



# Handbook of Operating Procedures

**Section:** 6.2.6  
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## FACULTY TENURE

### A. Purpose

The purpose of this policy is to specify procedures for recommending tenure and for implementing policies as set forth in The University of Texas System Board of [Regents' Rules and Regulations, Rule 31007](#).

### B. Persons Affected

This policy applies to faculty.

### C. Policy

The policy of The University of Texas-Pan American is based on and includes the following:

#### 1. The Concept of Tenure

Tenure is a faculty status that assures faculty they will be able to perform their professional institutional responsibilities without fear of arbitrary dismissal. Academic freedom and professional security, the products of tenure, are needed to assure the success of an institution in fulfilling its obligations. To ensure academic freedom, tenured faculty shall remain tenured until retirement or resignation unless terminated because of:

- a. Abandonment of academic programs or positions ([Regents' Rules and Regulations, Rule 31003, Section 2](#)).
- b. Financial exigency ([Regents' Rules and Regulations, Rule 31003, Section 3](#)), or
- c. Good cause in accordance with ([Regents' Rules and Regulations, Rule 31008, Section 1](#)).

#### 2. Regulations Governing Award of Tenure

- a. Recommendations regarding tenure of all faculty, including administrators holding faculty status, shall be made through consistent application of established procedures set forth in this document with final approval by The University of Texas System Board of Regents.
- b. A tenure-track appointment is one in which the appointee's principal



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responsibilities are teaching, professional achievement and professional service.

- c. Tenure-track appointments are non-tenured full-time appointments to the faculty. Upon hiring, the tenure-track appointee shall be placed into one of three ranks:
  - (1) Professor
  - (2) Associate Professor
  - (3) Assistant Professor
- d. Only members of the faculty with the academic title of Professor, Associate Professor, or Assistant Professor may be granted tenure.
- e. Probationary Period
  - (1) The purpose of a probationary period is to allow reasonable time for tenure-track faculty members to establish their academic performance, for adequate peer and administrative evaluations, and for recommendations concerning reappointment, non-renewal, and tenure. Tenure status is granted only by the Board of Regents. The granting of tenure is not solely a reward for performance during the probationary period. It is a deliberate act taken after considered evaluation of the appointee's past performance and potential for future performance. Reappointment after the probationary period does not constitute the granting of tenure. The normal probationary period is six years, however, early tenure maybe granted in exceptional circumstances.
  - (2) The maximum period of probationary service in full-time tenure-track status in any academic rank or any combination of ranks shall be seven years, except if an extension is granted in accordance with subsection C.2.f. below.
  - (3) A faculty member who is serving the sixth academic year of his or her probationary period, upon completion of the evaluation procedures for tenure decision, either will be awarded tenure, which shall become effective at the beginning of the seventh academic year, or be notified the seventh year will be the terminal year of employment.
  - (4) In exceptional circumstances, a faculty member may apply for early tenure prior to serving his or her sixth academic year in accordance with subsection C.2.i.



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- (5) For purposes of calculating the period of probationary service, an "academic year" shall be the period from September 1<sup>st</sup> through the following August 31<sup>st</sup>. If a faculty member is initially appointed during an academic year, the period of service from the date of appointment until the following September 1<sup>st</sup> shall not be counted as academic service toward fulfillment of the probationary period. Only full-time academic service will count as probationary service. An approved leave of absence will not be counted as probationary service.
  - (6) Tenure-track faculty will be evaluated annually and recommended for tenure, for renewal of appointment in non-tenured tenure-track status, or for non-renewal of appointment.
- f. Extension of the Maximum Probationary Period
- (1) A faculty member who determines certain personal circumstances may impede his or her progress toward achieving demonstration of eligibility for recommendation of award of tenure may make a written request to the department chair for extension specifying the reason(s) for the requested extension. Personal circumstances that may justify the extension include, but are not restricted to, disability or illness of the faculty member; status of the faculty member as a principal caregiver of a preschool child; or status of the faculty member as a principal caregiver of a disabled, elderly, or ill member of the family of the faculty member. It is the responsibility of the faculty member to provide appropriate documentation to adequately demonstrate why the request should be granted.
  - (2) The request for extension shall be limited to one academic year. A request for an additional academic year's extension will follow the established request process, with the maximum duration of extension, whether consecutive or nonconsecutive, to be two academic years.
  - (3) Normally, requests for extension must be made in advance of the academic year or semester for which the extension is desired and may be made no later than three months prior to the deadline for initiation of the mandatory review process to determine recommended award of tenure or notice as provided under subsection F.5 of this policy that the next year will be the faculty member's terminal year of appointment.
  - (4) The decision regarding the request shall be made by the President, upon recommendation of the department chair, Dean, and Provost/Vice President for



