

Faculty Handbook 2024-2025

SECTION 2

FACULTY EMPLOYMENT CONDITIONS

2.01 Recruitment and Hiring of New Faculty

Faculty recruitment and hiring are coordinated by the Office of the Provost/Sr. VPAA in concert with Deans and Department Chairs. Employment decisions are based on the needs of the University. Such decisions are determined by qualifications and suitability, without regard to race, color, religion, gender, age, disability, national origin or veteran status, and in keeping with applicable state and federal laws. The search/interview process for all faculty positions shall include a class presentation, preferably the teaching of a lesson. Detailed employment policies and procedures are available from the Office of Human Resources. (Refer to [Policy 04:001.](#))

2.02 Classification of Faculty

The University of Montevallo faculty is composed of tenured, probationary (tenure-track), and non-tenure track members who may be either full or part-time. Non-tenure track faculty members may be adjunct faculty and are not eligible for tenure. Other titles which may be applied to non-tenure track members include but are not limited to Instructor, Senior Instructor, Clinical Instructor, Senior Clinical Instructor, Clinical Assistant Professor, Clinical Associate Professor, Clinical Professor, Teacher-in-Residence, Artist-in-Residence, Scholar-in-Residence, Clinical Coordinator, Clinical Director, and Clinical Supervisor.

Librarians holding faculty rank are considered an academic department, and the Director of Carmichael Library shall fulfill the corresponding roles and duties ascribed to Department Chairs.

2.03 Annual Appointments

Tenured faculty members are considered continuing employees. Annual appointments are certified each year because appropriations by the State Legislature are required to make continuing employment a reality. A faculty member who does not wish to return to the University for the next academic

year should notify the Department Chair/Director and/or Dean at the earliest possible date.

2.04 Outside Employment

Employment with the University of Montevallo shall be the primary obligation for regular, full-time faculty members. Appropriate outside employment is allowed, however, if it does not interfere with University responsibilities. (Refer to [Policy 04:001.](#))

2.05 Employment of Relatives (Nepotism)

(Refer to [Policy 04:001.](#))

2.06 Academic Freedom and Responsibility

As defined by the 1940 Statement on Academic Freedom of the American Association of University Professors (AAUP), and its 1970 Interpretive Comments, academic freedom provides rights and imposes special obligations:

“Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole. The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights.

Academic Freedom

1. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
2. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

3. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.”

(Association of University Professors, “1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments,” *AAUP Policy Documents & Reports*, Tenth Ed. pp. 3-4)

In addition to these general rights and responsibilities, faculty members also have the responsibility to maintain proper and complete records, accounts, enrollments, grades, and related academic documentation in accord with the State's and the University's record retention requirements. (Refer to [Policy 01:050](#).)

2.07 Probationary Period

All assistant professors, associate professors, and professors will serve a pre-tenure probationary period unless they are given an adjunct and/or part-time appointment, in which case they are not eligible for tenure. The probationary period will be six years, with the tenure review and decision occurring no later than the sixth probationary year. No later than the end of the sixth probationary year, the probationary faculty member will be either granted tenure or issued a terminal contract for the next academic year. No more than three years of prior service at another institution may be considered as a part of this requirement. Credit for prior service must be written into the initial appointment and must be approved by the Department Chair, Dean, Provost/VPAA, and President.

During the first year, the Department Chair, Dean, Library Director or a department committee should have informal meetings with the probationary faculty member for the purpose of reviewing performance and, if necessary, making suggestions for improvement. Each year of employment, the Department Chair will conduct the Faculty Annual Review process. The faculty member will submit his or her self-evaluation to the Department Chair. Following a review of the self-evaluation, the Department Chair will meet with the faculty member. The Department Chair's review should include specific

comments about progress toward tenure. The Dean will also review and sign the document. Determination of whether faculty members will be renewed during their probationary period will be based on recommendations by the Department Chair (or Dean in a college without departments) or Library Director, the Dean, and the Provost/Sr. VPAA. After the first year, each department, at its discretion, may provide interim reviews to probationary faculty members in such a format and at such times as the department might prescribe. A copy of any departmental guidelines for interim reviews shall be provided to probationary faculty.

