

## UNIVERSITY RULE

12.01.99.M2

### University Statement on Academic Freedom, Responsibility, Tenure, and Promotion

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*Supplements System Policy 12.01*

#### 1. GENERAL

The policies for academic freedom, ethics, responsibility, tenure, and promotion at Texas A&M University apply equally to current faculty members and to subsequent appointees. These policies seek to establish a spirit of cooperation, good faith, and responsibility and to provide useful guidelines for situations not specifically described in this document.

#### 2. FACULTY AND EMPLOYMENT

##### 2.1 Definition of Faculty:

2.1.1 In general, a faculty member, to whom the academic freedoms and responsibilities described in this document pertain, is any full-time or part-time employee of Texas A&M University with an appointment as a Professor at any rank, an Instructor, a Lecturer at any rank, or a Librarian (I, II, III, or IV).

2.1.2 A faculty member is not automatically eligible for tenure. See Section 4.1.1.

##### 2.2 Employment Contract:

2.2.1 All new faculty members shall be provided with an appointment letter stating the initial terms and conditions of employment. Any subsequent modifications or special understandings in regard to the appointment, which may be made on an annual basis, will be stated in writing and a copy will be given to the faculty member. All faculty members, unless the terms and conditions of their appointment letter state otherwise, are expected to engage in teaching, scholarship, and service. Essential job functions for a position may vary depending upon the nature of the department in which the faculty member is employed, the nature of the discipline in which the faculty member holds expertise, external funding requirements attached to the position, licensing or accreditation requirements, and other circumstances. It is therefore important that essential job functions for each faculty position be listed in the initial appointment letter. For example, all of the following that are applicable should be listed: teaching responsibilities, responsibilities for advising students, independent and/or collaborative research responsibilities, engaging in patient care, committee assignments, conditions imposed by external accrediting agencies, conditions for holding a named professorship or a position that combines academic and administrative duties, and any other

specific essential functions for the position in question. All appointment letters must indicate whether the appointment being offered is with tenure, tenure-accruing, or non-tenure-accruing.

- 2.2.2 If the appointment is tenure-accruing, the appointment letter will indicate the length of the period of probationary service at Texas A&M University and state the credit agreed upon for appropriate service at other institutions. The specific probationary period does not, however, constitute the term of the initial appointment. All appointments during the probationary period are for a fixed term of one year or less and are subject to renewal or non-renewal each year of the probationary period.
  - 2.2.3 Unless otherwise specified in the appointment letter, or mutually agreed upon revision thereof, tenure-accruing appointments and appointments with tenure guarantee employment for nine months or the equivalent.
  - 2.2.4 All faculty members will receive an annual notification of the terms and conditions of appointment for the next fiscal year within two weeks after the Texas A&M University budget has been approved by the Board of Regents. This notice shall contain the rank of appointment, tenure status, inclusive dates of employment, salary, and any special conditions. Any changes or additions to essential job functions noted in the original letter of appointment also should be included, after appropriate consultation with the faculty member. Any changes to the terms and conditions of appointment may be appealed through [Rule 12.01.99.M4 \(Faculty Grievance Procedures Not Concerning Questions of Tenure, Dismissal, or Constitutional Rights\)](#). Faculty members are obligated to fulfill the terms of employment for the following year, unless they resign prior to 30 days after receiving notification of these terms.
- 2.3 Termination of Employment: Notice of non-reappointment, or of intention not to reappoint a faculty member, shall be given in writing in accord with the following standards:
- 2.3.1 Tenure Track
    - 2.3.1.1 Not later than March 1 of the first academic year of probationary service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least three months in advance of its termination;
    - 2.3.1.2 Not later than December 15 of the second year of probationary service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least six months in advance of its termination; and
    - 2.3.1.3 At least twelve months before the expiration of a probationary

appointment after two or more years in the institution.

#### 2.3.2 Lecturers and Senior Lecturers

2.3.2.1 A Lecturer who has held any faculty appointment other than Assistant Lecturer for the equivalent of 5 or more academic years of full service within a 7 year period shall be provided a one-year notice if it is the University's intent not to renew the appointment.

2.3.2.2 A faculty member promoted to or hired at the rank of Senior Lecturer shall be provided a one year notice if it is the University's intent not to renew the appointment.

2.3.2.3 Any request for an exemption to either of these provisions must be based on a major programmatic revision or budgetary cutback. Such a request with appropriate documentation must be submitted by a college dean through the Provost to the President for approval.

2.4 All faculty members are entitled under Texas law to see their personnel files and to obtain, at their own expense, a copy of the information in these files.

#### 2.5 Annual Review

2.5.1 An annual review will be conducted in a timely fashion for all faculty members at the rank of Lecturer, Senior Lecturer, Distinguished Lecturer, Instructor, Librarian (I, II, III, or IV), Assistant Professor, Associate Professor, Professor, and Distinguished Professor. The purpose of the annual review is to provide a mechanism to facilitate dialogue between the administration and faculty. Annual review provides valuable information to the department head about the faculty members' accomplishments and to the faculty members with regard to the department head's assessment of their progress in the discipline and in the context of department goals. Annual reviews are to be conducted in an environment of openness and collegiality, with an emphasis on constructive development of the individual faculty member and the institution.

2.5.2 The focus of the annual review process will vary from rank to rank. For lecturers and librarians of all ranks, the annual review process will serve primarily as an evaluation focusing on performance and potential for appointment. For tenured or tenure-track faculty, the annual review must take into account the fact that progress in a scholarly career is a long-term venture; therefore, a three to five year horizon may be necessary for the accurate evaluation of scholarly progress. Furthermore, an annual review process should be conducted differently depending upon the different stages of a faculty member's career. For non-tenured, tenure-track assistant professors and instructors, the annual review process must also provide indication as to progress toward tenure and promotion (see 4.3.5). For tenured

associate professors, the process should be used to identify the faculty member's progress toward the requisite stature for promotion to professor. For professors, annual review should be part of the ongoing process of communication between the faculty member and the institution in which both institutional and individual goals and programmatic directions are clarified, the contributions of the faculty member toward meeting those goals are evaluated and the development of the faculty member and the University is enhanced. In all cases, the annual review shall serve as the primary documentation for evaluation of job performance in the areas of assigned responsibility and for merit salary increases.

