

# **POLICIES GOVERNING FACULTY SERVICE**

## **APPOINTMENTS, PROMOTION, TENURE, NON-REAPPOINTMENT AND DISMISSAL OF FACULTY**

*(Board Policy 405.1, revised June 6, 1997)*

This policy, adopted by the Board of Trustees on February 8, 1980, to become effective on July 1, 1980, supersedes all existing policies concerning appointments, promotion, tenure, non-reappointment, and dismissal of faculty (specifically, Administrative Memorandum No. 43, dated August 31, 1962; University-wide Administrative Memorandum 421.1, dated December 6, 1976; University-wide Administrative Memorandum 450.1, dated November 17, 1975; and Board Policy 405.1, dated September 1, 1962, and revised). Nevertheless, an employee of the University of Arkansas who held the rank of instructor prior to the effective date of this policy is eligible for tenure in accordance with Section II.A.(1-4) of Board Policy 405.1 dated September 1, 1962, and revised. The Board of Trustees has the right to amend any portion of this policy at any time in the future.

Copies of this statement of policies shall be kept by the dean of each college or school and by each department head or chairperson or other appropriate official and shall be included without change or inter-lineation in the Faculty Handbook for each campus. Care shall be taken to insure that each faculty member is familiar with its contents, and the department chairperson or other appropriate official shall supply a copy to each new member.

### **I. Definition of Terms**

For purposes of this policy, the following definitions shall apply:

**Appointment** - An appointment is employment by written contract (Notice of Appointment) by the Board of Trustees of an individual in a given capacity for a specified time period at a stated salary. An appointment is valid only when the appointment form is approved and signed by the President of the University or the President's designee in accordance with authority delegated by the Board of Trustees, and the Notice of Appointment is signed by the individual being appointed and returned to the specified University official.

**Dismissal** - Dismissal is severance from employment for cause after administrative due process as specified in Section IV-C. Non-reappointment is not a dismissal (see further).

**Faculty** - Faculty are employees who hold academic rank of lecturer, master lecturer, assistant instructor, instructor, assistant professor, associate professor, professor, distinguished professor, University professor, or one of the above titles modified by clinical, research, adjunct, visiting, executive in residence, or emeritus, e.g., clinical professor, adjunct assistant professor.

Individuals holding the non-teaching titles shown in the box below will also receive faculty rank, the highest rank for each title being as indicated. Both the title and the academic rank will be stated in the appointment.\*

**Non-Reappointment** - Non-reappointment means that a non-tenured faculty member is not offered a next successive contract for employment at the end of a stated appointment period. It is effected by a written notice sent in compliance with the time limits hereafter specified (IV.B.).

**Probationary Period** - The probationary period is the time a faculty member spends under appointments for full-time services in a tenure-track position on one campus of the University of Arkansas prior to being awarded tenure.

**Promotion** - Promotion is advancement based on merit to a higher rank or title. All promotions must be approved by the Board of Trustees and become effective with the next years appointment following action of the Board of Trustees, unless a different effective date is approved by the Board for a specific case.

**Resignation** - Resignation is voluntary termination of employment by an employee. The dean or director of the unit to which the employee is assigned is authorized by the Board of Trustees to accept the resignation.

**Suspension** - Suspension is temporarily relieving an employee of duties.

**Tenure** - Tenure is the right of continuous appointment. It is awarded by the President to eligible members of the faculty upon successful completion by each of a probationary period and, once granted, it ceases to exist only by dismissal for cause according to the procedures in Section IV.C., demonstrably bona fide financial exigency, reduction or elimination of programs, retirement, or resignation. 'Cause' is defined as conduct which demonstrates that the faculty member lacks the ability or willingness to perform his or her duties or to fulfill his or her responsibilities to the University; examples of such conduct include (but are not limited to) incompetence, neglect of duty, intellectual dishonesty, and moral turpitude. The probation period may be waived as provided in Section IV.A.4.

**NOTE:** Tenured faculty holding positions eliminated by reduction or elimination of programs will be relocated in other academic units of the campus whenever possible. A position occupied by a tenured faculty member which was

eliminated as a result of reduction or elimination of a program may not be reactivated for a period of five academic years.

**Tenure-Track Positions** - Tenure-track positions are ranks of assistant professor, associate professor, professor, distinguished professor, and University professor; provided, however, faculty appointed to clinical attending positions at the University of Arkansas for Medical Sciences and bearing the designation of assistant professor, associate professor or professor shall in no event be considered in tenure-track positions and shall acquire no tenure rights by virtue of occupying such positions.

**Terminal Appointment** - A terminal appointment is a final appointment, the expiration of which results in termination of an individual's employment.

**Termination** - Termination is the general term to describe severance of employment from the University. Termination may be by resignation, retirement, dismissal, non-reappointment, or expiration of appointment.

**Year** - Year will be either a fiscal year (July 1 through June 30 next) or an academic year (fall and spring semesters of the same fiscal year), unless otherwise designated.

## **II. Appointments**

The following principles shall apply to appointments to faculty positions:

### **A. General**

Appointments shall be for a specified period of time not to exceed one fiscal year. Except for appointments to faculty positions for summer school, appointments shall not extend beyond the end of a fiscal year.

Recommendations for appointments to the faculty will be made by the departmental chairperson after consultation with the departmental faculty concerned, and subject to the approval of the dean, chief academic officer, and chief executive officer of the campus, who alone shall make the final recommendation for appointment. (See definition of appointment, Page 1.)

### **B. Initial Appointment**

Criteria and procedures for the initial appointment of all faculty members on a campus shall be adopted by the faculty of that campus through its governance structure; the deans and chief academic officer of the campus shall have an opportunity to give their advice regarding these criteria and procedures; these criteria and procedures must be submitted to the Chancellor of the campus and the President for approval. More detailed criteria and procedures may be adopted by the faculty and chairperson<sup>1</sup> of each academic unit; these criteria and procedures must be submitted to the dean, the chief academic officer of the campus, the Chancellor of the campus, and the President for approval.

An appropriate degree or professional experience is an essential qualification for appointment to positions at academic ranks.

Other important qualifications include experience in teaching, research, or other creative activity, and educational service either at other colleges and universities and/or in non-academic settings.

### **C. Successive Appointments**

Tenured faculty members have a right to a next successive appointment except for the reasons for termination of a tenured appointment given in Section I under definition of tenure. Non-tenured faculty do not have a right to a next successive appointment, but may be offered an appointment after the expiration of a current appointment, provided it does not extend the time in probationary status beyond the limits set in Sections IV.A.4 and IV.A.11. In the event that a non-tenured faculty member is not recommended for reappointment, the procedure described in Section IV.B. shall be followed.

Criteria and procedures for successive appointments of all faculty members on a campus shall be adopted by the faculty of that campus through its governance structure; the deans and chief academic officer of the campus shall have an opportunity to give their advice regarding these criteria and procedures; these criteria and procedures must be submitted to the Chancellor of the campus and the President for approval. More detailed criteria and procedures may be adopted by the faculty and chairperson of each academic unit; these criteria and procedures must be submitted to the dean, the chief academic officer of the campus, the Chancellor of the campus, and the President for approval.

## **III. Promotion**

Promotion in academic rank shall be based primarily on the accomplishments of the individual while in the most recent rank. No minimum time in rank is required before a faculty member is eligible for promotion, nor is there a maximum time an individual may remain in a given rank except as limited by Sections IV.A.4. and IV.A.11. However,

individual accomplishments and potential for continued value to the University are required for promotion.

Recommendations for promotion shall originate with the chairperson, who shall inform the faculty members who are being considered for promotion and shall give them the opportunity to submit material which they believe will facilitate consideration of their competence and performance. Each campus shall provide for the inclusion of peer evaluation in the consideration of faculty nominated for promotion.

