

## 1. Definitions

- 1.1 Academic Year ...
- 1.2 College and Dean ...
- 1.3 Day ...
- 1.4 Faculty ...
- 1.5 Faculty Member ...
- 1.6 Financial Exigency ...
- 1.7 Formal Notice ...
- 1.8 Impermissible Grounds ...
- 1.9 Instructor ...
- 1.10 Mandatory Review ...
- 1.11 Material Procedural Irregularities ...
- 1.12 Personal Malice ...
- 1.13 Professorial Rank ...
- 1.14 Tenure; Permanent Tenure ...
- 1.15 Tenure Track ...
- 1.16 Unfavorable RPT Decision ...

### 1.17 Joint Appointment

A faculty member on a joint appointment holds either tenure-eligible faculty rank or a special faculty appointment. ~~In accordance with Section III. F of Tenure Policies, Regulations, and Procedures of The University of North Carolina at Charlotte (June 1992), the~~ The faculty member has a primary appointment in an academic department or college and one or more secondary appointments in academic departments, colleges, and/or programs.

**Comment [A1]:** Edited from first paragraph of App. F.

### 1.18 Primary Appointment

The primary faculty appointment is in an academic unit through which a faculty member has a primary academic affiliation. It is ~~through from~~ this unit ~~that a tenured faculty member holds tenure in the University, (usually a department, school or library within the institution, and it is from this unit)~~ that recommendations for appointment, promotion, tenure, and other actions concerning a faculty member are initiated. Primary appointments are not held in centers, laboratories, programs, or institutes.

**Comment [A2]:** Edited from first paragraph of App. H.

### 1.19 Secondary Appointment

An individual faculty member may hold one or more secondary appointments ~~in addition to, and outside of, outside~~ the academic unit of the primary faculty appointment. These appointments are used to recognize interdisciplinary contributions to research or teaching. ~~Academic rank in a secondary appointment may be at the same level but may not be at a level higher than that of the primary appointment. No tenure is possible through the unit making a secondary appointment.~~

**Comment [A3]:** JOAN: Suggest retaining this sentence.

**Comment [A4]:** Edited from second paragraph of App. H

## 2. Academic Freedom and Responsibility of Faculty ...

## 3. Faculty Appointments

- 3.1 General Considerations in Faculty Appointments ...
- 3.2 Professorial Ranks and Their Characteristics ...
  - 3.2.1 Assistant Professor ...
  - 3.2.2 Associate Professor ...
  - 3.2.3 Professor ...

### 3.3 Annual Performance Review for Tenure Track Faculty

The chair will provide each tenure track Faculty Member in the department's Professorial Ranks a letter each year that provides an evaluation of the Faculty Member's accomplishments during the previous year and that discusses the Faculty Member's progress toward achieving reappointment, promotion, or the conferral of Permanent Tenure, as appropriate. The letter should clearly and specifically address strengths and weaknesses in the performance of the Faculty Member, providing for a clear plan and timetable for improvement of any deficiencies in performance. While ultimate decisions on reappointment, promotion, and the conferral of Permanent Tenure take into account many factors, not all of which are related to the Faculty Member's performance, effective annual evaluations are intended to help to eliminate unexpected results in the comprehensive reviews supporting decisions on reappointment, promotion, and the conferral of Permanent Tenure. Guidelines for the annual performance review are detailed in the [UNC Charlotte Academic Personnel Procedures Handbook](#).

### 3.4 Special Faculty Appointments

If a Faculty appointment is not an appointment to the Professorial Ranks, it is a Special Faculty Appointment. A Special Faculty Appointment shall carry a title appropriate to the responsibilities of the position, such as Visiting Professor, Adjunct Professor, Instructor, Assistant Professor (Library), Assistant Professor (Military), Lecturer, Assistant Research Professor (see Policy Statement #100, Research Appointments), or Artist-in-Residence....

