

UNIVERSITY OF NORTH TEXAS
at DALLAS

FY 2024
Annual Certification
pursuant to
Texas Education Code § 51.942

Policies and Procedures
related to
Faculty Tenure

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06.1000 Tenure

06.1001 Concept and Purpose of Tenure. Upon the recommendation of the President, the Board may confer academic tenure, or continuing appointment. “Tenure” means the entitlement of a faculty member to continue in the faculty member’s academic position unless dismissed by the institution for good cause as set forth in the policies and procedures of the institution. Academic tenure recognizes the professional and accomplished status of the faculty member.

Tenure is designed to accomplish the following purposes:

1. assure the faculty of freedom of teaching, research, opinion, and full participation as citizens in the academic community;
2. assist the Institutions by encouraging sound standards for the selection of faculty; and
3. result in the retention, encouragement, and promotion of the most able and promising faculty.

06.1002 Award of Faculty Tenure. As specified in Regents Rule 03.802.5, only the Board may confer faculty tenure. The President shall forward all recommendations for tenure to the Board through the Chancellor.

06.1003 Policies. Each Institution shall recommend to the Board for review, approval, and adoption policies and procedures for the granting of faculty tenure.

06.1004 Reporting Requirement. Each Institution shall file a copy of its faculty tenure policies and procedures and any amendments thereto with the Texas Higher Education Coordinating Board on or before September 1 of each year.

Adopted: February 7, 2008
Effective: February 7, 2008
Revised: September 1, 2023

06.1100 Evaluation of Tenured and Non-Tenured Faculty

06.1101 Annual Evaluation. Each Institution shall recommend to the Board for review, approval, and adoption a policy providing for annual performance evaluations of all tenured and non-tenured faculty.

06.1102 Post Tenure Review Policy. Each Institution, with the advice and comment of faculty, shall recommend to the Board for review, approval, and adoption policies and procedures for providing for a comprehensive performance evaluation process for all tenured faculty at the Institution. The Institution may design its policy to fit its particular educational mission, traditions, resources, and circumstances relevant to its character, role, and scope, in addition to other relevant factors. The policy shall include, at minimum, the following provisions providing that:

1. comprehensive performance evaluations of tenured faculty will occur not more often than once every year, and no less often than once every six years after the date the faculty member was granted tenure or received an academic promotion at the institution;
2. comprehensive performance evaluations will be based on professional responsibilities in teaching, research, service, patient care, and administration, and include peer review of the faculty member;
3. the comprehensive performance evaluation process will be directed toward the professional development of the faculty member;
4. the comprehensive performance evaluation process will incorporate commonly recognized academic due process rights, including notice of the manner and scope of the comprehensive performance evaluation, opportunity to provide documentation during the performance evaluation process, and, before any disciplinary action is taken on the basis of a comprehensive performance evaluation, notice

of specific charges and an opportunity for a hearing on those charges is provided;

5. the revocation of tenure or other appropriate disciplinary action may be taken if, during the comprehensive performance evaluation, there is a determination of incompetency, neglect of duty, or other good cause;
6. for any faculty member who receives an unsatisfactory rating in any area of a comprehensive performance evaluation, the process provides for a short-term development plan with performance benchmarks for returning to satisfactory performance; and
7. failure to successfully complete a post tenure comprehensive performance review short-term development plan constitutes adequate cause for dismissal in accordance with Regents Rule 06.1206.

06.1103 Reasons for Dismissal. The Board shall provide specific reasons in writing for any decision to dismiss a tenured faculty member on the basis of a post tenure review.

06.1104 Waiver. The Institutions shall not waive the post tenure review process for any faculty member granted tenure.

06.1105 Reporting Requirement. Each Institution shall file a copy of its post tenure review policies and procedures and any amendments thereto with the Texas Higher Education Coordinating Board on or before September 1 of each year.

Adopted: February 7, 2008
Effective: February 7, 2008
Revised: September 1, 2023

06.1200 Dismissal and Revocation of Tenure

06.1201 Dismissal of Tenured Faculty. The employment of a tenured faculty member may be terminated only in accordance with this Rule and only for adequate cause, financial exigency, or discontinuance of academic programs.

06.1202 Procedures for Dismissal of Tenured Faculty for Adequate Cause. Except as provided by the procedures for summary dismissal set forth in this Rule, each Institution shall recommend to the Board for review, approval, and adoption procedures for dismissal of a tenured faculty member for adequate cause. Such procedures shall provide the faculty member with appropriate due process including, at a minimum, the following provisions:

1. reasonable and timely notice of the reason for possible dismissal;
2. an opportunity to meet with and respond to an administrator prior to initiation of formal action to dismissal;
3. an informal, advisory inquiry into the reasons for the dismissal before initiation of formal proceedings;
4. a statement informing the faculty member of the reason for initiation of formal dismissal proceedings and of his or her procedural rights under Institution policy;
5. an opportunity for a formal hearing; and
6. a requirement that the Board make the final determination involving the dismissal of a tenured faculty member.

06.1203 Board Review. A recommendation to dismiss a tenured faculty member for adequate cause shall be forwarded by the President to the Board through the Chancellor. A tenured faculty member shall not be dismissed for adequate cause

except by a majority vote of the total membership of the Board. The Board shall provide specific reasons in writing for any decision to dismiss a tenured faculty member for adequate cause.

06.1204 Dismissal of Non-Tenured Faculty. An Institution may dismiss the employment of a non-tenured faculty member by non-renewal of his or her appointment, for adequate cause, financial exigency, or discontinuance of academic programs during the course of his or her appointment.

06.1205 Procedures for Dismissal of Non-Tenured Faculty for Adequate Cause. Each Institution shall adopt procedures for dismissal of non-tenured faculty for adequate cause. Such procedures shall include, at minimum, reasonable and timely notice of the reason for dismissal and an opportunity to respond.

06.1206 Adequate Cause. Each Institution shall recommend to the Board for review, approval, and adoption policies and procedures for dismissal of a tenured faculty member for adequate cause.

1. Adequate cause for dismissal of a tenured faculty member may include, but shall not be limited to, a determination that the faculty member has:
 - (a) exhibited professional incompetence;
 - (b) continually or repeatedly failed to perform duties or meet responsibilities of the faculty member's position;
 - (c) failed to successfully complete a post-tenure review professional development program;
 - (d) engaged in conduct involving moral turpitude that adversely affects the Institution or the faculty member's performance of duties or meeting of responsibilities;
 - (e) violated laws or System or Institution policies or regulations substantially related to the performance of the faculty member's duties;

- (f) been convicted of a crime affecting the fitness of the faculty member to engage in teaching, research, service, outreach, or administration or failed to disclose or misrepresented criminal history background information;
- (g) engaged in unprofessional conduct that adversely affects the Institution or System or the faculty member's performance of duties or meeting of responsibilities; or
- (h) falsified the faculty member's academic credentials.

06.1207 Suspension During Adequate Cause Proceedings. A tenured or non-tenured faculty member may be suspended pending proceedings to dismiss for adequate cause if the faculty member presents a threat of immediate harm to the Institution.

06.1208 Procedures for Summary Dismissal of Tenured Faculty Based on Serious Misconduct. A tenured faculty member may be summarily dismissed – and lose tenure – upon a finding of serious misconduct.

1. Summary dismissal – and loss of tenure – must be based upon a finding of serious misconduct substantiated by an investigation conducted by the System or Institution, or a federal, state, or local agency with applicable jurisdiction over the subject matter. Serious misconduct includes a finding of any of the following:
 - (a) intentional or knowing falsification of a faculty member's academic credentials;
 - (b) egregious scientific or research misconduct;
 - (c) conviction of a crime substantially affecting the fitness of the faculty member to engage in teaching, research, creative activity, service, outreach, or administration;

- (d) sexual misconduct that violates federal Title IX or state sexual misconduct laws or policies; or
 - (e) violence or threat of violence in the workplace
2. Before a faculty member may be summarily dismissed – and lose tenure – the faculty member must be provided with appropriate due process, that includes:
- (a) written notice of the allegation(s) against the faculty member together with an explanation of the evidence supporting possible dismissal, and copies of non-confidential or non-privileged investigative reports (with appropriate redactions) that are available to the Institution at the time of written notice;
 - (b) an opportunity for the faculty member to respond to the allegations in a hearing with the Institution’s Provost;
 - (c) consideration of the faculty member’s response, if any, by the Institution’s Provost;
 - (d) a written determination by the Provost stating whether the Institution will proceed with the summary dismissal that clearly states:
 - (i) that the faculty member is not subject to summary dismissal; or
 - (ii) that the faculty member is subject to summary dismissal, the effective date of the dismissal, and information regarding the faculty member’s opportunity for a post-dismissal appeal.
 - (e) prompt delivery to the faculty member of the Provost’s written determination; and
 - (f) the opportunity to appeal the determination of summary dismissal, as follows:

- (i) if the faculty member desires to appeal, the appeal, including reasons for the appeal, must be submitted in writing to the Institution's President no later than ten (10) business days following delivery of the written determination; and
 - (ii) if an appeal is filed, unless extenuating circumstances otherwise prevent it, the President will render a final determination no later than fifteen (15) business days following receipt of the faculty member's appeal – the President's decision shall be final; or
 - (iii) if no appeal is filed, the President shall summarily dismiss the faculty member as of the effective date specified in the written determination.
- (g) For purposes of this Rule, notice shall be deemed delivered to and received by the faculty member the day an email is sent to the faculty member's Institutionally assigned email address.