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Academic Affairs (hereafter Provost/VPAA), within thirty days of the faculty member's making such a request. This decision is final and not appealable.

- g. Faculty may be awarded tenure upon hiring provided the following conditions are met.
    - (1) The individual is hired at the Associate Professor or Professor level,
    - (2) The individual has a record of achievement in teaching effectiveness, professional achievement and professional service sufficient to warrant immediate tenure; and
    - (3) The individual is recommended for immediate tenure by a majority of the department's tenured faculty, department chair, College/Division Dean/Director (hereafter referred to as Dean), and Vice President for Academic Affairs (Provost/VPAA), the President; and the recommendation is approved by the Executive Vice Chancellor for Academic Affairs and The University of Texas System Board of Regents.
  - h. Normally, probationary faculty who are promoted in rank prior to the beginning of the seventh year shall not automatically acquire tenure.
  - i. Tenure-track faculty members who believe they have excelled in the three areas of faculty responsibility and have exceeded the Department's Basic Performance Criteria for tenure and promotion in an abbreviated period of time may apply for early tenure and promotion.
    - (1) Faculty members must consult with their department chair and Dean before applying for early tenure and promotion.
    - (2) A faculty member requesting early tenure and promotion must submit a portfolio and proceed through the normal tenure process as provided in subsection F.3.
    - (3) The original probationary period or future considerations for tenure and promotion for tenure-track will not be adversely affected by a denial of an application for early tenure and promotion.
3. Performance Standards
- a. The decision to award tenure is the result of the collective objective and subjective



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review of a faculty member's performance during the probationary period in teaching effectiveness, professional achievement and professional service by a department faculty, the department chair, College faculty committee, Dean, Provost/VPAA, President, Executive Vice Chancellor for Academic Affairs and Board of Regents. Tenure status is granted only by the Board of Regents. Reappointment after the probationary period does not by itself constitute the granting of tenure.

- b. Each department is responsible for development of a formal statement of basic performance criteria/requirements for tenure, including specific qualitative and quantitative performance standards in all three areas to be evaluated. Meeting these basic performance criteria/requirements does not ensure tenure; however, failure to meet these basic performance criteria/requirements will result in ineligibility for tenure consideration. Tenure will be awarded only to individuals who, during the probationary period, clearly have demonstrated an ability to make a significant scholarly contribution to The University of Texas-Pan American and demonstrate potential for continual contribution in each of the three performance areas for the remainder of their careers.
- c. In cases where a department does not have a formal statement of basic performance criteria/requirements, the College performance criteria/requirements will be used.
- d. While the unique needs and values of each department justify that performance criteria/requirements need not be the same for all departments, each department's basic performance criteria/requirements must be approved by the College Tenure Committee, Dean, Provost/VPAA and President to ensure reasonableness, appropriateness, comparability among various departments within the University, and adherence to The University of Texas System Board of Regents' *Rules and Regulations*.
- e. The Dean will ensure department chairs distribute copies of the department's approved basic performance criteria/requirements to each tenure-track faculty member within fifteen (15) working days after final approval.
- f. The Dean shall ensure each department shall examine its basic performance standards at least every five years.
- g. Revisions of a department's basic tenure requirements during any tenure-track faculty member's probationary period will not be applicable to that faculty member



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for two full academic years after official adoption unless that faculty member chooses to comply with the changes and states that choice in writing to the department chair.