~~...The "Principles of Employment for Non-Tenure-Track Faculty" shall be considered in the development of policies and procedures related to persons holding Special Faculty Appointments....~~

Comment [A5]: JOAN: Omit

Faculty Members in Special Faculty Appointments shall not be eligible for Permanent Tenure...

...

#### 3.4.1 Instructor ...

#### 3.4.2 Library Faculty Members in Certain Special Faculty Appointments ...

### 3.5 Joint Appointments

For a faculty member on a joint appointment who holds tenure-eligible faculty rank, tenure and promotion are granted through the primary departmental review with advice from the secondary unit(s). ~~(See Section IV of Tenure Policies, Regulations, and Procedures.)~~ For a faculty member on a joint appointment who holds a special faculty appointment, the conditions set forth in Section ~~III. D of Tenure Policies, Regulations, and Procedures~~ 3.4 are applicable.

Comment [A6]: Edited from General Principle 4 of App. F.

Comment [A7]: Edited from General Principle 5 of App. F.

A Faculty Member, either in a Professorial Rank or in a Special Faculty Appointment, may at one time hold only one full-time appointment at The University of North Carolina at Charlotte. This appointment may be held, by joint appointment, between or among two or more departments, between or among a department and one or more programs or centers, or by holding an appointment to an administrative position concurrently with a Faculty appointment. In all joint appointments, the base unit of appointment shall be an academic unit.

A Faculty Member with Permanent Tenure who accepts an administrative position within The University of North Carolina at Charlotte shall retain Permanent Tenure, and shall be judged for promotion according to the same criteria and on the same schedule as apply to other Permanently Tenured Faculty Members in the Faculty Member's base unit. A Faculty Member without Permanent Tenure who holds an administrative position shall be considered for reappointment, promotion, and conferral of Permanent Tenure according to the same criteria, and on the same schedule, as apply to Faculty Members of the same rank and Tenure status in the Faculty Member's base unit. Procedures for renewal of the joint administrative appointment shall be specified in the original appointment recommendation.

When a joint appointment is to be made as part of an initial appointment to the Faculty, the regular procedures prescribed herein for initial appointment to the rank proposed shall be followed simultaneously by the units involved in making a joint recommendation for appointment. The joint recommendation shall designate one of the units as the unit of base appointment and ~~set forth, at a minimum, the terms and conditions specified in the "Policy Statement on Joint Appointments for Faculty" follow the guidelines on "Agreements for Joint Appointments" included in Section V. D. of the UNC Charlotte Academic Personnel Procedures Handbook.~~ If the joint appointment is approved by the Provost, thereafter the base unit is responsible for processing personnel actions that affect the joint appointee; but with respect to each such action, the recommendation put forward shall be one jointly concurred in

Comment [A8]: According to the suggested changes; formerly General Principles 2 and 3 and the Support and Services section of App. F.

by the units concerned as required by their agreed procedures for joint consultation and decision. An agreement signed by the Faculty Member, the Provost, and the heads of the affected units will describe the process for evaluating the Faculty Member holding such joint appointment. The Faculty Member shall be judged for promotion according to the same criteria and on the same schedule as apply to Faculty Members in the Faculty Member's base unit.

When a joint appointment is made for a person who is already a member of the Faculty, the heads of the affected units shall jointly put forward through the regular channels for review of initial appointments a recommendation that the existing appointment be converted into a joint appointment. The joint recommendation shall include the same elements required with respect to a recommendation for initial joint appointment. Upon approval of such a recommendation, the joint appointee retains the same Faculty rank and Tenure status as previously held, and shall enjoy the rights associated with the Faculty position. Thereafter, all personnel actions affecting his or her Faculty appointment shall be processed as provided in the case of an initial joint appointment.

The provisions of this section do not apply to the creation of adjunct appointments for persons who are currently members of the Faculty of The University of North Carolina at Charlotte.