A one-year extension of the tenure probationary period may be requested when a tenure-track faculty member encounters one or more of the following situations: (a) birth or becoming the parent of a child, adoption of a child, or placement of a child with the faculty member for foster care—the extension occurring only during the first 12 months following the birth, adoption, or placement of the child, (b) the need for a faculty member to care for herself/himself or spouse/partner, child, or parent who has a serious health condition—the extension occurring only during the first 12 months following the diagnosis of a serious health condition (including a physician's statement of illness or injury), or (c) an exigency arising out of a faculty member or spouse/partner who is either on active duty or has been notified of an impending call or order to active duty in the Armed Forces in support of a contingency operation—the extension occurring only during the first 12 months following the call to active duty.

Such an extension is not leave in that the faculty member continues regular employment. The extension adds one academic year to the typical probationary period of six years, and shall call for a revised letter of appointment. The quantity and quality of work submitted in a tenure application should equal that of a full-time tenure track faculty member who did not receive an extension of the probationary period.

An extension may be used only once during the tenure probationary period, and for the reasons described above, unless a petition for exception has been approved by the department committee, Department Chair/Director, Dean, and the Provost/Sr. Vice President for Academic Affairs in consultation with the President. Extensions for ABD faculty may be given at the college level on approval by the department committee, Department Chair/Director, Dean and Provost/Sr. VPAA in consultation with the President.

2.08 Third Year Review

The University of Montevallo requires all untenured faculty with tenure-track appointments to undergo a review of their progress toward tenure and promotion annually with special attention given to the annual review after the third full year of service to the University, or on a schedule that accounts for years granted toward tenure at the time of hire (see table below).

The purpose of the third year review is to assess overall performance to date and provide faculty with structured, documented feedback as they move toward tenure and promotion. Mirroring the University and departmental standards, processes, and format of the tenure and promotion application, this process can be used by faculty as an assessment tool for gauging their progress towards future application for tenure and promotion.

Timeline:

Years granted toward tenure:	Third Year Review during:	Eligible for tenure and promotion in:
0	3 rd year	6 th year
1	3 rd year	5 th year
2	2 nd year	4 th year
3	1 st year	3 rd year

Deadlines:

January, 1st week of classes: FAR document due to Department Chair

January, 3rd Friday: Application including FAR due to committee

February, 2nd Friday: Committee report due to chairs

February, 3rd Friday: Report due to Deans

March, 1st Friday: Report due to Provost

Content:

As the Third-Year Review will follow standards, procedures, and policies regarding annual faculty evaluation and application for tenure and promotion, please refer to Faculty Handbook section 2.09 and Appendix B as well as departmental standards and requirements.

Process:

1. Probationary faculty under third year review will submit a Faculty Activity Report (FAR) to Chair or Library Director at the above date. Chair or Library Director will conduct an annual review to be included in the application portfolio to the Review Committee.
2. A review committee composed of the department's tenured faculty members will review the submitted portfolio according to departmental standards for tenure and promotion. When there are not at least three tenured faculty members available to serve, the Department Chair and College Dean, in consultation with the candidate, shall select the needed number of Committee members elsewhere within the respective college or if necessary the University. This review will focus on both completed progress and projected performance towards the tenure and promotion application. The committee will compile an assessment report of progress and demonstrated potential for tenure and deliver that to the Chair or Library Director.
3. Chairs review the committee report and application materials and offer feedback to the applicant. Once the applicant has an opportunity to respond to feedback, a report summary including the applicant response is forwarded from the Chair to the Dean.
4. Deans assess reports for consistency across college expectations and standards and audit contract renewal/non-renewal recommendations before forwarding the summary to Provost.
5. Note: applicants have the option to request additional review of the submitted portfolio by the Dean and/or Provost as part of their feedback response.