06.1209 Suspension During Summary Dismissal Proceedings. A faculty member subject to a summary dismissal procedure may be suspended with or without pay during the dismissal process. If suspension without pay has not already been imposed, notice of summary dismissal shall result in immediate suspension without pay.

06.1210 Procedures for Dismissal of Tenured or Non-Tenured Faculty for Financial Exigency. Each institution shall adopt procedures for dismissal of tenured or non-tenured faculty for financial exigency. Such procedures shall include, at minimum, the following provisions:

1. reasonable and timely notice of the intent to dismiss a faculty appointment because of financial exigency;

2. an opportunity for a formal hearing before a faculty committee;
3. an opportunity for tenured faculty to be appointed to an open position in another department at the institution in which the faculty member is qualified to teach; and
4. an opportunity of re-employment for faculty members who are dismissed based on financial exigency if the position is restored within a period of three years from the dismissal date.

06.1211 Dismissal of Tenured Faculty for Financial Exigency. A tenured faculty member may be dismissed due to financial exigency only upon recommendation by the President and approval by the Board.

06.1212 Procedures for Dismissal of a Tenured or Non-Tenured Faculty for Discontinuance of Academic Programs. Each institution shall adopt procedures for dismissal of tenured or non-tenured faculty for discontinuance of academic programs. Such procedures shall include, at minimum, the following provisions:

1. reasonable and timely notice of the intent to dismiss a faculty appointment because of discontinuance of academic programs;
2. an opportunity for a formal hearing before a faculty committee; and
3. an opportunity for tenured faculty to be appointed to an open position in another department at the institution in which the faculty member is qualified to teach.

06.1213 Dismissal of Tenured Faculty for Discontinuance of Academic Programs. A tenured faculty member may be dismissed due to discontinuance of academic programs only upon recommendation by the President and approval by the Board.

06.1214 Reporting Requirement. Each Institution shall file a copy of its dismissal and revocation of tenure policies and procedures and any amendments thereto with the Texas

Higher Education Coordinating Board on or before
September 1 of each year.

Adopted: February 7, 2008
Effective: February 7, 2008
Revised: August 18, 2011; September 1, 2023; November 6, 2023

- 06.1300 Financial Exigency and Discontinuance of Academic Programs.
- 06.1301 Definition. A financial exigency is an actual or imminent financial crisis, as determined by the Board, that threatens the survival of the Institution as a whole and that cannot be alleviated by measures other than terminating tenured or tenure-track faculty.
- 06.1302 Declaration of Financial Exigency. The decision to declare a financial exigency may be made only by an affirmative vote of the Board. Prior to voting, the Board will consider the recommendation of the Institution’s administration submitted in a timely manner and through the Institution’s established procedure. The declaration of a financial exigency will be for a specified period of time not to exceed two years, unless extended by the Board.
- 06.1303 Plan for Retrenchment. Before an Institution takes action pursuant to a declaration of financial exigency, it shall submit a plan for retrenchment to the Board for consideration. The Board may modify the plan prior to its approval.
- 06.1304 Termination of Tenured Faculty. An Institution’s recommendation to terminate a tenured faculty member due to financial exigency must be presented to the Board for approval.
- 06.1305 Rescission of Declaration. The Board may, by majority vote, rescind its declaration of financial exigency at any time. Such rescission, however, does not operate to automatically withdraw or otherwise invalidate any notice of dismissal issued to an individual during the period of declared financial exigency.
- 06.1306 Financial Exigency Policy. Each Institution shall adopt a policy consistent with this Regents Rule that outlines Institution policy and procedures applicable prior to and during a financial exigency. The policy shall include the procedure for the Institution’s administration and faculty to make recommendations to the Board regarding a declaration of financial exigency and provide for notice and

a hearing before a faculty committee for any faculty member whose termination is recommended due to financial exigency.

06.1307 Discontinuance of Academic Programs. Subject to the policies and rules of the Board and under the direction of the Chancellor, the President of an institution has general authority and responsibility for determining when to discontinue or abandon an academic program and when to eliminate occupied academic positions. A decision to discontinue an academic program may occur with or without a financial exigency and will be based primarily on educational considerations.

06.1308 Educational considerations. Educational considerations that could result in the discontinuance of an academic program may include, but are not limited to:

1. a substantial decrease in program enrollment or the number of degrees awarded;
2. the need to shift substantial resources to other programs; or
3. a substantial modification or redirection of school or department's mission.

06.1309 Policy. Each Institution shall adopt a policy consistent with this Regents Rule that outlines Institution policy and procedures applicable to discontinuance of academic programs and the elimination of occupied academic positions. The policy shall include the procedures for the Institution's faculty to make recommendations to the President regarding a discontinuance of academic programs and for assisting students enrolled in discontinued academic programs. It shall also provide for notice and a hearing before a faculty committee for any faculty member whose termination is recommended due to elimination of occupied academic positions.

06.1310 Termination of Tenured Faculty. An Institution's recommendation to terminate a tenured faculty member due to discontinuance of academic programs must be presented to the Board for approval.

Adopted: August 18, 2011
Effective: August 18, 2011
Revised:

The University of North Texas at Dallas Policy Manual	Chapter 6.000
6.002 Faculty Appointments – Full Time	Faculty Affairs

Policy Statement. The primary purpose of the University is the education of its students. Faculty members must be recruited, retained, promoted and tenured to address the academic goals and mission of the institution. A variety of faculty positions are needed to address the instructional and programmatic requirements of a vibrant and growing institution. The faculty as a whole must meet the University’s needs in the areas of teaching and student success, research, scholarly and creative activity, and service and public engagement.

Application of Policy. This policy applies to all full-time faculty members. See Part-Time Faculty policy for rules related to part-time faculty.

Types-Faculty Appointments.

The types of faculty appointments are as follows:

1. Tenured Appointment is an appointment of a University faculty member that may not be terminated except for adequate cause, for reasons of financial exigency, or discontinuance of an academic program.
2. Probationary Appointment is an appointment as assistant professor, associate professor, or professor during the period of service that precedes determination of tenure status.
3. Term Appointments are all full-time appointments for a fixed term where the individual is part of the instructional staff with the rights and responsibilities of faculty members during the appointment. These appointments may include lecturers, senior lecturers, principal lecturers, visiting faculty, scholar in residence, clinical assistant or associate professors and others as may address the needs of the institution. Individuals appointed for fixed terms are not eligible for tenure and do not accrue credit toward tenure.
3. Joint Appointment is a faculty appointment which may be shared between or among academic units or between campuses within the UNT System.

Types of Faculty Positions.

The types of faculty positions are as follows:

1. Visiting Faculty are appointments for a fixed term to carry out instructional or research responsibilities within an academic unit. Professional credentials are required for appointment as a visiting faculty member. Visiting faculty members may be associated with another university or agency and may be engaged as a research associate or post-doctoral faculty member. Individuals appointed in this position are not eligible for tenure.
2. Scholar in Residence is an appointment to a fixed-term on the basis of noteworthy experience and credentials. Individuals appointed to this position are not eligible for tenure.
3. Researcher is an appointment for a fixed term to specifically work on one or more sponsored projects. A researcher may be affiliated with one or more academic units under specific terms and conditions set out in an agreement between the individual and the university. Individuals appointed in this position are not eligible for tenure.
4. Lecturer is an appointment for a fixed term primarily to meet the instructional needs of the University. Based on annual evaluations and the needs of the institution, the appointment may be renewed upon recommendation by the appropriate Dean or department chair and with concurrence by the Provost. Individuals appointed to this position are not eligible for tenure.
5. Senior Lecturer is an appointment for a fixed term primarily to meet the instructional needs of the University. Individuals appointed to this position must have served as a Lecturer at the University for at least five years and exhibited exemplary performance, be terminally qualified in the discipline, and recommended by the appropriate Dean and approved by the Provost. Based on annual evaluations and the needs of the institution, the appointment may be renewed by the appropriate Dean or department chair and with concurrence by the Provost. Individuals appointed in this position are not eligible for tenure.
6. Professor of Practice is an appointment for a fixed term reserved for individuals who have a particular expertise in a given area based on experience and education rather than academic credentials. This appointment may be renewed at the sole discretion of the University based on an annual evaluation. Individuals appointed in this position are not eligible for tenure.
7. Assistant Professor is a tenure-track faculty member holding a terminal degree in a relevant discipline appointed to carry out the duties of teaching and student success, research, scholarly and creative activity, and service and public engagement.
8. Associate Professor is a tenured or tenure-track faculty member who, in addition to performing the duties expected of an assistant professor, is expected to show substantial professional achievements, evidenced by an appropriate combination of teaching and student success, research, scholarly and creative activity, and service and public.