### **3.6 Continued Availability of Special Funding ...**

### **3.7 Leaves of Absence ...**

### **3.8 Faculty Resignations and Retirements ...**

## **4. Procedures for Initial Appointment**

### **4.1 Procedures for Initial Appointment**

Each College shall establish procedures for the initial appointment of all Faculty Members, including how search committees are formed and how they operate to provide recommendations to the dean concerning the appointment of full-time Faculty. Such procedures shall be consistent with the UNC Charlotte Academic Personnel Procedures Handbook, this document, and, for Special Faculty Appointments, procedures developed by the applicable College, ~~that are consistent with the "Principles of Employment for Non-Tenure-Track Faculty."~~

Comment [A9]: JOAN: Omit

College procedures shall provide that the department chair shall consider the recommendation of the Department Review Committee (DRC; see Section 5.3 below) before forwarding to the dean any recommendation that will confer Permanent Tenure in an initial appointment. The department chair shall forward to the dean the recommendation and rationale of the DRC along with his or her recommendation and rationale. College procedures may also provide additional requirements for review and consultation in the initial appointment process.

For Assistant Professor and Special Faculty Appointments, the dean of the College, after consulting with the department chair, shall forward his or her decision to appoint along with the necessary documentation to the Provost. The dean shall forward to the Provost a recommendation to appoint any Associate Professor or Professor, or any recommendation for an appointment that will carry Permanent Tenure.

The Provost shall have final authority to make decisions to appoint Associate Professors and Professors without Permanent Tenure. For an appointment that would confer Permanent Tenure, the Provost shall make a recommendation to the Chancellor.

If the Chancellor decides not to recommend an appointment that would confer Permanent Tenure, that decision is final. If the Chancellor concurs with a recommendation from the Provost to make an appointment that would confer Permanent Tenure, the Chancellor shall forward his or her recommendation to the Board of Trustees for final approval.

### **4.2 Closed Sessions ...**

### **4.3 Confidentiality ...**

### **4.4 Terms and Conditions of Appointment**

The general terms and conditions and any specific terms and conditions of each initial appointment and of each reappointment to the Faculty shall either be set forth in the document of appointment or reappointment or shall be incorporated therein by clear reference to specified documents that shall be readily available to the Faculty Member. A copy of the terms, signed by the Chancellor or a delegated officer, shall be delivered to and signed by the Faculty Member.

## **5. Review Committees for Faculty Members in Professorial Ranks**

### **5.1 Closed Sessions**

### **5.2 Confidentiality**

### **5.3 Department Review Committee (DRC) on Reappointment, Promotion, and the Conferral of Permanent Tenure**

In Colleges with formal departmental structure, each department shall have a Department Review Committee (DRC) that provides the department chair with recommendations on reappointment, promotion, and the conferral of Permanent Tenure. The DRC shall be elected by the department Faculty from the department Faculty who have full-time appointments holding Professorial Rank. Election shall be according to procedures established by the department Faculty. At least three Permanently Tenured Faculty Members shall serve as the voting members of the committee, and the Permanently Tenured members shall have a majority. Permanently Tenured Faculty Members from other departments may be selected, according to a procedure approved by the department Faculty, as voting members only if necessary to constitute the committee. Faculty Members without Permanent Tenure who hold Professorial Rank may serve only as nonvoting participants, as determined by the department. The committee shall elect its chair from its Permanently Tenured members.

No dean, department chair, associate dean, or assistant dean may serve on the DRC.

A department may permit, pursuant to its own policies, Tenure Track Faculty Members who are not members of the DRC to observe the DRC as it conducts its deliberations; provided that the chair of the DRC informs such observers that they are bound by the confidentiality requirements set forth in Section 5.2.

In Colleges without formal departmental structure or in Colleges with Schools, the Faculty will create procedures for review for reappointment, promotion, and the conferral of Permanent Tenure for Tenure Track Faculty that provide the opportunity for two separate and independent reviews within the College. A document that describes these procedures will be reviewed by the College Faculty and approved by the Provost.

