

Article TPRP 28 TENURE

All references to "Employee" in this Article shall pertain to those members of the Bargaining Unit who are Teaching Professionals or Resource Professionals.

28.01 Tenure is a status awarded by the Board of Trustees upon the positive recommendation of the University President following an extensive evaluation process. Tenure is a relationship of continuing commitment between the University and the Employee, benefitting both.

28.02 Each tenured Employee shall have continuous employment at the University unless such Employee resigns, retires, is laid off pursuant to the Article on Staff Reduction Procedures within this Agreement, or is terminated for adequate cause pursuant to the Article on Sanctions and Termination.

28.03 Tenure shall not be acquired automatically by length of service. Tenure shall be granted and may be acquired only by specific action of the Board after receipt of a specific recommendation by the University President. Tenure shall be in a Department or Academic Program.

28.04 Tenure

(a) Tenure may be granted to a Teaching Professional or a Resource Professional at the time of initial appointment only after consultation with the Department or Academic Program, and upon recommendation of the University President and approval by the Board.

28.05 The evaluation period for tenure shall be the entire term of employment in probationary status at the University.

28.06 Requirements for Tenure

An Employee shall be eligible for consideration for tenure if she/he holds at least the rank of Assistant Professor and meets the following requirements.

(a) Educational Requirements:

The educational requirements for tenure in effect as of September 1, 2004, will remain unchanged for the duration of this Agreement and will be distributed to all faculty.

(b) Years of Service:

(1) Except as provided below, an Employee may not apply for tenure before her/his sixth probationary year of employment at the University.

(2) All Employees shall be placed in probationary year one at the time of initial appointment. Probationary year one may be extended for Employees who begin their employment after the beginning of the academic year.

(3) An Employee who has one year of prior full-time teaching or professional service in a baccalaureate degree-granting institution of higher education at the

time of initial appointment may elect to be placed in probationary year three after the successful completion of probationary year one.

(4) An Employee who has two years of prior full-time teaching or professional service in a baccalaureate degree-granting institution of higher education at the time of initial appointment may elect to be placed in probationary year three or four after the successful completion of probationary year one.

(5) An Employee who has three or more years of full-time teaching or professional service in a baccalaureate degree-granting institution of higher education at the time of initial appointment may elect to be placed in probationary year three, four, or five after the successful completion of probationary year one.

(6) An Employee who is eligible for placement in a higher probationary year and who elects to be placed in a higher probationary year must notify the Provost/Vice President of Academic Affairs in writing by September 15 of the second year of full time employment.

28.07 Consideration for Tenure on the Basis of Exception

(a) An Employee who does not satisfy either (1) the educational requirements for tenure described above or (2) the years of service requirement specified above may apply for consideration for tenure in her/his fourth, fifth, or sixth year of full-time service in the Bargaining Unit at the University on the basis of exceptional teaching/performance of primary duties, research/ creative activity, or service.

(b) An Employee who applies for consideration for tenure on the Basis of Exception above shall present evidence in support of her/his claim of exceptional performance to the Department Personnel Committee and the Department Chair.

(c) If the Department Personnel Committee and the Department Chair concur that the Employee should be recommended for tenure, written recommendations, supported with written reasons based on evaluation criteria, application of criteria, and materials as specified in the Article on Evaluation and Evaluation Criteria for Teaching Professionals and Resource Professionals shall be prepared and transmitted by the Department Chair and the Department Personnel Committee as provided in 28.09 through 28.13 below.

(d) If the Department Personnel Committee or the Department Chair makes a negative recommendation for tenure, the Employee shall not further be considered for tenure until the next succeeding period of evaluation for tenure unless the Employee is in her/his final probationary year. If the Employee is not in her/his final probationary year and if, within two weeks of the receipt of a negative recommendation and as a result of consultation by the Union and the University, it is determined that a procedural error has been made in the evaluation of the Employee, the error will be corrected and the evaluation process will begin anew. If the Employee is in her/his final probationary year, written recommendations, supported with written reasons based on evaluation criteria, application of criteria, and materials as specified in the Article on Evaluation and Evaluation Criteria within this Agreement, shall be prepared and transmitted by the Department Chair and the Department Personnel Committee as provided in 28.09 through 28.13 below.

