

## Chapter 04 -- Faculty

### 04.01 Honorific titles

#### 04.01.1 Horn and Murray Professorships

- a. The board has established special professorships known as "Horn Professorships" named in honor of Paul Whitfield Horn, the first president of TTU and "Murray Professorships" named in honor of Grover Murray, the first president of TTUHSC. "Horn Professorships" are granted to TTU professors and "Murray Professorships" are granted to TTUHSC professors.
- b. Horn Professorships and Murray Professorships, the highest honors that TTU and TTUHSC may bestow on members of their respective faculties, are granted to professors in recognition of their attainment of national or international distinction for outstanding teaching, research, or other creative achievement.
- c. In its operating manuals, each university has specific procedures to be followed for selection of Horn or Murray Professorships. These procedures provide details concerning material to be gathered and other procedures to be followed.
- d. The board shall approve those faculty members to be granted Horn Professorships and Murray Professorships upon recommendation of the presidents with concurrence by the chancellor.

#### 04.01.2 Emeritus appointments

- a. The title "Emeritus" may be conferred as a recognition for long and faithful service, or for very distinguished service to the institution.
- b. Members of the faculty with rank of professor or associate professor at retirement may be given emeritus appointments, provided they have completed at least ten years of service at a component institution or have been recommended on the basis

of "very distinguished service." If emeritus status is proposed on the basis of very distinguished service, the operating manuals of a component institution shall prescribe a method for recommendation of emeritus status.

- c. Administrative officers in major positions at the time of retirement from administrative duties may be considered for emeritus appointments.
- d. Emeritus appointments are strictly honorary and without stipend.
- e. Each such appointment shall be subject to approval by the board upon recommendation of the respective president with concurrence by the chancellor.

#### 04.02 **Tenure -- TTU**

A university is a community of scholars whose members are engaged in the discovery, evaluation, transmission, and extension of knowledge. As such they must be free to search for and express the truth as they find it, whether in the classroom, research/creative activity, or service as members of the community, and regardless of their tenure status. They must also be free from undue constraints, whether imposed from inside or outside the university.

Faculty members' privileges imply correlative responsibilities. In addition to maintaining standards of competence, particularly those relating to scholarship and teaching ability, faculty members are responsible for maintaining the proper attitude of objectivity, industry, and cooperation with their associates within the university. It is a faculty member's professional responsibility to contribute productively throughout his or her academic career.

As persons of learning, faculty members should remember that the public may judge their profession and institution by their utterances and other actions. They should thus at all times be accurate, exercise appropriate restraint, show respect for the opinions of others, and exercise every effort to make clear that as individuals they do not speak for the institution.

#### 04.02.1 Concept of tenure

Academic tenure has been developed so that Texas Tech University may have the benefit of the competent and honest judgment of its faculty. It thus recognizes the professional status of university faculty and assures that tenured employment may be terminated only for adequate cause.

Tenure may normally be obtained only after a period of probationary service. After tenure is granted, the burden of proof rests upon the university when it wishes to dismiss a faculty member.

#### 04.02.2 Purpose of tenure

Tenure is designed to accomplish the following purposes:

- a. to assure the faculty of freedom of teaching, of research, of opinion, and of full participation as citizens in the community;
- b. to provide appropriate procedures of due process for establishing justification for possible termination of tenure, so that faculty members may be guaranteed adequate notice and a fair hearing;
- c. to assist the university by encouraging sound standards for the original selection of faculty; and,
- d. to result in the retention, encouragement and promotion of the ablest and most promising faculty.

#### 04.02.3 Discrimination

All academic appointments and tenure judgments and recommendations rest upon objective requirements in relationship to the ability of the faculty member to perform his or her teaching, research/creative activity, and service responsibilities. Such judgments and recommendations are to be made without regard to race, religion, sex, age, national origin, marital status, or physical disabilities that do not obstruct professional performance.

#### 04.02.4 Types of appointment

Members of the faculty who are employed full-time in the university and who hold the rank of assistant professor, associate professor, or professor for either part or all of their appointment are eligible for tenure consideration. The tenure policy does not apply to administrative or part-time appointments.

- a. Appointments that may be made upon the basis of continuing appointments are:
  - (1) For teaching faculty:
    - (a) assistant professor;
    - (b) associate professor; and
    - (c) professor.
  - (2) For librarians:
    - (a) assistant librarian;
    - (b) associate librarian; and
    - (c) librarian.
  - (3) For archivists:
    - (a) assistant archivist;
    - (b) associate archivist; and
    - (c) archivist.
- b. Appointments that are probationary and that may lead to the admission to tenure are:
  - (1) assistant professor;

- (2) associate professor;
  - (3) professor;
  - (4) assistant librarian;
  - (5) associate librarian;
  - (6) librarian;
  - (7) assistant archivist;
  - (8) associate archivist; and
  - (9) archivist.
- c. Special full-time appointments that do not acquire tenure are:
- (1) instructor;
  - (2) adjunct assistant professor, adjunct associate professor, adjunct professor; and
  - (3) all research titles: assistant research professor, associate research professor, and research professor.

Although these three special full-time appointments do not acquire tenure, persons holding these appointments do have academic freedom and after six years can only be dismissed for adequate cause. Non-tenure track faculty members appointed under Section 04.02.4.c. who are dismissed for adequate cause shall be accorded due process in accordance with the faculty grievance procedure (OP 32.05).

Appointment to the above special ranks appointed under Section 04.02.4.c. can be continued beyond six years only by majority vote of the tenured faculty of the academic unit (department, college, or school) in which the position is placed, and subject to the approval of the responsible dean and the provost. Faculty members whose duties are appropri-

ate to tenured and probationary faculty shall not be given the non-tenured ranks listed in Section 04.02.4.c.

04.02.5 Admission to tenure

- a. The terms and conditions of every appointment shall be stated in writing and shall be in the possession of both the university and the faculty member before the appointment is completed. Probationary faculty members should review the established standards and procedures for consideration for tenure that are available in the offices of department chairpersons and deans.
- b. A faculty member must complete a reasonable probationary period before acquiring tenure in the university. In exceptional cases, associate professors, professors, librarians and archivists may have their initial appointment in the university with tenure when the traditional tenure review procedure set forth in Section 04.02.5.e precedes the appointment. Faculty members who are promoted in rank shall not thereby acquire tenure unless the normal tenure review procedure set forth in Section 04.02.5.e has been completed.
- c. The maximum probationary period for admission to tenure is the same for all tenure-eligible ranks. Before the end of a six-year probationary period at Texas Tech University, an untenured tenure-eligible assistant, associate, or full professor, librarian or archivist must be notified in writing either that tenure has been awarded or that the appointment will not be renewed at the end of the seventh, terminal year.
- d. Determination of the maximum probationary period begins upon a faculty member's initial appointment to a tenure-eligible rank and is not affected by promotions made during that period.
  - (1) Computation of the maximum probationary period begins upon a faculty member's initial appointment to a tenure-eligible rank. Probation is not reduced by previous non-tenure track appointments or by promotions made during that period.

- (2) The probationary period for admission to tenure shall begin in September of the calendar year in which the appointment is made.
  - (3) All time accrued in full-time service at Texas Tech University in a tenure-eligible rank will be counted in the probationary period. If unusual circumstances justify a suspension of the tenure probationary period to cause the years included not to be sequential, a request for an extension of the probationary period may be made to the provost. The request will be initiated by the candidate, reviewed and commented upon by the department/division administrator and dean, and forwarded to the provost.
  - (4) Tenure may be awarded prior to completion of the full probationary term. A faculty member can request early tenure consideration prior to completing the full probationary period without prejudice for later reconsideration.
- e. Primary responsibility for evaluation of the academic qualifications of candidates for tenure rests with the faculty. When the organizational structure permits, four sequential levels exist in the tenure review process:
- (1) evaluation by the department or division, which includes a vote by the tenured faculty and recommendation by the chairperson;
  - (2) review at the college level, which includes recommendation by the dean;
  - (3) review by the provost, which, except for candidates from the School of Law, includes review by the dean of the graduate school; and

- (4) review by the president, who makes recommendations for tenure to the Board of Regents. The action of the Board of Regents awards faculty members tenure.

#### 04.02.6 Tenure Advisory Committee

The Tenure Advisory Committee may consider matters pertaining to tenure or academic freedom referred to it by members of the university community. The committee reports to the president. If the president does not approve a recommendation of the committee, the committee shall be informed in writing of the reasons for disapproval. The substance of any recommendation by the committee, if approved by the president, shall be given consideration for incorporation in the operating procedures of the university.

The committee shall consist of five tenured faculty and two ex-officio members who are the provost and a dean selected by the Provost's Council. The faculty members will be elected at large by the voting faculty for staggered terms of five years, with one membership position terminating August 31 of each year. No more than two faculty members elected from any college or school shall serve on the committee at the same time. No elected faculty member will be eligible for reelection to the committee until a period of one year has elapsed from the termination date of a prior term unless he or she was elected to serve less than two years of an unexpired term of a previous member. The dean member shall serve for three years, but shall not be eligible to serve consecutive terms. The committee shall determine its own rules of procedure.

#### 04.02.7 Definitions of termination

Termination of tenured faculty, except by resignation, retirement, or under extraordinary circumstances because of demonstrable bona fide financial exigency, will be only for adequate cause shown with the burden of proof on the university.

Adequate cause for termination is directly and substantially related to the fitness of faculty members in their professional capacity and public trust as teachers and scholars. Termination will not

be used to restrain faculty members in their exercise of academic freedom or constitutional rights.

There are three categories of involuntary separation of employment for faculty:

- a. revocation of tenure, which is termination of a tenured faculty member's employment;
- b. non-reappointment, which is the cessation of a non-tenured faculty member's employment at the end of the stated appointment period; and
- c. termination, which is immediate termination for cause of a non-tenured faculty member's employment before the expiration of the stated appointment period.

