



# Rule

## 12.01.01.L1 Institutional Rule for Implementing Tenure

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### Procedure Statement and Reason for Procedure

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The purpose of this rule is to establish guidelines for implementing the tenure process at Texas A&M International University (TAMIU).

[System Regulation 12.01.01, Institutional Rules for Implementing Tenure](#) provides for the establishment of tenure procedures and the criteria by which faculty may be evaluated with respect to tenure decisions.

For the purpose of this rule, the definition of **tenure** is that provided in Section 4 of [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#). The benefits of tenure and basic rules and requirements for tenure are outlined in that same section of the policy.

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### Procedures and Responsibilities

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#### 1. GENERAL

- 1.1 [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#) states “tenure means the entitlement of faculty members to continue in their academic positions unless dismissed for good cause.” The policy also identifies conditions or circumstances that will constitute good cause for dismissal of a faculty member. Tenure is granted only by the affirmative action of the Board of Regents (BOR) upon recommendation of the President of the institution.

- 1.2 The Provost and Vice President for Academic Affairs (Provost) will provide faculty members with a written statement of terms of employment including tenure conditions when employment is initiated. The probationary period for an eligible faculty member will not exceed seven years of full-time service at TAMIU. Faculty must apply for tenure no later than the sixth year of service (unless an extension of the tenure probationary period has been approved according to [TAMIU Rule 12.01.99.L1, Extension of the Tenure Probationary Period](#)). Each candidate will receive written notification by the dean of the respective college regarding their eligibility to apply for promotion and tenure. Such notification will be given by February 15 of the year in which they will be considered. Notification to each candidate must clearly state that failure to apply for tenure by September 1 will result in a terminal appointment the following academic year to comply with [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#). Failure to apply for tenure by September 1<sup>st</sup> of the sixth year of service will lead to a terminal appointment issued by the Provost. Employment will terminate at the end of that same academic year. . . If the faculty member applies for tenure but the President does not recommend tenure to the BOR of The Texas A&M University System (System), the Provost will issue a terminal appointment. The faculty member will be employed for two additional long semesters following the term or semester in which notice not to recommend tenure is issued by the President. . If the faculty member appeals the decision by the President, the appeal process does not extend the remaining employment period.
- 1.3 Appropriate full-time service at other institutions may be counted towards the probationary period if agreed to in writing and stated in the initial appointment letter from the Provost. No more than three years of full-time service at another institution at the rank of assistant, associate, or full professor will be counted towards the probationary period. Acceptance of credit toward promotion and tenure obligates the faculty member to apply for promotion and tenure on the accelerated schedule agreed to in the letter of employment.
- 1.4 Each untenured faculty member must be evaluated annually by the department chair to discuss progress, accomplishments, opportunities for improvement, and expectations with regard to excellence in teaching, excellence in research/scholarship and/or creative accomplishments, and service. Annual evaluations are conducted by department/division chairs and deans. Final review and approval is conducted by the Provost. Annual Professional Portfolio Evaluations (PPE) play a key role in the tenure review process. If a faculty member seeking tenure does not demonstrate satisfactory progress toward meeting TAMIU's expectations, appropriate action will be taken to not renew their appointment (see 1.5 below). Each probationary (tenure-track) faculty member is responsible for developing and submitting a PPE (for continuation) or submitting the tenure package (final year of tenure track). The purpose of the PPE is to facilitate dialogue between the administration and faculty and provide a process to evaluate the faculty member's accomplishments in the context of departmental, college, university, and system goals. An unsatisfactory rating in any one area for a probationary faculty member (e.g., teaching effectiveness, research, creative activities and other scholarly endeavors, or service will require the implementation of a written short-term development plan for the faculty member, including performance improvement benchmarks). The development plan serves as a guide for the faculty member to achieve their professional goals. In the written narrative, the chair and dean will suggest specific actions that the faculty member will need to take to achieve performance objectives in the next year. The plan will consider the minimum requirements for tenure in the area of the unsatisfactory rating and will include resources that will assist the faculty member in attaining the

performance objectives. If the faculty member does not show progress toward achieving the performance objectives, action will be taken to non-renew the appointment prior to the final tenure review (6th year)

- 1.5 Termination of Employment: Notice of non-reappointment, or of intention not to reappoint a faculty member, shall be given in writing in accordance with the following standards. For tenure-track faculty, notice will be given:
  - 1.5.1 No later than March 1 of the first academic year of probationary service, if the appointment expires at the end of that academic year; or, if the appointment terminates during an academic year, at least three months in advance of its termination.
  - 1.5.2 No later than December 15 of the second year of probationary service, if the appointment expires at the end of that academic year; or, if the appointment terminates during an academic year, at least six months in advance of its termination; and
  - 1.5.3 At least twelve months before the expiration of a probationary appointment after two or more years in the institution.
  
