frame allowed in the approved promotion and tenure calendar.
- S. The president provides a written report of the TBR's decision to candidates after he or she receives the results of the TBR June meeting vote.
- T. If a candidate is denied tenure or chooses to withdraw his or her candidacy prior to recommendations to the chief academic officer, the faculty member's contract will be

renewed for one more year (a sixth year), at which time the faculty member's employment with the College will terminate. Candidates have only one opportunity to be considered for tenure.

- U. After the chief academic officer forwards the appropriate documents (i.e., dean's verification letter, Form A, the candidate's current year annual evaluation, and recommendations of the chief academic officer and president) to Human Resources, tenure portfolios in notebook form are returned to candidates. In addition, access to electronic tenure portfolios is removed so only the candidates have on-going access to their individual portfolios.

VI. Changes in Tenure and Tenure-track Status

A. Non-renewal of Non-Tenured Faculty

1. When tenure-track appointments of faculty are not being renewed for further service, the faculty member will receive notice of his or her non-retention for the coming academic year as follows:
 - a. Not later than April 1 of the first academic year of service, if the appointment expires at the end of that year; or, if the appointment terminates during the first academic year, at least two months prior to its termination.
 - b. Not later than January 1 of the second year of service, if the appointment expires at the end of that year; or, if the appointment terminates during that academic year, at least five months prior to its termination.
 - c. Not later than the close of the academic year preceding the third or subsequent year of service, if the appointment expires at the end of that year; or, if the appointment terminates during the academic year, at least twelve months prior to its termination.
2. Notice of non-renewal will be effective upon personal delivery of the notice to the faculty member, or upon the date the notice is mailed, postage prepaid, to the faculty member at his/her current home address of record with the College.
3. Applicable dates for notice of non-renewal are based upon actual years of service at Pellissippi State and are in no way affected by any credit for prior service that may have been awarded.
4. Faculty members on tenure-track appointments will not be terminated during the annual specified term of the appointment except for reasons which would be sufficient for the termination of tenured faculty.
5. The non-renewal or non-reappointment of any faculty member on a tenure-track appointment does not necessarily carry an implication that his or her work or conduct has been unsatisfactory.
6. Unless there is a violation of state or federal law under the limitations described in [TBR Policy 1:02:11:00 Appeals and Appearances before the Board](#), decisions which are not appealable to the chancellor include 1) non-renewal of tenure-track faculty appointment during the first five years of the probationary period and 2) denial of tenure unaccompanied by notice of termination in the sixth year of the probationary period.

B. Transfer of Tenure

A faculty member who is tenured in an academic program unit and is transferred to another academic program unit will retain tenure; moreover, the tenure appointment will be transferred to the new academic program unit. In no instance may the faculty member be compelled to relinquish tenure as a condition of the transfer.

When a faculty member with tenure is appointed to an administrative position, he or she will retain tenure in the former faculty position. A faculty member eligible, but not having attained tenure who also holds a non-faculty position will make progress toward tenure after returning to the full-time faculty position, subject to the requirements of this policy.

C. Expiration of Tenure

Tenure status will expire upon retirement of the faculty member. Tenure will also expire upon the event of permanent physical or mental inability of a faculty member, as established by an appropriate medical authority, to continue to perform his or her assigned duties.

D. Relinquishment of Tenure

A faculty member will relinquish or waive his or her right to tenure upon resignation from the College or upon failure to report for service at the designated date of the beginning of any academic term, which will be deemed to be a resignation unless, in the opinion of the president, the faculty member has shown good cause for such failure to report.

E. Termination of Tenure for Reasons of Financial Exigency

A tenured faculty member may be terminated as a result of financial exigency at the College subject to a TBR declaration that such financial conditions exist.

F. Termination of Tenure for Curricular Reasons

The employment of a tenured faculty member may be terminated because 1) a program is deleted from the curriculum or 2) because of substantial and continued reduction of student enrollment in a field or discipline.

Before declaring that curricular reasons exist, the president will meet with the Faculty Senate to identify the specific curricular reasons, evaluating the long-term effect on the College's curriculum and its strategic planning goals and the advisability of initiating further action. Before initiating the process described below, the president will present to the Faculty Senate—either verbally or in writing—a description of the curricular reasons that may warrant the termination of tenured faculty member(s). Each of these reasons must identify shifts in staffing needs that warrant greater reductions than those which are accommodated by shifting positions from one program or department to another.