### **4. Professional Development/Growth Plan**

- a. First year tenure-track faculty will develop and submit a written professional development/growth plan in consultation with their mentor and department chair.
  - (1) The professional development/growth plan will cover all three areas of review (Teaching Effectiveness, Professional Achievement, and Professional Service), and correspond to the department's Basic Performance Criteria/Requirement for tenure and promotion.
  - (2) Deans will review these professional development/growth plans, and work with tenure-track faculty and department chair on any revisions the Dean deems necessary.
- b. The professional development/growth plan covers six years, and should be updated by each tenure-track faculty member and reviewed by the Dean yearly.
- c. The purpose of the professional development plan is to help insure a tenure-track faculty member, the department and the Dean have a congruent understanding of the nature of a faculty member's responsibilities and the general level of performance expected in the three areas of review. The professional development/growth plan is not a contract: achieving all of the stated goals does not in and of itself guarantee a faculty member tenure, nor does deviation from the plan in and of itself justify removal from tenure-track.

### **5. Mentors**

- a. Upon appointment, the department chair, in consultation with the Department's tenured faculty and with the approval of the Dean, will appoint a mentor to assist the tenure-track faculty member during his or her probationary period.
- b. Normally the mentor should come from the tenure-track faculty member's own department, but with the approval of the Dean, the mentor may come from another Department within the College.
- c. Mentors for tenure-track faculty should be tenured and hold the rank of Associate Professor or above, but with the approval of the Dean, an exception may be made.



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### 6. External Reviews

- a. A candidate's record in the area of professional achievement may be submitted to external reviewers only as follows:
  - (1) Upon the request of the individual candidate; or
  - (2) If the tenured and tenure-track faculty of a department approve by a majority vote to include in the departmental tenure standards and evaluation process the requirement for external review of all candidates' record in the area of professional achievement.
- b. External reviewers will be selected from a list developed in accordance with department procedures.

### **D. Definitions**

Not applicable.

### **E. Responsibilities**

Not applicable.

### **F. Procedures**

1. General Procedures for Tenure Review
  - a. The Provost/VPAA shall be responsible for annually monitoring the tenure evaluation process. Each Spring semester, the Provost/VPAA, after consultation with the Deans and Faculty Senate, shall distribute to all faculty a Tenure Evaluation Calendar specifying appropriate deadlines for the tenure evaluation process for the ensuing academic year.
  - b. A tenure evaluation portfolio shall be submitted by the faculty member being evaluated to the department chair who shall forward it to the appropriate evaluating level.
  - c. The format of the tenure evaluation portfolio shall be outlined by the Provost/VPAA's office and distributed to all faculty.



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- d. An evaluator at any level of evaluation who has a conflict of interest involving a tenure-track faculty shall not participate in that person's tenure evaluation process.
  - (1) Each evaluator shall initially determine whether a conflict of interest exists.
  - (2) An appeal of the initial determination may be submitted to the next higher administrative level of evaluation to determine whether the evaluator should be disqualified from participating in a tenure evaluation. This decision is final. (For "conflict of interest" policies, see [Regents' Rules and Regulations, Rule 30104](#) and [HOP Section 2.4.2](#)).
- e. Full-time tenured and tenure-track faculty of each department shall determine by secret ballot the structure and membership of their Department Tenure Committee. The following restrictions apply:
  - (1) The department chair shall not be a member of the Department Tenure Committee.
  - (2) The Department Tenure Committee must be composed exclusively of tenured faculty, and contain at least three members. If there are fewer than three tenured faculty members in a department eligible to serve on the committee, the Dean will appoint a tenured faculty from the College to serve on the Department Tenure Committee.
  - (3) The Department Tenure Committee shall select its own Chair.
  - (4) For the final tenure review, if a Department Tenure Committee of less than a Committee of the Whole is utilized, the Department Tenure Committee will report its recommendations and justifications to all tenured members of the department, who shall vote by secret ballot on whether to recommend the candidate be awarded tenure. Both recommendations will be included in the candidate's portfolio and forwarded to the department chair.
  - (5) If a Department Tenure Committee comprised of less than a Committee of the Whole of departmental tenured faculty recommends removal from tenure track, the Department Tenure Committee will report its recommendations and justifications to all tenured members of the department, who shall vote by secret ballot on whether to recommend the candidate be kept on or removed from tenure track. Both recommendations will be forwarded to the department chair.



