



**TENNESSEE STATE UNIVERSITY
BOARD OF TRUSTEES**

STUDENT AND ACADEMIC AFFAIRS COMMITTEE	
Tuesday, June 30, 2026 6:00 p.m. CT	Virtual Live Stream Link: https://www.tnstate.edu/board/livestream.aspx

AGENDA

- I. Call to Order
- II. Roll Call/Declaration of a Quorum
- III. Adoption of Agenda
- IV. Approval of Revisions to Academic Tenure Policy regarding Tenure-Track Appointments and Tenure Criteria (Action)
- V. Approval of Revisions to Academic Tenure Policy regarding Faculty Discipline (Action)
- VI. Adjournment

TENNESSEE STATE UNIVERSITY
BOARD OF TRUSTEES

ACTION ITEM

DATE: June 30, 2026

ITEM: Approval of Revisions to Academic Tenure Policy Regarding
Tenure-Track Appointments and Tenure Criteria

RECOMMENDED ACTION: Approval

PRESENTED BY: Dr. Erik Schmeller, Interim Provost and Vice Provost for
Academic Affairs

Background Information

Under the Focus on College and University Success (“FOCUS”) Act, codified at Tenn. Code Ann. § 49-8-101 et seq., the TSU Board of Trustees is vested with broad authority to govern and manage the University, including authority over academic affairs, personnel matters, and faculty tenure policies.

TSU’s existing tenure policy, Policy 5:02:03:60 Academic Tenure for Universities, governs criteria and procedures concerning academic tenure. The policy defines tenure, establishes standards for probationary employment and tenure review, and identifies grounds for termination or modification of tenure status, including for adequate cause, financial exigency, and curricular reasons.

Two changes to TSU’s Academic Tenure Policy, No. 5:02:03:60 are proposed. The first proposed change will help clarify the distinct benefits earned from obtaining tenure, and the second proposed change will better align tenure promotions with enrollment trends. Together these will help strengthen the tenure and promotion process.

1. **Better Define the Benefits and Privileges of Tenure.** Under Section IV Changes in Tenure/Tenure-Track Status in our current policy, tenured and tenure-track professors have the same employment protections. The existing policy states: “Faculty members on tenure-track appointments shall not be terminated during the term of the annual appointment as stated in the employment contract except for reasons which would be sufficient for the

termination of tenured faculty.” (page 16) University leadership, after conversations with TSU’s Faculty Senate, proposes removing that sentence and adding the following under Section II Consideration for Tenure, D. Probationary Employment (page 7) to better define tenure-track faculty and recognize tenure status and benefits as rewards for long-term contributions:

Tenure-track faculty are faculty who are employed in a probationary period of employment prior to consideration for tenure. Tenure-track faculty appointments do not include any right to permanent or continuous employment, shall not create any manner of legal right, interest, or expectancy of renewal or any other type of appointment, and shall be subject to annual review by the university.

2. **Provide Additional Specified Criteria When Considering Tenure.** Under Section III Criteria to Be Considered in Tenure Recommendations of the current policy (page 11), there is no consideration of programmatic enrollment trends and forecasted staffing needs. The proposed policy addition aims to proactively align faculty staffing with enrollment, reducing the likelihood of future pauses in tenure and promotions, workforce adjustments, or workload inefficiencies. This policy change ensures tenure promotions are based in part by student and programmatic needs and increases transparency. University leadership, after conversations with TSU’s Faculty Senate, proposes adding the following language:

The long-term staffing needs of the department or division and the university are taken into account at each level in the review process when candidates are evaluated for tenure. Administrative criteria that department, academic units, and the university may consider in developing written criteria include, but are not limited to:

- Enrollment numbers, patterns and trends;
- Program developments and/or changes;
- Financial considerations;
- Rank distributions;
- Potential for future staff additions;
- Prospective retirements and resignations; and
- Other significant institutional considerations

Committee Action

The Office of Academic Affairs is requesting approval of the changes to TSU's Tenure Policy. The Committee Chair will call for a motion on the requested action to recommend to the full Board the approval of the proposed tenure policy changes.

MOTION: To recommend to the full Board the approval of the proposed policy changes to the Academic Tenure Policy, No. 5:02:03:60, regarding tenure-track appointments and tenure criteria, as contained in the Materials for the Committee's June 30, 2026 meeting.

Academic Tenure for Universities: 5:02:03:60

Policy Area

Personnel Policies

Applicable Divisions

Universities

Purpose

The purpose of this policy is to establish the criteria and process regarding academic tenure at universities governed by the TSU Board of Trustees.

Definitions

The following are general definitions of words and terms used in this policy which are not hereinafter specifically defined; however, the words and terms are subject to further qualification and definition in the subsequent sections of this policy.

- Academic Tenure - a personnel status in an academic department or academic program unit pursuant to which the academic or fiscal year appointments of full-time faculty who have been awarded tenure are continued at an university until the expiration or relinquishment of that status, subject to termination for adequate cause, for financial exigency, or for curricular reasons.
- Adequate Cause - a basis upon which a faculty member, **either** with academic tenure or a tenure-track or temporary appointment prior to the end of the specified term of the appointment may be dismissed or terminated. The specific grounds which constitute adequate cause are set forth in Section IV.H., herein.
- Financial Exigency - the formal declaration by the TSU Board of Trustees that one of its universities faces an imminent financial crisis, that there is a current or projected absence of sufficient funds (appropriated or non-appropriated) for the campus as a whole to maintain current programs and activities at a level sufficient to fulfill its educational goals and priorities, and that the budget can only be balanced by

extraordinary means which include the termination of existing and continuing academic and non-academic appointments.

- Faculty Member - a full-time employee who holds academic rank as instructor, senior instructor, master instructor, assistant professor, assistant clinical or research professor, associate professor, associate clinical or research professor, professor, clinical or research professor, or instructor/coordinator.
- Probationary Employment - period of full-time professional service by a faculty member for whom an appointment letter denotes a tenure-track appointment in which he/she does not have tenure and in which he/she is evaluated by the university for the purpose of determining his/her satisfaction of the criteria for a recommendation for tenure. Probationary employment provides an opportunity for the individual to assess his/her own commitment to the university and for the university to determine whether the individual meets its perception of quality and/or projected need.
- Faculty Appointments - are defined in TSU Board of Trustees Policies 5:02:07:00 and 5:02:07:10.

Policy

I. Introduction

- A. The following policy of the TSU Board of Trustees on tenure is applicable to all universities within the system. These are minimal provisions for universities and should be implemented in a manner appropriate to the individual missions, traditions, and needs of the universities.
- B. University policies on tenure must cite and specifically acknowledge compliance with TSU Board of Trustees Policy on Academic Tenure (5:02:03:60). Likewise, university policies must as a minimum embody and communicate clearly all provisions, definitions, and stipulations of the Board policy.

- C. The quality of the faculty of any university is maintained primarily through support of a wide variety of professional development. It is monitored through the appraisal, by competent faculty and administrative officers, of each candidate for tenure. Tenure at a TSU Board of Trustees university provides certain full-time faculty with the assurance of continued employment during the academic year until retirement or dismissal for adequate cause, financial exigency, or curricular reasons, as further discussed herein.

II. Consideration for Tenure

A. Tenure Appointments

1. The awarding of tenure is recognition of the merit of a faculty member and of the assumption that he/she would meet the long-term staffing needs of the department or academic program unit and the university.
2. Tenure is awarded only to those members of the faculty who have exhibited professional excellence and outstanding abilities sufficient to demonstrate that their future services and performances justify the degree of permanence afforded by academic tenure.
3. The TSU Board of Trustees does not award tenure in non-faculty positions.
4. Tenure appointments reside in the departments and academic program units, and are assurances of continued employment during the academic year subject to expiration, relinquishment, or terminations of tenure as set out in Sections III and IV.
5. Recommendations for or against tenure should originate from the department or academic program unit in which the faculty member is assigned and should include appropriate participation in the recommendation by tenured faculty in the department or academic program unit as specified in Policy.
6. Tenure is awarded only by positive action of the Board, pursuant to the requirements and procedures of this policy, at a specific university.

7. No faculty member shall acquire or be entitled to any interest in a tenure appointment at a university without a recommendation for tenure by the president of the university and an affirmative award of tenure by the Board of ~~Regents~~ Trustees.
8. No other person shall have any authority to make any representation concerning tenure to any faculty member, and failure to give timely notice of non-renewal of a contract shall not result in the acquisition of a tenure appointment, but shall result in the right of the faculty member to another year of service at the university, provided that no tenure appeals remain outstanding due to lack of cooperation and/or appropriate action on the part of the candidate in completing the appeal process.

B. Tenure Process

1. Each university policy must contain the following:
 - a. Provisions for a tenure-track faculty member to be guided through the tenure process. Guidance may include provision of a mentor, pre-tenure review, portfolio development workshops, etc.
 - b. A process that defines the levels of review to include peer review.
 - c. Procedures associated with review by each level, a clear description of materials that each level will review.
 - d. A calendar or schedule of the review process.
 - e. The types and frequency of evaluation of probationary faculty members in the areas of teaching, service/outreach, and scholarship/creative activities/research.
2. University procedures shall ensure that peer committees have qualified privilege of academic confidentiality against disclosure of individual tenure votes unless there is evidence that casts doubt upon the integrity of the peer committee.

