

**Item 15: Approval of Revisions to BD Policy
405.1; BD Policy 405.4 and BD Policy
470.1 (Action)**

**APPROVAL OF REVISIONS TO BD POLICY 405.1; BD
POLICY 405.4 AND BD POLICY 470.1 (ACTION)**

March 19, 2018

TO THE MEMBERS OF THE BOARD OF TRUSTEES

Dear Trustees:

Enclosed are proposed revisions to Board Policy 405.1 *Appointment, Promotion, Tenure, Non-Reappointment, and Dismissal of Faculty*; Board Policy 405.4 *Termination of Employment*; and Board Policy 470.1 *Distinguished Professorships*. Also enclosed is a proposed new Board Policy 500.1 *Graduate Assistants: Termination of Appointment*, which resulted from the process of revising Board Policy 405.4.

As you know, there has been much discussion about the proposed revisions to these policies, particularly regarding Board Policy 405.1. We released initial drafts of these to the Chancellors in September with instructions to circulate them on their campuses and that feedback would be received through October. At the time, we anticipated these policies would be considered at the November board meeting. However, once we learned faculty were expressing concerns with the initial drafts and with the October deadline, we decided to give more time for faculty and others to weigh in on the proposals. Since then, we have had a productive dialogue with faculty leadership to hear and address concerns regarding the original drafts. We hosted two meetings in mid-January in which we had broad participation from faculty leaders across the UA System. System staff also had several follow-up conversations and meetings with faculty leaders and other faculty across the system to discuss potential revisions. In addition to these meetings and conversations, we set up an email box to receive feedback from anyone who wanted to comment on the proposed policies.

After considering all of the feedback regarding various provisions in the policies, new drafts were prepared with a detailed explanation of the changes that were made to address concerns. A new draft of 405.1 was sent to the Chancellors in mid-February with instructions to circulate the policy among faculty leadership and others. A new draft of 405.4 and the proposal for 500.1 were circulated in late February with the same instructions. Since then, we have continued to receive and consider feedback on the proposed drafts. In light of some of the latest feedback we received, a few additional minor edits were made to the policies that are presented in the following pages.

To help you interpret the drafts, we have enclosed an explanation document that outlines the major changes made to the policies since the November Board meeting, along with red-lined versions that compare each policy to their current versions. While the explanation document

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Arkansas Archeological Survey / Phillips Community College of the University of Arkansas / University of Arkansas Community College at Hope
University of Arkansas Community College at Batesville / Cossatot Community College of the University of Arkansas
University of Arkansas Community College at Morrilton / University of Arkansas at Fort Smith
University of Arkansas – Pulaski Technical College / University of Arkansas Community College at Rich Mountain
Arkansas School for Mathematics, Sciences and the Arts / University of Arkansas Clinton School of Public Service / University of Arkansas System eVersity

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attempts to cover the major concerns that were addressed, it does not touch on every edit made to the policies; however, the redlined versions show all of the substantive edits. For reference, there are also clean versions of the proposed policies enclosed. General Counsel JoAnn Maxey and Vice President for Academic Affairs Michael Moore will be on hand to present these policies and answer any questions.

A resolution is attached for your consideration. I recommend approval of the revised Board Policies 405.1, 405.4 and 470.1, and the proposed new Board Policy 500.1.

Sincerely,



Donald R. Bobbitt

President

Charles E. Scharlau Presidential Leadership Chair

Attachments

RESOLUTION

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ARKANSAS THAT the Board Policy 405.1 *Appointment, Promotion, Tenure, Non-Reappointment, and Dismissal of Faculty*; Board Policy 405.4 *Termination of Employment*; and Board Policy 470.1 *Distinguished Professorships* are hereby revised in their entirety as attached.

BE IT FURTHER RESOLVED THAT new Board Policy 500.1 *Graduate Assistants: Termination of Appointment*, which is attached, is hereby approved.

Explanation of Revisions to the Proposed Changes to Board Policy 405.1:

The following is a summary of the substantive changes to the revised draft of Board Policy 405.1. These changes were made in response to faculty concerns regarding the initial draft of the policy that was released in September. There are other changes that were made for clarity, grammar or organizational purposes that can be viewed on the document; however, the following generally covers the substantive changes in the new draft.

1. Concerns were raised that the term “unsatisfactory performance” in the revised definition of “Cause” for dismissal was vague. The intent of the term was to refer to unsatisfactory performance as is already generally defined in each campus’ own policies on faculty evaluation. A footnote has been added to clarify that campus policy and section V.B.9. of Board Policy 405.1 must be followed for a tenured faculty member to be dismissed for unsatisfactory performance.
2. A common concern was raised that the phrase “a pattern of disruptive conduct or unwillingness to work productively with colleagues” being included as an example for cause for dismissal was too vague and akin to adding “collegiality” as a criteria to faculty evaluation. To address these concerns, the phrase has been deleted and replaced with “a pattern of conduct that is detrimental to the productive and efficient operation of the instructional or work environment” with the intent of providing a more specific definition of behavior that could provide cause for termination. Additionally, a footnote was added to clarify that that such behavior “need not be a separate component in the evaluation criteria for faculty, but may be considered in evaluating faculty in the areas of teaching, research and service.”
3. Concerns were raised that some of the revisions in the “Cause” definition would undermine academic freedom of the faculty. As an assurance to those concerned faculty a sentence has been added to the end of the definition stating, “Nothing in this provision is intended to inhibit expression that is protected under principles of academic freedom, or state or federal law.”
4. A concern was raised that the section on academic freedom in the policy revision did not include the service component of a faculty members duties. The section has been revised to state: “Subject to all provisions of this and other applicable University policies, mere expressions of opinions related to the faculty member’s scholarship, assigned teaching duties, **and university employment-related service activities**, however vehemently expressed and however controversial such opinions may be, shall not constitute cause for dismissal.”
5. Some concerns were raised that the changes to the “Annual Review” section of the policy in the original draft could result in faculty members who receive one unsatisfactory faculty evaluation being dismissed in one year. This was not the intent of the policy draft and new

language has been drafted to address the concerns and to clarify the intent, which is to ensure that a tenured faculty member whose overall performance has been deemed unsatisfactory through the peer review process established at the campus level be placed immediately on a remediation plan to address the issues raised in the review process. The revised draft states:

In order to maintain a high quality and productive educational environment, annual review procedures adopted at the campus level must provide for prompt, meaningful and effective means of addressing unsatisfactory faculty performance. Effective July 1, 2019, campus procedures shall require that any tenured faculty member who receives an **overall** unsatisfactory performance rating be placed on a remediation plan. The remediation plan shall be developed by the faculty member's academic unit in consultation with the faculty member and shall include remedial measures designed to address the overall performance deficiencies, with the expectation that carrying out the plan will lead to a satisfactory performance rating. If, in the next annual review following any unsatisfactory performance rating, the faculty member fails either to attain an **overall** satisfactory performance rating or to demonstrate meaningful progress in remediating the overall performance deficiencies, the faculty member may be issued a notice of dismissal on twelve months' notice as provided for in this policy, and subject to the procedures contained in Section IV.C.

Along with this language, a footnote has been added to clarify that "each campus is responsible for establishing the criteria by which an 'overall' rating is determined." This revised language and footnote provides a framework under which campuses may establish annual review policies and procedures. It addresses administrative concerns that current policies can allow for unsatisfactory performance issues to linger for multiple years before being addressed while also providing a flexible framework for campuses to establish policies that help faculty members address deficient performance. Further, the delayed implementation date for this policy will allow campuses additional time to set up any processes that might be necessary to implement this requirement.

6. There seemed to be a misunderstanding about one change regarding requests for extensions of the probationary period for tenure-track faculty members. Language was added in the original draft that was meant to allow for a rare second, one-year extension of the probationary period to be considered on a case-by-case basis. While this may have already been in place in practice on some campuses, a plain reading of the current policy only allows for one, one-year suspension of the probationary period. Some read the new language as limiting multiple requests when that was not the intent. The language has been revised to make clear that "on the rare occasion that an additional one-year extension is requested, such requests will be considered on a case-by-case basis."

7. Concerns were expressed that various provisions regarding the criteria and procedures for appointment, tenure and promotion did not allow such criteria and procedures to be initiated by the faculty on certain campuses where that is currently the practice. That was not the intent of the original draft, and the language has been modified in these sections to allow these processes to continue to be initiated by the faculty as general practice.

8. Concerns were expressed regarding language stating, “Salaries for tenured faculty may be adjusted based on job duties and performance, as well as changes in funding sources.” That language has been revised to, “Salaries for tenured faculty may be adjusted for disciplinary reasons, or based on material changes in job duties or funding sources.” Additionally, a footnote has been added to ensure due process for tenured faculty in such situations. The footnote states, “Subject to all University policies, any salary reduction for tenured faculty must be preceded by notice and an opportunity to appeal the proposed reduction to the chief academic officer of the campus, division or unit.” Similar changes were made in connection with salary reductions for tenure-track faculty or faculty with merit-based term appointments.

Explanation of Revisions to the Proposed Changes to Board Policy 405.4 and the Creation of Board Policy 500.1

The following is a summary of the substantive changes to the revised draft of Board Policy 405.4, including the creation of Board Policy 500.1 regarding graduate assistant appointments. There are other changes that were made for clarity, grammar or organizational purposes that can be viewed on the document; however, the following generally covers the substantive changes in the new draft.

1. It was discovered that the section regarding notice of termination of tenure-track positions was not consistent with a similar provision in Board Policy 405.1 regarding non-reappointment. The section is now 2(B) on the updated draft and provides “not later than” dates for notice of termination of tenure-track faculty members in their first and second year of service and “at least twelve months” notice for termination after the second year of service.

2. Section 3 on Graduate Assistants has been removed from the updated draft and the language has been included in a new draft Board Policy 500.1 *Graduate Assistants: Termination of Appointments*. This change was made in large part because graduate assistants are not considered employees since they are first and foremost students. Because of this, the policy will be included in the Student Affairs section of the Board Policies along with other policies pertaining to graduate assistants. An additional change to the language was made to provide at least sixty days notice for termination for convenience of graduate assistance after concerns were raised that a provision with less notice might negatively impact graduate school recruiting.

APPOINTMENTS, PROMOTION, TENURE, NON-REAPPOINTMENT, AND DISMISSAL OF FACULTY¹

~~This policy, adopted by the Board of Trustees on February 8, 1980, to become effective on July 1, 1980; This policy~~ supersedes all existing policies concerning appointments, promotion, tenure, non-reappointment, and dismissal of faculty ~~(specifically, Administrative Memorandum No. 43, dated August 31, 1962; Universitywide Administrative Memorandum 421.1, dated December 6, 1976; Universitywide Administrative Memorandum 450.1, dated November 17, 1975; and Board Policy 405.1, dated September 1, 1962, and revised). Nevertheless, an employee of the University of Arkansas who held the rank of instructor prior to the effective date of this policy is eligible for tenure in accordance with Section II.A.(1-4) of Board Policy 405.1 dated September 1, 1962, and revised.~~ The Board of Trustees has the right to amend any portion of this policy at any time in the future.

~~Copies of this statement of policies shall be kept by the dean of each college or school and by each department head or chairperson or other appropriate official and~~ This policy shall be included without change or inter-lineation in the Faculty Handbook for each campus. ~~Care shall be taken to insure that each faculty member is familiar~~

~~To the extent any provision in this policy conflicts with its contents, and the department chairperson or other appropriate official shall supply a copy to each new member~~ campus policy, this policy shall control.

I. Definition of Terms

For purposes of this policy, the following definitions shall apply:

~~Appointment~~ - An appointment is ~~employment by a~~ written ~~contract~~notice ("Notice of Appointment") ~~by that initiates the employment relationship between the Board of Trustees of an individual in a given capacity for a specified time period at a stated salary and~~

¹ In most cases, academic units are organized into colleges and departments with deans, chairpersons, and faculty. The normal order is for appointment, promotion and tenure processes to utilize this structure in making recommendations. Where colleges or departments are not present, the normal order shall follow a pattern that closely mirrors the typical structure. For example, in schools without departments, the recommendations shall start with the faculty and move to the director, if applicable, and then to the dean. For the purpose of this policy, and in reference to items involving professional librarians, instructional development specialists, or museum curators, the terms "chairperson," "administrative officer," and "administrator" refer to the director or head librarian. Throughout this policy, any reference to "chairperson" includes any equivalent position.

the faculty member. An appointment is valid only when ~~the appointment form is~~ approved and signed by the President of the University, the Chancellor of the respective campus, the Vice President for Agriculture, the Chief Executive Officer of the respective unit, or the President's~~their~~ designee, in accordance with authority delegated by the Board of Trustees; and the Notice of Appointment is signed by the individual being appointed and returned. Such appointment is subject to ~~the specified~~all applicable policies of the Board of Trustees, the University official of Arkansas System, and the respective campus, division or unit.

Cause - Cause is defined as conduct that demonstrates the faculty member lacks the willingness or ability to perform duties or responsibilities to the University, or that otherwise serves as a basis for disciplinary action. Pursuant to procedures set out herein or in other University or campus policies, a faculty member may be disciplined or dismissed for cause on grounds including, but not limited to, (1) unsatisfactory performance, consistent with the requirements of section V.A.9 below, concerning annual reviews;² (2) professional dishonesty or plagiarism; (3) discrimination, including harassment or retaliation, prohibited by law or university policy; (4) unethical conduct related to fitness to engage in teaching, research, service/outreach and/or administration, or otherwise related to the faculty member's employment or public employment; (5) misuse of appointment or authority to exploit others; (6) theft or intentional misuse of property; (7) incompetence or a mental incapacity that prevents a faculty member from fulfilling his or her job responsibilities; (8) job abandonment; (9) a pattern of conduct that is detrimental to the productive and efficient operation of the instructional or work environment³; (10) refusal to perform reasonable duties; (11) threats or acts of violence or retaliatory conduct; or (12) violation of University policy, or state or federal law, substantially related to performance of faculty responsibilities or fitness to serve the University. Nothing in this provision is intended to inhibit expression that is protected under principles of academic freedom, or state or federal law.

