

## FACULTY TENURE AND PROMOTION

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### A. Purpose

The purpose of this policy is to specify procedures regarding reappointments of tenure-track faculty and the award of tenure or promotions at The University of Texas Rio Grande Valley (UTRGV).

### B. Persons Affected

This policy applies to UTRGV tenure-track and tenured faculty.

### C. Policy

UTRGV is committed to awarding tenure to or promoting those faculty whose work achieves a high standard of excellence and who demonstrate, through the performance of their duties, a sustained commitment to professionalism and UTRGV's mission. Recommendations for promotion or for tenure are expected to recognize and reward faculty with records of sustained professional accomplishment that contribute to the university mission.

### D. Procedures Related to Criteria, Probationary Periods, Ethics/Confidentiality, and Appointments

#### 1. *General Provisions for Reappointment, Tenure, and Promotion*

- a. These policies concerning reappointment of tenure-track faculty during the stated period of appointment, tenure, and promotion at UTRGV are intended to be consistent with the policies set forth in Rule 31007, Tenure; Rule 31008, Termination of a Faculty Member; Rule 31002, Notice of Nonrenewal to Non-tenured Faculty Members; and Rule 31001, Faculty Appointments and Titles, of the *Rules and Regulations* of the Board of Regents of The University of Texas System.
- b. In accordance with and to the extent provided by applicable state and federal laws and regulations, appointment, non-reappointment, tenure, and promotion policies for faculty at UTRGV are without regard to race, color, sex, religion, national origin, age, disability, genetic information, veteran status, sexual orientation, gender identity, and gender expression.
- c. UTRGV is committed to retaining and promoting faculty whose work reflects excellence and who demonstrate a commitment to professionalism and to the university's mission and vision. UTRGV receives guidance from the American Association of University Professors (AAUP) [Statement on Professional Ethics](#), originally adopted in 1966, and revised in 1987 and 2009, in determining standards for professionalism.

- d. The purpose of promotion at UTRGV is to recognize and reward faculty for sustained professional accomplishments that also demonstrate their potential for continued contributions to the university's mission and vision.
- e. Consistent with Regents' Rule 31102 Evaluation of Tenured Faculty, Section 2, UTRGV recognizes the time-honored practice of tenure for university faculty as an important protection of free inquiry, open intellectual and scientific debate, and unfettered criticism of the accepted body of knowledge. Academic institutions have a special need for practices that protect freedom of expression, since the core of the academic enterprise involves a continual reexamination of ideas. Academic disciplines thrive and grow through critical analysis of conventions and theories. Throughout history, the process of exploring and expanding the frontiers of learning has necessarily challenged the established order. That is why tenure is so valuable, not merely for the protection of individual faculty members but also as an assurance to society that the pursuit of truth and knowledge commands our first priority. Without freedom to question, there can be no freedom to learn.

Furthermore, tenure at UTRGV is to retain the best qualified faculty and enable them to meet their ethical and professional responsibilities. The granting of tenure is not solely a reward for performance during the probationary period; rather, it is a deliberate act taken after comprehensive evaluation of the faculty member's past performance and potential for future performance.

- i. Tenure denotes a status of continuing appointment as a member of the faculty at UTRGV. Tenured faculty shall remain tenured until retirement or resignation unless terminated because of: (1) abandonment of academic programs (Regents' Rule 31003 Abandonment of Academic Positions or Programs, Section 2); (2) financial exigency (Regents' Rule 31003 Abandonment of Academic Positions or Programs, Section 3); or good cause (Regents' Rule 31008 Termination of a Faculty Member, Section 1).
- ii. Non-tenured members of the faculty with the academic title of "assistant professor" are tenure-eligible and will normally be designated as "tenure-track" faculty.
- iii. Only members of the faculty with the academic titles of Professor or Associate Professor may hold tenure. When an Assistant Professor is granted tenure, he or she will also be promoted to Associate Professor.
- iv. Tenure may be granted at the time of initial hiring and appointment to the rank of associate professor or professor, if all of the following conditions are met.

1. The individual has an outstanding record of achievement in teaching, research/scholarship and service that warrants immediate tenure.
2. The individual is recommended for immediate tenure by a majority of the department's tenured faculty, department chair, college dean, appropriate Executive Vice President (EVP), and the President; and the recommendation is approved by the Executive Vice Chancellor for Academic Affairs and the UT System Board of Regents.