9. Professor is tenured or tenure-track faculty member who, in addition to performing the duties expected of an associate professor, is recognized for outstanding scholarly or professional accomplishments.
10. Clinical Assistant Professor is a non-tenure track faculty position that engages in teaching, providing a practice or service activity in such a way that it serves as a framework for teaching, and/or supervising students in academic, clinical or field settings. Clinical Assistant Professor appointees will contribute creatively to administrative, academic or research activities in the respective school, participate in institutional governance, and contribute to University and public service.
11. Clinical Associate Professor is a non-tenure track faculty position that engages in teaching, providing a practice or service activity in such a way that it serves as a framework for teaching, and/or supervising students in academic, clinical or field settings. Clinical Associate Professor appointees will have 5-years of experience and contribute creatively to administrative, academic or research activities in the respective school, participate in institutional governance, and contribute to University and public service.

Procedures and Responsibilities

Normally, faculty appointments are made by the Provost with affirmative recommendations at the department and school level. Under extraordinary circumstances, appointments may be made by the Provost with concurrence of the President in light of institutional needs and priorities. Faculty appointments shall be offered only in accordance with the policies and regulations of the University and with appropriate administrative approval.

1. Recruiting

Faculty members are recruited to support the mission of the University by following approved recruiting practices. The Provost, Dean, and Department Chair or Program Coordinator are responsible for developing qualifications for vacant positions and conducting the search for the best qualified candidate to advance the institutional mission and goals. Assistance will be provided by the Department of Human Resources in all faculty searches.

2. Hiring Requirements

Faculty members are subject to a criminal history background check. Successful passing of the background check is a requirement for employment at the University. In addition, faculty members must be able to document that they are eligible to work in the United States.

3. Joint Appointments

If a faculty appointment is divided among several departments or divisions at the University or within the UNT System, each unit must normally make an affirmative recommendation regarding the appointment; however, one department must be designated as the primary or home department. The percentage of a joint appointment may be changed only by mutual agreement among the Department Chairs, Deans and Provosts as applicable. The appointment must be at the same rank in each division. Individuals holding joint appointments normally will have a portion of their salary paid on a pro-rata basis by each of the units. Individuals holding joint appointments will be fully participating faculty members in each of the academic units, with teaching, scholarship and service expectations negotiated among the faculty member and the respective units. The details of the joint appointment, such as voting rights in the academic units, evaluation procedures, assignments of duties, promotion and tenure, etc., should be spelled out in a written document before the effective date of the appointment.

4. Term Appointments

Term appointments shall terminate at the expiration of the stated period of appointment without notification. All continuing term faculty members will be evaluated annually and may be renewed based upon the needs of the institution and annual evaluations with the recommendation of the Department Chair or Dean and with the concurrence of the Provost. Term faculty members may receive merit increases in pay in accordance with University policy.

References and Cross-References.

TEX. EDUC. CODE §51.943
UNT System Board of Regents Rule 06.300.

Approved: 8/30/2010
Effective: 8/30/2010
Revised: 3/18/2013, 1/29/2014, 6/1/17, 12/16/2022

The University of North Texas at Dallas Policy Manual	Chapter 6.000
6.006 Probationary Periods	Faculty Affairs

Policy Statement. The University of North Texas at Dallas strives to recruit and retain the best faculty members who will contribute to academic excellence and student success. In recruiting faculty members, the institution has the responsibility to determine the contributions each faculty member will make towards achieving goals of excellence and high academic quality. The probationary period allows an assessment of a faculty member’s potential contributions to institutional goals prior to the award of tenure.

The institution recognizes the inherent challenges in balancing work and life away from work. Excluding time from the probationary period allows balance between work and life away from work for tenure-track faculty members who experience significant personal obligations (e.g., medical, family or other circumstances that interfere with academic work) during the probationary period. An extension of the probationary period is never automatic and will be granted only when it is in the best interests of the university and its faculty following the criteria below.

Application of Policy. This policy applies to all tenure-track faculty members.

Definitions.

Probationary Period. “Probationary Period” is the maximum amount of time a faculty member may be appointed in a tenure-track position prior to a determination being reached on granting or denial of tenure.

Procedures and Responsibilities.

The probationary period shall be specified for each individual at the time of his or her initial appointment. Except as provided by probationary time period exclusions identified below, the maximum probationary period is the equivalent of **six** years of full-time faculty service in the university. Faculty members would typically be evaluated over their first **five** years of the probationary period and apply for tenure in the **six** year. This probationary period is counted in one year increments beginning each fall semester. The probationary period for faculty members whose appointment starts in January of an academic year shall begin in the following September. Each year of service for which the faculty member is employed full time shall be counted as a full year of probationary service once the probationary period begins. Time spent on an approved leave of absence without pay is not counted toward time spent in probationary service.

These provisions do not preclude an early application for the granting of tenure or promotion; however, such an application should only be considered in rare and extraordinary circumstances and tenure and/or promotion should only be granted where the case exhibits extraordinary merit across all areas of responsibility with particular emphasis on work accomplished while at the University of North Texas at Dallas. Denial of early tenure will not preclude an opportunity to later re-apply for tenure within the probationary period.

Notice of Termination.

In cases of terminations during the probationary period, notification will be given no later than March 1st during the first year of probationary service, December 15th during the second year of probationary service and by May 31st for years three through six of probationary service. In the latter case, the faculty member will be given a full terminal year of employment after notification to find other employment. Therefore, the next academic year will be the last year of appointment.

Exclusions from the Probationary Period.

A tenure-track faculty member, under certain circumstances, may request that up to one year be excluded from the probationary period. Such circumstances may include, among others, the birth or adoption of a child, responsibility for managing the illness or disability of a family member, serious persistent personal health issues, and/or death of a parent, spouse, or child. For purposes of this policy, a family member is the employee's spouse, child, parent, brother, sister, grandparent, or grandchild.

The faculty member should submit his or her request for time exclusions in writing to the appropriate department chair and dean. It is the responsibility of the faculty member to provide appropriate documentation to adequately demonstrate why the request should be granted. Faculty members should make a request as soon as they believe circumstances warrant approval of the request. When feasible, the faculty member should submit his\her request in advance of the academic year or semester in which the exclusion is necessary. In any case, a request for exclusion may not be submitted after the end of the spring semester of the faculty member's sixth year of full-time probationary service. A maximum of two, one-year periods may be excluded from the probationary period.

Review Process.

Upon receipt of a faculty member's request to exclude time from the probationary period, the department chair and dean will review the request and make a written recommendation to the Provost including reasons in support or against the request. In addition to the faculty member's written request and the recommendation of

department chair and dean, the Provost may review the faculty member's annual evaluations and progress toward eligibility of award of tenure prior to the event leading to the request for time exclusion. The approval of a request for exclusion of time from the probationary period will be put in writing and include the reasons for the exclusion, the period of the exclusion, its effect upon the date of tenure review, and the plan for the faculty member to meet his or her instructional or other academic responsibilities during the excluded period. The faculty member must sign the approval document prior to implementation of the exclusion. A denial will also be documented in writing and include the reason(s) or basis for the denial. The Provost's decision to approve or deny the request is final.

References and Cross-references.

Regents Rules 06.200, 06.1000;

UNT Dallas Policies 6.002, 6.009

Approved: 8/26/2010

Effective: 8/26/2010

Revised: 2/2/2013

The University of North Texas at Dallas Policy Manual	Chapter 6.000
6.007 Academic Workload	Faculty Affairs

Policy Statement. The purpose of this policy is to establish procedures for assigning the academic workload of faculty. The workload of faculty members encompasses a variety of teaching and student success, research, scholarly, and creative activities, and service and public engagement activities. When determining the academic workload of faculty members, the University will give appropriate weight to these duties and responsibilities in light of institutional needs.

Application of Policy. This policy applies to all full-time faculty members.

PROCEDURES AND RESPONSIBILITIES.

Faculty Academic Workloads.

The responsibility for assigning faculty workloads shall rest with the department chairs and division deans with faculty consultation. The Provost will approve faculty workloads in advance of assignments. Workloads for faculty shall be determined to maximize the institution’s overall quality, efficiency, and effectiveness. The collective faculty work assignments should yield a balanced portfolio of activities for each academic degree program consistent with the mission of the university. The standard teaching load for non-tenure-track faculty is 12 credit hours per semester. The standard teaching load for tenured and tenure track faculty is 12 credit hours per semester with a possibility of 9 credit hours per semester for tenured and tenure track faculty with demonstrated research productivity. Faculty workloads may be adjusted to reflect other assignments recommended by the deans and approved by the Provost to achieve the needs and goals of the University. Evidence of maintaining currency in one’s teaching field is required to maintain the standard teaching load for tenured and tenure-track faculty.

Chair Academic Workloads

Departmental chairs are appointed by the appropriate dean for a three year period of time. The appointment is renewable, not to exceed six years. Workloads for chairs will be determined to maximize the institution’s overall quality, efficiency and effectiveness. The standard teaching load for departmental chairs is 6 credit hours per semester. Chair workloads may be adjusted to reflect other assignments recommended by the deans and approved by the Provost to achieve the needs and goals of the University. Evidence of maintaining currency in one’s teaching field is required to maintain the standard teaching load for chairs.

The Provost shall be responsible for reviewing the division and departmental teaching loads and related academic assignments and for monitoring compliance. Each semester, the Provost will prepare a report to the President of the University that addresses compliance with the institutional rules and regulations. This report will include copies of any forms the institution may develop for reporting individual faculty academic workloads. These reports will provide the means for demonstrating the University’s accountability in faculty workload assignments.