Dismissal - Dismissal is severance from employment for cause after administrative due process as ~~specified~~provided in Section IV-C. ~~Non~~this policy and Board of Trustees Policy 405.4. Termination by notice, expiration of appointment, or non-reappointment, or due to job abandonment, is not a dismissal-~~(see further)~~.

² Each campus shall include criteria and procedures for determining "Unsatisfactory performance" in their campus policies governing faculty annual reviews. In order for a tenured faculty member to be dismissed for unsatisfactory performance, the requirements set out in V.A.9 as well as any corresponding campus policy must first be followed.

³ This need not be a separate component in the evaluation criteria of faculty, but may be considered in evaluating faculty in the areas of teaching, research and service. Subject to Section V, the criteria and procedures for annual reviews shall be developed and adopted by each campus.

Faculty - Faculty are employees who hold academic rank of lecturer, master lecturer, ~~assistant~~ instructor, advanced instructor, senior instructor, assistant professor, associate professor, professor, University professor, distinguished professor, ~~University professor~~, or one of the above titles modified by clinical, research, teaching, adjunct, visiting, executive in residence, ~~or emeritus, professor of practice~~, (e.g., clinical professor, ~~or~~ adjunct assistant professor-). Additional appropriate non-tenure track modifiers may be approved by the President. For the purposes of tenure and promotion policy and recommendations, a campus may define which faculty may participate in tenure and promotion related decisions. For example, institutions that offer tenure could limit for tenure and promotion matters the definition of faculty to tenured and tenured track faculty.

Individuals holding ~~the following~~certain non-teaching titles ~~will~~(i.e. Director of Libraries, Instructional Development Specialist II, and Curator) also receive faculty rank, ~~the highest~~. The rank for that corresponds with each title being as indicated is reflected in the chart below. Both the title and the academic rank will be stated in the appointment.

Instructional and Research Ranks	Library	<u>Cooperative I 890</u> Extension Service*	Instructional Development	Museum
<u>Professor, University Professor, Distinguished Professor, Professor</u>	Director of Libraries, Librarian	Extension Specialist IV	Instructional Development Specialist II	Curator
Associate Professor	Associate Librarian	Extension Specialist III	Instructional Development Specialist I	Associate Curator
Assistant Professor	Assistant Librarian	Extension Specialist II		Assistant Curator
Instructor		Extension Specialist I		

*Academic rank will be granted only if the individual is appointed in an academic unit.

Non-Reappointment - Non-reappointment means that a non-tenured, tenure-track faculty member is not offered a next successive contract appointment for employment at the end of a stated appointment period. It is effected by a written notice sent in compliance with the time

limits hereafter specified (IV.B.). This provision and the time limits specified in IV. B. do not apply to the non-renewal of an appointment of a non-tenure-track faculty member.

Probationary Period - The probationary period is the time a faculty member spends under appointments for full-time services in a tenure-track position on one campus of the University of Arkansas prior to being awarded tenure.

Promotion - Promotion is advancement based on merit to a higher rank or title. All promotions must be approved by the Board of Trustees and become effective with the next year's appointment following action of the Board of Trustees, unless a different effective date is approved by the Board ~~for a specific case.~~

Resignation - Resignation is voluntary termination of employment by an employee. The dean or director of the unit to which the employee is assigned is authorized by the Board of Trustees to accept the resignation.

Suspension — Suspension is temporarily relieving an employee of duties. ~~A disciplinary suspension or suspension pending an investigation does not alter the nature of an individual's appointment. Suspension may be with or without pay as warranted by the circumstances. If a faculty member is suspended as a disciplinary measure, the faculty member may grieve or appeal the suspension in accordance with the policies of the campus, division or unit.~~

Tenure - Tenure is the right of continuous appointment. ~~It is,~~ awarded by the President to eligible members of the faculty upon successful completion by each of a probationary period ~~and, once.~~ Once granted, tenure ceases to exist only by (1) dismissal for cause, as defined in section 1 and according to the procedures set forth in Section IV.C., (2) demonstrably bona fide financial exigency, (3) reduction or elimination of programs, (4) retirement, or (5) resignation. "Cause" is defined as conduct which demonstrates that the faculty member lacks the ability or willingness to perform his or her duties or to fulfill his or her responsibilities to the University; examples of such conduct include (but are not limited to) incompetence, neglect of duty, intellectual dishonesty, and moral turpitude, or (6) job abandonment. The ~~probation~~probationary period may be waived as provided in Section IV.A.4. Salaries for tenured faculty may be adjusted for disciplinary reasons, or based on material changes in job duties or funding sources.⁴ NOTE: Tenured faculty holding positions eliminated by reduction or elimination of programs will be relocated in other academic units of the campus for which they are qualified whenever possible. A position

⁴ Subject to all University policies, any salary reduction for tenured faculty must be preceded by notice and an opportunity to appeal the proposed reduction to the chief academic officer of the campus, division or unit.

occupied by a tenured faculty member ~~which~~that was eliminated as a result of reduction or elimination of a program may not be reactivated for a period of five academic years.

Tenure-Track and Non-Tenure-Track Positions - Tenure-track positions are ranks of assistant professor, associate professor, professor, University professor, and distinguished professor, ~~and University professor~~. Faculty appointed to clinical attending positions at the University of Arkansas for Medical Sciences, faculty positions designated as clinical positions⁵ at other campuses, or other non-tenure-track positions approved by the President, may bear the designation of assistant professor, associate professor ~~or~~, professor, University professor or distinguished professor⁶ but in no event shall be considered ~~in~~ tenure-track positions and shall acquire no tenure rights by virtue of occupying such positions. Such non-tenure-track positions shall be set forth in applicable promotion and tenure policies approved by the President ~~which, following review by the Office of General Counsel; such policies~~ may authorize term appointments beyond one year, but not to exceed five years, under merit-based campus procedures approved by the President. Salaries for non-tenured faculty may be adjusted for disciplinary reasons, or based on material changes in job duties or funding sources.⁷

Terminal Appointment - A terminal appointment is a final appointment, the expiration of which results in termination of an individual's employment.

Termination - Termination is the general term to describe severance of employment from the University. Termination may be by resignation, retirement, dismissal, written notice, non-reappointment, ~~or~~ expiration of appointment, or job abandonment.

Year - Year will be either a fiscal year (July 1 through June 30 next) or an academic year (fall and spring semesters of the same fiscal year), unless otherwise designated.

II. Appointments

⁵ When a faculty member who holds a tenure-track position teaches in a clinical setting, the faculty member is not holding a "clinical position" for purposes of this provision.

⁶ Solely at those institutions that do not offer tenure, the rank of University or distinguished professor may be awarded to non-tenured faculty who otherwise meet the qualifications for the rank as set out in Board Policy 470.1.

⁷ Subject to all University policies, any salary reduction for tenure-track faculty or faculty with merit-based term appointments must be preceded by notice and an opportunity to appeal the proposed reduction to the chief academic officer of the campus, division or unit.

~~_____~~ A. Faculty. The following principles shall apply to appointments to faculty positions:

A. 1. General

Appointments shall ~~be for a specified period of time not to exceed one academic or fiscal year. Except for~~ except in the following limited circumstances: (1) term appointments beyond one year for non-tenure track faculty under merit-based procedures specifically established for that purpose as permitted in Section I (Tenure-Track and Non-Tenure Track Positions); or (2) appointments to faculty positions for summer school, ~~appointments shall not extend beyond the end of a fiscal year.~~

Recommendations for appointments to the faculty will be made by the departmental chairperson or equivalent after consultation with the ~~departmental~~ faculty concerned, and are subject to the approval of the dean, the chief academic officer, and the chief executive officer of the campus, ~~who alone shall make the final recommendation for appointment.~~ (See definition of appointment, Page 4 Section I.)

~~_____~~ B. Initial Appointment

Criteria and procedures for the initial appointment and successive appointment of all faculty members on a campus shall be adopted by ~~the faculty of that each~~ campus. As a general practice, the faculty, through its governance structure; ~~the,~~ will initiate the process, on its own or at the request of the Chancellor (or chief executive officer) of the campus. The deans and chief academic officer of the campus ~~shall~~will then have an opportunity to give their advice regarding these criteria and procedures;. Thereafter, these criteria and procedures must be submitted to the Chancellor (or chief executive officer) of the campus and the President for approval. More detailed criteria and procedures may be adopted by the faculty and chairperson⁸ of each academic unit; these criteria and procedures must be submitted to the dean, the chief academic officer of the campus, the Chancellor (or chief executive officer) of the campus, and the President for approval. Campus and unit criteria and procedures must be consistent with and are subject to this and other applicable University policies.

2. Initial Appointment

~~—⁸For the purpose of this policy, and in reference to items involving professional librarians, extension specialists, instructional development specialists, or museum curators the terms "chairperson," "administrative officer," and "administrator" refer to the director or head librarian.~~

An appropriate degree or professional experience is an essential qualification for appointment to positions at academic ranks.

Other important qualifications include experience in teaching, research, or other creative activity, and educational service ~~either~~ at other colleges and universities ~~and/or~~ in non-academic settings.

€ 3. Successive Appointments

Tenured faculty members have a right to a next successive appointment except for the reasons for termination of a tenured appointment given in Section I under definition of tenure. Salaries for tenured faculty may be adjusted for disciplinary reasons, or based on material changes in job duties or funding sources.⁹ Non-tenured faculty do not have a right to a next successive appointment, but may be offered an appointment after the expiration of a current appointment, provided ~~if that, in the case of tenure-track faculty,~~ the appointment does not extend the time in probationary status beyond the limits set in Sections IV.A.4 and IV.A.412. In the event that a non-tenured, tenure-track faculty member is not recommended for reappointment, the procedure described in Section IV.B. shall be followed. Non-tenure-track faculty with a term appointment for a specified term of years do not have a right to an appointment beyond the appointment period.¹⁰

~~Criteria~~B. Administrative Appointments

~~Consistent with longstanding policy and procedures for successive practice,~~ appointments of all faculty members on a campus shall be adopted as dean are made by the faculty of that campus through its governance structure; the deans and chief executive officer or chief academic officer of the campus shall have an opportunity to give their advice regarding these criteria and procedures; these criteria and procedures must be submitted to. Deans serve at the pleasure of the Chancellor of the campus and the President for approval. More detailed criteria and procedures chief executive officer or chief academic officer. Appointments as department head or chair, or as director of an academic program or center, are made by the dean, in consultation with the chief executive officer or chief academic officer, and serve at the pleasure of the dean. Additional criteria or procedures relating to the making of such appointments may be

⁹ Subject to all University policies, any salary reduction for tenured faculty must be preceded by notice and an opportunity to appeal the proposed reduction to the chief academic officer of the campus, division or unit.

¹⁰ Subject to all University policies, nothing in this provision precludes a non-tenure-track faculty member, with a merit based, multi-year term appointment, from having a rolling appointment.

adopted by the ~~faculty and chairperson of each academic unit; these criteria and procedures~~ campus, but must be submitted to the dean, the chief academic officer of the campus, the Chancellor ~~(or chief executive officer)~~ of the campus, and the President for approval. Tenure may only be granted in faculty status and not in an administrative appointment.

III. Promotion

Promotion in academic rank shall be based primarily on the accomplishments of the individual while in the most recent rank. No minimum time in rank is required before a faculty member is eligible for promotion, nor is there a maximum time an individual may remain in a given rank except as limited by Sections IV.A.4. and IV.A.4+12. However, individual accomplishments and potential for continued value to the University are required for promotion. Effective July 1, 2018, no faculty member in a tenure-track position shall be promoted to the rank of associate professor or higher without also being granted tenure. (This does not preclude a faculty member from being hired into a tenure-track position with the rank of associate professor or full professor if they satisfy the applicable criteria.)

Recommendations Generally, recommendations for promotion shall originate with the chairperson, ~~who shall inform~~ but may be initiated in accordance with departmental, unit, or campus rules, which have been submitted to the ~~faculty~~ dean, chief academic officer, Chancellor ~~(or chief executive officer)~~ and President for approval. Faculty members who are being considered for promotion ~~and shall give them~~ be given the opportunity to submit relevant material regarding their professional accomplishments, which they believe will facilitate consideration of their competence and performance. Each campus shall provide for the inclusion of peer¹¹ evaluation in the consideration of faculty nominated for promotion.

Criteria and procedures for promotion to each rank on a campus, including an appeals procedure for those desiring reconsideration of a negative recommendation, shall be adopted by each campus. As a general practice, the faculty of that campus, through its governance structure, will initiate the process of preparing such criteria and procedures, on its own or at the request of the Chancellor (or chief executive officer). The deans and chief academic officer of the campus ~~shall~~ will then have an opportunity to give their advice regarding ~~these~~ the criteria and procedures. Thereafter, these criteria and procedures must be submitted to the Chancellor (or chief executive officer) of the campus and the President for approval. More detailed criteria and procedures may be adopted by the faculty and chairperson of each academic unit; these criteria and procedures must be submitted to the

¹¹ “Peer” shall be defined by each campus as part of its policies governing promotion and tenure or faculty annual reviews.

dean, the chief academic officer of the campus, the Chancellor (or chief executive officer) of the campus, and the President for approval. Campus and unit criteria and procedures must be consistent with and are subject to this and other applicable University policies.

In addition to any criteria established by the campus concerning research, teaching and service, all candidates for promotion and tenure are expected to be in substantial compliance with applicable University policies and legal requirements.

IV. Tenure, Non-reappointment, and Dismissal

A. Tenure

1. The granting of tenure implies that the individual has completed successfully his or her probationary period and has become a permanent member of the University community. As such, he or she acquires additional procedural rights in the event that dismissal proceedings may be brought against him or her.
2. Only full-time faculty with ranks of ~~assistant professor~~, associate professor, professor, University professor, and distinguished professor, ~~and University professor~~ are eligible to be awarded tenure. An assistant professor is eligible to seek tenure accompanied by a concurrent promotion to associate professor. Faculty and other employees with the following titles are ineligible to be awarded tenure: clinical, research, teaching, adjunct, visiting, professor of practice or executive in residence faculty, research associates or research assistants, graduate associates or graduate assistants, instructors, ~~assistant~~advanced instructors, senior instructors, lecturers, and master lecturers. Faculty appointed to clinical attending positions at the University of Arkansas for Medical Sciences, other faculty positions designated as clinical positions, or other non-tenure track positions approved by the President, although designated assistant professor, associate professor or professor, are ineligible to be awarded tenure. Academic administrators not appointed to a teaching or research unit may be awarded academic rank in addition to their administrative titles, with the concurrence of the faculty and administrative officer of the academic unit in which such rank could lead to tenure, in which case they may acquire tenure as faculty, but not as administrators. Other administrators and staff whose primary duties do not involve teaching regularly scheduled credit-hour courses, but who occasionally teach courses, are not eligible for tenure and do not acquire credit for service toward tenure for such teaching activities.
3. Tenure rights apply to the area or areas of the faculty member's expertise and in the academic unit(s) in which his or her position is budgeted (examples: Department of English, ~~UAF~~, (not College of Arts and Sciences), UAF; School

of Law, UALR; Library, UAM; Departments of Music and Education, UAPB). Tenure rights are confined to a particular campus and are not applicable on another campus of the University of Arkansas. Tenure and tenure rights are not awarded in a named or endowed chair or professorship or in any administrative appointment.