04.02.8 Termination review procedures for tenure revocation, non-reappointment, and termination cases

In each faculty termination case reviewed at the request of the faculty member, the issue will be determined by an equitable procedure that affords protection to the rights of the individual and to the interest of the university. In cases where the respondent faculty member admits his or her conduct constitutes adequate cause, or does not choose to have a hearing, he or she will offer in writing his or her resignation. That faculty member will give notice of resignation as early as possible to obviate serious inconvenience to the university, and so that department objectives and student needs are met.

The procedures for termination described in this section do not negate the right of the president to suspend a faculty member from some or all duties when the president reasonably believes that the allegations, if true, create a likelihood of harm for persons or the university. The suspension shall be with pay until such time as the suspended faculty member has been accorded the procedural rights appropriate to their appointment type, as described in this section.

## *TENURE REVOCATION.*

The following tenure revocation review procedures outlined in Subsections a.-f. apply to tenured faculty members.

- a. Before the filing of tenure revocation charges, every reasonable effort shall be made to mediate and conciliate differences between the faculty member and the university. The chairperson of the Tenure Advisory Committee (or another member designated by the committee) shall make a rigorous attempt at confidential, equitable, and expeditious mediation.

If such attempted mediation has failed and after the mediator has made a written report to the president and copied that report to the faculty member, a formal investigation shall be undertaken. Together, a member of the Tenure Advisory Committee who has been appointed by the chairperson of that committee, and the provost (or his representative) shall conduct a thorough, confidential, expeditious review. This review and the recommendations of the investigating team shall be considered by the president in determining whether formal charges should be filed by the president to end the faculty member's employment for cause.

In all cases of formal charges, the faculty member will be informed in writing of the charges, which, on reasonable notice, will be considered by a Hearing Panel convened by the president. The Hearing Panel will be made up of five members chosen by the Tenure Advisory Committee from a Tenure Hearing Committee formed of twenty tenured faculty members who will be elected annually. Members of the Tenure Advisory Committee shall not be eligible for concurrent service on the Tenure Advisory Committee and the Hearing Committee.

- b. The Hearing Panel shall be selected in this fashion:
  - (1) The Tenure Advisory Committee shall by lot order the names of the members of the Tenure Hearing Committee, assigning them numbers one through twenty.

- (2) Hearing Committee members deeming themselves biased shall remove themselves from the case.
  - (3) Either party in the dispute may strike no more than three names from those remaining on the list.
  - (4) The Tenure Advisory Committee shall designate the five with the lowest numbers remaining on the list to constitute the Hearing Panel.
- c. The Hearing Panel will select a chairperson from its membership and may, if it chooses, request appropriate legal counsel to be furnished by the university but not from the Office of General Counsel. The legal counsel will advise the Hearing Panel but will not vote.

The Panel may also consult with the general counsel of the university on technical questions not directly bearing on the merit of the case if the Panel considers such consultation appropriate and helpful.

- d. The hearing will be private and confidential unless the faculty member elects to have a public hearing. The Hearing Panel shall determine procedures to be implemented in the hearing, procedures that shall afford both parties due process and fairness.

In every such hearing, the faculty member shall have the right to appear in person with legal counsel, retained by the individual, and to confront and cross-examine witnesses. The faculty member shall have the right to testify, but may not be required to do so, and may introduce in his or her behalf all evidence and material, written or oral, which he or she considers to be relevant or material to the case. Neither the Texas Rules of Civil Procedure nor the Texas Rules of Evidence shall apply to the hearing.

The university shall also have the right to legal counsel from the Office of General Counsel in the preparation and presenta-

tion of charges and have the same rights in the hearing as those accorded to the faculty member. An audio recording of the proceedings shall be made and delivered to the president for submission to the board, and a copy of this audio recording shall be made available to the respondent. The record will be transcribed only on the request of either the faculty member or the president at the expense of the requesting party.

- e. The Hearing Panel, by a majority of its total membership, shall make written findings of fact on each charge and make specific recommendations with regard to each of the charges and the charges as a whole. The Panel, by a majority of its total membership, may make supplementary suggestions it deems proper concerning disposition of the case. If minority findings, recommendations, or suggestions are made, they shall be similarly treated. The chairperson of the Hearing Panel shall deliver the findings, recommendations, and suggestions to the president, who shall transmit them along with his/her recommendations to the faculty member and to the Board of Regents.
- f. The Board of Regents, by a majority of its total membership, shall approve, reject, or amend the findings, recommendations, and suggestions to the Hearing Panel based on the record. Any amendment or change of such findings, recommendation, or suggestions, and the reasons therefore, will be stated in writing and communicated to the president who will transmit them to the Hearing Panel, which will then study any additional matters presented to it and within 45 days submit its recommendations to the president. If the Board of Regents then overrules the recommendations of the Hearing Panel, it will state in writing to the president, who will transmit the decision to the Hearing Panel, its reasons for its actions in overruling the Hearing Panel's recommendations. The president shall also notify the faculty member in writing of the board's decision, and this communication shall include the findings and recommendations of the Hearing Panel as well as those of the board. The decision of the Board of Regents shall be final.

*NON-REAPPOINTMENT AND TERMINATION.*

The following procedures on non-reappointment and termination for cause apply to untenured tenure-track faculty members, and to non-tenure-track faculty members (as listed in Section 04.02.4.c.) who have served more than six full years.

- g. The university is not required to give an untenured tenure-track faculty member a reason for a decision of non-reappointment. However, each faculty member is entitled to see all of his or her personnel file and, at his or her expense, to obtain a copy of the information contained therein.
- h. If an untenured-tenure-track faculty member alleges that a decision not to reappoint him or her is:
  - (1) caused by considerations that violate academic freedom,
  - (2) for constitutionally impermissible reasons, or
  - (3) significantly noncompliant with the university's established standards or prescribed procedures, then

The allegation of improper rationale for non-reappointment, as defined above, shall be given preliminary consideration by a faculty committee. The Tenure Advisory Committee is responsible for appointing that faculty committee from within or outside its own membership and for its functioning.

If the faculty committee concludes that there is probable cause for the faculty member's allegation, the Tenure Advisory Committee shall notify the provost and form the Hearing Panel, and the matter shall be heard in accordance with the following procedures. The faculty member shall be responsible for stating the specific grounds on which the allegations were based, and the burden of proof will rest upon the faculty member.

- i. The Hearing Panel will be made up of five members chosen by the Tenure Advisory Committee from a Tenure Hearing

Committee formed of twenty tenured faculty members who will be elected annually, two Hearing Committee members being elected at large. Members of the Tenure Advisory Committee shall not be eligible for concurrent service on the Tenure Advisory Committee and the Hearing Committee.

- j. The Hearing Panel shall be selected in this fashion.
  - (1) The Tenure Advisory Committee shall by lot order the names of the members of the Tenure Hearing Committee, assigning them numbers one through twenty.
  - (2) Hearing Committee members deeming themselves biased shall remove themselves from the case.
  - (3) Either party in the dispute may strike no more than three names from those remaining on the list.
  - (4) The Tenure Advisory Committee shall designate the five with the lowest numbers remaining on the list to constitute the Hearing Panel.
- k. The Hearing Panel will select a chairperson from its membership and may, if it chooses, request appropriate legal counsel to be furnished by the university but not from the Office of General Counsel. The legal counsel will advise the Hearing Panel but will not vote.

The Panel may also consult with the general counsel of the university on technical questions not directly bearing on the merit of the case if the Panel considers such consultation appropriate and helpful.

- l. The hearing will be private and confidential unless the faculty member elects to have a public hearing. The Hearing Panel shall determine procedures to be implemented in the hearing, procedures that shall afford both parties due process and fairness.

In every such hearing, the faculty member shall have the right to appear in person with legal counsel, retained by the individual, and to confront and cross-examine witnesses. The faculty member shall have the right to testify, but may not be required to do so, and may introduce in his or her behalf all evidence and material, written or oral, which he or she considers to be relevant or material to the case. Neither the Texas Rules of Civil Procedure nor the Texas Rules of Evidence shall apply to the hearing.

The university shall also have the right to legal counsel from the Office of General Counsel in the preparation and presentation of charges and have the same rights in the hearing as those accorded to the faculty member. An audio recording of the proceedings shall be made and delivered to the president, and a copy of this audio recording shall be made available to the respondent. The record will be transcribed only on the request of either the faculty member or the president at the expense of the requesting party.

- m. The Hearing Panel, by a majority of its total membership, shall make written findings of fact on each charge and make specific recommendations with regard to each of the charges and the charges as a whole. The Panel, by a majority of its total membership, may make supplementary suggestions it deems proper concerning disposition of the case. If minority findings, recommendations, or suggestions are made, they shall be similarly treated. The chairperson of the Hearing Panel shall deliver the findings, recommendations, and suggestions to the president, who shall approve, reject, or amend them based on the record, and then transmit them along with his/her recommendations to the faculty member. The decision of the president will be final.
- n. The procedures for determining adequate cause in termination cases are equivalent to the non-reappointment review procedures in Subsections g.-m. of Section 04.02.8. These procedures begin with preliminary consideration by a faculty committee, and may close with presidential review (see Subsections g.-m. of Section 04.02.8.).

#### 04.02.9 Timelines for notice of non-reappointment

These notification timelines apply to any notice of non-reappointment that is issued to untenured tenure-track faculty (see Section 04.02.7, *Regents' Rules*). They do not apply to terminations issued to non-tenure-track faculty as listed in Section 04.02.4.c.