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- f. The candidate may request an *ex officio* member be appointed to the Department Tenure Committee. If such is made, the *ex officio* reviewer shall be appointed by the Chair of the Faculty Senate upon consultation with the candidate, department chair, and Dean.
  
- g. The College Tenure Committee shall be composed of the chairs of all Department Tenure Committees and an *ex officio* tenured faculty member from another College, appointed by the Provost in consultation with the Faculty Senate.
  - (1) The College Tenure Committee shall elect its own Chair.
  - (2) Prior to commencement of the committee's consideration of a candidate's portfolio, the candidate may select a tenured faculty member from the department and/or college to present his or her case to the committee.
  
- h. Evaluating committees and administrators must be furnished evidence that documents statements and listings in a faculty member's annual evaluation file and tenure portfolio. Any evaluating level may request a faculty member to provide additional documentation or clarification during the evaluation process, and may request a meeting with the faculty member for this purpose.
  
- i. Any evaluating level may request clarification or elaboration regarding the recommendation of any prior evaluating level.
  
- j. At every level of review, recommendations must be supported with statements for each area of performance describing the candidate's strengths and weaknesses, and justifying the recommendation to award or deny tenure.
  
- k. The votes of the Department and College Tenure Committees shall be by secret ballot with the total of yeas and nays recorded and included in the candidate's tenure portfolio prior to forwarding to the next level of evaluation. Each member of the Department and College Tenure Committees must cast his or her vote. Any abstentions shall count as a vote in favor of continuing the faculty on tenure-track for annual evaluations, or in favor of tenure for the final tenure review.
  
- l. All members of the Department and College Tenure Committees shall sign their evaluation of the tenure-track faculty member for both annual and final tenure reviews. Committee members who disagree with the majority recommendation may write a dissent stating why they disagree with the majority recommendation.



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Any dissents shall be included in the candidate's tenure portfolio prior to forwarding to the next level of evaluation.

- m. Reviewers should recognize that discussions and recommendations made at any level of evaluation constitute official University business and should not be publicly discussed. Any release of records may occur only as authorized under the Texas Public Information Act.
- n. A copy of the tenure recommendations at all levels of evaluation and the narrative portion of each faculty member's portfolio shall be filed in the Office of the Provost/VPAA.

### **2. Evaluation Procedures for Annual Tenure-Track Review**

- a. All reviews of tenure-track faculty shall begin during the fall term except for first year faculty when it begins in the Spring.
- b. Tenure-track faculty must submit his or her tenure review portfolio and an updated professional development/growth plan for review in accordance with the Tenure Evaluation Calendar.
- c. Schedule of Review:
  - (1) First and Second Year: The portfolio will be reviewed by the Department Committee, the department chair, and the Dean.
  - (2) Third Year: The portfolio will be reviewed by the Department Committee, department chair, Dean, and Provost.
  - (3) Fourth and Fifth Year: The portfolio will be reviewed by the Department Committee, department chair, College Committee, Dean, and Provost.
  - (4) Sixth Year: The portfolio will be reviewed by the Department Committee, department chair, College Committee, Dean, Provost, and President.
- d. Each year all levels reviewing a tenure-track faculty member's portfolio will provide the faculty member and the department chair with a written evaluation that includes:
  - (1) Written evaluation of noted strengths in and/or concerns about performance;



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- (2) Recommendation concerning reappointment or non-renewal; and
  - (3) Recommendation for tenure when appropriate.
- e. As part of this evaluation process, evaluating levels will apply the department's basic performance criteria/requirements.
  - f. If any recommendation by the Department Tenure Committee, department chair, or Dean is for non-renewal of appointment, the faculty member will also be evaluated by the College Tenure Committee and the Provost regardless of the review year. In such instances, the faculty member may request reconsiderations in accordance with subsection F.4.
  - g. If as a result of the tenure-track review the final recommendation concerning reappointment is negative, the faculty member will be given notice of non-renewal in accordance with subsection F.5 "Notice of Non Renewal" below.
3. Evaluation Procedures for Tenure Decision
- a. A non-tenured faculty member who is being considered for the award of tenure will be successively evaluated by the Department Tenure Committee, department chair, College Tenure Committee, Dean, Provost/VPAA and President. In making a recommendation, each evaluating level will apply the department's basic requirements. The President's recommendations for tenure will be forwarded to the Executive Vice Chancellor for Academic Affairs.
  - b. If at any level of evaluation, questions develop as to whether proper procedure was followed or appropriate criteria were employed in evaluating the faculty member, the evaluation portfolio may be returned to the appropriate level of evaluation along with a written request for explanation or clarification.
  - c. The faculty member will be forwarded a written copy of all recommendations, evaluations, queries and responses thereto at the time each is made.
  - d. When the Board of Regents has made its tenure decision, the Provost/VPAA shall notify the appropriate Dean, department chair, and faculty member of the final decision in writing.
  - e. The Dean shall notify the chair(s) of the department and College Committee(s) of the final decision.