Within 30 days of the end of each academic year, the President of the University will file such reports as are required by Regents Rule 06.602 and § 51.402(c) of the Texas Education Code with the Board of Regents and the Texas Higher Education Coordinating Board.

Faculty Complaints.

Faculty members may file a written complaint regarding a workload assignment in accordance with the applicable appeals procedure in the Faculty Grievance Policy (6.017).

References and Cross-references.

TEX. EDUC. CODE §51.402

Regents Rule 06.600.

Approved: 8/26/2010

Effective: 8/26/2010

Revised:4/17/2013

The University of North Texas at Dallas Policy Manual	Chapter 6.000
6.008 Merit Evaluation of Faculty	Faculty Affairs

Policy Statement. Faculty members at the University of North Texas at Dallas will have a variety of duties and responsibilities associated with the mission of the institution, including the essential functions of teaching and student success, research, scholarly, and creative activities, and service and public engagement. Annual merit evaluations will be based on the quality of the faculty member’s contributions in these areas of responsibility. Work in these areas constitutes the faculty member’s professional obligation to the University.

Application of Policy: This policy applies to all full-time faculty members.

PROCEDURES AND RESPONSIBILITIES.

Faculty Merit Evaluations.

The Provost shall publish a schedule for accomplishing the annual performance evaluations that allows faculty participation in the annual review process at the departmental and division levels.

Each department (or the division) shall have clearly formulated, written, and publicly-accessible performance criteria upon which the annual review will be based. These performance criteria must be made known to all faculty members to ensure that all faculty members are aware of the criteria by which their annual performance will be evaluated. These performance criteria will evaluate teaching and student success, research, scholarly, and creative activity, and service and public engagement consistent with the mission of the university.

In the area of teaching and student success, a portfolio approach will be used to evaluate the faculty member’s contributions to teaching and student success. This evaluation will consider all evidence presented to document quality instruction, student engagement and success, and continuous improvement in teaching pedagogy.

In the area of research, scholarly, and creative activity, the focus is on both the quality and quantity of research, scholarly works and creative activity. Quality research and scholarly works, whether basic, applied, or pedagogical, constitute valuable contributions. The higher the quality of these works, the lower the number that may be acceptable. This emphasis on quality leads to an expectation that scholarly works and creative activity be peer-reviewed and refereed as indicators of quality. In evaluating the quality of research, both the inherent quality of the work itself and the quality of the outlet selected (journal, conference etc.) will be considered. Indicators of the quality of the outlet selected include, but are not limited to, the

nature of the review, the acceptance rate, the composition of the editorial board, and the reputation of the outlet.

In the area of service and public engagement, contributions to the department, the division, the university, the community, the City of Dallas, and to one's profession will be considered. Taking on leadership roles in service and public engagement will receive the most weight in this area. The quality of participation and level of commitment required for a given activity will be considered in the evaluation.

Each full-time faculty member (tenured, tenure-track, and term) shall be evaluated annually based on criteria established by the Department Chair Dean and approved by the Provost. The Department Chair will confer with the Division Dean regarding each individual evaluation before meeting with the faculty member. Each full-time faculty member shall be informed in writing of the results of her/his review.

All of the faculty member's assigned duties will be given weight in the evaluation. Each annual merit evaluation must be tailored to the specific workload assignment, and therefore merit evaluation procedures will take into account the varying workloads in existence at the time the merit review takes place. In arriving at an overall evaluation rating for a faculty member, the rating obtained in each major area of responsibility (teaching and student success, research (i.e., scholarly and creative activity) and service and public engagement) will be weighted by the percentage of time allocated to each area for the year. In addition to an overall performance rating, each faculty member will receive an overall cumulative performance evaluation of either "satisfactory" or "unsatisfactory."

For probationary faculty, the relationship between annual merit evaluations and promotion and tenure reviews must be articulated in departmental and division policies. For tenured faculty, the relationship between work assignment and annual merit evaluations and how they impact promotion to professor must be clearly articulated in division policies.

Faculty Complaints.

Faculty members may file a written complaint regarding an annual evaluation in accordance with the applicable appeals procedure in the Faculty Grievance Policy (#6.017).

References and Cross-references.

None.

Approved: 8/26/2010

Effective: 8/26/2010

Revised: 2/1/2013

The University of North Texas at Dallas Policy Manual	Chapter 6.000
6.009 Tenure and/or Promotion Review	Faculty Affairs

Policy Statement. An academic institution’s strength lies in its faculty. The University of North Texas at Dallas must be expected to improve with each promotion and tenure decision, and, therefore, each decision must result in a progressively stronger faculty and a faculty dedicated to the mission and strategic goals of the institution. Procedures and criteria relating to promotion and tenure will support and enhance academic quality and student success.

Application of Policy. This policy applies to all full-time tenured and tenure-track faculty members.

Definitions.

1. Probationary Appointment. “Probationary Appointment” means an appointment as assistant professor, associate professor, or professor (as defined in UNTD Policy #6.002, Faculty Appointments) during the period of service that precedes the awarding of tenure.
2. Tenure. “Tenure” carries with it the promise of continuous employment absent dismissal for cause, financial exigency, or discontinuance of academic programs.
3. Promotion. “Promotion” means an elevation in rank either from assistant to associate professor or associate to full professor.
4. Initial Appointment. “Initial Appointment” is an appointment granted to an individual who has not previously held a faculty appointment at the University of North Texas at Dallas in a tenure-track position.

Procedures and Responsibilities.

The academic department has the greatest disciplinary expertise in evaluating the accomplishments of the candidate for appointment or reappointment, promotion and/or tenure. The department chair and dean have the responsibility for evaluating the candidate to ensure recommendations for appointment or reappointment, promotion and/or tenure meet the expectations of the department and division, respectively. The Provost has the responsibility to evaluate the candidate to ensure that university standards are met and that the review process conforms to institutional policies and procedures.

Review of Probationary Appointments.

All tenure-track faculty members shall be reviewed by the department chair for reappointment during each year of the probationary period. This process will be conducted annually based on a timetable set by the Provost. The department chair will solicit input each year from a faculty committee consisting of faculty members of higher rank than the faculty member under review. In each year, the department chair will make a recommendation as to whether the faculty member should be reappointed and forward this recommendation to the Dean. The Dean will then review the faculty member's performance and the recommendation of the department chair and make a separate recommendation about reappointment and forward it to the Provost. The Provost will then review the faculty member's performance and both the recommendations of the department chair and the dean, and make the final decision on reappointment of the faculty member. This decision will be communicated in writing to the faculty member. A comprehensive mid-point review conducted in the fourth year of the probationary period will also be conducted to specifically evaluate progress toward tenure and promotion. The Provost's decision on reappointment will be made as outlined in Policy 6.006 Probationary Periods.

The criteria for reappointment are based on the criteria for tenure and promotion. To be eligible for reappointment, a tenure-track faculty member must show evidence of satisfactory progress towards a successful tenure and promotion review at the end of his or her probationary period. The procedure for conducting the reappointment review is similar to that for the tenure and promotion review, and the Provost's decision is final.

Any faculty member not recommended for reappointment by the Provost during any year of the probationary period will be given a terminal contract in accordance with the timelines set forth in Policy #6.006 Probationary Periods.

Criteria for the Granting of Tenure.

Tenure procedures and criteria will be provided in writing to the faculty. Tenure may only be granted to faculty members holding the titles of professor or associate professor. However, an assistant professor may be considered for tenure and promotion to associate professor concurrently. Only the Board of Regents may confer tenure.

Each tenure-track assistant professor shall be reviewed for tenure based upon the strength of his or her application for tenure no later than during the sixth year of service. The Department Chair, Dean, and Provost shall recommend to the President: (a) that he or she be promoted to associate professor with tenure; or (b) that he or she be placed on terminal appointment for the next (*i.e.*, seventh) year. Assistant Professors who do not qualify for promotion to the rank of Associate Professor shall not be recommended for tenure. The tenure review process will be conducted annually based on a timetable set by the Provost. Each tenure-track associate or full professor shall be reviewed for tenure no later than during the last year stated in their

appointment letter or the sixth year of service, whichever comes first. Tenure will be conferred upon the recommendation of the Department Chair, Dean, and Provost, with the concurrence of the President, and approval by the Board of Regents. Promotion to associate or full professor may be granted concurrently with the granting of tenure; however, this is not automatic and must be considered as a separate action.

A recommendation for tenure will be based on the critical review of explicit evidence accumulated during the professional career to date and included in the application for tenure prepared by the faculty member. The granting of tenure requires evidence of excellence and substantial professional achievements in the functions of teaching and student success, research, scholarly, and creative activities, and service and public engagement. Distribution among these various activities may be expected to vary somewhat from one discipline to another and as a matter of University need; however, contributions in one area alone will not qualify an individual for a recommendation for tenure. A recommendation for tenure will consider the record of excellence and substantial professional achievements in teaching and scholarship in the context of, and consistent with, levels expected at peer or aspirational peer programs. Scholarly achievement must be of significance and must demonstrate a trend toward continual growth toward a national reputation with particular emphasis on scholarly work accomplished during the probationary period at the University of North Texas at Dallas. Any recommendation for tenure, based on evidence of excellence and substantial professional achievements, should also include, as far as possible, indications that the individual will continue to grow and develop professionally. A recommendation for tenure must carry with it the assurance, so far as can be determined, that the faculty member exhibits professional integrity; adheres to high standards of professional ethics; understands the nature of membership in a community of scholars and has the ability and desire to work as a member of a group with collegiality while retaining all rights of individual expression; and demonstrates a sense of responsibility for the well-being of the University of North Texas at Dallas and a commitment to work for the accomplishment of its goals.