- 1.6 Application for Early Tenure:
  - 1.6.1 Faculty members with exceptional teaching, research/scholarship and/or creative accomplishments, and service records may apply during the tenure review process that runs in their fifth year of service at TAMIU. Faculty members granted years of credit in their appointment letter (for service at other institutions or for non-tenure-track service at TAMIU) during the hiring process are not eligible for early tenure as years granted for credit already denotes an accelerated schedule to apply for tenure. Faculty members should consult with their department chair and dean before applying for early tenure.
  
  - 1.6.2 If the applicant for early tenure withdraws during the tenure review prior to submission of materials to the Provost's Office for review by the University Promotion and Tenure Committee, the applicant will be reviewed no later than the sixth year of service (unless an extension of the tenure probationary period has been approved according to TAMIU Rule *12.01.99.L1, Extension of the Tenure Probationary Period*).
  
  - 1.6.3 If the early tenure applicant does not withdraw prior to submission of materials to the Provost's Office, and the decision is to not recommend tenure, the faculty member will be given a terminal appointment. Such appointment will be issued by the Provost. The faculty member will be offered employment for one additional academic year commencing with the current fall semester and ending the subsequent spring semester.

## **2. UNIVERSITY STANDARDS FOR TENURE**

- 2.1 To be eligible to receive tenure, a faculty member must be a full-time employee of TAMIU, must have earned a terminal degree in their academic discipline or a related discipline, and must hold the academic rank of assistant professor, associate professor (without tenure), or professor (without tenure) . Members of the faculty whose appointments are classified as clinical or instructional professional of any rank or part-time or temporary (such as lecturers, , visiting professors, or graduate student teaching assistants) are not

eligible to receive tenure and consequently are not subject to the provisions of these procedures. Assistant professors will be evaluated for promotion to associate professor and for tenure concurrently and will not be awarded one without the other.

- 2.2 Faculty members who hold joint appointments with other state, federal, or private agencies or with two or more members of System may be entitled to tenured status as faculty members if they meet the aggregate requirements for tenure and meet the minimum time in rank at TAMIU.
- 2.3 Administrative personnel, such as department heads and deans who hold academic rank at TAMIU in addition to their administrative title, retain their tenured status as faculty members, but administrative positions, per se, are not subject to tenure. The initial appointment letter, or if applicable, the letter notifying the faculty member of their appointment to the administrative position, must state the portion of the employee's salary that is associated with the administrative position. Additionally, in such a case, this letter must state that the administrative position and the salary associated with such a position may be terminated without cause. Except in extraordinary cases, administrators who have not held a tenured faculty position at an institution of higher learning will not be hired with tenure at TAMIU.
- 2.4 The tenured faculty of a particular program will make a recommendation to the chair and appropriate college dean on the appointment of a new faculty member with tenure. The request must be accompanied by a written recommendation to the Provost from the department/division chair and the dean.
  - 2.4.1 The Provost, in consultation with the President, will consider the recommendation and appropriate documentation before making the faculty appointment.
  - 2.4.2 Tenure appointments must be approved by the President and the BOR.
- 2.5 Excellence in the categories of performance for tenure are (:
  - 2.5.1 **Excellence in Teaching** – This category includes, among other things, evidence of teaching effectiveness (including student and peer evaluations); classroom and laboratory instruction; development of new courses (including online and blended), laboratories, and teaching methods; distance education, publication of instructional materials or research on pedagogy; advising; and supervision of undergraduate and/or graduate students.
  - 2.5.2 **Excellence in Research/Scholarship and/or Creative Activity** – This category includes creation and dissemination of new knowledge or other creative activities and/or the preservation of knowledge. For most disciplines, this category consists of research, grants, peer-reviewed publications, and/or creative work. This category may also include directing doctoral students, securing patents, copyrights, and commercialization as defined by college or institutional criteria. Publications should be progressive and consistent throughout the probationary period, demonstrating ongoing growth each year consistent with the discipline.
  - 2.5.3 **Excellence in Service** – This includes service to TAMIU, students, student organizations, colleagues, the department, and/or the college, as well as service

beyond the campus. Examples of the latter include service to professional societies, research organizations, governmental agencies, the local community, and the public at large, as it relates to their discipline and area of expertise as well as other activities that benefit and enhance the community and TAMU/college relations. It is also recognized that some tenure-track faculty may have duties that include semi-administrative or administrative responsibilities. Examples of these responsibilities may include the duties of a director, coordinator, department chair, and assistant/associate dean.

