

Faculty Promotion and Tenure Policies and Procedures *Faculty hired prior to AY 2010-11, will be reviewed under the former [Faculty Promotion and Tenure Policies and Procedures \(P&T policy\), Revised May 19, 2006](#), unless the faculty member chooses to be reviewed under the current [P&T policy dated May 10, 2013](#).*

Virginia Commonwealth University herewith establishes its policies and procedures for faculty promotion and tenure. This document institutes a unified promotion and tenure system throughout the University, while allowing variations in the academic units to accommodate their specific needs.

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1.0 Goal, Objectives and Authority

1.1 Goal

Excellence is the original and continuing goal of Virginia Commonwealth University. A prerequisite of this goal is the recruitment and retention of a distinguished faculty. This requires the appointment, promotion and tenure of a faculty in a way that encourages excellence and creates an atmosphere of free inquiry and expression.

Appointment, promotion and tenure are based on the merit of the individual, consideration of comparable achievement in the faculty member's particular field, and the faculty member's value to the mission, needs and resources of the University.

Promotion in rank reflects quality of performance in appropriate teaching, scholarship and service. Tenure shows the University's continuing commitment to the faculty member, whose position shall not be terminated without adequate reason. The promotion and tenure system at Virginia Commonwealth University is designed to foster:

- Academic freedom of thought, teaching, learning, inquiry and expression.
- Fair and equitable treatment for all individuals.
- Appropriate participation by the faculty, the student body, the administration and the Board of Visitors.

- A normal succession and infusion of new faculty.

1.2 Objectives

The objectives of the system described in this document are:

- Assessment of faculty performance to the highest attainable degree within the context and resources of the University.
- Support of the goals of the University and support of the diverse missions and characteristics of its individual academic units.
- Commitment to administrative management which provides for fair and reasonable allocation of time and resources.
- Assurance of the financial integrity of the institution.
- Sufficient flexibility to permit modifications of programs, curricula and academic organizational units to meet changing academic, institutional and societal needs.

1.3 Relationship of Schools and Departments to University Promotion and Tenure Policy

Each school¹ and each department of a school where recommendations for academic appointments are initiated shall establish written guidelines for promotion and tenure. The guidelines shall be consistent with the University-wide policies in this document, but shall also specify the details involved in meeting the particular goals and objectives of those units.

Promotion in rank and tenure are considered initiated wherever the budgetary and signature authority for Personnel Actions Forms resides. If promotion and tenure are initiated only at the school level, guidelines shall be written only for the school. If promotion and tenure are initiated at the departmental level, guidelines shall be written for both the department and the school. The guidelines for the procedures and criteria for a given department of a school may be identical to the guidelines of that school.

Guidelines shall define tenured and non-tenure faculty positions and the relationship of the unit's promotion and tenure system to the unit's work plan and individual faculty work plans developed in accordance with the Faculty Roles and Rewards Policy². The guidelines of each school and each department must be consistent with university policy but shall include procedural variations, composition of committees and criteria for promotion and tenure relative to the unit's mission. The guidelines shall include specific measures for evaluating faculty performance.

The guidelines for all departments and/or schools shall be formulated and reviewed periodically by a committee of the department and/or school. The faculty shall elect the committee members, and the committee members shall be open to faculty recommendations. A majority vote of the faculty shall be required for the approval of all unit guidelines.

1.4 Appointing Authority

Promotion and tenure of the faculty are made under the ultimate authority and with the final approval of the Board of Visitors.

The president is authorized to recommend faculty promotions and conferral of tenure to the Board of Visitors according to the procedures set forth in this document.

2.0 Faculty Ranks

University faculty appointments are at the ranks of professor, associate professor, assistant professor and instructor.

2.1 Basic Criteria

Appointment or promotion to assistant professor shall indicate the candidate can be expected to perform satisfactorily all required academic duties and holds promise for further professional development. Appointment or promotion to associate professor shall indicate a sustained record of professional achievement. Appointment or promotion to professor shall indicate national peer recognition of professional achievements.

2.2 General Criteria

In order to foster the university's commitment to excellence, the following criteria shall apply in the evaluation of all faculty for promotion and tenure. Individual faculty work plans developed in accordance with the Faculty Roles and Rewards Policy, and the special mix of duties assigned to faculty members holding collateral faculty appointments, shall guide evaluation of each faculty member's effort under each criterion.

1. Appropriate credentials and experience.
2. Demonstrated quality in teaching.
3. Demonstrated continuing scholarship and professional growth.
4. Demonstrated performance of service responsibilities within the university, school, and department; and to the profession and broader community.