- a. Full-time faculty members in their first year with the university whose duties commence with the first semester of the academic year must be notified by the following March 1 if they are not to be reappointed.
- b. Full-time faculty members in their first year with the university whose duties commence after November 15 must be notified by the following April 15 if they are not to be reappointed.
- c. Full-time faculty members who are in their second year with the university and who are not to be reappointed shall be notified by December 15 of the academic year in which the appointment is to terminate.
- d. Full-time faculty members with more than two years with the university will be notified of non-reappointment by issuance of a terminal contract for one academic year.
- e. Full-time faculty members who hold a position by appointment for a fixed time period shall receive notice of non-reappointment in accordance with the terms of the appointment or in accordance with Section 04.02.9. a., b., c., or d.

#### 04.02.10 Policy implementation and revision

This policy is to be implemented immediately upon approval by the Board of Regents. Faculty members in a probationary status on that date will have the opportunity to choose the tenure policy – the policy applicable to them, or this policy – under which they wish to be considered for tenure. All tenured faculty members are subject to this tenure policy's applicable provisions and procedures. The tenure of faculty members who have attained tenure

under prior policies at Texas Tech University continues. This policy shall not be applied in derogation of any faculty member's contract rights.

Revisions to this policy may be proposed to the Board of Regents by the president. The Tenure Advisory Committee, the Faculty Senate, or other academic groups may submit proposals to the provost. Such proposals shall be reviewed by the Tenure Advisory Committee and the Faculty Senate. Following this review, the provost shall present approved proposals to the faculty for consideration. In this process, the voting faculty (as defined in the Constitution of the Faculty Senate) shall be polled for approval or disapproval of the proposals. If approved by the voting faculty, the proposals shall be forwarded by the provost to the president for his review and then, if the president approves, to the Board of Regents for its consideration. Under the statutory authority of the State of Texas, the Board of Regents has the sole authority to revise this tenure policy.

#### 04.03 Tenure -- TTUHSC

TTUHSC is a community of scholars dedicated to teaching and to the advancement of scientific knowledge through scholarship. An essential component of academic endeavor provided by faculty members who have clinical skills is participation in clinical service. Faculty members may also serve the academic community through participation in institutional governance (e.g., committee work) in addition to other activities. Some TTUHSC faculty members also make important contributions to the community in the form of their academically related public service complementary to the institutional mission. All of these contributions by faculty members will be recognized as essential to the mission of TTUHSC.

A position as a faculty member at TTUHSC implies correlative responsibilities. In addition to maintaining standards of competence, particularly those relating to scholarship and teaching ability, faculty members are also responsible for maintaining objectivity and industry and cooperating in relations with colleagues and associates in the university.

04.03.1 Academic freedom. Achievement of the teaching, research, patient care and service missions of TTUHSC depends upon an uninhibi-

ted search for truth and its open expression. Hence, it is essential that each faculty member be free to pursue scholarly inquiry without undue restriction, and to voice and publish individual conclusions concerning the significance of evidence that he or she considers relevant.

A TTUHSC faculty member is entitled to full freedom in the classroom in discussing the subject which he or she teaches, but should refrain from introducing controversial matters which have no relation to the classroom subject. Each faculty member when speaking, writing or acting as a citizen of the nation, state and community, must be free from institutional censorship or discipline, and should make it clear that in this capacity he or she does not speak for TTUHSC. A faculty member is subject to academic responsibility as noted below in this policy.

- 04.03.2 Academic responsibility. The concept of academic freedom for faculty members is accompanied by an equally important concept of academic responsibility. A faculty member has a responsibility to TTUHSC, his or her profession, students, and society at large. The rights of a faculty member as extended by society and protected by written policies and the law, require reciprocally the assumption of certain responsibilities. The fundamental responsibilities of a faculty member as a teacher, scholar and/or clinician include maintaining competence in his or her field of specialization as exhibited in the classroom, clinic or laboratory, and in the public arena by such activities as discussions, lectures, consulting, publications, and participation in professional organizations and meetings.

Statements by a faculty member are protected even though they may be critical in tone or content. However, such statements are not protected by free speech if: they substantially impede the faculty member's performance of his or her duties; materially and substantially interfere with the regular operation of TTUHSC; or are part of a continuing pattern of expression that may destroy the harmony and morale of an academic unit. False statements made publicly with knowledge of their falsity, or in reckless disregard for the truth, are not subject to constitutional protection. Such action may call into question the fitness of the faculty member to perform his or her professional duties.

A faculty member should be judicious in the use of controversial material in teaching and should introduce such material only as it has a clear relationship to the subject matter. A faculty member should: be professional in his or her conduct in the classroom and in relationships with students; maintain respect for students and students' rights in the learning experience; and be reasonably available to students for consultation on course work.

04.03.3 Tenure perspectives.

- a. Concept of tenure. Academic tenure has been developed so that TTUHSC may have the benefit of the competent and honest judgment of its faculty. It thus recognizes the professional status of its faculty and assures that employment may be terminated only for cause or as noted below. The burden of proof rests upon TTUHSC when it elects to dismiss a tenured faculty member.
- b. Purposes of tenure. The purposes of tenure are: to protect the academic freedom of the faculty member; to ensure faithful observance of the requirements of academic due process; and to retain, encourage, and promote the ablest and most promising faculty members. This policy defines the types of appointments that may lead to tenure and specifies procedures for granting tenure.
- c. Award of tenure. Tenure may be awarded at certain ranks only after a period of probationary service. Awarding of tenure by TTUHSC will be based upon excellence of performance in the following areas relevant to faculty members' disciplines:
  - (1) teaching;
  - (2) scholarship (includes appropriate research pursuits);
  - (3) clinical service; and
  - (4) academically-related public service.

Tenure at TTUHSC is awarded only by affirmative action by the board.

- d. Ranks eligible for tenure. Members of the faculty with the rank of associate professor and professor only are eligible for tenure. Tenure does not apply to administrative appointments.

#### 04.03.4 Non-tenure track appointments.

Term appointment. A term (non-tenured) appointment is written for a specific period of employment. All faculty appointees in non-tenured positions shall be given a statement in writing of the conditions and period of their employment. Term appointments may be renewed. However, reappointment of any such position shall not create the right to a subsequent term appointment. Time served by persons in non-tenure track series cannot be used as time accrued toward tenure. Each school may select titles from the following non-tenure track appointment positions:

- a. Non-tenure track appointments

The following appointments may be used for full-time non-tenure track faculty members and for individuals with the appropriate professional credentials who are full-time employees of institutions holding formal affiliation agreements with TTUHSC:

- (1) assistant instructor;
- (2) instructor;
- (3) assistant professor;
- (4) associate professor; or
- (5) professor.

b. Clinical appointments

The following non-tenure track appointments are reserved for appointees with less than half-time appointments, i.e., less than half-time commitment to, and less than half-time compensation from, TTUHSC:

- (1) clinical lecturer;
- (2) clinical instructor;
- (3) clinical assistant professor;
- (4) clinical associate professor; or
- (5) clinical professor.

c. Research appointments

The following non-tenure track appointments are for full-time faculty members engaged primarily in research with incidental teaching and/or patient care responsibilities:

- (1) research instructor of (title of discipline);
- (2) research assistant professor of (title of discipline);
- (3) research associate professor of (title of discipline); or
- (4) research professor of (title of discipline).

d. Adjunct appointments

The term "adjunct" may be used in conjunction with any appropriate non-tenure track title to indicate that the appointee is regularly engaged as an employee of another institution or agency. The following "adjunct" series also may be used for TTUHSC employees who may be engaged in part-time or full-time teaching and/or patient care activities in a duly author-

ized TTUHSC program and whose compensation is not derived from TTUHSC state-appropriated faculty budgets:

- (1) adjunct instructor;
- (2) adjunct assistant professor;
- (3) adjunct associate professor; or
- (4) adjunct professor.

e. Visiting appointments

The following non-tenure track appointments are reserved for distinguished individuals who meet the criteria for appointment in senior academic ranks. Visiting appointments may be part- or full-time, but are not continuing unless approved by the dean:

- (1) visiting associate professor, or
- (2) visiting professor.

f. Faculty associate. The faculty associate non-tenure track title may be used for persons who are employees of TTUHSC and who function in an academic support role (e.g., librarians).

g. Conditions of non-tenure series appointments

- (1) Faculty appointments in the non-tenure track series shall be reviewed annually by department chairs and the dean. A written notice of non-reappointment will be issued to full-time faculty excluding adjunct and visiting no less than four months prior to August 31 of each year.

After a period of five years of service in the full-time non-tenure track at the assistant professor, associate professor, or professor level, a written notice of reappointment or non-reappointment will be issued no less than one year prior to August 31 of each year.

- (2) After a period of five years of service in the non-tenure track at the assistant professor level or three years at the associate professor or professor level, extended appointments not to exceed five years may be offered upon recommendation by department chair and approval of the dean.
  - (3) Although a reason for a decision of non-reappointment is not required, a decision not to reappoint cannot be caused by considerations violative of academic freedom or constitutionally impermissible reasons. Each faculty member is entitled to review all of his or her personnel files and to obtain a copy of the information contained therein at his or her expense. The appeal process for an alleged violation of academic freedom or constitutionally guaranteed rights in the non-reappointment process is set out in Section 04.03.9.b., *Regents' Rules*.
  - (4) The transition from the non-tenure track series to the tenure track (or vice versa) may be allowed following review and mutual agreement by the faculty member, the department chair, and the dean. Absent extraordinary circumstances which are approved by the dean, only one transfer between tracks will be allowed.
  - (5) A faculty member in a non-tenure appointment may be terminated for cause only during the term of the appointment as set out in Sections 04.03.10 and 04.03.11, *Regents' Rules*.
- h. Promotion of non-tenure track faculty. Non-tenure track faculty may be eligible for promotion, in accordance with requirements and procedures provided for in each respective school's tenure and promotion operational guidelines.