Any faculty member not recommended for tenure by the end of the probationary period will be given a terminal contract accordance with the timelines set forth in Policy 6.006 Probationary Periods.

Criteria for Promotion.

Promotion procedures and criteria will be provided in writing to the faculty. Recommendations for promotion are based on the critical review of explicit evidence accumulated during the professional career to date, with particular emphasis on academic work accomplished during the appointment at the University of North Texas at Dallas. Promotion will normally be considered after the individual faculty member has demonstrated excellence for a sustained period of at least six years in a particular academic rank. Service for this length of time is normally required so that performance of academic duties provides evidence that the individual has attained regional, national or international-level stature and sufficient justification for

promotion. A sufficiently strong record is required also so that a prediction can be made that continuous, long-term, and high-quality achievement will continue.

A promotion to associate professor requires evidence of excellence and substantial professional achievements sustained over time in the functions of teaching and student success, research, scholarly, and creative activities, as well as service and public engagement, sufficient for earning a regional or national reputation.

A promotion to full professor requires evidence of excellence and outstanding professional achievements sustained over time in the functions of teaching and student success, research, scholarly, and creative activities, as well as service and public engagement, sufficient for earning a national or international reputation. Distribution among the various academic activities (teaching and student success, research, scholarly and creative activities, service and public engagement) may vary somewhat across faculty as a matter of departmental and/or divisional need. Contributions exclusively in one area will not normally qualify an individual for promotion. It is understood that variable work assignments within the departmental and/or divisional context may not have given each faculty member under consideration for promotion an equal opportunity for accomplishment in each area of academic work, but there must be evidence of excellence across duly constituted assignments.

A recommendation for promotion, based on evidence of excellence and professional achievements, should also include, so far as possible, indications that the individual will continue to grow and develop professionally. It also must carry with it the assurance, so far as it can be determined, that the individual will continue to practice professional integrity and adhere to the highest standards of professional ethics; that the individual is a contributing member in the community of scholars and works well as a member of a group with collegiality while retaining all rights of individual expression; and that the individual demonstrates responsibility for the well-being of the University of North Texas at Dallas and a commitment to work for the accomplishment of its goals.

The promotion review process will be conducted annually based on a timetable set by the Provost. The procedures for conducting promotion review will be provided in writing to faculty.

Ad Hoc Committee on Tenure and Promotion.

The Provost is responsible for ensuring that any individual who is considered for tenure before the institution has a sufficient number of faculty with the credentials necessary to establish departmental, division and/or institutional promotion and tenure committees has demonstrated significant academic work in his or her discipline; demonstrated excellence and substantial professional achievements in the areas of teaching and student success, research, scholarly and creative activities, and service and public engagement in the context of, and consistent with, levels expected at peer or aspirational peer programs; and demonstrated a desire to work as a member of a group and understands the nature of membership in a community of scholars. The Provost may appoint a university ad hoc committee on tenure and promotion to assist with this responsibility.

Review of the Dossier by the Ad Hoc Committee on Tenure and Promotion.

The university ad hoc committee on tenure and promotion, if appointed, shall be comprised of a minimum of three members who shall have full-time, tenured faculty status at a component institution of the University of North Texas System or at another comparable institution of higher education. The committee shall have discretion, for consulting purposes only, to include a full-time, tenured faculty member at the University of North Texas in a like or similar discipline to the candidate. This committee is charged with:

- i. Collecting all information necessary to determine whether the candidate's academic work meets the standards of his or her discipline and the tenure expectations of the institution, including: a complete and current curriculum vitae; letters from external reviewers (if appropriate); evidence whether the candidate has been granted tenure at another institution; information concerning whether the candidate desires to work as a member of a group and understands the nature of membership in a community of scholars;
- ii. Critically reviewing information accumulated during the candidate's professional career, to date, to determine whether the academic work is significant within his or her discipline and whether the work demonstrates excellence and substantial professional achievements in the areas of teaching and student success, research, scholarly and creative activities, and service and public engagement in the context of, and consistent with, levels expected at peer or aspirational peer programs; and
- iii. Recommending to the Provost whether the candidate should be awarded tenure, subject to approval by the President and UNT System Board of Regents.

Review of Dossier by Provost.

Upon review of the dossier and recommendation from the university ad hoc committee on tenure and promotion, the Provost shall recommend to the President whether the candidate should be submitted for tenure to the UNT System Board of Regents. Except for individuals who are being considered for tenure prior to employment at UNT Dallas, the Provost must inform the candidate, in writing, of the reasons for a negative recommendation.

Action by President.

Upon receipt of a recommendation for tenure, the President may transmit his or her recommendation for tenure to the Board of Regents. Approval by the Board becomes official at the beginning of the academic year following approval unless otherwise stated in the Board Order. Except for individuals being considered for tenure prior to employment at UNT Dallas, a candidate not receiving a positive recommendation under this section shall receive a terminal contract for the academic year following the President's final decision.

Due Process in Case of Negative Decisions on Reappointment, Promotion or Tenure.

Upon notification by the Provost of a negative decision regarding reappointment or a negative recommendation regarding tenure or promotion, the candidate may appeal the decision following the procedures set forth in the Faculty Grievance Policy.

References and Cross-references.

Tex. Educ. Code §§ 51.943, 51.960; Regents Rules 06.1000, 06.1204; UNTD Policy 6.017, Faculty Grievance; UNTD Policy 6.006, Probationary Periods.

Approved: 8/18/2010

Effective: 8/18/2010

Revised: 4/19/2013

Policies of the University of North Texas	Chapter 06
6.010 College of Law Renewable Term Faculty Appointments	Faculty Affairs

Policy Statement. The primary purpose of the UNT Dallas College of Law (“College of Law”) is the education of its students in preparation for a career in law. Faculty members must be recruited, retained, and promoted to address the academic goals and the mission of the College of Law. Consistent with its mission and the – ABA Standards and Rules of Procedure for Approval of Law Schools, along with its corresponding Interpretations (“ABA Standards”), full-time, non-tenure track faculty members, including those within the College of Law’s Department of Experiential Education, Department of Academic Success and Bar Readiness, Department of Legal Writing, and Law Library (collectively “COL Renewable Term Faculty”) shall be provided a form of security of position reasonably similar to tenure, and non-compensatory perquisites reasonably similar to those provided to tenured and tenure-track full-time faculty members within the College of Law. All College of Law faculty, including COL Renewable Term Faculty, are governed by the Academic Freedom and Responsibility policy, which is set forth in Section 6.001 of the University of North Texas at Dallas Policy Manual (“UNT Dallas Policy”).

COL Renewable Term Faculty participate in service to the College of Law. The College of Law By-Laws state that COL Renewable Term Faculty are eligible to (i) serve on committees, as members or chairs, and (ii) vote in all matters except the hire of, promotion of, or recommendation of tenure for tenure-track or tenured faculty.

Application of Policy. This policy applies only to UNT Dallas College of Law (COL) Renewable Term Faculty.

Definitions.

1. **COL Renewable Term Faculty.** “COL Renewable Term Faculty” means full-time, non-tenure-track faculty members in Experiential Education, Academic Success and Bar Readiness, Legal Writing, and the Law Library. These faculty have the following titles: Professor of Practice Experiential Education, Professor of Practice Academic Success and Bar Readiness, Professor of Practice Legal Writing, and Professor of Practice Law Library. These faculty are referred to in this policy as Professor of Practice or Senior Professor of Practice.
2. **Professor of Practice.** “Professor of Practice” is an appointment for a fixed term for COL Renewable Term Faculty members who have a particular expertise in a given area based on experience and education. These faculty members engage in service and teaching or supervising students in academic, clinical, or field settings to meet the instructional needs of the College of Law and the accreditation standards of the ABA.

3. Senior Professor of Practice. “Senior Professor of Practice” is an appointment for a fixed term for a COL Renewable Term Faculty member who has served as a Professor of Practice at the College of Law for at least five (5) consecutive years. These faculty members engage in service and teaching or supervising students in academic, clinical, or field settings to meet the instructional needs of the College of Law and the accreditation standards of the ABA Standards.
4. Dean. The term “Dean” as used in this policy refers only to the Dean of the College of Law.
5. Provost. The term “Provost” as used in this policy refers only to the Provost of UNT Dallas.
6. Criteria. “Criteria” are the criteria for teaching and service set out in UNT Dallas College of Law Tenure Definitions and Criteria. The portions of the Criteria that address scholarship do not apply to Renewable Term Faculty.

Procedures and Responsibilities.