3. This policy shall be interpreted in a manner consistent with T.C.A. § 10-7-101 et seq. The recommendation for tenure must be made by the president to the Chancellor and by the Chancellor to the Board. In the event that tenure is awarded by the Board, the president shall furnish to the faculty member written confirmation of the award.
 4. Annual evaluations conducted by the candidate's department chair or other appropriate head of an academic program unit are an important aspect of the criteria for tenure at universities; therefore, university policies should include a clear statement as to the role of evaluation in measuring those criteria relevant to assessing the merit of the probationary candidate. Types of evidence relevant to evaluating effectiveness and contributions in teaching, research/scholarship, and service/outreach are identified in subsections III.A1, 2, and C of this section.
- C. Minimum Eligibility Requirements for Consideration for Academic Tenure
1. University policies must include specifically identifiable sections which define minimum eligibility requirements for consideration for academic tenure.
Those sections must clearly distinguish between:
 - a. Minimum eligibility requirements for consideration for academic tenure;
and
 - b. Criteria to be considered in tenure recommendations (see Section III).
 2. Academic tenure may be awarded only to full-time faculty members who:
 - a. Hold academic rank as instructor, senior instructor, master instructor, assistant professor, associate professor, or professor and meet the minimum rank criteria for that rank as specified in TSU Board of Trustees Policy No 5:02:02:20 (however, a university may choose not to award tenure to faculty in the rank of instructor);
 - b. Have been employed pursuant to tenure-track appointments and have completed the probationary period of service as stated in the university's

policy, and/or as agreed upon in writing and signed by the appropriate academic officer; and

- c. Have been determined by the university to meet the criteria for recommendation for tenure and have been so recommended pursuant to this policy.
3. Faculty holding clinical or research appointments are not eligible for tenure, provided, however, that under certain circumstances, such appointments may be converted to tenure track appointments as discussed in faculty appointments, TSU Board of Trustees Policy Nos. 5:02:07:00 and 5:02:07:10.
4. Faculty members supported in whole or in part by funds available to the university on a short-term basis, such as grants, contracts, or foundation sponsored projects, shall not be eligible for tenure unless continuing support for such members can be clearly identified in the regular budget of the university upon the recommendation of tenure to the Board.
5. No faculty member shall be eligible for tenure unless the employee's contract specifies his/her tenure-track status; provided that where a faculty member with tenure is appointed to an administrative position, he/she will retain tenure in a former faculty position only; and provided further that a faculty member otherwise eligible for tenure who also holds a non-faculty position may be awarded tenure in the faculty position only, subject to the requirements of this policy.
6. Each university may establish additional reasonable requirements for the eligibility of faculty for consideration for tenure. These should include but are not limited to the completion of the doctorate or other specified terminal degree in the faculty member's discipline, a minimum rank of instructor, assistant professor, and prescribed research and publication achievements. (The TSU Board of Trustees, using national standards, will determine what constitutes the terminal degree for each discipline. The university may

request exceptions to this standard based upon its mission, or based upon an extraordinary candidate. In the latter instance, the exception shall be requested when the faculty member is employed and/or when the length of the probationary period is determined.)

D. Probationary Employment

1. Tenure-track faculty are faculty who are employed in a probationary period of employment prior to consideration for tenure. Tenure-track faculty appointments do not include any right to permanent or continuous employment, shall not create any manner of legal right, interest, or expectancy of renewal or any other type of appointment, and shall be subject to annual review by the university.
2. Probationary faculty may be employed on annual tenure-track appointments for a probationary period of which may not exceed six (6) years, however, six (6) years is considered to be the normal length of time required to develop a substantial record in teaching, research and service.
3. The faculty member may apply for tenure following a probationary period of not less than five years, provided that exceptions to the minimum probationary period may be made under special circumstances upon recommendation by the president and approval by the Chancellor.
 - a. Upon approval of such an exception by the Chancellor, the faculty member's recommendation for tenure will go forward to the Board as meeting the requirements for the probationary period.

E. Calculating the Probationary Period

1. Only full-time continuous service at a university will be included in determining completion of the probationary period, except where a break in service was pursuant to an approved leave of absence.
 - a. Credit for Prior Service - The minimum probationary period of five years may include credit for prior service when agreed to by the president, and

subject to the maximum permissible credit for prior service as noted below:

1. Credit toward completion of the probationary period may at the discretion of the president be given for a maximum of three years of previous full-time service at other colleges, universities, or institutes provided that the prior service is relevant to the institution's own needs and criteria.
 1. Any credit for prior service that is recognized and agreed to must be confirmed in writing at the time of the initial appointment.
 2. Credit toward completion of the probation period may, at the discretion of the president, be given for a maximum of three years or previous full-time service in a temporary faculty appointment or term appointment at the same institution or in an earlier tenure-track appointment at the same institution that has been followed by a break in service.
 1. Any credit for prior service in a temporary full-time faculty appointment at the same institution or in an earlier tenure-track appointment (at the same institution) that has been followed by a break in service must be recognized and confirmed in writing in the appointment letter to a tenure-track position.
- b. Approved Leave of Absence
1. A period of approved leave of absence shall be excluded from the requisite period for completion of the probationary period unless the president of the university specified in writing prior to the leave of absence that it shall be included in the probationary period.
 2. Leaves of absence may not be granted retroactively.

3. A faculty member may apply for a maximum of two (2) extensions in one-year increments so long as the total probationary period does not exceed six years.
 4. Requests for a second extension follow the same procedure and are subject to the same considerations as the original extension.
- c. Stopping the Tenure Clock
1. A faculty member in a tenure track appointment may request to “stop the clock” during his/her probationary period when circumstances exist that interrupt the faculty member’s normal progress toward building a case for tenure.
 2. Discretion for stopping the tenure clock rests on the institution and also requires supervisory approval. In such cases, the faculty member may request to “stop the tenure clock” for one-year if he/she demonstrates that circumstances reasonably warrant such interruption.
 3. Reasons for approving a request to “stop the clock” will typically be related to a personal or family situation requiring attention and commitment that consumes the time and energy normally addressed to faculty duties and professional development.
 4. Examples may include, but are not limited to, childbirth or adoption, care of dependents, medical conditions or obligations, physical disasters or disruptions, or similar circumstances that require a fundamental alteration of one’s professional life.
 5. The intent of this policy is to serve the best interests of the university while providing neither preference to nor adverse effect on a faculty member’s process of developing a case for tenure.
 6. Once approved, the “stop the clock” year is not counted in the probationary period accrual.

- d. Procedure
 - 1. A faculty member seeking a modification of his/her probationary period must submit his/her request, in writing, addressing the considerations described above.
 - 2. The request is to be submitted to the department chair for consideration and recommendation. The chair's recommendation is forwarded to the dean of the faculty member's college for consideration and recommendation; thence to the provost for consideration and recommendation; and finally to the president for approval or denial.
 - 3. The president will notify the faculty member, in writing, of the decision to approve or deny such exceptions within one month of submission.
 - 4. Requests for modification of the probationary period that are based on a faculty member's health or care for an immediate family member should also be submitted to the university's legal counsel or to TSU Board of Trustees' for review.
- F. A faculty member that is appointed to an administrative position prior to a tenure award remains eligible for tenure under two conditions:
 - 1. The faculty member must qualify for tenure under departmental or academic program unit, college and university guidelines; and
 - 2. The faculty member must maintain a significant involvement in academic pursuits including teaching, scholarship and service. The time (or prorated portion of time) spent in the administrative position may be credited toward completion of the probationary period.
- G. Where a faculty member is serving a probationary period in a department or academic program unit and is subsequently transferred to another department or academic program unit, the faculty member may – with the approval of the

president – elect to begin a new probationary period on the date that the transfer occurs.

1. If he/she does not so elect (and confirm in writing to the president), time spent in the first appointment shall count toward establishing the minimum and maximum probationary period (see E.1 above).

III. Criteria to be considered in Tenure Recommendations

A. Overview

1. The nature and relative importance of the criteria for the recommendation for tenure depend upon the nature, mission, and goals of the university in which tenure may be awarded and of the department or academic program unit in which a faculty member is employed.
2. The long-term staffing needs of the department or division and the university are taken into account at each level in the review process when candidates are evaluated for tenure. Administrative criteria that departments, academic units, and the university may consider in developing written criteria include, but are not limited to:
 - a. Enrollment numbers, patterns and trends;
 - b. Program developments and/or changes;
 - c. Financial considerations;
 - d. Rank distributions;
 - e. Potential for future staff additions;
 - f. Prospective retirements and resignations; and
 - g. Other significant institutional considerations.
3. The faculty member must demonstrate willingness and ability to work effectively with colleagues to support the mission of the institution and the common goals both of the institution and of the academic organizational unit.

4. Moreover, criteria for tenure relate to the university's three traditional, and often inter-related, missions: teaching, research/scholarship/creative activities, and service/outreach.

B. Teaching

1. Effective teaching is an essential qualification for tenure, and tenure should not be granted in the absence of clear evidence of a candidate's teaching ability and potential for continued development.
2. Excellence in teaching is a strong recommendation for both tenure and promotion though it cannot be considered in isolation from scholarship and service.
3. Although it is difficult to establish evidence of teaching excellence, each department must develop a procedure to ensure that factual information relative to a candidate's teaching is available at the time he/she is considered for tenure. It is expected that a component of teaching is effective student advisement.
4. The teaching portfolio should include, but is not limited to, evidence of teaching excellence as follows:
 - a. Ability to organize and present subject matter in a logical and meaningful way;
 - b. Ability to motivate and stimulate creativity, intellectual curiosity, and interest in writing and inquiry in undergraduates and/or graduate students; and
 - c. Evidence of peer evaluation.
5. Documentation of teaching should routinely include:
 - a. Statement of teaching philosophy;
 - b. Course materials;
 - c. Student evaluations for every course evaluated during the probationary period; and

- d. Evidence of supervision of student projects and other forms of student mentor ships.
- 6. A candidate for tenure may choose to include other types of evidence that support his/her application for tenure such as:
 - a. Additional student input;
 - b. Student products;
 - c. Teaching recognition;
 - d. Teaching scholarship;
 - e. Peer input;
 - f. Evidence of professional development in teaching;
 - g. Evidence of disciplinary or interdisciplinary program or curricular development;
 - h. Alumni surveys and student exit interviews; and
 - i. Other evidence of excellence in teaching or mentoring, or both.
- C. Research/Scholarship/Creative Activities
 - 1. A candidate for tenure must present evidence of his/her research, scholarship and/or creative activities when he/she applies for tenure.
 - a. Such evidence should cite books, journal articles, monographs, creative activities, performances, or exhibitions that have undergone appropriate peer review.
 - b. Research publications in refereed journals or media of similar quality are considered reliable indicators of research/scholarly ability.
 - c. Written reviews and evaluations by qualified peers, either in person or aided by other forms of reports, or both, are appropriate for performances, compositions, and other artistic creations.
 - d. Books published by reputable firms and articles in refereed journals, reviewed by recognized scholars, are more significant than those that are not subjected to such rigorous examination.