2.5.3 To ensure consistency over time, each department shall publish its annual review procedure on paper or by electronic means. Annual review procedures for the department shall be approved by the respective college dean before publication and shall be reviewed by the Dean of Faculties for consistency with this section. The creation and modification of this document should be a product of joint deliberation by faculty members and the department head. If there is no need for department specific guidelines, a college-wide document, developed jointly by faculty and administrators and reviewed by the Dean of Faculties, is sufficient. The annual review procedure document must include the following elements:

2.5.3.1 Purpose of annual review. These include the purposes set forth in (2.5.1) and (2.5.2) as well as any department specific purposes.

2.5.3.2 Period of evaluation (may be longer than one year; see 2.5.2) and aspects of performance to be evaluated, as appropriate for each job title.

2.5.3.3 Annual Activity Report format and content. Examples of possible content include (a) a statement of assigned duties, consistent with (or consisting of) the appointment letter or current position description (2.2.1); (b) a list of activities, accomplishments, and awards; (c) documentation, including such items as course syllabi, evidence of student learning, published papers or books, evidence of effectiveness in service, teaching portfolio, etc.; (d) self-evaluation in the context of the assigned duties of the faculty member and the missions of the department and University; and (e) a statement of goals (see 2.5.5.1).

2.5.3.4 Basis for evaluation. All sources of information to be used for the evaluation must be specified. The following are examples of possible sources of information: (a) Annual activity report (required as a source); (b) personal observation by evaluator; (c) discussions with colleagues, students, and/or others; (d) student evaluations of teaching; (e) peer evaluations of teaching. Note that the standard end-of-semester student evaluations of teaching must not be the only instrument used in determining teaching quality and effectiveness.



2.5.3.5 Timeline and procedures for evaluation. These must be consistent with sections 2.2.1, 2.5.5.2, 2.5.5.3, and 2.5.5.4.

2.5.3.6 Complaint procedure if annual review fails to follow published guidelines (generally, letter to dean with copy to Dean of Faculties).

2.5.4 Department heads with faculty who have budgeted joint appointments will collaborate with the heads of the appropriate units to develop accurate annual reports. In all cases there should be one department where more than 50% of the appointment is located; the head of that department is responsible for the final evaluation. Input will be sought from heads of departments in which a faculty member holds non-budgeted appointments.

2.5.5 The exact form of the annual review may differ from college to college, or even from department to department within a college, but must include the following components.

2.5.5.1 Faculty member's report of previous activities. The report should be focused on the immediately previous academic or calendar year, but should allow a faculty member to point out the status of long-term projects and set the context in which annual activities have occurred. The report must incorporate teaching, research, and service. Faculty members should state their short-term and long-term goals.

2.5.5.2 A written document stating the department head's evaluation and expectations. The department head will write an evaluation for the year in a memorandum or in the annual report document transmitted to the faculty member. The faculty member indicates receipt by signing a copy of the document. This memorandum, and/or the annual report and any related documents, will be entered into the faculty member's departmental personnel file. Moreover, this memorandum and/or annual report shall also include a statement on expectations for the next year in teaching, research and service.

2.5.5.3 Meeting between the department head and the faculty member. There will be an annual opportunity for a personal meeting to discuss the written review and expectations for the coming year if either party believes it is needed. In some cases, there may be the need for more frequent meetings at the request of the department head or faculty member.

2.5.5.4 Performance Assessment. In assessing performance and determining salary increases, the weights given to teaching, research, and service shall be consistent with the expectations as determined in 2.5.5.2 and 2.5.5.3 above and with the overall contributions of the faculty member to the multiple missions of the department and University.

For example, persons with solely teaching responsibilities who attain excellence in all aspects of teaching should receive comparable merit to persons with multiple responsibilities who attain excellence.

### 3. ACADEMIC FREEDOM, ETHICS AND RESPONSIBILITY

- 3.1 Academic Freedom: Institutions of higher education exist for the common good. The common good depends upon an uninhibited search for truth and its open expression. Hence, it is essential that faculty members be free to pursue scholarly inquiry without undue restriction, and to voice and publish individual conclusions concerning the significance of evidence that they consider relevant. Each faculty member must be free from the corrosive fear that others inside or outside the University community, because their views may differ, may threaten his or her professional career or the material benefits accruing from it.

Each faculty member is entitled to full freedom in the classroom in discussing the subject being taught. Within the bounds of professional behavior, faculty members also have full freedom to express disagreement with other members of the university community. Although a faculty member observes the regulations of the institution, he or she maintains the right to criticize and seek revision. Faculty members also are citizens of the nation, state, and community; therefore, when speaking, writing, or acting outside the classroom, they must be free from institutional censorship or discipline. On such occasions faculty members should make it clear that they are not speaking for the institution.

- 3.2 Academic Ethics and Responsibility: For faculty members the notion of academic freedom is linked to the equally demanding concept of academic ethics and responsibility. As a faculty member, a person assumes certain ethical obligations and responsibilities to students, to fellow faculty members, to the institution, to the profession, and to society at large. Some of these are listed below:

- 3.2.1 Faculty members have ethical obligations and responsibilities to the students of Texas A&M University.

3.2.1.1 Faculty members should foster scholarly values in students, including academic honesty, the free pursuit of learning, and the exercise of academic freedom.

3.2.1.2 Faculty members should act professionally in the classroom and in other academic relationships with students. Faculty members should exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. Faculty members are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter that has no relation to their subject.

3.2.1.3 Faculty members should maintain respect for the student and for the

student's role as a learner. Faculty members should evaluate students on the true merit of their academic performance. Faculty members should be available at reasonable intervals to students for consultation on course work.

3.2.1.4 Faculty members shall not engage in any exploitation, harassment, or illegal discriminatory treatment of students.

3.2.2 Faculty members have ethical obligations and responsibilities to other members of the university community.

3.2.2.1 Faculty members shall neither harass nor exploit any member of the university community.

3.2.2.2 Faculty members shall respect and defend the free inquiry of associates. In the exchange of criticism and ideas, faculty members show due respect for the opinions of others.

3.2.2.3 Faculty members shall acknowledge the academic contributions of others, strive to be objective in their professional judgment of colleagues, and accept their share of faculty responsibilities for contributing to the governance of the institution.

3.2.3 Faculty members have ethical obligations and responsibilities to Texas A&M University as an institution.

3.2.3.1 A faculty member's comments regarding matters of public concern are protected even though they may be highly critical in tone or content, or even erroneous. The constitutionally protected rights of faculty members, as citizens, to freedom of expression on matters of public concern cannot be abridged. Faculty members, like all citizens, are liable for all actions that are not constitutionally protected.