## 2. *Probationary Period and Academic Service*

- a. Only full-time academic service as a tenure-track faculty member shall be counted toward fulfillment of a required probationary period related to the award of tenure in accordance with the following.
  - i. If a faculty member is initially appointed at UTRGV after the academic year has started, the period of service from the date of appointment until the beginning of the following academic year shall not be counted toward fulfillment of the maximum probationary period. However, at the request of the faculty member and with the approval of the Dean and appropriate EVP, any work that occurs after the first date of employment shall be counted toward meeting tenure requirements.
  - ii. One year of probationary service is accrued by full-time academic service during any academic year.
  - iii. A faculty member shall be considered to be on full-time academic service when in full compliance with Regents' *Rules and Regulations* and institutional standards pertaining to minimum faculty workloads. See HOP ADM 6-501, Faculty Workload.
- b. *Leaves of Absence.* Periods during which tenure-track faculty are on approved leave of absence shall not be counted in the calculation of the probationary period unless the faculty member requests otherwise in writing and the request is approved by the faculty member's department chair, college dean, and the appropriate EVP.
- c. *Prior Academic Service.* Any prior academic achievements at other academic institutions, whether inside or outside the UT System, shall not be counted toward fulfillment of the required probationary period, unless the faculty member is successful in negotiating credit toward completion of the probationary period for previous experience. Any years of credit must be specified in writing in the Letter of Offer, to include the semester and year in which the final tenure evaluation for the recommendation to award or deny tenure will be made. A copy of this letter must be included in the application for tenure.

- d. *Maximum Period of Probationary Service.* The probationary period for tenure-track faculty is normally six (6) years of full-time academic service (including credit for all academic work and achievements at other institutions as specified in the Letter of Offer), although extensions may be granted (see Section D.2.e). Tenure-track faculty members normally apply for tenure and promotion at the beginning of the sixth academic year following institutional deadlines. Successful candidates will be promoted and granted tenure beginning with the subsequent academic year. As per *Regents' Rule 31007*, unsuccessful candidates will be notified no later than thirty (30) calendar days prior to the end of the sixth (6th) academic year of probationary service that the subsequent academic year will be the terminal year of employment.
- e. *Extension of Maximum Probationary Period.* *Regents' Rule 31007* permits extensions of the maximum probationary period under some circumstances, but does not mandate that such extensions be automatic or obligatory.
  - i. Personal circumstances that may justify an extension include, but are not limited to:
    1. Illness of the faculty member;
    2. Status of the faculty member as a principal caregiver of a preschool child; or
    3. Status of the faculty member as a principal caregiver of a disabled, elderly or ill member of the family.
    4. In cases where years of credit from another institution is granted in the Letter of Offer, faculty may opt out of this credit following the process for request for extension as discussed immediately below.
  - ii. It is the responsibility of the tenure-track faculty member to request an extension and provide appropriate documentation to demonstrate why the request should be granted following the procedures in Section D.2.e.5 of this policy. An extension of the probationary period is not automatic, but may be granted based on a process and procedures that are fair, equitable, and humane.
  - iii. An extension shall be limited to one academic year. A tenure-track faculty member may request a second academic year's extension, but must follow the established request process in Section D.2.e. of this policy, and approval and denial will not be dictated by the prior decision. The maximum cumulative duration of extensions is two academic years, whether consecutive or nonconsecutive.
  - iv. Requests for extension may be made at any time during the probationary period but no later than three months prior to the deadline for initiation of the mandatory tenure review. The final decision regarding the request shall be made by the appropriate EVP.

- v. Faculty whose request for extension is approved shall not be penalized in any way for having been given an extension of their probationary period, nor can having requested an extension be counted against the faculty in any annual evaluation or the final tenure or promotion evaluation. Any evidence of penalization may be grieved under the ADM 06-111 Faculty Grievances and may be included in any requests for reconsideration under Section E.3 or E.4. of this policy.
- vi. The faculty member granted an extension may elect not to use the extension by notifying the chair and dean, in writing, of this decision. The dean shall notify the appropriate EVP.