- e. It should be emphasized that quality is more important than quantity.
- 2. The tenure dossier/application must include evidence of peer review of the candidate's record of research/scholarly activity by qualified peers. The scholarship of teaching is a valid measure of research capability.
 - a. It goes beyond doing a good job in the classroom; creative teachers should organize, record, and document their efforts in such a way that their colleagues may share their contributions to the art of teaching.
 - b. Appropriate textbooks or educational articles in one's own discipline and innovative contributions to teaching, if published or presented in a peer-reviewed forum, constitute scholarship of teaching.
- 3. 3. Service/Outreach Service and/or outreach encompass a faculty member's activities in one of three areas:
 - a. Outreach or public service;
 - b. University service; and
 - c. Professional service.
- 4. The outreach or public service function is the university's outreach to the community and society at large, with major emphasis on the application of knowledge for the solution of problems with which society is confronted.
 - a. Outreach primarily involves sharing professional expertise and should directly support the goals and mission of the university.
 - b. A vital component of the university's mission, public service must be performed at the same high levels of quality that characterize the teaching and research programs.
- 5. University service refers to work other than teaching and scholarship done at the department, college, or university level. A certain amount of such service is expected of every faculty member; indeed, universities could hardly function without conscientious faculty who perform committee work and other administrative responsibilities.

- a. University service includes, but is not limited to, serving on departmental committees and participating in college and university committees.
 - b. Some faculty members may accept more extensive citizenship functions, such as a leadership role in the Faculty Senate, membership on a specially appointed task force, service as advisor to a university-wide student organization, and membership on a university search committee.
6. Professional service refers to the work done for organizations related to one's discipline or to the teaching profession generally.
- a. Service to the profession includes association leadership, journal editorships, article and grant proposal review, guest lecturing on other campuses, and other appropriate activities.
 - b. While it is difficult to define the exact nature of significant professional service, clearly more is required than organizational membership and attendance; examples of significant service would be that done by an officer of a professional organization or a member of the editorial staff of a journal.

IV. Changes in Tenure/Tenure-Track Status

A. Non-renewal of Probationary Tenure-Track

- 1. When tenure-track appointments of faculty are not to be renewed for further service, the faculty member shall receive notice of his/her non-retention for the ensuing academic year as follows:
 - a. Not later than April 1 of the first academic year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least two months in advance of its termination;
 - b. Not later than January 1 of the second year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least five months in advance of its termination;

- c. Not later than the close of the academic year preceding the third or subsequent year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least twelve months in advance of its termination.
2. The above stated dates are the latest dates for notice of non-renewal of faculty on tenure-track appointments, and each university may adopt annual dates which provide for longer notice of non-renewal. Notice of non-renewal shall be effective upon personal delivery of the notice to the faculty member, or upon the date the notice is mailed, postage prepaid, to the faculty member at his/her current home address of record at the university.
3. Applicable dates for notice of non-renewal are based upon actual years of service at a particular university and in no way affected by any credit for prior service. When a faculty member on a tenure-track appointment completes his/her probationary period, the faculty member will be recommended for tenure by the president or will be given notice of non-renewal of the appointment during the spring term following application for such status. Such notice of non-renewal should be given not later than the final day of the academic year. The faculty member's right in an instance where timely notice is not given is described in II.A.8.
- ~~4. Faculty members on tenure-track appointments shall not be terminated during the term of the annual appointment as stated in the employment contract except for reasons which would be sufficient for the termination of tenured faculty.~~
5. The non-renewal or non-reappointment of any faculty member on a tenure-track appointment does not necessarily carry an implication that his/her work or conduct has been unsatisfactory.
6. Unless there is a violation of state or federal law under the limitations described in the TSU BOARD OF TRUSTEES Policy on Appeals

(1:02:11:00), decisions that are not subject to appeal to the Chancellor include (a) non-renewal of a tenure-track faculty appointment during the first five years of the probationary period and (b) denial of tenure unaccompanied by notice of termination in the fifth year of the probationary period.

B. Transfer of Tenure

1. Where a faculty member is tenured in an academic program unit (e.g., a department or division) he/she may be transferred to another academic program unit.
2. In such cases, the transfer will be made with tenure; moreover, the tenure appointment will be transferred to the new academic program unit.
3. In no instance may the faculty member be compelled to relinquish tenure as a condition for affecting the transfer.

C. Expiration of Tenure

1. Tenure status shall expire upon retirement of the faculty member.
2. Tenure shall also expire upon the event of permanent physical or mental inability of a faculty member, as established by an appropriate medical authority, to continue to perform his/her assigned duties.

D. Relinquishment of Tenure

1. A faculty member shall relinquish or waive his/her right to tenure upon resignation from the university or upon failure to report for service at the designated date of the beginning of any academic term, which shall be deemed to be a resignation unless, in the opinion of the president, the faculty member has shown good cause for such failure to report.
2. Where a tenured faculty member is transferred or reclassified to another department or academic program unit by the university, the transfer or reassignment shall be with tenure.
3. Tenure is not relinquished during administrative assignments at the university.

E. Termination of Tenure for Reasons of Financial Exigency

1. A tenured faculty member may be terminated as a result of financial exigency at a university subject to Board declaration that such financial conditions exist.
2. Personnel decisions (including those pertaining to tenured faculty) that result from a declaration of financial exigency at a Board of ~~Regents~~ Trustees university will comply with the Board Policy on Financial Exigency (5:02:06:00).

F. Termination of Tenure for Curricular Reasons

1. The employment of a tenured faculty member may be terminated because:
 - a. An academic program is deleted from the curriculum; or
 - b. Because of substantial and continued reduction of student enrollment in a field or discipline.
2. Before declaring that curricular reasons exist, the president will ensure meaningful participation by the university's representative faculty body in identifying the specific curricular reasons, evaluating the long-term effect on the university's curriculum and its strategic planning goals, and the advisability of initiating further action.
3. Prior to initiating the process described below, the president will present- either verbally or in writing - a description of curricular reasons that may warrant the termination of tenured faculty member(s).
4. Each university policy will describe procedures whereby this presentation will be made to a representative faculty body, and that body will have the opportunity to respond in writing to the president before action described below is initiated.
5. Each of these reasons for termination of tenure for curricular reasons must denote shifts in staffing needs that warrant greater reductions than those which are accommodated annually in light of shifting positions from one

department to another or among colleges to handle changing enrollment patterns (see Definitions, G.6 below).

G. Procedures for Termination of Tenure

1. Upon determining that termination of one or more tenured faculty members is required for one or more of the two reasons cited above, the president shall furnish each faculty member to be terminated a written statement of the reasons for the termination.
 - a. Those reasons shall address fully the curricular circumstances that warranted the termination and shall indicate the manner and the information upon which the decision of which faculty members were to be terminated was reached.
 - b. The president's written statement shall also indicate that the faculty member has the opportunity to respond in writing stating any objections to the decision.
2. If the faculty member(s) to be terminated indicate(s) objections to the president's written statement(s) and request(s) a review, the president will appoint a faculty committee consisting of a minimum of five tenured faculty members from a slate of ten tenured faculty members proposed by the representative faculty body.
 - a. The committee shall conduct a hearing on the proposed termination(s).
 - b. The committee shall report its findings and recommendations to the president, who shall in a reasonable time inform the faculty member(s) proposed for termination in writing either that the decision for termination stands or that it has been altered.
3. The president's decision to terminate a tenured faculty member for curricular reasons is subject to appeal to ~~the Chancellor and~~ the Board as provided in the policy on appeals to the Board (TSU BOARD OF TRUSTEES Policy 1:02:11:00).

4. When a tenured faculty member is terminated for curricular reasons, the position will not be filled by a new appointee with the same areas of specialization as the terminated faculty member within a period of three years unless the terminated faculty member has been offered, in writing, reappointment to the position at his/her previous rank and salary (with the addition of an appropriate increase which, in the opinion of the president, would constitute the raise(s) that would have been awarded during the period that he/she was not employed).
5. Upon determining that termination of one or more tenured faculty members is warranted for curricular reasons, the president shall base his/her decision about which faculty member(s) should be terminated upon his/her assessment as to what action would least seriously compromise the educational programs in a department or division.
 - a. Termination for curricular reasons presumes a staffing pattern in a department or academic program unit which cannot be warranted either by comparison with general load practices within the university or by comparison with faculty loads in comparable departments or academic program units at similar universities.
 - b. In that light, the president shall also, at his/her discretion, base his/her decision on a careful assessment of the impact of the curricular reason on staffing requirements in the department or academic program unit as compared to overall patterns in the university and to comparable departments or academic program units which, in his/her judgment, are in universities similar enough to warrant assessment.
6. Definitions
 - a. "Program is deleted from the curriculum" means that the Board takes formal action to terminate a degree major, concentration, or other

curricular component and that such termination eliminates or reduces need for faculty qualified in that discipline or area of specialization.

- b. “Substantive and continued reduction of student enrollment in a field” means that over a period of at least three (3) years student enrollment in a field has decreased at a rate in considerable excess of that of the university as a whole and that such reduction has resulted in faculty-student ratios that, in the opinion of the president, cannot be warranted either by comparison with equivalent faculty load practices within the university or by comparisons with faculty loads in comparable departments or academic program units at similar universities which the president would deem to be appropriate for comparison.