2.3 Departmental and School Criteria

- The detailed school and/or department guidelines shall amplify the general criteria of the University.
- Additional special criteria unique to a given school and/or department are encouraged.
- The individual school and/or department guidelines shall designate the relative weight assigned to the various criteria.

Faculty performance with respect to teaching, scholarship and service shall be rated (in descending order) as excellent, very good, satisfactory, or unsatisfactory. Credentials and experience shall be rated as satisfactory or unsatisfactory. All written reports and evaluations of faculty performance ratings shall use this terminology.

3.0 Appointments

All faculty appointments shall be either tenured, probationary (tenure-eligible), collateral (non-tenure), or adjunct (non-tenure).

Adjunct (non-tenure) appointments are part-time. All other appointments shall be full-time and either tenured, probationary (tenure-eligible), or collateral (non-tenure).

Unless otherwise specified in the contract letter, when the term of the appointment of a full-time faculty member is not to be renewed, the faculty member shall be notified:

1. At least three months prior to the expiration of the appointment during the first year at the University;
2. At least six months prior to the expiration of the appointment during the second consecutive year at the University;
3. At least 12 months prior to the expiration of the appointment after two consecutive years at the University.

3.1 Tenured Appointments

A tenured appointment is an appointment that continues until the faculty member either voluntarily leaves the University or is dismissed for cause as specified in Section 11.

Tenure is conferred by criteria and procedures established by this document and supplemented by appropriate school and department guidelines. Tenure is granted only at the rank of associate professor or professor.

Tenure is conferred based on the faculty member's demonstrated capabilities, academic achievement and the University's anticipated long-term academic needs.

A recommendation for a tenured appointment is initiated only by an academic unit of a degree-granting school or college. Typically, recommendations for tenured appointments are initiated in a department of a school, but in schools where recommendations for academic personnel actions are initiated at the school level, recommendations for tenured appointments are initiated at the school level.

The guidelines for each academic unit where recommendations for tenured appointments are initiated shall specify written criteria and standards for recommending tenure in that unit. These criteria shall assure that recommendations are based on a record of effectiveness in teaching, scholarship appropriate to the discipline, professional growth and service to the University, the profession or the public. These guidelines shall also specify each unit's procedures for consultation with external evaluators and how the use of external evaluators is reported to the candidate. External evaluators shall be at a rank equal to or higher than the rank for which the candidate is being reviewed.

3.2 Probationary (Tenure-Eligible) Appointments

Probationary appointments are granted to faculty members with suitable preparation and experience who are appointed in positions identified by the department and/or school as appropriate for tenured faculty.

The maximum period of probationary service of an assistant professor is six academic years. At the end of this six-year period, the faculty member must be given an appointment with tenure or a one-year terminal appointment.

An initial appointment at the rank of professor or associate professor may also be a probationary appointment. The maximum period of probationary service is two years as a professor and three years as an associate professor. At the end of these periods the faculty member must be given an appointment with tenure or a one-year terminal appointment.

Instructors promoted to the rank of assistant professor may become probationary (tenure-eligible) faculty members. The unit guidelines shall specify how the faculty shall participate in the decision for this promotion.

3.21 Alterations of the Probationary Period

Any alteration in the normal six-year probationary appointment period shall require the concurrence of the dean, the departmental chair if academic personnel actions are initiated at this level and the individual concerned. All modifications of the normal probationary period shall be entered in writing in the faculty member's personnel file. Factors that may be taken into account at the time of the initial appointment in establishing the length of the probationary period may include:

1. Prior service at an academic institution at the rank of assistant professor or above;

2. Prior service in a discipline unrelated to the present appointment, with the approval of the vice-president;
3. Prior service while a candidate for a doctoral or equivalent terminal degree at any institution;
or
4. Time spent on leave of absence.

Modification in the normal six-year probationary period of a faculty member appointed at the rank of assistant professor may not exceed three years.

A tenure-eligible faculty member may request an extension of the probationary period where extenuating nonprofessional circumstances are projected to impede significantly normal progress. Such circumstances might include but are not limited to childbirth, adoption, care of terminally ill immediate relative or personal trauma. Application for extensions must be made within one year of the onset of the extenuating circumstances through the unit and require approval of the dean and the appropriate vice president, either vice president for academic affairs or vice president for health sciences.

The total period of a probationary tenure-eligible appointment plus a one-year terminal appointment shall not exceed seven years of full-time service exclusive of extensions for leave or extenuating circumstances described above.

A tenure-eligible faculty member on a probationary appointment may transfer to a collateral appointment during enrollment in a University degree program with the concurrence of the vice-president, dean, the departmental chair where the academic personnel action is initiated and the individual concerned. This transfer suspends the period of probationary service, but the faculty member retains other rights of the tenure-eligible appointment including review, the right to timely notice, and a terminal period as provided in 3.21, 3.22 and 3.23.