### 3. *Evaluation Standards/Criteria*

- a. Tenure-track faculty and faculty applicants for tenure and promotion will be evaluated based on accomplishments and contributions in teaching, research/scholarship/creative activities, and service (e.g., to UTRGV, the profession, and external communities).
- b. In addition to meritorious accomplishments, successful applicants for promotion or tenure must demonstrate a high potential for continued excellence and effectiveness.
- c. In order to earn promotion or tenure, a faculty member must have a demonstrated, consistent record of productivity in the areas under review. Guidelines and policies for the evaluation should take into account the interconnectedness of these activities, the fact that the nature of the emphasis of a faculty member's contribution to the mission of UTRGV may shift at appropriate times of the individual's career, and that each of these areas is essential for the success of the institution and for the success of its students.
- d. Each department shall develop and revise its own evaluation standards/criteria, via an elected committee of tenured/tenure-track faculty, in line with institutional goals and ADM 06-502 Annual Faculty Evaluation. These shall be approved by the department faculty, department chair, college dean, and the appropriate EVP.
- e. Meeting the department's basic evaluation requirements/criteria does not by itself ensure tenure or promotion; however, failure to meet the basic evaluation standards/criteria as determined via institutional processes will result in ineligibility for tenure or promotion.
- f. Revisions of a department's basic tenure or promotion evaluation standards/criteria during any tenure-track member's probationary period will not be applicable to that faculty member for two full academic years after official adoption unless that faculty member chooses to be governed by the changes, and affirms that choice in writing to the chair. To assure equitable reviews of tenure-track faculty affected by revisions in the standards/criteria, all review levels shall take into account when the changes occurred in the faculty member's probationary period when assessing their dossiers.

- g. If multiple departments are combined into a single department, then faculty of the combined department will have the choice of being evaluated by the legacy criteria of the appropriate department. The process to develop unified criteria should be completed within two academic years after the formation of the new department.
- h. If a department is divided into two or more departments, the tenure and promotion criteria of the new departments will be the same as the criteria of the parent department or school unless otherwise approved by the faculty of the new department following procedures described above in this subsection.

#### 4. *Categories of Evaluation Standards/Criteria*

##### a. *Teaching*

- i. Teaching activities may include, but are not limited to:
  - 1. Classroom and laboratory instruction;
  - 2. Development of new courses, laboratories, and teaching methods;
  - 3. Development or publication of instructional materials;
  - 4. Supervision of undergraduate, graduate, or medical students, or postdocs;
  - 5. Mentoring, advising, and coaching students;
  - 6. Community engagement activities pertaining to teaching/instruction, such as service learning, student research (including community-based research), and internships/co-ops;
  - 7. Competitive funding for instructional/pedagogical development; and
  - 8. Implementation of tools/practices acquired through professional development workshops.
- ii. Effective teaching is a necessary prerequisite for promotion or tenure.
- iii. Effective teaching by multiple indicators including, but not limited to, performance on student evaluations, peer observation of teaching, pedagogical preparations, and teaching-related awards over the full period under review. Student evaluations will be assessed based on the average rating over all responses to all questions and over all courses during the evaluation period.

b. *Research/Scholarship/Creative Activities*

- i. Research/scholarship/creative activities are characterized by the creation and dissemination of new knowledge or other creative works and activities including, but not limited to:
  1. All peer-reviewed publications of the faculty member's research that have been published or accepted for publication in department-determined appropriate outlets within the evaluation period will count towards satisfying the expectations for tenure and promotion;
  2. Visual or other artistic contributions in competitive regional and national exhibitions;
  3. Adjudicated performances;
  4. Development of intellectual property such as patents and licenses;
  5. Competitive, external research funding;
  6. Community-based participatory research; and.
  7. Other community-based research/scholarly/creative activities appropriate to the faculty member's academic discipline.
- ii. Tenure-track faculty must be engaged in scholarship/research or creative activity beyond their dissertations by the time they apply for tenure or promotion.
- iii. Associate professors applying for promotion to professor must have a sustained research program and a substantial body of publications or equivalent creative works with a demonstrated impact on the field in addition to the work they previously presented for promotion to associate professor.
- iv. Excellence in research and creative activity is defined by a variety of factors, including but not limited to, the quality, significance, impact, and quantity of publications and creative works, as judged by peer review. For purposes of this standard, peer review includes review/adjudication by independent and external nationally and internationally recognized experts in the faculty member's field. Thus, evaluations of the research/scholarship/creative activities shall be based on a variety of factors, with special attention to quality, significance, and contextual impact.

c. *Service*

- i. Service activities shall include, but are not limited to:

1. Service to students, colleagues, the department, college, and university;
  2. Service to the profession, including academic or professionally related service to disciplinary-based societies, editorial boards, and other educational entities and extended education;
  3. Professionally-related service and outreach to the community, state, nation, and beyond;
  4. Patient care; and
  5. Service that integrates social justice, civic responsibility, innovation, and sustainable development.
- ii. Tenure-track faculty should contribute to department and college/university service, particularly those in the later stages of their tenure-track positions.
  - iii. Faculty seeking promotion to professor must demonstrate substantial service beyond the assistant professor level, including but not limited to significant service roles outside the university at the national or international levels.
  - iv. Excellence in service is defined by a variety of factors, including but not limited to, the quality, significance, and impact of the contributions to students, colleagues, the department, college, university, community, and profession.
5. *Professional Responsibilities, Ethical Standards, and Confidentiality*
- a. It is incumbent on each person involved in the review process to: adhere to the highest standards of ethical and professional conduct; focus on factual information; avoid practices that would conflict with the ability to be fair and unbiased; and guard against inaccuracies caused by either undue emphasis or omission of information.
  - b. All those involved in the review process are responsible for reading all tenure-track, tenure, or promotion materials; reviewing and evaluating the applicant's performance on each of the performance criteria thoroughly; and participating in committee discussions and formulating of committee recommendations.
  - c. Abstentions should be exercised only in limited and unusual circumstances, including if a conflict of interest exists.
  - d. Absentee voting is not permitted.



- e. All individuals involved in the review process are expected to maintain the confidentiality of the material under review, the substance of review committee discussions, and the final recommendation. Records related to the review process will be kept confidential to the extent permitted by law. Any person who knowingly and intentionally makes an unauthorized disclosure of confidential review information is subject to disciplinary action.
6. *Appointments and Reappointments Approval and Notices*
- a. No non-tenured member of the faculty shall expect continued employment beyond the period of his or her current appointment. Any commitment to employ a non-tenured faculty member beyond the period of his or her current appointment shall have no force and effect until approved by the President.
  - b. Reappointment of tenure-track faculty members to a succeeding academic year, or the award of tenure, may be accomplished only by notice by the appropriate EVP or President. No person shall be deemed to have been reappointed or to have been awarded tenure because notice is not given or received by the time prescribed in Regents' Rule 31007 Tenure, Section 5, or in the manner prescribed in Regents' Rule 31002 Notice of Nonrenewal to Nontenured Faculty Members, Sections 1 and 2.
  - c. Unless the faculty member is dismissed for good cause under Regents' Rule 31008 Termination of a Faculty Member, the appropriate EVP shall provide written notice of any decision not to reappoint the faculty member under the following schedule:
    - i. Not later than March 1<sup>st</sup> of the first academic year of probationary service if the appointment expires at the end of the academic year;
    - ii. Not later than December 15<sup>th</sup> of the second academic year of probationary service if the appointment expires at the end of the academic year;
    - iii. After two or more academic years, at least 30 days before the end of the current academic year stating that subsequent year shall be the terminal academic year of appointment in accordance with Section 51.943 of the Texas Education Code (unless dismissal is for good cause).
    - iv. Full-time faculty members who are notified that they will not be reappointed or that the subsequent academic year will be the terminal year of appointment shall not be entitled to a statement of the reasons upon which the decision for such action is based. Such a decision shall only be subject to review and appeal pursuant to the procedures listed under Section E.4 below.

7. *Appointments at Other Institutions.*

- a. Appointments at UTRGV to the titles specified in Sections D.1.e.ii and D.1.e.iii shall be conditioned upon the appointee having resigned any tenure-track or tenured position that the appointee may then hold on the faculty of another educational institution. Such resignation must be completed and effective prior to the effective date of the appointment at UTRGV; otherwise, such appointment at UTRGV shall be void and of no effect.
- b. The acceptance of a full-time appointment at an institution outside UTRGV shall be considered as a resignation of any faculty position, tenured or otherwise, that a faculty member holds at UTRGV. The said resignation shall be effective prior to the starting date of the new position.
- c. A person appointed to any full-time faculty position at UTRGV may not, during the term of such appointment, hold any part-time position (salaried or non-salaried) on the faculty of another educational institution without the prior approval of the President or designee. (See HOP ADM 3-600, Conflict of Interest, Conflict of Commitment, and Outside Activities.)