The Faculty Senate will have the opportunity to respond to the president's descriptions of the curricular reasons that may warrant eliminating tenured faculty positions. The response will be in writing and submitted within two weeks of the president's meeting with the Faculty Senate. The president should receive this response before initiating any of the following actions:

1. Upon determining that termination of one or more tenured faculty members is required for one or more of the reasons cited above, the president will furnish each faculty member to be terminated a written statement of the reasons for the termination. Those reasons will fully address the curricular circumstances that warranted the termination and will indicate the manner and information upon which the decision was reached regarding which faculty members were to be

terminated. The president's written statement will also indicate that the faculty member has the opportunity to respond in writing stating any objections to the decision.

2. If the faculty member(s) to be terminated indicate objections to the president's written statement(s) and request(s) a review, the president will appoint a faculty committee consisting of a minimum of five tenured faculty members from a slate of ten tenured faculty members prepared by the Faculty Senate. The committee will conduct a hearing on the proposed termination(s). The committee will report its findings and recommendations to the president, who will, in a reasonable time, inform the faculty member(s) proposed for termination in writing either that the decision for termination stands or that it has been altered.
3. The president's decision to terminate a tenured faculty member for curricular reasons is subject to appeal to the chancellor and the TBR as provided in [TBR Policy 1:02:11:00 Appeals and Appearances before the Board](#).
4. When a tenured faculty member is terminated for curricular reasons, the position will not be filled by a new appointee with the same areas of specialization as the terminated faculty member within a period of three years unless the terminated faculty member has been offered, in writing, reappointment to the position at his or her previous rank, tenure, and salary with the addition of an appropriate increase which in the opinion of the president would constitute the raise that would have been awarded during the period that he or she was not employed.
5. Upon determining that termination of one or more tenured faculty members is warranted for curricular reasons, the president will base his/her decision about which faculty member(s) should be terminated upon his or her assessment as to what action will least seriously compromise the educational programs in a department or academic program unit.

Termination for curricular reasons presumes a staffing pattern in a department or academic program unit which cannot be warranted either by comparison with general load practices within the College or by comparison with faculty loads in comparable departments or academic program units at similar colleges. In that light, the president will also, at his or her discretion, base his or her decision on a careful assessment of the impact of the curricular reasons on staffing requirements in the department or academic program unit as compared to overall patterns in the College and to comparable departments or academic program units.

Unless the president demonstrates that an exception should be made to minimize qualitative compromise of an educational program, the following considerations will guide (but not be construed as mandatory) the president in determining the order of faculty reductions in a department or academic program unit where termination of tenured faculty is proposed for curricular reasons:

- a. part-time faculty should not be renewed before tenured faculty are terminated;
- b. temporary faculty or tenure-track faculty in the probationary period should not be renewed before tenured faculty are terminated;

- c. among tenured faculty, those with higher rank should have priority over those with lower rank;
- d. among tenured faculty with comparable rank, those with appropriate higher academic degree(s) should have priority over those with lower degrees, and
- e. among tenured faculty with comparable rank and comparable degrees, those with greater seniority in rank should have priority over those with less seniority.

The president has the discretion to deviate from this policy if he or she can demonstrate that the quality of the College's programs will be negatively impacted by strict adherence to this seniority preference.

- 6. When a tenured faculty member is to be terminated for curricular reasons, the president will make every possible effort to relocate the tenured faculty member in another existing vacant position for which he or she is qualified. In instances where in the opinion of the president, relocation with the College is a viable alternative, the College has an obligation to make a significant effort to relocate the faculty member, including the bearing of reasonable retraining costs. The final decision on relocation is within the discretion of the president.
- 7. Definitions:
 - a. "Program is deleted from the curriculum" means that the College takes formal action to terminate a degree major, concentration, or other curricular component and that such termination eliminates or reduces need for faculty qualified in that discipline or area of specialization.
 - b. "Substantive and continued reduction of student enrollment in a field" means that over a period of at least three years, student enrollment in a field has decreased at a rate in considerable excess of that of the College as a whole and that such reduction has resulted in faculty-student ratios that, in the opinion of the president, cannot be warranted either by comparison with equivalent faculty load practices within the College or by comparisons with faculty loads in comparable departments or academic program units at similar colleges which the president would deem to be appropriate for comparison.

G. Termination for Adequate Cause

A faculty member with tenure or a faculty member on a tenure-track or temporary appointment prior to the end of the term of the appointment may be terminated for adequate cause, which includes the following:

- 1. Incompetence or dishonesty in teaching or research.
- 2. Willful failure to perform the duties and responsibilities for which the faculty member was employed; refusal or continued failure to comply with the policies of the Board, the College or the department; or refusal or continued failure to carry out specific assignments, when such policies or assignments are reasonable and non-discriminatory.
- 3. Conviction of a felony or a crime involving moral turpitude.