3.2.3.2 Faculty members should recognize that their primary responsibilities are to the institution as they determine the amount (if any) and character of work done outside of the institution. Such outside work shall be consistent with University regulations. Although faculty members may follow subsidiary interests, these must never compromise their freedom and willingness to draw intellectually honest conclusions.

3.2.3.3 When considering the interruption or termination of their service, faculty members should take into account the effect of their decision upon the institution and give due notice of their intentions.

3.2.4 Faculty members have ethical obligations and responsibilities to their

profession and deriving from their membership in the professorate. The fundamental responsibilities of a faculty member as a teacher and scholar include maintenance of competence in his or her field of specialization and exhibition of such professional competence in the classroom, studio, library, or laboratory and in the public arena by such activities as discussions, lectures, consulting, publications, or participation in professional organizations and meetings.

- 3.2.5 Faculty members have ethical obligations and responsibilities to the public. The demonstration of professional integrity by a faculty member includes recognition that the society at large will judge the profession as well as the institution by his or her statements and behavior. Therefore, the faculty member should strive to be accurate, to exercise appropriate restraint, to be willing to listen to and show respect to members of the society at large expressing different opinions, and to avoid creating the impression that the faculty member speaks or acts for the college or the University when speaking or acting as a private person.

#### 4. TENURE AND PROMOTION

##### 4.1 Eligibility for Tenure:

- 4.1.1 To be eligible to receive tenure, a faculty member generally should be an employee of Texas A&M University who holds academic rank as instructor, assistant professor, associate professor, professor or distinguished professor. Members of the faculty whose appointments are ordinarily temporary, part-time, or otherwise clearly short-term, e.g., lecturers, visiting professors of any rank, graduate students serving as teaching assistants, and post-doctoral fellows are generally not entitled to tenure and consequently will ordinarily not be subject to the provisions of this document regarding the probationary period for tenure. Full-time research associates also are normally considered to have term appointments and are considered to hold positions that are without tenure and not tenure-accruing.
- 4.1.2 Faculty members who hold joint appointments with other state, federal, or private agencies or with two or more parts of The Texas A&M University System may or may not be entitled to tenure, depending upon the nature of their duties and the terms of the written agreement of their appointments. Normally, all individuals whose service accrues credit toward tenure and those who are already tenured receive on the average at least one-third of their salary from Texas A&M University teaching funds.
- 4.1.3 Administrative personnel, such as department heads and deans, who hold academic rank in addition to their administrative titles retain their tenured status as faculty members, but administrative positions per se are not subject to tenure. Those members of a library staff who hold the rank of Instructor, Assistant Professor, Associate Professor, Professor or Distinguished



Professor are eligible for tenure.

4.2 Tenure Policy:

- 4.2.1 Tenure means the entitlement of a faculty member to continue in the academic position held unless dismissed for good cause. Tenure is based on the need to protect academic freedom and is irrevocable except as specified in Section 5.
- 4.2.2 De jure tenure is obtained only by the affirmative action of the Board of Regents.
- 4.2.3 Faculty members awarded tenure at other institutions in The Texas A&M University System or any other institution have no claim to tenure at Texas A&M University.
- 4.2.4 Except when otherwise specified in the initial appointment letter, or a mutually agreed upon revision thereof, a tenured faculty member is guaranteed nine months of full-time employment or the equivalent. (See Section 2.2.1 and 2.2.3).

4.3 Tenure System Components:

- 4.3.1 The probationary period for a faculty member shall not exceed seven years of full-time service, beginning with appointment to the rank of instructor or a higher tenure-eligible rank. Under extenuating circumstances, the probationary period at Texas A&M University may be extended with the written concurrence of the faculty member involved, the department head, dean, and the Dean of Faculties. The probationary period may include appropriate full-time service at other institutions of higher education. If a faculty member has served a term of probationary service at one or more institutions, the probationary period at Texas A&M University may be for fewer than seven years. In such cases, however, the person's total probationary period in the academic profession may be extended beyond seven years.
- 4.3.2 Faculty members holding tenure-accruing appointments in a library will be evaluated for tenure based on the policies of the library as approved by the Dean of Faculties.
- 4.3.3 Assistant professors at Texas A&M University will be evaluated for promotion to associate professor and for tenure concurrently and will not be awarded one without the other.
- 4.3.4 Persons whose initial appointment to the Texas A&M University faculty is at the rank of associate professor or professor are eligible for tenure upon appointment.

#### 4.3.5 Periodic Review:

4.3.5.1 Each department shall review the performance of all faculty members who are accruing credit toward tenure on an annual basis. Each faculty member shall be advised in writing of the results of this review. The purpose of regular reviews is to provide a candid evaluation of the individual's achievements so that both the individual and Texas A&M University may benefit by improved performance or by the encouragement to continue exemplary performance.

4.3.5.2 For faculty subject to a probationary period of seven-years or more at Texas A&M University, a third-year review is mandatory. This evaluation will familiarize the faculty member with the tenure process and ensure that the faculty member understands the expectations of those entities that will ultimately be responsible for the tenure decision. This review should mimic the tenure review process as closely as possible; a minimal third-year review would include dossier items contributed by the candidate and internal letters of recommendation, and would be reviewed at the department and college levels by appropriate faculty committees as well as the department head and dean.

4.3.5.3 A thorough review in the penultimate year of probationary service is mandatory. Such reviews may be made earlier and are, in fact, encouraged whenever it appears appropriate. If an early review does not result in a favorable decision for promotion and tenure, a review will be conducted again at the mandatory time. If the department head has not already initiated the review process, each faculty member serving in the next-to-last year of probationary service should notify the department head that the year for a tenure judgment has been reached. This communication should be made in writing in order to avoid any misunderstanding of the matter by any party.

#### 4.4 Tenure and Promotion Criteria:

##### 4.4.1 Categories of Performance:

4.4.1.1 Teaching: This category includes, among other things, classroom and laboratory instruction; development of new courses, laboratories, and teaching methods; publication of instructional materials, including textbooks; and supervision of graduate students.

4.4.1.2 Creation and dissemination of new knowledge or other creative activities: For most disciplines, this category consists of research and publication. For some disciplines, however, it may include other forms of creative activity. Architectural design, engineering

technology, veterinary or medical technology, fiction, poetry, painting, music, and sculpture are examples.

4.4.1.3 Service: This includes service to the institution, to students, colleagues, department, college, and the University--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.