**E. Procedures Related to Evaluations, Review Committees, and Appeals/Reconsiderations**

1. *Procedures Governing Tenure-Track, Tenure, and Promotion Evaluations*

a. *General Guidelines*

- i. The process and timeline for promotion or tenure reviews shall follow the “Pathways for Faculty Review Deadlines” developed and announced by the office of the appropriate EVP.
- ii. Faculty shall follow the “Institutional Format for Faculty Review Dossier” in preparing their material. Faculty in the Division of Academic Affairs may contact the Faculty Success and Diversity Office for assistance in preparing their dossier or to participate in scheduled workshops. Faculty from the Division of Health Affairs may contact the Office of the Associate Vice President for Faculty.
- iii. The *Pathways for Review Deadlines* and the “Institutional Format for Faculty Review Dossier” shall be distributed each year prior to the fall by the appropriate EVP through the deans to department chairs; these will also be posted on the EVP’s websites.
- iv. Once the dossier is submitted, the faculty member may not remove or alter any items in the dossier unless directed to do so by the departmental committee or chair.

- v. The candidate may forward, through the department chair, any significant accomplishments (like new articles acceptance or grants awarded) that come in during the review process, to the level at which the review is taking place. Such material cannot be considered by prior levels.
  - vi. Each level of review shall conduct an independent evaluation and provide substantive feedback to the faculty member, highlighting the faculty member's weaknesses and strengths, as well as areas for improvement, in accordance with the Pathways' schedule. This independent evaluation, however, should include consideration of reviews from preceding levels and from previous review cycles.
  - vii. Each review level must include substantive justifications as to the evaluations and final recommendations, whether positive or negative. These evaluations and recommendations are to be placed in the faculty member's dossier, with a copy given to the faculty member in accordance with the Pathways' schedule.
  - viii. Each level of review may request in writing additional information from the faculty member to be included in the dossier; this correspondence shall be included with the additional information in the dossier for subsequent review levels to consider.
  - ix. Each level of review shall not conclude until the preceding level has finalized its review, including the process related to appeals.
  - x. The appropriate EVP will make a recommendation to the President, who will make the final decision or recommendation as applicable to the Regents' *Rules*. This decision will be transmitted to a faculty member in accordance with deadlines appropriate to each recommendation.
- b. *Tenure-Track, Tenure and Promotion to Associate Professor*
- i. Formative review of tenure-track faculty is an on-going process. Reviews of tenure-track faculty shall adhere to the deadlines set forth in the "Pathways for Review Deadlines."
  - ii. Tenure-track (TT) faculty are required to include evidence of at least one peer observation of teaching per year, along with the faculty member's self-reflection from the observation in their dossier as per the department guidelines. In departments without such guidelines, faculty shall follow university guidelines ([Guidelines for Faculty Peer Observation of Teaching](#)) posted on the appropriate EVP's website.

- iii. During each TT yearly review cycle, the TT faculty shall meet with the department chair to discuss the process and recommendations from the various review levels to develop an action plan to guide the faculty for the following academic year.
- iv. Faculty going up for tenure or promotion are required to include external reviews of their research/scholarship/creative works as per the department guidelines, or in departments without such guidelines, as per the university guidelines ([Guidelines for the Selection of External Reviewers for Faculty Promotion and Tenure](#)) posted on the appropriate EVP's website. The process for obtaining external reviews should start in the spring semester prior to the application year as outlined in the "Pathways for Review Deadlines."
- v. The review levels of tenure-track faculty shall normally include the following.
  - 1. Department Tenure and Promotion Committee (every year);
  - 2. Department Chair (every year);
  - 3. College Tenure and Promotion Committee (in Years 4 and 6);
  - 4. Dean (every year)
  - 5. University Tenure and Promotion Committee (in Year 6);
  - 6. The appropriate EVP (in Years 4 and 6); and
  - 7. The President (in Year 6), who shall make a recommendation to the Board of Regents.
- vi. For tenure-track faculty, if any recommendation by the Department Tenure and Promotion Committee or department chair is for non-renewal of appointment, the faculty member will also be evaluated by the College Tenure and Promotion Committee, University Tenure and Promotion Committee, and the appropriate EVP regardless of the review year. For tenure-track faculty, if any recommendation by the dean is for non-renewal of appointment, the faculty member will also be evaluated by the University Tenure and Promotion Committee and the appropriate EVP regardless of the review year. In such instances, the faculty member may request reconsiderations in accordance with Section E.3. If, as a result of the tenure-track review, the final recommendation concerning reappointment is negative, the faculty member will be given notice of non-renewal in accordance with Section D.6.c.
- vii. A tenure-track faculty member seeking continued employment must apply for tenure and promotion no later than the penultimate year of the maximum probationary period as defined in Section D.2.