4. Improper use of narcotics or intoxicants, which substantially impairs the faculty member's fulfillment of his or her departmental and college duties and responsibilities.
5. Capricious disregard of accepted standards of professional conduct.
6. Falsification of information on an employment application, application for tenure, application for promotion (in the candidate's promotion or tenure portfolio), or other information concerning qualifications for a position.
7. Failure to maintain the level of professional excellence and ability demonstrated by other members of the faculty in the department or academic program unit of the College.

H. Procedures for Termination for Adequate Cause

Termination of a faculty member with a tenure appointment or with a tenure-track or temporary appointment prior to the end of the specified term of the appointment will be subject to the following procedures.

1. Suspensions pending termination will be governed by the following procedure:
 - a. A faculty member may not be suspended without due process unless it is determined by the College that the faculty member's presence poses a danger to persons or property or a threat of destruction to the academic or operational processes of the College.
 - b. In any case of suspension, the faculty member will be given an opportunity at the time of the decision or immediately thereafter to contest the suspension. If there are disputed issues of fact or cause and effect, the faculty member will be provided the opportunity for a hearing on the suspension as soon as possible, at which time the faculty member may cross-examine his or her accuser, present witnesses on his or her behalf, and be represented by an attorney. Thereafter, whether the suspension is upheld or revoked, the matter will proceed pursuant to these procedures.
 - c. Reassignment of responsibilities is not considered suspension; however, the faculty member must be reassigned responsibilities for which he or she is qualified.
2. Except for such simple announcements as may be required concerning the time of proceedings and similar matters, public statements and publicity about these proceedings by either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the Board of Regents.
3. Upon a recommendation by the chief academic officer to the president or upon a decision by the president that these procedures should be undertaken in consideration of the termination of a tenured faculty member, one or more appropriate administrators, including the faculty member's academic department dean or supervisor, will meet privately with the faculty member for purposes of attempting to reach a mutually acceptable resolution of the problems giving rise to the proposed termination proceedings.
4. If a mutual resolution is not reached under paragraph 3 above, the president will appoint a faculty committee consisting of tenured faculty members, whose appointment should be, if possible and reasonable under the circumstances,

agreed to by the faculty member. The faculty committee will conduct an informal inquiry of the facts giving rise to the proposed termination and seek a mutually acceptable resolution. Should no such resolution be reached, the committee will recommend to the president whether, in its opinion, further proceedings should be taken in pursuit of the termination. The recommendation will be in writing and will be accompanied by reasons for the recommendation. This recommendation advises, but is not binding on, the president.

5. If no mutually acceptable resolution is reached through step 4 above, or if, after consideration of the faculty committee's recommendation, the president determines that further proceedings are warranted toward termination, the following steps will be taken:
 - a. The faculty member will be provided with a written statement of the specific charges alleged by the College which constitute grounds for termination and a notice of a hearing, specifying the time, date, and place of the hearing. The statement and notice must be provided at least twenty days prior to the date of the hearing. The faculty member will respond to the charges in writing at least five days prior to the hearing. The faculty member may waive the hearing by execution of a written waiver.
 - b. A committee consisting of members of faculty or faculty and administration will be appointed to hear the case and to determine if adequate cause for termination exists according to the procedure hereinafter described. The committee will be appointed by the president and the Faculty Senate with each appointing four members. The committee may not include any member of the faculty committee referred to in paragraph 4 above. Members deeming themselves disqualified for bias or interest will remove themselves from the case, either at the request of another party or on their own initiative. Members of the committee will not discuss the case outside committee deliberations and will report any ex-parte communication pertaining to the hearing to the committee chairman, who will notify all parties of the communication.
6. The hearing committee will elect a chairperson who will direct the proceedings and rule on procedural matters, including the granting of reasonable extensions of time at the request of any party and upon the showing of good cause for the extension.
7. The chairperson of the hearing committee may, at his or her discretion, require a joint pre-hearing conference with the parties that may be held in person or by a conference call. The purpose of the pre-hearing conference should include but is not limited to one or more of the following:
 - a. notification as to procedure for conduct of the hearing;
 - b. exchange of witness lists, documentary evidence, and affidavits;
 - c. definition and clarification of issues;
 - d. determination of facts.

A written memorandum of the pre-hearing conference will be prepared and provided to each party.

8. A hearing will be conducted by the hearing committee to determine whether adequate cause for termination of the faculty member exists. The hearing will be conducted according to the procedures below:
 - a. During the hearing, the faculty member will be permitted to have an advisor present and may be represented by legal counsel of his or her choice.
 - b. A verbatim record of the hearing will be taken, and a copy will be made available to the faculty member, upon request, at the faculty member's expense.
 - c. The burden of proof that adequate cause exists rests with the College and will be satisfied only by clear and convincing evidence in the record considered as a whole.
 - d. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the committee in securing witnesses and making available documentary and other evidence.
 - e. The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements, the committee will identify the witnesses, disclose their statements, and if possible, provide for interrogatories.