If the Employee is not in her/his final probationary year and if the Employee subsequently applies for consideration for tenure as an exception to the educational requirements or years of service requirements for tenure, her/ his application shall be considered and transmitted as provided in 28.09 through 28.13 below.

(e) In the event of a negative recommendation by either the Department Personnel Committee or the Department Chair on a request for exception, the Department Chair shall provide the Employee with her/his recommendation and reasons and the recommendation and reasons of the Department Personnel Committee. The reasons shall be based on approved evaluation criteria, application of criteria, and materials as specified in the Article on Evaluation and Evaluation Criteria within this Agreement.

28.08 An eligible Employee must apply to the Department Chair prior to the commencement of the tenure process in order to be considered for tenure. In the event an eligible Employee does not submit her/his application for tenure in the sixth probationary year, the Employee shall receive a terminal contract for the next subsequent academic year. An Employee may withdraw her/his tenure application at any time during the tenure evaluation process.

28.09 The Department Personnel Committee shall prepare a written tenure recommendation for each eligible Employee to the Department Chair. The written recommendation shall be supported with written reasons based on evaluation criteria, application of criteria, and materials as specified in the Article on Evaluation and Evaluation Criteria in this Agreement.

28.10 The Department Chair shall prepare a written tenure recommendation for each eligible Employee. The written recommendation shall be supported with written reasons based on evaluation criteria, application of criteria, and materials as specified in the Article on Evaluation and Evaluation Criteria in this Agreement.

The Department Chair shall provide each Employee considered for tenure with a copy of her/his recommendation and reasons and the tenure recommendation and reasons of the Department Personnel Committee. Within three working days of receipt of the recommendations and reasons, an Employee may submit a written request for reconsideration of a negative recommendation by the Department Personnel Committee and/or the Department Chair to the Department Chair. The request shall be granted and the Department Chair shall provide the Employee with a written statement of the result of the reconsideration by the Department Personnel Committee and/or the Department Chair.

28.11 The evaluation portfolios, tenure recommendations, and reasons of Department Chairs and Department Personnel Committees shall be reviewed by the appropriate Dean/Director, if any, beyond the level of the department. The Dean/Director, if any, beyond the level of the department, shall submit a written tenure recommendation for each eligible Employee to the Provost/Vice President for Academic Affairs. Negative recommendations shall be supported with written reasons based on evaluation criteria, application of criteria, and materials as specified in the Article on Evaluation and Evaluation Criteria in this Agreement. The Dean/Director, if any, beyond the level of the department, shall provide a copy of her/his tenure recommendation to the Employee with supporting reasons in the event of a negative recommendation.

28.12 The Provost/Vice President for Academic Affairs shall present all evaluation portfolios, tenure recommendations and supporting reasons to the University Personnel Committee. The University Personnel Committee shall submit a written recommendation to the Provost/Vice

President for Academic Affairs for each eligible Employee. Negative recommendations shall be supported with written reasons based on evaluation criteria, application of criteria, and materials as specified in the Article on Evaluation and Evaluation Criteria in this Agreement. The Provost/Vice President for Academic Affairs may review the recommendations with the University Personnel Committee. A copy of the University Personnel Committee recommendation, with supporting reasons in the event of a negative recommendation, shall be provided to the Employee. If the University Personnel Committee makes a negative recommendation and the Department Personnel Committee has made a positive recommendation, the Employee may submit a written request for reconsideration of the University Personnel Committee within three working days of receipt of the recommendation and reasons. The request shall be granted, and the University Personnel Committee shall provide the Employee with a written statement of the result of the reconsideration.

28.13 The Provost/Vice President for Academic Affairs shall review with the University President all evaluation portfolios, tenure recommendations and supporting reasons for eligible Employees. The University President shall submit her/his recommendations to the Board. The University President shall provide each eligible Employee considered for tenure with a copy of her/his recommendation to the Board. If the recommendation is negative, the University President shall provide the Employee with a statement of reasons based on evaluation criteria, application of criteria, and materials as specified in the Article on Evaluation and Evaluation Criteria in this Agreement.

28.14 If an Employee is not notified of a negative decision by the Board on her/his tenure recommendation by June 1, the Employee shall be granted a probationary contract for the next subsequent academic year but shall not thereby receive tenure. An eligible Employee who is in her/his sixth probationary year and is not awarded tenure by action of the Board shall receive a terminal contract for the next subsequent academic year.