Criteria and procedures for promotion to each rank on a campus, including an appeals procedure for those desiring reconsideration of a negative recommendation, shall be adopted by the faculty of that campus through its governance structure; the deans and chief academic officer of the campus shall have an opportunity to give their advice regarding these criteria and procedures; these criteria and procedures must be submitted to the Chancellor of the campus and the President for approval. More detailed criteria and procedures may be adopted by the faculty and chairperson of each academic unit; these criteria and procedures must be submitted to the dean, the chief academic officer of the campus, the Chancellor of the campus, and the President for approval.

#### **IV. Tenure, Non-reappointment, and Dismissal**

##### **A. Tenure**

1. The granting of tenure implies that the individual has completed successfully his or her probationary period and has become a permanent member of the University community. As such, he or she acquires additional procedural rights in the event that dismissal proceedings may be brought against him or her.

2. Only full-time faculty with ranks of assistant professor, associate professor, professor, distinguished professor, and University professor are eligible to be awarded tenure. Faculty and other employees with the following titles are ineligible to be awarded tenure: clinical, research, adjunct, visiting, or executive in residence faculty, research associates or research assistants, graduate associates or graduate assistants, instructors, assistant instructors, and lecturers. Faculty appointed to clinical attending positions at the University of Arkansas for Medical Sciences, although designated assistant professor, associate professor or professor, are ineligible to be awarded tenure. Academic administrators not appointed to a teaching or research unit may be awarded academic rank in addition to their administrative titles, with the concurrence of the faculty and administrative officer of the academic unit in which such rank could lead to tenure, in which case they may acquire tenure as faculty, but not as administrators. Other administrators and staff whose primary duties do not involve teaching regularly scheduled credit-hour courses, but who occasionally teach courses are not eligible for tenure and do not acquire credit for service toward tenure for such teaching activities.

3. Tenure rights apply to the area or areas of the faculty member's expertise and in the academic unit(s) in which his or her position is ~~budgeted~~ *granted* (examples: Department of English, UAF, not College of Arts and Sciences; School of Law, UALR; Library, UAM; Departments of Music and Education, UAPB). Tenure rights are confined to a particular campus *and unit* and are not applicable on another campus of the University of Arkansas.

4. The probationary period may not extend beyond seven years, except as specifically provided herein. An initial appointment of one-half year (academic or fiscal) or less will not be included in the probationary period. If more than one-half of any year is spent in leave of absence without pay status, that year shall not apply toward the probationary period.

During the first six years of the probationary period, a tenure-track faculty member may request, for reasons set forth below, that the probationary period be suspended by one (1) year. The reasons for such a request are the same as required under the Family and Medical Leave Act of 1993 and are as follows: (a) the birth of a child to the faculty member or his spouse and its care during the first year; (b) the adoption of a child by the faculty member or placement in the faculty member's home of a foster child; (c) the care of the faculty member's spouse, child, or parent with a serious health condition; (d) the serious health condition of the faculty member.

A request to suspend the probationary period for these reasons shall first be directed in writing to the department chair for approval and must also be approved by the dean (or approved through other established administrative channels), the ~~Provost and vice chancellor for academic affairs~~ (*hereafter referred to as Provost*), the chancellor, and the president, under such procedures as the president shall approve. These procedures may include, but shall not be limited to, the manner in which the faculty member's duties and salary, if any, are determined during such year, the information which is required to substantiate a request and the extent to which a faculty member's performance during such year may be considered in awarding tenure. A faculty member who has been notified that he or she will not be reappointed may not subsequently request to suspend the probationary period under this policy.

Upon the recommendation of the department chair, after consultation with the departmental faculty and with concurrence of the dean, the ~~provost vice chancellor for academic affairs~~, and the chancellor, new appointees at the

rank of associate professor, professor, distinguished professor, or university professor may be granted immediate tenure.

5. Recommendations for tenure shall originate with the chairpersons, who shall inform the faculty members in tenure-track positions who are being considered for tenure and shall give them the opportunity to submit material which they believe will facilitate consideration of their accomplishments and potential.

6. Criteria and procedures concerning the awarding of tenure on a campus, including an appeals procedure for those desiring reconsideration of a negative recommendation, shall be adopted by the faculty of that campus through its governance structure; the deans and chief academic officer of the campus shall have an opportunity to give their advice regarding these criteria and procedures; these criteria and procedures must be submitted to the Chancellor of the campus and the President for approval. More detailed criteria and procedures may be adopted by the faculty and chairperson of each academic unit; these criteria and procedures must be submitted to the dean, the chief academic officer of the campus, the Chancellor of the campus, and the President for approval.

7. The President will not consider awarding tenure to a faculty member in a probationary status without the prior recommendation of the faculty member's *tenured* departmental faculty, chairperson, dean, chief academic officer, and the chief executive officer of the campus concerned.

8. A faculty or staff member, on acquiring tenure rights, shall receive a notice from the chief executive officer of the campus affirming the acquisition of such rights. No person shall lose tenure rights by acceptance of leave-of-absence or by appointment to a University of Arkansas administrative position.

9. Tenure becomes effective at the beginning of the nine- or twelve-month appointment period following the President's action granting tenure (July 1 for twelve-month appointments, and the beginning of fall semester for nine-month appointments).

10. Each year at the meeting at which promotions are considered by the Board of Trustees, the President shall inform the Board of the names of each person awarded tenure during the preceding twelve months, and shall indicate for each such individual the rank and date of appointment to the University faculty.

11. An individual in a tenure-track position who was not awarded tenure with any of the first six academic year or fiscal year appointments must be evaluated as specified in Section IV.A.6. during the sixth appointment. If he or she is not approved for tenure, the seventh appointment shall be a terminal appointment. *He or she may not be reconsidered during the seventh year.*

12. A faculty or staff member holding tenure rights may be dismissed for cause only after the procedures prescribed in Section V.C. have been followed. A tenured person notified that he or she will be so dismissed will, except in cases of moral turpitude, be given notice of dismissal twelve months prior to termination of employment. This provision does not create an award of severance pay, but assumes the full performance of University responsibilities and duties assigned for the period between dismissal notice and final termination.

13. No faculty member shall be dismissed or denied reappointment in violation of the following principles of academic freedom, but the observation of the limitations stated herein is the responsibility of each faculty or staff member. Mere expressions of opinions, however vehemently expressed and however controversial such opinions may be, shall not constitute cause for dismissal. The threat of dismissal will not be used to restrain faculty members in their exercise of academic freedom or constitutional rights.

a. The faculty member is entitled to full freedom in research and in the publication of results, subject to the performance of his or her other academic duties, but personal research for pecuniary return requires prior approval by the appropriate University authorities and must be in accordance with Board Policy 450.1.

b. The faculty member is entitled to freedom in the classroom in discussing the subject of the course, but should not teach material inappropriate or unrelated to the course.

c. The University faculty member is a citizen, a member of a learned profession, and a member of an educational community. Speaking or writing as a citizen, the faculty member is free from institutional censorship or discipline. However, as a person of learning and as a member of an educational community, the faculty member has a responsibility for awareness that the public may judge the profession and the institution by his or her utterances. Hence, faculty should at all times make an effort to be accurate, exercise good judgment and appropriate restraint, show respect for the opinions of others, and indicate that they are not spokespersons for the institution.

## **B. Non-Reappointment**

These procedures apply to non-tenured faculty members who are in tenure-track positions (assistant professors, associate professors, professors, distinguished professors, and University professors) who are not offered a next successive appointment for the period following the expiration of a current appointment. These procedures do not apply to faculty in clinical attending positions at the University of Arkansas for Medical Sciences bearing the

designation of assistant professor, associate professor or professor.

The appointment of a non-tenured faculty member may be terminated effective at the end of the appointment period, at the option of either the individual or the University. ***The decision to terminate a non-tenured faculty member should be reviewed by the elected unit committee or with another group selected pursuant to procedures established by the faculty and chairperson of the unit (hereafter referred to as the unit or department committee).***

A chairperson, dean, or chief academic officer who decides not to recommend a non-tenured faculty member for reappointment shall notify him or her in writing in accordance with the following schedule and shall enclose a copy of this section with the letter of non-reappointment:

Not later than March 1 of the first year of service, if the appointment expires at the end of that year; or at least three months in advance of its termination if the appointment terminates during the first calendar year of continuous employment.