- 7. When a tenured faculty member is to be terminated for curricular reasons, the president will make every possible effort to relocate the tenured faculty member in another existing vacant position for which he/she is qualified.

- a. In instances where (in the opinion of the president) relocation within the university is a viable alternative, the university has an obligation to make significant effort to relocate the faculty member, including the bearing of reasonable retraining costs.
- b. The final decision on relocation is within the discretion of the president.

H. Termination for Adequate Cause

- 1. A faculty member with tenure or a faculty member on a tenure-track appointment prior to the end of the term of appointment may be terminated for adequate cause, which includes the following:
 - a. Incompetence or dishonesty in teaching or research.
 - b. Willful failure to perform the duties and responsibilities for which the faculty member was employed or refusal or continued failure to comply with the policies of the Board, the university or the department, or to carry

out specific assignments, when such policies or assignments are reasonable and non-discriminatory.

- c. Conviction of a felony or a crime involving moral turpitude.
- d. Improper use of narcotics or intoxicants, which substantially impairs the faculty member's fulfillment of his/her departmental and university duties and responsibilities.
- e. Capricious disregard of accepted standards of professional conduct.
- f. Falsification of information on an employment application or other information concerning qualifications for a position.
- g. Failure to maintain the level of professional excellence and ability demonstrated by other members of the faculty in the department or academic program unit of the university.

I. Procedures for Termination for Adequate Cause

1. Termination of a faculty member with a tenure appointment, or with a tenure-track or temporary appointment prior to the annual specified term of the appointment, shall be subject to the following procedures:
 - a. No termination shall be effective until steps 4 through 9 below have been completed.
 - b. Suspensions pending termination shall be governed by the following procedure.
 1. A faculty member may not be suspended pending completion of steps 4 through 9 unless it is determined by the university that the faculty member's presence poses a danger to persons or property or a threat of destruction to the academic or operational processes of the university. Reassignment of responsibilities is not considered suspension; however, the faculty member must be reassigned responsibilities for which he/she is qualified.

2. In any case of suspension, the faculty member shall be given an opportunity at the time of the decision or immediately thereafter to contest the suspension; and, if there are disputed issues of fact or cause and effect, the faculty member shall be provided the opportunity for a hearing on the suspension as soon as possible at which time the faculty member may cross-examine his/her accuser, present witnesses on his/her behalf, and be represented by an attorney. Thereafter, whether the suspension is upheld or revoked, the matter shall proceed pursuant to these procedures.
3. Except for such simple announcements as may be required concerning the time of proceedings and similar matters, public statements and publicity about these proceedings by either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the Board.
4. Upon a recommendation by the chief academic officer of the university to the president or upon a decision by the president that these procedures should be undertaken in consideration of the termination of a tenured faculty member, one or more appropriate administrators shall meet privately with the faculty member for purposes of attempting to reach a mutually acceptable resolution of the problems giving rise to the proposed termination proceedings.
5. If no mutually acceptable resolution is reached through step 4 the following steps shall be taken.
 1. The faculty member shall be provided with a written statement of the specific charges alleged by the university which constitute grounds for termination and a notice of hearing specifying the time, date, and place of the hearing. The statement and notice must be

provided at least twenty (20) days prior to the hearing. The faculty member shall respond to the charges in writing at least five (5) days prior to the hearing. The faculty member may waive the hearing by execution of a written waiver.

2. A committee consisting of tenured faculty or tenured faculty and administrators shall be appointed to hear the case and to determine if adequate cause for termination exists according to the procedure herein described. The committee shall be appointed by the president and the officially recognized faculty senate, assembly or advisory committee, with each appointing the number of members designated by the policy of the university. The committee may not include any member of the faculty committee referred to in 4 above. Members deeming themselves disqualified for bias or interest shall remove themselves from the case, either at the request of a party or on their own initiative. Members of the committee shall not discuss the case outside committee deliberations and shall report any ex-parte communication pertaining to the hearing to the president who shall notify all parties of the communication.
6. The hearing committee shall elect a chairperson who shall direct the proceedings and rule on procedural matters, including the granting of reasonable extensions of time at the request of any party and upon the showing of good cause for the extension.
7. The chairperson of the hearing committee may in his/her discretion require a joint pre-hearing conference with the parties which may be held in person or by a conference telephone call. The purpose of the pre-hearing conference should include but is not limited to one or more of the following:

1. As notification as to procedure for conduct of the hearing.
 2. To exchange of witness lists, documentary evidence, and affidavits.
 3. To define and clarify issues.
 4. To effect stipulations of fact. A written memorandum of the pre-hearing conference should be prepared and provided to each party.
8. A hearing shall be conducted by the hearing committee to determine whether adequate cause for termination of the faculty member exists. The hearing shall be conducted according to the procedures below.
1. During the hearing, the faculty member will be permitted to have an academic advisor present and may be represented by legal counsel of his/her choice.
 2. A verbatim record of the hearing will be taken and a typewritten copy will be made available to the faculty member, upon request, at the faculty member's expense.
 3. The burden of proof that adequate cause exists rests with the university and shall be satisfied only by clear and convincing evidence in the record considered as a whole.
 4. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the committee in using its best efforts to secure witnesses and make available documentary and other evidence that is under its control.
 5. The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements, the

committee will identify the witnesses, disclose their statements, and, if possible, provide for interrogatories. An affidavit may be submitted in lieu of the personal appearance of a witness if the party offering the affidavit has provided a copy to the opposing party at least ten (10) days prior to the hearing and the opposing party has not objected to the admission of the affidavit in writing within seven (7) days after delivery of the affidavit or if the committee chairperson determines that the admission of the affidavit is necessary to ensure a just and fair decision.

6. In a hearing on charges of incompetence, the testimony shall include that of qualified faculty members from the university or other universities of higher education.
7. The hearing committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.
8. The findings of fact and the report will be based solely on the hearing record.
9. The president and the faculty member will be provided a copy of the written committee report. The committee's written report shall specify findings of fact and shall state whether the committee has determined that adequate cause for termination exists and, if so, the specific grounds for termination found. In addition, the committee may recommend action less than dismissal. The report shall also specify any applicable policy the committee considered.
9. After consideration of the committee's report and the record, the president may in his/her discretion consult with the faculty member prior to reaching a final decision regarding termination. Following

his/her review, the president shall notify the faculty member of his/her decision, which, if contrary to the committee's recommendation shall be accompanied by a statement of the reasons. If the faculty member is terminated or suspended as a result of the president's decision, the faculty member may appeal the president's action to the ~~Chancellor~~ [TSU Board of Trustees](#) pursuant to TSU BOARD OF TRUSTEES Policy 1:02:11:00. Review of the appeal shall be based upon the record of hearing. If upon review of the record, the ~~Chancellor~~ [TSU Board of Trustees](#) notes objections regarding the termination and/or its proceedings, the matter will be returned to the president for reconsideration, taking into account the stated objections, and, at the discretion of the president, the case may be returned to the hearing committee for further proceedings.

Sources

TBR Board Meeting April 2, 2004; Board Meeting June 20, 2014.

This policy is a result of a comprehensive revision of former TBR Policy 5:02:03:00, Academic Freedom, Responsibility and Tenure. The former policy included provisions related to academic freedom and responsibility and tenure in both universities and community colleges. The revision, approved by the TSU Board of Trustees on April 2, 2004, created a separate policy on academic freedom and responsibility pertinent to both universities and community colleges, established separate policies relative to tenure for universities and community colleges, and instituted separate policies on faculty appointments for universities and community colleges. Faculty members appointed prior to July 1, 2004, may elect to be considered for tenure under the provisions of Policy 5:02:03:00 or under the revised policy for a four-year phase-in period. The revised policy will be applicable to all tenure action taken on or subsequent to July 1, 2008, for faculty whose employment began on or after July 1, 2004.

Note: This policy became effective on July 1, 1976, as to all faculty then or thereafter employed in the TSU Board of Trustees' System. The minimum qualifications and requirements for eligibility for an award of tenure applied to all faculty who had not previously been expressly awarded tenure by the Board, and the previous probationary period for such faculty was extended to a maximum of seven years. Faculty who had previously been awarded tenure retained their tenured status under this policy, subject to its terms and conditions. The definition of tenure (see p. 2 of 20) shall become effective January 1, 1984. That definition shall only apply to faculty tenured subsequent to the effective date. For faculty members tenured previous to January 1, 1984, the applicable definition of tenure shall be: "a status pursuant to which the academic year appointments of full-time faculty who have been awarded tenure are continued at a university until the expiration or relinquishment of that status, subject to termination for adequate cause for financial exigency or curricular reasons (see policy adopted June 25, 1976)."

Related Policies

- [Appeals and Appearances Before the Board](#)
- [Faculty Promotion at Universities](#)
- [Financial Exigency](#)
- [Faculty Appointments at Universities](#)

TENNESSEE STATE UNIVERSITY
BOARD OF TRUSTEES

ACTION ITEM

DATE: June 30, 2026

ITEM: Tenure Policy Disciplinary Revisions

RECOMMENDED ACTION: Approval

PRESENTED BY: Dr. Erik Schmeller, Interim Provost and Vice Provost for Academic Affairs

Background Information

Under the Focus on College and University Success (“FOCUS”) Act, codified at Tenn. Code Ann. § 49-8-101 et seq., the TSU Board of Trustees is vested with broad authority to govern and manage the University, including authority over academic affairs, personnel matters, and faculty tenure policies.

TSU’s existing tenure policy, Policy 5:02:03:60 Academic Tenure for Universities, governs criteria and procedures concerning academic tenure. The policy defines tenure, establishes standards for probationary employment and tenure review, and identifies grounds for termination or modification of tenure status, including for adequate cause, financial exigency, and curricular reasons.