#### 4.4.2 College and Library Criteria:

4.4.2.1 The faculty and administrators of each college and of a library shall jointly develop written guidelines describing the evaluation criteria employed in the unit.

4.4.2.2 Both the guidelines and the evaluation process itself shall pay due regard to the difficulties inherent in quantifying academic performance. See Section 4.3. The guidelines shall be periodically reviewed and approved by the Provost and Executive Vice President for Academics. In those units in which the goals and objectives of departments differ significantly, departments should also have written evaluation guidelines. Continuity in performance criteria and in the application thereof is essential. Therefore, criteria should be changed only after careful and thorough joint deliberation by faculty members and administrators in the unit.

The guidelines shall include:

- (1) Criteria that are employed to judge the level of performance of faculty in each category of performance. (Examples of possible indicators of performance are given in Appendix I.)
- (2) The normal level of performance required in each category of performance in order to be awarded tenure. Achieving the normal level does not ensure tenure.
- (3) The normal level of performance required in each category of performance for appointment or promotion to each rank. Achieving the normal level does not ensure appointment or promotion.
- (4) A description of the procedures employed in evaluation of faculty for tenure and promotion.

University, college or library, and department guidelines shall be given to all faculty as appropriate. New faculty members shall receive the guidelines along with a statement of any special conditions or expectations related to

their employment when they join the Texas A&M University faculty. Such guidelines shall support the adequate evaluation and reward of a faculty member's interdisciplinary responsibilities.

4.4.3 University Criteria: In addition to the criteria developed in the college or a library, the minimum requirements to be met by individuals being considered for tenure or promotion are:

4.4.3.1 Assistant Professor: Faculty members holding a tenure-accruing appointment with the rank of instructor will be promoted to the rank of assistant professor upon the receipt of the terminal degree.

4.4.3.2 Associate Professor:

- (1) an exemplary level of accomplishment as measured against the contributions of others in the field;
- (2) professional conduct conducive to a collegial work environment and standards of professional integrity that will advance the interests of Texas A&M University;
- (3) an area of specialization germane to the programs of Texas A&M University, one not currently represented on the tenured faculty, or one that provides desired reinforcement in an area of priority; and
- (4) evidence indicating a commitment to maintaining the level of competence in teaching and research expected of a tenured faculty member.

4.4.3.3 Professor:

- (1) continuing accomplishment in teaching;
- (2) continuing accomplishment and some measure of national recognition in research or another form of creative activity; and
- (3) evidence of valuable professional service.

4.5 Tenure and Promotion Evaluation:

4.5.1 Categories of Performance (should be made consistent with Appendix I).

4.5.1.2 Scholarship and creative activity. This category covers all forms of intellectual work which are based on a high level of professional expertise, are original, are documented and validated as through peer

review or critique, and are communicated in appropriate ways so as to have significance beyond Texas A&M University. Examples may include architectural design, engineering or veterinary technology, artistic works, and research articles.

4.5.2 In most cases, the judgments of professionals in the faculty member's field provide the best and most reliable basis for making sound decisions about tenure and promotion. Consequently, the level of accomplishment and potential relative to disciplinary norms and standards as judged by peer review should be the heart of the tenure and promotion process. Accomplishments that are not subject to peer review generally should not be a major consideration in tenure and promotion evaluations.

4.5.2.1 The faculty and administrators of each college and of a library shall jointly develop written guidelines describing the evaluation criteria and procedures employed in the unit, consistent with University criteria and procedures.

The guidelines shall include:

- (1) The relative importance and normal level of performance required in each category of performance in order to be awarded tenure. Achieving the normal level does not ensure tenure.
- (2) The relative importance and normal level of performance required in each category of performance for appointment or promotion to each rank. Achieving the normal level does not ensure appointment or promotion.
- (3) A description of the procedures employed in evaluation of faculty for tenure and promotion, including: (a) responsibilities of the faculty member and others in preparing the tenure or promotion dossier; (b) procedures for departmental and college-level review committees: selection of committee members and chair, responsibilities of the committee, procedures for making a recommendation, etc.; (c) procedures for promotion of non-tenure-track faculty members and research scientists, if different; (d) a timeline.

University, college or library, and department guidelines shall be given to all faculty as appropriate. Guidelines should be redistributed to all faculty at least every three years. If guidelines are made available by electronic means, a reminder of that availability and a summary of relevant information should be distributed periodically on paper. New faculty members shall receive the guidelines along with a statement of any special conditions or expectations related to their employment when they join the Texas A&M University



faculty. Such guidelines shall support the adequate evaluation and reward of a faculty member's interdisciplinary responsibilities.

4.5.3 In evaluating a faculty member being considered for tenure, the appropriate faculty committees and academic administrators shall give adequate consideration to the faculty member's professional performance. Adequate consideration of a tenure case consists of a conscientious review, which seeks out and considers all available evidence bearing on the relevant performance of the faculty member, and assumes that the various academic units follow their approved procedural guidelines during the tenure and promotion review process (see 4.4.2 and 4.4.3). Such consideration should be based upon adequate deliberation over the evidence in light of relevant standards and exclusive of improper standards. An improper standard is any criterion not related to the professional performance of the faculty member. The evaluation of a tenure case should constitute a bona fide exercise of professional academic judgment.

4.5.4 Exceptions to the normal requirements for tenure and promotion may sometimes be warranted. Examples would include (a) gifted and productive master teachers who are abreast of their field but who have not contributed extensively to the development of new knowledge, (b) exceptionally outstanding researchers whose teaching is merely acceptable, and (c) tenured faculty whose sustained service to the University is unselfish, distinctive and outstanding, but whose teaching and research are only acceptable. Few faculty will possess qualities such as these, but those who do deserve recognition and advancement.

4.6 Review Process for Tenure and Promotion to the Rank of Associate Professor or Professor:

4.6.1 The faculty member being considered for tenure and/or promotion will work with the department head or designated committee to develop a complete file.

4.6.2 In conducting tenure and/or promotion reviews, department heads shall draw upon the advice and counsel of a tenure and promotion committee as well as other appropriate sources. When the review has been completed, the department head will transmit the tenure and/or promotion recommendations of both the head and the faculty committee to the dean of the college for review.