1. Professor of Practice Procedures.
 - a. Tenure eligibility. COL Renewable Term Faculty are not eligible for tenure in this rank. However, they are eligible to apply for tenure-track or tenured positions, but the terms served in positions covered by this policy are not counted towards tenure, as defined in UNT Dallas Policy Section 6.009.
 - b. Recruiting and Hiring. Recruiting and hiring practices will be conducted in accordance with the practices described in UNT Dallas Policy Section 6.002 and Section 4.6.C of the College of Law By-Laws.
 - c. Initial Appointment. The initial appointment as a Professor of Practice will be for a one-year term. The appointment may be renewed for a subsequent one-year term based on the needs of the College of Law and conditioned on satisfactory performance as determined by the Dean’s annual evaluation and pursuant to UNT Dallas Policy. The Criteria will be provided to each Renewable Term Faculty member at the time of their initial appointment.
 - d. Performance Evaluations. All performance evaluations required by this policy, whether conducted by the Dean or the College of Law Retention, Promotion and Tenure Committee (RPTC), will be conducted using the Criteria.
 - e. Subsequent Three-Year Appointment. If the Professor of Practice completes two successive one-year appointments, he or she shall be eligible to receive a three-year appointment conditioned on the needs of the College of Law and satisfactory performance as determined by the Dean’s annual evaluations and pursuant to UNT Dallas Policy.
 - f. Presumptively-Renewable Five-Year Appointment. If the Professor of Practice completes a three-year appointment, they are eligible to receive a presumptively-renewable five-year

appointment (“Five-Year Appointment”), which is conditioned on the needs of the College of Law and satisfactory performance as determined by the Dean’s annual evaluations.

- i. Process. In the second year of their Three-Year Appointment, a subcommittee designated by the RPTC, which shall include the Professor of Practice’s direct supervisor, a COL Renewable Term Faculty member, and two members of the RPTC, will review the faculty member’s annual evaluations in accordance with UNT Dallas Policy 6.008 and the Criteria to determine whether the faculty member’s performance has been satisfactory and whether a Five-Year Appointment should be recommended. After review of the records, the subcommittee will make a recommendation to the Dean, who shall make a recommendation to the UNT Dallas Provost. The UNT Dallas Provost will decide whether to approve or deny the Five-Year Appointment and will notify the dean and faculty member of the decision.
 - ii. Denial of Five-Year Appointment. If the faculty member is denied a Five-Year Appointment, the following year shall be the Professor’s terminal year. The denial of a Five-Year Appointment may be grieved in accordance with UNT Dallas Policy Section 6.017.
- g. Promotion to Senior Professor of Practice.
- i. Application. Upon request, the chair of College of Law Retention, Promotion, and Tenure Committee (“RPTC”) will provide the applicable COL guidelines to an applicant seeking to apply for promotion from Professor of Practice to Senior Professor of Practice. The applicant will then submit an application for promotion, along with their promotion dossier, to the RPTC for review and recommendation within their fifth year as a Professor of Practice, or at any time thereafter.
 - ii. A promotion dossier should include the following:
 - a) Curriculum Vitae;
 - b) Personal Narrative (candidate “makes the case” for promotion);
 - c) Annual Performance Evaluations;
 - d) Teaching Information;
 - 1) Comments about courses taught, experiences, grading, etc.;

- 2) Statement of teaching philosophy;
- 3) Course syllabi for each course (only one per course, if taught more than once);
 - i. Student evaluations for all classes taught;
 - ii. Sample quiz, exams, projects;
 - iii. Peer evaluations;
- e) Service
 - 1) List of and description of service activities.
 - f) Other items that the applicant desires to include.
- iii. Process. Upon receipt of the Promotion Materials, the RPTC will form a subcommittee consisting of the applicant's direct supervisor, a COL Renewable Term Faculty member, and two members of RPTC (the "Promotion Subcommittee"). The Promotion Subcommittee will review the applicant's Promotion Materials and evaluate the applicant's performance in the areas of teaching and service. The Promotion Subcommittee will determine whether the applicant has achieved excellence in teaching and service as defined in the Criteria and make a recommendation to the Dean regarding the applicant's promotion. The Dean will review the applicant's Promotion Materials and the recommendation of the Promotion Subcommittee. The Dean will make a recommendation to the Provost regarding the applicant's promotion. The Provost will review the Dean's recommendation and will grant or deny the promotion and notify the dean and the applicant of the decision.
- iv. Denial of Promotion. A denial of promotion to Senior Professor of Practice will not result in termination of the applicant who was denied the promotion and shall have no impact on the presumption of renewability of the applicant's Five-Year Appointment as Professor of Practice. A denial of promotion may be grieved in accordance with UNT Dallas Policy Section 6.017.
- h. Termination of Renewable Term Faculty. The appointment of renewable term faculty may be terminated at any time:
 - i. For good cause as set forth in the UNTD Faculty Discipline and Termination Policy No. 6.011;
 - ii. Based on unsatisfactory performance as determined by the Dean's annual evaluations and pursuant to UNT Dallas Policy; or

- iii. Based on the termination or substantial reduction of the department or program in which the faculty member has served. In this latter instance, if the appointment is terminated, the following year shall be the faculty member’s terminal year; however, the College of Law will endeavor to afford the faculty member a similar or comparable position within the College of Law. Because the department or program was terminated or substantially reduced through no fault of the faculty member, the termination shall not have any negative or adverse inference for future hiring consideration at the College of Law or UNT Dallas.
- iv. Termination may be grieved in accordance with UNT Dallas Policy Section 6.017

References and Cross-references.

UNT Dallas Policy [6.001 Academic Freedom and Responsibility](#)
 UNT Dallas Policy [6.009 Tenure and Promotion Review](#)
 UNT Dallas College of Law Tenure Definitions and Criteria
 UNT Dallas Policy [6.002 Faculty Appointments -- Full Time](#)
 UNT Dallas College of Law By-Laws
 UNT Dallas Policy 6.008 Merit Evaluation of Faculty
 UNT Dallas Policy Section 6.017 Faculty Grievance
 UNT System Board of Regents Rule 06.300

Forms and Tools.

Responsible Office:	Office of the Provost
Responsible Officer:	Dean of the College of Law
Initial Approval Date:	8-12-2021
Current Effective Date:	8-12-2021
Last Revision:	

The University of North Texas at Dallas Policy Manual	Chapter 6.000
6.016 Tenured Faculty Administrators Returning to Full-Time Academic Status	Faculty Affairs

Policy Statement. The University will appoint qualified individuals to serve the institution in an administrative capacity. During the term of an administrative appointment, an administrator’s salary will be commensurate with the level of responsibilities and duties. Upon return to a full-time faculty position, an administrator’s salary shall be modified in accordance with state law.

Application of Policy. This policy applies to members of the tenured faculty who serve in at least a 50 percent administrative appointment as defined in this policy for a period of at least one year.

Definitions.

1. Administrator. “Administrator” means a member of the tenured faculty who has significant administrative duties relating to the operation of UNT Dallas and shall include senior administrative officials, department chairs, and deans.

2. Peer Institutions. “Peer Institutions” mean institutions having a similar role and mission as set forth in the master plan for higher education prepared by the Texas Higher Education Coordinating Board or those identified by UNT Dallas in its planning documents.

Procedures and Responsibilities.

When an administrator concludes an administrative assignment to return to full-time faculty status, the person will not be required to return to a salary lower than his or her last salary as a full-time faculty member at UNT Dallas prior to accepting the administrative appointment plus the total amount of raises received over the period while serving as an administrator.

Except for direct reports to the President, the Provost, with the counsel of other appropriate administrators, will determine the specific salary for those administrators returning to faculty. The President is responsible for the determination of salary for any of his or her direct reports returning to faculty. Due consideration will be given to all relevant factors in connection with the administrative service including, but not limited to, the salary levels in the department to which the administrator is returning, length of service, the ability to perform as a faculty

member, the near-term changes in faculty salary structure, and the quality of service in the administrative position.

Notwithstanding the above and in accordance with Section 51.948 of the Texas Education Code, the salary of a faculty member reassigned from an administrative position to a full-time faculty position shall not exceed the salary of other persons with similar qualifications and rank performing similar duties within a division or comparable disciplines.

If, at the time the administrator returns to the faculty, UNT Dallas does not have other faculty with similar qualifications performing similar duties in the faculty member's discipline, the President may consider the salaries paid to comparable faculty within the UNT System and at peer institutions having a similar role and mission in determining the salary.

Any development or other leave granted by the University to an administrator immediately prior to his or her return to full-time faculty status shall be at the determination of the President and at the salary level as determined above and in accordance with Section 51.105 of the Texas Education Code and UNT Dallas policy.

References and Cross-references:

TEX. EDUC. CODE §§ 51.105, 51.908, 51.948

Regents Rule 06.500

Approved: 11/15/2010

Effective: 11/15/2010

Revised: 2/1/2013

University of North Texas at Dallas Policy Manual	Chapter 6.000
6.017 Faculty Grievance	Faculty Affairs

Policy Statement: The University of North Texas at Dallas encourages faculty members to resolve disagreements related to their employment through informal discussions at the lowest administrative level. However, if resolution does not occur, faculty members have a right to present a grievance related to a term or condition of their faculty appointment to the President or Provost as set forth in this policy.