04.03.5 Tenure track appointments. Time served on the tenure track in the assistant professor, associate professor and professor ranks shall count as probationary time toward the award of tenure. (See also

Section 04.03.6, *Regents' Rules*, Probationary period.) Tenure may be awarded only at the associate professor and professor ranks.

- a. Tenure track appointments
  - (1) assistant professor;
  - (2) associate professor; or
  - (3) professor.
- b. Tenured appointment. A tenured appointment assures the right of the faculty member to a continuing academic position of employment. The tenured faculty member is subject to possible adjustments regarding salary, administrative position, employment duties, and campus location.
- c. Probationary appointment. Probationary appointees serve in a faculty status leading to the possible awarding of tenure. A probationary appointee is reappointed after appropriate review each academic year unless given appropriate written notice (as noted in Section 04.03.9.a., *Regents' Rules*). Such appointees are subject to possible adjustments regarding salary, administrative position, employment duties, and campus location.
- d. Academic appointment. Only persons with full-time appointments are eligible for tenure. Tenure applies to full-time faculty including those full-time faculty with nine month appointments. Although tenure does not apply to administrative positions, faculty members holding administrative positions may be tenured in their respective academic units.
- e. Continuous full-time appointment. Tenure applies to continuous full-time appointment in the academic units which have the authority to initiate tenure recommendations. The following rules govern the effect of a leave of absence upon the maximum probationary period:

- (1) leave for four months or less during an academic year shall be included in the maximum probationary period; and
  - (2) continuous leave for more than four months shall cause that entire academic year to be excluded from the maximum probationary period unless that faculty member was on a sabbatical or the equivalent of a Fulbright Fellowship performing scholarly activities.
- f. Joint appointment. A faculty member who holds a 50/50 percent of effort joint appointment in two TTUHSC academic units may be awarded tenure in the joint position. If one of the units refuses to recommend tenure upon expiration of the probationary period and issues timely written notice, tenure shall not be awarded unless the faculty member is given full-time employment in the academic unit that elects to recommend tenure.

In a joint appointment other than 50/50 percent of effort, tenure may be awarded only in the unit where an appointment greater than 50 percent is held. That unit then must be prepared to absorb the remainder of the faculty member's appointment if the faculty member relinquishes, or is asked to relinquish, the part of the appointment that is less than 50 percent.

- g. Restructuring of academic units. If a department or other academic unit is merged or otherwise reorganized, the tenured faculty member in the academic unit affected shall not lose his or her tenure appointment(s) solely because of such reorganization.

#### 04.03.6 Probationary period.

- a. The maximum probationary period for admission to tenure is the same for all tenure-eligible ranks. Before the end of the seven-year probationary period at TTUHSC, an untenured assistant professor, associate professor, or professor must be notified in writing either that tenure has been awarded or that

the appointment will not be renewed at the end of the eighth year.

- b. Requests for early action may be appropriate if a faculty member's accomplishments are exceptional. Each school will establish criteria for awarding tenure before the end of the maximum probationary period.
- c. Previous full-time service with the rank of assistant professor or higher, or comparable status in institutions of higher learning, may be counted toward the awarding of tenure. The dean's letter of appointment shall state whether, and to what extent, time served at another institution will be applied to the probationary period.
- d. The president, at the request of the dean, may recommend that the board award 'appointment with tenure' to accommodate the recruitment of senior faculty who have been granted tenure by universities or institutions of higher learning that are at levels comparable to TTUHSC. The qualifications of candidates for appointment with tenure will be reviewed in accordance with school tenure and promotion policies, standards and guidelines, as well as Section 04.03.8, *Regents' Rules*.
- e. Occasionally, faculty will experience extraordinary circumstances during their appointment that result in the need to interrupt the probationary period, so that the number of years considered as part of the probationary period are not consecutive. Staying of the probationary period will not jeopardize or adversely affect the faculty member in the tenure review. Guidelines for requests to stay the probationary period are provided in Section 04.03.7, *Regents' Rules*.
- f. Computing years of credit toward tenure. In computing probationary periods for tenure, the effective date of each appointment shall be September 1 of the calendar year in which the appointment is made. A common tenure anniversary date of August 31 for all tenure-eligible academic appointments shall apply. (See Section 04.03.5.e., *Regents' Rules*, for computing periods of leave without pay.)

04.03.7 Extension of tenure track probationary period. A TTUHSC faculty member may request an extension of his or her maximum probationary period in order to accommodate the faculty member faced with extraordinary circumstances. This period of time is expressly not a leave of absence, but rather is a defined period during which expectations for faculty performance are adjusted to reflect a faculty member's past or current circumstances. The expectations and responsibilities during this period will be defined in writing by the department chair and approved by the dean.

The maximum extension that may be granted a faculty member is three years, regardless of the combination of circumstances. A faculty member who is granted an extension of the probationary period will be judged and evaluated on the same basis and by the same standards as though there had been no extension.

- a. Parenting a new child. An untenured, tenure-track faculty member who becomes the parent of a child by birth or adoption during the probationary period for tenure may request a one year extension of his or her maximum probationary period to provide time to adjust to the demands of parenting newborn or adopted children. An application for a second consecutive extension may be submitted prior to completion of the first extension.
- b. Requests for extension. Requests for extension of the probationary period must be submitted as soon as possible after birth or adoption. If both parents are employed in an eligible position at TTUHSC, each of them may request an extension of the probationary period for each birth or adoption that adds a child or children to their family.
- c. Other extraordinary circumstances. When faced with extraordinary circumstances, an untenured, tenure-track faculty member may request an extension of up to three years of the maximum probationary period for reasons beyond the faculty member's control that deprive him or her of reasonable opportunity to demonstrate his or her ability and potential as a faculty member. Examples of extraordinary circumstances

include, but are not limited to, care for a seriously ill child or family member, physical disaster affecting research materials, and exceptional institutional responsibilities.

- d. Procedure for requesting an extension. Individual schools will develop criteria for consideration of requests for extension of the maximum probationary period. School procedural guidelines will require, at a minimum, that such requests be submitted in writing through the department chair to the dean for approval.

#### 04.03.8 Tenure and promotion decision process.

- a. Criteria and standards. The criteria and areas of performance to be considered in the tenure and promotion decision processes are teaching, scholarship, clinical service, and academically-related public service. Individual schools will develop standards of performance excellence in each of these areas. These standards should also describe the relative importance of each performance category, along with the related criteria for award of tenure or receipt of promotion.
- b. Guidelines. Individual schools will develop and publish written policies that translate tenure and promotion standards into guidelines that are appropriate to their disciplines. It shall be the responsibility of the dean: to assure appropriate faculty participation in the development of these standards and guidelines; to approve school tenure and promotion policies; and to monitor their application. Deans shall review these guidelines periodically and consider appropriate recommendations from the faculty, according to the bylaws of each school.
- c. Information regarding criteria, standards, and guidelines. It is the joint responsibility of the department chair, dean, and faculty member to ensure that he or she is provided in writing the tenure and promotion criteria, standards, and guidelines of the school and the department in which appointment has been made.

- d. Procedure for review of qualifications for tenure and promotion. Primary responsibility for evaluation of the academic qualifications of candidates for tenure and/or promotion rests with the faculty.
- (1) Where applicable, six sequential steps in the tenure and/or promotion review process are as follows:
    - (a) peer review by tenured faculty members in the department for consideration of tenure;
    - (b) peer review by faculty members of higher academic rank in the department for consideration of promotion;
    - (c) review by the department chair;
    - (d) review by the school's committee charged with tenure and promotion;
    - (e) review by the dean; and
    - (f) review by the president.
  - (2) In conducting reviews at the department level, all tenured faculty shall have an opportunity to vote on a tenure recommendation. Likewise, in conducting reviews at the department level, all faculty of higher academic rank shall have an opportunity to vote on a promotion recommendation. However, no faculty member currently or previously related by blood or marriage may participate in the tenure and/or promotion evaluation process of any such relative. The department chair is responsible for making an independent tenure or promotion recommendation in writing to the dean. The summary of the vote by appropriate faculty of the department (or of any special review committee) is to be forwarded with the department chair's recommendation to the school tenure and promotion committee, along

with appropriate documentation in the tenure or promotion dossier.

- (3) Each school within TTUHSC will have a committee responsible for tenure and promotion, the composition of which will be outlined in the school's respective bylaws. The school tenure and promotion committee will review recommendations for tenure and/or promotion in terms of department and school standards. Each school tenure and promotion committee will forward its recommendations to the dean, who will be responsible for reviewing and recommending appropriate action on all tenure and/or promotion recommendations emanating from the school. These recommendations, with accompanying documentation in the tenure and/or promotion dossier, will be forwarded to the president. The final recommendations on tenure and/or promotion will then be made by the president and forwarded to the board.

A faculty member may be granted tenure and/or promotion only by formal action of the board.

- e. Discrimination. All tenure and/or promotion considerations and recommendations rest upon objective requirements in relationship to the ability of the faculty member to perform effectively his or her responsibilities in teaching, scholarship, clinical service, and academically-related public service. Such considerations and recommendations are to be made without regard to race, religion, sex, age, national origin, marital status, physical disabilities, or other protected class which do not obstruct professional performance.

04.03.9 Non-reappointment of faculty on tenure-track probationary appointment.

- a. Notice of non-reappointment. Except under conditions relating to the dismissal of faculty noted in Section 04.03.10, *Regents' Rules*, notice of non-reappointment of non-tenured faculty members on tenure track probationary appointments shall be given in writing in accordance with the following

schedule. For computing the period of employment, the effective date of each appointment shall be September 1 of the calendar year in which the appointment is made:

- (1) at least three months before the end of the first 12 months of service;
- (2) at least six months before the end of the first 24 months of service; or
- (3) at least nine months for those with more than 24 months of service.