2.09 Tenure Criteria and Procedures

As defined by the AAUP, "Tenure is a means to certain ends; specifically, 1) freedom of teaching and research and of extramural activities and 2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are important to the success of an institution in fulfilling its obligations to its students and to society." (American Association of University Professors, "1940 Statement of Principles on Academic Freedom and Tenure with 1970 Interpretive Comments," p.#3)

Candidates for tenure shall demonstrate a strong and sustained pattern of meeting or exceeding expectations for performance in Teaching (or Professional Responsibilities as a librarian), Research/Creative Endeavor,

and Service/Professional Obligation as defined institutionally and departmentally. A terminal degree is required.

Each department shall expand institutional definitions of Teaching, Research/Creative Endeavor, and Service/Professional Obligation to provide the best possible guidance for faculty. Departments shall consider and reach consensus on expectations to define the departmental (or other unit within the department) standard. Departments should consider standards at peer and aspirant schools, as well as those of accrediting bodies—and then invite peer response from at least one compatible unit on or off campus. The department shall submit its statement of standards/expectations, along with rationale, to the ad hoc University Committee on Faculty Evaluation, Promotion, and Tenure for review. Standards shall be filed in the offices of department chairs, deans, and the Provost/Sr. VPAA. Standards shall be reviewed every five years, and proposed changes to approved standards shall be submitted to the same approval process as described above. This process shall include all faculty members, tenured and non-tenured.

The academic “department” is the default unit referred to in the above. Departments may decide to work on the basis of smaller units, i.e., programs or disciplines, subject to the approval of the ad hoc University Committee on Faculty Evaluation, Promotion, and Tenure.

In the event of changes or alterations to the standards by which tenure/promotion decisions are made, faculty members may decide to apply for tenure/promotion using either the standards in effect at the time of their employment or the revised standards.

Membership on the ad hoc University Committee on Faculty Evaluation, Promotion, and Tenure shall be open with regard to rank and tenure and will represent the four colleges and the library. The primary role of the Committee shall be to (a) review departmental statements of standards/expectations for promotion and tenure; and (b) review policies and procedures related to faculty evaluation, promotion, and tenure. Committee recommendations on Items (a) and (b) shall be sent to the Provost and Vice President for Academic Affairs.

Applicants for tenure shall follow the "Tenure and Promotion Information and Procedures" provided in [Appendix B](#). The annual evaluation portfolio shall serve as the “core” of the tenure and/or promotion application, along with cover letter, current vitae, and selected support materials.

Recommendations of whether probationary faculty members will be tenured originate with the department’s Tenure Committee, a committee consisting of

all tenured faculty members within the department (or college in colleges without departments). When there are not at least three tenured faculty members available to serve, the Department Chair and College Dean, in consultation with the candidate, shall select the needed number of Committee members elsewhere within the respective college or if necessary the University.

This Tenure Committee will review the application along with any supporting documentation provided by the candidate. The Chair of the Department/College Tenure Committee will make a recommendation to the Department Chair, or to the Dean in colleges without departments. The Department Chair will forward to the Dean the recommendation of the department tenure committee along with her/his own recommendation. The Dean will forward her or his recommendation along with those of the Department Chair and the department/college tenure committee to the Provost/Sr. VPAA. The Provost/Sr. VPAA shall forward her or his recommendation along with those of the Dean, Department Chair, and department/college tenure committee to the President. Wherever recommendations are not unanimous, differences will be noted and attempts should be made to resolve them. Should there not be unanimity, majority and minority opinions should be forwarded to the next level. The decision to award tenure shall in every case be made by the Board of Trustees upon recommendation by the President.

All members of the faculty are entitled to protection against illegal or unconstitutional discrimination by the institution or discrimination on a basis not demonstrably related to a faculty member's professional performance including race, color, religion, national origin, gender, sexual orientation, gender identity, gender expression, age, genetic information, disability, or disabled veteran/Vietnam era veteran status, as per [UM Policy 01:100 – Equal Opportunity/Affirmative Action Policy](#) and in keeping with applicable state and federal laws.