An affidavit may be submitted in lieu of a personal appearance of a witness if the party offering the affidavit has provided a copy to the opposing party at least ten days prior to the hearing and the opposing party has not objected to the admission of the affidavit in writing within seven days after delivery of the affidavit or if the committee chairperson determines that the admission of the affidavit is necessary to insure a just and fair decision.
 - f. In a hearing on charges of incompetence, the testimony will include that of qualified faculty members from the College or other institutions of higher education.
 - g. The hearing committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.
 - h. The findings of fact and the report will be based solely on the hearing record.
 - i. The president and the faculty member will be provided a copy of the written committee report. The committee's written report will specify findings of fact and will state whether the committee has determined that adequate cause for termination exists and, if so, the specific ground for termination found. The committee may recommend dismissal or action less than dismissal. The report will also specify any applicable policy the committee considered.
9. After consideration of the committee's report and the record, the president may, at his or her discretion, consult with the faculty member prior to reaching a final

decision regarding termination. Following his or her review, the president will notify the faculty member of his or her decision, which, if contrary to the committee's recommendation, will be accompanied by a statement of the reasons. If the faculty member is terminated or suspended as a result of the president's decision, the faculty member may appeal the president's action to the chancellor pursuant to [TBR Policy 1:02:11:00 Appeals and Appearances before the Board](#). Review of the appeal will be based upon the record of the hearing. If upon review of the record, the chancellor notes objections regarding the termination and/or its proceedings, the matter will be returned to the president for reconsideration, taking into account the stated objections, and, at the discretion of the president, the case may be returned to the hearing committee for further proceedings.

Source: [Tennessee Board of Regents, Policy No. 5:02:03:70](#)

[Tennessee Board of Regents, Policy No. 5:02:02:30](#)

[Tennessee Board of Regents, Policy No. 1:02:11:00](#)

[Tennessee Board of Regents, Policy No. 5:02:06:00](#)

Approved: Executive Council, March 4, 1991

Executive Council, October 15, 1991

Executive Council, December 9, 1992

Executive Council, June 9, 1993

Executive Council, November 22, 1993

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Attachment I

Absentee Ballot Request

Per Mississippi State Policies 06:02:00 (Academic Tenure) and 06:03:00 (Faculty Promotion), members of the peer group, prior to the peer meeting, must review the candidate's portfolio to be eligible to vote. Peer group members are strongly encouraged to attend the peer group meeting, but absentee ballots are approved at the discretion of the Promotion and Tenure Committee (PTC) chairperson(s), and will only be approved in the case of a class conflict or extenuating circumstances.

Name (print):

Department:

Date:

I have read the above statement and have reviewed all of the candidate's portfolios for whom I am requesting an absentee ballot.

I cannot attend the peer review meeting for my department for the following reason (please be specific):

Signature:

The PTC chair(s) and peer group meeting monitor will rule on this request before ballots are counted for your peer review meeting. The ruling will be based solely on College policy and your statement above. If your request is accepted, your ballot will be opened and placed anonymously in the stack of ballots to be counted. If your request is rejected, your unopened ballot, along with this form, will be forwarded with the rest of the promotion and tenure materials to the Executive Director of Equity and Compliance.

Attachment II

FORM A

INDIVIDUAL RECOMMENDATION FOR TENURE

On _____ the _____ peer group met
date department/peer group name

to consider the recommendation of _____ for tenure.
candidate's name

The peer group _____
recommended / did not recommend / tie vote

tenure for the candidate.

Ballots Counted by: _____
PTC MONITOR

Results verified by: _____
PTC CHAIR OR DESIGNEE

This form goes to supervisor to be placed in the candidate's tenure portfolio.

FORM B

TENURE PEER GROUP VOTING RESULTS

Peer Group: _____

Meeting Date: _____

PTC Monitor: _____

Candidate Results (show individual candidates and ballot counts)

_____ Recommend _____ Do Not Rec _____ Abstain

_____ Recommend _____ Do Not Rec _____ Abstain

_____ Recommend _____ Do Not Rec _____ Abstain

_____ Recommend _____ Do Not Rec _____ Abstain

_____ Recommend _____ Do Not Rec _____ Abstain

_____ Recommend _____ Do Not Rec _____ Abstain

_____ Recommend _____ Do Not Rec _____ Abstain

_____ Recommend _____ Do Not Rec _____ Abstain

_____ Recommend _____ Do Not Rec _____ Abstain

_____ Recommend _____ Do Not Rec _____ Abstain

Ballots counted by: _____
PTC MONITOR DATE

Results verified by: _____
PTC CHAIR OR DESIGNEE DATE

One copy of this form goes to supervisor and one copy of this form goes to the Chief Academic Officer