- 2.5.4 While department and college criteria may utilize some quantitative measures, excellence is of primary importance. Quality, impact, and significance of accomplishments are of utmost importance. College/school-specific requirements are available in the office of the dean of the college/school as well as on their website. Please contact the dean's office for specific information.

### **3. MIDPOINT REVIEW**

At the midpoint of the probationary period, the faculty member will receive a more thorough review addressing progress toward tenure based on established performance expectations. The midpoint review normally occurs at the end of the third year of a six-year probationary period. The promotion and tenure committee of the department (or school or division) will meet, review the performance record of the faculty member, and make a recommendation to the chair or director.

- 3.1 The midpoint review must be part of a tenure-track member's annual faculty performance evaluation and occurs three years prior to eligibility for tenure review. Recommendations for improvement will be provided to the faculty member by faculty peers, the department chair, and the dean. In instances where tenure-track faculty members have been granted time toward tenure during the hiring process, the Provost must note the year of midpoint review in the hiring letter. The midpoint review must be administered according to the following process:
  - 3.1.1 By January 15th of each year, the department chair or college dean must notify each faculty member who is subject to midpoint review.
  - 3.1.2 By February 15th, any faculty member subject to midpoint review must deliver to the department chair a dossier through Interfolio documenting excellence in teaching, scholarship and/or creative activity, and service in accordance with college criteria, using the standard format for promotion and tenure (see the [Provost's website](#)).
  - 3.1.3 All tenured faculty members in the department (or tenure review unit) must review and evaluate the dossier through Interfolio for excellence in effective teaching, scholarly and/or creative achievement, and service.
  - 3.1.4 Tenured faculty members must meet together to discuss a candidate's midpoint review and draft a developmental review identifying strengths and opportunities for improvement in each area of the evaluation. Tenured faculty members must submit their recommendation to the department chair or director through Interfolio by March 1<sup>st</sup>. In their review, tenured faculty members will indicate whether:

- a. The faculty member's performance is strong in all areas. Areas of particular strength should be enumerated and detailed. Progress toward tenure requires that present performance levels be maintained.
  - b. The faculty member's performance is strong overall but includes areas of weakness, which must be enumerated and detailed. Progress toward tenure requires that these weaknesses be addressed. Specific suggestions for improvement should be included as appropriate.
  - c. The faculty member's performance is not sufficient to indicate any realistic possibility of tenure.
- 3.1.5 Based on this recommendation and their own observations, the chair or director will write a midpoint evaluation report and submit it to the dean through Interfolio, with a copy to the faculty member and dean, no later than March 10th. In the report, the chair will recommend one of the following possibilities:
- a. The faculty member's performance is strong in all areas. Areas of particular strength should be enumerated and detailed. Progress toward tenure requires that present performance levels be maintained.
  - b. The faculty member's performance is strong overall but includes areas of weakness, which must be enumerated and detailed. Progress toward tenure requires that these weaknesses be addressed. Specific suggestions for improvement should be included as appropriate.
  - c. The faculty member's performance is not sufficient to indicate any realistic possibility of tenure. The faculty member will be notified and will be given notice at least 12 months prior to terminal date to comply with [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#).
- 3.2 Based on the recommendation of the tenured faculty and the chair, the dean will write their own midpoint evaluation report and submit it to the Provost through Interfolio no later than April 1<sup>st</sup>. If, after reviewing all submitted reports, the Provost deems that the faculty member's performance is not sufficient to indicate any realistic possibility of tenure, the Provost will notify the faculty member and will issue a terminal appointment. The faculty member will be allowed to teach for one more academic year, commencing the subsequent fall semester and ending the subsequent spring semester.
- 3.3 These reviews are intended to indicate to the individual the general degree of successful development that the faculty member has attained. In addition, these reviews are intended to strengthen the accomplishments of all non-tenured faculty members and to provide them with a preliminary view of the possible results of a tenure decision. The exact wording of the midpoint report should be appropriate to the situation, as determined by the chair or director, in consultation with the dean.