3.22 Evaluation of Probation

Probationary appointments at the rank of assistant professor shall be reviewed periodically by the academic unit where personnel actions are initiated. The guidelines for each such unit shall specify how this review shall be conducted and the criteria to be used to evaluate progress toward tenure. The guidelines shall specify the frequency of the review(s), how the individual work plan developed in accordance with the Faculty Roles and Rewards Policy shall be incorporated into the review process and how the candidate shall be informed regarding progress toward meeting the standards and criteria for tenure in that unit. The guidelines shall specify the voting rights of the faculty regarding continued probation, terminal reappointment or a recommendation to grant tenure.

The departmental chair, the reviewing faculty of the department or the candidate may request a review for a recommendation to grant tenure. A faculty member may be reviewed for tenure once before the normal review occurring at the end of the probationary period. Faculty members reviewed for tenure before the end of their full probationary period shall not be subject to any extraordinary requirements and shall be required to meet the same standards required of them at the end of the full probationary period.

A decision to terminate a probationary appointment may be made during any year of the probationary period and need not wait until the end of the normal probationary period.

3.23 Linkage

Tenure-eligible assistant professors shall be reviewed in one process, with both promotion and tenure awarded or denied in a single decision.

Tenure-eligible associate professors may be reviewed for tenure alone or for promotion and tenure simultaneously. A decision to deny a promotion does not preclude a decision to award tenure.

3.3 Collateral (Non-tenure) Appointments

A collateral (non-tenure) appointment is a full-time appointment to the faculty for a specified term and does not lead to tenure. Collateral faculty members shall hold the same rights and responsibilities specified in the Faculty Handbook as tenured or tenure-eligible faculty except they shall not be afforded tenure or tenure eligibility. Collateral faculty supported by restricted funds may be subject to different terms of notification of non-renewal than are specified in 3.0. Such terms shall be specified in the letter of appointment.

Collateral appointments shall always be at the rank of professor, associate professor, assistant professor or instructor. When appropriate to the duties assigned to the faculty member holding a collateral appointment, modifiers (e.g., Clinical Professor, Visiting Professor, Research Professor or Teaching Professor) should be used.

A collateral appointment may be for a term of one to five years and is renewable.

Each unit with collateral faculty appointments shall provide written guidelines for promotion. The guidelines shall be the same as those used for promotion of tenure and tenure-eligible faculty except a collateral faculty's effort shall be weighted by the special mix of duties assigned to faculty members holding collateral appointments. The guidelines shall also specify how a faculty vote will be taken in a recommendation to promote or renew collateral faculty appointments.

3.4 Continuing Review of Faculty

All tenured and non-tenured faculty shall be evaluated annually using criteria established in the guidelines of the school and/or department. Faculty with collateral appointments also shall be evaluated annually using the guidelines of the school and/or department, but taking into consideration the special duties assigned to the individual faculty member's collateral appointment. The guidelines for all evaluations shall be consistent with and fully incorporate the guidelines in the Faculty Roles and Rewards Policy.

3.5 Adjunct Appointments

Adjunct faculty (non-tenure) appointments are granted to faculty who serve the University part-time and are employed for specific activities. The rights and privileges of adjunct faculty shall be specified in the guidelines of the unit making the appointment, but they shall not participate in the evaluation of full-time faculty for promotion or tenure.

Recommendations for appointments or rank of part-time non-tenure faculty shall not require academic review outside the school. These personnel actions shall be reviewed using guidelines established by the school and department and recommended by a letter from the department and/or school with the concurrence of the dean.

3.6 Honorary Titles

The President and/or Board of Visitors may designate the rank of University professor, distinguished professor or emeritus professor as deemed appropriate. The voting privileges of faculty holding honorary titles shall be specified in the guidelines of the units where they are appointed.

3.7 Administrative Titles

Faculty may be assigned administrative titles designating administrative responsibilities held in addition to any tenured/tenure-eligible or non-tenure faculty rank concurrently held.

Administrative titles and compensation for administrative responsibilities are held independent of any concurrently held faculty rank. Periodic reviews of a faculty member's performance as an administrator are separate and independent of academic reviews conducted for faculty promotion and/or tenure conducted under this document.

Administrative titles and responsibilities are held for specific terms or at the discretion of a superior administrative officer. Removal from an administrative position does not impair any rights the administrator held as a faculty member.

It is not possible for an administrator to hold tenure in an administrative title, but administrators may earn and hold tenure under concurrently held faculty titles.

3.8 Notice of Appointments

Every faculty appointment or change of status shall be specified in a written notice of appointment issued by or on behalf of the President and/or Board of Visitors to the faculty member.