Recently enacted 2026 Public Acts, Chapter 761 requires the University to distinguish between faculty tenure decisions and disciplinary actions. The new legislation declares that “[t]he safeguarding of tenure must be balanced with the responsibility of institutional leadership to ensure accountability, integrity, and appropriate professional conduct within the faculty.” To that end, the legislation permits the University to discipline or terminate both tenured and non-tenure faculty using the same misconduct procedures and requires that the faculty member receives written notice and a hearing through the process.

Policy 5:02:03:60 Academic Tenure for Universities retains the legislative acknowledgment that academic tenure is an important safeguard for academic freedom and intellectual independence.

Consistent with the new legal framework, the proposed revisions to Policy 5:02:03:60 explain the procedures for disciplining faculty (up to and including termination) for adequate cause related to

misconduct and/or unsatisfactory performance. In accordance with the requirements of the law, the President or Provost will decide on sanctions for faculty misconduct without any recommendation or vote by another faculty member at the University. The President is also the final arbiter in instances of unsatisfactory performance, with performance assessments provided by direct supervisors. The Provost informs the President's deliberations. The proposed revisions also account for instances where a faculty member pursues an internal University hearing (only available for instances of unsatisfactory performance) or, alternatively, elects to have a contested case hearing under the Tennessee Uniform Administrative Procedures Act to review a termination or suspension without pay decision.

Overview of Law and Policy Changes

Topic	Key Provisions	Additional Information
Purpose	New state law requires public universities to promulgate a tenure policy and develop procedures for terminating faculty for adequate cause. The Board must adopt and implement policies that clearly distinguish tenure decisions from faculty disciplinary actions. Policies must: (1) Ensure that awarding, denial, or revocation of tenure is not used as a form of discipline; (2) Ensure that disciplinary actions do not alter or suspend a faculty member's tenure status except as provided by institutional policy and after providing the faculty member due process; (3) Provide disciplinary procedures that are the same for tenured and non-tenured faculty for a faculty member's misconduct; (4) Ensure due process for a faculty member; and (5) Comply with applicable law.	Signed into law by the Governor in April 2026. Provides universities with more flexibility when dealing with faculty misconduct issues. Universities are also required to adopt an institutional neutrality policy, which the University did through an amendment to its Campus Free Speech policy.
Due Process Required	Must provide (1) written notice of the grounds for termination or suspension and (2) an opportunity to be heard by	Changes process for terminations for misconduct; reduces lengthy, multi-step pre-termination process.

	the President or Provost prior to termination or suspension based on misconduct.	Under the revised policy, faculty who are suspended without pay or terminated for misconduct may appeal the decision with a contested case hearing subject to the Tennessee Uniform Administrative Procedures Act. Previously, the law authorized a tenured faculty member who was dismissed or suspended for cause to obtain de novo judicial review of the final decision in chancery court. Dismissals or terminations for cause prior to July 1, 2026, retain de novo judicial review in chancery court. The process for unsatisfactory performance is not covered by the new law and includes a different, more proscribed process.
Decisionmaker	Chief Executive Officer (President) or Chief Academic Officer (Provost) must decide whether to suspend or terminate faculty for cause.	No faculty recommendation or vote allowed in the decision-making process; this is strictly prohibited under the new law.
Application	Tenured and non-tenured faculty; applies to those with tenure as of July 1, 2026, and to those who obtain tenure after this date.	
Unsatisfactory Performance	Provides a separate process for unsatisfactory performance by tenured and non-tenured faculty. The process includes an assessment of performance, a decision by the President, and the opportunity to contest a termination or suspension before a Termination Hearing Committee or through a contested case hearing.	Details that corrective measures should be taken prior to instituting disciplinary action, describes process, beginning with action initiated by the President or the Provost's recommendation to the President. Calls for assessment of whether the faculty member's performance constitutes adequate cause for termination based on unsatisfactory performance; does through department-level assessment; dean assessment;

		Provost review and decision; appeal to the President, who makes the final decision. Faculty member can appeal the President's decision to either a Tenure Hearing Committee or contested case hearing under the Tennessee Uniform Administrative Procedures Act. If a hearing takes place, the committee makes a recommendation to the President, who will issue the final decision.
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Committee Action

The Office of Academic Affairs is requesting approval of the changes to TSU's Tenure Policy 5:02:03:60. The Committee Chair will call for a motion on the requested action to recommend to the full Board the approval of the proposed tenure policy changes.

MOTION: I move to recommend to the full Board the approval of the proposed policy changes as they pertain to disciplinary provisions of the Academic Tenure Policy, No. 5:02:03:60, as contained in the Materials for the Committee's June 30, 2026 meeting.



OFFICE OF ACADEMIC AFFAIRS

Effective Date: July 1, 2026

ACADEMIC TENURE FOR UNIVERSITIES 5:02:03:60

Policy Number	5:02:03:60
Approval Authority	Board of Trustees
Responsible Administrator	Provost
Responsible Office	Academic Affairs
Policy Contact	Provost

1.0 POLICY STATEMENT

This policy establishes criteria and procedures relating to academic tenure at Tennessee State University (TSU or University).

2.0 IMPORTANCE AND REASON FOR THE POLICY

The purpose of this policy is to establish the criteria and process regarding academic tenure at universities governed by the TSU Board of Trustees.

3.0 DEFINITIONS

The following are general definitions of words and terms used in this policy which are not hereinafter specifically defined; however, the words and terms are subject to further qualification and definition in the subsequent sections of this policy.

- I. **Academic Tenure** - a personnel status in an academic department or academic program unit pursuant to which the academic or fiscal year appointments of full-time faculty who have been awarded tenure are continued at an university until the expiration or relinquishment of that status, subject to termination for adequate cause, for financial exigency, or for curricular reasons.
- II. **Adequate Cause** - a basis upon which a faculty member, either with academic tenure or a tenure-track or temporary appointment prior to the end of the specified term of the appointment may be dismissed or terminated. The specific grounds which constitute adequate cause are set forth in Section IV.H., herein.
- III. **Financial Exigency** - the formal declaration by the TSU Board of Trustees that one of its universities faces an imminent financial crisis, that there is a current or projected absence

of sufficient funds (appropriated or non-appropriated) for the campus as a whole to maintain current programs and activities at a level sufficient to fulfill its educational goals and priorities, and that the budget can only be balanced by extraordinary means which include the termination of existing and continuing academic and non-academic appointments.

- IV. **Faculty Member** - a full-time employee who holds academic rank as instructor, senior instructor, master instructor, assistant professor, assistant clinical or research professor, associate professor, associate clinical or research professor, professor, clinical or research professor, or instructor/coordinator.
- V. **Probationary Employment** - period of full-time professional service by a faculty member for whom an appointment letter denotes a tenure-track appointment in which he/she does not have tenure and in which he/she is evaluated by the university for the purpose of determining his/her satisfaction of the criteria for a recommendation for tenure. Probationary employment provides an opportunity for the individual to assess his/her own commitment to the university and for the university to determine whether the individual meets its perception of quality and/or projected need.
- VI. **Faculty Appointments** - are defined in TSU Policies 5:02:07:00 and 5:02:07:10.

4.0 PROCEDURES

I. Introduction

- A. The following policy of the TSU Board of Trustees on tenure is applicable to ~~the all universityies within the system. These are minimal provisions for universities and should be implemented in a manner appropriate to the individual missions, traditions, and needs of the universities.~~
- B. University policies on tenure must cite and specifically acknowledge compliance with TSU Board of Trustees Policy on Academic Tenure (5:02:03:60). Likewise, university policies must as a minimum embody and communicate clearly all provisions, definitions, and stipulations of the Board policy.
- C. The quality of the faculty of any university is maintained primarily through support of a wide variety of professional development. It is monitored through the appraisal, by competent faculty and administrative officers, of each candidate for tenure. Tenure at a TSU Board of Trustees university provides certain full-time faculty with the assurance of continued employment during the academic year until retirement or dismissal for adequate cause, financial exigency, or curricular reasons, as further discussed herein.

II. Consideration of Tenure

A. Tenure Appointments

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1. The awarding of tenure is recognition of the merit of a faculty member and of the assumption that he/she would meet the long-term staffing needs of the department or academic program unit and the university.
 2. Tenure is awarded only to those members of the faculty who have exhibited professional excellence and outstanding abilities sufficient to demonstrate that their future services and performances justify the degree of permanence afforded by academic tenure.
 3. The TSU Board of Trustees does not award tenure in non-faculty positions.
 4. Tenure appointments reside in the departments and academic program units, and are assurances of continued employment during the academic year subject to expiration, relinquishment, or terminations of tenure as set out in Sections III and IV.
 5. Recommendations for or against tenure should originate from the department or academic program unit in which the faculty member is assigned and should include appropriate participation in the recommendation by tenured faculty in the department or academic program unit as specified in Policy.
 6. Tenure is awarded only by positive action of the Board, pursuant to the requirements and procedures of this policy, at a specific university.
 7. No faculty member shall acquire or be entitled to any interest in a tenure appointment at a university without a recommendation for tenure by the president of the university and an affirmative award of tenure by the Board of Regents.
 8. No other person shall have any authority to make any representation concerning tenure to any faculty member, and failure to give timely notice of non-renewal of a contract shall not result in the acquisition of a tenure appointment, but shall result in the right of the faculty member to another year of service at the university, provided that no tenure appeals remain outstanding due to lack of cooperation and/or appropriate action on the part of the candidate in completing the appeal process.

B. Tenure Process

1. Each university policy must contain the following:
 - a. Provisions for a tenure-track faculty member to be guided through the tenure process. Guidance may include provision of a mentor, pre-tenure review, portfolio development workshops, etc.
 - b. A process that defines the levels of review to include peer review.