#### 4. TENURE REVIEW

##### Promotion and Tenure Deadlines\*:

February 1st	Candidate information or case is created in Interfolio.
February 15th	Dean notifies candidate of their eligibility for tenure and of the deadline for submitting all promotion and tenure materials via Interfolio. Faculty, chairs, and deans initiate the external reviewer list.
March 1st	Eligible faculty member submits letter of intent/email to apply for tenure/promotion to dean. Faculty submit the external reviewer list to the Chair. This date also applies to faculty members applying for promotion to Professor and reclassification.
March 15th	Deans must provide a list of all candidates for promotion, tenure, and reclassification to the Provost.
April 1st	Chairs must contact each external reviewer by email to notify them of their selection to serve as an external reviewer for candidates undergoing promotion and tenure and promotion review. Faculty must submit initial materials in Interfolio including CV and representative publications at a minimum. Faculty can add more material as the process unfolds.
April 15th	Chairs must submit the list of external reviewers for Interfolio submission by the deadline.
September 1st	Dossier (see the <a href="#">Provost's website</a> for materials required) is submitted through Interfolio for tenure/promotion and all promotions.
September 15th	Department promotion and tenure committee votes on candidates.
October 1st	Department chair makes recommendation to college promotion and tenure committee and dean.
October 15th	College promotion and tenure committee votes on candidates
November 1st	Dean makes recommendation to University Promotion and Tenure Committee
3 <sup>rd</sup> week in November	University Promotion and Tenure Committee votes on candidates
December 1 <sup>st</sup>	Deadline for candidate to submit supporting materials which could be relevant after the September 1 deadline. Such materials may include external reviewer letters, notification of of publication acceptance or the actual article if it appears during the P&T committee deliberations, a funded grant, or an appointment for publication.
December 15th	Provost makes recommendation to the President
January 15 <sup>th</sup>	President notifies candidate of promotion and tenure decision in accordance with Section 1.5 notification requirements
Spring semester	President makes recommendation regarding award of tenure to BOR.

\* If submission deadline falls on a Saturday, Sunday, or official University holiday, the deadline shall be extended to the next business day.

- 4.1 Before the end of the spring semester prior to the tenure review year, the dean of each college, school, or similar unit should hold a meeting open to tenure candidates to review timelines, processes, and portfolio expectations.
- 4.2 If a faculty member is appointed jointly to more than one department, a memorandum of understanding will clearly communicate the criteria for tenure and the nature of the tenure review unit at the time of the joint appointment.
- 4.3 Evaluation of a faculty member's performance for tenure should be conducted in a manner consistent with the faculty member's assigned workload during the period under evaluation.

- 4.4 Each college must establish written criteria for each area of evaluation and provide examples of evidence to be used for judging the candidate's performance as delineated below. The guidelines must be appropriate to the various disciplines within the college and consistent with the missions of the college and TAMIU. Written tenure and promotion procedures and measures must be provided to all incoming faculty members at the time they are hired.
- 4.4.1 Departments may determine additional written criteria, consistent with the missions of the department, college, and TAMIU, to apply in the tenure process. Departmental measures must be ratified by a simple majority of the full-time tenured college faculty either by (a) balloting or (b) through an alternative process that has been previously approved through balloting. In either case, the criteria and measures must be approved, in writing, by the dean, the Provost, and the Faculty Advisory Council. These additional criteria must be provided to all incoming faculty members during faculty orientation.
- 4.5 At each stage of this process, all previous reviews and recommendations will be forwarded to the next level of review. The President will make the recommendation to the BOR, which makes the final decision. At each level of review, candidates will be informed in writing within one week by the department/division chair or dean of the recommendation concerning their application. If there is a negative vote at any level, a candidate has the option to withdraw their application. If the candidate withdraws their application, see Section 111.
- 4.6 **Confidentiality** – The recommendation of a promotion and tenure committee regarding an applicant for promotion and tenure is to be determined by secret ballot; these results will be uploaded into Interfolio. Committee members are to keep the deliberations regarding the merits of an applicant confidential.

