

# Tenure

## Termination of Tenure

### 1. Grounds for Termination

1. Relinquishment or Forfeiture of Tenure: A tenured faculty member relinquishes tenure upon resignation or retirement from The University. A tenured faculty member forfeits tenure upon taking an unauthorized leave of absence or failing to resume the duties of his or her position following an approved leave of absence. Forfeiture results in automatic termination of employment. The chief academic officer shall give the faculty member written notice of the forfeiture of tenure and termination of employment.
2. Extraordinary Circumstances: Extraordinary circumstances warranting termination of tenure may involve either financial exigency or academic program discontinuance. In the case of financial exigency, the criteria and procedures outlined in the Board-approved Financial Exigency Plan for each campus shall be followed. In the case of academic program discontinuance, the termination of tenured faculty may take place only after consultation with the faculty through appropriate committees of the department, the college, and the Faculty Senate. If termination of tenured faculty positions becomes necessary because of financial exigency or academic program discontinuance, the campus administration shall attempt to place each displaced tenured faculty member in another suitable position. This does not require that a faculty member be placed in a position for which he or she is not qualified, that a new position be created where no need exists, or that a faculty member (tenured or non-tenured) in another department be terminated in order to provide a vacancy for a displaced tenured faculty member. The position of any tenured faculty member displaced because of financial exigency or academic program discontinuance shall not be filled within three years, unless the displaced faculty member has been

offered reinstatement and a reasonable time in which to accept or decline the offer.

3. Adequate Cause: "Adequate cause" includes the following and similar types of reasons:

Category A: Unsatisfactory Performance in Teaching, Research, or Service

1. failure to demonstrate professional competence in teaching, research, or service;
2. failure to perform satisfactorily the duties or responsibilities of the faculty position, including but not limited to (a) failure to comply with a lawful directive of the department head, dean, or chief academic officer with respect to the faculty member's duties or responsibilities; and (b) inability to perform an essential function of the faculty position, given reasonable accommodation, if requested;
3. loss of professional licensure if licensure is required for the performance of the faculty member's duties; or with respect to Health Sciences faculty, failure to be granted or loss of medical staff membership and privileges at affiliated teaching hospitals; or
4. dishonesty or other serious violation of professional ethics or responsibility in teaching, research, or service; or serious violation of professional responsibility in relations with students, employees, or members of the community.

Category B: Misconduct

1. failure or persistent neglect to comply with University policies, procedures, rules, or other regulations, including but not limited to

violation of The University's policies against discrimination and harassment;

2. falsification of a University record, including but not limited to information concerning the faculty member's qualifications for a position or promotion;
3. theft or misappropriation of University funds, property, services, or other resources;
4. admission of guilt or conviction of: (i) a felony; or (ii) a non-felony directly related to the fitness of a faculty member to engage in teaching, research, service, or administration;
5. any misconduct directly related to the fitness of the faculty member to engage in teaching, research, service, or administration.

2. **Termination Procedures for Adequate Cause:** Each campus shall establish procedures for terminating a tenured faculty member, or a tenure-track faculty member before the expiration of the annual term, for adequate cause. After approval by the Board of Trustees, termination procedures shall be published in the campus Faculty Handbook. Termination procedures shall incorporate and be consistent with the provisions cited in Appendices B and C.