- c. Procedures associated with review by each level, a clear description of materials that each level will review.
 - d. A calendar or schedule of the review process.
 - e. The types and frequency of evaluation of probationary faculty members in the areas of teaching, service/outreach, and scholarship/creative activities/research.
2. University procedures shall ensure that peer committees have qualified privilege of academic confidentiality against disclosure of individual tenure votes unless there is evidence that casts doubt upon the integrity of the peer committee.
 3. This policy shall be interpreted in a manner consistent with T.C.A. § 10-7-101 et seq. The recommendation for tenure must be made by the president to the ~~Chancellor and by the Chancellor to the~~ Board. In the event that tenure is awarded by the Board, the president shall furnish to the faculty member written confirmation of the award.
 4. Annual evaluations conducted by the candidate's department chair or other appropriate head of an academic program unit are an important aspect of the criteria for tenure at universities; therefore, university policies should include a clear statement as to the role of evaluation in measuring those criteria relevant to assessing the merit of the probationary candidate. Types of evidence relevant to evaluating effectiveness and contributions in teaching, research/scholarship, and service/outreach are identified in subsections III.A1, 2, and C of this section.

C. Minimum Eligibility Requirements for Consideration for Academic Tenure

1. University policies must include specifically identifiable sections which define minimum eligibility requirements for consideration for academic tenure. Those sections must clearly distinguish between:
 - a. Minimum eligibility requirements for consideration for academic tenure; and
 - b. Criteria to be considered in tenure recommendations (see Section III).
2. Academic tenure may be awarded only to full-time faculty members who:
 - a. Hold academic rank as instructor, senior instructor, master instructor, assistant professor, associate professor, or professor and meet the minimum rank criteria for that rank as specified in TSU Board of Trustees Policy No 5:02:02:20 (however, a university may choose not to award tenure to faculty in the rank of instructor);

- b. Have been employed pursuant to tenure-track appointments and have completed the probationary period of service as stated in the university's policy, and/or as agreed upon in writing and signed by the appropriate academic officer; and
 - c. Have been determined by the university to meet the criteria for recommendation for tenure and have been so recommended pursuant to this policy.
- 3. Faculty holding clinical or research appointments are not eligible for tenure, provided, however, that under certain circumstances, such appointments may be converted to tenure track appointments as discussed in faculty appointments, TSU Board of Trustees Policy Nos. 5:02:07:00 and 5:02:07:10.
- 4. Faculty members supported in whole or in part by funds available to the university on a short-term basis, such as grants, contracts, or foundation sponsored projects, shall not be eligible for tenure unless continuing support for such members can be clearly identified in the regular budget of the university upon the recommendation of tenure to the Board.
- 5. No faculty member shall be eligible for tenure unless the employee's contract specifies his/her tenure-track status; provided that where a faculty member with tenure is appointed to an administrative position, he/she will retain tenure in a former faculty position only; and provided further that a faculty member otherwise eligible for tenure who also holds a non-faculty position may be awarded tenure in the faculty position only, subject to the requirements of this policy.
- 6. Each university may establish additional reasonable requirements for the eligibility of faculty for consideration for tenure. These should include but are not limited to the completion of the doctorate or other specified terminal degree in the faculty member's discipline, a minimum rank of instructor, assistant professor, and prescribed research and publication achievements. (The TSU Board of Trustees, using national standards, will determine what constitutes the terminal degree for each discipline. The university may request exceptions to this standard based upon its mission, or based upon an extraordinary candidate. In the latter instance, the exception shall be requested when the faculty member is employed and/or when the length of the probationary period is determined.)

D. Probationary Employment

- 1. Probationary faculty may be employed on annual tenure-track appointments for a probationary period of which may not exceed six (6) years, however, six (6) years is considered to be the normal length of time required to develop a substantial record in teaching, research and service.
- 2. The faculty member may apply for tenure following a probationary period

of not less than five years, provided that exceptions to the minimum probationary period may be made under special circumstances upon ~~recommendation~~ approval by the president ~~and approval by the Chancellor~~.

- a. Upon approval of such an exception by the president ~~Chancellor~~, the faculty member's recommendation for tenure will go forward to the Board as meeting the requirements for the probationary period.

E. Calculating the Probationary Period

1. Only full-time continuous service at a university will be included in determining completion of the probationary period, except where a break in service was pursuant to an approved leave of absence.
 - a. Credit for Prior Service - The minimum probationary period of five years may include credit for prior service when agreed to by the president, and subject to the maximum permissible credit for prior service as noted below:
 1. Credit toward completion of the probationary period may at the discretion of the president be given for a maximum of three years of previous full-time service at other colleges, universities, or institutes provided that the prior service is relevant to the institution's own needs and criteria.
 1. Any credit for prior service that is recognized and agreed to must be confirmed in writing at the time of the initial appointment.
 2. Credit toward completion of the probation period may, at the discretion of the president, be given for a maximum of three years or previous full-time service in a temporary faculty appointment or term appointment at the same institution or in an earlier tenure-track appointment at the same institution that has been followed by a break in service.
 1. Any credit for prior service in a temporary full-time faculty appointment at the same institution or in an earlier tenure-track appointment (at the same institution) that has been followed by a break in service must be recognized and confirmed in writing in the appointment letter to a tenure-track position.
- b. Approved Leave of Absence
 1. A period of approved leave of absence shall be excluded from the requisite period for completion of the probationary period unless the president of the university specified in

writing prior to the leave of absence that it shall be included in the probationary period.

2. Leaves of absence may not be granted retroactively.
3. A faculty member may apply for a maximum of two (2) extensions in one-year increments so long as the total probationary period does not exceed six years.
4. Requests for a second extension follow the same procedure and are subject to the same considerations as the original extension.

c. Stopping the Tenure Clock

1. A faculty member in a tenure track appointment may request to “stop the clock” during his/her probationary period when circumstances exist that interrupt the faculty member’s normal progress toward building a case for tenure.
2. Discretion for stopping the tenure clock rests on the institution and also requires supervisory approval. In such cases, the faculty member may request to “stop the tenure clock” for one-year if he/she demonstrates that circumstances reasonably warrant such interruption.
3. Reasons for approving a request to “stop the clock” will typically be related to a personal or family situation requiring attention and commitment that consumes the time and energy normally addressed to faculty duties and professional development.
4. Examples may include, but are not limited to, childbirth or adoption, care of dependents, medical conditions or obligations, physical disasters or disruptions, or similar circumstances that require a fundamental alteration of one’s professional life.
5. The intent of this policy is to serve the best interests of the university while providing neither preference to nor adverse effect on a faculty member’s process of developing a case for tenure.
6. Once approved, the “stop the clock” year is not counted in the probationary period accrual.

d. Procedure

1. A faculty member seeking a modification of his/her probationary period must submit his/her request, in writing, addressing the considerations described above.
 2. The request is to be submitted to the department chair for consideration and recommendation. The chair's recommendation is forwarded to the dean of the faculty member's college for consideration and recommendation; thence to the provost for consideration and recommendation; and finally to the president for approval or denial.
 3. The president will notify the faculty member, in writing, of the decision to approve or deny such exceptions within one month of submission.
 4. Requests for modification of the probationary period that are based on a faculty member's health or care for an immediate family member should also be submitted to the university's legal counsel or to TSU Board of Trustees' for review.
- F. A faculty member that is appointed to an administrative position prior to a tenure award remains eligible for tenure under two conditions:
1. The faculty member must qualify for tenure under departmental or academic program unit, college and university guidelines; and
 2. The faculty member must maintain a significant involvement in academic pursuits including teaching, scholarship and service. The time (or prorated portion of time) spent in the administrative position may be credited toward completion of the probationary period.
- G. Where a faculty member is serving a probationary period in a department or academic program unit and is subsequently transferred to another department or academic program unit, the faculty member may – with the approval of the president – elect to begin a new probationary period on the date that the transfer occurs.
1. If he/she does not so elect (and confirm in writing to the president), time spent in the first appointment shall count toward establishing the minimum and maximum probationary period (see E.1 above).

III. Criteria to be Considered in Tenure Recommendations

A. Overview

1. The nature and relative importance of the criteria for the recommendation for tenure depend upon the nature, mission, and goals of the university in

which tenure may be awarded and of the department or academic program unit in which a faculty member is employed.

2. The faculty member must demonstrate willingness and ability to work effectively with colleagues to support the mission of the institution and the common goals both of the institution and of the academic organizational unit.
3. Moreover, criteria for tenure relate to the university's three traditional, and often inter-related, missions: teaching, research/scholarship/creative activities, and service/outreach.

B. Teaching

1. Effective teaching is an essential qualification for tenure, and tenure should not be granted in the absence of clear evidence of a candidate's teaching ability and potential for continued development.
2. Excellence in teaching is a strong recommendation for both tenure and promotion though it cannot be considered in isolation from scholarship and service.
3. Although it is difficult to establish evidence of teaching excellence, each department must develop a procedure to ensure that factual information relative to a candidate's teaching is available at the time he/she is considered for tenure. It is expected that a component of teaching is effective student advisement.
4. The teaching portfolio should include, but is not limited to, evidence of teaching excellence as follows:
 - a. Ability to organize and present subject matter in a logical and meaningful way;
 - b. Ability to motivate and stimulate creativity, intellectual curiosity, and interest in writing and inquiry in undergraduates and/or graduate students; and
 - c. Evidence of peer evaluation.
5. Documentation of teaching should routinely include:
 - a. Statement of teaching philosophy;
 - b. Course materials;
 - c. Student evaluations for every course evaluated during the probationary period; and
 - d. Evidence of supervision of student projects and other forms of

student mentorships.

6. A candidate for tenure may choose to include other types of evidence that support his/her application for tenure such as:
 - a. Additional student input;
 - b. Student products;
 - c. Teaching recognition;
 - d. Teaching scholarship;
 - e. Peer input;
 - f. Evidence of professional development in teaching;
 - g. Evidence of disciplinary or interdisciplinary program or curricular development;
 - h. Alumni surveys and student exit interviews; and
 - i. Other evidence of excellence in teaching or mentoring, or both.