4. The probationary period may not extend beyond seven years, except as specifically provided herein-, or as otherwise required by law. An initial appointment of one-half year (academic or fiscal) or less will not be included in the probationary period. If more than one-half of any year is spent in approved leave of absence without pay status, that year shall not apply toward the probationary period.

During the first six years of the probationary period, a tenure-track faculty member may request, for reasons set forth below, that the probationary period be suspended by one (1) year. ~~The reasons for such a request are~~ will generally be the same as required under the Family and Medical Leave Act ~~of 1993~~ (FMLA), as amended, and are as follows: (a) the birth of a child to the faculty member or ~~his~~ spouse and ~~is~~ the child's care during the first year; (b) the adoption of a child by the faculty member or placement in the faculty member's home of a foster child within the first year of placement; (c) the care of the faculty member's spouse, child, or parent with a serious health condition; (d) the serious health condition of the faculty member- that makes the faculty member unable to perform the functions of his or her job; (e) a qualifying exigency arising from the military deployment of an employee's spouse, son, daughter, or parent to a foreign country; (f) to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member.

On the rare occasion that an additional one-year extension is requested, such requests will be considered on a case-by-case basis. However, the faculty member will receive any leave to which he or she is entitled under the FMLA.

A request to suspend the probationary period for these reasons must be made at the time of the qualifying event and shall first be directed in writing to the department chair for approval and must also be approved by the dean (or approved through other established administrative channels), the vice chancellor for academic affairs, the ~~chancellor~~ Chancellor (or chief executive officer) of the campus, and the president, under such procedures as the president shall approve. These procedures may include, but shall not be limited to, the manner in which the faculty member's duties and salary, if any, are determined during such year, the information which is required to substantiate a request and the extent to which a faculty member's performance during such year may be considered in awarding

tenure. A faculty member who has been notified that he or she will not be reappointed may not subsequently request to suspend the probationary period under this policy.

5. Upon the recommendation of the department chair¹², after consultation with the departmental faculty and with concurrence of the dean, the vice chancellor for academic affairs, and the ~~chancellor~~ Chancellor (or the chief executive officer), new appointees at the rank of associate professor, professor, University professor, or distinguished professor, or university professor who possess the requisite qualifications, may be granted immediate tenure. Immediate faculty tenure may also be granted, under this same procedure, in connection with the hiring of senior leadership positions.
- ~~5. Recommendations~~6. Generally, recommendations for tenure shall originate with the chairpersons, ~~who shall inform but may be initiated as provided for in departmental, unit or campus rules, which have been submitted to the faculty dean, chief academic officer, Chancellor (or chief executive officer) and President for approval. Faculty members who are in tenure-track positions who are being considered for tenure and shall give them~~ be given the opportunity to submit relevant material documenting his or her professional performance which they believe will facilitate consideration of their accomplishments and potential.
67. Criteria and procedures concerning the awarding of tenure on a campus, including an appeals procedure for those desiring reconsideration of a negative recommendation, shall be adopted by each campus. As a general practice, the faculty of that campus, through its governance structure, will initiate the process of preparing such criteria and procedures, on its own or at the request of the Chancellor (or chief executive officer) of the campus. The deans and chief academic officer of the campus shall will then have an opportunity to give their advice regarding these criteria and procedures. Thereafter, these criteria and procedures must be submitted to the Chancellor or chief executive officer of the campus and the President for approval. More detailed criteria and procedures may be adopted by the faculty and chairperson of each academic unit; these criteria and procedures must be submitted to the dean, the chief academic officer of the campus, the Chancellor (or chief executive officer) of the campus, and the President for approval. Campus and unit criteria and procedures must be consistent with and are subject to this and other applicable University policies
78. The President will not consider awarding tenure to a faculty member in a probationary status without obtaining the prior recommendation of the faculty

¹² In Schools without departments and department chairs, refer to footnote 1.

member's departmental faculty, chairperson, dean, chief academic officer, and the Chancellor (or chief executive officer) of the campus concerned.

~~89.~~ A faculty ~~or staff~~ member, on acquiringattaining tenure ~~rights~~, shall receive a notice from the chief executive officer of the campus affirming the acquisition of such rights. No person shall lose tenure rights by acceptance of leave-of-absence approved pursuant to University policy, or by appointment to a University of Arkansas administrative position.

~~910.~~ Tenure becomes effective at the beginning of the nine- or twelve-month appointment period following the President's action granting tenure (July 1 for twelve-month appointments, and the beginning of fall semester for nine-month appointments).

~~1011.~~ Each year at the meeting at which promotions are considered by the Board of Trustees, the President shall inform the Board of the names of each person awarded tenure during the preceding twelve months, and shall indicate for each such individual the recommended rank for promotion and date of appointment to the University faculty member's academic discipline.

12. Subject to any extension of the probationary period under IV.A.4, an individual in a tenure-track position who was not awarded tenure with any of the first six academic year or fiscal year appointments must be evaluated as specified in Section IV.A.6- and 7 during the sixth appointment. If he or she is not approved for tenure, the seventh appointment shall be a terminal appointment- and the individual may not be considered for tenure during the seventh appointment.

~~1213.~~ A faculty ~~or staff~~ member holding tenure rights may be dismissed for cause only after the procedures prescribed in Section ~~IV.C.~~ have been followed.—A Provided the requirements set out in V.B.9 as well as any corresponding campus policy have been satisfied, a tenured person notified that he or she of dismissal for reasons of unsatisfactory performance will be so dismissed will, except in cases of moral turpitude, be given notice of dismissal twelve months prior to termination of employment.- Dismissal on other grounds may be immediate (if the dismissal is not contested by the faculty member) or upon the conclusion of any procedures prescribed in Section IV.C. This provision does not create an award of severance pay, but assumes the full performance of University responsibilities and duties assigned for the period between dismissal notice and final termination. Termination of a faculty member's employment because the faculty member has abandoned his or her job duties, or because the faculty member has accepted another position, shall not constitute dismissal under this policy.

~~13~~14. No faculty member shall be dismissed, or otherwise disciplined, or denied reappointment in violation of the following principles of academic freedom, but the observation of the limitations stated herein is the responsibility of each faculty or staff member. ~~Mere expressions of opinions, Subject to all provisions of this and other applicable University policies, mere expressions of opinions related to the faculty member's scholarship, the subject matter of their assigned teaching duties, and University employment-related service activities (e.g. committee assignments and campus governance activities),~~ however vehemently expressed and however controversial such opinions may be, shall not constitute cause for dismissal. The threat of dismissal will not be used to restrain faculty members in their exercise of academic freedom or constitutional rights.

- a. The faculty member is entitled to full freedom in research and in the publication of results, subject to the performance of his or her other academic duties, but personal research for pecuniary return requires prior approval by the appropriate University authorities and must be in accordance with Board Policy 450.1.
- b. The faculty member is entitled to freedom in the classroom in discussing the subject of the course, but should not teach material inappropriate or unrelated to the course, and should maintain a respectful and professional academic learning environment.
- c. The University faculty member is a citizen, a member of a learned profession, and a member of an educational community. Speaking or writing as a citizen, the faculty member is free from institutional censorship or discipline. However, as a person of learning and as a member of an educational community, the faculty member has a responsibility for awareness that the public may judge the profession and the institution by his or her utterances. Hence, faculty should at all times make an effort to be accurate, exercise good judgment and appropriate restraint, show respect for the opinions of others, and indicate that they are not spokespersons for the institution. Faculty are expected to contribute to the productive and efficient operation of the instructional and work environment.

B. Non-Reappointment

These procedures apply to non-tenured faculty members who are in tenure-track positions ~~{assistant professors, associate professors, professors, distinguished professors, and University professors}~~ who are not offered a next successive appointment for the period following the expiration of a current appointment. These procedures do not apply to faculty in clinical attending positions at the University of

Arkansas for Medical Sciences bearing the designation of assistant professor, associate professor or professor, other clinical faculty, or other non-tenure-track faculty.

The appointment of a non-tenured, tenure-track faculty member may be terminated effective at the end of the appointment period, at the option of either the individual or the University.

A chairperson, dean, or chief academic officer who decides not to recommend a non-tenured, tenure-track faculty member for reappointment shall notify him or her in writing in accordance with the following schedule and shall enclose a copy of this section with the letter of non-reappointment:

~~Not later than March 1 of~~For the first year of service, not later than March 1, if the appointment expires at the end of that academic year; or at least three months in advance of its termination if the appointment ~~terminates~~expires at some other time during the ~~first calendar year of continuous employment~~.

~~Not later than December 15 of~~For the second year of service, not later than December 15, if the appointment expires at the end of that academic year; or at least six months in advance of its termination if an appointment ~~terminates~~expires at some other time during the ~~second calendar year of continuous employment~~.

~~At~~

~~After the second year of service, at~~ least twelve months before the expiration of the terminal appointment ~~after two or more consecutive academic, fiscal, or calendar years in the institution~~. The terminal appointment will be for the academic or fiscal year, according to the appointment last held by the individual.

The individual, upon being notified that he or she will not be reappointed, may request ~~an interview~~, within ten working days after receipt of the notice, first a meeting with the dean of the school or college, or other appropriate administrators, ~~then, if the employee requests it, The meeting shall be held within an additional five working days, or as soon as practical thereafter. Following the meeting with the dean, if the dean reaffirms the recommendation of non-reappointment, within five working days the employee may request a meeting with the chief academic officer of the campus. The dean of the school or college, or other administrator, and~~¹³ Within ten working days following the meeting with the chief academic officer jointly will, within ten working days, or as soon as possible thereafter, the chief academic officer will make the final decision on any request that the ~~decision~~non-reappointment be reconsidered.

¹³ For purposes of the Clinton School of Public Service, the employee may request a meeting with the Vice President of Academic Affairs.

~~Department chairpersons and other employees of that campus may be requested to participate in their individual capacities in the interviews by the individual concerned, by the chief academic officer, or by the dean or other appropriate administrator.~~

~~In considering the matter, the dean and chief academic officer may consult with other University employees with relevant knowledge regarding the individual's performance.~~ If the individual does not request these interviews within the time limits stated above after receipt of notification of non-reappointment, the matter shall be considered closed.

C. Dismissal

This section applies to all ~~faculty member~~ tenure-track or tenured faculty members. Dismissal of non-tenure-track faculty and other personnel is addressed in Board of Trustees Policy 405.4.

1. Preliminary Proceedings

- a. ~~When~~ Except in circumstances where there are personal safety concerns and consistent with applicable law, when a chairperson or dean has reason to consider a decision to dismiss a ~~person who has tenured or tenure rights or an untenured-track~~ faculty member prior to the expiration of an appointment, ~~he~~ the chairperson or ~~she~~ the dean shall first discuss the matter with ~~that person~~ the faculty member privately. After the discussion, if the decision of the chairperson or dean is to recommend dismissal, he or she shall prepare a statement of the grounds constituting the cause for dismissal and forward it through the chief academic officer¹⁴ to the chief executive officer on the campus, with a copy to the faculty member. ~~If the faculty member requests it within five working days after receipt of there are personal safety concerns, the private meeting can be bypassed and the chairperson or dean can proceed with providing the statement, a subcommittee of faculty members, as determined by procedures developed by each campus, shall be named by of grounds for dismissal through the chief executive academic officer to make an informal inquiry into the situation and to effect an adjustment, if possible. If no settlement is effected, the subcommittee shall determine whether, in its view, formal proceedings shall be instituted to consider the individual's dismissal, and it shall notify the individual concerned, the chief executive officer of the~~

¹⁴ For purposes of the Clinton School of Public Service, the statement of grounds shall go directly to chief executive officer of the campus, with a copy to the faculty member.

~~campus, and other appropriate administrators of its conclusion. If the subcommittee recommends that such proceedings be begun, or if on campus, with a copy to the faculty member. If~~ the chief executive officer of the campus, after considering ~~at the~~ recommendation of the ~~subcommittee favorable to the individual~~ chairperson or dean, decides that a proceeding should be undertaken, action shall be commenced according to the procedures which follow.

- b. ~~If requested by either party, or if directed by the chief executive officer of the campus, prior to further steps in the process, the parties shall engage in informal discussions to determine whether an acceptable resolution of the matter is possible. Such discussions may include assistance of one or more faculty selected for this purpose.~~

2. Hearing Procedures

The formal proceedings shall be initiated by a communication addressed to the individual by the chief executive officer of the campus informing him or her of the dismissal and the grounds for it, and that, if he or she so requests, a hearing to recommend whether his or her employment by the University shall be terminated on the grounds stated, will be conducted at a specified time and place by a faculty committee constituted as described in Section 4 below. Sufficient time shall be allowed to permit the individual to prepare a defense. The individual shall be informed in detail, or by reference to published regulations, of the procedural rights to which he or she is entitled, including the right to advice of counsel.

The individual shall indicate whether he or she wishes a hearing and, if so, shall file with the chief executive officer of the campus within two weeks of the date of the mailing of the communication by the chief executive officer of the campus an answer to the statement of grounds for the proposed dismissal.

If the individual does not request a hearing, no further action shall be taken. Further, at the request of the individual the proceedings provided for herein may be terminated at any time after the request for a hearing on written notice to the chief executive officer of the employee's acquiescence in the dismissal. Similarly, the administration may drop dismissal proceedings at any stage.