### **5.4 College Review Committee (CRC) on Reappointment, Promotion, and the Conferral of Permanent Tenure**

Each College shall have a College Review Committee (CRC) that provides the dean with recommendations on reappointment, promotion, and the conferral of Permanent Tenure. The committee shall be elected by the College Faculty from the Permanently Tenured Faculty of the College who hold full-time appointments. Election shall be according to procedures established by the College Faculty that provides for the election of at least three members. The CRC shall elect its chair from its members.

Colleges shall have procedures ensuring that no Faculty Member participates in the same case as a member of both the DRC and the CRC in reviewing or providing recommendations about reappointment, promotion, or the conferral of Permanent Tenure.

No dean, department chair, associate dean, or assistant dean may serve on the CRC.

It is the responsibility of members of the CRC to act in the interest of the College in general. Members of the CRC do not serve on that body to represent the interests of their home departments in supporting or opposing the case of any Faculty Member under consideration by the CRC.

## **6. Procedures for Review for Reappointment, Promotion, and the Conferral of Permanent Tenure for Faculty Members in Professorial Ranks**

- 6.1 Notifications ...
- 6.2 Permissible and Impermissible Grounds for Decisions ...
- 6.3 Channels of Review
  - 6.3.1 Faculty Member's Right to Terminate Review ...

#### 6.3.2 Faculty in Joint Appointments

When a tenure-eligible faculty member holds a joint appointment, the annual probationary review as well as reviews related to the awarding of promotion and tenure are to be conducted in the following manner:

1. Promotion and tenure review is to be conducted and decided according to the procedures of the primary department, with advisory information obtained from the secondary unit(s).

2. The primary department will request an assessment of performance in the secondary unit(s). Advisory information will be provided by the secondary unit(s). The primary unit will keep the secondary unit(s) (and, if applicable, in the event that the secondary unit is in a different college from the primary unit, the dean of that any secondary college) fully informed as decisions are made. This advisory information from the secondary unit(s) will become a part of the documentation that is forwarded for review to the next administrative level.

#### 6.3.3 Departmental Review

In all review cases, the deadline for submission of full dossiers may not be earlier than the first day of the academic year during which the review will take place. Notwithstanding the immediately preceding sentence, departments may set earlier deadlines with regard to the submission of any materials or information needed to obtain external review letters.

The Permanently Tenured Faculty Members in the department, other than those who will participate in the review process at another level, who are at or above the rank for which a candidate is under consideration shall be provided an opportunity to review the candidate's dossier and provide advice to the DRC. Evaluations of the candidate's dossier by the DRC and by the chair are intended to be separate and independent. However, the DRC may invite the department chair into its discussions if the DRC unanimously determines that doing so will assist in its deliberations. The DRC shall submit its recommendation(s) and rationale(s) whether or not to reappoint, to promote, or to confer Permanent Tenure to the department chair after considering the advice provided by such Permanently Tenured Faculty. If the department chair's determination is positive on each action under review, he or she shall, after consulting with the assembled DRC, submit his or her determination and rationale, together with the recommendation(s) and rationale(s) of the DRC, to the dean of the College.

If, after consulting with the assembled DRC, the department chair determines not to reappoint, promote, or confer Permanent Tenure for a Faculty Member under review, he or she shall meet with the Faculty Member to provide the Faculty Member with a copy of that determination and its rationale, and to explain the Faculty Member's right of rebuttal. Within fourteen days after this meeting, the Faculty Member may submit to the dean and the chair his or her written rebuttal to the chair's determination. Upon receipt of the Faculty Member's rebuttal, or at the end of fourteen days after the chair meets with the Faculty Member if the Faculty Member does not submit a rebuttal, the chair shall submit his or her determinations and rationales, together with the recommendations and rationales of the DRC, to the dean of the College.

#### 6.3.4 College Review

After receipt of the determinations and rationales of the department chair and the recommendations and rationales of the DRC, and the Faculty Member's rebuttal to the chair's determination, if any, the dean shall deliver such documents to the CRC. The CRC shall submit its recommendations and rationales to the dean. If the dean's determination is positive on each action under review for a Faculty Member, he or she shall, after consulting with the assembled CRC, submit his or her determinations and rationales, together with the recommendations and rationales of the CRC and the DRC, the determinations and rationales of the department chair, and the Faculty Member's rebuttal(s), if any, to the Provost.