The Board of Trustees and the University reserve complete discretion as to whether and when any faculty member is awarded tenure. No provision in this Handbook or any other document shall be construed or applied so as to limit the University's discretion with respect to decisions on tenure. In no event shall a candidate for tenure be deemed to have a contractual, vested, or legally enforceable right to attainment of tenure on the basis of mere passage of time, alleged attainment of tenure criteria, or by default based upon actual or alleged substantive or procedural deviation from the substantive or procedural norms described in this Handbook.

2.10 Criteria for Academic Rank and Procedures for Promotion

For faculty employed prior to Fall 2009:

2.10.1 Criteria. The following are criteria for initial appointment and promotion in faculty rank. For promotion decisions, only accomplishments since the last promotion shall be considered. All of the minimum years specified for promotion are true minimums to be observed for only the most outstanding faculty members. Library faculty shall hold the appropriate terminal degree defined in the American Library Association's Faculty Status for Academic Librarians.

Professor: To be eligible for this rank, a faculty member must demonstrate: (1) outstanding performance in teaching or in professional duties as a librarian; (2) strong performance in research and/or creative endeavors; and (3) strong professional contributions and service. Candidates must possess a doctorate or the highest degree otherwise obtainable in their fields or possess, in lieu of the degree, a distinguished record of scholarly, artistic, or creative productivity. Candidates must have a minimum of five years' experience at the associate professor level, which may include three years of service in that rank at another institution if such service is written into the initial appointment.

Associate Professor: To be eligible for this rank, a faculty member must demonstrate: (1) strong performance in teaching or in professional duties as a librarian; and strong potential for further development as a scholar and teacher or as a librarian; (2) strong record of performance in research and/or creative endeavors; (3) strong professional contributions and service. Candidates must possess a doctorate or the highest degree obtainable in their fields or possess, in lieu of the degree, a distinguished record of scholarly, artistic, or creative productivity. Candidates must have a minimum of five years' experience at the assistant professor level, including three years of service in that rank at another institution if such service is written into the initial appointment.

Assistant Professor: To be eligible for this rank, a faculty member must demonstrate strong potential for further development as a scholar and teacher or as a librarian. Candidates must possess a doctorate or the highest degree obtainable in their fields or possess, in lieu of the degree, a distinguished record of scholarly, artistic, or creative productivity.

Instructor: To be eligible for this rank, a faculty member must possess at least the master's degree in the discipline.

2.10.2 Application Procedures for Promotion. Applicants for promotion shall follow the "Tenure and Promotion Information and Procedures" provided

in [Appendix B](#). Recommendations for promotion in rank originate at the department level. Serving as a department promotion committee, the department's tenured faculty members of rank higher than that of the faculty member under consideration for promotion shall review the candidate's application, and the chair of this committee shall make a recommendation to the Department Chair or to the Dean in colleges without departments. When there are not at least three tenured faculty members at the appropriate rank available to serve, the Department Chair and College Dean, in consultation with the candidate, shall select the needed number of Committee members elsewhere within the respective college or if necessary the University. The Department Chair will forward to the Dean the recommendations of the department promotion committee along with his or her own recommendations. The Dean will forward his or her recommendation along with those of the Department Chair and department promotion committee to the Provost/Sr. VPAA. The Provost/Sr. VPAA shall forward his or her recommendation along with those of the Dean, Department Chair, and department promotion committee to the President. In the case of Library faculty, the tenured faculty members of rank higher than that of the faculty member under consideration for promotion shall review the candidate's application, and the chair of this committee shall make a recommendation to the Library Director who will forward to the Provost/Sr. VPAA the recommendation of the Library promotion committee along with his or her own recommendation. When there are not at least three tenured faculty members at the appropriate rank available to serve, the Library Director, in consultation with the candidate, shall select the needed number of Committee members elsewhere within the University. The Provost/Sr. VPAA shall forward his or her recommendation along with those of the Library Director and Library promotion committee to the President. Wherever recommendations are not unanimous, differences will be noted and attempts should be made to resolve them. Should there not be unanimity, minority and majority opinions should be forwarded to the next level. The promotion of faculty shall in every case be made by the Board of Trustees upon recommendation by the President.