- viii. A tenure-track faculty member may apply for tenure and promotion earlier than the penultimate year of the probationary period if he or she believes the performance record demonstrates excellence in the three areas of faculty responsibility and substantially exceeds the department's evaluation standards/criteria for tenure and promotion, in accordance with the following.
    - 1. Prior to submitting an application, the faculty member shall consult with his or her department chair and college dean.
    - 2. A faculty member requesting early tenure and promotion must submit a dossier and proceed through the normal process, with the exception that the College Tenure and Promotion Committee, the University Tenure and Promotion Committee, and the appropriate EVP will also evaluate the application, regardless of which year the faculty member is in his/her probationary period.
    - 3. If any two reviewing levels (not necessarily consecutive) recommend against granting early tenure and promotion through the appeals process, the review process for early tenure and promotion is terminated, and the remainder of the review process will follow the normal annual tenure-track review by subsequent levels.
    - 4. The original probationary period or future considerations for tenure and promotion for tenure-track faculty will not be adversely affected by a denial of an application for early tenure and promotion.
  - ix. The Evaluation Standards/Criteria outlined in Sections D.2 and D. 3 shall apply in all evaluations, regardless of the length of time served in the probationary period.
- c. *Promotion from Associate to Full Professor*
- i. The reviews shall adhere to the deadlines set forth in the "Pathways for Review Deadlines."
  - ii. The minimum time in the associate professor rank for promotion to professor is six years unless negotiated in writing at time of hire (see Section E.1.c.vi).
  - iii. Faculty going up for promotion are required to include peer observations of teaching in accordance with department guidelines, or in departments without such guidelines, as per the university guidelines ([Guidelines for Faculty Peer Observation of Teaching](#)) posted on the appropriate EVP's website.

- iv. Faculty going up for promotion are required to include external reviews of their research as per the department guidelines, or in departments without such guidelines, as per the university guidelines ([Guidelines for the Selection of External Reviewers for Faculty Promotion and Tenure](#)) posted on the appropriate EVP's website. The process for obtaining external reviews should start in the spring semester prior to the application year as outlined in the "Pathways for Review Deadlines."
- v. The review levels include the Department Tenure/Promotion Committee, department chair, College Tenure and Promotion Committee, dean, University Tenure and Promotion Committee, the appropriate EVP, and the President who shall make a recommendation to the UT System Board of Regents.
- vi. A tenured associate professor seeking promotion to the rank of professor may apply early if he or she believes the performance record demonstrates excellence in the three areas of faculty responsibility and substantially exceeds the department's evaluation standards/criteria for promotion to professor in accordance with the following.
  1. Prior to submitting an application for early promotion to professor, the faculty member shall consult with his or her department chair and college dean.
  2. A faculty member requesting early promotion to professor must submit a dossier and proceed through the normal process.
  3. Future considerations for the promotion to professor will not be adversely affected by a denial of an application for early promotion.
- vii. Performance standards for promotion to professor rank, as outlined in Sections D.2 and D.3 shall apply in all evaluations, no matter the length of time in current rank.

## 2. *Review Committees*

### a. *Department Tenure and Promotion Committee*

The Department Tenure and Promotion Committee shall have a minimum of three members, with membership as defined in the Department's approved written policies and procedures or bylaws. It will be composed only of tenured faculty members, who are at or above the rank under consideration, and are appointed at least half time in the department.

1. The department chair shall not be a member of the department Tenure and Promotion Committee. Associate Deans also shall not serve in that capacity.

2. A department may choose to use a Committee of the Whole, which shall include all tenured faculty of the department who are appointed at least half time in the department. If a department does not use a Committee of the Whole, its Tenure and Promotion Committee shall be comprised of no less than the greater of (a) three tenured faculty members or (b) one-third of the department's tenured faculty members elected by the department's tenured and tenure-track faculty.
3. When the Department Tenure and Promotion Committee includes fewer than three tenured faculty appointed at least half time in the department, the dean, in consultation with the chair and the tenured faculty in the department, will appoint tenured faculty member(s) from other departments in the college to serve as a member(s) of the Department Tenure and Promotion Committee.
4. The Department Tenure and Promotion Committee shall elect a chair from among its members.
5. In departments where a faculty member is seeking promotion to professor, if the Department Tenure and Promotion Committee has member(s) who are not full professors, the department shall form a separate committee of full professors (following section E.2) to consider the promotion to professor. Serving on the Department "Full Professor Promotion Committee" does not preclude service on the Department Tenure and Promotion Committee.
6. The Department Tenure and Promotion Committee shall use the department's discipline-specific criteria for tenure or promotion as the basis upon which to evaluate a faculty member's dossier.
7. The Department Tenure and Promotion Committee's evaluation shall be considered at all subsequent levels of review.
8. Any minority reports from the Department Tenure and Promotion Committee members shall be included in the faculty member's dossier.
9. When the Department Tenure and Promotion Committee is comprised of less than a Committee of the Whole, all tenured faculty with at least a half-time appointment in the department shall have access to the dossiers of faculty members who are applying for tenure. In this case (i.e., application for tenure), the Department Tenure and Promotion Committee will report its recommendations and justifications to all tenured members of the department, who shall vote (following department procedures or bylaws) on whether to recommend that the faculty member be renewed or removed from tenure-track. Both recommendations will be included in the faculty member's dossier before it goes to the department chair.