3. Suspension Pending Dismissal Proceedings

Suspension of the individual from normal duties or reassignment to other duties during the proceedings will occur only if ~~an emergency exists~~ circumstances exist which ~~threaten~~ threaten harm or substantial disruption to the individual, to others, or to the University. ~~Determination of an emergency~~ Such determination shall be made by the chief executive officer, in consultation with the President. Such

suspension shall be with pay. This provision does not preclude disciplinary suspension without pay.

4. Hearing Committee

The faculty of each campus shall establish a systematically rotated panel of faculty from which hearing committees can be drawn. To hear a particular case a committee, selected from the panel in accordance with campus policies, shall be composed of faculty members of departments not involved in the dismissal.

Upon receipt from the chief executive officer of the campus of a copy of the statement of grounds for dismissal, accompanied by the individual's answer thereto, the chairperson of the hearing committee shall conduct hearings and recommend a course of action as provided in Section IV.C.5.

5. Committee Proceedings

The committee shall proceed by considering, before the time of the hearing, the statement of grounds for dismissal already formulated and the individual's written response.

In addition to the members of the committee, only the person requesting the hearing and his or her representative, the chief executive officer of the campus ~~and/or~~ his or her designee, and a representative, and witnesses called by the committee are permitted to attend the hearing.

Charges contained in the initially formulated statement of grounds for dismissal may be supplemented at the hearing by evidence of new events occurring after the initial communication to the individual which constitute new or additional cause for dismissal. If such supplementary ~~charges~~grounds are adduced, the committee shall provide the individual with sufficient time to prepare his or her defense.

The chief executive officer of the campus shall have the option to attend or not to attend the hearing, and he or she may ~~designate an appropriate representative~~ select a designee to assist in developing and presenting the case. The chief executive officer or designee may be assisted by the representative in developing and presenting the case and in other matters related to the hearing.

The committee shall determine the order of proof and shall supervise the questioning of witnesses. The committee may decline to accept unnecessarily duplicative material or unduly lengthy or repetitive testimony.

The individual shall have the aid of the committee when needed in securing the attendance of witnesses. The individual or his or her representative and the chief

executive officer of the campus (or designee) or his or her ~~designated~~ representative shall have the right within reasonable limits to question all witnesses who testify orally.

The committee will use its best efforts to provide an opportunity for those involved to confront all witnesses, but where this cannot be achieved despite the efforts of the hearing committee, the identity of such non-appearing witnesses, and any written evidence they may have furnished, shall be disclosed to all interested parties during the hearing.

Subject to these safeguards, written statements may, when necessary, be taken outside the hearing and reported to it. All of the evidence shall be duly recorded. ~~Formal~~ These are not legal proceedings and formal rules of court procedure ~~need or evidence do not be followed~~ apply, but the committee shall exercise reasonable efforts to protect the rights of the parties in the ~~reception of evidence~~ receipt of evidence. For purposes of illustration, the proceedings shall be recorded digitally rather than via court reporter, and witnesses will not be sworn or subpoenaed. The ultimate objective of the hearing is consideration of the matter in a fair and efficient manner.

6. Consideration by Hearing Committee

The committee shall formulate its recommendation in private, on the basis of the hearing. Before doing so, it shall give opportunity to the individual and the chief executive officer of the campus or his or her designated representative to make oral statements before it. If written arguments are desired, the committee may request them. The committee shall ~~proceed to arrive at~~ make its recommendation promptly ~~without having the record of the hearing transcribed when it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing. It shall make, including~~ explicit findings with respect to each of the grounds for removal presented.

The chief executive officer of the campus and the individual shall be notified of the recommendation in writing and a copy of the record of the hearing shall be available to both parties.

A copy of the record of the hearing and the recommendations of the hearing committee shall be furnished to the President of the University for his or her decision. The decision of the President shall be transmitted to the chief executive officer of the campus and to the individual involved.

7. Consideration by Board of Trustees

If the decision of the President is appealed to the Board of Trustees, or if the Board of Trustees chooses to review the case, the President shall transmit to the Board of Trustees the full report of the hearing committee, stating its recommendation and his or her own decision. The review shall be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or by their representatives. The decision of the Board of Trustees on review shall be final. It shall be communicated to the President and through him or her to the person involved.

If the decision of the Board is that the faculty member is to be terminated, and the termination is based on unsatisfactory performance, the termination becomes effective at the conclusion of the twelve-month period from the date of the initial notice of termination. If that period has elapsed, or if the termination is based on other grounds of cause, the termination becomes effectively immediately following the Board's decision.

V. Annual Review

An annual review of the work and status of each ~~tenured and tenure-track~~ faculty member shall be made on the basis of assigned duties and according to criteria and procedures required herein. ~~Faculty not in tenure-track positions~~ Each year the chief academic officer of each campus shall be evaluated by (a) require of each chairperson an assessment of the performance of all faculty members in the academic unit, including an identification of all faculty development needs and of all problems in performance of faculty, and (b) in consultation with the Chancellor (or chief executive officer), take steps designed to insure compliance on that campus with all criteria and procedures adopted by each campus for annual reviews.

A. Tenured and Tenure-Track Faculty

~~The~~ Provided a faculty member is in substantial compliance with applicable University policies and legal requirements, the annual review of each faculty member shall provide the primary basis for the chairperson's recommendations relating to salary, promotion, granting of tenure, successive appointment, non-reappointment, and dismissal. Furthermore, this review is to provide guidance and assistance to all faculty in their professional development and academic responsibilities in the areas of teaching, scholarly and creative activity, and service.

Criteria and procedures for an annual review of all tenured and tenure-track faculty ~~on a campus~~ shall be adopted by each campus. As a general practice, the faculty of that campus, through its governance structure, will initiate the process of preparing such criteria and procedures, on its own or at the request of the Chancellor (or chief executive officer) of the campus. The deans and chief academic officer of the campus ~~shall~~ will then have an opportunity to give their advice regarding these criteria and

procedures; ~~these~~. Thereafter, the criteria and procedures must be submitted to the Chancellor (or chief executive officer) of the campus and the President for approval. More detailed criteria and procedures may be recommended by the faculty and chairperson of each academic unit; these criteria and procedures must be submitted to the dean, the chief academic officer of the campus, the Chancellor (or chief executive officer) of the campus, and the President for approval. All procedures for annual reviews adopted by a campus shall include provision for and details for implementation of the following:

1. Within a reasonable time after the beginning of the first appointment of each faculty member: written notification to the faculty member of the criteria, procedures, and instruments currently in use in assessing performance;
2. Within a reasonable time after the beginning of each academic year: written notification to each faculty member of that year's assignments, review schedule, and the criteria, procedures, and instruments to be used that year;
3. Reasonable opportunity for each faculty member to submit any relevant material ~~desired~~ documenting his or her professional performance to be considered in the annual review;
4. Peer evaluation, made fully available to the faculty member and those conducting the review;
5. Student evaluation of teaching, made fully available to the faculty member and those conducting the review;
6. Prior to the chairperson's ~~making a recommendation~~ completion of the annual evaluation (including any recommendations based on the evaluation) in any year:
 - (a) a meeting between the chairperson and faculty member to discuss all issues relating to the review,¹⁵ (b) ~~the~~ providing to that faculty member a copy of the chairperson's ~~tentative-intended~~ evaluation and recommendation(s), and (c) a reasonable opportunity for the faculty member to submit a written response to the annual evaluation (including any recommendations), which will to be forwarded to each subsequent level of review;
7. As long as a faculty member is employed by the University and for at least three years thereafter: ~~-maintenance of annual review forms, summaries of annual discussions between the chairperson and faculty member,~~ recommendations,

¹⁵ In the case of a tenured faculty member who has a satisfactory performance evaluation, a faculty member can waive the meeting requirement.

associated narratives, and all other writings relevant materials used in or resulting from the annual reviews of that faculty member;

8. Availability to each faculty member of all writings used in or resulting from the annual reviews of that faculty member.

~~Each year the chief academic officer of each campus shall (a) require of each chairperson an assessment of the performance of all faculty members in the academic unit, including an identification of all faculty development needs and of all problems in performance of faculty, (b) take steps designed to insure compliance on that campus with all criteria and procedures for annual reviews, and (c) provide the Chancellor with a written report indicating the extent of compliance during the past year, as well as any needs and problems identified and solutions planned.~~

~~NOTE: A University wide committee has been established for the purpose of recommending criteria and procedures for an annual review of all administrative officers of the University. A report from this committee will be presented to the Board of Trustees at a fall 1989 meeting for appropriate action of the Board.~~

~~The annual review of each administrative officer shall serve as the basis for decisions relating to salary and continuation as an administrator. Furthermore, this review is to provide guidance and assistance to all administrative officers in their professional development.~~

9. In order to maintain a high quality and productive educational environment, annual review procedures adopted at the campus level must provide for prompt, meaningful and effective means of addressing unsatisfactory faculty performance. Effective July 1, 2019, campus procedures shall require that any tenured faculty member who receives an **overall** unsatisfactory performance rating¹⁶ be placed on a remediation plan. The remediation plan shall be developed by the faculty member's academic unit in consultation with the faculty member and shall include remedial measures designed to address the overall performance deficiencies, with the expectation that carrying out the plan will lead to an **overall** satisfactory performance rating. If, in the next annual review following an **overall** unsatisfactory performance rating, the faculty member fails either to attain an **overall** satisfactory performance rating or to demonstrate meaningful progress in remediating the overall performance deficiencies, the faculty member may be

¹⁶ As part of its criteria and procedures for annual review, each campus is responsible for establishing the criteria by which an "overall" performance rating is determined.

issued a notice of dismissal on twelve months' notice as provided for in this policy, and subject to the procedures contained in Section IV.C.

B. Non-Tenure-Track Faculty

Faculty who are not in tenure-track positions shall be evaluated by procedures adopted by each campus. Such procedures shall provide guidance and assistance to faculty in their professional development and academic responsibilities. To the extent applicable and as fully as practicable, the criteria referenced in V. A. (especially with regard to peer and student evaluations) should be utilized in developing such campus procedures. Any campus procedure developed must be submitted to the Chancellor (or chief executive officer) of the campus and to the President for approval.

, 2018 (Revised)

October 2, 2001 (Revised)
 September 18, 1998 (Revised)
 August 11, 1998 (Corrected)
 June 6, 1997 (Revised)
 April 25, 1997 (Revised)
 September 16, 1994 (Revised)
 June 16, 1989 (Revised)
 January 23, 1987 (Revised)
 September 17, 1982 (Revised)
 June 18, 1982 (Revised)
 February 8, 1980 (Revised)
 April 20, 1962, and Revisions

APPOINTMENTS, PROMOTION, TENURE, NON-REAPPOINTMENT, AND DISMISSAL OF FACULTY¹

This policy supersedes all existing policies concerning appointments, promotion, tenure, non-reappointment, and dismissal of faculty. The Board of Trustees has the right to amend any portion of this policy at any time in the future.

This policy shall be included without change or inter-lineation in the Faculty Handbook for each campus.

To the extent any provision in this policy conflicts with a campus policy, this policy shall control.

I. Definition of Terms

For purposes of this policy, the following definitions shall apply:

Appointment - An appointment is a written notice ("Notice of Appointment") that initiates the employment relationship between the Board of Trustees and the faculty member. An appointment is valid only when approved and signed by the President of the University, the Chancellor of the respective campus, the Vice President for Agriculture, the Chief Executive Officer of the respective unit, or their designee, in accordance with authority delegated by the Board of Trustees. Such appointment is subject to all applicable policies of the Board of Trustees, the University of Arkansas System, and the respective campus, division or unit.

Cause - Cause is defined as conduct that demonstrates the faculty member lacks the willingness or ability to perform duties or responsibilities to the University, or that otherwise serves as a basis for disciplinary action. Pursuant to procedures set out herein or in other University or campus policies, a faculty member may be disciplined or dismissed for cause on grounds including, but not limited to, (1) unsatisfactory

¹ In most cases, academic units are organized into colleges and departments with deans, chairpersons, and faculty. The normal order is for appointment, promotion and tenure processes to utilize this structure in making recommendations. Where colleges or departments are not present, the normal order shall follow a pattern that closely mirrors the typical structure. For example, in schools without departments, the recommendations shall start with the faculty and move to the director, if applicable, and then to the dean. For the purpose of this policy, and in reference to items involving professional librarians, instructional development specialists, or museum curators, the terms "chairperson," "administrative officer," and "administrator" refer to the director or head librarian. Throughout this policy, any reference to "chairperson" includes any equivalent position.

performance, consistent with the requirements of section V.A.9 below, concerning annual reviews;² (2) professional dishonesty or plagiarism; (3) discrimination, including harassment or retaliation, prohibited by law or university policy; (4) unethical conduct related to fitness to engage in teaching, research, service/outreach and/or administration, or otherwise related to the faculty member's employment or public employment; (5) misuse of appointment or authority to exploit others; (6) theft or intentional misuse of property; (7) incompetence or a mental incapacity that prevents a faculty member from fulfilling his or her job responsibilities; (8) job abandonment; (9) a pattern of conduct that is detrimental to the productive and efficient operation of the instructional or work environment³; (10) refusal to perform reasonable duties; (11) threats or acts of violence or retaliatory conduct; or (12) violation of University policy, or state or federal law, substantially related to performance of faculty responsibilities or fitness to serve the University. Nothing in this provision is intended to inhibit expression that is protected under principles of academic freedom, or state or federal law.

Dismissal - Dismissal is severance from employment for cause after administrative due process as provided in this policy and Board of Trustees Policy 405.4. Termination by notice, expiration of appointment, or non-reappointment, or due to job abandonment, is not a dismissal.

Faculty - Faculty are employees who hold academic rank of lecturer, master lecturer, instructor, advanced instructor, senior instructor, assistant professor, associate professor, professor, University professor, distinguished professor or one of the above titles modified by clinical, research, teaching, adjunct, visiting, executive in residence, professor of practice, (e.g., clinical professor or adjunct assistant professor). Additional appropriate non-tenure track modifiers may be approved by the President. For the purposes of tenure and promotion policy and recommendations, a campus may define which faculty may participate in tenure and promotion related decisions. For example, institutions that offer tenure could limit for tenure and promotion matters the definition of faculty to tenured and tenured track faculty.