Notwithstanding the above provisions, notice of non-reappointment may be given with the commencement of the current appointment.

- b. Appeal of non-reappointment. TTUHSC is not required to give a non-tenured faculty member a reason for a decision of non-reappointment. However, each faculty member is entitled to review all of his or her personnel file and, at his or her expense to obtain a copy of the information contained therein.

If a non-tenured faculty member alleges that a decision not to reappoint him or her is caused by considerations violative of academic freedom, for constitutionally impermissible reasons, or for significant noncompliance with TTUHSC's established standards or prescribed procedures, the allegation shall be given consideration in accordance with the following procedures:

- (1) The faculty member shall submit in writing, and with specificity, allegation(s) of improper non-reappointment, as outlined above, and request a hearing within twenty (20) TTUHSC business days of receipt of the notice of non-reappointment. The faculty member shall submit the allegations and request for hearing to the dean, the department chair, and the chair of the School Hearing Committee.

- (2) A hearing will be conducted by the School Hearing Committee as soon as possible after receipt of written, specific allegations. The hearing will be conducted in accordance with guidelines and procedures provided in Section 04.03.11.i.-k., *Regents' Rules*. Under these procedural guidelines, the School Hearing Committee will select a chair and may request *pro bono* legal counsel or legal counsel from the Office of General Counsel. The legal counsel may advise the School Hearing Committee but may not vote. The faculty member shall have the right to appear in person with legal counsel retained by the individual. Failure on the part of the faculty member to use an attorney or other representative at the hearing shall not preclude the School Hearing Committee from using legal counsel or other assistance from the Office of General Counsel. An audio recording of the proceedings shall be made and delivered to the dean, and a copy of the audio recording will be made available to the faculty member. The record will be transcribed only on the request of either the faculty member or the dean and at the expense of the requesting party.
- (3) The faculty member shall have the burden of proving to the School Hearing Committee facts that establish the non-reappointment was improper, as outlined in Section 04.03.9.b., above. The procedure shall be investigatory and non-adversarial in nature.
- (4) Within ten (10) TTUHSC business days of conclusion of the hearing, the chair of the School Hearing Committee shall deliver the findings, recommendations, and minority opinions, if any, to the dean.
- (5) Upon receipt of the School Hearing Committee's findings and recommendations, the dean shall submit same, along with his or her recommendations, to the president and to the faculty member within ten (10) TTUHSC business days.

- (6) The president shall review the findings and recommendations and make a decision. The president's decision will be stated in writing and communicated to the dean and the faculty member within ten (10) TTUHSC business days of receipt of the dean's recommendation. The decision of the president shall be final.

04.03.10 Grounds for dismissal of tenured faculty and termination of non-tenured faculty during their appointment.

- a. Dismissal and Termination. Dismissal of a tenured faculty member and termination of all other faculty members before the expiration of the stated period of their appointment (except by resignation or retirement) will be for cause only.
- b. Cause for dismissal or termination of appointment. Examples of cause for dismissal or termination of appointment of a faculty member include, but shall not be limited to, the following:
  - (1) professional incompetence;
  - (2) neglect of professional responsibilities;
  - (3) moral turpitude adversely affecting the performance of duties or the meeting of responsibilities to the school, or to students or associates;
  - (4) mental or physical disability of a continuing nature adversely affecting the performance of duties or the meeting of responsibilities to the school, or to students or associates that cannot be reasonably accommodated; and
  - (5) unprofessional conduct adversely affecting the performance of duties or the meeting of responsibilities to the school, or to students or associates.

04.03.11 Procedures in dismissal or termination of appointment cases. Due process as set forth in this policy statement embodies a course of proceedings in line with rules and principles generally recognized in the academic community. Among these is the right of a tenured

faculty member, and a non-tenured faculty member during the term of his or her appointment, to request and be granted a hearing before the School Hearing Committee, when notice of cause and request for dismissal or termination of appointment has been received by the faculty member and the dean.

In each case, the procedure for dismissal or termination of appointment will be determined by an equitable procedure, affording protection to the rights of the individual and to the interests of TTUHSC.

- a. A faculty member shall not be dismissed until he or she has received written notice of the cause for dismissal or termination of appointment and, except as specified below, only after a reasonable opportunity for a hearing, which shall meet the established procedures of due process as set forth herein and in which the school shall bear the burden of showing cause for dismissal or termination of appointment.
- b. The faculty member will receive his or her salary until conclusion of the dismissal or termination procedures and may continue the performance of his or her duties for that period unless the individual's welfare or that of the school, in the opinion of the dean, requires that a leave of absence be issued. A faculty member's salary and benefits may be discontinued, on written recommendation of the dean and approval by the president, in cases of job abandonment, loss of professional license to practice, loss of clinical credentials, or similar instances where the faculty member, either by choice or as the result of official actions, becomes prohibited from fulfilling the conditions of his or her employment.
- c. In cases where the respondent faculty member admits his or her conduct constitutes cause, or does not choose to have a hearing, he or she may offer in writing his or her resignation.
- d. Failure to appeal the dismissal or termination of appointment, or to submit one's resignation, within twenty (20) TTUHSC business days of receipt of written notice as set forth above will relieve TTUHSC of any further obligation to pay a faculty

member's salary and benefits, effective immediately, and completes the dismissal or termination of appointment process. The dean shall notify the faculty member in writing of this action.

- e. The School Hearing Committee shall be charged with hearing cases of dismissal of tenured faculty or termination of non-tenured faculty during their term of appointment. The composition and method of selection of said committees will be set forth in the faculty bylaws of each school.
- f. Before the filing of formal dismissal or termination charges by the dean, a reasonable effort shall be made to mediate and conciliate differences, where appropriate. Upon written notification by the dean of a request for dismissal or termination, the chair of the School Hearing Committee shall appoint a mediation team within fifteen (15) TTUHSC business days comprised of two faculty members, neither of whom serves in the same department as the faculty member recommended for dismissal or termination, who are not on the School Hearing Committee, and who are acceptable to both parties. If no mediators are found acceptable within fifteen (15) TTUHSC business days, mediation will be deemed not feasible and the matter will be referred back to the dean. In this case, the dean will determine whether formal charges should issue to dismiss or terminate the faculty member for cause.

If a mediation team is accepted, it shall attempt to reach a mutually acceptable resolution between the dean and faculty member in a thorough, confidential, equitable, and expeditious manner, and report the outcome of the mediation to the president within fifteen (15) TTUHSC business days of the first day of the mediation. If conciliation is not achieved, the dean shall determine whether formal charges should issue to dismiss or terminate the faculty member for cause.

- g. In all cases where formal dismissal or termination charges issue, the faculty member will be informed in writing of the charges. The charges will be considered by the School Hearing Committee unless the faculty member offers his or her resigna-

tion as set out in Section 04.03.11.c., *Regents' Rules*, or the faculty member fails to cooperate in advancing the appeal, per Section 04.03.11.d., *Regents' Rules*.

- h. Upon receipt of formal dismissal or termination charges, the faculty member shall also be notified in writing of his or her right to a hearing and shall be given twenty (20) TTUHSC business days from the date of receipt of such notice to submit a request for a hearing before the School Hearing Committee to the dean and the chair of the School Hearing Committee. Upon receipt of the request, the chair of the School Hearing Committee will call together a panel of the School Hearing Committee as set out in each school's bylaws to begin consideration of the formal charges as soon as possible.
- i. The School Hearing Committee will select a chair and may, if it chooses, request *pro bono* legal counsel or legal counsel from the Office of General Counsel. The legal counsel will advise the School Hearing Committee, but may not vote. If the School Hearing Committee retains *pro bono* legal counsel from outside the Office of the General Counsel, the School Hearing Committee may consult with the Office of General Counsel regarding technical questions not directly bearing on the merits of the case, if the committee considers such consultation appropriate and helpful.
- j. In every dismissal or termination hearing, the faculty member shall have the right to appear in person with legal counsel retained by the individual, or other representative of his or her choice, and to confront and cross-examine witnesses. The faculty member shall have the right to testify, but may not be required to do so, and may introduce in his or her behalf all evidence, written or oral, which he or she considers to be relevant or material to the case. TTUHSC shall also have the right to legal counsel from the Office of General Counsel in the preparation and presentation of charges and have the same rights in the hearing as those accorded to the faculty member. Failure on the part of the faculty member to utilize an attorney or other representative at the hearing shall not preclude the

School Hearing Committee from utilizing *pro bono* legal counsel or other assistance from the Office of General Counsel.

- k. The parties shall make any objections, substantive or procedural, deemed relevant during the course of the hearing, although neither the Texas Rules of Civil Procedure nor the Texas Rules of Evidence shall apply to the hearing.
- l. An audio recording of the proceedings shall be made and delivered by the dean to the president of TTUHSC, and a copy of this audio recording shall be made available to the faculty member. The record will be transcribed only on the request of either the faculty member or the president at the expense of the requesting party.
- m. The nature of the hearing or review of the formal dismissal or termination charges shall be investigatory and non-adversarial. The panel of the School Hearing Committee, by majority of its membership, shall make written findings on the material facts on each charge and make specific recommendations with regard to each of the charges, as well as general recommendations concerning dismissal or termination. The panel of the School Hearing Committee, by majority of its membership, may make any supplementary suggestions it deems proper concerning disposition of the case. If minority findings, recommendations, or suggestions are made, they shall be similarly treated.
- n. The chair of the panel of the School Hearing Committee shall deliver the written findings, recommendations, and suggestions to the dean within seven (7) TTUHSC business days of the hearing. The dean shall review the committee's findings and recommendations and, within seven (7) TTUHSC business days, shall transmit them along with his or her own recommendations to the president of TTUHSC.
- o. In the case of a termination of appointment of a non-tenured faculty member, the president shall review the School Hearing Committee's findings and recommendations and the dean's recommendation and make a decision. The president's deci-

sion will be stated in writing and communicated to the faculty member and the dean within ten (10) TTUHSC business days of receipt of the recommendations of the School Hearing Committee and the dean. The decision of the president shall be final.

