



Policy 02:230 – Faculty Tenure, Promotion and Evaluation

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 employees of the University. Non-tenure track faculty members may serve as adjunct faculty and are not eligible for tenure.

The Board of Trustees and the University reserve complete discretion as to whether and when any faculty member is awarded tenure. No provision in Board Policy, the Faculty Handbook, approved procedure 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 University Policy, the Faculty Handbook or in any other document.

Probationary Period

Only full-time assistant professors, associate professors, and professors will be eligible for consideration for tenure. Adjunct and part-time instructors are not eligible for tenure. All tenure eligible faculty must complete a pre-tenure probationary period before consideration 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. Up to three years of prior service at another institution may be considered as a part the pre-tenure probationary period if specifically enumerated in the initial faculty appointment and approved by the Department Chair, Dean, Provost, and the University President.

Extension of Probationary Period

A one-year extension of the pre-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, or (d) a significant University, College or Departmental disruption beyond the control of a faculty member.

If approved, the extension adds one academic year to the typical probationary period of six years. 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 University President, after consultation with the department committee, Department Chair/Director, Dean, and the Provost.

Pre-tenure Probationary Period Performance Reviews

Performance reviews during the pre-tenure probationary period shall be conducted pursuant to the performance review provisions in the Faculty Handbook.

Employment Renewal During Probationary Period

Determination of whether faculty members will be renewed for continued employment during their probationary period will be made by the University President, based on recommendation by the Department Chair (or Dean in a college without departments) or Library Director, the Dean, and the Provost.

Tenure Criteria and Procedures

Tenure decisions shall be based on a candidate's demonstrated 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 appropriate 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. 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 five 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.

Applicants for tenure shall follow the University's "Tenure and Promotion Information and Procedures" provided in the Faculty Handbook and its Appendices. 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 should be provided with tenure 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 less than four 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.

The 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 Tenure Committee's recommendation along with the Chair's own recommendation. The Dean will make a recommendation and forward it along with those of the Department Chair and the Tenure Committee to the Provost, who shall make a recommendation and forward it, along with all recommendations received to the President for a final determination and presentation to the Board of Trustees. The decision to award tenure shall in every case be made by the Board of Trustees upon recommendation by the President.

Criteria for Academic Rank and Procedures for Promotion.

Faculty rank and promotion criteria are set in in the Faculty Handbook and all decisions regarding faculty rank and promotion, will be made in accordance with the procedures in the Faculty Handbook, to the extent those provisions do not conflict with this policy or state law.

Termination of Probationary Faculty Member.

Decisions regarding continued employment of probationary faculty members will be made by the University President. If a probationary faculty member is not to be renewed, the President or designee will inform the member in writing. First-year faculty members should be so informed by March 1. Second-year faculty members should be so informed by December 1. Those with

two or more years of service should 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. No de facto tenure will be awarded to a faculty member under any circumstances. Should it occur that notice is not received by the applicable deadlines set forth above, 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. A failure of the University to provide the required notice by the dates set forth in this policy will not entitle a faculty member to tenure nor to continued employment with the University. A failure of the University to comply with the maximum probationary period policy shall not entitle a faculty member to tenure.

Termination of Faculty Members Before the End of an Appointment Period. Faculty members may not be dismissed before the end of their appointments except for cause. In such cases, the President or designee will inform the faculty member of the basis for the proposed termination 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 this policy may be adjusted or waived.

Termination of a Tenured Faculty Member.

A tenured faculty member may be dismissed at any time after being provided with legally required due process, based on any of the following determinations, each of which shall constitute serious misconduct:

(1) The faculty member has done any of the following:

- a. Exhibited academic and/or professional incompetence, including physical or mental incapacity to perform duties.
- b. Failed to perform duties or meet professional responsibilities of the faculty member's position, including, but not limited to, failure to perform as documented in a post-tenure review.
- c. Failed to successfully complete any post-tenure review professional development program.
- d. Engaged in behavior that adversely affects the public institution of higher education or the faculty member's performance of duties or meeting of responsibilities.
- e. Violated laws or committed policy violations deemed to be terminable offenses by the institution, including intentionally or knowingly violating any University policy, order, rule, or regulation. Faculty are presumed to have knowledge of such orders, rules, or regulations as published in this Handbook or published as University policy.

f. Been convicted of a crime affecting the fitness of the faculty member to engage in teaching, research, service, outreach, or administration, including commission of a misdemeanor or felony involving depravity or the 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.

g. Engaged in unprofessional conduct that adversely affects the institution or the faculty member's performance of duties or meeting of responsibilities, including sexual or racial harassment, willful destruction of University property or violent disruption of the operation of the campus, accepting or soliciting gifts that might influence or tend to influence the discharge of one's professional responsibilities; plagiarism; misuse or misappropriation of University property or funds;

h. Falsified the faculty member's academic credentials.

(2) There is actual bona fide financial exigency or the phasing out of the institution's programs requiring elimination of the faculty member's position such as the discontinuance or substantial modification, by the Board of Trustees, of an academic program, unit, or department resulting in diminished personnel requirements.

(3) There is other good cause as defined in University policies.

For the purposes of this policy, legally required due process shall include, at a minimum, written notice of the allegations against the tenured faculty member, including an explanation of the evidence supporting dismissal, and an opportunity for the tenured faculty member to respond to the allegations in a hearing with the Provost or, in the event the Provost is unavailable to serve in that capacity, an administrator or administrators to be designated by the Board of Trustees.

Faculty Evaluation and Post-tenure Review.

The professional performance of each faculty member, including tenured faculty members, is evaluated annually on the basis of objective and subjective information about the quality and the quantity of work. Evaluation should result in appropriate professional development for individuals and should help faculty members better know their professional strengths and weaknesses. Systematic faculty evaluations provide a basis for determining retention, tenure and promotion, and, where appropriate, salary increases. All post-tenure review shall be conducted through the University's faculty evaluation process. The faculty evaluation process shall be subject to annual review by the Board of Trustees.

Faculty evaluations assess professional performance in three areas important to the University's mission and goals: teaching, research/creative endeavor, and service/professional obligations. Teaching is considered a faculty member's most important professional activity. This implies that the other professional activities, research/creative endeavor and/or service/professional obligation, will contribute to an improved educational experience for students, principally in the form of distinguished teaching.

Faculty will receive formal evaluation on the departmental or college level each calendar year. Objective and subjective information will be gathered at appropriate times throughout the year, principally by the faculty member, and presented in a prescribed format to the Chair or (where appropriate, the Dean or Library Director) at an annual evaluation conference, early in the spring semester, for the preceding calendar year's activities. Formal evaluations conducted as part of the post-tenure review process shall include a peer review component in addition to other evidence.

Each faculty member will be evaluated in teaching, research/creative endeavor, and service/professional obligation annually.

Approved 9/26