Individuals holding certain non-teaching titles (i.e. Director of Libraries, Instructional Development Specialist II, and Curator) also receive faculty rank. The rank that

² Each campus shall include criteria and procedures for determining "Unsatisfactory performance" in their campus policies governing faculty annual reviews. In order for a tenured faculty member to be dismissed for unsatisfactory performance, the requirements set out in V.A.9 as well as any corresponding campus policy must first be followed.

³ This need not be a separate component in the evaluation criteria of faculty, but may be considered in evaluating faculty in the areas of teaching, research and service. Subject to Section V, the criteria and procedures for annual reviews shall be developed and adopted by each campus.

corresponds with each title is reflected in the chart below. Both the title and the academic rank will be stated in the appointment.

Instructional and Research Ranks	Library	1890 Extension Service*	Instructional Development	Museum
Professor, University Professor, Distinguished Professor	Director of Libraries, Librarian	Extension Specialist IV	Instructional Development Specialist II	Curator
Associate Professor	Associate Librarian	Extension Specialist III	Instructional Development Specialist I	Associate Curator
Assistant Professor	Assistant Librarian	Extension Specialist II		Assistant Curator
Instructor		Extension Specialist I		

*Academic rank will be granted only if the individual is appointed in an academic unit.

Non-Reappointment - Non-reappointment means that a non-tenured, tenure-track faculty member is not offered a next successive appointment for employment at the end of a stated appointment period. It is effected by a written notice sent in compliance with the time limits hereafter specified (IV.B.). This provision and the time limits specified in IV. B. do not apply to the non-renewal of an appointment of a non-tenure-track faculty member.

Probationary Period - The probationary period is the time a faculty member spends under appointments for full-time services in a tenure-track position on one campus of the University of Arkansas prior to being awarded tenure.

Promotion - Promotion is advancement based on merit to a higher rank or title. All promotions must be approved by the Board of Trustees and become effective with the next year's appointment following action of the Board of Trustees, unless a different effective date is approved by the Board.

Resignation - Resignation is voluntary termination of employment by an employee. The dean or director of the unit to which the employee is assigned is authorized by the Board of Trustees to accept the resignation.

Suspension – Suspension is temporarily relieving an employee of duties. A disciplinary suspension or suspension pending an investigation does not alter the nature of an individual's appointment. Suspension may be with or without pay as warranted by the circumstances. If a faculty member is suspended as a disciplinary measure, the faculty member may grieve or appeal the suspension in accordance with the policies of the campus, division or unit.

Tenure - Tenure is the right of continuous appointment, awarded by the President to eligible members of the faculty upon successful completion by each of a probationary period. Once granted, tenure ceases to exist only by (1) dismissal for cause, as defined in section 1 and according to the procedures set forth in Section IV.C., (2) demonstrably bona fide financial exigency, (3) reduction or elimination of programs, (4) retirement, (5) resignation, or (6) job abandonment. The probationary period may be waived as provided in Section IV.A.4. Salaries for tenured faculty may be adjusted for disciplinary reasons, or based on material changes in job duties or funding sources.⁴ NOTE: Tenured faculty holding positions eliminated by reduction or elimination of programs will be relocated in other academic units of the campus for which they are qualified whenever possible. A position occupied by a tenured faculty member that was eliminated as a result of reduction or elimination of a program may not be reactivated for a period of five academic years.

Tenure-Track and Non-Tenure-Track Positions - Tenure-track positions are ranks of assistant professor, associate professor, professor, University professor, and distinguished professor. Faculty appointed to clinical attending positions at the University of Arkansas for Medical Sciences, faculty positions designated as clinical positions⁵ at other campuses, or other non-tenure-track positions approved by the President, may bear the designation of assistant professor, associate professor, professor, University professor or distinguished professor⁶ but in no event shall be considered tenure-track positions and shall acquire no tenure rights by virtue of occupying such positions. Such non-tenure-track positions shall be set forth in applicable promotion and tenure policies approved by

⁴ Subject to all University policies, any salary reduction for tenured faculty must be preceded by notice and an opportunity to appeal the proposed reduction to the chief academic officer of the campus, division or unit.

⁵ When a faculty member who holds a tenure-track position teaches in a clinical setting, the faculty member is not holding a "clinical position" for purposes of this provision.

⁶ Solely at those institutions that do not offer tenure, the rank of University or distinguished professor may be awarded to non-tenured faculty who otherwise meet the qualifications for the rank as set out in Board Policy 470.1.

the President, following review by the Office of General Counsel; such policies may authorize term appointments beyond one year, but not to exceed five years, under merit-based campus procedures approved by the President. Salaries for non-tenured faculty may be adjusted for disciplinary reasons, or based on material changes in job duties or funding sources.⁷

Terminal Appointment - A terminal appointment is a final appointment, the expiration of which results in termination of an individual's employment.

Termination - Termination is the general term to describe severance of employment from the University. Termination may be by resignation, retirement, dismissal, written notice, non-reappointment, expiration of appointment, or job abandonment.

Year - Year will be either a fiscal year (July 1 through June 30 next) or an academic year (fall and spring semesters of the same fiscal year), unless otherwise designated.

II. Appointments

A. Faculty. The following principles shall apply to appointments to faculty positions:

1. General

Appointments shall not exceed one academic or fiscal year except in the following limited circumstances: (1) term appointments beyond one year for non-tenure track faculty under merit-based procedures specifically established for that purpose as permitted in Section I (Tenure-Track and Non-Tenure Track Positions); or (2) appointments to faculty positions for summer school.

Recommendations for appointments to the faculty will be made by the departmental chairperson or equivalent after consultation with the faculty concerned, and are subject to the approval of the dean, the chief academic officer, and the chief executive officer of the campus. (See definition of appointment, Section I.)

Criteria and procedures for the initial appointment and successive appointment of all faculty members on a campus shall be adopted by each campus. As a general practice, the faculty, through its governance structure, will initiate the process, on its own or at the request of the Chancellor (or chief executive officer) of the campus. The deans and

⁷ Subject to all University policies, any salary reduction for tenure-track faculty or faculty with merit-based term appointments must be preceded by notice and an opportunity to appeal the proposed reduction to the chief academic officer of the campus, division or unit.

chief academic officer of the campus will then have an opportunity to give their advice regarding these criteria and procedures. Thereafter, these criteria and procedures must be submitted to the Chancellor (or chief executive officer) of the campus and the President for approval. More detailed criteria and procedures may be adopted by the faculty and chairperson of each academic unit; these criteria and procedures must be submitted to the dean, the chief academic officer of the campus, the Chancellor (or chief executive officer) of the campus, and the President for approval. Campus and unit criteria and procedures must be consistent with and are subject to this and other applicable University policies.

2. Initial Appointment

An appropriate degree or professional experience is an essential qualification for appointment to positions at academic ranks.

Other important qualifications include experience in teaching, research, or other creative activity, and educational service at other colleges and universities or in non-academic settings.

3. Successive Appointments

Tenured faculty members have a right to a next successive appointment except for the reasons for termination of a tenured appointment given in Section I under definition of tenure. Salaries for tenured faculty may be adjusted for disciplinary reasons, or based on material changes in job duties or funding sources.⁸ Non-tenured faculty do not have a right to a next successive appointment, but may be offered an appointment after the expiration of a current appointment, provided that, in the case of tenure-track faculty, the appointment does not extend the time in probationary status beyond the limits set in Sections IV.A.4 and IV.A.12. In the event that a non-tenured, tenure-track faculty member is not recommended for reappointment, the procedure described in Section IV.B. shall be followed. Non-tenure-track faculty with a term appointment for a specified term of years do not have a right to an appointment beyond the appointment period.⁹

B. Administrative Appointments

⁸ Subject to all University policies, any salary reduction for tenured faculty must be preceded by notice and an opportunity to appeal the proposed reduction to the chief academic officer of the campus, division or unit.

⁹ Subject to all University policies, nothing in this provision precludes a non-tenure-track faculty member, with a merit based, multi-year term appointment, from having a rolling appointment.

Consistent with longstanding policy and practice, appointments as dean are made by the chief executive officer or chief academic officer of the campus. Deans serve at the pleasure of the chief executive officer or chief academic officer. Appointments as department head or chair, or as director of an academic program or center, are made by the dean, in consultation with the chief executive officer or chief academic officer, and serve at the pleasure of the dean. Additional criteria or procedures relating to the making of such appointments may be adopted by the campus, but must be submitted to the dean, the chief academic officer of the campus, the Chancellor (or chief executive officer) of the campus, and the President for approval. Tenure may only be granted in faculty status and not in an administrative appointment.

III. Promotion

Promotion in academic rank shall be based primarily on the accomplishments of the individual while in the most recent rank. No minimum time in rank is required before a faculty member is eligible for promotion, nor is there a maximum time an individual may remain in a given rank except as limited by Sections IV.A.4. and IV.A.12. However, individual accomplishments and potential for continued value to the University are required for promotion. Effective July 1, 2018, no faculty member in a tenure-track position shall be promoted to the rank of associate professor or higher without also being granted tenure. (This does not preclude a faculty member from being hired into a tenure-track position with the rank of associate professor or full professor if they satisfy the applicable criteria.)

Generally, recommendations for promotion shall originate with the chairperson, but may be initiated in accordance with departmental, unit, or campus rules, which have been submitted to the dean, chief academic officer, Chancellor (or chief executive officer) and President for approval. Faculty members who are being considered for promotion shall be given the opportunity to submit relevant material regarding their professional accomplishments, which they believe will facilitate consideration of their competence and performance. Each campus shall provide for the inclusion of peer¹⁰ evaluation in the consideration of faculty nominated for promotion.

Criteria and procedures for promotion to each rank on a campus, including an appeals procedure for those desiring reconsideration of a negative recommendation, shall be adopted by each campus. As a general practice, the faculty, through its governance structure, will initiate the process of preparing such criteria and procedures, on its own or at the request of the Chancellor (or chief executive officer). The deans and chief academic officer of the campus will then have an opportunity to give their advice regarding the criteria and

¹⁰ “Peer” shall be defined by each campus as part of its policies governing promotion and tenure or faculty annual reviews.

procedures. Thereafter, these criteria and procedures must be submitted to the Chancellor (or chief executive officer) of the campus and the President for approval. More detailed criteria and procedures may be adopted by the faculty and chairperson of each academic unit; these criteria and procedures must be submitted to the dean, the chief academic officer of the campus, the Chancellor (or chief executive officer) of the campus, and the President for approval. Campus and unit criteria and procedures must be consistent with and are subject to this and other applicable University policies.

In addition to any criteria established by the campus concerning research, teaching and service, all candidates for promotion and tenure are expected to be in substantial compliance with applicable University policies and legal requirements.

IV. Tenure, Non-reappointment, and Dismissal

A. Tenure

1. The granting of tenure implies that the individual has completed successfully his or her probationary period and has become a permanent member of the University community. As such, he or she acquires additional procedural rights in the event that dismissal proceedings may be brought against him or her.
2. Only full-time faculty with ranks of associate professor, professor, University professor, and distinguished professor are eligible to be awarded tenure. An assistant professor is eligible to seek tenure accompanied by a concurrent promotion to associate professor. Faculty and other employees with the following titles are ineligible to be awarded tenure: clinical, research, teaching, adjunct, visiting, professor of practice or executive in residence faculty, research associates or research assistants, graduate associates or graduate assistants, instructors, advanced instructors, senior instructors, lecturers, and master lecturers. Faculty appointed to clinical attending positions at the University of Arkansas for Medical Sciences, other faculty positions designated as clinical positions, or other non-tenure track positions approved by the President, although designated assistant professor, associate professor or professor, are ineligible to be awarded tenure. Academic administrators not appointed to a teaching or research unit may be awarded academic rank in addition to their administrative titles, with the concurrence of the faculty and administrative officer of the academic unit in which such rank could lead to tenure, in which case they may acquire tenure as faculty, but not as administrators. Other administrators and staff whose primary duties do not involve teaching regularly scheduled credit-hour courses, but who occasionally teach courses, are not eligible for tenure and do not acquire credit for service toward tenure for such teaching activities.

3. Tenure rights apply to the area or areas of the faculty member's expertise and in the academic unit(s) in which his or her position is budgeted (examples: Department of English (not College of Arts and Sciences), UAF; School of Law, UALR; Library, UAM; Departments of Music and Education, UAPB). Tenure rights are confined to a particular campus and are not applicable on another campus of the University of Arkansas. Tenure and tenure rights are not awarded in a named or endowed chair or professorship or in any administrative appointment.
4. The probationary period may not extend beyond seven years, except as specifically provided herein, or as otherwise required by law. An initial appointment of one-half year (academic or fiscal) or less will not be included in the probationary period. If more than one-half of any year is spent in approved leave of absence without pay status, that year shall not apply toward the probationary period.

During the first six years of the probationary period, a tenure-track faculty member may request, for reasons set forth below, that the probationary period be suspended by one (1) year. The reasons for such a request will generally be the same as required under the Family and Medical Leave Act (FMLA), as amended, and are as follows: (a) the birth of a child to the faculty member or spouse and the child's care during the first year; (b) the adoption of a child by the faculty member or placement in the faculty member's home of a foster child within the first year of placement; (c) the care of the faculty member's spouse, child, or parent with a serious health condition; (d) the serious health condition of the faculty member that makes the faculty member unable to perform the functions of his or her job; (e) a qualifying exigency arising from the military deployment of an employee's spouse, son, daughter, or parent to a foreign country; (f) to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member.

On the rare occasion that an additional one-year extension is requested, such requests will be considered on a case-by-case basis. However, the faculty member will receive any leave to which he or she is entitled under the FMLA.

A request to suspend the probationary period for these reasons must be made at the time of the qualifying event and shall first be directed in writing to the department chair for approval and must also be approved by the dean (or approved through other established administrative channels), the vice chancellor for academic affairs, the Chancellor (or chief executive officer) of the campus, and the president, under such procedures as the president shall approve. These procedures may include, but shall not be limited to, the manner in which the faculty member's duties and salary, if any, are determined during such year, the

information which is required to substantiate a request and the extent to which a faculty member's performance during such year may be considered in awarding tenure. A faculty member who has been notified that he or she will not be reappointed may not subsequently request to suspend the probationary period under this policy.