## 5. DOCUMENTATION AND PRESENTATIONS IN SUPPORT OF APPLICATIONS

- 5.1 Candidates for promotion and tenure must submit their documentation following the schedule specified above through Interfolio. Dossiers can comprise no more than 25 pages. Dossiers need to include an extended curriculum vitae with an overview of materials that make reference to the supplementary documents. Ancillary materials may be included in an appendix. At a minimum, the dossier must include the following in order. For the standard format required and examples of materials, refer to the Promotion and Tenure Document available from the [Provost's website](#).
- ***Binder 1 Portfolio Synopsis*** – includes
    - A curriculum vitae (maximum 10 pages),
    - Statements or summaries of research/scholarship and/or creative activity (include a paragraph on how research will contribute once tenured), and service. Include a discussion of relationship to TAMIU's mission,
    - Annual evaluations for the past five years,
    - Midpoint review,
    - Summarized student evaluations, per year/semester.
  - Minimum of three letters reviewing the candidate's research, solicited through the department chair, from peers in the candidate's discipline at peer and aspirational universities. The external letters will be submitted by each external reviewer through Interfolio.

- **Binder** 2:  
*Teaching* – evidence of excellence in teaching
- **Research/Scholarship, and/or Creative Activities** – evidence of excellence in research/scholarship, and/or creative activities
- **Service** – evidence of excellence in service

5.2 Understanding that the tenure review process involves review by individuals outside of the candidate's field of expertise, candidates should make every effort to provide context and explanations relating to their documentation and evidence of excellence.

5.3 The Interfolio review process must be handled with strict care to ensure confidentiality. All reviewers must access and review faculty dossiers only within a secure environment.

5.3.1 Candidates may request that the chair of the presiding committee add supporting materials to their dossier after the deadline for submission. Such materials would include: notification of acceptance of a publication of research; actual article if published during the deliberations; a appointment for publication of a book or monograph; a published book.

5.3.2 No other person may introduce material to the dossier.

5.4 Candidates for promotion and tenure must be allowed to address the promotion and tenure committees for up to five minutes at each level of consideration and be available to answer any questions or clarify any of the written documentation. The candidates must receive equitable consideration.

## 6. PROMOTION AND TENURE COMMITTEES

6.1 Promotion and tenure committees must assess whether the candidate has fulfilled faculty responsibilities and must assess their qualifications in the following areas: academic preparation, experience, teaching, scholarship and/or creative activity, and service. Consistent and sustained performance of faculty responsibilities is requisite for tenure.

6.2 The department chair serves as the *ex officio* chair of their department promotion and tenure committee; the dean serves as the *ex officio* chair of their college promotion and tenure committee; and the Provost serves as the *ex officio* chair of the University Promotion and Tenure Committee.

6.3 In all cases, the committee chair is responsible for ensuring the applicants' dossiers are available to committee members, calling the meeting of the committee, reviewing the role of the committee, ensuring the committee considers the merits of each application for promotion and tenure, conducting secret balloting to determine the committee's recommendation for each applicant, and overseeing the count and announcement of the ballot results.

6.3.1 Because the committee will make a recommendation to the administrator chairing the committee, the chair is to observe, and not participate, in the deliberation.

6.4 Members of promotion and tenure committees are expected to give first priority to scheduled committee meetings and to attend scheduled meetings, unless exceptional circumstances arise. Should an unavoidable circumstance arise for a department or

division committee member, they must notify the department chair immediately, and the chair will reschedule the meeting (if possible) to allow all members to attend while ensuring the committee meets its deadline.