Application of Policy: All faculty members.

Definition(s).

1. Days. “Days” means calendar days unless otherwise stated in this policy.
2. Faculty Member. “Faculty member” means a person employed full- or-part-time by the University of North Texas at Dallas, including professional librarians, lecturers, and adjuncts, whose primary duties include teaching, research, administration, or the performance of professional services. This term does not include graduate students who perform instructional duties as part of a degree requirement.
3. Grievance. “Grievance” means a formal expression of disagreement or dissatisfaction with an employment-related concern, such as working conditions, performance evaluation, workload, compensation, nonrenewal of an appointment, or interactions with an administrator with supervisory responsibility. This term does not include complaints related to discrimination or harassment prohibited under the university’s nondiscrimination policy (UNTD Policy 5.001 *Prohibiting Discrimination and Harassment*).
4. Faculty Appeals Committee (FAC). “Faculty Appeals Committee” (FAC) means the group of five active faculty members and four alternate faculty members elected by the Faculty Alliance to hear faculty grievances.
5. Grievant. “Grievant” means a faculty member who seeks to settle a disagreement or dispute with another faculty member or with an academic administrator related to a term of condition of the faculty member’s employment with the University of North Texas at Dallas.

Procedures and Responsibilities

I. Grievances Relating to Working Conditions and Annual Review

A. Informal Resolution.

1. A faculty member who is dissatisfied with an employment-related decision or with how they are being treated is encouraged to meet with the person responsible for the decision or treatment as soon as the faculty member becomes aware of the concern. A faculty member should report suspected discrimination, harassment, or wrongdoing to the appropriate university or UNT System official (e.g., Human Resources) and is not expected to report or discuss these concerns with the person who the faculty member believes is engaged in this type of conduct.
2. If a meeting does not resolve the concern, a faculty member may ask the FAC for assistance in resolving the disagreement. The request must be in writing and needs to identify the person with whom the faculty member has a disagreement, a description of the nature of the disagreement, and the resolution the faculty member is seeking. The request will be forwarded to the person(s) against whom the grievance is held, and the FAC will make every effort to mediate the disagreement within the limits of university policy and within a reasonable time (usually not to exceed 10 days).

B. Formal Grievance.

1. If efforts to informally resolve a disagreement are unsuccessful, a faculty member does not believe informal resolution is possible, or when the grievance concerns a negative personnel recommendation or decision, the faculty member may request a formal grievance by submitting a written statement to the Chair of the FAC who would then have five (5) days to forward it to the Program Coordinator, Chair, or Dean as appropriate.

The statement must identify the recommendation or decision with which the faculty member disagrees; describe the nature of the disagreement, including why the faculty member believes the recommendation or decision was incorrect; and state the resolution the faculty member is seeking. Documents the faculty member believes supports the grievance should be filed with the statement.

2. Upon receipt of grievance by the FAC, the following procedures shall apply:
 - a. The Chair of the FAC shall inquire whether the grievant has attempted to resolve the grievance through informal resolution procedures. If not, the chair may ask the grievant to do so before proceeding with the formal grievance process.
 - b. If the grievant prefers not to use the informal process or if that process has not resolved the concern, the Chair of the FAC shall convene the full committee and conduct a formal hearing.
 - c. The Chair of the FAC will notify the person against whom the faculty member made the grievance, in writing. The notice must include the grievant's statement, any documents submitted in support of the grievance, and a request for a written response to the grievance.
 - d. Upon receipt of the response, the Chair of the FAC shall forward the grievance and the response to the participants in the hearing and all members of the FAC no fewer than ten (10) calendar days before the date of the hearing.
 - e. The FAC shall provide the grievant a hearing in accordance with procedures approved by the Provost and Vice President for Academic Affairs, in consultation with the Faculty Alliance. The hearing shall not be open to the public and allow the grievant the opportunity to appear in person. At a minimum, the procedures must allow the grievant and respondent to (i) make opening and closing statements; (ii) introduce documents; (iii) call and question witnesses; and (iv) be accompanied by an advocate who may assist the individuals but who may not question witnesses or address the committee during the hearing in any manner.
 - f. After the hearing and evaluation of the evidence, the FAC shall prepare a written report no later than ten (10) days after the conclusion of the hearing. The report must include findings and a recommendation whether the relief requested by the grievant should be granted, and then it must be sent to the appropriate academic administrator and the participants.
 - g. The administrator or Provost may accept or reject the findings and recommendations in whole or in part. The administrator shall notify

the FAC and the participants if the committee's report is rejected or modified, and may meet with the FAC to discuss the report.

II. Grievances Relating to Reappointment, Tenure or Promotion, and Termination

- A. Upon notification by the Dean (of a negative decision concerning the reappointment or termination of a non-tenure-track faculty member) or by the Provost (of negative recommendation concerning reappointment, tenure, promotion, or termination of a tenure-track faculty member), the faculty member may ask the administrator to reconsider the recommendation or decision no later than fifteen (15) days after receiving written notice via email or on university letterhead. The request should be in writing and explain why the faculty member believes the recommendation or decision was incorrect.
- B. If the negative recommendation or decision is not changed, a faculty member may appeal the decision to the Provost or President, as applicable.
- C. The appeal must be in writing and submitted within ten (10) days after notice of the recommendation and explain the reason(s) the faculty member disagrees with the recommendation, including why the faculty member believes the recommendation is incorrect. Documents the faculty member believes support the appeal should be filed along with the appeal.
- D. The administrator who receives the appeal will forward it to the Chair of the FAC no later than five (5) days after the receipt and notify the faculty member of this action in writing.
- E. Once an appeal has been filed and upon written request, the faculty member will be given access to or a copy of all documents that have a bearing on the personnel action at no charge to the faculty member and in no fewer than five (5) days after the request.
- F. The FAC will provide the faculty member a hearing. The hearing and committee report usually will be completed within thirty (30) calendar days after the appeal is received by the committee. The hearing will be conducted in accordance with the grievance procedures approved by the Provost. A verbatim record of the hearing will be made, a copy of which will be provided to the faculty member at no cost.
- G. After the conclusion of the hearing and evaluation of the evidence, the FAC shall prepare a written report no later than seven (7) days after conclusion of the

hearing. The report must include detailed findings for each of the reasons presented for the appeal, a recommendation whether the appeal should be granted or denied, and any minority finding(s) and recommendation(s). The Chair of the FAC shall deliver the report to the Provost or President, as appropriate, and the faculty member.

- H. The Provost or President, as applicable, will consider the FAC's report and may review evidence presented during the hearing, the hearing transcript, and the faculty member's employment history at UNT Dallas in making a decision. Usually, a decision should be made within ten (10) days after receipt of the FAC report.
- I. The Provost or President, as applicable, may accept or reject the FAC's findings and recommendations in whole or in part. The administrator shall notify the FAC and faculty member if the committee's report is rejected or modified and explain the reason for the decision, in writing. The administrator may meet with the FAC to discuss the report.
- J. The Provost or President, as applicable, must notify the faculty member of the decision and the reason for the decision in writing, with a copy to the FAC and the Provost. Except for recommendations related to tenure, which must be submitted to the Board of Regents, the decision of the Provost relating to non-tenure-track faculty member and of the President relating to tenure-track faculty is final.

III. Composition of the Faculty Appeals Committee

- A. The Faculty Appeals Committee (FAC) shall consist of five active full-time faculty members and four alternate full-time faculty members elected by the Faculty Alliance. Each member shall be elected for a three-year term. Upon formation of the FAC, five active members will be elected. Three members shall be elected for a three-year term and two members shall be elected for a two-year term. Four alternate members shall be elected for a three-year term. Following initial formation of the FAC, all members shall be elected to a three-year term thereafter. The committee shall elect a chair at the beginning of each academic year.
- B. Any member of the FAC who is involved in the substance of a grievance or appeal shall be disqualified from serving on the committee considering the matter in which the member is involved. This includes, but is not limited to, instances where a committee member is the subject of a pending grievance or

had any involvement in a personnel action related to the faculty member who is the subject of the grievance or appeal. Any question of disqualification shall be resolved by a majority vote of the committee members voting.

- C. After resolution of any questions of disqualification, four alternate members from the remaining members shall be selected by lot to consider the subject grievance or appeal. The Faculty Alliance shall select alternate members to consider the grievance or appeal if more than four members of the FAC are disqualified from the hearing (or disqualified because of an official leave) and are thus unable to participate in it. The alternate members shall be selected by lot from eligible members of the Faculty Alliance and are subject to the same grounds for disqualification as permanent FAC members.
- D. The individual decisions of the Faculty Appeal Committee (FAC) members will remain confidential to the extent allowed by law.

References and Cross-references

Alternative Dispute Resolution Procedures

Tex. Education Code, section 51.942

Tex. Education Code, section 51.960

Tex. Government Code, section 617.005

Regents Rule 06.1200 (Termination and Revocation of Tenure)

UNT Dallas Policy 5.001 (Prohibiting Discrimination and Harassment)

UNT Dallas Policy 5.001a (Discrimination and Harassment Complaint Procedures)

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Policies of the University of North Texas at Dallas	Chapter 06
06.024 Review of Tenured Faculty	Faculty Affairs

Policy Statement. An academic institution’s strength lies in its faculty. The University of North Texas at Dallas (UNT Dallas or UNTD) expects faculty to provide high quality contributions to the mission of the University, and will conduct comprehensive, holistic reviews of the three domains of teaching and student success; research, scholarly and creative activities; and service and public engagement; as well as administration, after faculty have earned tenure.

