

TAD on 5/9/09

ARTICLE 9 – TENURED AND TENURE-TRACK FACULTY

- 9.1 Appointments to a tenure-track position shall be considered probationary.
- 9.1.1 A probationary appointment is an appointment with a fixed term and no right to reappointment. A probationary employee has the right to serve the specified term of the appointment and may not be terminated without just cause during that term. Reappointment of probationary appointees follows the procedures as established in ARTICLE 20 – REAPPOINTMENT, TENURE, PROMOTION, & POST-TENURE REVIEW of this Contract.
- 9.1.2 The circumstances under which a continuing probationary tenure-track appointment may be non-renewed at the expiration of any year-to-year term of such appointment are:
- (a) unsatisfactory performance at the time of a second year review; or
 - (b) failure to make satisfactory progress toward tenure in the period between reviews by not remedying noted serious deficiencies, so that meeting professional standards for tenure awarded by the end of the probationary appointment is not likely. Such progress will be evaluated in accordance with department and college criteria as described in ARTICLE 20 – REAPPOINTMENT, TENURE, PROMOTION, & POST-TENURE REVIEW of the Agreement.
- 9.1.3 Where such an appointment is not renewed in these circumstances, then written notice of nonrenewal shall be given by the Office of the Provost.
- 9.1.4 The circumstances under which a continuing probationary tenure-track appointment may be terminated at any time during its course are:
- (a) failure to achieve the terminal degree in a timely manner as stipulated by the terms of the appointment. The stipulated period may be extended for good cause;
 - (b) dismissal for just cause;
 - (c) disability, in accordance with appropriate federal and state statutes;
 - (d) layoff; and
 - (e) resignation.
- 9.1.5 Except for terminal notice due to layoff, which is governed by the notice provisions of ARTICLE 23 – RETRENCHMENT, termination for any of these reasons shall be effective as of the date the University's final decision is given to the faculty member.

~~9.2 Administrators may be granted tenure and rank as a departmental faculty at the time of hire. Such appointments shall ordinarily be made at the recommendation of the department, college dean, and the Provost. Faculty recommended in this manner must meet department standards for tenure upon hire.~~

9.39.2 Tenure is the right to continuous appointment at the University with an assignment to a specific department until such time as the faculty member resigns, retires, abandons duties, is discharged for just cause, or is laid off in accordance with the provisions of ARTICLE 23 – RETRENCHMENT of this Agreement. Such continuous appointment shall be subject to the terms and conditions of this Agreement. Tenure is awarded by the Board of Trustees through the normal procedures set forth in ARTICLE 20 – REAPPOINTMENT, TENURE, PROMOTION, & POST-TENURE REVIEW of this Agreement. In addition, the Board of Trustees retains the right to award tenure on its own authority. Prior to confirming an award of tenure in an initial appointment, the University will first provide an opportunity for input from faculty in the affected department.

(TA) RBY
5/8/09
EJ
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