C. Research/Scholarship/Creative Activities

1. A candidate for tenure must present evidence of his/her research, scholarship and/or creative activities when he/she applies for tenure.
 - a. Such evidence should cite books, journal articles, monographs, creative activities, performances, or exhibitions that have undergone appropriate peer review.
 - b. Research publications in refereed journals or media of similar quality are considered reliable indicators of research/scholarly ability.
 - c. Written reviews and evaluations by qualified peers, either in person or aided by other forms of reports, or both, are appropriate for performances, compositions, and other artistic creations.
 - d. Books published by reputable firms and articles in refereed journals, reviewed by recognized scholars, are more significant than those that are not subjected to such rigorous examination.
 - e. It should be emphasized that quality is more important than quantity.
2. The tenure dossier/application must include evidence of peer review of the candidate's record of research/scholarly activity by qualified peers. The

scholarship of teaching is a valid measure of research capability.

- a. It goes beyond doing a good job in the classroom; creative teachers should organize, record, and document their efforts in such a way that their colleagues may share their contributions to the art of teaching.
 - b. Appropriate textbooks or educational articles in one's own discipline and innovative contributions to teaching, if published or presented in a peer-reviewed forum, constitute scholarship of teaching.
3. Service/Outreach Service and/or outreach encompass a faculty member's activities in one of three areas:
 - a. Outreach or public service;
 - b. University service; and
 - c. Professional service.
4. The outreach or public service function is the university's outreach to the community and society at large, with major emphasis on the application of knowledge for the solution of problems with which society is confronted.
 - a. Outreach primarily involves sharing professional expertise and should directly support the goals and mission of the university.
 - b. A vital component of the university's mission, public service must be performed at the same high levels of quality that characterize the teaching and research programs.
5. University service refers to work other than teaching and scholarship done at the department, college, or university level. A certain amount of such service is expected of every faculty member; indeed, universities could hardly function without conscientious faculty who perform committee work and other administrative responsibilities.
 - a. University service includes, but is not limited to, serving on departmental committees and participating in college and university committees.
 - b. Some faculty members may accept more extensive citizenship functions, such as a leadership role in the Faculty Senate, membership on a specially appointed task force, service as advisor to a university-wide student organization, and membership on a university search committee.
6. Professional service refers to the work done for organizations related to

one's discipline or to the teaching profession generally.

- a. Service to the profession includes association leadership, journal editorships, article and grant proposal review, guest lecturing on other campuses, and other appropriate activities.
- b. While it is difficult to define the exact nature of significant professional service, clearly more is required than organizational membership and attendance; examples of significant service would be that done by an officer of a professional organization or a member of the editorial staff of a journal.

IV. Changes in Tenure/Tenure-Track Status

A. Non-renewal of Probationary Tenure-Track

1. When tenure-track appointments of faculty are not to be renewed for further service, the faculty member shall receive notice of his/her non-retention for the ensuing academic year as follows:
 - a. Not later than April 1 of the first academic year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least two months in advance of its termination;
 - b. Not later than January 1 of the second year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least five months in advance of its termination;
 - c. Not later than the close of the academic year preceding the third or subsequent year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least twelve months in advance of its termination.
2. The above stated dates are the latest dates for notice of non-renewal of faculty on tenure-track appointments, and each university may adopt annual dates which provide for longer notice of non-renewal. Notice of non-renewal shall be effective upon personal delivery of the notice to the faculty member, or upon the date the notice is mailed, postage prepaid, to the faculty member at his/her current home address of record at the university.
3. Applicable dates for notice of non-renewal are based upon actual years of service at a particular university and in no way affected by any credit for prior service. When a faculty member on a tenure-track appointment completes his/her probationary period, the faculty member will be recommended for tenure by the president or will be given notice of non-renewal of the appointment during the spring term following application

for such status. Such notice of non-renewal should be given not later than the final day of the academic year. The faculty member's right in an instance where timely notice is not given is described in II.A.8.

4. Faculty members on tenure-track appointments shall not be terminated during the term of the annual appointment as stated in the employment contract except for reasons which would be sufficient for the termination of tenured faculty.
5. The non-renewal or non-reappointment of any faculty member on a tenure-track appointment does not necessarily carry an implication that his/her work or conduct has been unsatisfactory.
6. Unless there is a violation of state or federal law under the limitations described in the TSU BOARD OF TRUSTEES Policy on Appeals (1:02:11:00), decisions that are not subject to appeal to the Board ~~Chancellor~~ include (a) non-renewal of a tenure-track faculty appointment during the first five years of the probationary period and (b) denial of tenure unaccompanied by notice of termination in the fifth year of the probationary period.

B. Transfer of Tenure

1. Where a faculty member is tenured in an academic program unit (e.g., a department or division) he/she may be transferred to another academic program unit.
2. In such cases, the transfer will be made with tenure; moreover, the tenure appointment will be transferred to the new academic program unit.
3. In no instance may the faculty member be compelled to relinquish tenure as a condition for affecting the transfer.

C. Expiration of Tenure

1. Tenure status shall expire upon retirement of the faculty member.
2. Tenure shall also expire upon the event of permanent physical or mental inability of a faculty member, as established by an appropriate medical authority, to continue to perform his/her assigned duties.

D. Relinquishment of Tenure

1. A faculty member shall relinquish or waive his/her right to tenure upon resignation from the university or upon failure to report for service at the designated date of the beginning of any academic term, which shall be deemed to be a resignation unless, in the opinion of the president, the faculty member has shown good cause for such failure to report.

2. Where a tenured faculty member is transferred or reclassified to another department or academic program unit by the university, the transfer or reassignment shall be with tenure.
3. Tenure is not relinquished during administrative assignments at the university.

E. Termination of Tenure for Reasons of Financial Exigency

1. A tenured faculty member may be terminated as a result of financial exigency at a university subject to Board declaration that such financial conditions exist.
2. Personnel decisions (including those pertaining to tenured faculty) that result from a declaration of financial exigency at a Board of Regents university will comply with the Board Policy on Financial Exigency (5:02:06:00).

F. Termination of Tenure for Curricular Reasons

1. The employment of a tenured faculty member may be terminated because:
 - a. An academic program is deleted from the curriculum; or
 - b. Because of substantial and continued reduction of student enrollment in a field or discipline.
2. Before declaring that curricular reasons exist, the president will ensure meaningful participation by the university's representative faculty body in identifying the specific curricular reasons, evaluating the long-term effect on the university's curriculum and its strategic planning goals, and the advisability of initiating further action.
3. Prior to initiating the process described below, the president will present - either verbally or in writing - a description of curricular reasons that may warrant the termination of tenured faculty member(s).
4. Each university policy will describe procedures whereby this presentation will be made to a representative faculty body, and that body will have the opportunity to respond in writing to the president before action described below is initiated.
5. Each of these reasons for termination of tenure for curricular reasons must denote shifts in staffing needs that warrant greater reductions than those which are accommodated annually in light of shifting positions from one department to another or among colleges to handle changing enrollment patterns (see Definitions, G.6 below).

G. Procedures for Termination of Tenure

1. Upon determining that termination of one or more tenured faculty members is required for one or more of the two reasons cited above, the president shall furnish each faculty member to be terminated a written statement of the reasons for the termination.
 - a. Those reasons shall address fully the curricular circumstances that warranted the termination and shall indicate the manner and the information upon which the decision of which faculty members were to be terminated was reached.
 - b. The president's written statement shall also indicate that the faculty member has the opportunity to respond in writing stating any objections to the decision.
2. If the faculty member(s) to be terminated indicate(s) objections to the president's written statement(s) and request(s) a review, the president will appoint a faculty committee consisting of a minimum of five tenured faculty members from a slate of ten tenured faculty members proposed by the representative faculty body.
 - a. The committee shall conduct a hearing on the proposed termination(s).
 - b. The committee shall report its findings and recommendations to the president, who shall in a reasonable time inform the faculty member(s) proposed for termination in writing either that the decision for termination stands or that it has been altered.
3. The president's decision to terminate a tenured faculty member for curricular reasons is subject to appeal to ~~the Chancellor and~~ the Board as provided in the policy on appeals to the Board (TSU BOARD OF TRUSTEES Policy 1:02:11:00).
4. When a tenured faculty member is terminated for curricular reasons, the position will not be filled by a new appointee with the same areas of specialization as the terminated faculty member within a period of three years unless the terminated faculty member has been offered, in writing, reappointment to the position at his/her previous rank and salary (with the addition of an appropriate increase which, in the opinion of the president, would constitute the raise(s) that would have been awarded during the period that he/she was not employed).
5. Upon determining that termination of one or more tenured faculty members is warranted for curricular reasons, the president shall base his/her decision about which faculty member(s) should be terminated upon his/her assessment as to what action would least seriously compromise the educational programs in a department or division.
 - a. Termination for curricular reasons presumes a staffing pattern in a

department or academic program unit which cannot be warranted either by comparison with general load practices within the university or by comparison with faculty loads in comparable departments or academic program units at similar universities.

- b. In that light, the president shall also, at his/her discretion, base his/her decision on a careful assessment of the impact of the curricular reason on staffing requirements in the department or academic program unit as compared to overall patterns in the university and to comparable departments or academic program units which, in his/her judgment, are in universities similar enough to warrant assessment.