The notice shall include the following information: rank, academic unit(s) in which the appointment is made, type of appointment (tenured, tenure eligible, collateral, adjunct), period of appointment, whether it is part or full time, and salary. If it is a tenure eligible position, the notice of appointment shall also include the length of the probationary period and the tenure review date.

Except for increases in rank or salary, and except for action expressly authorized by these regulations, changes in any of the items listed in 3.8 are not permitted during the term of an appointment except with the agreement of the faculty member and the Board of Visitors or its authorized delegate.

3.9 Joint Appointments With Non-University Agencies

A joint appointment for a faculty member with a non-University agency does not in any way fiscally obligate the University for salary or benefits supplied by the non-university agency in the event of a change in the relationship between the faculty member and the non-University agency or between the agency and the University.

Joint appointments with a non-University agency shall require a letter of approval from the University and non-University administrative units involved in the appointment. Such letters shall specify the privileges granted to the faculty member by each unit and the responsibilities and obligations of the faculty member to that unit during the appointment.

4.0 University Promotion and Tenure Policy Review Committee

4.1 Committee Composition

- a. The University Promotion and Tenure Policy Review Committee shall consist of a minimum of one tenured faculty member from each school, none of whom hold administrative titles at the level of departmental chair or above. No school shall have more than three members serving on the committee at any given time.
- b. To fill a vacancy, the President of Virginia Commonwealth University shall appoint committee members from a list composed of three names jointly recommended by the President of the Faculty Senate and the dean of the school with the vacancy. The president shall designate the chair of the committee.
- c. The members of the committee shall serve staggered three-year terms. In case of vacancies the president shall make appointments to fill uncompleted terms. Persons who have served a complete three-year term are ineligible for reappointment for three years.

- d. Members of the University Promotion and Tenure Policy Review Committee shall not be eligible for concurrent service on a departmental or school promotion and tenure committee while serving on the University Promotion and Tenure Policy Review Committee.

4.2 Committee Duties

The Committee shall:

- a. Formulate and, with the president's approval, issue such general instructions and schedules as may be necessary to coordinate the promotion and tenure process throughout the University.
- b. Receive the written guidelines for promotion and tenure from each unit where academic personnel actions are initiated and from all units that participate in the academic review process in that school. The University Promotion and Tenure Policy Review Committee shall review the guidelines for clarity and conformity with this document and either approve or propose modification of the guidelines.
- c. Perform an in-depth review of all steps of the promotion and tenure process in each school every third year on a rotating basis. This review shall include at least one member of the Promotion and Tenure Policy Review Committee attending, as an observer, at least one meeting of each step of the review process in that school and examining a random sample of promotion and tenure files of faculty being reviewed. The review of the school shall also include a written notification to the faculty of the unit under review and invite oral or written comments regarding the application of the guidelines and/or procedures used in the school for appointment, promotion and tenure. The findings concerning the review of each school's promotion and tenure process shall be reported in writing to the president with copies both to the dean and to the promotion and tenure panel of that school.
- d. Report annually to the president and to the faculty on the operation of the promotion and tenure system, including the number of candidates and the outcomes of their candidacy.

5.0 School Promotion and Tenure Committee

5.1 Committee Election and Term of Office

Each school shall elect a school promotion and tenure committee as provided by the guidelines of the school. The school guidelines may allow the dean to appoint additional committee members following the election of the committee. Only full-time faculty members shall be eligible to vote.

The committee shall consist of no fewer than three faculty members all of whom shall be tenured. None of the committee members shall hold an administrative title at the level of departmental chair or above.

Members of the school promotion and tenure committee shall serve staggered three year terms. Those who have served three consecutive years are ineligible to serve again for one year. In the event committee vacancies should occur, an interim election shall be held to fill the incomplete term. Each year the committee shall elect a chairperson from its members.

6.0 University Appeal Committee

6.1 Committee Composition

- a. The University Appeal Committee shall consist of at least one tenured faculty member from each school, none of whom hold administrative titles at the level of departmental chair or above. No school shall have more than three members serving on the committee at any given time.

- b. To fill a vacancy, the President of Virginia Commonwealth University shall appoint each committee member from a list composed of three names jointly recommended by the President of the Faculty Senate and the dean of that school with the current committee vacancy. The president shall designate the chair of the committee.
- c. The members of the committee shall serve staggered three-year terms. In case of vacancies the president shall make appointments to fill uncompleted terms. Persons who have served a complete three-year term are ineligible for reappointment for three years.
- d. Members of the University Appeal Committee shall not be eligible for concurrent service on a departmental or school promotion and tenure committee.

6.2 Committee Duties

The Committee shall review all faculty appeals as specified in 9.1 of this document.