Not later than December 15 of the second year of service, if the appointment expires at the end of that year; or at least six months in advance of its termination if an appointment terminates during the second calendar year of continuous employment.

At least twelve months before the expiration of the terminal appointment after two or more consecutive academic, fiscal, or calendar years in the institution. The terminal appointment will be for the academic or fiscal year, according to the appointment last held by the individual.

The individual, upon being notified that he or she will not be reappointed, may request an interview within ten working days after receipt of the notice, first with the dean of the school or college, or other appropriate administrators, then, if the employee requests it, within an additional five working days, with the chief academic officer of the campus. The dean of the school or college, or other administrator, and the chief academic officer jointly will, within ten working days, make the final decision on any request that the decision be reconsidered.

Department chairpersons and other employees of that campus may be requested to participate in their individual capacities in the interviews by the individual concerned, by the chief academic officer, or by the dean or other appropriate administrator.

If the individual does not request these interviews within the time limits stated above after receipt of notification of non-reappointment, the matter shall be considered closed.

### C. Dismissal

This section applies to all faculty members.

#### 1. Preliminary Proceedings

When a chairperson or dean has reason to consider a decision to dismiss a person who has tenure rights or an untenured faculty member prior to the expiration of an appointment, he or she shall discuss the matter with that person privately. After the discussion, if the decision of the chairperson or dean is to recommend dismissal, he or she shall prepare a statement of the grounds constituting the cause for dismissal and forward it through the chief academic officer to the chief executive officer on the campus, with a copy to the faculty member. If the faculty member requests it within five working days after receipt of the statement, a subcommittee of faculty members, as determined by procedures developed by each campus, shall be named by the chief executive officer to make an informal inquiry into the situation and to effect an adjustment, if possible. If no settlement is effected, the subcommittee shall determine whether, in its view, formal proceedings shall be instituted to consider the individual's dismissal, and it shall notify the individual concerned, the chief executive officer of the campus, and other appropriate administrators of its conclusion. If the subcommittee recommends that such proceedings begin, ~~or if the chief executive officer of the campus, after considering a recommendation of the subcommittee favorable to the individual, decides that a proceeding should be undertaken,~~ action shall be commenced according to the procedures which follow. ***The chief executive officer may also recommend that proceedings begin at which case action shall be commenced according to the procedures which follow.***

#### 2. Hearing Procedures

The formal proceedings shall be initiated by a communication addressed to the individual by the chief executive officer of the campus informing him or her of the dismissal and the grounds for it, and that, if he or she so requests, a hearing to recommend whether his or her employment by the University shall be terminated on the grounds stated, will be conducted at a specified time and place by a faculty committee constituted as described in Section 4 below. Sufficient time shall be allowed to permit the individual to prepare a defense. The individual shall be informed

in detail, or by reference to published regulations, of the procedural rights to which he or she is entitled, including the right to advice of counsel.

The individual shall indicate whether he or she wishes a hearing and, if so, shall file with the chief executive officer of the campus within two weeks of the date of the mailing of the communication by the chief executive officer of the campus an answer to the statement of grounds for the proposed dismissal.

If the individual does not request a hearing, no further action shall be taken. Further, at the request of the individual the proceedings provided for herein may be terminated at any time after the request for a hearing on written notice to the chief executive officer of the employee's acquiescence in the dismissal. Similarly, the administration may drop dismissal proceedings at any stage.

### 3. Suspension

Suspension of the individual from normal duties or reassignment to other duties during the proceedings will occur only if an emergency exists which threatens harm to the individual, to others, or to the University. Determination of an emergency shall be made by the chief executive officer, in consultation with the President. Such suspension shall be with pay.

### 4. Hearing Committee

The faculty of each campus shall establish a systematically rotated panel of faculty from which hearing committees can be drawn. To hear a particular case a committee, selected from the panel in accordance with campus policies, shall be composed of faculty members of departments not involved in the dismissal.

Upon receipt from the chief executive officer of the campus of a copy of the statement of grounds for dismissal, accompanied by the individual's answer thereto, the chairperson (*or designate*) of the hearing committee shall conduct hearings, **and** recommend a course of action as provided in Section IV.C.5. , *determine procedures, and chair the hearing.*

### 5. Committee Proceedings

The committee shall proceed by considering, before the time of the hearing, the statement of grounds for dismissal already formulated and the individual's written response. ***To avoid bias, other evidence to be presented by the university or the individual (collected by the chair) will not be considered by the committee until the proceedings of the hearing have begun. The chair of the hearing committee has the right to independent counsel from the Arkansas Office of the Attorney General.***

In addition to the members of the committee, only the person requesting the hearing and his or her representative, the chief executive officer of the campus and/or his or her designee, and witnesses called by the committee are permitted to attend the hearing.

Charges contained in the initially formulated statement of grounds for dismissal may be supplemented at the hearing by evidence of new events occurring after the initial communication to the individual which constitute new or additional cause for a dismissal. If such supplementary charges are adduced, the committee shall provide the individual with sufficient time to prepare his or her defense.

The chief executive officer of the campus shall have the option to attend or not to attend the hearing, and he or she may designate an appropriate representative to assist in developing and presenting the case.

The committee ***chair*** shall determine the order of proof and shall supervise the questioning of witnesses. ***The chair shall determine final dispositions of all objections (after responses from both sides) prior to the hearing. Committee members shall be allowed to question witnesses during the hearing.***

The individual shall have the aid of the committee when needed in securing the attendance of witnesses. The individual or his or her representative and the chief executive officer of the campus or his or her designated representative shall have the right within reasonable limits to question all witnesses who testify orally.

The committee will use its best efforts to provide an opportunity for those involved to confront all witnesses, but where this cannot be achieved despite the efforts of the hearing committee, the identity of such non-appearing witnesses, and any written evidence they may have furnished, shall be disclosed to all interested parties during the hearing.

***No employee involved in a dismissal hearing, serving on a dismissal hearing committee, or appearing as a witness in any hearing proceeding shall thereafter be discriminated against or suffer any employment disadvantage by reason of participating in grievance matters pursuant to this procedure.***

Subject to these safeguards, written statements may, when necessary, be taken outside the hearing and reported to it. All of the evidence shall be duly recorded. Formal rules of court procedure need not be followed, but the

committee shall exercise reasonable efforts to protect the rights of the parties in the reception of evidence.

#### 6. Consideration by Hearing Committee

The committee shall formulate its recommendation in private, on the basis of the hearing. ***The chair of the hearing committee shall conduct the private meeting and shall not have a vote.*** Before doing so, it shall give opportunity to the individual and the chief executive officer of the campus or his or her designated representative to make oral statements before it. If written arguments are desired, the committee may request them. The committee shall proceed to arrive at its recommendation promptly without having the record of the hearing transcribed when it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing. It shall make explicit findings with respect to each of the grounds for removal presented.

The chief executive officer of the campus and the individual shall be notified of the recommendation in writing and a copy of the record of the hearing shall be available to both parties.