2.11 Criteria for Academic Rank and Procedures for Promotion

For faculty employed Fall 2009 and thereafter:

2.11.1 Criteria. The following are criteria for initial appointment and promotion in faculty rank. For promotion decisions, only accomplishments since the last promotion shall be considered. All of the minimum years specified for promotion are true minimums to be observed for only the most outstanding faculty members. Library faculty shall hold the appropriate terminal degree

defined in the American Library Association's *Statement on the Terminal Professional Degree for Academic Librarians*.

Professor: To be eligible for this rank, a faculty member must demonstrate a strong and sustained pattern of truly distinguished performance in Teaching (or in Professional Duties as a librarian), Research/Creative Endeavor, and Service/Professional Obligation as defined by the institution and the department. The high quality of the candidate's work has been widely acknowledged and the candidate has provided meaningful professional leadership. A terminal degree is required. Candidates may apply for promotion to full professor after five years of service at the rank of Associate Professor. Candidates may include three years of service at the rank of Associate Professor from another institution if such service was written into the initial appointment.

Associate Professor: To be eligible for this rank, a faculty member must demonstrate a strong and sustained pattern of meeting or exceeding expectations for performance in Teaching (or in Professional Duties as a librarian), Research/Creative Endeavor, and Service/Professional Obligation as defined institutionally and departmentally. A terminal degree is required. Candidates apply for promotion to associate professor simultaneously with application for tenure or thereafter; they may not apply for promotion to associate professor before application for tenure. Candidates then must have six years of service at the level of Assistant Professor before making application for promotion to Associate Professor, including three years of service in that rank at another institution if such service was written into the initial appointment. Tenure track instructors at the University of Montevallo may petition to include up to three years of service at that rank toward promotion to the rank of Associate Professor as long as annual evaluations have been positive—meeting expectations in Teaching (or in Professional Duties as a librarian), Research/Creative Endeavor, and Service/Professional Obligation.

Assistant Professor: To be eligible for this rank, a faculty member must demonstrate potential for a strong and sustained pattern of meeting or exceeding expectations for performance in Teaching (or in Professional duties as a librarian), Research/Creative Endeavor, and Service/Professional Obligation as defined institutionally and departmentally. A terminal degree is required.

Instructor/Clinical Instructor: For appointment at the rank of Instructor or Clinical Instructor, a faculty member is expected to hold an earned master's degree and to offer evidence or promise of competence in teaching,

academic advising, service to the University, and, in the case of clinical instructors, clinical supervision. An instructor appointment is a non-tenure track appointment that is subject to renewal on an annual basis or a multi-year basis. Continuation of the appointment is based on the availability of funding and on satisfactory performance as determined through annual performance review.

A new faculty member hired to fill a tenure-track position who has not completed his or her terminal degree will be appointed temporarily to the rank of instructor with the expectation that the degree will be earned within a year and, when it is, the faculty member's rank will change to Assistant Professor. The tenure clock will begin at the start of the next regular academic semester.

Senior Instructor/Senior Clinical Instructor: A faculty member who has completed five years of service (consecutive or non-consecutive) at the rank of Instructor or Clinical Instructor at UM is eligible to apply for promotion to Senior Instructor or Senior Clinical Instructor, a non-tenure track appointment that is subject to renewal on a multi-year basis. The faculty member should apply for promotion through the tenure-granting body/committee in the department or academic unit in which they are housed. Each department or academic unit should employ their own standards for determining promotion, however, promotion is typically based on documented and sustained excellence in teaching, advising, University service, and, in the case of Clinical Instructors, clinical supervision. Continuation of the appointment is based on the availability of funding and on satisfactory performance as determined through annual performance review.

2.11.2 Application Procedures for Promotion. Applicants for promotion shall follow the "Tenure and Promotion Information and Procedures" provided in [Appendix B](#). The annual evaluation portfolio shall serve as the "core" of the tenure and/or promotion application, along with cover letter, current vitae, and selected support materials.