10. If a Department Tenure and Promotion Committee comprised of less than a Committee of the Whole recommends non-renewal of the faculty member on tenure-track, the Department Tenure and Promotion Committee will report its recommendations and justifications to all tenured members of the department, who shall vote (following department procedures or bylaws) on whether to recommend that the faculty member be renewed or removed from tenure-track. Both recommendations will be included in the faculty member's dossier when it goes to the department chair.

*b. College Tenure and Promotion Committee*

1. The College Tenure and Promotion Committee shall have at least one representative from each Department elected by the Department tenured and tenure-track faculty, and will be composed only of tenured faculty members appointed at least half time in the College who are at or above the rank under consideration.
  - The procedures and policies for the formation of the College Tenure and Promotion Committee shall be delineated in the *College Bylaws* formulated by a College committee with representatives elected by each department by majority vote of the department tenured and tenure-track faculty.
  - The final version of the document must be then approved by the College committee, by majority vote of the tenured and tenure-track faculty in each department, and by the College Dean.
2. Associate Deans are not eligible to serve on the committee.
3. In colleges where a faculty member is seeking promotion to professor, if the College Tenure and Promotion Committee has member(s) who are not full professors, the college shall form a separate committee of full professors (following section E.2) to consider the promotion to full professor.
4. The College Tenure and Promotion Committee shall elect a chair from among its members.
5. A college committee member should not participate in the voting on the candidate(s) from his/her department but is eligible to participate in the discussion.
6. The College Tenure and Promotion Committee shall use the department's discipline-specific criteria for tenure or promotion as the basis upon which to evaluate a faculty member's dossier.



7. The College Tenure and Promotion Committee's evaluation shall be considered at all subsequent levels of review.
8. Any minority reports from the College Tenure and Promotion Committee members shall be included in the faculty member's dossier.

c. *University Tenure and Promotion Committee*

1. The University Tenure and Promotion Committee shall include at least one tenured professor from each academic college who is appointed at least half time in the respective college.
2. The Faculty Senate shall recommend two tenured professors from each Academic Affairs and Health Affairs college by the deadline established in the "Pathways for Review" to form a pool from which the appropriate EVP will select members to serve on the University Tenure and Promotion Committee.
3. The appropriate EVP may select no more than two additional members from a list of eligible tenured professors throughout UTRGV.
4. Members of the University Tenure and Promotion Committee shall each serve three-year terms. Terms will be staggered to ensure continuity.
5. The University Tenure and Promotion Committee shall elect a chair from among its members.
6. When a person is a member of more than one review committee for a case, that person may only vote on the case once. If that person is on the Department Committee and the College or University committee, that person may only vote on the case at the department level and must recuse themselves from voting and participating in all discussions on that case at all higher levels. If that person serves only on the College and University committee, the person may vote at the college level and must recuse themselves from voting and participating in all discussions on the case at the university level.
7. A College or University Committee member shall recuse themselves from voting and participating in all discussion on the candidate(s) from their department.
8. The University Tenure and Promotion Committee shall use the department's disciplinary criteria for tenure or promotion as the basis upon which to evaluate a faculty member's dossier.
9. The University Tenure and Promotion Committee's evaluation shall be considered at all subsequent levels of review.

10. Any minority reports from the University Tenure and Promotion Committee members shall be included in the faculty member's dossier.