5. Upon the recommendation of the department chair¹¹, after consultation with the departmental faculty and with concurrence of the dean, the vice chancellor for academic affairs, and the Chancellor (or the chief executive officer), new appointees at the rank of associate professor, professor, University professor, or distinguished professor, who possess the requisite qualifications, may be granted immediate tenure. Immediate faculty tenure may also be granted, under this same procedure, in connection with the hiring of senior leadership positions.
6. Generally, recommendations for tenure shall originate with the chairpersons, but may be initiated as provided for in departmental, unit or campus rules, which have been submitted to the dean, chief academic officer, Chancellor (or chief executive officer) and President for approval. Faculty members who are in tenure-track positions who are being considered for tenure shall be given the opportunity to submit relevant material documenting his or her professional performance which they believe will facilitate consideration of their accomplishments and potential.
7. Criteria and procedures concerning the awarding of tenure on a campus, including an appeals procedure for those desiring reconsideration of a negative recommendation, shall be adopted by each campus. As a general practice, the faculty, through its governance structure, will initiate the process of preparing such criteria and procedures, on its own or at the request of the Chancellor (or chief executive officer) of the campus. The deans and chief academic officer of the campus will then have an opportunity to give their advice regarding these criteria and procedures. Thereafter, these criteria and procedures must be submitted to the Chancellor or chief executive officer of the campus and the President for approval. More detailed criteria and procedures may be adopted by the faculty and chairperson of each academic unit; these criteria and procedures must be submitted to the dean, the chief academic officer of the campus, the Chancellor (or chief executive officer) of the campus, and the President for approval. Campus and unit criteria and procedures must be consistent with and are subject to this and other applicable University policies
8. The President will not consider awarding tenure to a faculty member in a probationary status without obtaining the prior recommendation of the faculty

¹¹ In Schools without departments and department chairs, refer to footnote 1.

member's departmental faculty, chairperson, dean, chief academic officer, and the Chancellor (or chief executive officer) of the campus concerned.

9. A faculty member, on attaining tenure, shall receive a notice from the chief executive officer of the campus affirming the acquisition of such rights. No person shall lose tenure rights by acceptance of leave-of-absence approved pursuant to University policy, or by appointment to a University of Arkansas administrative position.
10. Tenure becomes effective at the beginning of the nine- or twelve-month appointment period following the President's action granting tenure (July 1 for twelve-month appointments, and the beginning of fall semester for nine-month appointments).
11. Each year at the meeting at which promotions are considered by the Board of Trustees, the President shall inform the Board of the names of each person awarded tenure during the preceding twelve months, and shall indicate for each such individual the recommended rank for promotion and the faculty member's academic discipline.
12. Subject to any extension of the probationary period under IV.A.4, an individual in a tenure-track position who was not awarded tenure with any of the first six academic year or fiscal year appointments must be evaluated as specified in Section IV.A.6 and 7 during the sixth appointment. If he or she is not approved for tenure, the seventh appointment shall be a terminal appointment and the individual may not be considered for tenure during the seventh appointment.
13. A faculty member holding tenure rights may be dismissed for cause only after the procedures prescribed in Section IV.C. have been followed. Provided the requirements set out in V.B.9 as well as any corresponding campus policy have been satisfied, a tenured person notified of dismissal for reasons of unsatisfactory performance will be given notice of dismissal twelve months prior to termination of employment. Dismissal on other grounds may be immediate (if the dismissal is not contested by the faculty member) or upon the conclusion of any procedures prescribed in Section IV.C. This provision does not create an award of severance pay, but assumes the full performance of University responsibilities and duties assigned for the period between dismissal notice and final termination. Termination of a faculty member's employment because the faculty member has abandoned his or her job duties, or because the faculty member has accepted another position, shall not constitute dismissal under this policy.
14. No faculty member shall be dismissed, or otherwise disciplined, or denied reappointment in violation of the following principles of academic freedom, but

the observation of the limitations stated herein is the responsibility of each faculty or staff member. Subject to all provisions of this and other applicable University policies, mere expressions of opinions related to the faculty member's scholarship, the subject matter of their assigned teaching duties, and University employment-related service activities (e.g. committee assignments and campus governance activities), however vehemently expressed and however controversial such opinions may be, shall not constitute cause for dismissal. The threat of dismissal will not be used to restrain faculty members in their exercise of academic freedom or constitutional rights.

- a. The faculty member is entitled to full freedom in research and in the publication of results, subject to the performance of his or her other academic duties, but personal research for pecuniary return requires prior approval by the appropriate University authorities and must be in accordance with Board Policy 450.1.
- b. The faculty member is entitled to freedom in the classroom in discussing the subject of the course, but should not teach material inappropriate or unrelated to the course, and should maintain a respectful and professional academic learning environment.
- c. The University faculty member is a citizen, a member of a learned profession, and a member of an educational community. Speaking or writing as a citizen, the faculty member is free from institutional censorship or discipline. However, as a person of learning and as a member of an educational community, the faculty member has a responsibility for awareness that the public may judge the profession and the institution by his or her utterances. Hence, faculty should at all times make an effort to be accurate, exercise good judgment and appropriate restraint, show respect for the opinions of others, and indicate that they are not spokespersons for the institution. Faculty are expected to contribute to the productive and efficient operation of the instructional and work environment.

B. Non-Reappointment

These procedures apply to non-tenured faculty members who are in tenure-track positions who are not offered a next successive appointment for the period following the expiration of a current appointment. These procedures do not apply to faculty in clinical attending positions at the University of Arkansas for Medical Sciences bearing the designation of assistant professor, associate professor or professor, other clinical faculty, or other non-tenure-track faculty.

The appointment of a non-tenured, tenure-track faculty member may be terminated effective at the end of the appointment period, at the option of either the individual or the University.

A chairperson, dean, or chief academic officer who decides not to recommend a non-tenured, tenure-track faculty member for reappointment shall notify him or her in writing in accordance with the following schedule and shall enclose a copy of this section with the letter of non-reappointment:

For the first year of service, not later than March 1, if the appointment expires at the end of that academic year; or at least three months in advance of its termination if the appointment expires at some other time during the year.

For the second year of service, not later than December 15, if the appointment expires at the end of that academic year; or at least six months in advance of its termination if an appointment expires at some other time during the year.

After the second year of service, at least twelve months before the expiration of the terminal appointment. The terminal appointment will be for the academic or fiscal year, according to the appointment last held by the individual.

The individual, upon being notified that he or she will not be reappointed, may request, within ten working days after receipt of the notice, a meeting with the dean of the school or college, or other appropriate administrators. The meeting shall be held within five working days or as soon as practical thereafter. Following the meeting with the dean, if the dean reaffirms the recommendation of non-reappointment, within five working days the employee may request a meeting with the chief academic officer of the campus.¹² Within ten working days following the meeting with the chief academic officer, or as soon as possible thereafter, the chief academic officer will make the final decision on any request that the non-reappointment be reconsidered.

In considering the matter, the dean and chief academic officer may consult with other University employees with relevant knowledge regarding the individual's performance. If the individual does not request these interviews within the time limits stated above after receipt of notification of non-reappointment, the matter shall be considered closed.

¹² For purposes of the Clinton School of Public Service, the employee may request a meeting with the Vice President of Academic Affairs.

C. Dismissal

This section applies to all tenure-track or tenured faculty members. Dismissal of non-tenure-track faculty and other personnel is addressed in Board of Trustees Policy 405.4.

1. Preliminary Proceedings

- a. Except in circumstances where there are personal safety concerns and consistent with applicable law, when a chairperson or dean has reason to consider a decision to dismiss a tenured or tenure-track faculty member prior to the expiration of an appointment, the chairperson or dean shall first discuss the matter with the faculty member privately. After the discussion, if the decision of the chairperson or dean is to recommend dismissal, he or she shall prepare a statement of the grounds constituting the cause for dismissal and forward it through the chief academic officer¹³ to the chief executive officer on the campus, with a copy to the faculty member. If there are personal safety concerns, the private meeting can be bypassed and the chairperson or dean can proceed with providing the statement of grounds for dismissal through the chief academic officer to the chief executive officer on campus, with a copy to the faculty member. If the chief executive officer of the campus, after considering the recommendation of the chairperson or dean, decides that a proceeding should be undertaken, action shall be commenced according to the procedures which follow.
- b. If requested by either party, or if directed by the chief executive officer of the campus, prior to further steps in the process, the parties shall engage in informal discussions to determine whether an acceptable resolution of the matter is possible. Such discussions may include assistance of one or more faculty selected for this purpose.

2. Hearing Procedures

The formal proceedings shall be initiated by a communication addressed to the individual by the chief executive officer of the campus informing him or her of the dismissal and the grounds for it, and that, if he or she so requests, a hearing to recommend whether his or her employment by the University shall be terminated on the grounds stated, will be conducted at a specified time and place by a faculty committee constituted as described in Section 4 below. Sufficient time shall be

¹³ For purposes of the Clinton School of Public Service, the statement of grounds shall go directly to chief executive officer of the campus, with a copy to the faculty member.

allowed to permit the individual to prepare a defense. The individual shall be informed in detail, or by reference to published regulations, of the procedural rights to which he or she is entitled, including the right to advice of counsel.

The individual shall indicate whether he or she wishes a hearing and, if so, shall file with the chief executive officer of the campus within two weeks of the date of the mailing of the communication by the chief executive officer of the campus an answer to the statement of grounds for the proposed dismissal.

If the individual does not request a hearing, no further action shall be taken. Further, at the request of the individual the proceedings provided for herein may be terminated at any time after the request for a hearing on written notice to the chief executive officer of the employee's acquiescence in the dismissal. Similarly, the administration may drop dismissal proceedings at any stage.

3. Suspension Pending Dismissal Proceedings

Suspension of the individual from normal duties or reassignment to other duties during the proceedings will occur only if circumstances exist which threaten harm or substantial disruption to the individual, to others, or to the University. Such determination shall be made by the chief executive officer, in consultation with the President. Such suspension shall be with pay. This provision does not preclude disciplinary suspension without pay.

4. Hearing Committee

The faculty of each campus shall establish a systematically rotated panel of faculty from which hearing committees can be drawn. To hear a particular case a committee, selected from the panel in accordance with campus policies, shall be composed of faculty members of departments not involved in the dismissal.

Upon receipt from the chief executive officer of the campus of a copy of the statement of grounds for dismissal, accompanied by the individual's answer thereto, the chairperson of the hearing committee shall conduct hearings and recommend a course of action as provided in Section IV.C.5.

5. Committee Proceedings

The committee shall proceed by considering, before the time of the hearing, the statement of grounds for dismissal already formulated and the individual's written response.

In addition to the members of the committee, only the person requesting the hearing and his or her representative, the chief executive officer of the campus or

his or her designee, and a representative, and witnesses called by the committee are permitted to attend the hearing.

Charges contained in the initially formulated statement of grounds for dismissal may be supplemented at the hearing by evidence of new events occurring after the initial communication to the individual which constitute new or additional cause for dismissal. If such supplementary grounds are adduced, the committee shall provide the individual with sufficient time to prepare his or her defense.

The chief executive officer of the campus shall have the option to attend or not to attend the hearing, and he or she may select a designee to assist in developing and presenting the case. The chief executive officer or designee may be assisted by the representative in developing and presenting the case and in other matters related to the hearing.

The committee shall determine the order of proof and shall supervise the questioning of witnesses. The committee may decline to accept unnecessarily duplicative material or unduly lengthy or repetitive testimony.

The individual shall have the aid of the committee when needed in securing the attendance of witnesses. The individual or his or her representative and the chief executive officer of the campus (or designee) or his or her representative shall have the right within reasonable limits to question all witnesses who testify orally.

The committee will use its best efforts to provide an opportunity for those involved to confront all witnesses, but where this cannot be achieved despite the efforts of the hearing committee, the identity of such non-appearing witnesses, and any written evidence they may have furnished, shall be disclosed to all interested parties during the hearing.

Subject to these safeguards, written statements may, when necessary, be taken outside the hearing and reported to it. All of the evidence shall be duly recorded. These are not legal proceedings and formal rules of court procedure or evidence do not apply, but the committee shall exercise reasonable efforts to protect the rights of the parties in the receipt of evidence. For purposes of illustration, the proceedings shall be recorded digitally rather than via court reporter, and witnesses will not be sworn or subpoenaed. The ultimate objective of the hearing is consideration of the matter in a fair and efficient manner.

6. Consideration by Hearing Committee

The committee shall formulate its recommendation in private, on the basis of the hearing. Before doing so, it shall give opportunity to the individual and the chief executive officer of the campus or his or her designated representative to make oral statements before it. If written arguments are desired, the committee may request them. The committee shall make its recommendation promptly, including explicit findings with respect to each of the grounds for removal presented.

The chief executive officer of the campus and the individual shall be notified of the recommendation in writing and a copy of the record of the hearing shall be available to both parties.

A copy of the record of the hearing and the recommendations of the hearing committee shall be furnished to the President of the University for his or her decision. The decision of the President shall be transmitted to the chief executive officer of the campus and to the individual involved.

7. Consideration by Board of Trustees

If the decision of the President is appealed to the Board of Trustees, or if the Board of Trustees chooses to review the case, the President shall transmit to the Board of Trustees the full report of the hearing committee, stating its recommendation and his or her own decision. The review shall be based on the record of the previous hearing, accompanied by opportunity for argument, oral or written or both, by the principals at the hearing or by their representatives. The decision of the Board of Trustees on review shall be final. It shall be communicated to the President and through him or her to the person involved.

If the decision of the Board is that the faculty member is to be terminated, and the termination is based on unsatisfactory performance, the termination becomes effective at the conclusion of the twelve-month period from the date of the initial notice of termination. If that period has elapsed, or if the termination is based on other grounds of cause, the termination becomes effectively immediately following the Board's decision.

V. Annual Review

An annual review of the work and status of each faculty member shall be made on the basis of assigned duties and according to criteria and procedures required herein. Each year the chief academic officer of each campus shall (a) require of each chairperson an assessment of the performance of all faculty members in the academic unit, including an identification of all faculty development needs and of all problems in performance of faculty, and (b) in

consultation with the Chancellor (or chief executive officer), take steps designed to insure compliance on that campus with all criteria and procedures for annual reviews.