4.6.2.1 If the faculty member being considered has a joint appointment funded in two or more departments, the department in which the faculty member is administratively located (ad loc) has the responsibility to ensure that the review process is conducted in accordance with the regular Promotion and Tenure procedures of the relevant departments. If the departments are in the same college, the ad loc department is responsible for forwarding the appropriate

documents to the dean's office. If different colleges are involved, then each department is responsible for forwarding the appropriate documents to its dean's office.

4.6.2.2 If the faculty member being considered has an appointment with an intercollegiate faculty in addition to a departmental appointment, then the ad loc department must request a review and evaluation from the intercollegiate faculty. The evaluation should be conducted by a faculty group such as the membership committee or executive committee of the intercollegiate faculty and is forwarded to the ad loc department's promotion and tenure committee. The evaluation should include comments on teaching, research, service, and intercollegiate cooperation, and the evaluation must be included in the package of material that is forwarded to the dean's office.

4.6.3 In conducting tenure and/or promotion reviews, the dean shall draw upon the advice and counsel of a college-wide tenure and promotion committee. If the dean recommends against tenure and/or promotion and that recommendation is contrary to the department head's recommendation, the dean shall inform the department head and faculty member of the reasons for the recommendation. The department may then resubmit the case for further consideration. Any reconsideration, however, must be based upon either (a) new evidence that is not already contained within the dossier, or (b) substantial and entirely new arguments that were not made in the first presentation. If the case is resubmitted, it shall be reviewed by the dean and the college-wide tenure and promotion committee before a final recommendation concerning tenure and/or promotion is forwarded to the Provost and Executive Vice President for Academics.

4.6.4 The dean will present the college's recommendations through the Dean of Faculties to the Provost and Executive Vice President for Academics for review. This review and recommendation process will continue through the President of the University and the Chancellor of the System to the Board of Regents, which holds sole authority to confer tenure.

4.7 Notification Process for Tenure and Promotion to the Rank of Associate Professor and Professor

4.7.1 A faculty member shall be advised of the recommendation for or against tenure and/or promotion at each level of review. In the event of a negative tenure and/or promotion decision, the faculty member is entitled upon request to a written statement of the reasons that contributed to the decision.

4.7.2 The official decision by the Board of Regents regarding the granting of tenure to and/or the promotion of a faculty member will be conveyed in writing to the faculty member as soon as possible after the Board of Regents has officially acted on the University's tenure and/or promotion recommendation.

- 4.7.3 If requested by the faculty member, a written statement of reasons (see 4.7.1 above) will be provided by the administrator at the first level at which there was a negative recommendation after the Board of Regents has ruled on the University's tenure and/or promotion recommendations.

## 5. RIGHTS OF NON-TENURED FACULTY MEMBERS

- 5.1 A decision to dismiss a non-tenured faculty member prior to the expiration of an appointment, a decision not to reappoint a non-tenured faculty member and a decision not to grant tenure to a non-tenured faculty member shall be based upon adequate consideration (see 4.5.3) of the individual's professional performance and shall not be made in violation of academic freedom or as a form of illegal discrimination.
- 5.2 The appeal procedures to be followed are outlined in Section 9.

## 6. POLICIES GOVERNING THE LOSS OF TENURE

- 6.1 Tenure is given up when a faculty member:
- (1) retires (excluding partial retirement);
  - (2) resigns; or
  - (3) is off the Texas A&M University payroll for more than one calendar year unless on approved leave of absence. (Note: Individuals who accept full-time employment in another part of the System, provided that such persons formally notify their department heads annually by March 1 of their desire to retain their tenured positions and their requests are approved by the appropriate administrators, may retain their tenured positions. If a request is denied, the individual will return to the tenured position formerly held or give up tenure.)
- 6.2 Dismissal of tenured faculty members: A faculty member with tenure shall not be dismissed until he or she has received reasonable notice of the cause for dismissal. Dismissal shall occur only after an opportunity for a hearing, which shall comply with the established procedures in Section 9.
- 6.3 Good cause for dismissal of a faculty member with tenure shall be limited to the following:
- 6.3.1 Moral turpitude or unprofessional conduct adversely affecting to a material and substantial degree the performance of duties or the meeting of responsibilities to the institution, students, or associates.
  - 6.3.2 Professional incompetence:

- (1) continuing or repeated substantial failure to perform essential job functions; or
- (2) continuing or repeated substantial neglect of other professional responsibilities that are related to the expectations of the person's position.

6.3.3 Failure to complete a post-tenure review professional development plan as described in Texas A&M University's post-tenure review policy in that:

- (1) the professional development plan's goals were not met by the faculty member, and
- (2) the deficiencies in the completion of this plan are of sufficient magnitude to separately constitute good cause for dismissal under section 6.3.2.

6.3.4 Financial and educational:

- (1) a bona fide financial exigency; or
- (2) the reduction or discontinuance of institutional programs based on educational considerations.

## 7. REDUCTION OR DISCONTINUANCE OF INSTITUTIONAL PROGRAMS

7.1 Financial Exigency:

7.1.1 Definition of bona fide Financial Exigency: Bona fide financial exigency means a pressing need to reorder the nature and magnitude of financial obligations in such a way as to restore or preserve the financial stability of Texas A&M University. A bona fide financial exigency may exist without all parts of the University being affected. Financial stability means the ability of the University to provide from current income the funds necessary to meet current expenses, including current debt payments and sound reserves, without invading or depleting capital. Evidence of financial exigency may include but is not limited to declining enrollments, revenue cutbacks, and ongoing operating budget deficits.

7.1.2 Declaring Financial Exigency: When the President of Texas A&M University believes that a state of bona fide financial exigency may exist in part or all of the University, the President shall consult with a representative group of faculty members chosen by the Faculty Senate, other appropriate faculty members, and administrators. The President has the responsibility to demonstrate bona fide financial exigency. Following these consultations, if the President believes that a state of financial exigency exists, the President shall inform the Chancellor of The Texas A&M University System. If the Chancellor concurs in this assessment, he or she shall inform the Board of Regents. If the Board of Regents finds that the conditions stated in Section

7.1.1 exist, a state of bona fide financial exigency shall be deemed to exist at Texas A&M University.

- 7.1.3 When faculty dismissals are contemplated on grounds of financial exigency, there shall be early, careful, and meaningful sharing of information and views with appropriate faculty representatives, including the Faculty Senate, on the emergency indicating the need to terminate or reduce programs. Recommendations from faculty representatives, including a group chosen by the Faculty Senate, shall be sought on alternatives available to Texas A&M University to ensure continuation of a strong academic program and to minimize the losses sustained by affected students and faculty members.