- p. In the case of a dismissal of a tenured faculty member, the president shall transmit the findings and recommendations of the School Hearing Committee and the dean's recommendations, along with his or her recommendations, to the faculty member and to the board for its consideration. The board, by a majority of its total membership, shall take final action. The decision of the board will be stated in writing and communicated to the president, who will communicate it to the dean. The president shall also notify the faculty member in writing of the board's decision. The decision of the board shall be final. Once the board acts to dismiss, payment of salary shall cease, unless such salary has been discontinued previously for any reason referenced hereinabove.
- q. The president of TTUHSC shall have the prerogative of extending any of the time periods specified above when such is in his or her opinion in the best interest of TTUHSC or the faculty member, and shall have the right to intervene, when in his or her judgment, the proceedings are not progressing in a timely manner.
- r. The procedures for dismissal or termination of appointment described in the foregoing paragraphs of this section do not negate the right of the president to suspend the faculty member from all or some duties, when the president reasonably believes such to be in the best interest of the institution. The suspension with pay shall be without appeal and shall continue until such time as the suspended faculty member has been accorded the procedural rights described in the foregoing paragraphs of this section.

04.03.12 Financial exigency, phasing out, or reorganization of programs. The board has sole authority to declare financial exigency. When faculty dismissals are contemplated on grounds of financial exi-

gency, program termination or reduction, or reorganization of academic units, there should be timely notice as reasonably early as possible, with affected faculty having an opportunity to address the matter with the dean. Recommendations from the faculty will be sought by the dean on alternatives available to the school to ensure continuation of a strong academic program and to minimize the losses sustained by affected students and faculty members. In cases of bona fide financial exigency, or the phasing out of programs requiring reduction of faculty, the faculty members involved shall be given opportunities for appointment in related areas of the school (or TTUHSC) provided they are qualified professionally to serve in such areas, and provided such positions are available.

04.03.13 **Implementation.** This policy is to be implemented immediately upon approval by the board. Faculty members in tenure track probationary status at the time of this approval will have the option of electing the tenure and promotion decision process of either the tenure policy that was in effect when they were appointed or that was in effect at the time of application for tenure. All faculty members are subject to all other provisions and procedures of this revised tenure policy upon its approval by the board. Faculty members who have been awarded tenure at TTUHSC shall continue under this policy. This policy shall not be applied in derogation of any faculty member's contract rights. It is not the intent of this policy to operate in derogation of any substantive benefit earned by a tenured faculty member under a previous TTUHSC tenure policy.

04.04 **Tenure – ASU.** ASU shall publish and maintain as a part of its operating manual Tenure and Promotion Regulations and Guidelines, which shall be approved by the board.

04.05 **Guidelines for comprehensive performance evaluation of tenured faculty.** The board recognizes the importance of tenure for university faculty as a protection of free inquiry and open intellectual and scientific debate. 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 ex-

ploring and expanding the frontiers of learning has necessarily challenged the established order. This 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.

The board supports a system of periodic evaluation of all tenured faculty. Periodic evaluation is intended to enhance and protect, not diminish, the important guarantees of tenure and academic freedom. The purpose of periodic evaluation is to provide guidance for continuing and meaningful faculty development; to assist faculty to enhance professional skills and goals; to refocus academic and professional efforts, when appropriate; and to assure that faculty members are meeting their responsibilities to the university and the state of Texas. The board is pledged to regular monitoring of this system to ensure that it is serving its intended purposes and does not in any way threaten tenure as a concept and practice. By providing a policy for periodic performance evaluations, the institutions shall maintain an appropriate balance of emphasis on teaching, research, service, and other duties of faculty. This policy shall be implemented for all tenured faculty members not later than January 1, 2004.

04.05.1 Guidelines. Each component institution will develop institutional policies and plans consistent with the following guidelines for a periodic evaluation of tenured faculty. Institutional policies are to be developed with appropriate faculty input, including consultation with and guidance from faculty governance organizations, and are to be included in each institutional operating policy and procedure manual after review and approval by the presidents of the component institution and submission to the board for review and final approval. Periodic evaluations of tenured faculty while distinct from the annual evaluation process now required of all employees may be integrated with the annual evaluation process to form a single comprehensive faculty development and evaluation process. Nothing in these guidelines or the application of institutional evaluation policies shall be interpreted or applied to infringe on the tenure system, academic freedom, due process, or other protected rights, nor to establish new term-tenure systems or require faculty to reestablish their credentials for tenure.

Operating policy and procedure manuals shall be drafted to establish a streamlined, efficient process and will include the following minimum elements for periodic evaluation:

- a. Comprehensive evaluations of tenured faculty will be conducted no more often than once every year, but no less often than once every six (6) years, after the faculty member was granted tenure. Periods when a faculty member is on leave are not counted in calculating when the comprehensive evaluation is required. The evaluation may not be waived for any tenured faculty member but may be deferred in rare circumstances when the review period will coincide with comprehensive review for tenure, promotion, or appointment to an endowed position. No deferral of an active faculty member may extend beyond six (6) years. Administrators with academic appointments who are subject to review under other policies or procedures and are not assigned to or paid for the performance of customary faculty duties will be subject to comprehensive periodic evaluation within six (6) years of return to active faculty service. The requirement of periodic review does not imply that individuals with unsatisfactory annual evaluations may not be subject to further review and/or appropriate administrative action.
- b. The evaluation process will be directed toward the professional development of the faculty member and shall include review of the faculty member's duties and responsibilities such as teaching, research, service, administration (when applicable), and, for faculty with clinical responsibilities, clinical service.
- c. Reasonable individual notice of at least five (5) months of intent to review will be provided to a faculty member.
- d. The faculty member being evaluated shall submit a resume, including a summary statement of professional accomplishments, and shall submit or arrange for the submission of annual reports and teaching evaluations. The faculty member may provide copies of a statement of professional goals, a

proposed professional development plan, and any other additional materials the faculty member deems appropriate.

In accordance with institutional policy, evaluation of the faculty member's performance may be carried out by the departmental representatives, department chair (or equivalent), dean, and peer review panel, but in any event must be reported to the chair (or equivalent) and dean for review. Evaluation shall include review of the current resume, student evaluations of teaching for the review period, annual reports for the review period, and all materials submitted by the faculty member.

Peer review is required by institutional policy. This peer review process may be initiated by the faculty member, department chair (or equivalent) or dean. The faculty member will be provided with an opportunity to meet with the peer review committee.

- e. Results of the evaluation will be communicated in writing to the faculty member, the department chair/dean, the chief academic officer, and the president for review and appropriate action. Possible uses of the information contained in the report should include the following:

For individuals found to be performing well, the evaluation may be used to determine salary recommendations, nomination for awards, or other forms of performance recognition.

For individuals whose performance indicates they would benefit from additional institutional support, the evaluation may be used to provide such support (e.g., teaching effectiveness assistance, counseling, or mentoring in research issues/service expectations).

For faculty found to be performing unsatisfactorily, these guidelines are intended to recognize and distinguish that termination, revocation or other disciplinary action taken pursuant to existing institutional disciplinary procedures or required annual evaluations are distinct from termination or

revocation of tenure or other appropriate disciplinary action taken pursuant to a comprehensive periodic evaluation process under Section 51.942, *Texas Education Code*, as amended or modified and which procedures are set forth below:

- (1) Termination of employment. If good cause exists for termination under current board policy, a faculty member subject to termination on the basis of a comprehensive performance evaluation conducted pursuant to Section 51.942, *Texas Education Code*, as amended:
  - (a) shall be given an opportunity for referral of the matter to an external non-binding alternative dispute resolution process ("ADR"), as described in Chapter 154, *Texas Civil Practices and Remedies Code*. All mediators, arbitrators or other person conducting the ADR must meet the qualifications set forth in Chapter 154, and must be selected by an agreement of all parties; and
  - (b) alternatively, if both parties agree, the matter may be referred to the internal mediation procedure set forth in existing board policies.

Regardless of whether an internal or external dispute resolution process is utilized, a faculty member who is subject to termination under this policy shall be provided a list of the specific charges levied against him or her. In all such cases, the burden of proof shall be on the institution, and the rights of a faculty member to due process and academic freedom shall be protected.

- (2) Revocation of tenure. A faculty member is subject to revocation of tenure if incompetency, neglect of duty, or other good cause is determined to be present. A faculty member subject to revocation of tenure on the basis of a comprehensive performance evaluation conducted pursuant to Section 51.942, *Texas Education Code*, as amended or modified shall have an opportunity for a non-tenure track term appointment under existing board policy.

- (3) Other disciplinary action. Other disciplinary action is appropriate under existing board or institutional policies on the basis of the comprehensive performance evaluation conducted pursuant to Section 51.942, *Texas Education Code*, as amended or modified. Such action does not preclude other disciplinary action based on annual evaluations or as may be commensurate with events.

The acceptance and success of periodic evaluation for tenured faculty will be dependent upon a well-executed, critical process and an institutional commitment to assist and support faculty development. Thus, remediation and follow-up review for faculty who would benefit from such support, as well as the designation of an academic administrator with primary responsibility for monitoring such needed follow-up activities, are essential.

If required by law or regulation, a copy of these guidelines and any amendments to the guidelines shall be filed with the Texas Higher Education Coordinating Board on or before September 1 of each year.