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### 4. Requests for Reconsideration

- a. Any tenure-track faculty member may request a reconsideration of his or her annual evaluation or evaluation for tenure at any level of review.
- b. A request for reconsideration must be initiated in writing no more than ten (10) working days after the faculty member has been notified of the recommendation.
- c. The written request must state grounds for the request and include supporting evidence.
- d. The tenure committee or evaluator with whom a request is filed shall submit a written response to the faculty member within ten (10) working days of receipt of the request. The respondent shall address the substance of the appeal in explaining why the respondent found the appeal either to be convincing or unconvincing. Copies of the response are to be sent to the faculty member and placed in his or her evaluation portfolio before forwarding the materials to the next level of evaluation.
- e. A faculty member may write a reply to the evaluator's response for inclusion in his or her portfolio. The reply must be submitted within five working days of the faculty member's receipt of the evaluator's response.
- f. Before the faculty member's portfolio is sent to the President for evaluation and recommendation to the Executive Vice Chancellor for Academic Affairs, the faculty member may request that the University Tenure Committee conduct an independent evaluation of the faculty member's portfolio and issue a recommendation.
  - (1) The faculty member is entitled to this review only if he or she filed requests for reconsideration at all levels of evaluation where unfavorable recommendations were made.
  - (2) The University Tenure Committee is composed of one tenured faculty member from each College.
    - (a) Faculty who served on college-level tenure committees may not serve on the University Tenure Committee that year.
    - (b) By the date established in the Pathways for Review Deadlines, the Faculty Council of each College shall conduct an election by the tenured and



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tenure-track faculty of a member and an alternate to serve on the University Tenure Committee.

- (3) The University Tenure Committee shall elect its own Chair.
- (4) After completing its evaluation, the University Tenure Committee will identify the strengths and weaknesses of the faculty member's performance on all three criteria/requirements of evaluation, make a recommendation. If the Committee recommends for tenure, it will forward the faculty member's evaluation portfolio to the President.
- (6) If the University Tenure Committee recommends against tenure, the faculty member may write a response to the Committee's recommendation for inclusion in the faculty member's evaluation portfolio before being forwarded to the President. The response must be submitted within five working days of the faculty member's receipt of the Committee's recommendation.
- (7) The University Tenure Committee will provide the faculty member with a copy of its recommendation to the President.

### **5. Notice of Non-renewal**

When a decision has been made that a tenure-track faculty member will not be reappointed to the faculty, the Provost/VPAA will send written notice of such decision to the faculty member at the address shown by the official records of the University.

- a. If the faculty member is not to be reappointed after August 31<sup>st</sup> of the first academic year of probationary service, notice shall be sent on or before March 1<sup>st</sup> of the first academic year.
- b. If the faculty member is not to be reappointed after August 31<sup>st</sup> of the second academic year of probationary service, notice should be sent on or before December 15<sup>th</sup> of the second academic year.
- c. After the second academic year of probationary service, notice shall be sent on or before August 31<sup>st</sup> of the academic year in which the decision was reached. The notice will inform the faculty member that he or she will not be reappointed to the faculty after August 31<sup>st</sup> of the next academic year.

### **G. Review**



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The Divisional Head for this policy is the Provost/Vice President for Academic Affairs and this policy shall be reviewed every five years or sooner if necessary by the following Stakeholders:

1. Vice Provost for Faculty Affairs – Senior Reviewer
2. Council of Deans
3. Faculty Senate Chair