Judgments determining where within the overall academic program termination of appointments may occur involve considerations of educational policy, including affirmative action, as well as of faculty status, and should therefore be the primary responsibility of the Faculty Senate or an appropriate faculty body designated by the Senate. The Faculty Senate or its designated representatives should also exercise a primary responsibility in the collective recommendation to the President of relevant criteria when appointments are to be terminated.

- 7.1.4 Cases involving bona fide financial exigency may permit exceptions to tenure regulations as well as the suspension of the normal notification provisions outlined in Section 2.3.

7.2 The Reduction or Discontinuance of Institutional Programs not Mandated by Financial Exigency:

- 7.2.1 Programs may be reduced or discontinued without a declaration of financial exigency.
- 7.2.2 Such decisions shall reflect educational considerations based on long range judgments. Those judgments shall be made in consultation with appropriate faculty representatives, including the Faculty Senate or its designated representatives, and reflect the view that the educational mission of the department or college affected or that of Texas A&M University will be enhanced by the reduction or discontinuance.
- 7.2.3 The decision to formally reduce or discontinue a program or department of instruction will be based essentially upon educational considerations, as recommended to the President primarily by the Faculty Senate or its designated representatives.

8. GUIDELINES GOVERNING DISMISSALS RELATED TO THE REDUCTION OR DISCONTINUANCE OF INSTITUTIONAL PROGRAMS

- 8.1 All faculty who, on the basis of a bona fide financial exigency or the reduction or



discontinuance of an institutional program, are selected for termination in breach of their contract right shall be entitled to a hearing before the Committee on Academic Freedom, Responsibility, and Tenure (CAFRT - see 9.5, 9.6, and 9.7). The faculty member must request of the President within 30 days of the receipt of the letter of dismissal a CAFRT hearing. The University shall adhere to the following procedures:

8.1.1 Hearings, if requested by the faculty member, must take place before a faculty member is dismissed.

8.1.2 A faculty member being dismissed shall be furnished with a written statement that:

- (1) indicates the basis for the initial decision to terminate;
- (2) describes how the initial decision was made; and
- (3) discloses the information and data upon which the decision makers relied.

8.1.3 The faculty member shall have the opportunity to respond to the statement provided by Texas A&M University.

8.1.4 Burden of Proof:

8.1.4.1 In Case of a Bona Fide Financial Exigency:

8.1.4.1.1 The burden of proof rests with the faculty member to establish that the termination was based on an illegal reason, was arbitrary, or was capricious. If two or more faculty members are equally qualified and equally capable of performing their academic role, the faculty member or members having tenure shall be given preference over non-tenured faculty. If two or more tenured faculty members are equally qualified and capable, preference for retention shall be given to those with greater length of service at Texas A&M University.

8.1.4.1.2 The University's decision will be overturned only if a preponderance of the evidence indicates that the decision was based on an illegal reason or was arbitrary or capricious.

8.1.4.2 In cases of Reduction or Discontinuance of Institutional Programs not Mandated by Financial Exigency:

8.1.4.2.1 The administration has the responsibility to demonstrate that educational considerations led to the decision to reduce or discontinue a program, except that an agreement by the Faculty Senate or its designated representatives, as cited in

7.2.2, that a program is to be discontinued will be considered a presumptively valid demonstration.

8.1.4.2.2 Once there has been such demonstration, the burden of proof rests with the faculty member to establish that the termination was based on an illegal reason or was arbitrary or capricious.

8.1.4.2.3 The University's decision will be overturned only if:

- (1) the University fails to demonstrate that the decision was based on educational considerations; or
- (2) a preponderance of the evidence indicates that the decision was based on an illegal reason or was arbitrary or capricious.

8.2 Faculty members involved in adjustments in such emergency situations shall be given opportunities for appointment in related areas, but only if

- (1) they are well qualified professionally to fill the appointment and can perform the essential functions of the appointment;
- (2) such positions are available; and
- (3) the dean and department head for the new appointment concur.

Financial and other support to the extent possible will be offered to faculty dismissed due to a program discontinuation based on educational considerations if this would facilitate placement in an available position.

8.3 Notice of termination of the appointment of a tenured faculty member under this provision shall be given in writing at least twelve months before the effective date of the termination.

8.3.1 Exceptions to this provision may occur in cases of financial exigency.

8.3.2 Any faculty member whose appointment is terminated because of financial exigency or educational considerations has the right to be reappointed to his or her previous position if it is reestablished within two calendar years.

## 9. PROCEDURAL GUIDELINES FOR HEARINGS

9.1 Application of Procedures: These procedures shall apply to (1) Tenured Faculty Dismissed for Cause; (2) Non-tenured Faculty Dismissed for Cause Prior to Expiration of Appointments; and (3) Non-tenured Faculty Whose Appointments Are Not Renewed.

9.1.1 Tenured Faculty Members Dismissed for Cause:

9.1.1.1 Before any formal notice of the intended dismissal of a tenured faculty member is issued, the department head must advise that faculty member in a personal conference that dismissal is being considered and the faculty member may request a hearing with the dean. Unless the stated cause for dismissal is sexual harassment ([University SAP 08.01.01.M1.02](#)) or scientific misconduct ([University Rule 15.99.03.M1](#)), any of these three parties may request mediation by the University Tenure Mediation Committee (UTMC).

9.1.1.2 A decision to dismiss a tenured faculty member must be based on good cause (as defined in Section 6.3) and formal notice of the decision to dismiss shall be given in writing at least twelve (12) months before the effective date of the intended termination. This provision for advance notice need not apply if the conduct that justified dismissal involved moral turpitude.

9.1.1.3 Faculty members who receive written notice of dismissal and who allege that the dismissal is not for good cause shall inform the President of Texas A&M University of such allegations in writing within thirty (30) calendar days of receiving the notice of dismissal. The faculty member may request from the appropriate administrators a statement of the reasons for dismissal and a copy of all documents relevant to that decision, such as the dismissal file. Such materials shall be given to the faculty member within seven (7) working days of the initial request.

9.1.1.4 If the faculty member contests the stated reasons for dismissal and requests a hearing by the Committee on Academic Freedom, Responsibility, Tenure and Promotion (CAFRT), the faculty member shall so inform the President in writing within thirty (30) calendar days after receiving the statement of the reasons for dismissal and a copy of all documents relevant to that decision, if requested. A copy of the stated reasons for dismissal and the faculty member's request for a hearing shall be forwarded by the President to the CAFRT.