A copy of the record of the hearing and the recommendations of the hearing committee shall be furnished to the President of the University for his or her decision. ***The chair of the hearing committee shall be available to present/discuss details with the President, as desired.*** The decision of the President shall be transmitted to the chief executive officer of the campus ~~and to the individual involved-~~, ***and to the hearing committee.***

#### 7. Consideration by Board of Trustees

If the decision of the President is appealed to the Board of Trustees, or if the Board of Trustees chooses to review the case, the President shall transmit to the Board of Trustees the full report of the hearing committee, stating its recommendation and his or her own decision. The review shall be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or by their representatives. The decision of the Board of Trustees on review shall be final. It shall be communicated to the President and through him or her to the person involved, ***and the hearing committee.***

### V. Annual Review

An annual review of the work and status of each tenured and tenure-track faculty member shall be made on the basis of the ***assignment workload***, assigned duties and according to criteria and procedures required herein. Faculty not in tenure-track positions shall be evaluated by procedures adopted by each campus. ***By February 28, each faculty member shall be informed in writing by the chairperson of the workload assignment and evaluation criteria for the year.***

#### A. Faculty

The annual review of each faculty member shall provide the primary basis for the chairperson's recommendations relating to salary, promotion, granting of tenure, successive appointment, non-reappointment, and dismissal. Furthermore, this review is to provide guidance and assistance to all faculty in their professional development and academic responsibilities in the areas of teaching, scholarly and creative activity, and service.

Criteria and procedures for an annual review of all tenured and tenure-track faculty on a campus shall be adopted by the faculty of that campus through its governance structure; the deans and chief academic officer of the campus shall have an opportunity to give their advice regarding these criteria and procedures; these criteria and procedures must be submitted to the Chancellor of the campus and the President for approval. More detailed criteria and procedures may be recommended by the faculty and chairperson of each academic unit; these criteria and procedures must be submitted to the dean, the chief academic officer of the campus, the Chancellor of the campus, and the President for approval. All procedures for annual reviews adopted by a campus shall include provision for and details for implementation of the following:

1. Within a reasonable time after the beginning of the first appointment of each faculty member: written notification to the faculty member of the criteria, procedures, and instruments currently in use in assessing performance;
2. Within a reasonable time after the beginning of each academic year: written notification to each faculty member of that year's assignments, review schedule, and the criteria, procedures, and instruments to be used that year;
3. Reasonable opportunity for each faculty member to submit any material desired to be considered in the

annual review;

4. Peer evaluation;

5. Student evaluation of teaching;

6. Prior to the chairperson's making a recommendation in any year: (a) a meeting between the chairperson and faculty member to discuss all issues relating to the review, (b) the providing to that faculty member a copy of the chairperson's tentative recommendation(s), and (c) reasonable opportunity for the faculty member to submit a written response to be forwarded to each subsequent level of review;

7. As long as a faculty member is employed by the University and for at least three years thereafter: maintenance of annual review forms, summaries of annual discussions between the chairperson and faculty member, recommendations, and all other writings used in or resulting from the annual reviews of that faculty member;

8. Availability to each faculty member of all writings used in or resulting from the annual reviews of that faculty member.

Each year the chief academic officer of each campus shall (a) require of each chairperson an assessment of the performance of all faculty members in the academic unit, including an identification of all faculty development needs and of all problems in performance of faculty, (b) take steps designed to insure compliance on that campus with all criteria and procedures for annual reviews, and (c) provide the Chancellor with a written report indicating the extent of compliance during the past year, as well as any needs and problems identified and solutions planned.

NOTE: A University-wide committee has been established for the purpose of recommending criteria and procedures for an annual review of all administrative officers of the University. A report from this committee will be presented to the Board of Trustees at a fall 1989 meeting for appropriate action of the Board.

The annual review of each administrative officer shall serve as the basis for decisions relating to salary and continuation as an administrator. Furthermore, this review is to provide guidance and assistance to all administrative officers in their professional development.

September 18, 1998 (Revised)/August 11, 1998 (Corrected)/June 6, 1997 (Revised)/April 25, 1997 (Revised)/September 16, 1994 (Revised)/June 16, 1989 (Revised)/January 23, 1987 (Revised)/September 17, 1982 (Revised)/June 18, 1982 (Revised)/February 8, 1980 (Revised)/April 20, 1962, and Revisions

**EVALUATIVE CRITERIA, PROCEDURES AND GENERAL STANDARDS FOR INITIAL APPOINTMENT, SUCCESSIVE APPOINTMENTS, ANNUAL AND POST-TENURE REVIEW, PROMOTION AND TENURE** (Campus Faculty, May 3, 1990; revised January 22, 1999; corrected June 8, 1999))

These criteria, procedures, and general standards, adopted by the Campus Faculty and approved by the Chancellor and President, apply to implementation on the Fayetteville campus of Board of Trustees Policy 405.1.

### **I. Initial Appointment**

The faculty and chairperson of each department or equivalent unit shall adopt criteria and procedures for the initial appointment of all faculty members in the unit. These criteria and procedures must be approved by the dean, the ~~Provost Vice Chancellor for Academic Affairs~~, the Chancellor and the President. The criteria and procedures adopted by the faculty and chairperson shall be consistent with Board policies and the following criteria and procedures.

#### A. Criteria

1. An appropriate degree or professional experience is an essential qualification for appointment to positions at academic ranks.

2. Other important qualifications include experience in teaching, research, or other scholarly or creative

activity, and educational service either at other colleges and universities and/or in non-academic settings.

3. The academic rank awarded at the initial appointment shall be consistent with prior professional experience as well as Board policies and criteria adopted by the faculty and chairperson of the appropriate unit.

#### B. Procedures

1. No later than 30 days after beginning employment in connection with a first appointment, each faculty member shall be advised in writing by his or her chairperson of the criteria, procedures, and instruments that are to be used in assessing his or her work.

## II. Successive Appointments and Annual Review

Each faculty member not in a tenure-track position shall be evaluated by his or her chairperson, or other immediate supervisor, at appropriate intervals (normally on an annual basis) in accordance with the following criteria which are relevant to assigned activities.

Tenured faculty members have a right to a next successive appointment except for the reasons for termination of a tenured appointment specified by the Board of Trustees.

The faculty and chairperson of each unit shall adopt criteria and procedures for an annual review and evaluation of the work and status of each tenured and tenure-track faculty member in the unit. These criteria and procedures must be approved by the dean, the ~~Provost Vice Chancellor for Academic Affairs~~, the Chancellor, and the President. The criteria and procedures adopted by the faculty and chairperson shall be consistent with Board policies and the following criteria and procedures. An important purpose of the annual review is to provide guidance and assistance to all faculty in their professional development and academic responsibilities in the areas of teaching, scholarly and creative activity, and service. *The annual review must be related to the annual faculty workload assignment.*

#### A. Criteria

Each faculty member shall be evaluated on the basis of achievement in the areas of (a) teaching (or professional performance, in the case of the faculty members with non-teaching titles in the Library, the Cooperative Extension Service, Instructional Development, or the Museum), (b) scholarly or creative activities, and (c) academically-related service. Each unit shall develop procedures for peer evaluation appropriate to its mission. The annual review of each faculty member with a teaching assignment shall include evaluation by students.

1. Evidence of achievement in teaching or professional performance may include, among other items:

a. Teaching

- (1) Teaching materials such as course outlines, examinations, and supplementary materials.
- (2) Evidence of effectiveness in direction of research of undergraduate, graduate, and postdoctoral students.
- (3) Evidence of participation in unit examination activities, such as written and oral examinations for honors or graduate degree candidates.
- (4) Self evaluations.

b. Professional performance (in the case of faculty with non-teaching titles)

- (1) Annual ratings by supervisors.
- (2) Evidence of expertise in the area of professional responsibility and effectiveness in carrying out assigned duties.
- (3) Evidence of ability and willingness to accept additional responsibility and/or leadership.
- (4) Evidence of cooperation in dealing with personnel at all levels.
- (5) Evidence of efforts at self-improvement.
- (6) Evidence of innovations in program implementation.
- (7) Evidence of the development of special projects, resource tools, and/or the use of creative techniques in the performance of duties.
- (8) Evidence of initiative and resourcefulness in solving unit problems.
- (9) Evidence of ability to communicate effectively orally and in writing.

(10) Evaluations by clientele.

(11) Self evaluations.