The University Appeal Committee shall hold hearings regarding any proposed dismissal for cause of a tenured faculty member as specified in 11.0 of this document.

7.0 Academic Review Procedures for Promotion and Tenure

Sections 7.1 to 7.12 - Apply only to those units where budgetary and signature authority for Personnel Action Forms has been delegated to the departments of a school.

Sections 7.2 to 7.22 - Apply only to those units where budgetary and signature authority for Personnel Action Forms is retained at the school level.

7.1 Promotion and Tenure Initiated at the Departmental Level

Recommendations for promotion and tenure are initiated at the departmental level in those schools with departments having budgetary and signature authority for initiating Personnel Action Forms.

In those units where recommendations for academic personnel actions are initiated at the departmental level, the review process begins at the department. The candidate, with the departmental chair, shall develop a file following the guidelines established by the department. The completed file shall be forwarded to the peer committee to conduct a substantive evaluation of the candidate's record and performance.

7.11 Peer Evaluation

The department chair shall form a peer committee following procedures described in the departmental guidelines. Except when the candidate undergoing review is a collateral faculty member for promotion only, the peer committee shall be composed of tenured faculty only, primarily from the department, but there must also be tenured faculty representation from outside the department. If the candidate undergoing review is a collateral faculty member, the committee may include collateral faculty. In addition, student representation is required. The voting status for student members shall be specified in the departmental guidelines.

The chair shall notify the candidate of the proposed peer committee, and the candidate shall have the right to challenge any member of the committee for cause. Such challenges must be made in writing to the chair within five working days following the date the candidate is notified of the composition of the committee.

The peer committee shall conduct a substantive evaluation of the candidate's record and performance, including all accumulated student evaluations, individualized work plans developed in accordance with the Faculty Roles and Rewards Policy, prior reviews and written internal and

external evaluations. Only the peer committee shall solicit and receive external evaluations. Evaluations may be solicited from both persons suggested by the candidate and persons suggested by the committee. The file shall list all persons solicited for letters and identify each person as either named by the candidate or named by the committee. All solicited letters received must be included in the file. Each department's guidelines shall specify the details of the use of external evaluations in that unit's academic review process.

The peer committee shall add a written report to the candidate's file which shall include the numerical results of a secret ballot for or against recommending promotion and/or tenure and the rationale for the recommendation. The peer committee shall forward the file to the chair of the department.

7.12 Department Chair

After receiving the file from the peer committee, the chair of the department shall review the file using the department guidelines as a reference, request supplementary material as needed, add a written recommendation and forward the recommendation, the file, and the peer committee report to the school promotion and tenure committee.

7.13 School Promotion and Tenure Committee Evaluation

The school promotion and tenure committee shall receive the file from the chair of the department and review the file using the guidelines of the school as a reference. The committee shall review prior recommendations and enter a written report of its proceedings including the results of a secret ballot for or against recommending promotion and/or tenure and the rationale for the recommendation. The file shall be forwarded to the dean of the school.

7.2 Promotion and Tenure Initiated at the School Level

Recommendations for promotion and tenure are initiated at the school level in those schools having budgetary and signature authority for initiating Personnel Action Forms.

In those units where recommendations for promotion and tenure are initiated at the school level, the review process begins at the school level. The candidate, with the dean, shall develop a file following the guidelines established by the school. The completed file shall be forwarded to the peer committee to conduct a substantive evaluation of the candidate's record and performance.

7.21 Peer Evaluation

When applications for promotion and tenure are initiated at the school level, the school promotion and tenure committee shall form a peer review committee following procedures described in the school's guidelines. School guidelines shall specify whether the peer committee is the same as the school committee or whether someone can serve on both the school and peer committee. Except when the candidate undergoing review is a collateral faculty member for promotion only, the peer committee shall be composed of tenured faculty only, primarily from the school, but there must also be tenured faculty representation from outside the school. If the candidate undergoing review is a collateral faculty member, the committee may include collateral faculty. In addition, student representation is required. The voting status for student members shall be specified in the school's guidelines.

The school committee shall notify the candidate of the peer committee, and the candidate shall have the right to challenge any member of the peer committee for cause. Such challenges must be made in writing to the school committee within five working days following the date the candidate is notified of the composition of the peer committee.

The peer committee shall conduct a substantive evaluation of the candidate's record, including accumulated student evaluations, individualized work plans developed in accordance with the

Faculty Roles and Rewards Policy, prior reviews and written internal and external evaluations. Only the peer committee shall solicit and receive external evaluations. Evaluations may be solicited from both persons suggested by the candidate and persons suggested by the committee. The file shall list all persons solicited for letters and identify each person as either named by the candidate or named by the committee. All solicited letters received must be included in the file. The guidelines of each school shall specify the details of the use of external evaluations in that unit's academic review process.