#### 04.06 Faculty responsibility

- 04.06.1 Public purpose. TTU and ASU are publicly supported institutions which are obligated to provide instruction in higher education, to advance knowledge through scholarship and research, and to provide related services to the community, the state and the nation. TTUHSC is a publicly supported institution which was established to provide opportunities for higher education in the health professions and related fields, to advance knowledge through scholarship and research, and to provide related services to the community, the state, and the nation.
- 04.06.2 Responsibilities of the TTU system. As centers for learning, component institutions have the obligation to maintain conditions which are conducive to freedom of inquiry and expression in the maximum degree compatible with the orderly conduct of their

functions. The responsibilities of the TTU system dictate, to a major extent, the responsibilities of the individual faculty member. The faculty member is properly concerned with the whole process of education and is aware of the responsibilities of the TTU system in a free society. Responsibility is assumed for performing several essential functions: teaching, research, and service to the schools, to the community as a whole, and to individual members of the community as needed.

- 04.06.3 Teaching. As a teacher, the faculty member has responsibilities to students, to a discipline, to a profession, and to the TTU system. These responsibilities include facilitating the intellectual and emotional growth of students, encouraging free inquiry in the classroom and clinic, and striving to create and maintain a climate of mutual respect which will enhance the free interplay of ideas. A faculty member has a responsibility to recognize the varying needs and capabilities of students and to make every effort to assure that evaluation of a student's work reflects the student's level of achievement. The faculty member as a teacher also has the responsibility to uphold the highest scholarly standards and encourage respect for such standards to engage in a continual and critical study of the subject matter of one's discipline so as to ensure that presentations contain the most current and useful knowledge and that the material being taught is consistent with the course of study outlined by a department, college or a course director, and to recognize the responsibilities of the teacher as a counselor and devote a reasonable portion of time to aiding, guiding, and counseling students outside the classroom. Finally, the faculty member has a responsibility to strive to maintain those skills and values that ensure the continuation of free and open inquiry.
- 04.06.4 Research. Through research, a faculty member grows intellectually, stimulates students' learning, and adds to the accumulated knowledge of a discipline. A faculty member should strive constantly to contribute to the growth and understanding of knowledge in one's particular field through creative research and scholarship. The faculty member has an additional responsibility to share the results of research by disseminating them to students, colleagues, and professionals in one's discipline and to the public.

- 04.06.5 TTU system service. A faculty member is responsible for participation in the various activities, programs, and functions related to the enhancement of the TTU system, such as participating in the formulation of component institution's academic policies, service on university committees, and other assignments.
- 04.06.6 Professional service. Within one's field of competence and as time and resources permit, the faculty member has a responsibility to respond to requests for advice and aid and to participate in the activities of one's profession. The faculty member with clinical competence is responsible for the provision of health care services at least to the extent necessary to support adequately the teaching programs of his/her department. All faculty members should stand ready to render advice and aid in their areas of professional competence to those who may need them. Faculty members should exercise care that such activities do not infringe on other obligations and responsibilities to the TTU system.
- 04.06.7 Community service. As a member of a community, the faculty member has the same obligations and responsibilities as those incumbent upon other members of the community. Such services should be consistent with regulations of the TTU system and the state.
- 04.06.8 Discretion. In the case of both professional and community service, the faculty member should exercise discretion in distinguishing between acts carried out or statements made as an individual or a professional and those carried out or made as a representative of the TTU system.

#### **04.07 Faculty development leaves of absence**

- 04.07.1 Purpose of leaves of absence. The board may grant faculty development leaves of absence for study, research, writing, field observations or other suitable purposes, under conditions allowable by the state of Texas.
- 04.07.2 Benefits for faculty. Such leaves shall not jeopardize a faculty member's participation in benefits available by or through the institution or the state to faculty members.

- 04.07.3 Selection process. In making recommendations for faculty leaves to the board, procedures for selection consistent with state guidelines shall be utilized by the respective president.

**04.08 Academic workload -- TTU**

04.08.1 General. The workload of faculty members encompasses a variety of teaching, research, technology transfer, and service activities. Teaching load, the number of credit hours taught or equivalent duties assigned to a faculty member, is but one aspect of faculty workload. In carrying out their responsibility to distribute workload, unit heads (chairpersons or comparable academic administrators) and deans must assign teaching loads such that:

- a. overall workloads are distributed as equitably as possible and in a fashion which is consistent with the unit's mission;
- b. the university meets its instructional obligations for both undergraduate and graduate programs;
- c. each faculty member meets statutory minimum teaching load requirements; and
- d. faculty participation in research, technology transfer and service be accommodated.

04.08.2 Minimum teaching load. In compliance with Sections 51.402 and 51.403, *Texas Education Code*, the minimum teaching load for faculty members paid 100 percent from funds appropriated for instructional purposes is equivalent to 18 semester credit hours of instruction in organized undergraduate and/or graduate classes each nine-month academic year. For purposes of this document, 18 semester credit hours of organized undergraduate and/or graduate instruction equals 18 hours of teaching load credit.

04.08.3 Proportioned workload. For faculty members with less than full-time appointments from funds appropriated for instructional purposes, the minimum teaching load is proportionally less. When more than one instructor teaches a single course, the teaching load

credit will be apportioned according to the effort expended. Normally, extended learning courses, freshman seminar courses, and other courses compensated outside regular faculty salary are not counted as part of a faculty member's minimum teaching load. Credit for teaching in summer sessions that is uncompensated by funds appropriated for instructional purposes will be applied to the following academic year.

- 04.08.4 Exceptions to teaching load. A reduced teaching load may be granted if classes do not materialize because of insufficient enrollment and when additional classes or equivalent academic work cannot be assigned to the faculty member. This exception will not be made for any particular faculty member in successive years.
- 04.08.5 Compliance and equity. The responsibility for assigning teaching duties rests with unit heads and deans. The Office of the Provost monitors these assignments for compliance and equity and provides appropriate reports in accordance with state requirements and board policy.
- 04.08.6 Calculation of teaching load. In calculating teaching load, the equivalencies in the following section will be applied. Normally a faculty member paid by funds appropriated for instructional purposes will comply with the statutory teaching load requirement by serving as the instructor of record for four or more organized courses in an academic year. In no case, however, will a faculty member paid full-time from funds appropriated for instructional purposes teach fewer than two organized courses in an academic year without the approval of the provost.
- 04.08.7 Equivalencies
  - a. One semester credit hour of organized graduate instruction is equal to 1.5 semester credit hours of organized undergraduate instruction.
  - b. Teaching load credit for a large class which requires extensive grading and evaluation of student work is equal to the number of semester credit hours of the course weighted as follows: 1.1 for 60-69 students, 1.2 for 70-79 students, 1.3 for 80-89 stu-

dents, 1.4 for 90-99 students, 1.5 for 100-124 students, 1.6 for 125-149 students, 1.7 for 150-174 students, 1.8 for 175-199 students, 1.9 for 200-249 students. Unit heads will review classes with more than 250 students enrolled for possible additional teaching load credit.

- c. Teaching load credit for courses designated as writing intensive is equal the number of semester credit hours of the course weighted as follows: 1.1 for 15-19 students, 1.2 for 20 or more students.
- d. One class contact hour of laboratory or discussion section teaching (e.g., science and engineering laboratories and performance classes subject to minimum student enrollment requirements) in courses scheduled to meet more hours per week than the semester credit hour designation of the course is equivalent to .67 teaching load credits. If a course is a combined lecture/laboratory class that includes a laboratory for which no separate registration is required, the load credit will be assigned in the same manner as specified in this policy for lecture classes and laboratories.

One class contact hour of professional studio (professional as defined by state of Texas professional licensure requirements), subject to the minimum student enrollment requirements, in courses scheduled to meet more hours per week than the semester hour designation of the course is equivalent to .75 teaching load credits.

- e. One class contact hour of teaching in one-on-one, private-instruction performance or activity courses, which are not subject to minimum enrollment requirements (e.g., studio courses), is equivalent to .5 teaching load credits.
- f. Faculty members developing courses primarily for electronic delivery, as part of the normal teaching load, will be granted teaching load credit equal to the course semester credit hours for one semester before the course is to be delivered. The first semester the course is taught by electronic means, faculty members will receive teaching load credit that is 1.5 times the

semester credit hours of the course. Faculty will receive normal workload credits for the second and subsequent offerings of these courses.

- g. One semester credit hour of organized instruction in a Texas Higher Education Coordinating Board designated field-based course is equal to 1.5 teaching load credits.
- h. Teaching load credit for doctoral dissertation direction will be granted to graduate student committee chairpersons on the basis of .33 of the semester credit hour enrollment in their dissertation courses or, at the discretion of the unit head, on the basis of 1 credit per doctoral student. Teaching load credit for master's thesis direction will be granted to graduate student committee chairpersons on the basis of .2 of the semester hour enrollment in their thesis courses or, at the discretion of the unit head, on the basis of .6 credit per master's student. Normally, no more than 6 teaching load credits per semester can be counted toward the statutory teaching load through chairing dissertation or master's committees. This credit may be increased to nine hours with the approval of the line dean and the Dean of the Graduate School.
- i. Teaching load credit to members of thesis and dissertation committees will be granted (in addition to any directed study credits for which the student is appropriately enrolled) on the basis of .5 credits per student to be awarded once per student after the student files the *Statement of Intent to Graduate*.
- j. Teaching load credit for individual instruction classes (e.g., individual research projects, student teaching supervision, clinical or intern supervision) will be granted on the basis of .3 of the course semester credit hour designation for individual graduate instruction and .2 of the course semester credit hour designation for individual undergraduate instruction per student enrolled. In no case will individual instruction in a single course generate more teaching load credits than if the course were taught as a regularly scheduled, organized class.