- 6.5 Department promotion and tenure committees must consist of all tenured faculty members in the department/division, including tenured faculty within the department who are serving primarily as academic administrators but who do not officially supervise and evaluate faculty (such as associate deans, associate provosts). If a department does not have at least five tenured faculty members, then the Provost, in consultation with all tenured faculty members of the department/division and the dean, must appoint one or more tenured faculty members from related disciplines to the committee. Members appointed from other academic units must not exceed 50% of any college, department, or unit promotion and tenure committee, even if this reduces the number of committee members to fewer than five.
- 6.6 College promotion and tenure committees must consist of departmentally elected representatives who serve on the committee primarily to represent their departments' views on the merits of candidates' qualifications. They are not, however, bound to vote as the majority in their departments' vote.
  - 6.6.1 Each year, by the end of September, each department in the college must elect one member of the department to serve a two-year term on the College Promotion and Tenure Committee. This person (1) must be tenured, (2) must not be the chair of the department, and (3) must not be the assistant or associate dean.
  - 6.6.2 If a department has no one qualified to serve on the College Promotion and Tenure Committee, the department and dean may use one of the following:
    - 6.6.2.1 The department faculty may nominate a faculty member from outside the college. The dean may appoint that faculty member or seek alternative nominations from the department.
    - 6.6.2.2 A previously tenured emeritus faculty member may be asked to serve on this committee. The committee members, through the committee chair, must make the nomination to the dean. The dean may appoint the emeritus faculty member or seek alternative nominations from the department.
- 6.7 Membership to the Promotion and Tenure committee will consist of one tenured representative per academic department or division or free-standing academic unit and two at-large tenured representatives appointed by the Provost. Faculty members must have at least two years of experience as a tenured faculty member at TAMIU to be eligible to serve on this committee.
  - 6.7.1 All tenured faculty members serve on their department promotion and tenure committees, but none may serve on both college and university promotion and tenure committees.
  - 6.7.2 In cases where an academic unit does not have the equivalent of a department promotion and tenure committee, tenured faculty members may serve on both their unit's promotion and tenure committee and the University Promotion and Tenure Committee.

6.7.3 The Faculty Advisory Council's Parliamentarian and Elections Officer, assisted by the Faculty Advisory Council's Committee on Committees, will solicit a slate of candidates from each academic department, division, and free-standing academic unit, prepare a ballot for election of this committee, and supervise the election. Deans, associate deans, department chairs, and heads of academic units may not serve on this committee. Terms will be established for two-year periods.

6.8 All members of promotion and tenure committees are required to vote positively or negatively on each candidate (no abstentions), except members who have a familial relation to the candidate. In such cases, the committee member must recuse themselves and cannot participate in either the deliberations or the vote.

## **7. REPLACEMENT OF FACULTY ON PROMOTION AND TENURE COMMITTEES**

7.1 The chairs, deans, and the Provost will announce the specific meeting time for their committees as far in advance as possible. If, for some reason, an elected representative cannot attend a meeting, the representative must immediately resign from their committee by notifying the department chair in writing. If the chair determines that sufficient time remains for a nomination and election process and for the new representative to study application materials, then the vacancy must be filled through a departmental election. If the vacancy is for a college promotion and tenure committee, the chair will conduct the election. If the vacancy is for the University Promotion and Tenure Committee, the Faculty Advisory Council will conduct the election.

7.2 If the chair determines that there is not sufficient time for an election, then the Faculty Advisory Council's president, in consultation with the department chair, will name an eligible replacement. If no faculty member in the department remains eligible for service, the Faculty Advisory Council's president, in consultation with the department chair, will name an eligible replacement from a related discipline.

## **8. DEPARTMENT REVIEW PROCESS**

8.1 With at least one week of written notice, the department chair must convene a meeting sufficient to conduct the reviews of all candidates for promotion and/or tenure. By a simple majority of those voting confidentially, the department promotion and tenure committee must recommend to grant or to deny tenure; this vote will be recorded in Interfolio. The committee must document the results of the review in a written statement to the department chair along with a recommendation. That report should include a summary of the committee's discussion of the strengths and weaknesses of the applicant's teaching, research/scholarship and/or creative activity, and service and should thus serve as a supporting explanation for the committee's vote. No names should be used in the summary of the committee's discussion. Each member of the committee should sign the report as being an acceptably accurate representation of the discussion and an accurate record of the vote.

8.2 After receiving the report and recommendation from the department promotion and tenure committee, the chair must develop a written recommendation to grant or deny tenure. The department chair may consult with the committee and the candidate regarding the recommendation.

- 8.3 The department chair will inform the candidate of the committee's decision within a day of receiving the recommendation. The department chair will subsequently meet with the candidate and review the recommendations of the department promotion and tenure committee and chair.
- 8.4 The recommendation of the department promotion and tenure committee and chair must be added to the dossier and forwarded to the dean through Interfolio.