2. Evidence of scholarly or creative activities may include, among other items:
  - a. Publications of papers, books, and similar items.
  - b. Evidence of research, either funded or unfunded.
  - c. Evidence of awards, including funding of research proposals by external agencies after competitive review.
  - d. Evidence of performances, presentations, concerts, and other creative activities in the fine and performing arts.
  - e. Papers presented at professional meetings and seminars.
  - f. Technical reports on research projects completed or in progress.
  - g. Evidence of professional recognition by outside agencies, groups, or other individuals in the field.
  - h. Self evaluations.
  
3. Evidence of academically-related service activities may include, among other items:
  - a. Evidence of activities intended to enhance public understanding of the University or activities intended to develop the service function of the University.
  - b. Evidence of involvement in the work of professional societies.
  - c. Evidence of committee activities at the University.
  - d. Evidence of participation in activities in connection with funding agencies.
  - e. Evidence of service to the public through consulting or other activities in the area of academic or professional competence of the faculty member.
  - f. Self evaluations.

#### **B. Procedures for Tenured and Tenure-Track Faculty**

1. No later than 30 days after beginning employment in connection with a first appointment, each faculty member shall be advised in writing by his or her chairperson of the criteria, procedures, and instruments that are to be used in assessing his or her work.

2. By ~~September 1~~ ~~September 15~~ of each year, each faculty member shall be informed in writing by the chairperson of the ~~assignments~~ *promotion and tenure* review schedule, criteria, procedures, *requirements*, and instruments for the current year. Whenever there is a change in criteria, procedures, or instruments, each faculty member shall be informed by the chairperson in writing within four weeks of the change. Each faculty member shall also be provided with any standard review forms upon which the faculty member is expected to submit information regarding professional activities.

3. The performance of each tenured and tenure-track faculty member shall be reviewed annually by his or her chairperson.

4. As long as it is submitted by the deadline established by the faculty and chairperson of the unit, each faculty member has the right to submit any material desired to be considered in the annual review

5. The annual review forms, summaries of annual discussions between the chairperson and faculty member, recommendations, and all other materials used in or resulting from the annual reviews of the faculty member shall be maintained as long as the faculty member is employed by the University and for at least three years thereafter. These materials shall be made available to the faculty member upon his or her request.

6. The responsibility for the initiation of the annual review of each tenured and tenure-track faculty member, including recommendations regarding reappointment of each non-tenured faculty member, lies with the chairperson. The chairperson shall make each recommendation regarding reappointment of a tenure-track faculty member who is not tenured only after consultation either with an elected unit committee or with another group selected pursuant to procedures established by the faculty and chairperson of the unit (*hereafter referred to as the unit committee*).

7. Before submitting to the dean his or her recommendation and that of the unit committee or group, the chairperson shall meet with the faculty member to discuss all issues related to the review. A copy of the summary of the discussion and a copy of the chairperson's draft of the proposed recommendation to the dean and of the committee's recommendation shall be provided by the chairperson to the faculty member, who shall be given a reasonable opportunity to submit a written response before the chairperson prepares his or her final recommendation. A copy of the chairperson's final recommendation to the dean shall also be provided to the faculty member, who shall be given a reasonable opportunity to submit a written response to be forwarded to each subsequent level of review.

8. Except for non-reappointment, dismissal, tenure, or promotion decisions, a faculty member claiming that a recommendation resulting from the annual review process violates his or her rights under established University personnel regulations, policies, or practices, has recourse through the Faculty Grievance Procedure of the University. For non-reappointment, dismissal, tenure, or promotion decisions, other University policies and procedures are applicable.

### C. Post-Tenure Review

As described in Section V. A. of Board Policy 405.1, every year the performance of every tenured and tenure-track faculty member at the University of Arkansas, Fayetteville, is reviewed and evaluated by his/her academic unit. Based on this annual review and evaluation, personnel decisions such as reappointment, merit salary increases, and promotion are made. When the performance of a faculty member during the preceding calendar year is evaluated as unsatisfactory, the faculty member is informed by his/her department chair of this finding as well as what corrective actions are to be undertaken during the current year.

When the annual review of a tenured faculty member results in an overall rating of 'unsatisfactory' in two consecutive annual reviews, or three of five consecutive annual reviews, action to improve his/her performance to the satisfactory level will be taken. Such recommendation shall originate with the faculty member's chairperson in consultation with the ~~department peer review committee~~ *unit committee*, in accordance with annual review criteria, procedures, and standards of satisfactory performance as determined at the department level. [Note that this policy requires all departments to define 'satisfactory' and 'unsatisfactory' in their departmental procedures if they have not already done so, and to have an elected department peer review committee (*hereafter referred to as the unit committee*).] Within a reasonable period of time (including time for the faculty member to file grievances for the unsatisfactory ratings if desired), the department chair shall notify the faculty member in writing that a 'professional development plan' must be activated.

The professional development plan is a process for improving the faculty member's performance of his/her academic responsibilities in teaching, and/or research and creative activities, and/or service in a period of three years, or less if the faculty member requests it. In the case of extenuating circumstances as defined in Section IV. A. 4 of Board Policy 405. 1, the faculty member may request extension of the faculty development plan period by one year. The professional development plan is prepared by the faculty member, the department chair, and the ~~elected department peer review committee~~ *unit committee*, with the consultation and approval of the dean. Among options for the professional development plan are (1) change in assignment more appropriate to existing skills; (2) establishment of expertise in an area through scholarly activity; (3) taking a leave of absence to obtain new skills or update existing skills; and (4) a plan of improvement in teaching, research, and/or creative activities, and service.

The faculty member must demonstrate satisfactory progress of the professional development plan to the ~~elected department review committee~~ *unit committee*, the department chair and the dean of the college as part of the annual review process. In the event that the faculty member fails to demonstrate the required improvement as indicated in the professional development plan by the completion of the development plan period, the dean may recommend a one-year terminal contract and dismissal for cause, after which the dismissal process outlined in Board Policy 405.1 will be followed (as defined in Section IV. C of the policy).

## III. Promotion

Promotion shall be based primarily upon the accomplishments of the individual while in the most recent rank. Promotion is a distinct honor and is not based upon length of service. No minimum time in rank is required before a faculty member is eligible for promotion.

The faculty and chairperson of each unit shall adopt criteria and procedures for promotion to each rank. These criteria and procedures must be approved by the dean, the ~~Provost Vice Chancellor for Academic Affairs~~, the Chancellor and the President. The criteria and procedures adopted by the faculty and chairperson shall be consistent with Board policies and the following criteria and procedures.

### A. Criteria

Each faculty member who is being considered for promotion shall be evaluated on the basis of achievement in the areas of (a) teaching (or professional performance, in the case of the faculty members with non-teaching titles in the Library, the Cooperative Extension Service, Instructional Development, or the Museum), (b) scholarly or creative

activities, and (c) academically-related service. Although the criteria may resemble those used in annual reappointment evaluations, the relative emphasis and the levels of achievement required for promotion and reappointment may differ.

The criteria for the granting of promotion are the same as the criteria for reappointment contained in Section II.A of this document.