The peer committee shall add a written report of its proceedings to the candidate's file which shall include the numerical results of a secret ballot for or against recommending promotion and/or tenure personnel action and the rationale for the recommendation. The peer committee shall forward the file to the school promotion and tenure committee.

7.22 School Promotion and Tenure Committee Evaluation

The school promotion and tenure committee shall receive the file from the peer committee and review the file using the guidelines of the school as a reference. The committee shall review all prior recommendations and enter a written report of its proceedings including the numerical results of a secret vote for or against recommending promotion and/or tenure and the rationale for the recommendation. The file shall be forwarded to the dean.

8.0 Administrative Review Procedures for Academic Personnel Actions

8.1 The Dean

After receiving a file, the dean shall review the file and add a recommendation addressing the fiscal and programmatic impact of the proposed academic personnel action on the school and forward the original file to the appropriate vice-president, either vice president for academic affairs or vice president for health sciences. A copy of the file, complete with all reviews and recommendations, shall be given to the candidate.

If the recommendation is not supported by either the peer committee, the chair of the department, or the school tenure and promotion committee, then the dean has the option of returning the file, no more than once, to those review bodies that did not support the proposed personnel action and request reconsideration.

When promotion and/or tenure is not recommended, the dean shall inform the candidate of this decision. At this time the dean shall also give the candidate a copy of the file, complete with all reviews and recommendations, and notify the candidate of the right to add a written statement to be included in the file. The candidate has 10 working days after notification by the dean to add a statement to the file.

The dean shall forward the original file, containing the candidate's written response and all recommendations and letters to the appropriate vice president.

8.2 The Vice President

The appropriate vice-president, either the vice president for academic affairs or the vice president for health sciences, shall receive and review files and add a recommendation addressing the University fiscal and long range planning impact of the proposed academic personnel action.

If the administrative review of the vice-president supports promotion and/or tenure, the vice-president shall forward the original complete file to the president with that recommendation.

If the administrative review of the vice-president does not support promotion and/or tenure, the vice-president shall inform the candidate of the decision in writing and notify the candidate of his or her right to appeal to the University Appeal Committee. The candidate has 15 working days

from notification to appeal the decision of the vice-president. The candidate initiates an appeal by sending a letter to the University Appeal Committee indicating where and how he/she believes the review process has erred.

9.0 Appeal Process

9.1 The University Appeal Committee

The University Appeal Committee shall receive all appeals. The Committee shall contact those review bodies identified in the denial and extend to them the opportunity to respond to the appeal in writing and/or at a scheduled meeting of the Appeal Committee. The candidate may attend all open meetings of the Appeal Committee and may be accompanied by one nonparticipating advisor.

The candidate shall have the right to address the Appeal Committee. Such presentations shall be limited in scope to the specific errors in procedure or judgment alleged in the appeal. New subject areas, not addressed in the appeal, may not be introduced.

The Appeal Committee may decide that it needs limited additional information or testimony and may call appropriate witnesses. It shall confine any such hearings to those questions or issues specified in the appeal.

After reviewing the record and hearing testimony, the University Appeal Committee shall take one of the following actions and shall forward its recommendation to the president.

- a. Vote to support the appellant. When the Appeal Committee votes to support the appellant, the Committee shall forward the file to the president with a letter describing their recommendation with copies to the appellant, the vice-president and the dean. The letter shall include a rationale for the decision and the number of committee members voting for and against the decision.
- b. Vote to deny the appeal. When the Appeal Committee votes to deny any appeal, the Committee shall forward the file to the president with a letter describing their recommendation with copies to the appellant, the vice-president and the dean. The letter shall include a rationale for the decision and the number of committee members voting for and against the decision. In the event of a tie vote the appeal is considered denied.
- c. Decide that the candidate's file should be reconsidered at a prior level of review and remand it to the dean for reconsideration. The Appeal Committee may direct the formation of a new peer committee using the processes specified in section 7.11 or 7.21. When a new peer committee is ordered or when the addition or deletion of material has altered the file, the file shall go through all previous review steps including new internal letters from all review bodies. New material may be added to the file only by this option.

10.0 The President and Board of Visitors

The president is authorized to recommend faculty promotions and conferral of tenure to the Board of Visitors. Promotion and tenure of the faculty are made under the ultimate authority and with the final approval of the Board of Visitors. (1.4).

When the president does not support the recommendation of a faculty member for promotion and/or tenure, the president shall notify the Board of Visitors, the candidate, the vice president and the dean of this decision in writing. If the president does not support a recommendation for promotion and/or tenure, no further appeal exists within the University.