## **9. COLLEGE REVIEW PROCESS**

- 9.1 After the department promotion and tenure committees and the department chairs have made their recommendations, the dean must call a meeting of the college promotion and tenure committee. At this meeting, the dean must review college and university tenure policies. The dean's office must make available to all committee members the dossiers submitted by the candidates. All faculty members eligible for tenure and whose dossiers were submitted must be reviewed.
- 9.2 With at least two weeks of written notice, the college promotion and tenure committee must meet to hold the tenure vote. For each tenure candidate and by a simple majority of those voting confidentially, the committee must make a recommendation to grant or to deny tenure; the vote tally is to be archived in Interfolio. A tie vote is insufficient to recommend tenure. The committee must forward its recommendations to the dean in writing. That report should include a summary of the committee's discussion of the strengths and weaknesses of the applicant's teaching, research/scholarship and/or creative activity, and service and should thus serve as a supporting explanation for the committee's vote. No names should be used in the summary of the committee's discussion. Each member of the committee should sign the report as being an acceptably accurate representation of the discussion and an accurate record of the vote.
- 9.3 After receiving the recommendations from the department chair and from the department and college promotion and tenure committees, the dean must write a recommendation for each candidate, to grant or to deny tenure. The dean may consult with the committees, the department chair, and the candidate regarding the recommendations.
  - 9.3.1 The dean will meet with the candidate to inform them of the recommendation and give the candidate the opportunity to read the dean's letter.
  - 9.3.2 Upon request by the tenure candidate, the dean must inform the candidate of the numerical results of the department, division, and college votes.
  - 9.3.3 The committee's letter and the dean's recommendation must be added to the Interfolio dossier and forwarded to the Provost.

## **10. UNIVERSITY REVIEW PROCESS**

- 10.1 The Provost must receive the dean's recommendation on tenure and must forward all recommendations to the University Promotion and Tenure Committee for review.
  - 10.1.1 With at least two weeks of written notice, the University Promotion and Tenure Committee must meet to hold a confidential vote on whether or not to recommend tenure; this vote will be recorded in Interfolio. The Provost will

preside over the meeting in an *ex officio* capacity but will not participate in the discussion of the qualifications of the applicants. For each tenure candidate, the committee, by a simple majority of those voting, must make a recommendation to grant or to deny tenure. A tie vote is insufficient to recommend tenure.

- 10.2 After reviewing all recommendations, the Provost must forward to the President a written recommendation for each candidate to grant or deny tenure. The recommendation will cite the votes of the department, college, and university promotion and tenure committees, make a recommendation, and provide justification for the recommendation. The Provost may consult with the committees, department chair, dean, and candidate regarding the recommendations.
  - 10.2.1 The Provost will meet with the candidate to inform them of the recommendation and the recommendation of the University Promotion and Tenure Committee.
- 10.3 The Provost will meet with the President to discuss all tenure recommendations. After that meeting, the President will develop and approve a final tenure list to submit to the BOR. The President may consult with the candidate, committees, department chair, dean, and Provost regarding the recommendations.
- 10.4 The President makes the final decision regarding faculty promotions and will communicate the decision in a timely manner after receiving the recommendation of the Provost. The President will inform the candidate of the decision by February 1<sup>st</sup>.
- 10.5 The Board of Regents makes the final decision regarding applications for tenure.
- 10.6 The official decision by the BOR to grant tenure will be conveyed in writing by the President to the individual faculty member as soon as possible after the Regents have voted to confer tenure. In the same manner, a decision of non-reappointment as a result of a non-tenure decision will be provided to the faculty member as soon as the decision has been reached. This communication will be provided by the President. The formal notification of non-reappointment will be issued by the Provost. A simple statement to that effect and will not include any of the reasons for the decision.
- 10.7 If the decision is to not award tenure, the faculty member will be offered a appointment for one additional academic year following the semester in which the notice is received and will not be subsequently renewed.

## **11. CANDIDATE WITHDRAWAL FROM TENURE CONSIDERATION**

- 11.1 A candidate for tenure may withdraw from tenure consideration at any time prior to the forwarding of the recommendations to the BOR.
  - 11.1.1 A withdrawal request must be made in writing, signed and dated, and forwarded to the chair, dean, or Provost (depending on level at which the application is withdrawn). Once the letter is submitted, it may not be rescinded.
  - 11.1.2 In the event a candidate requests withdrawal from the tenure review process, the faculty member will be offered a appointment for one additional academic year following the semester in which the notice by the faculty is received. The faculty member cannot be re-hired or considered for a tenure-track position at the institution.