## **B. Procedures for Tenured and Tenure-Track Faculty**

1. No later than 30 days after beginning employment in connection with a first appointment, each faculty member shall be advised in writing by his or her chairperson of the criteria, procedures, and instruments that are to be used in assessing his or her work.
2. By ~~September 1~~ ~~September 15~~ of each year, each faculty member shall be informed in writing by the chairperson of the ~~assignments~~ **promotion and tenure** review schedule, criteria, procedures, **requirements**, and instruments for the current year. Whenever there is a change in criteria, procedures, or instruments, each faculty member shall be informed by the chairperson in writing within four weeks of the change. Each faculty member shall also be provided with any standard re-view forms upon which the faculty member is expected to submit information regarding professional activities.
3. **For promotion purposes**, the performance of each tenured and tenure-track faculty member shall be reviewed annually by his or her chairperson.
4. As long as it is submitted by the deadline established by the faculty and chairperson of the unit, each faculty member has the right to submit any material desired to be considered in the annual review **for promotion determination**.
5. The annual review forms, summaries of annual discussions between the chairperson and faculty member, recommendations, and all other materials used in or resulting from the annual reviews of the faculty member shall be maintained as long as the faculty member is employed by the University and for at least three years thereafter. These materials shall be made available to the faculty member upon his or her request.
6. With the help of either ~~an elected~~ unit committee or another group selected pursuant to procedures established by the faculty ~~and chairperson~~ of the unit, the chairperson shall begin, early in the fall semester of each year, consideration of whom to nominate for promotion that year. No later than ~~September 1~~ ~~September 15~~, the chairperson shall inform in writing each faculty member who is being considered for promotion that he or she is being considered. No later than ~~September 15~~ ~~October 1~~, any faculty member (whether so informed or not) may request in writing to the chairperson to be nominated for promotion that year; such request shall be honored by the chairperson.
7. The chairperson shall ask each individual to be nominated for promotion to submit material which he or she believes will facilitate consideration of his or her competence and performance. **Since this recommendation includes material back to the time of initial appointment or last promotion, the candidate should consider these items and begin accumulation of appropriate material at that time.**
8. The candidate and the chairperson should take the necessary steps to insure that the file of supporting material is as complete as possible to facilitate a thorough and fair evaluation. **No new material shall be included in the files for promotion and/or tenure without the knowledge of the candidate after the department or unit submits the file to the college or school.** It is recommended that care should be taken to include the following materials along with all documentation relative to satisfaction of the unit criteria:
  - a. A description of responsibilities with breakdown of teaching, research, and service assignments each semester since the initial appointment or the last promotion, whichever is pertinent. This material should address the need for untenured faculty in particular to be given assignments which provide an opportunity to satisfy the criteria under which they will be judged.
  - b. A statement of department criteria for promotion and/or tenure.
  - c. Any employment correspondence between the faculty member and his or her supervisor that clearly indicates job responsibilities. **This includes the annual faculty workload assignments.** In the absence of written confirmation to the contrary, heavy teaching and/or service loads do not mitigate the necessity for research and publication.
  - d. Copies of all annual review forms and summaries of annual discussions with chairpersons since the initial appointment or the last promotion. Each summary should include a clear statement that the candidate is or is not making satisfactory progress towards promotion and/or tenure, why, and what remedial steps, if any, are recommended. **These summaries of progress towards promotion/tenure should be related to the annual evaluations.**

e. Summary of student evaluations and other evidence of teaching effectiveness. The evaluations should be based on responses using the instruments and procedures selected by the candidate's unit. The summary should cover all classes taught by the candidate since the initial appointment or the last promotion, whichever is pertinent.

f. For those instances in which the individual is at the time limit for tenure, special justification should be given recommendations to tenure without promotion.

g. *A minimum of three letters responses* from impartial outside *reviewers (persons with appropriate expertise to assess the candidate's professional accomplishments)* ~~evaluators~~ at peer institutions *should be included. A minimum of six reviewers will be solicited (two to be nominated by the candidate, two to be nominated by the department/unit chairperson, and two to be jointly nominated by the candidate and the chairperson) by the department chairperson or the unit committee (as determined by the unit faculty). All reviewer responses should be included in the packet as well as a short vita from the outside reviewers.* ~~when employed.~~ These responses should be based on the evaluator's knowledge of the complete record of the candidate, including a description of responsibilities with breakdown of teaching, research, and service assignments during the time period being evaluated. ~~This can be particularly important for candidates whose job criteria are not for teaching/research.~~

~~Since this recommendation includes material back to the time of initial appointment or last promotion, the candidate should consider these items and begin accumulation of appropriate material at that time.~~

9. *This material, written evaluations from outside reviewers, and any other relevant material shall be evaluated by the unit committee. After both meeting and voting independently of the chairperson, the unit committee shall make its recommendation and recorded vote in writing and forward it to the chairperson and the tenured unit faculty along with a written statement of the unit committee's rationale for its recommendation. The unit committee shall send a copy of its recommendation and statement of rationale to the candidate by November 15. (A 'positive recommendation' is a recommendation to promote; a 'negative recommendation' is a recommendation not to promote.)*

10. *Similarly, the candidate's material, written evaluations from outside reviewers, any other relevant material evaluated by the unit committee, and the unit committee's recommendation and recorded vote shall be evaluated by the unit's tenured faculty. After both meeting and voting independently of the chairperson, the unit tenured faculty shall make its recommendation and recorded vote in writing and forward it to the chairperson. A copy of the tenured faculty's recommendation and recorded vote must be sent to the candidate by November 15.*

~~9~~ 11. *In like fashion, this material, outside reviews, written evaluations from persons with appropriate expertise to assess the candidate's professional accomplishments and selected pursuant to procedures established by the faculty and chairperson of the unit, the written advice of either an elected unit committee or another group selected pursuant to procedures established by the faculty and chairperson of the unit, and any other relevant material shall be evaluated by the chairperson in deciding whether to make a positive or negative recommendation. (A 'positive recommendation' is a recommendation to promote; a 'negative recommendation' is a recommendation not to promote.)* The chairperson shall inform the faculty member *in writing of his/her of this* decision and the rationale for it *by November 30.*

~~10~~ 12. Prior to the time the chairperson forwards the nomination to the dean, the faculty member may withdraw from further consideration. Such withdrawal shall be in writing to the chairperson.

~~11~~ 13. Each nomination shall be forwarded to the dean in writing by November ~~15~~ 30 and shall be accompanied by the chairperson's recommendation *and* all materials provided to the chairperson by the faculty member, ~~and all other materials evaluated by the chairperson.~~ Any recommendation shall also be accompanied by a written statement of the chairperson's rationale for the recommendation *as well as the unit committee's written recommendation, vote, and rationale and the tenured faculty's recommendation and recorded vote .*

~~12~~ 14. Each college or school shall provide for a formal review of all nominations for promotion by a review committee elected by the faculty of the respective college or school. Upon receiving each nomination, the dean shall provide the review committee with all materials submitted by the chairperson together with any other ~~relevant materials to be used by the dean in making his or her decision~~ *materials submitted by the candidate. After both meeting and voting independently of the dean,* the review committee shall make its recommendation and *recorded vote* in writing and forward it to the dean of the college or school along with a

written statement of the review committee's rationale for its recommendation. The review committee shall send a copy of its recommendation and statement of rationale to the candidate.

~~13~~ 15. If the unit chairperson makes a negative recommendation, the review committee described in the preceding paragraph shall (at the time it decides whether to recommend the candidate's promotion) also decide whether to ask the unit chairperson to reconsider his or her recommendation. If the review committee asks for a reconsideration, the unit chairperson shall reconsider his or her recommendation and shall inform the candidate and dean of his or her final decision and the rationale for it.

~~14~~ 16. If the candidate does not agree with the review committee, he or she may provide the dean with a written response and may also request a hearing with the dean. Prior to forwarding any recommendation and rationale or materials to the ~~Provost Vice Chancellor for Academic Affairs~~, the dean shall report his or her decision *and statement of rationale* to the candidate and the candidate's chairperson. ~~The candidate may request, and shall receive, the dean's rationale for such decision.~~

~~15~~ 17. Prior to the time the dean forwards the nomination to the ~~Provost Vice Chancellor for Academic Affairs~~, the faculty member may withdraw from further consideration. Such withdrawal shall be in writing to the dean.

~~16~~ 18. Each nomination shall be forwarded to the ~~Provost Vice Chancellor for Academic Affairs~~ in writing by December 22 and shall be accompanied by the recommendations of the candidate's chairperson, the candidate's unit committee or group, the college or school review committee, and the dean. The dean's recommendation shall also be accompanied by a written statement of his or her rationale for the recommendation. *Copies shall be forwarded to the candidate at that time.*

~~17~~ 19. The ~~Provost Vice Chancellor for Academic Affairs~~ shall evaluate the submitted materials and shall communicate his/her recommendations in writing by January 21 to the candidate and to the candidate's dean and chairperson. If the ~~Provost Vice Chancellor~~ makes a negative recommendation ~~and if the candidate requests it~~, the ~~Provost Vice Chancellor~~ shall provide the candidate with a written statement of the rationale for such recommendation.