Recommendations for promotion in rank originate at the department level. Serving as a department promotion committee, the department's tenured faculty members of rank higher than that of the faculty member under consideration for promotion shall review the candidate's application, and the chair of this committee shall make a recommendation to the Department Chair or to the Dean in colleges without departments. When there are not at least three tenured faculty members at the appropriate rank available to serve, the

Department Chair and College Dean, in consultation with the candidate, shall select the needed number of Committee members elsewhere within the respective college or if necessary the University. The Department Chair will forward to the Dean the recommendations of the department promotion committee along with his or her own recommendations. The Dean will forward his or her recommendation along with those of the Department Chair and department promotion committee to the Provost/Sr. VPAA. The Provost/Sr. VPAA shall forward his or her recommendation along with those of the Dean, Department Chair, and department promotion committee to the President. In the case of Library faculty, the tenured faculty members of rank higher than that of the faculty member under consideration for promotion shall review the candidate's application, and the chair of this committee shall make a recommendation to the Library Director who will forward to the Provost/Sr. VPAA the recommendation of the Library promotion committee along with his or her own recommendation. When there are not at least three tenured faculty members at the appropriate rank available to serve, the Library Director, in consultation with the candidate, shall select the needed number of Committee members elsewhere within the University. The Provost/Sr. VPAA shall forward his or her recommendation along with those of the Library Director and Library promotion committee to the President. Wherever recommendations are not unanimous, differences will be noted and attempts should be made to resolve them. Should there not be unanimity, minority and majority opinions should be forwarded to the next level. The promotion of faculty shall in every case be made by the Board of Trustees upon recommendation by the President.

Each department shall expand institutional definitions of Teaching, Research/Creative Endeavor, and Service/Professional Obligation to provide the best possible guidance for faculty. Departments shall consider and reach consensus on expectations to define the departmental (or other unit within the department) standard. Departments should consider standards at peer and aspirant schools, as well as those of accrediting bodies—and then invite peer response from at least one compatible unit on or off campus. The department shall submit its statement of standards/expectations, along with rationale, to the ad hoc University Committee on Faculty Evaluation, Promotion, and Tenure for review. Standards shall be filed in the offices of Department Chairs/Directors, Deans, and the Provost/Sr. VPAA. Standards shall be reviewed every five years, and proposed changes to approved standards shall be submitted to the same approval process as described above. This process shall include all faculty members, tenured and non-tenured.

The academic “department” is the default unit referred to in the above. Departments may decide to work on the basis of smaller units, i.e.,

programs or disciplines, subject to the approval of the ad hoc Committee on Faculty Evaluation, Promotion, and Tenure.

In the event of changes or alterations to the standards by which tenure/promotion decisions are made, faculty members may decide to apply for tenure/promotion using either the standards in effect at the time of their employment or the revised standards.

Membership on the ad hoc University Committee on Faculty Evaluation, Promotion, and Tenure shall be open with regard to rank and tenure, and will represent the four colleges and the library. The primary role of the Committee shall be to (a) review departmental statements of standards/expectations for promotion and tenure; and (b) review policies and procedures related to faculty evaluation, promotion, and tenure. Committee recommendations on Items (a) and (b) shall be sent to the Provost and Senior Vice President for Academic Affairs.

2.12 Termination of Faculty Employment/Settlement of Financial Obligations

Papers and/or records, including video and/or audio recordings, in particular those related to student academic performance or assessment as well as those of an advisory or evaluative nature, remain the property of the University and should not be destroyed or removed from the appropriate offices. All faculty leaving the employment of the University must ensure that before leaving all debts are paid, all books and equipment on loan are returned, and keys and charge cards are turned in. Failure to do so may result in final pay being withheld. (Refer to [Policy 04:310](#).)

2.12.1 Termination of a Probationary Faculty Member. Continued employment of probationary faculty members will be determined by the President and Provost/Sr. VPAA with consideration of recommendations from the appropriate departmental faculty, Department Chair/Director and Dean. If a probationary faculty member is not to be renewed, the President or designee will inform her or him in writing. First-year faculty members will be so informed by March 1. Second-year faculty members will be so informed by December 1. Those with two or more years of service will be so informed by May 1 with their employment continuing through the next academic year. No reasons for non-renewal of probationary faculty need be given. Reappointment of probationary faculty to a succeeding academic year or the award of tenure shall be accomplished only by notice from the President or designee. No de facto tenure will be awarded to a faculty member. Should it occur that no notice is received by the maximum time prescribed, it is the duty of the probationary faculty member concerned to make inquiry to determine the

decision of the President, who shall without delay give the required notice to the probationary faculty member. Failure of the University to comply with the maximum probationary period policy shall not entitle a faculty member to tenure.