9.1.1.5 In the ensuing hearing, the burden of proving that the proposed dismissal is for good cause shall rest with the institution. Findings of the CAFRT shall be limited to determining whether or not the decision to dismiss was for good cause. In addition, the CAFRT may make recommendations to the President regarding possible resolutions.

9.1.2 Non-tenured Faculty Members Dismissed for Cause Prior to Expiration of Appointments:

- 9.1.2.1 A decision to dismiss a non-tenured faculty member for cause prior to the expiration of an appointment shall be made consistent with 5.1 above, Rights of Non-Tenured Faculty Members. If non-tenured faculty members allege that they were dismissed prior to expiration of appointments in violation of such rights, such faculty members shall inform the President of such allegations in writing within thirty (30) calendar days of receiving the notice of dismissal and may request from an appropriate administrator a statement of the reasons for dismissal and a copy of all documents relevant to that decision, such as the dismissal file. Such materials shall be given to the faculty member within seven (7) working days of the initial request.
- 9.1.2.2 A faculty member, if not satisfied by the stated reasons for dismissal, may request that the decision be reviewed by the CAFRT. Such a request must be made in writing to the President within thirty (30) calendar days after the faculty member receives documentation of the reasons for dismissal and receives a copy of the dismissal file, if requested.
- 9.1.2.3 In the ensuing hearing, the burden of proving that the proposed dismissal is for good cause shall rest with the institution. The findings of the CAFRT shall be limited to determining whether or not the decision to dismiss was for good cause. In addition, the CAFRT may make recommendations to the President regarding possible resolutions.
- 9.1.3 Non-tenured Faculty Members Whose Appointments Are Not Renewed Whether or Not the Non Renewal is a Result of a Decision to not Grant Tenure:
- 9.1.3.1 None of the procedures described in 9.1.3.2, 9.1.3.3, 9.1.3.4, and 9.1.3.5 below shall apply to faculty members who were appointed to non-tenure track contracts only and were not reappointed.
- 9.1.3.2 A decision not to renew the tenure-track appointment of a non-tenured faculty member shall be made consistent with 5.1 above. If non-tenured faculty members allege that their tenure-track appointment was not renewed in violation of 5.1, such faculty members shall inform the President of such allegations in writing within (thirty) 30 calendar days of receiving the notice of non-renewal. The faculty members may request from an appropriate administrator a statement of the reasons for non-renewal of the tenure-track appointment and a copy of all documents relevant to that decision, such as the tenure/promotion file or the reappointment file. Such materials shall be given to the faculty member within seven (7) working days of the initial request.
- 9.1.3.3 The faculty member, if not satisfied by the stated reasons for the non-renewal of the tenure-track appointment, may request that the matter be reviewed by the CAFRT. Such a request must be made in writing to the President within thirty (30) calendar days after the faculty member receives the documented reasons for non-renewal of the tenure-track appointment and receives a copy of the tenure/promotion file or the reappointment file, if requested.

9.1.3.4 Upon receiving a request from the faculty member for a review by the CAFRT, the President will notify the Preliminary Screening Committee (see 9.3) of the request. The Committee chair shall schedule a meeting with the faculty member and shall notify the faculty member of the time and place. The Committee shall review the faculty member's allegations and hear any supporting statement that the faculty member wishes to make. The Committee shall then decide whether that information, standing alone and un-rebutted, would establish that a violation as described above in Section 5 may have occurred. If a majority of the Committee members reviewing the case finds that such a violation may have occurred, the Committee shall refer the matter to the CAFRT for a full hearing as provided in 9.4; otherwise, the matter shall not be given further consideration and the decision not to reappoint shall stand.

9.1.3.5 In the CAFRT hearing, the burden of proving a violation of the rights of non-tenured faculty members shall rest with the faculty member. The findings of the CAFRT shall be limited to determining whether the decision not to renew the appointment was in violation of such rights. In addition, the CAFRT may make recommendations to the President regarding possible resolutions.

## 9.2 University Tenure Mediation Committee:

9.2.1 The University Tenure Mediation Committee (UTMC) is a standing committee elected by the faculty. It consists of one faculty member elected from each of the Faculty Senate electoral units. These individuals are selected during the spring semester by a vote of the faculty in each of the Faculty Senate electoral units. They serve three-year terms that are arranged on a rotating basis so that one-third of the membership is replaced each year. Terms of new UTMC members begin September 1 each year.

9.2.2 The UTMC shall operate in an informal and flexible manner and attempt to resolve cases in which the dismissal of a tenured faculty member is being considered. The UTMC may offer confidential advice to involved faculty members and promote modes of settlement which avoid formal hearings and litigation.

9.2.3 The negotiating efforts of the UTMC shall be completed within forty (40) working days from the time its assistance is requested. However, at the request of the chair of the UTMC, if the faculty member and president agree, an extension will be granted. If the UTMC is not able to negotiate a resolution, it shall report its recommendations and findings within twenty (20) working days after the completion of its negotiating efforts to the President and the faculty member. The parties involved may proceed then as indicated in 9.1.1 above.

## 9.3 The Preliminary Screening Committee:



- 9.3.1 The Preliminary Screening Committee shall be comprised of those members of the CAFRT who have completed their term of service to the CAFRT during the previous academic year. The term of appointment to the Committee will be for one year. Thus, the members of the CAFRT who complete their service to the CAFRT on August 31 will be members of the Committee until August 31 of the following year. If there are fewer than four outgoing CAFRT members able to serve on the Committee, the President will appoint additional members to the Committee so that there are at least four, but no more than six, members. The members appointed by the President must be tenured teaching faculty members who have served on previous CAFRTs.
- 9.3.2 Each Committee member is subject to challenge for cause. The Committee chair will rule on the validity of any challenge. (Note: Such challenges relate to the ability of a member to render an unbiased decision. The mere existence of friendships or other contacts between a Committee member and other individuals does not necessarily constitute bias.)
- 9.3.3 The Preliminary Screening Committee will elect its own chair and vice chair, both of whom are voting members of the Committee.
- 9.3.4 At least three members are needed for a decision. Only those members who have participated in the entire meeting may vote.
- 9.3.5 The Committee shall establish a time limit for the meeting on a particular case (e.g., two hours) and may extend the time limit by majority vote of the committee during the meeting. During the meeting, the faculty member will present his/her allegations and supporting statements that a violation as described above in IV occurred. The faculty member may have legal counsel and/or other advisors present. Representatives of Texas A&M University (including an attorney from the Office of General Counsel) may attend the meeting as observers. At least two days before the scheduled meeting, the chair must be notified if anybody other than the affected faculty member will be attending the meeting.
- 9.3.6 The meeting shall be closed unless the affected faculty member requests that it be open.
- 9.3.7 The findings of the Committee shall be forwarded to the chair of the CAFRT, the President, and the affected faculty member within five working days of the meeting.
- 9.3.8 The Committee shall be self-governing and, within the provisions of this University statement, shall adopt such rules and procedures as it deems appropriate.

