



## **FACULTY TENURE**

### **Policy Number: CU-AA-69**

#### **GENERAL**

The principal purpose of tenure is to safeguard academic freedom, which is necessary for all who teach and conduct research in higher education. Tenure is also a means of making the academic profession more attractive to persons of ability, while providing a measure of professional stability for the experienced faculty member. While tenure provides enhanced job security, tenure includes the expectation that faculty maintain academic, professional, and additional employment responsibilities.

#### **PURPOSE**

This policy has been enacted to establish and define the process for awarding tenure and ensuring that individuals awarded tenure continue to effectively contribute to the success of the university. Tenure is a means of protection against the capricious dismissal of an individual who has served faithfully and well in the academic community.

#### **SCOPE**

This policy is applicable to tenured and tenure-track faculty, regardless of rank.

#### **POLICY**

It is the policy of Concord University to award and maintain tenure in a thoughtful and systematic process that honors the principles of academic freedom of expression, provides certain employment protections to faculty, and ensures continued contribution to University's mission.

#### **PROCESS**

##### **Responsibilities in Tenure Determinations**

Although faculty have responsibility for determining tenure processes and are responsible for reviewing and evaluating their peers, the final authority regarding both the development and application of guidelines and criteria relating to tenure, as well as individual tenure decisions, shall rest with the President, in consultation with the Provost.

In making tenure decisions, the President and Provost will give careful consideration to the tenure profile of the institution, projected enrollment patterns, staffing needs of the institution, current and projected mission of each college or department, specific academic competence of the faculty member, and preservation of opportunities for infusion of new talent. Administrators are also expected to take care to optimize the mix between tenured, tenure-track, non-tenure-track, and other faculty to maintain internal flexibility and accountability to the citizens of the state.

##### **Tenure-Track Status**

When a full-time faculty member is appointed on other than a librarian-track, term, non-tenure-track or tenured basis, the appointment shall be tenure-track. During the tenure-track period, the

terms and conditions of every reappointment shall be stated in the faculty appointment letter, with a copy of the agreement furnished to the individual.

The maximum period of tenure-track status normally shall not exceed six (6) years.

### **Criteria for Tenure Decisions**

Tenure is not granted automatically, but shall result from action by the institution, following consultation with the appropriate academic units.

Examples of criteria to be considered in tenure decisions include but are not limited to:

- Excellence in teaching, the most critical criterion.
- Professional and scholarly activities.
- Service to the Profession, including recognition by peers.
- Accessibility to students.
- Adherence to professional standards of conduct.
- Effective service to the university, college, and department.
- Significant service to the people of West Virginia, community, region, and beyond.
- Experience in higher education and the university.
- Possession of a doctorate, or the highest degree appropriate to the teaching field.
- Continued professional growth.

Faculty with administrative assignments, including college deans and department chairs, may earn Full-time teaching experience through such service to the university.

Tenure is not granted solely because of the length of service but results from an extensive review of a candidate's cumulative accomplishments throughout the individual's academic career.

Candidates who will be considered for tenure during a given academic year will automatically be considered for promotion along with tenure.

### **Expectations of Probationary, Tenure-Track Faculty**

Candidates provide evidence of their cumulative accomplishments, reflecting their academic career to date which merits recognition and the awarding of tenure. Such accomplishments are to be documented in the Faculty Portfolio and submitted to the College Personnel Committee at the appropriate time, determined by the Office of the Provost. Please see Appendix A of CU-AA-64 Faculty Evaluation and Performance for more information about the Faculty Portfolio.

In all cases, a tenure decision requires evidence of a candidate's ability and willingness to enhance the quality of Concord through teaching, scholarship and/or creative activities, and service.

In addition to accomplishments, recommendations regarding tenure will reflect consideration of the potential for the candidate's continuing growth as a scholar and teacher.

A tenured faculty member, then, is to continue to grow as a scholar and teacher and make significant contributions to the university over the remaining course of the faculty member's career post-tenure.

**Non-retention Decisions**

During the tenure-track period, contracts shall be issued on a year-to-year basis and appointments may be terminate at the end of the contract year.

During said tenure-track period, notices of non-reappointment may be given for any reason that is not arbitrary, capricious, or without factual basis.