2.12.2 Termination of a Tenured Faculty Member. Termination of a tenured faculty member may be instituted by the University only for valid cause. Valid cause includes, but is not limited to, the following:

- A. academic and/or professional incompetence;
- B. bona fide financial exigency;
- C. discontinuance or substantial modification, by the Board of Trustees, of an academic program, unit, or department resulting in diminished personnel requirements;
- D. physical or mental incapacity to perform duties;
- E. insubordination, defined as refusal to perform teaching responsibilities and/or other assigned duties;
- F. moral turpitude or serious professional or personal misconduct, examples of which are:
 - a. commission of a misdemeanor or felony involving moral turpitude;
 - b. willful destruction of University property or violent disruption of the operation of the campus;
 - c. accepting or soliciting gifts that might influence or tend to influence the discharge of one's professional responsibilities;
 - d. plagiarism;
 - e. misuse or misappropriation of University property or funds;
 - f. sexual or racial harassment;
 - g. illegal use or distribution of drugs, narcotics, or controlled substances. A faculty member found guilty of illegal possession, use, sale, or distribution of drugs, narcotics, or controlled substances, whether on or off campus, shall be subject to

termination or other discipline as determined by the President. If, in the judgment of the President or the Board of Trustees, the best interests of the University or students so dictate, the faculty member may be immediately removed from contact with students and other employees, pending resolution of disciplinary proceedings; and

- h. intentionally or knowingly violating any University policy, order, rule, or regulation. Faculty are presumed to have knowledge if such orders, rules, or regulations are published in this Handbook or published as University policy.

2.12.3 Dismissal of Faculty Members Before or at the End of an Appointment Period. Faculty members may not be dismissed before or at the end of their appointments except for cause. In such cases, the President or designee will inform the faculty member of the charges and the action to be taken. Additionally, the President may, for good cause, suspend or dismiss a faculty member when the continuing presence of the faculty member poses a danger to persons or property or an ongoing threat of disrupting the academic process. In the event of a financial exigency declared by the Board of Trustees or in the event of dismissal for cause, the notification dates described in Section 2.11.1 may be adjusted or waived.

2.13 Appointment of Department Chairs

Full-time faculty members in the department will elect a candidate to recommend to the administration. Faculty members who are in their final year of employment are urged to refrain from voting. The administration will make the final appointment.

2.13.1 Evaluation of Department Chairs

Determination of continuation in the role of Department Chair is designed to be a collaborative process, based on performance and faculty support.

- **Annually:** Faculty are urged to provide *anonymous**feedback regarding Department Chair performance through the administrative evaluation system:
 - Deans review annual evaluations and provide *a summary of the data* to the Department Chair.
 - As part of the annual planning process, Chairs should work with faculty to develop short-term and long-term goals for the

department. Progress toward department goals should be presented to the Dean at the annual chair evaluation.

- **Fourth-Year Review:** Every fourth year of consecutive service, concurrently with the regular Chair evaluation process, the Dean will meet with department faculty to discuss the department's vision and progress toward long-term goals. The Dean will make a determination if the goals of the department are being met and if the Department Chair's continuation of service is beneficial for the department. The Dean will provide a report of the fourth-year review to the Provost/VPAA and the University President. The report shall include the anonymous, comprehensive, and un-redacted annual evaluation feedback from the department faculty, a summary of the responses during meetings with faculty, and a review of progress towards the departmental vision and goals.* A summary of the report, without specific comments or identifying information, will also be given to the Chair.

*As always, faculty are not restricted to a "one-time" opportunity to report an action or situation they, in good faith, believe to be unethical or harmful. Such reports should be immediately made to the Dean of the college, the Provost, or to the Director of HR.