~~18~~ 20. Upon being notified of a negative recommendation by the ~~Provost Vice Chancellor for Academic Affairs~~, the candidate may request a review by the Faculty Senate Committee on Appointment, Promotion and Tenure [hereinafter referred to as the Tenure Committee]. The request shall be in writing and submitted to the ~~Provost Chancellor~~ by February 4. If the candidate requests review by the Tenure Committee, the ~~Provost Vice Chancellor~~ shall submit to the committee all recommendations and materials used at every stage of the matter. The complete file of materials shall be submitted to the chairperson of the Tenure Committee by February 7. *The Tenure committee will have access to the files of all candidates for the current year within the respective college.* The candidate should include documentation in the appeal file of any **substantial** deviation from the procedures of this section that is considered by the candidate to have damaged his/her application. The Tenure Committee shall provide the Chancellor with a written statement of its decision and the rationale therefor, and shall also provide copies of the statement of decision and rationale to the candidate and to the ~~Provost Vice Chancellor~~ and the candidate's dean and chairperson by March 1.

~~19~~ 21. The final recommendations of the Chancellor shall be communicated in writing to the ~~Provost Vice Chancellor for Academic Affairs~~ and to the candidate, the chairperson of the Tenure Committee, the candidate's dean, and the candidate's chairperson. *In addition, the final recommendations for all candidates shall be communicated in writing to the chair of the Tenure Committee.* If the final recommendation of the Chancellor is negative (contrary to a positive recommendation by the Tenure Committee) ~~and if the candidate requests it~~, the Chancellor shall provide the candidate and the Chair of the Tenure committee with a written statement of the rationale for such recommendation.

22. *Any other formal or informal bodies, groups, committees, or individuals consulted by the Chancellor, Provost, or the Dean, not in the specific procedures outlined heretofore, constitutes a violation of the promotion and/or tenure process. The Chancellor, Provost, and Dean may request in writing clarification of recommendations (Provost, Dean, college committee, unit chairperson, tenured faculty, or unit committee).*

~~20~~ 23. The final recommendations of the Chancellor and of the Tenure Committee shall be made to the President and the Board of Trustees in time for the Board's consideration of the promotion for the next academic year. *If the candidate receives a negative recommendation, the candidate may request a review by the President.*

## IV. Tenure

The faculty and chairperson of each unit shall adopt criteria and procedures for the granting of tenure. These criteria and procedures must be approved by the dean, the ~~Provost Vice Chancellor for Academic Affairs~~, the Chancellor and the President. The criteria and procedures adopted by the faculty and chairperson shall be consistent with Board policies and the following criteria and procedures.

### A. Criteria

Although the emphasis on accomplishment and potential contribution may differ, the criteria for the granting of tenure include the criteria for promotion contained in Section II.A of this document.

### B. Procedures

The procedures for the granting of tenure are the same as the procedures for promotion contained in Section III.B of this document.

### C. Probationary Period Suspension Procedures

The period of any suspension of a faculty member's probationary period shall be the academic year (in the case of nine-month appointees) or the fiscal year (in the case of twelve-month appointees).

During the year in which any faculty member's probationary period is suspended, the faculty member must have (1) a leave of absence without pay for at least four months or (2) a catastrophic leave of absence of at least four months or (3) at least a four-month period consisting entirely of sick leave, a catastrophic leave, and/or leave of absence without pay or (4) a part-time appointment for at least a four-month period which is no more than a 75 percent appointment and also provides for a salary of no more than 75 percent of the faculty member's salary under his or her last full-time appointment. Alternatively, a faculty member with extenuating circumstances not covered by the above may ask for a suspension of the probationary period. Such extenuating circumstances might include a situation where a faculty member is technically fulfilling his or her responsibilities but is unduly distracted by virtue of one of the four grounds outlined in Board Policy 405.1.A faculty member desiring a suspension of the probationary period must present a written request to the chairperson (as that term is used in Board Policy 405.1) of his or her academic unit before the requisite leave period begins. In the event a faculty member is unable to present a written request to the chairperson prior to paid or unpaid leave of absence because of a mental or physical incapacity, the request shall be submitted as soon as practicable considering the extent and nature of the faculty member's incapacity.

Such request shall (1) specify which of the four grounds for a suspension under Board Policy 405.1 is relevant to this request, (2) explain the circumstances, and (3) supply such medical or other documentation as might reasonably be required. As quickly as possible after the request is presented, the chairperson and the faculty member shall discuss the request and implementation of the requisite leave period, if applicable.

The chairperson shall consider the request and submit his or her recommendation to the dean. The dean shall consider the request and submit his or her recommendation to the ~~provost vice chancellor for academic affairs~~ as soon as possible but in no event later than two weeks from the date of the faculty member's presenting his or her request to the chairperson.

The ~~Provost Vice Chancellor~~ shall consider the request and notify the faculty member of his or her recommendation as soon as possible but in no event later than two weeks from the date of his or her receipt of the request. If the recommendation is to be negative, the faculty member may appeal to the Tenure, Appointment, and Promotion Committee. The recommendation of the ~~Provost Vice Chancellor~~ and the Tenure, Appointment, and Promotion Committee shall be submitted by the ~~Provost Vice Chancellor~~ within one week of the receipt of the recommendation of the Tenure, Appointment, and Promotion Committee.

The chancellor shall consider the request and submit his or her recommendation to the president as soon as possible but in no event later than two weeks from the date of his or her receipt of the request.

As each administrator makes his or her recommendation, he or she shall notify the faculty member of the recommendation.

In connection with any faculty member whose probationary period has been suspended, each person involved in making a recommendation or decision regarding promotion or tenure of the faculty member shall use his or her discretion as to whether to consider the faculty member's performance during the year of suspension and, if so, how

much weight to give to such performance.

No person involved in the promotion and tenure process shall consider a faculty member's having sought or obtained a suspension of the probationary period under this policy in decisions concerning promotion or tenure of the faculty member.

If the request is granted, an appropriate indication shall be placed in the applicant's promotion file. All documentation regarding the rationale for the request shall be kept confidential and maintained in a file separate from the faculty member's official institutional personnel file. This confidential file may be accessed by and must be released to the applicant upon request.

Any faculty member whose request is not approved by the chancellor may submit within ten working days additional reasons or information to support a request for reconsideration by the chancellor.

## **V. Dismissal**

The subcommittee of faculty members specified in Section IV.C. I of the Board of Trustees policy on Appointments, Promotion, Tenure, Non-Reappointment, and Dismissal of Faculty (Board Policy 405. 1) shall consist of three members of the Faculty Tenure Committee appointed by the committee chairperson as the need arises. The members of the subcommittee shall be faculty members of units not involved in the dismissal.

The members of the Faculty Tenure Committee shall serve as the *jury* panel of faculty specified in Section IV.C.4 of the Board of Trustees policy on Appointments, Promotion, Tenure, Non-Reappointment, and Dismissal of Faculty (Board Policy 405. 1), provided, however, that no faculty member in the unit involved in the dismissal shall serve on the panel for that matter. *The chair of the Faculty Senate Committee on Appointment, Promotion, and Tenure shall be chair of hearing committee in IV.C.4*

## **APPOINTMENTS TO DISTINGUISHED OR UNIVERSITY PROFESSORSHIPS**

(Campus Faculty, November 2, 1989)

### **University Professorship**

#### **Substantive Criteria**

A university professorship at the University of Arkansas, Fayetteville, is a distinction bestowed upon active faculty, either from this university or other universities, who are widely recognized for their sustained excellence in scholarship, teaching, research, or creative activity germane to their respective disciplines and who have provided exemplary service to the university or to their profession or to the public through professional activity. Appointment to a university professorship signifies a special honor conferred only upon active faculty of extraordinary merit.