A. Tenured and Tenure-Track Faculty

Provided a faculty member is in substantial compliance with applicable University policies and legal requirements, the annual review of each faculty member shall provide the primary basis for the chairperson's recommendations relating to salary, promotion, granting of tenure, successive appointment, non-reappointment, and dismissal. Furthermore, this review is to provide guidance and assistance to all faculty in their professional development and academic responsibilities in the areas of teaching, scholarly and creative activity, and service.

Criteria and procedures for an annual review of all tenured and tenure-track faculty shall be adopted by each campus. As a general practice, the faculty, through its governance structure, will initiate the process of preparing such criteria and procedures, on its own or at the request of the Chancellor (or chief executive officer) of the campus. The deans and chief academic officer of the campus will then have an opportunity to give their advice regarding these criteria and procedures. Thereafter, the criteria and procedures must be submitted to the Chancellor (or chief executive officer) of the campus and the President for approval. More detailed criteria and procedures may be recommended by the faculty and chairperson of each academic unit; these criteria and procedures must be submitted to the dean, the chief academic officer of the campus, the Chancellor (or chief executive officer) of the campus, and the President for approval. All procedures for annual reviews adopted by a campus shall include provision for and details for implementation of the following:

1. Within a reasonable time after the beginning of the first appointment of each faculty member: written notification to the faculty member of the criteria, procedures, and instruments currently in use in assessing performance;
2. Within a reasonable time after the beginning of each academic year: written notification to each faculty member of that year's assignments, review schedule, and the criteria, procedures, and instruments to be used that year;
3. Reasonable opportunity for each faculty member to submit any relevant material documenting his or her professional performance to be considered in the annual review;
4. Peer evaluation, made fully available to the faculty member and those conducting the review;
5. Student evaluation of teaching, made fully available to the faculty member and those conducting the review;

6. Prior to the chairperson's completion of the annual evaluation (including any recommendations based on the evaluation) in any year: (a) a meeting between the chairperson and faculty member to discuss all issues relating to the review,¹⁴ (b) providing to that faculty member a copy of the chairperson's intended evaluation and recommendation(s), and (c) a reasonable opportunity for the faculty member to submit a written response to the annual evaluation (including any recommendations), which will to be forwarded to each subsequent level of review;
7. As long as a faculty member is employed by the University and for at least three years thereafter: maintenance of annual review forms, recommendations, associated narratives, and all other relevant materials used in or resulting from the annual reviews of that faculty member;
8. Availability to each faculty member of all writings used in or resulting from the annual reviews of that faculty member.
9. In order to maintain a high quality and productive educational environment, annual review procedures adopted at the campus level must provide for prompt, meaningful and effective means of addressing unsatisfactory faculty performance. Effective July 1, 2019, campus procedures shall require that any tenured faculty member who receives an **overall** unsatisfactory performance rating¹⁵ be placed on a remediation plan. The remediation plan shall be developed by the faculty member's academic unit in consultation with the faculty member and shall include remedial measures designed to address the overall performance deficiencies, with the expectation that carrying out the plan will lead to an **overall** satisfactory performance rating. If, in the next annual review following an **overall** unsatisfactory performance rating, the faculty member fails either to attain an **overall** satisfactory performance rating or to demonstrate meaningful progress in remediating the overall performance deficiencies, the faculty member may be issued a notice of dismissal on twelve months' notice as provided for in this policy, and subject to the procedures contained in Section IV.C.

B. Non-Tenure-Track Faculty

¹⁴ In the case of a tenured faculty member who has a satisfactory performance evaluation, a faculty member can waive the meeting requirement.

¹⁵ As part of its criteria and procedures for annual review, each campus is responsible for establishing the criteria by which an "overall" performance rating is determined.

Faculty who are not in tenure-track positions shall be evaluated by procedures adopted by each campus. Such procedures shall provide guidance and assistance to faculty in their professional development and academic responsibilities. To the extent applicable and as fully as practicable, the criteria referenced in V. A. (especially with regard to peer and student evaluations) should be utilized in developing such campus procedures. Any campus procedure developed must be submitted to the Chancellor (or chief executive officer) of the campus and to the President for approval.

_____, 2018 (Revised)
 October 2, 2001 (Revised)
 September 18, 1998 (Revised)
 August 11, 1998 (Corrected)
 June 6, 1997 (Revised)
 April 25, 1997 (Revised)
 September 16, 1994 (Revised)
 June 16, 1989 (Revised)
 January 23, 1987 (Revised)
 September 17, 1982 (Revised)
 June 18, 1982 (Revised)
 February 8, 1980 (Revised)
 April 20, 1962, and Revisions

TERMINATION OF EMPLOYMENT PERIODS

The following ~~employment periods are established provisions apply to govern employment with all campuses of the University of Arkansas on all of its campuses and in all of its programs and activities, effective for, and hereby incorporated as a part of, all personnel actions for employment to perform personal services during the period beginning July , 1983, and/or thereafter:~~

1. Administrative Employees

The President of the University shall serve at the pleasure of the Board of Trustees, unless otherwise provided by contract. -The vice presidents, members of the System staff, and the Chancellors or chief executive officers of each campus, division or unit shall serve at the pleasure of the President, unless otherwise provided by contract. Vice chancellors, associate vice chancellors, and assistant vice chancellors shall serve at the pleasure of their appropriate Chancellors, ~~unless otherwise provided by contract. Termination of employment in such positions shall be effected by a notice, in writing, thirty days in advance thereof, or chief executive officer, unless otherwise provided by contract.~~ Similarly, associate vice presidents, assistant vice presidents, and department heads shall serve at the pleasure of the Vice President for Agriculture, ~~unless otherwise provided by contract.~~ Persons in such positions are “at-will” employees and may have their employment terminated by the university for convenience at any time or may be dismissed immediately for cause.¹ Although a dismissal for cause may be effective immediately, an administrator may seek review of a for-cause dismissal in accordance with the policies of the campus, division or unit. If no review policy applies, the administrator shall have the opportunity to seek, within five (5) working days of dismissal, review of the matter to the chief executive of the campus, division, or unit, or a designee selected by the chief executive, who shall make a final decision on the for-cause termination.

2. Faculty Employees

(A) Faculty members who have been awarded tenure, ~~heretofore or hereafter,~~ have a right to continuous employment except for a disciplinary suspension, dismissal for cause (according to the procedures in Section IV., C. of Board Policy No. 405.1) or for termination in the event of demonstrably bona fide financial exigency, reduction or elimination of programs, retirement, ~~or~~ resignation or job abandonment.

¹ When a tenured faculty member is serving in an administrative position as contemplated by this section, only the tenured faculty member’s administrative position is “at-will”.

(B) Faculty members in tenure-track positions ~~(assistant professor, associate professor, professor, distinguished professor, and University professor)~~² who have not yet been awarded tenure, ~~heretofore or hereafter~~, may be terminated ~~effective~~ at the end of a ~~year~~ the appointment period by a written notice, given in advance, according to the following schedule of time: ~~(a) in~~

~~For the first year of his/her employment, not less than 90 days before the employment ceases; (b) in service, not later than March 1, if the appointment expires at the end of that academic year; or at least three months in advance of its termination if the appointment expires at some other time during the year.~~

~~For the second year of his/her employment service, not less later than 180 days before the employment ceases; and (c) not later than December 15, if the appointment expires at the end of that academic year; or at least six months in advance of its termination if an appointment expires at some other time during the year.~~

~~After the second year of service, at least twelve months before the expiration of the employment after the employment has continued for two or more consecutive years. "Year" terminal appointment. The terminal appointment will be either fiscal year (July 1 through June 30 next) or academic year (fall and spring semester of the same fiscal year). For purposes of (c) above, the employment for the last year shall be for an for the academic or fiscal year, according to the employment period previously served appointment last held by the individual.~~

These termination notice periods are those specified under IV.B., "Non-Reappointment,"~~""~~, in Board Policy ~~No.~~ 405.1.- In addition to termination as outlined here, these employees may be dismissed for cause, or terminated in the event of demonstrably bona fide financial exigency, reduction or elimination of programs, retirement , ~~or~~ resignation, or job abandonment pursuant to Board Policy ~~No.~~ 405.1.

(C) Clinical or other non-tenure track faculty who have received a multi-year term appointment under merit-based campus procedures approved by the President, may be terminated upon the expiration of their appointment or under campus procedures for such purpose, or they may be dismissed for cause by written notice of the chief academic officer of the campus, division, or unit, following verbal or written notice and opportunity to respond. Although the dismissal for cause may be effective immediately, the faculty member may, within five (5) working days of dismissal, appeal such termination directly to the Chancellor or chief executive officer of the campus, division or unit, with such decision to be final, or appeal in accordance with the grievance policies of the campus, division or unit. Further, such faculty may be terminated in the event of demonstrably bona fide financial exigency, reduction or elimination of programs, retirement, resignation or job abandonment. Terminations for bona fide financial exigency, reduction or elimination of programs, retirement, resignation or job abandonment are not appealable or grievable events.

² See definition in Board Policy 405.1.

(D) Other faculty members and other academic employees in positions for which tenure may not be awarded (part-time faculty in the ranks of assistant professor, associate professor, professor, University professor, and distinguished professor, ~~and University professor~~; clinical, research, teaching adjunct, or visiting faculty; research associates or research assistants; ~~graduate associates, graduate assistants,~~ instructors, assistant advanced instructors, senior instructor, master lecturers and lecturers; executive in residence; professor of practice and faculty in clinical attending positions at the University of Arkansas for Medical Sciences notwithstanding that such faculty may be designated as assistant professor, associate professor or professor) ~~may be terminated at any time, or dismissed for cause under the procedures of Board Policy No. 405.1. Termination is effected through the giving of a notice, in writing, of that action at least sixty~~ are considered "at will" employees and may be terminated for convenience at any time, or dismissed for cause by written notice by the chief academic officer or other senior designee of the campus, division or unit, following verbal or written notice and opportunity to respond. Although a dismissal for cause may be effective immediately, employees under this section may seek review of a for-cause dismissal in accordance with the review policies of the campus, division or unit. If no review policy applies, these employees shall have the opportunity to seek, within five (5) working days of dismissal, review of the matter to the chief executive of the campus, division, or unit, or a designee selected by the chief executive, who shall make a final decision on the for-cause termination. For appointments through June 30, 2018, termination for convenience is effected by giving written notice at least sixty (60) days in advance of the date the employment is to cease. Thereafter, termination for convenience is effected by giving written notice at least thirty (30) days in advance of the date the employment is to cease.

3. Staff Employees-Appointed or Regular Positions

~~All staff employees of the University, whether full-time, part-time, extra help, or otherwise, may be terminated at any time or be dismissed for cause under University procedures. Termination is effected through the giving of a notice, in writing, of that action at least thirty days in advance of the date the employment is to cease.~~

4. Students and Hourly Employees

~~Students~~ All classified and non-classified staff employees of the university, whether full-time or part-time, who are appointed or hold regular positions, are "at-will" employees and may have their employment terminated by the university for convenience at any time or may be dismissed immediately for cause. In the case of grant termination or loss of appropriated funds, termination may be immediate. Although a dismissal for cause may be effective immediately, a staff member may seek review of a for-cause dismissal in accordance with the review policies of the campus, division or unit. If no review policy applies, the staff member shall have the opportunity to seek, within five (5) working days

of dismissal, review of the matter to the chief executive of the campus, division, or unit, or a designee selected by the chief executive, who shall make a final decision on the for-cause termination.

4. All Other Employees and Student Workers (excluding Graduate Assistants)

All other employees (for example, temporary and hourly employees are hired to work at the pleasure of the University and, therefore, who do not hold an appointed or regular position) and student workers (excluding Graduate Assistants, who are addressed in Board of Trustees Policy 500.1) may be terminated at any time without ~~notice~~ advance written notice. While advance written notice is not required, termination should be communicated to the employees and documented.

5. Procedure

~~The President shall approve procedures to be followed at each~~Each campus, division or unit of the University ~~for the utilization~~may establish procedures, which are consistent with any applicable Board Policies, University of Arkansas Systemwide Policies and Procedures, and laws, for processing ~~of personnel action forms for each employee or for such other system or method of electronic or data entry record keeping or automated~~actions and similar employment-related information ~~system~~ for all employees. ~~The procedures shall be designed to indicate for each employee the employee's title, salary amount and the fact of current employment with the University subject to this Board Policy on Employment Periods. The procedures shall also provide a means, and~~ for communicating this information to employees.

~~It is the sense of the Board of Trustees that the establishment, in one Board Policy and procedure, of the periods of employment for all University employees will serve to clarify rights and obligations of such employees, reduce administrative time, effort, and expense in processing unnecessary personnel action forms which are duplicative in nature, make employment periods more flexible so that the expense of personal services may be more responsive to financial resources available to the University at any one time, and will assist in the proper management of the University.~~

2018 (Revised)

September 18, 1998 (Revised)
 April 18, 1998 (Revised)
 September 16, 1994 (Revised)
 March 27, 1989 (Corrected)
 January 23, 1987 (Revised)
 July 19, 1983 (Corrected)

April 15, 1983 (Revised)
January 7, 1983

TERMINATION OF EMPLOYMENT

The following provisions apply to all campuses of the University of Arkansas and its programs and activities.

1. Administrative Employees

The President of the University shall serve at the pleasure of the Board of Trustees, unless otherwise provided by contract. The vice presidents, members of the System staff, and the Chancellors or chief executive officers of each campus, division or unit shall serve at the pleasure of the President, unless otherwise provided by contract. Vice chancellors, associate vice chancellors, and assistant vice chancellors shall serve at the pleasure of their appropriate Chancellors or chief executive officer, unless otherwise provided by contract. Similarly, associate vice presidents, assistant vice presidents, and department heads shall serve at the pleasure of the Vice President for Agriculture, unless otherwise provided by contract. Persons in such positions are "at-will" employees and may have their employment terminated by the university for convenience at any time or may be dismissed immediately for cause.¹ Although a dismissal for cause may be effective immediately, an administrator may seek review of a for-cause dismissal in accordance with the policies of the campus, division or unit. If no review policy applies, the administrator shall have the opportunity to seek, within five (5) working days of dismissal, review of the matter to the chief executive of the campus, division, or unit, or a designee selected by the chief executive, who shall make a final decision on the for-cause termination.