2.13.2 Qualifications

The Department Chair must be tenured and typically will hold the rank of Associate Professor or Professor at the time the appointment takes effect. The Dean must make the case to the Provost/Sr. VPAA for any exception to rank.

2.13.3 Internal Search Selection Process

When a vacancy occurs in the position of Department Chair, the Dean will inform the faculty of the department and will appoint a faculty member to direct the search process from among the full-time members of the department who do not plan to be a candidate for the position. The faculty member who directs the search will solicit nominations from the department. Self-nominations are permissible.

Each candidate will submit the following: a current curriculum vitae; a statement outlining his/her qualifications to fulfill the duties of the Department Chair as set forth in Sections 1.04 and 3.05 of the Faculty Handbook; and a statement outlining the goals he/she would pursue as Department Chair.

The full-time faculty in the department will meet with each candidate to discuss his/her candidacy and goals.

The faculty member directing the search will solicit votes by secret ballot from each full-time faculty member and will share the results of the vote with the department faculty, the Dean and the Provost/Sr. VPAA.

The Dean will interview each applicant and provide an independent recommendation, with a rationale, to the Provost/Sr. VPAA. Upon approval by the Provost/Sr. VPAA and the President, the Dean will announce the final decision regarding appointment. If the recommendation of the faculty is not followed, then it shall be accompanied by a rationale.

2.13.4 External Search Selection Process

When the position of Department Chair comes open, if there is a vacant faculty position in the department, the department may recommend to the Dean that an external search be conducted. The Dean will send the department's recommendation and his or her own recommendation to the Provost/Sr. VPAA, who will consult with the President before approving an external search.

In the event of an external search, the search committee will follow the process outlined in the Faculty Search Guidelines. Members of the department who meet the published qualifications for the position are welcome to apply. The department's tenure and promotion committee and the Dean of the College will be asked to make a recommendation on tenure and rank if an external candidate is selected.

2.14 Grievance Policy and Procedures

The composition of the Faculty Grievance Committee is described under "University Committees" in this *Handbook*. Detailed information about the University's grievance policy and procedures may be found under "Policies" on the University web site or in the University Policy Manual. (Refer to [Policy 04:300](#).)

2.15 Workload of Faculty

In addition to fulfilling other responsibilities such as research, scholarly activities, and service, faculty members, with the exception of Library faculty, are required to teach a specified number of semester hours. Normally, full-time University faculty are assigned to teach from 12 to 15 hours per semester.

2.16 Summer School Teaching

Teaching in the University's summer session is not part of a faculty member's normal teaching load. Employment during the summer months is not guaranteed by the University.

2.17 Access to Personnel Files

Personnel files are the property of the University, and access to information they contain is restricted. Generally, only administrative officials and representatives of the University who have a legitimate, verifiable reason may review information in a file. (Refer to [Policy 04:020](#).)

2.18 Leaves of Absence

The University may provide time off to eligible University faculty to continue their education; to participate in research, grants or fellowships; or to recover from illness or injury and/or for other personal reasons. (Refer to [Policy 04:105](#).) Other aspects of the University's leave policies, including Family Medical Leave Act Policies, are governed by [Policy 04:100](#) and [Policy 04:130](#).

2.19 Re-employment of Retired Faculty

(Refer to [Policy 04:001](#).)

2.20 Immigration Forms I-9

All new employees, regardless of employment status, are required by Federal law to complete a Form I-9 before or immediately following employment. This form attests to the individual's eligibility for employment in the United States and is maintained in the Office of Human Resources.

2.21 Service Dates

Service date is used in the calculation of benefits. This is the date of initial employment at UM, unless there has been a break in service by termination of employment. When a break occurs, the service date becomes the most recent date of employment. For those who change from part-time to full-time and/or regular to temporary status or vice versa, the following applies:

1. Those faculty members who have a regular part-time appointment will retain their service date when going to regular full-time.
2. Those faculty members who are regular full-time and go to regular part-time will retain their service date.
3. Those faculty members going from temporary to regular status or vice versa will receive a new service date.