Application of Policy. Tenured faculty.

Definitions.

1. **Administration.** “Administration” means any assignment other than teaching, research/scholarly or creative activities, and service and public engagement that entails duties relating to the operation of a program, institute, center, or like assignment whether the assignment qualifies as set out in section 51.948 of the Texas Education Code.
2. **Professional Development Plan.** “Professional development plan” (PDP) means an agreement indicating how specific deficiencies in a faculty member’s performance will be remedied. The generation of the plan is a collaborative effort between a Faculty Professional Development Committee (FPDC) and a faculty member. PDPs are approved by the unit administrator, dean, and provost prior to implementation.
3. **Unit.** “Unit” means an academic program, department or division under the administration of a UNT Dallas official with responsibilities for personnel actions related to the unit.
4. **Unit Administrator.** “Unit administrator” means a UNT Dallas official with tenure and responsibilities for the management and supervision of a unit.
5. **Faculty Professional Development Committee.** “Faculty Professional Development Committee” (FPDC) means a group of tenured faculty members comprised of individuals who do not hold an administrative assignment in the faculty member’s college/school.
6. **Unsatisfactory Performance.** “Unsatisfactory performance” means the failure to sustain contributions in the domains of teaching and student success, research/scholarly or creative activities, and service and public engagement; continued or repeated substantial neglect of professional responsibilities; or incompetence or refusal to carry out duties that are part of the assigned workload. Examples of unsatisfactory performance include, but are not limited to, failure to

meet classes, refusal to teach classes within one's area of expertise, or failure or refusal to participate in scholarly activities, service, or administrative activities when these responsibilities are part of the assigned workload. Refusal or inability to follow reasonable guidance or other university policies intended to correct unsatisfactory performance also may be considered when determining whether a faculty member will be placed on a Performance Development Plan (PDP).

Procedures and Responsibilities.

A comprehensive review shall be conducted at least every five (5) years after a faculty member is granted tenure or receives an academic promotion. The review is designed to support faculty professional development and sustained, holistic effectiveness in the domains after tenure is awarded, as required by section 51.942 of the Texas Education Code. Reviews occurring after tenure is awarded must always protect academic freedom as outlined in UNTD Policy 06.001, *Academic Freedom and Responsibility*.

I. General Guidelines.

- A. Faculty members are expected to earn evaluations of at least sustained contributions in the domains of teaching and student success, research/scholarly or creative activities, service and public engagement, and administration, when applicable, after being awarded tenure.
- B. The review is performed at a minimum of every five (5) years; however, the Unit Administrator may initiate a review after two consecutive years of unsatisfactory annual evaluations and must initiate a review after three consecutive years of unsatisfactory annual evaluations.
- C. A comprehensive review that determines a faculty member is performing unsatisfactory in a single domain shall result in the faculty member being referred to the Faculty Performance Development Committee (FPDC). The FPDC will have 30 days upon notification of the unsatisfactory review to evaluate whether the faculty member is performing unsatisfactory in the domain(s). A faculty member who the FPDC determines is performing unsatisfactorily in a domain shall be placed on a Professional Development Plan (PDP) created by the FPDC. Upon determination of unsatisfactory performance, the FPDC will have 30 days to create and disseminate the PDP to the faculty member, Unit Administrator, Dean and Provost.
- D. Numerical scores and rankings within a unit during an annual performance evaluation are not necessarily indicative of unsatisfactory performance. Failure to publish or secure external funding in a given year does not in itself imply unsatisfactory performance in scholarship. Negative teaching evaluations in themselves do not imply unsatisfactory performance in teaching.

II. Unit Criteria.

- A. The tenured faculty of each unit, in collaboration with the Dean, is responsible for developing written workload-based performance criteria for the review of tenured

faculty, and for reviewing the criteria no fewer than every five (5) years. Each department-level unit's criteria must be consistent with those of the college/school and University policy.

- B. The Dean and Provost must approve all unit criteria and ensure the criteria are sufficiently flexible to allow for differences in academic disciplines.
- C. The Dean will provide the approved criteria to each tenured faculty member.
- D. The Unit Administrator is responsible for ensuring review criteria are followed.

Responsible Party: Faculty, Unit Administrator, Dean, Provost, Faculty Performance Development Committee

III. Guidelines for Performance Development.

A faculty member who receives an unsatisfactory review by the FPDC shall be placed on a Professional Development Plan (PDP). The faculty member will be required to meet with the unit administrator to identify barriers to sustained effectiveness and outline steps to remedy the deficiencies before the member is placed on a PDP.

- A. The PDP is initiated with the appointment of a Faculty Performance Development Committee ("Committee") consisting of tenured faculty only. The Committee shall be comprised of a five (5) tenured faculty members. One (1) member selected by the faculty member under review, from within the UNT System, one (1) appointed by the Dean of the faculty member's college/school in consultation with the unit administrator; two (2) members appointed by Faculty Senate; and one (1) member appointed by the Provost from outside the faculty member's college/school. The Provost may appoint members to serve on the Committee if the faculty member under review or Dean fail to identify a member in a timely manner or if any of the selected members must be removed.
- B. The Committee, in consultation with the faculty member, will develop a written, individualized, and clear PDP that is intended to facilitate professional development and remedy all deficiencies noted in the review. The PDP will:
 - 1. Identify specific deficiency(ies) to be addressed;
 - 2. Identify factors that impeded or may have impeded the ability or opportunity to sustain holistic effectiveness in the area or areas evaluated as unsatisfactory;
 - 3. Identify institutional resources available to address the identified deficiency(ies);
 - 4. Identify specific goals or outcomes intended to demonstrate that the noted deficiency(ies) have been corrected;
 - 5. Describe the activities to be undertaken to achieve agreed-upon outcomes;

6. Articulate the criteria for assessing progress toward the agreed-upon goals or outcomes;
 7. Identify metrics to assess progress; and
 8. Establish timelines and milestones for evaluating progress.
- C. The PDP must be signed by the unit administrator, Dean, and Provost, and communicated to the faculty member in writing prior to its implementation. The Committee will monitor the faculty member's progress, provide mentorship as needed, and submit an annual report to the unit administrator with a copy to the faculty member.

Responsible Party: Unit Administrator, Dean, Provost, Faculty Performance Development Committee

IV. Removal from the PDP.

A faculty member may be on a PDP for no more than two (2) academic years. At the end of each year, the Committee will determine whether the faculty has achieved the outcomes identified in the plan.

- A. If the FPDC determines the faculty member has successfully completed the PDP, it shall submit a report to the unit administrator, Dean, and the Provost recommending the faculty member be removed from the plan.

Responsible Party: Unit Administrator, Dean, Provost, Faculty Performance Development Committee

V. Failure to Complete the PDP.

A faculty member who fails to complete a PDP satisfactorily is subject to revocation of tenure and termination of employment, or other appropriate disciplinary action.

- A. If the Committee determines the agreed upon outcomes have not been achieved, the Committee will submit a written report of the deficiencies to the faculty member by the end of the first year. The Committee will also provide the report to the Unit Administrator, Dean, and Provost.
- B. If the Committee determines that the agreed upon outcomes have not been achieved at the end of the second year, it will submit a written report to the Unit Administrator identifying the reason(s) for its determination.
- C. Upon receipt of the report from the Committee, the unit administrator may request additional information or clarification from the Committee and, once

satisfied with the completeness of the report, the unit administrator will provide the final report to the Dean with a copy to the faculty member.

- D. Based on the final report, the Dean will provide a recommendation to the Provost on whether the faculty member's tenure should be revoked and employment terminated, or other appropriate disciplinary action taken.
- E. Upon receipt of the final report and recommendation, the Provost will determine whether to recommend the revocation of tenure and termination of employment or other appropriate disciplinary action, taking into account the faculty member's record and all annual performance reviews.

Responsible Party: Unit Administrator, Dean, Provost, Faculty
Performance Development Committee

VI. Grievance.

- A. A faculty member who disputes the Committee's final report or the Provost's recommendation to revoke tenure and terminate employment or other disciplinary action, may submit a grievance in accordance with UNT Dallas Policy 6.017, *Faculty Grievance*. The grievance may be based on any reason related to the faculty member's review, including but not limited to fairness, substantive or procedural grounds, academic freedom, and academic responsibility.

Responsible Party: Faculty Member

References and Cross-references.

- Texas Education Code 51.948, Restrictions on Contracts with Administrators
- Texas Education Code, 51.942, Faculty Tenure
- UNTD Policy 06.001, Academic Freedom and Academic Responsibility
- UNTD Policy 06.002, Academic Appointments and Titles
- UNTD Policy 06.007, Academic Workload
- UNTD Policy 6.017, Faculty Grievance
- UNT Regents Rule 06.902, Faculty Research and Creative Activity
- UNT Regents Rule 06.1100, Evaluation of Tenured and Non-tenured Faculty

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