If the president recommends a faculty member for promotion and/or tenure to the Board of Visitors and the Board of Visitors does not support the recommendation, the president shall notify the candidate, the vice president and the dean of this decision in writing. If the Board of Visitors

does not support the recommendation of a faculty member for promotion and/or tenure, no further appeals exist within the University.

11.0 Procedure for Termination of Employment of Tenured Faculty Members

11.1 Reasons for Dismissal

Tenure is designed to protect the academic freedom of individual faculty members who have established themselves during probationary periods. Tenured faculty are expected to continue to strive for excellence in all of their academic and scholarly tasks. Adequate reason for dismissal of a tenured faculty member may be established by a demonstration of any of the following:

- a. Neglect, inability or failure to do the normal and expected satisfactory teaching, research and other services within the areas of presumed professional competence.
- b. Professional incompetence which includes failure to continue scholarly development within the individual's discipline and failure to fulfill University assignments.
- c. Moral turpitude.
- d. Violation of academic or professional ethics.
- e. Unprofessional conduct that significantly adversely affects the functioning of the department, school or University.
- f. Violation of the Virginia Commonwealth University Rules and Procedures, as adopted by the Board of Visitors, provided the faculty member has been found guilty of an offense and a penalty for separation has been assessed pursuant to the Rules and Procedures.
- g. Bona fide financial emergency in a department or school, or reorganization or termination of programs as defined by established University policies and procedures.

11.2 Post-Tenure Review

In accordance with 3.4 above, all tenured faculty, including administrative faculty, are evaluated annually, using the established guidelines of their school and/or department. The annual evaluation examines the faculty member's performance in light of his or her expected contribution to the unit as established previously using the university's Roles and Rewards Policy. The annual evaluation is the core of the university's ongoing post-tenure review process, and it should contain a summary rating of excellent, very good, satisfactory, needs improvement or unsatisfactory. On this scale, the appropriate rating for a tenured faculty member whose overall performance in previous years has been 'satisfactory' or better, but whose current overall performance is not satisfactory, is 'needs improvement.' If a faculty member's previous overall performance was rated 'needs improvement' and the current overall performance has not met the conditions for improvement, the appropriate rating is 'unsatisfactory.'

11.21 Post-Tenure Review Panel

When a tenured faculty member receives one over-all unsatisfactory annual evaluation, a five member panel of tenured faculty members (at least two of whom are from the faculty member's department and at least one of whom is from another department) will be appointed to conduct a thorough review of the faculty member's performance. Within 15 working days of notification of a panel review, the faculty member and the chair of the department (or the dean where annual review is conducted at the school level) shall each submit lists of five possible panel members to the school's promotion and tenure committee, which will appoint the committee. The chair of the school promotion and tenure committee will notify in writing the faculty member, the chair of the department and the dean of the proposed panel. Both the faculty member and the department chair (or the dean when annual evaluations are conducted at the school level) shall have the right to challenge any member of the panel for cause. Such challenges must be made in writing to the

chair of the school promotion and tenure committee within 5 working days following notification of the proposed panel. The school promotion and tenure committee shall make the final decision on panel composition.

11.22 Information for the Review

The chair, and/or the dean, and the faculty member must supply the panel all information pertinent to its task in no more than 20 working days after the appointment of the panel. The information shall include such items as the department's work load policy, any written agreement about the faculty member's role and performance expectations under the university's Roles and Rewards Policy, all annual evaluations and supporting documentation for the period in question, and the faculty member's current vita and statement of activities since the most recent annual evaluation. The chair and/or dean and the faculty member shall have full access to all of the submitted information and an opportunity to comment on or rebut any of the information within 5 working days of being notified that the panel's information is completed. During the panel's deliberations, it has the right to call for testimony from anyone pertinent to the issues, and the chair and/or dean and the faculty member shall have full access to whatever testimony is gathered with ample opportunity to comment on or rebut the testimony.

11.23 Assessment of Annual Evaluation

The panel first evaluates the faculty member's performance in light of his or her role in the department. If the panel finds that the faculty member's performance was, in fact, satisfactory during the period in question, it shall issue a report to the chair and the dean delineating the reasons for its conclusion. The review is thus concluded. The dean shall monitor the chair's annual evaluations of the faculty member for the next two years and the panel's report will be used in the dean's evaluation of the chair's performance. Where the annual evaluation is conducted by the dean, the dean's annual evaluations of the faculty member will be monitored by the appropriate vice president and the panel's report will be used by the vice president in evaluations of the dean's performance.

11.24 Improvement Plan

If the panel concludes that the faculty member's performance was unsatisfactory during the period in question, the panel, in conjunction with the chair and/or dean and the faculty member will elaborate a two-year improvement plan intended to aid the faculty member to return to a satisfactory level of performance.