3. *Appeal of Promotion and Tenure Decisions*

- a. All review levels must provide a justification of their recommendations. Any faculty member undergoing the annual tenure-track review or review for tenure or promotion may request a reconsideration (following the requirements outlined below) or provide a response within ten business days to clarify issues raised in his or her evaluation at the various review levels up to, and including, the President.
- b. A request for reconsideration must be initiated in writing no more than ten business days after the faculty member has been notified of the recommendation.
- c. The written request for reconsideration must state grounds for the request and include supporting evidence that will be included in the faculty member's dossier.
- d. The committee or evaluator with whom a request is filed shall submit a written response to the faculty member within ten business days of receipt of the request. The respondent shall address the substance of the appeal, explaining why the committee or evaluator found the appeal either to be convincing or unconvincing. Copies of the response will be sent to the faculty member and placed in his or her evaluation dossier before forwarding the materials to the next level of evaluation.
- e. The faculty member may write a reply to the evaluator's/committee's response for inclusion in his or her dossier. The reply must be submitted within five business days of the faculty member's receipt of the evaluator's response. The faculty member may not raise new issues beyond those stated in the initial appeal.
- f. The President's decision is final, subject the approval of the UT System Board of Regents.

4. *Request for Reconsideration of Non-Renewal Decisions*

- a. In the case where a faculty member is not recommended for renewal during his/her probationary period, the affected faculty member may present a grievance, in person or through a representative, on an issue or subject related to the non-renewal decision to the appropriate EVP or another individual designated by the President, if the grievance pertains to the appropriate EVP.
- b. The appropriate EVP or President's designee shall meet with the faculty member. Unless a review by a hearing tribunal is requested and granted as specified below, the nonrenewal decision shall not be subject to further review.

- c. A review by a hearing tribunal shall be granted only in those cases where the affected faculty member submits a written request for review by a hearing tribunal to the President and describes in detail why the facts relied upon demonstrate the decision not to renew was made for reasons unlawful under the Constitution or laws of the State of Texas or the United States of America.
- d. If the President determines that the alleged facts, if proven by credible evidence, support a conclusion that the decision for nonrenewal was made for unlawful reasons, such allegations shall be heard by a hearing tribunal under the procedures set forth in ADM 06-507, Termination of Tenured Faculty during Term of Appointment, as in the case of dismissal for cause, with the following exceptions:
  - i. The burden of proof is upon the affected faculty member to establish by the greater weight of the credible evidence that the decision was made for reasons unlawful under the Constitution or laws of Texas or the United States of America.
  - ii. UTRGV administration need not state the reasons for the questioned decision or offer evidence in support thereof unless the affected faculty member presents credible evidence that, if unchallenged, proves the decision was made for unlawful reasons.
  - iii. The hearing tribunal shall make written findings and recommendations based on the evidence presented at the hearing and shall forward such findings and recommendations with the transcript and exhibits from the hearing to the President.
  - iv. The President may approve, reject, or amend the recommendations of the hearing tribunal or may reach different conclusions based upon the record of the hearing. The decision of the President shall be final.

#### 5. *Requests for Extension of the Probationary Period*

- a. A tenure-track faculty member requesting an extension of the probationary period (see Section D.2.e) shall submit a written request to the department chair.
- b. The department chair, who should make every attempt to accommodate the request if possible, shall make a recommendation to the dean within ten business days from receipt of the request.
- c. The dean shall make a recommendation to the appropriate EVP within ten business days from receipt of the Department Chair's recommendation.

- d. The decision regarding the request shall be made by the appropriate EVP within ten business days from the date of receipt of the dean's recommendation.

**F. Definitions**

1. Academic year - the period from September 1 through the following August 31.
2. College – an academic unit organized within the university, which is usually comprised of many departments or provides programs in multiple academic specialties/professional instruction. This academic unit may be referred to as a college or school, and is led by a dean reporting to a designated EVP.
3. Department – an academic unit organized within a college, usually devoted to a particular academic discipline. This academic unit may be referred to as a department, school, or center, and the unit's head (usually a chair or director) reports to the dean of the college.
4. Department Chair - administrative leader of an academic unit appointed by the dean with the concurrence of the appropriate EVP; may refer to the chair of a department, the director of a school, or other equivalent academic unit.

**G. Related Statutes or Regulations, Rules, Policies, or Standards**

[University of Texas System Board of Regents' Rules and Regulations Rule 31008, Termination of a Faculty Member](#)

[University of Texas System Board of Regents' Rules and Regulations Rule 31002, Notice of Nonrenewal to Non-tenured Faculty Members](#)

[University of Texas System Board of Regents' Rules and Regulations Rule 31001, Faculty Appointments and Titles.](#)

[AAUP Statement on Professional Ethics](#)

University of Texas System Board of Regents' Rules and Regulations Rule 31007, Tenure

**H. Dates Reviewed or Amended**

Amended August 13, 2019.

Reviewed December 5, 2019.