## 12. PROCEDURES FOR APPEAL OF PROMOTION AND TENURE DECISIONS

- 12.1 At the conclusion of the promotion and/or tenure process (signified by the President's written notification to the faculty member), a faculty member who is not recommended for a promotion and/or not recommended for tenure by the President may file an appeal with the Provost. The intent to appeal must be stated in writing and delivered to the Provost's Office within 20 business days of receiving written notice by the President not to recommend a promotion and/or tenure. At the time the intent to appeal is submitted to the Provost, all relevant appeal materials must also be submitted. Appeals must be based on one or more of the following three claims: (1) that the decision was made in violation of the individual's academic freedom, (2) that the decision was made without adequate consideration of the individual's record of professional achievement, and (3).
- 12.2 An appeal alleging the decision was based on discrimination will be exclusively adjudicated in accordance with the procedures outlined in [System Regulation 08.01.01](#).
- 12.3 An appeals committee will consist of a total of seven tenured faculty members: four members of the University Grievance Pool (two selected by the faculty member and two by the Provost) and three Faculty Advisory Council tenured members appointed by the Faculty Advisory Council's presiding officer. No member of the appeals committee can have participated at any level in making the decision being appealed, nor can any member have any other relevant conflict of interest.
- 12.4 The appeals committee must meet within 15 business days of the faculty member's written notice of appeal and determine if the faculty member has established a *prima facie* case that the decision was made in violation of the faculty member's academic freedom, or without adequate consideration of the faculty member's record of professional achievement.
- 12.5 If the appeals committee determines that the faculty member has not alleged a *prima facie* case, the allegation must be dismissed and the decision not to recommend promotion and/or tenure must stand. If the appeals committee determines that the allegations do establish a *prima facie* case, the matter must be referred for an evidentiary hearing by the same appeals committee. The hearing must be held within 60 calendar days from the date the appeals committee is notified of the appeal. A *prima facie* case for purposes of this subsection means that the faculty member's evidence, alone and un rebutted, would establish that a violation as defined above may have occurred.
- 12.6 In an evidentiary hearing, the burden of proving that the decision was made in violation of academic freedom or without adequate consideration of the faculty member's record of professional achievement rests with the faculty member. The burden of proof must be met by a preponderance of the evidence (i.e., that which is more convincing, more credible, and of greater weight than contrary evidence).
- 12.7 Both the faculty member and the administration have the right to representation at this hearing.
- 12.8 The appeals committee must complete its report and send it to the Provost within 15 calendar days of completion of the hearing.
- 12.9 If the faculty member appealing the decision names the Provost as a party to the appeal, namely, charging the Provost with having violated their academic freedom, or with not

having adequately considered their professional achievements in making the decision, the committee's report would go to the President. If the President is a party to the appeal for any of the reasons cited above, the appeal committee would submit its report to the Chancellor.

### **13. REDUCTION IN FORCE**

The phasing out of institutional programs for financial exigencies, which causes a reduction of faculty, may require exceptions to the normal tenure policy. In these cases, the faculty involved in the reduction will be given every advanced notice possible, and every effort will be made by TAMIU to place the affected faculty in other available positions at TAMIU for which they are qualified (refer to [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#), Section 9.3.3).

13.1 Faculty members whose reappointments are to be terminated as a result of phasing out of institutional programs or financial exigencies that cause a reduction in faculty will be entitled to a hearing before an appropriate faculty committee consisting of five tenured faculty members appointed by the Provost in consultation with the Faculty Advisory Council's president. The hearing must include the following procedures (refer to [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#), Section 9.3.4):

13.1.1 The faculty member will be furnished with an adequate written statement of the basis for the initial decision to lay off;

13.1.2 The faculty member will be provided with a reasonably adequate description of the manner in which the initial decision was made;

13.1.3 The faculty member will be provided with adequate disclosure of all information and data upon which the decision-makers relied; and,

13.1.4 The faculty member will be provided with adequate opportunity to respond.

13.2 In a hearing, the burden of proof rests with TAMIU to demonstrate by some credible evidence that a bona fide financial exigency exists or that educational considerations led to the reduction or discontinuance of the program. If after making such a demonstration, the faculty member alleges the decision was made in violation of academic freedom or for an illegal reason, the burden of proof rests with the faculty member consistent with Section 12.5.

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### **Related Statutes, Policies, Regulations, or Rules**

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[System Policy 12.01, Academic Freedom, Responsibility and Tenure](#)  
[System Regulation 12.01.01, Institutional Rules for Implementing Tenure](#)

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### **Definitions**

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**Interfolio: An online system that supports the submission of electronic dossiers.**

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## Contact Office

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Office of the Provost and Vice President for Academic Affairs, 956-326-2240