11.25 Assessing the Improvement Plan

At the end of the first year of the improvement plan, the panel will either recommend continuation of the plan through the second year, modification of the plan, or if it is evident that no progress has been made toward improvement, it shall recommend to the chair and/or dean that they initiate dismissal for cause.

At the end of the two-year plan, the panel will reconvene and again conduct a review of the faculty member's performance, using the provisions of the improvement plan and all information pertinent to the faculty member's performance during the period of the plan. If it finds that the faculty member's performance has been satisfactory, it reports its findings to the chair and the dean, and the review is complete. If the panel finds that the faculty member's performance has been unsatisfactory, it shall

recommend to the chair and/or dean that they initiate proceedings for dismissal based on causes (a) or (b) as detailed in Section 11.1

11.3 Dismissal for Cause Procedures

To initiate the termination of a tenured faculty member for just cause, the dean shall inform the faculty member and the appropriate vice-president, vice president for academic affairs or vice president for health sciences, in writing of the proposed termination, the specific reasons for it and the effective date of termination. The dean must also inform the faculty member that a request for a hearing of the case by the University Appeal Committee must be initiated within 45 working days. In the absence of such a request the dean's action becomes final.

The University Appeal Committee shall begin all requested hearings within 30 working days following receipt of a faculty member's request. At least two-thirds of the Committee must be present at each meeting.

The faculty member shall have the opportunity to attend all meetings of the Committee where evidence is received or witnesses are heard. The faculty member shall have the opportunity to cross-examine witnesses, to present evidence and may be accompanied by one nonparticipating advisor.

A complete record of the hearing shall be maintained and available to the parties involved. The hearing shall be closed to the public, except upon mutual agreement by the faculty member, the dean and the vice-president.

The University Appeal Committee shall submit a completed written report to the appropriate vice-president, within 30 working days after conclusion of the hearings. If two or more Committee members dissent with the majority report, they must submit a written minority report concurrently.

The vice-president shall review the University Appeal Committee's findings and recommendations and convey a decision with a rationale in writing to the faculty member and to the University Appeal Committee within 10 working days. If the decision is for dismissal, they shall also inform the president.

The president upon written request shall review a decision for dismissal of the faculty member. However, unless the request is made within 15 working days after the vice-president has rendered a decision, the vice-president's decision shall be final and not subject to further appeal or review.

If a review by the president is requested within the 15 working day period, the president shall review the full record of the University Appeal Committee hearing, the Committee's findings and recommendations and the vice-president's decision and rationale before rendering a decision. The president's decision is final and not subject to review within the University further.

11.4 Dismissal for Financial Emergency, Reorganization and Termination of Programs

The termination of a tenured faculty appointment because of financial emergency or reorganization or termination of programs must follow established University policies and procedures. Such procedures shall protect the tenure rights of the individual faculty member and must include due process and faculty participation.

11.5 Compensation

Tenured faculty members who are terminated according to policies and procedures governing financial emergency, reorganization, and termination of programs have the right to receive their contractual university salaries for one year from the date of notification of dismissal, except that compensation ends upon commencement of full-time employment elsewhere. If the one-year period expires during an academic semester, the vice-president may extend the employment to the end of the semester. Faculty members receiving compensation under these provisions may be required to perform for the University their regular services or services other than those which

they have ordinarily performed so long as these services are professional in nature and appropriate to their educational experience and background.

12.0 Procedures for Review and Amendment of this Document

Changes in the Faculty Promotion and Tenure Policies and Procedures may be initiated at the request of the president, the Faculty Senate, the University Council or upon petition by 20% of the tenured and tenure-eligible faculty. Upon such a request, the president shall appoint an ad hoc faculty committee to review issues and recommendations regarding appointment, promotion and tenure policies and procedures and, if necessary, to recommend modifications.

Any members of the University community may raise issues or recommend review of these policies and procedures. They should address such requests to the University president who shall refer them to the Faculty Senate and University Council. Any changes in the Faculty Promotion and Tenure Policies and Procedures of Virginia Commonwealth University shall take effect only after review through the University governance system.

¹. The term 'school' will be used throughout the document to refer to school, college, or major academic unit such as the library.

². Faculty Roles and Rewards Policy, approved by the Board of Visitors, November 1993.

Approved by the Board of Visitors: September 24, 1981
Effective Date: September 24, 1981.

Revision approved by Board of Visitors: January 17, 1985.

Revision approved by Board of Visitors: November 19, 1987
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Revision approved by Board of Visitors: January 20, 1993
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Revision approved by Board of Visitors: September 19, 1996
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