- 9.4 The Committee on Academic Freedom, Responsibility, and Tenure:
- 9.4.1 The Committee on Academic Freedom, Responsibility, and Tenure shall be comprised of eighteen tenured faculty members. Members shall serve three-year terms arranged on a rotating basis so that one-third of the members are replaced each year. The committee shall be elected during the spring semester by the faculty at-large from a slate of nominees comprised of three tenured teaching faculty members selected by the Faculty Senate caucus in each Faculty Senate electoral unit. Each member of the faculty may vote for no more than the number of seats to be filled. Individuals receiving the most votes will normally become members of the committee; however, to avoid having more than four members of the committee from the same Faculty Senate electoral unit, those receiving fewer votes shall be selected. Terms of new CAFRT members begin September 1 each year.
  - 9.4.2 Each committee member is subject to challenge for cause. The committee chair will rule on the validity of any challenge. (Note: Such challenges relate to the ability of a member to render an unbiased decision. The mere existence of friendships or other contacts between a Committee member and other individuals does not necessarily constitute bias.)
  - 9.4.3 The chair and vice chair of the CAFRT will be appointed from the faculty at-large by the Faculty Senate Executive Committee. The chair and vice chair will be non-voting and each shall be appointed for a term of five (5) years. Their terms will be staggered whenever possible.
  - 9.4.4 A Hearing Committee will consist of no less than seven voting CAFRT members who are assigned by the chair or the vice chair of the CAFRT. It is preferable to start with nine voting members. An effort will be made to distribute participation on Hearing Committees when multiple cases are heard during an academic year. Only members of the panel who are present for the entire hearing may vote.
  - 9.4.5 When circumstances warrant, the chair and vice-chair of the CAFRT, with approval of the Hearing Committee, may appoint a student member (non-voting), to the committee.
  - 9.4.6 The CAFRT shall be self-governing and within the provisions of this University statement, shall adopt such rules and procedures as it deems appropriate, including rules regarding admissibility of evidence.
- 9.5 Hearing Procedures:
- 9.5.1 When a faculty member requests a hearing (in accord with 8.1, 9.1.1.4, or 9.1.2.2 above), or when the Preliminary Screening Committee recommends a hearing for a non-tenured faculty member in accord with 9.1.3.4 above), the CAFRT Hearing Committee shall then set a time for the hearing that will

allow the faculty member a reasonable time in which to prepare for the hearing and shall notify the faculty member of the time and place. The faculty member and the University administration shall exchange witness lists indicating the general nature of the testimony of each witness prior to the hearing at a time specified by the CAFRT Hearing Committee. Witnesses should be present at the hearing so that the faculty member, the university, and the panel may question them. In the event that the presence of a witness is not possible, a conference call may be established by prearrangement with and approval of the chair. The committee may accept written documentation, including statements and depositions, at its discretion. Witnesses may be added at a later date for good cause.

- 9.5.2 The President will designate the person who will serve as Texas A&M University's representative at the hearing. Both the faculty member and the University administration shall have the right to be represented by legal counsel. Outside the hearing, either party may use legal counsel to assist in preparation of the record and to interview witnesses. Both the University administration and the faculty member shall have the right to call witnesses, to question all witnesses who testify orally, and to have a full stenographic record or an electronic recording of the proceedings, as determined by the CAFRT. Individual witnesses may be represented by legal counsel. Unless special circumstances warrant, it should not be necessary to follow the formal rules of court procedure.
- 9.5.3 Suspension of the faculty member during these proceedings is justified only if the welfare of the faculty member or that of students, colleagues, or other institutional employees is threatened by his or her continuance or if the continued presence of the faculty member would materially and substantially disrupt the regular operations of the institution. Any such suspension shall be with pay and with appropriate provisions for useful duties whenever possible.
- 9.5.4 The CAFRT shall allow oral arguments and written briefs on behalf of the President or his or her representative and by the faculty member or designated representative.
- 9.5.5 The hearing shall be closed unless the affected faculty member requests that it be open.
- 9.5.6 Due process is understood as following a course of professional proceedings consistent with the rules and principles generally recognized in the academic community. In general, the procedures in this document shall guide the CAFRT in its considerations of due process.

## 9.6 Findings and Recommendations:

- 9.6.1 The CAFRT Hearing Committee's findings and recommendations shall be conveyed in writing to the President and the faculty member.

- 9.6.2 If the CAFRT Hearing Committee recommends against dismissal or non-reappointment and the President accepts that recommendation, the faculty member shall be reinstated and the hearing terminated.
- 9.6.3 If the faculty member's appointment is proposed to be terminated by the President, the President shall transmit the full report of the Hearing Committee and his or her recommendation to the Chancellor of the System for his or her recommendation and transmittal to the Board Regents. If the recommendation of the President for termination conflicts with that of the committee, both recommendations shall be transmitted to the Chancellor of the System for recommendation and transmittal to the Board of Regents.
- 9.7 Governing Board: The Board of Regents shall review all recommendations concerning tenured faculty members dismissed for cause and non-tenured faculty members dismissed prior to the expiration of appointments. If the recommendations of the President and the CAFRT Hearing Committee are in accord, the Board may choose to limit its review to the record of the hearing. Where conflict exists between the CAFRT Hearing Committee and the President, the Board should extend its review to include an opportunity for arguments by the principals or their representatives. The Board shall either sustain the decision of the hearing committee or return the matter to the hearing committee for consideration with appropriate instructions. In such case, the committee should promptly reconsider the case, taking into account the instructions of the Board and receiving new evidence if directed to do so by the Board. Upon reconsideration the hearing committee shall forward its reconsidered recommendation to the President and the Board. After review of the hearing committee's reconsideration, the Board shall render its own final written decision with a copy provided to each of the principals.

[CLICK HERE TO SEE APPENDIX I](#)

OFFICE OF RESPONSIBILITY: [Dean of Faculties](#)