Dismissal during the term of a contract is different from non-renewal and non-reappointment and is addressed in board policy CU-HR-63 Faculty Dismissal for Cause.

During the third year, a formal review regarding the faculty member's progress towards tenure will be conducted using the procedures established by the Office of the Provost. Detailed feedback from this review will be provided by the Dean to the faculty member.

Then, during the critical sixth year of the tenure-track probationary period, a decision regarding whether to retain and tenure or non-retention will be made in accordance with the process identified below.

**Eligibility for Tenure Consideration**

A faculty member will automatically be considered for tenure during their sixth year of full-time, tenure-track service at Concord and is notified of the critical year in the annual appointment letters.

In the case of assistant professors, tenure should not be recommended nor awarded without promotion.

Whereas recommendations regarding promotion will be based upon the academic achievements of the candidate, recommendations regarding tenure will also consider the potential for continuing growth as a scholar and teacher.

Prior years of experience in a full-time faculty position at another accredited institution of higher education, may be applied toward tenure eligibility, but tenure is not guaranteed.

However, tenure decisions are best made after careful analysis of the candidate's record over the full probationary period.

**Sequence for Review and Consideration of Tenure Status**

The College Personnel Committee will review the Faculty Portfolio and any other materials available, then submit them, along with their written assessment, to the Department Chair. Department Chairs have the opportunity to contribute additional information, as well as their own written assessment, before sending the entire package to the Dean. In the case of an unfavorable review, at any stage, or during the critical year three or year six, the package of materials, along with all responses and reviews, will be submitted by the Dean to the Provost. Departments, programs, and disciplines may provide written supplemental criteria to their Department Chairs, which are more detailed and rigorous than the general criteria presented herein, although they may not be less rigorous. The inclusion of such supplemental materials by the Chair in the evaluation process, if any, will not delay or circumvent the review process as established and published by the Office of the Provost.

At each step in the process, a copy of the written assessment from that step will be provided to the candidate who will have an opportunity to have any comments included in the next step of the

review.

The deadlines for submission of the Faculty Portfolio and subsequent recommendations will be established by the Office of the Provost.

#### **Notification of Tenure Decision**

After the decision of retention or non-retention has been made by the President and before completing the penultimate year of a tenure track appointment, any non-tenured faculty member shall be given written notice of the decision to offer tenure and retention or non-retention.

The President will notify the tenure-track faculty member in writing of the retention or non-retention decision by letter postmarked by March 15. Notice of non-retention shall be sent Certified Mail – Return Receipt Requested to the address on file.

Failure of the President to provide notice of non-retention by March 15th would lead to the offer of renewal of appointment for a terminal year.

#### **Request for Reconsideration**

Following receipt of the notice of non-retention, the faculty member may appeal such non-retention decision by a written request for reconsideration to the President. The President will consider the request and any further evidence provided. The decision of the President is final.

A faculty member wishing to grieve or appeal the non-retention decision may use the process set forth by the WV Public Employees Grievance Board.

#### **RESPONSIBILITY FOR IMPLEMENTATION**

The Provost shall have primary responsibility for assuring the tenure processes are meaningful and productive.

#### **AUTHORITY FOR INTERPRETATION**

The final authority for interpretation of this policy rests with the President and Provost.

#### **AMENDMENTS**

This Policy may be amended to change names, links to information, and contact information without resorting to the rulemaking process.

Federal and State laws, rules and regulations change. Any portion of this policy and process document may be modified in practice to ensure the due process rights of the individuals involved are provided and to conform with any current Federal and State law, rules and regulations. Subject to the institution's rulemaking policy, the institution will change this policy to conform to the most current laws and regulations within a reasonable time of discovering the change.

#### **REFERENCE / AUTHORITY**

HEPC Title 133, Series 9, WV Code 18B-7-3, BOG Policy # 39

\*Preempts HEPC Series 9, replaces CU Board Policy No. 39, Procedure for Faculty Evaluation, Promotion, and Tenure and supersedes Concord University Faculty Handbook sections on faculty tenure and tenure-track status.

**APPROVAL**

Intent to Plan/ Revise Approved by the Board of Governors: April 20, 2021

Approved by the Board of Governors: June 15, 2021

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