- k. Teaching load credit will be granted to a faculty member for coordinating several sections of a single course and/or supervising teaching assistants or graduate part-time instructors who are in charge of a course on the basis of .2 teaching load credits per section coordinated and/or supervised up to a maximum of 3 teaching load credits.
- l. When a faculty member is responsible for developing a new course (lecture, laboratory, studio, etc.), one additional teaching load credit will be assigned in the first semester the course is taught. Additional teaching load credits, up to a total of two, may be granted upon approval of the unit head.
- m. When a faculty member is teaching a course (lecture, studio, etc.) that he or she has not taught in the last five years, .5 additional teaching load credits will be assigned in the semester he or she resumes teaching the course.
- n. New tenure track faculty members, in the first two years of teaching, will be given three teaching load credits per semester for faculty development.
- o. Teaching load credit shall be granted for a faculty member who is a department chairperson, area coordinator or head of a comparable unit, up to a maximum of six hours of teaching load credit.
- p. Up to 3 teaching load credits per semester may be granted, with prior approval of the line dean, to faculty members for significant administrative responsibilities, for significant academic advisement, and for duties associated with appointment as an associate chairperson or other non-teaching academic service to the department.
- q. Up to 3 teaching load credits per semester may be granted with prior approval of the line dean to a faculty member who is engaged in significant, peer reviewed research or service such as development of a major research proposal (e.g., an interdisciplinary proposal or one involving several co-principal investigators) or an equivalent effort in unfunded research,

leadership in a major professional organization, editorship of professional journal, service as president of the Faculty Senate, chairing university committees, service as director of a university sponsored center or institute, development of a significant interdisciplinary program, or a major teaching-related professional development activity.

- r. With the approval of the president, limited teaching load credit may be granted to carry out major responsibilities, not covered above, that are performed in the best interest of the institution's instructional programs as determined by the president. Teaching load credit granted by the president of a component institution for such purposes is limited to 1 percent of the total semester credit hours taught at the university during the previous year.

#### 04.09 Academic workload -- ASU

- 04.09.1 Relation of faculty academic workload requirements to the university's role and scope.

The following faculty academic workload rules and regulations at Angelo State University are designed to support the role and scope of the university. Angelo State University is a coeducational institution of higher education authorized to offer work leading to associate, baccalaureate, and master's degrees. The institution functions as a regional university serving a large, sparsely populated area of West Texas, although a significant portion of the institution's student body comes from numerous counties and metropolitan areas throughout the state. The university serves primarily as an instructional institution, and the normal academic workload assignment reflects this emphasis on classroom and related instruction.

- 04.09.2 Normal academic workload.

The normal academic workload for faculty members at Angelo State University who are paid full time from the appropriations item "Faculty Salaries" shall be four lecture courses or the equivalent of twelve semester credit hours of instruction in organized

undergraduate classes each long term semester, with variations in the twelve hour academic workload to be made at the discretion of the president of the university, dependent upon other academic responsibilities assigned to faculty members. The minimum academic workload for faculty members at Angelo State University who are paid full time from "Faculty Salaries" shall be three lecture classes or the equivalent of nine semester credit hours of instruction in organized undergraduate classes each long semester. A faculty member may be granted the minimum academic workload assignment or less under special or exceptional circumstances with prior written approval of the president of the university.

04.09.3 Adjustments to normal academic workload.

Adjustments to the normal faculty academic workload may be made as follows:

- a. One semester credit hour of organized graduate instruction in a class of five or more students may be equated to one and one-half semester credit hours of organized undergraduate instruction. This adjustment requires the prior written approval of the dean of the college and the provost and vice president for academic and student affairs.
- b. Teaching credit for master's thesis direction by graduate student committee chairpersons shall be granted on an accumulative basis of one-tenth of the thesis research semester credit hours which master's students have successfully completed.
- c. One semester credit hour of teaching in a large class (above 100) which requires extensive grading and written work may be equated to one and one-half semester credit hours of organized undergraduate instruction. This adjustment requires the prior written approval of the dean of the college and the provost and vice president for academic and student affairs.
- d. Three contact hours in laboratory, clinical, studio art, and studio music courses shall be equal to two semester credit hours of instruction in organized undergraduate classes. Two contact hours in physical activity classes shall be equal to one se-

mester credit hour of instruction in organized undergraduate classes.

- e. Practice or student teaching supervision, clinical supervision, and intern supervision shall aggregate to a minimum of 24-30 contact hours per week for a full-time load.
- f. The academic workload for other instructional activities defined within the faculty salary element of cost, such as independent study, self-paced instruction, and television instruction, shall be established in a manner consistent with the above adjustments to the normal academic workload on the basis of an individual review through normal university channels and approved in writing by the provost and vice president for academic and student affairs at the time such instructional activities are scheduled.

#### 04.09.4 Exceptions to the normal academic workload.

- a. Exceptions to the normal academic workload provisions above may be made as follows with written approval through normal administrative channels:
  - (1) A reduced teaching load may be granted for a faculty member who has an administrative assignment such as head of a department, head of a comparable administrative unit, or coordinator of special programs or multi-section courses.
  - (2) A reduced teaching load may be granted temporarily if classes do not materialize and when additional classes cannot be assigned to the faculty member. This exception may not be granted for more than two consecutive long-term semesters for any particular faculty member. A faculty member granted a reduced teaching load under this provision may be assigned a corresponding increase in teaching load during a subsequent long semester.

- (3) A reduced teaching load of one three-semester-hour course may be granted for directing a major musical or dramatic production.
  - (4) A reduced teaching load may be granted where a faculty member has taught a load in excess of the normal requirements during the previous long-term semester. Such reduction in teaching load shall not exceed the previous overload taught by the faculty member.
  - (5) A reduced teaching load may be granted for substantial academic advising responsibilities or for significant temporary academic administrative responsibilities relating to the institution as a whole.
- b. None of the above adjustments or exceptions to the normal academic workload are applicable to the minimum teaching load. Nothing in these rules and regulations shall be construed to prohibit the administration from requiring faculty academic workloads which exceed the standards set forth herein.

04.09.5 Teaching load requirements for administrative officers with part-time faculty assignments.

- a. Administrative officers who are paid partially from the line item appropriation "Faculty Salaries" may be assigned a prorated teaching load based upon the minimum load of nine semester credit hours of undergraduate instruction for a full-time teaching assignment. The salaries for such employees paid from "Faculty Salaries" shall be prorated on the basis of their teaching load.
- b. Salaries for administrative duties performed by administrative officers above the rank of department head will not be paid from "Faculty Salaries" appropriations.

04.09.6 Administrative responsibility for monitoring compliance.

Administrative responsibility for monitoring compliance of these faculty academic workload rules and regulations is as follows:

- a. The primary responsibility and accountability for scheduling the academic workload for faculty members, for assuring an equitable and effective distribution of teaching assignments, and for assuring individual compliance with institutional rules at Angelo State University rest with the department head. The faculty assignments will be reviewed and approved by the dean of the college at the time faculty teaching assignments are made by the department head. The minimum teaching load may be scheduled by the department head only upon the recommendation of the dean of the college and approval of the provost and vice president for academic and student affairs and the president of the university.
- b. The dean of the college shall be responsible for determining that the proportion of time devoted to instructional activity is the same as the proportion of salary being received from faculty salaries. This determination shall be based upon the teaching load requirements authorized under the Faculty Academic Workload Rules and Regulations.
- c. The provost and vice president for academic and student affairs is responsible for reviewing the college and departmental teaching loads and related academic assignments and for monitoring compliance with institutional rules, regulations and Sections 51.402 and 51.403, *Texas Education Code*.
- d. The provost and vice president for academic and student affairs will prepare each semester a report to the president of the university regarding compliance with institutional rules, regulations and applicable laws, which will include copies of any forms the institution may develop for reporting individual faculty academic workloads.
- e. The president of the university will forward such reports as may be required to the board and the Texas Higher Education

Coordinating Board. These reports will provide the means for demonstration of the university's accountability in faculty academic workload assignments.

#### 04.10 **Faculty research**

04.10.1 New knowledge acquisition. A primary mission of each component institution is the contribution of new knowledge developed by the scholars who are an integral part of the TTU system community.

04.10.2 Faculty expectations. All faculty are encouraged to fulfill their roles as members of a scholarly profession by engaging in and actively pursuing a meaningful program of research and scholarly productivity.

04.10.3 Sponsored programs. Sponsored program projects include grants, contracts, and cooperative agreements from both the public and private sectors which support research, instructional, and service projects. In its operating manuals, each component institution will provide a conduit through which projects are submitted. Projects which are submitted through these conduits should be evaluated by the appropriate academic officer, the associate dean for research, or members of the faculty. Approval of such projects properly rests with the appropriate dean operating through a system of committees to ensure that the projects fall within recognized spheres of research and that a positive contribution will be made to the development of an academic discipline.

04.10.4 Salaries for faculty engaged in sponsored research. Whenever possible and appropriate, research proposals should include a budgeted percentage of the salary of principal investigator(s) and other faculty-rank researchers associated with the project.

04.11 **Nonnative English speaking teaching assistants and faculty at TTU and ASU.** Through its chief academic officers, TTU and ASU shall maintain programs for nonnative English speaking teaching assistants and faculty to assist faculty members whose primary language is not English to become proficient in the use of English, and to ensure that courses offered for credit at TTU and

ASU are taught in the English language, and that all faculty members are proficient in the use of the English language.

- 04.12 **Small classes approval at TTU and ASU.** The offering of small classes is a matter of academic and economic concern, and shall be engaged in only when appropriate justification is offered. In keeping with legislative directives and guidelines approved by the Texas Higher Education Coordinating Board, organized small classes may be authorized to be taught if they meet the conditions set forth in the *Texas Administrative Code*. The provost shall approve or disapprove the proposed offering of small classes, monitor the offerings, and provide reports in accordance with state requirements. A report on small classes offered shall be reported to the board as information.