#### **Procedural Guidelines**

1. The faculty and chairperson of each department or equivalent unit shall establish, with the concurrence of the dean and ~~Provost Vice Chancellor for Academic Affairs~~, substantive criteria and procedures for the appointment of university professors within that unit, provided that such rules are compatible with the campus-wide criteria and guidelines stated herein.

2. A favorable recommendation of the chairperson and a majority of the faculty of the appropriate academic department or equivalent unit is a prerequisite for appointment to a university professorship. The ~~Provost Vice Chancellor for Academic Affairs~~ may select a committee from existing university professors to review the credentials of individuals under consideration for university professorships.

### **Distinguished Professorship**

#### **Substantive Criteria**

A distinguished professorship at the University of Arkansas, Fayetteville, is to be reserved for those individuals who are recognized nationally and internationally as intellectual leaders in their academic disciplines for extraordinary accomplishments in teaching; published works, research, creative accomplishments in the performing arts; or in other endeavors, and who have gained such recognition for distinction at this or another university prior to appointment as distinguished professor.

Appointment to a distinguished professorship shall be made only when clear indication exists that individuals so appointed will provide exemplary academic and intellectual leadership and continue their professional activities in such a way as to maintain national and international recognition and a commensurate level of accomplishment.

**Procedural Guidelines**

1. The faculty and chairperson of each department or equivalent unit shall establish, with concurrence of the dean and ~~Provost Vice Chancellor for Academic Affairs~~, substantive criteria and procedures for the appointment of distinguished professors within that unit, provided that such rules are compatible with the campus-wide criteria and guidelines stated herein.
2. A favorable recommendation from the chairperson and a majority of the faculty of the appropriate academic department or equivalent unit is a prerequisite for appointment to a distinguished professorship. The ~~Provost Vice Chancellor for Academic Affairs~~ may select a committee from existing distinguished professors to review the credentials of persons under consideration for distinguished professorships. See also Academic Policy 1405.3.

**RETRENCHMENT**

(Board Policy 405.5, revised November 12, 1993)

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**FACULTY GRIEVANCE PROCEDURE**

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**Grievance Procedure Steps**

A faculty member having a grievance is entitled to have the issue considered in the following manner. *Written records shall be maintained at all steps.*

- a. The faculty member discusses the grievance with the department head, chairperson, or other immediate administrative superior (hereafter called ‘the respondent’). If the grievance is not resolved to the satisfaction of the faculty member by discussions at the departmental level, the faculty member may discuss it with his or her dean. If the grievance is satisfactorily resolved by any of the above discussions, the terms of the resolution shall be reduced to writing, if any of the involved parties desires to have such a written statement, and signed by the faculty member, the respondent, and the dean, if involved.
- b. If the grievance is not resolved by the above discussions and the faculty member then chooses to pursue the matter further, the issue must be reduced to writing promptly by the faculty member and sent immediately to the respondent. Within ten working days after receipt of the written statement, the respondent shall prepare a written decision on the matter and forward copies of both documents to the appropriate dean and to the faculty member.

If a department has a personnel committee or other analogous committee, the written statements of the faculty member and the respondent may be brought before the committee for consideration (or reconsideration) by either party within the ten-day period referred to above and before they are presented to the dean. If such a referral is made, the ten-day period is extended to twenty working days. The committee shall make recommendations in writing for resolution of the grievance. If the grievance is not satisfactorily resolved through the mediation of the committee, the full record, including any written report of the committee, shall be forwarded by the respondent to the dean and to the faculty member in the manner described in the previous paragraph.

- c. The dean shall make an effort to resolve the grievance in a mutually satisfactory manner, but in any event shall, within ten working days after receipt of the file, prepare a written decision on the matter and forward

copies to the faculty member and respondent. The dean may refer the matter to an appropriate college committee for advice. If such a referral is made, the ten-day period is extended to twenty working days. The committee may make a written report on the matter, in which case that report shall become part of the record which is included with the report of the dean's decision to the faculty member and the respondent.

d. The decision of the dean may be appealed to the ~~Provost Vice Chancellor for Academic Affairs~~ by letter sent by either the faculty member or the respondent within ten working days following receipt of the dean's decision. In case of such an appeal, the entire written record of the matter shall be concluded with the appeal letter. Upon receipt of the appeal, the ~~Provost Vice Chancellor for Academic Affairs~~ shall request that an ad hoc grievance committee be constituted from among the membership of the Faculty Grievance Panel to investigate the matter and make *written* recommendations for its solution.

When ad hoc grievance committees are needed, the Chair of the Faculty *Senate* shall impanel such grievance committees so as to maximize impartial evaluation of the plaintiff's grievance. Individual ad hoc grievance committees shall consist of five or more members of the larger Panel. Individual grievance committees shall select their own chairs who shall be responsible for reporting the recommendations of their committees to all parties in the grievances [see below], including the administrative supervisors of the faculty members involved and the Chair of the Faculty Grievance Panel who will, in turn, provide a summary annual report of the total recommendations of all ad hoc grievance committees to the Chair of the Faculty Senate, excluding the names of aggrieved faculty members. *All records shall be maintained by the Provost.*

The composition of the Faculty Grievance Panel shall be representative of all colleges and must not formally or in practice under represent women and minorities. Persons holding administrative positions are not eligible to serve on this Panel. The faculty member whose grievance is being considered and the respondent may each strike one member from the initial list of members of the ad hoc grievance committee. If the remaining grievance committee consists of four members, the Chair of the Faculty *Senate* shall immediately appoint a fifth member from the Faculty Grievance Panel. The ad hoc grievance committee shall select its own chairperson. The ad hoc grievance committee shall be given access to relevant witnesses and records, shall take sworn testimony, and shall tape the hearing, and attach to their recommendations the written evidence that has been assembled. The ad hoc grievance committee shall adopt and use fair procedures, understanding that its informal inquiry is designed to develop all pertinent factual information. Unless the time is extended by action of the ~~Provost Vice Chancellor for Academic Affairs~~, the ad hoc grievance committee shall return its written recommendations to the ~~Provost Vice Chancellor for Academic Affairs~~ within one month of the date on which the committee membership was finally established. Within ten working days following receipt of the recommendations of the grievance committee, the ~~Provost Vice Chancellor for Academic Affairs~~ shall present a written decision on the matter, including the report of the ad hoc grievance committee, to the person whose appeal is being heard, with copies to the dean and the *respondent*.

e. The decision of the ~~Provost Vice Chancellor for Academic Affairs~~ may be appealed to the Chancellor within ten working days of receipt, by the faculty member, the respondent, or the dean. The Chancellor's decision shall be made promptly, and copies of it shall be sent to all of the parties involved. Any appeal to the Chancellor shall be on the basis of the complete written record only.

### **Related Policies**

In view of the fact that this policy and procedure involves personnel issues, all grievance hearings shall be conducted in private with only those involved present.

No faculty member, member of a grievance committee, administrator, or witness shall suffer loss of compensation for the time spent in any step of this procedure. The decision and relevant records shall be forwarded to and retained in the files of the ~~Provost Vice Chancellor for Academic Affairs~~ for a minimum of three years. No employee filing a grievance, serving on a grievance committee, or appearing as a witness in any grievance proceeding shall thereafter be discriminated against or suffer any employment disadvantage by reason of participation in grievance matters pursuant to this procedure.

### **Faculty Grievance Panel**

See 'Faculty Senate Committees' in Section Three for a description of the Faculty Grievance Panel.

## **ADMINISTRATOR GRIEVANCE**

**PROCEDURE**

An administrator who has a grievance should discuss the matter with his or her supervisor, and if the matter is not resolved satisfactorily, the aggrieved party should reduce the complaint to writing and send copies to the supervisor and to the chief executive office on the campus. The supervisor should respond in writing with copies to the chief executive office and the aggrieved party. The chief executive officer will review the matter and make his decision, which shall be final.

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