**Comment [A10]:** Edited from the Policies Relative to Promotion and Tenure section of App. F. Some more detail may be needed here: is communication between units through their Chairs, their DRCs, or both?

If, after consulting with the assembled CRC, the dean determines not to reappoint, promote, or confer Permanent Tenure for a Faculty Member under review, he or she shall meet with the Faculty Member to provide the Faculty Member with a copy of that determination and its rationale, and to explain the Faculty Member's right of rebuttal. Within ten Days after this meeting, the Faculty Member may submit to the Provost and the dean his or her written rebuttal to the dean's determination. Upon receipt of the Faculty Member's rebuttal, or at the end of ten Days after the dean meets with the Faculty Member if the Faculty Member does not submit a rebuttal, the dean shall submit his or her determinations and rationales, together with the recommendations and rationales of the CRC and the DRC, the determinations and rationales of the department chair, and the Faculty Member's rebuttal(s), if any, to the Provost.

- 6.3.45 Provost's Review ...
- 6.3.56 Chancellor's Review ...

## 7. Process for Review of Unfavorable RPT Decisions

- 7.1 Applicability and Purpose
- 7.2 Hearing Committee
  - 7.2.1 Powers and Duties
  - 7.2.2 Composition, Terms of Office, and Election
    - 7.2.2.1. Composition and Eligibility
    - 7.2.2.2. Terms of Office
    - 7.2.2.3. Election
  - 7.2.3 Conflicts of Interest, Bias, Incapacity, or Temporary Vacancy
  - 7.2.4 Closed Sessions
  - 7.2.5 Confidentiality
- 7.3 Request for Hearing; Avoiding Improper Communications
- 7.4 Decision to Grant a Hearing
- 7.5 Conduct and Rules of the Hearing
- 7.6 Procedure After Hearing
  - 7.6.1 Hearing Committee Actions After Hearing
  - 7.6.2 Chancellor's Actions After Hearing
  - 7.6.3 Actions Subsequent to Chancellor's Decision

## 8. Due Process Before Discharge or the Imposition of Other Serious Sanctions

- 8.1 Faculty Rights
- 8.2 Notice of Intent to Discharge or Impose Other Serious Sanctions
- 8.3 Failure to Respond to Notice of Intent to Discharge or Impose Other Serious Sanctions
- 8.4 Hearing Committee; Commencement of Hearing
- 8.5 Procedures Required for Hearing
- 8.6 Provost's Role
- 8.7 Evidence and Recommendations
- 8.8 Procedure After Hearing
- 8.9 Suspension Pending Final Decision

## 9. Termination of Faculty Employment

- 9.1 Reasons Justifying Termination and Consultation Required
  - 9.1.1 Reasons for Terminating Employment
  - 9.1.2 Consultation with Faculty and Administrative Officers
- 9.2 Termination Procedures
  - 9.2.1 Consideration in Determining Whose Employment Is to Be Terminated
  - 9.2.2 Timely Notice of Termination
  - 9.2.3 Type of Notice to Be Given
  - 9.2.4 Termination If Reconsideration Is Not Requested
  - 9.2.5 Request for Reconsideration Hearing
  - 9.2.6 Jurisdiction of the Hearing Committee
  - 9.2.7 Conduct and Rules of Hearing; Procedure After Hearing
- 9.3 Assistance for Faculty Members and Rights to New Positions

- 9.3.1 Assistance After Termination of Employment
- 9.3.2 First Right of Refusal of New Positions

**10. Implementation**

- 10.1 Interpretation and Conflict with Other Policies
- 10.2 Effective Date
  - 10.2.1 Date
  - 10.2.2 Effect on Certain Appointments
- 10.3 Review of Document