2. Faculty Employees

- (A) Faculty members who have been awarded tenure have a right to continuous employment except for a disciplinary suspension, dismissal for cause (according to the procedures in Section IV., C. of Board Policy No. 405.1) or for termination in the event of demonstrably bona fide financial exigency, reduction or elimination of programs, retirement, resignation or job abandonment.
- (B) Faculty members in tenure-track positions² who have not been awarded tenure, may be terminated at the end of the appointment period by a written notice, given in advance, according to the following schedule of time:

For the first year of service, not later than March 1, if the appointment expires at the end of that academic year; or at least three months in advance of its termination if the appointment expires at some other time during the year.

¹ When a tenured faculty member is serving in an administrative position as contemplated by this

² See definition in Board Policy 405.1.

For the second year of service, not later than December 15, if the appointment expires at the end of that academic year; or at least six months in advance of its termination if an appointment expires at some other time during the year.

After the second year of service, at least twelve months before the expiration of the terminal appointment. The terminal appointment will be for the academic or fiscal year, according to the appointment last held by the individual.

These termination notice periods are those specified under IV.B., "Non-Reappointment", in Board Policy 405.1. In addition to termination as outlined here, these employees may be dismissed for cause, or terminated in the event of demonstrably bona fide financial exigency, reduction or elimination of programs, retirement, resignation, or job abandonment pursuant to Board Policy 405.1.

- (C) Clinical or other non-tenure track faculty who have received a multi-year term appointment under merit-based campus procedures approved by the President, may be terminated upon the expiration of their appointment or under campus procedures for such purpose, or they may be dismissed for cause by written notice of the chief academic officer of the campus, division, or unit, following verbal or written notice and opportunity to respond. Although the dismissal for cause may be effective immediately, the faculty member may, within five (5) working days of dismissal, appeal such termination directly to the Chancellor or chief executive officer of the campus, division or unit, with such decision to be final, or appeal in accordance with the grievance policies of the campus, division or unit. Further, such faculty may be terminated in the event of demonstrably bona fide financial exigency, reduction or elimination of programs, retirement, resignation or job abandonment. Terminations for bona fide financial exigency, reduction or elimination of programs, retirement, resignation or job abandonment are not appealable or grievable events.
- (D) Other faculty members and other academic employees in positions for which tenure may not be awarded (part-time faculty in the ranks of assistant professor, associate professor, professor, University professor, and distinguished professor; clinical, research, teaching adjunct, or visiting faculty; research associates or research assistants; instructors, advanced instructors, senior instructor, master lecturers and lecturers; executive in residence; professor of practice and faculty in clinical attending positions at the University of Arkansas for Medical Sciences notwithstanding that such faculty may be designated as assistant professor, associate professor or professor) are considered "at will" employees and may be terminated for convenience at any time, or dismissed for cause by written notice by the chief academic officer or other senior designee of the campus, division or unit, following verbal or written notice and opportunity to respond. Although a dismissal for cause may be effective immediately, employees under this section may seek review of a for-cause dismissal in accordance with the review policies of the campus, division or unit. If no review policy applies, these employees shall have the opportunity to seek, within five (5) working days of dismissal, review of the matter to the chief executive of the campus, division, or unit, or a designee selected by the chief executive, who shall make a final decision on the for-cause termination.

For appointments through June 30, 2018, termination for convenience is effected by giving written notice at least sixty (60) days in advance of the date the employment is to cease. Thereafter, termination for convenience is effected by giving written notice at least thirty (30) days in advance of the date the employment is to cease.

3. Staff Employees-Appointed or Regular Positions

All classified and non-classified staff employees of the university, whether full-time or part-time, who are appointed or hold regular positions, are "at-will" employees and may have their employment terminated by the university for convenience at any time or may be dismissed immediately for cause. In the case of grant termination or loss of appropriated funds, termination may be immediate. Although a dismissal for cause may be effective immediately, a staff member may seek review of a for-cause dismissal in accordance with the review policies of the campus, division or unit. If no review policy applies, the staff member shall have the opportunity to seek, within five (5) working days of dismissal, review of the matter to the chief executive of the campus, division, or unit, or a designee selected by the chief executive, who shall make a final decision on the for-cause termination.

4. All Other Employees and Student Workers (excluding Graduate Assistants)

All other employees (for example, temporary and hourly employees who do not hold an appointed or regular position) and student workers (excluding Graduate Assistants, who are addressed in Board of Trustees Policy 500.1) may be terminated at any time without advance written notice. While advance written notice is not required, termination should be communicated to the employees and documented.

5. Procedure

Each campus, division or unit of the University may establish procedures, which are consistent with any applicable Board Policies, University of Arkansas Systemwide Policies and Procedures, and laws, for processing personnel actions and similar employment-related information for all employees, and for communicating this information to employees.

_____ 2018_ (Revised)
September 18, 1998 (Revised)
April 18, 1998 (Revised)
September 16, 1994 (Revised)
March 27, 1989 (Corrected)
January 23, 1987 (Revised)
July 19, 1983 (Corrected)
April 15, 1983 (Revised)
January 7, 1983

UNIVERSITY AND DISTINGUISHED PROFESSORSHIPS

~~The rank of distinguished professor~~The University of Arkansas acknowledges outstanding faculty through conferring the ranks of "University Professor" and "Distinguished Professor." These ranks are granted pursuant to Board Policy 405.1, governing Promotions and Tenure, and require Board approval. Promotion to the rank University Professor or Distinguished Professor is reserved for only a few and the very best faculty in recognition of sustained excellence in the performance of their duties. Faculty members holding these ranks are expected to conduct themselves in a manner commensurate with the status and importance of these positions in order to continue to hold these ranks.

Faculty who hold named or endowed professorships that contain the word "university" or "distinguished" in their title but whose appointments into such positions did not require Board approval as required pursuant to Board Policy 405.1 do not hold the rank of University Professor or Distinguished Professor as contemplated in this policy. Appointments for such professorships are subject to the policies and procedures for conferring the award established by a particular campus.¹

Each campus shall be responsible for establishing policies and procedures for promotions to the rank of University and Distinguished Professorships, consistent with the principles set forth below:

University Professor

The rank of University Professor is conferred only upon active faculty in recognition of an extended period of exemplary service in a spirit of collegiality at the faculty member's campus and a combination of service in their profession and to the public through their professional activities.

Appointments to this rank shall be made only when the faculty member has demonstrated an extended period of documented exemplary service to the campus and has gained wide recognition at the national or international level for sustained excellence in service, teaching, research or creative activity germane to the faculty member's respective discipline and academic role while serving as a member of the faculty of the campus.

¹ Action taken by the Board to approve a salary over line item maximum (LIM) from an endowment or private fund that is associated with the named or endowed professorship does not constitute Board action pursuant to 405.1 for purposes of conferring the rank of University or Distinguished Professor.

The rank of University Professor is limited to active tenured faculty who hold the rank of Professor, or incoming faculty who will be awarded tenure and who hold credentials of similar merit from another university or other venues.

Distinguished Professor

The rank of Distinguished Professor is to be reserved for those individuals who are recognized nationally and internationally as intellectual leaders in their academic disciplines for extraordinary accomplishments in teaching~~;~~, published works, research, ~~or~~ creative accomplishments in the performing arts~~;~~ or other endeavors, and who have gained such recognition for distinction at this or another university prior to appointment as distinguished professors.

Appointments to this rank shall be made only when clear indication exists that individuals so appointed will provide exemplary academic and intellectual leadership and continue their professional activities in such a way as to maintain national and international recognition and a commensurate level of accomplishment.

The rank of Distinguished Professor is limited to active tenured faculty who hold the rank of Professor or University Professor, or incoming faculty who will be awarded tenure and who hold credentials of similar merit from another university or other venues.

, 2018 (Revised)

September 19, 1980 (Revised)

May 7, 1955

UNIVERSITY AND DISTINGUISHED PROFESSORSHIPS

The University of Arkansas acknowledges outstanding faculty through conferring the ranks of "University Professor" and "Distinguished Professor." These ranks are granted pursuant to Board Policy 405.1, governing Promotions and Tenure, and require Board approval. Promotion to the rank University Professor or Distinguished Professor is reserved for only a few and the very best faculty in recognition of sustained excellence in the performance of their duties. Faculty members holding these ranks are expected to conduct themselves in a manner commensurate with the status and importance of these positions in order to continue to hold these ranks.

Faculty who hold named or endowed professorships that contain the word "university" or "distinguished" in their title but whose appointments into such positions did not require Board approval as required pursuant to Board Policy 405.1 do not hold the rank of University Professor or Distinguished Professor as contemplated in this policy. Appointments for such professorships are subject to the policies and procedures for conferring the award established by a particular campus.¹

Each campus shall be responsible for establishing policies and procedures for promotions to the rank of University and Distinguished Professorships, consistent with the principles set forth below:

University Professor

The rank of University Professor is conferred only upon active faculty in recognition of an extended period of exemplary service in a spirit of collegiality at the faculty member's campus and a combination of service in their profession and to the public through their professional activities.

Appointments to this rank shall be made only when the faculty member has demonstrated an extended period of documented exemplary service to the campus and has gained wide recognition at the national or international level for sustained excellence in service, teaching, research or creative activity germane to the faculty member's respective discipline and academic role while serving as a member of the faculty of the campus.

The rank of University Professor is limited to active tenured faculty who hold the rank of Professor, or incoming faculty who will be awarded tenure and who hold credentials of similar

¹ Action taken by the Board to approve a salary over line item maximum (LIM) from an endowment or private fund that is associated with the named or endowed professorship does not constitute Board action pursuant to 405.1 for purposes of conferring the rank of University or Distinguished Professor.

merit from another university or other venues.

Distinguished Professor

The rank of Distinguished Professor is to be reserved for those individuals who are recognized nationally and internationally as intellectual leaders in their academic disciplines for extraordinary accomplishments in teaching, published works, research, creative accomplishments in the performing arts or other endeavors, and who have gained such recognition for distinction at this or another university prior to appointment as distinguished professors.

Appointments to this rank shall be made only when clear indication exists that individuals so appointed will provide exemplary academic and intellectual leadership and continue their professional activities in such a way as to maintain national and international recognition and a commensurate level of accomplishment.

The rank of Distinguished Professor is limited to active tenured faculty who hold the rank of Professor or University Professor, or incoming faculty who will be awarded tenure and who hold credentials of similar merit from another university or other venues.

, 2018 (Revised)
September 19, 1980 (Revised)
May 7, 1955

GRADUATE ASSISTANTS: TERMINATION OF APPOINTMENTS

~~Graduate Assistants.~~ Graduate assistants;¹ graduate associates;¹ and teaching assistants (hereinafter collectively referred to as “graduate assistants”) assist with University programs and research but are first and foremost students. Subject to the procedures set out below, their appointments may be terminated at any time for convenience, or ~~dismissed~~ for cause, or due to abandonment of the assistantship, or may be terminated following notice for unsatisfactory performance.

- (A) Termination for convenience shall be effected by giving written notice, at least sixty~~thirty~~ (630) days in advance of the end of the appointment.
- (B) With respect to dismissal for cause¹, excluding unsatisfactory work performance as defined in this policy, dismissal shall be effective immediately upon notification, and no advance notice shall be required, although the graduate assistant may seek post-termination review of the action pursuant to the campus grievance procedures for graduate students.
- (C) Termination due to abandonment of the assistantship shall be effective immediately upon notification.
- (DE) With respect to ~~other forms of~~ unsatisfactory work performance, graduate assistants shall be given written notice of the possibility of termination, with a statement of actions pertaining to the duties of the assistantship to be taken within a specific time period to achieve satisfactory performance. These expectations must be appropriate to the nature of the appointment. If a graduate assistant so notified does not meet the requirements of satisfactory performance within the time frame specified, the student may be terminated from his or her appointment immediately.
- (ED) In the case of grant termination or loss of appropriated funds, termination may be immediate or with reduced notice.

For purposes of this policy, expiration of appointment, or non-reappointment, is not a termination. Further, “graduate assistant” refers to all of those graduate students who are receiving a stipend and/or tuition benefits in exchange for duties associated with a University department or unit. These positions may be referred to as graduate associates, graduate assistants, senior graduate assistants, teaching assistants, fellows, or the like.

¹ For purposes of this policy, grounds to terminate the appointment of a graduate assistant for cause include, but are not limited to those examples set out in Board Policy 405.1, which applies to faculty .

GRADUATE ASSISTANTS: TERMINATION OF APPOINTMENTS

Graduate assistants, graduate associates, and teaching assistants (hereinafter collectively referred to as “graduate assistants”) assist with University programs and research but are first and foremost students. Subject to the procedures set out below, their appointments may be terminated at any time for convenience or for cause, or due to abandonment of the assistantship, or may be terminated following notice for unsatisfactory performance.

- (A) Termination for convenience shall be effected by giving written notice, at least sixty (60) days in advance of the end of the appointment..
- (B) With respect to dismissal for cause¹, excluding unsatisfactory work performance, dismissal shall be effective immediately upon notification, and no advance notice shall be required, although the graduate assistant may seek post-termination review of the action pursuant to the campus grievance procedures for graduate students.
- (C) Termination due to abandonment of the assistantship shall be effective immediately upon notification.
- (D) With respect to [1]unsatisfactory work performance, graduate assistants shall be given written notice of the possibility of termination, with a statement of actions pertaining to the duties of the assistantship to be taken within a specific time period to achieve satisfactory performance. These expectations must be appropriate to the nature of the appointment. If a graduate assistant so notified does not meet the requirements of satisfactory performance within the time frame specified, the student may be terminated from his or her appointment immediately.
- (E) In the case of grant termination or loss of appropriated funds, termination may be immediate or with reduced notice.

For purposes of this policy, expiration of appointment, or non-reappointment, is not a termination. Further, “graduate assistant” refers to all of those graduate students who are receiving a stipend and/or tuition benefits in exchange for duties associated with a University department or unit. These positions may be referred to as graduate associates, graduate assistants, senior graduate assistants, teaching assistants, fellows, or the like.

¹ For purposes of this policy, grounds to terminate the appointment of a graduate assistant for cause include, but are not limited to those examples set out in Board Policy 405.1, which applies to faculty.