

## **ARTICLE 15**

### ***TENURE***

**15.1 Eligibility.** Employees with the rank of Associate Professor and Professor shall be eligible for tenure. Tenure shall be in a department/unit or other appropriate administrative unit. Tenure shall not extend to administrative appointments in the General Faculty or Administrative and Professional classification plans.

**15.2 Tenure Decision.**

(a) An employee shall normally be considered for tenure during the sixth year of continuous service in a tenure-earning position, including any prior service credit granted at the time of initial employment. An employee's written request for early tenure consideration is subject to the University's written agreement.

(b) By the end of six (6) years of service at the University, an employee eligible for tenure shall either be awarded tenure by the Board or given notice that further employment will not be offered. Upon written request by an employee within twenty (20) days of the employee's receipt of such notice, the University shall provide the employee with a written statement of reasons by the president or representative why tenure was not granted.

(c) Decision by the Board. The Board shall award tenure. This decision shall normally be made at the May Board Meeting but no later than the following meeting. The employee shall be notified in writing by the president or representative within five (5) days of the decision of the Board.

(d) An employee being considered for tenure prior to the sixth (6) year may withdraw from consideration before the Provost issues a final written recommendation without prejudice.

**15.3 Criteria for Tenure.**

(a) The decision to award tenure to an employee shall be a result of meritorious performance and shall be based on established criteria specified in writing by the University. The decision shall take into account the following:

- (1) annual performance evaluations;
- (2) the needs of the department/unit, college/unit, and University;
- (3) the contributions of the employee to the employee's academic unit (program, department/unit, college/unit);

and

- (4) the contributions the employee is expected to make to the institution.

(b) The University shall give a copy of the criteria for tenure to employees eligible for tenure, and, beginning with the second year of employment, each such employee shall be apprised in writing once each year of the employee's progress toward tenure. For example, employees hired Fall 2014 or Spring 2015 will receive their first cumulative progress evaluation in Spring 2016. The appraisal shall be included as a separate component of the annual evaluation and is intended to provide assistance and counseling to candidates to help them to qualify themselves for tenure. The employee may request, in writing, a meeting with an administrator at the next higher level to discuss concerns regarding the tenure appraisal which were not resolved in previous discussions with the evaluator.

(c) Tenure criteria shall be available in the department/unit office and/or at the college/unit level.

**15.4 Modification of Criteria.**

(a) **Modifying Criteria.** The University may modify the criteria for tenure so long as the local UFF Chapter has been notified of the proposed changes and offered an opportunity to discuss such changes in consultation with the University president or representative. Changes in criteria shall not become effective until one (1) year following adoption of the changes, unless mutually agreed to in writing by the local UFF president and the University president or representative. The date of adoption shall be the date on which the changes are approved by the administrator at the highest level required under applicable university policies and procedures. Any proposal to develop or modify tenure criteria shall be available for discussion by members of the affected departments/units before adoption.

(b) **Effect on Employees.** The equitable opportunity provisions of Article 9 are applicable to the modified criteria. Further, if an employee has at least four (4) years of tenure-earning credit as of the date on which the tenure criteria are adopted under Section 15.4(a), above, the employee shall be evaluated for tenure under the criteria as they existed prior to modification unless the employee notified the university at least thirty (30) days prior to commencement of the tenure consideration that he/she chooses to be evaluated under the newly adopted criteria.

**15.5 Recommendations and Procedures.**

(a) Recommendations for the awarding of tenure shall be made by the employee's supervisor and shall include a poll by secret ballot of the tenured members of the employee's department/unit. The performance of an employee during the entire term of employment at the institution shall be considered in determining whether to grant tenure. Recommendations regarding tenure shall include a copy of applicable tenure criteria, the employee's annual assignments and annual evaluations, and the employee's tenure appraisals. Prior to the consideration of the employee's candidacy, the employee shall have the right to review the contents of the tenure file and may attach a brief and concise response to any materials therein. It shall be the responsibility of the employee to see that the file is complete. The provisions of Article 11 of this Agreement shall apply to the contents of the tenure file.

(b) If any material is added to the file after the commencement of consideration, a copy shall be sent to the employee within five (5) days (by personal delivery, by mail, return receipt requested, or through the eP&T portal, if applicable). The employee may attach a brief response within five (5) days of his/her receipt of the added material. The file shall not be forwarded until either the employee submits a response or until the second five (5)-day period expires, whichever occurs first. The only documents which may be considered in making a tenure recommendation are those contained or referenced in the tenure file. If a document that is not part of the tenure file is considered, then, prior to the committee's decision, it shall be added to the tenure file and the procedures for notifying the employee described in this section shall be followed.

**15.6 Other Considerations.**

(a) During the period of tenure-earning service, the employee's employment shall be governed by the provisions of Article 12.

(b) Part-time service of an employee employed at least one semester in any twelve (12)-month period shall be accumulated. For example, two (2) semesters of half-time service shall be considered one-half year of service toward the period of tenure-earning service.

(c) An employee who is credited with tenure-earning service at the time of initial appointment may request, in writing, that the president or president's representative withdraw all or a portion of such credit. An employee may make such a request only one time, and the request must be received before the end of the spring semester prior to the fall semester of the employee's final year of eligibility.

**15.7 Transfer of Tenure.** When a tenured employee is transferred as a result of a reorganization or program curtailment within the University and is employed in the same or similar discipline in which tenure was granted, the employee's tenure shall be transferred to the new department.

**15.8 Tenure upon Appointment.** Tenure may be granted to an employee by the Board at the time of initial appointment, upon recommendation of the appropriate administrator. The administrator shall consider the recommendation of the department or equivalent unit prior to making his/her final tenure recommendation.

**15.9 Leave.** Authorized leaves of absence shall be credited or not credited toward the period of tenure-earning service according to the provisions of Section 17.4.

**15.10 Termination/Layoff.** Tenure/permanent status guarantees annual reappointment for the academic year until voluntary resignation, retirement, removal for just cause, or layoff.