6. Definitions

- a. “Program is deleted from the curriculum” means that the Board takes formal action to terminate a degree major, concentration, or other curricular component and that such termination eliminates or reduces need for faculty qualified in that discipline or area of specialization.
 - b. “Substantive and continued reduction of student enrollment in a field” means that over a period of at least three (3) years student enrollment in a field has decreased at a rate in considerable excess of that of the university as a whole and that such reduction has resulted in faculty-student ratios that, in the opinion of the president, cannot be warranted either by comparison with equivalent faculty load practices within the university or by comparisons with faculty loads in comparable departments or academic program units at similar universities which the president would deem to be appropriate for comparison.
7. When a tenured faculty member is to be terminated for curricular reasons, the president will make every possible effort to relocate the tenured faculty member in another existing vacant position for which he/she is qualified.
- a. In instances where (in the opinion of the president) relocation within the university is a viable alternative, the university has an obligation to make significant effort to relocate the faculty member, including the bearing of reasonable retraining costs.
 - b. The final decision on relocation is within the discretion of the president.

H. Termination for Adequate Cause

1. While tenure serves as an important safeguard for academic freedom, the advancement of knowledge, and the protection of intellectual

independence, the safeguarding of tenure must be balanced with the responsibility of institutional leadership to ensure accountability, integrity, and appropriate professional conduct within the faculty. Accordingly, University leadership possesses clear authority to discipline or remove faculty for cause.

2. Pursuant to T.C.A. §§ 49-8-301(b)(3) and 49-8-302, ~~a~~^A faculty member with tenure or a faculty member on a tenure-track appointment prior to the end of the term of appointment may be terminated for adequate cause, ~~which includes the following~~ misconduct and/or unsatisfactory performance.

~~a. Incompetence or dishonesty in teaching or research.~~

~~b. Willful failure to perform the duties and responsibilities for which the faculty member was employed or refusal or continued failure to comply with the policies of the Board, the university or the department, or to carry out specific assignments, when such policies or assignments are reasonable and non-discriminatory.~~

~~c. Conviction of a felony or a crime involving moral turpitude.~~

~~d. Improper use of narcotics or intoxicants, which substantially impairs the faculty member's fulfillment of his/her departmental and university duties and responsibilities.~~

~~e. Capricious disregard of accepted standards of professional conduct.~~

~~f. Falsification of information on an employment application or other information concerning qualifications for a position.~~

~~g. Failure to maintain the level of professional excellence and ability demonstrated by other members of the faculty in the department or academic program unit of the university.~~

3. Misconduct includes, but is not limited to, the following and similar types of misconduct:

a. Willful failure, refusal, and/or persistent neglect to comply with University policies, procedures, rules, or other regulations;

b. Capricious disregard of accepted standards of professional conduct;

c. Conduct that adversely affects University's ability to operate;

d. Willful conduct directly related to the fitness of the faculty to perform the duties and responsibilities for which the faculty

member was employed, or failure to carry out specific assignments when such assignments are reasonable and non-discriminatory;

- e. Admission of guilt or conviction of a felony or a non-felony involving moral turpitude and/or related to fitness for institutional duties;
 - f. Improper use of narcotics or intoxicants that substantially impairs the faculty member's fulfillment of departmental and institutional duties and responsibilities;
 - g. Theft or misappropriation of University funds, property, services, or other resources; and/or
 - h. Falsification of information on an employment application or other information concerning qualifications for a position.
4. Unsatisfactory performance includes, but is not limited to, the following and similar performance-related issues:
- a. Persistent failure to demonstrate professional competence in teaching, research, creative activities, and/or service;
 - b. Persistent failure to satisfactorily perform the assigned duties for a tenure-track or tenured faculty member, including failure to meet the required elements of a performance improvement plan;
 - c. Dishonesty or other serious violation of professional ethics or responsibility in teaching, research, creative activities, or service, or in interactions with students, employees, and/or members of the University community; and/or
 - d. Prolonged or frequent absence from duties without appropriate approvals and/or authorized leave.

~~I. Procedures for Termination for Adequate Cause~~

- ~~1. Termination of a faculty member with a tenure appointment, or with a tenure-track or temporary appointment prior to the annual specified term of the appointment, shall be subject to the following procedures:~~
 - ~~a. No termination shall be effective until steps 4 through 9 below have been completed.~~
 - ~~b. Suspensions pending termination shall be governed by the following procedure.~~
 - ~~1. A faculty member may not be suspended pending completion of steps 4 through 9 unless it is determined by the university that the faculty member's presence poses a~~

~~danger to persons or property or a threat of destruction to the academic or operational processes of the university. Reassignment of responsibilities is not considered suspension; however, the faculty member must be reassigned responsibilities for which he/she is qualified.~~

~~2. In any case of suspension, the faculty member shall be given an opportunity at the time of the decision or immediately thereafter to contest the suspension; and, if there are disputed issues of fact or cause and effect, the faculty member shall be provided the opportunity for a hearing on the suspension as soon as possible at which time the faculty member may cross-examine his/her accuser, present witnesses on his/her behalf, and be represented by an attorney. Thereafter, whether the suspension is upheld or revoked, the matter shall proceed pursuant to these procedures.~~

~~3. Except for such simple announcements as may be required concerning the time of proceedings and similar matters, public statements and publicity about these proceedings by either the faculty member or administrative officers will be avoided so far as possible until the proceedings have been completed, including consideration by the Board.~~

~~4. Upon a recommendation by the chief academic officer of the university to the president or upon a decision by the president that these procedures should be undertaken in consideration of the termination of a tenured faculty member, one or more appropriate administrators shall meet privately with the faculty member for purposes of attempting to reach a mutually acceptable resolution of the problems giving rise to the proposed termination proceedings.~~

~~5. If no mutually acceptable resolution is reached through step 4 the following steps shall be taken.~~

~~1. The faculty member shall be provided with a written statement of the specific charges alleged by the university which constitute grounds for termination and a notice of hearing specifying the time, date, and place of the hearing. The statement and notice must be provided at least twenty (20) days prior to the hearing. The faculty member shall respond to the charges in writing at least five (5) days prior to the hearing. The faculty member may waive the hearing by execution of a written waiver.~~

- ~~2.—A committee consisting of tenured faculty or tenured faculty and administrators shall be appointed to hear the case and to determine if adequate cause for termination exists according to the procedure herein described. The committee shall be appointed by the president and the officially recognized faculty senate, assembly or advisory committee, with each appointing the number of members designated by the policy of the university. The committee may not include any member of the faculty committee referred to in 4 above. Members deeming themselves disqualified for bias or interest shall remove themselves from the case, either at the request of a party or on their own initiative. Members of the committee shall not discuss the case outside committee deliberations and shall report any ex parte communication pertaining to the hearing to the president who shall notify all parties of the communication.~~
- ~~6.—The hearing committee shall elect a chairperson who shall direct the proceedings and rule on procedural matters, including the granting of reasonable extensions of time at the request of any party and upon the showing of good cause for the extension.~~
- ~~7.—The chairperson of the hearing committee may in his/her discretion require a joint pre-hearing conference with the parties which may be held in person or by a conference telephone call. The purpose of the pre-hearing conference should include but is not limited to one or more of the following:~~

 - ~~1.—As notification as to procedure for conduct of the hearing.~~
 - ~~2.—To exchange of witness lists, documentary evidence, and affidavits.~~
 - ~~3.—To define and clarify issues.~~
 - ~~4.—To effect stipulations of fact. A written memorandum of the pre-hearing conference should be prepared and provided to each party.~~
- ~~8.—A hearing shall be conducted by the hearing committee to determine whether adequate cause for termination of the faculty member exists. The hearing shall be conducted according to the procedures below.~~

- ~~1. During the hearing, the faculty member will be permitted to have an academic advisor present and may be represented by legal counsel of his/her choice.~~
- ~~2. A verbatim record of the hearing will be taken and a typewritten copy will be made available to the faculty member, upon request, at the faculty member's expense.~~
- ~~3. The burden of proof that adequate cause exists rests with the university and shall be satisfied only by clear and convincing evidence in the record considered as a whole.~~
- ~~4. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The administration will cooperate with the committee in using its best efforts to secure witnesses and make available documentary and other evidence that is under its control.~~
- ~~5. The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witnesses cannot or will not appear, but the committee determines that the interests of justice require admission of their statements, the committee will identify the witnesses, disclose their statements, and, if possible, provide for interrogatories. An affidavit may be submitted in lieu of the personal appearance of a witness if the party offering the affidavit has provided a copy to the opposing party at least ten (10) days prior to the hearing and the opposing party has not objected to the admission of the affidavit in writing within seven (7) days after delivery of the affidavit or if the committee chairperson determines that the admission of the affidavit is necessary to ensure a just and fair decision.~~
- ~~6. In a hearing on charges of incompetence, the testimony shall include that of qualified faculty members from the university or other universities of higher education.~~
- ~~7. The hearing committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the~~

~~issues involved. Every possible effort will be made to obtain the most reliable evidence available.~~

~~8. The findings of fact and the report will be based solely on the hearing record.~~

~~9. The president and the faculty member will be provided a copy of the written committee report. The committee's written report shall specify findings of fact and shall state whether the committee has determined that adequate cause for termination exists and, if so, the specific grounds for termination found. In addition, the committee may recommend action less than dismissal. The report shall also specify any applicable policy the committee considered.~~

~~9. After consideration of the committee's report and the record, the president may in his/her discretion consult with the faculty member prior to reaching a final decision regarding termination. Following his/her review, the president shall notify the faculty member of his/her decision, which, if contrary to the committee's recommendation shall be accompanied by a statement of the reasons. If the faculty member is terminated or suspended as a result of the president's decision, the faculty member may appeal the president's action to the Chancellor pursuant to TSU BOARD OF TRUSTEES Policy 1:02:11:00. Review of the appeal shall be based upon the record of hearing. If upon review of the record, the Chancellor notes objections regarding the termination and/or its proceedings, the matter will be returned to the president for reconsideration, taking into account the stated objections, and, at the discretion of the president, the case may be returned to the hearing committee for further proceedings.~~

I. Disciplinary Procedures for Misconduct

1. The following procedures apply to disciplinary actions involving a tenured or tenure-track faculty member for misconduct. The procedures in this section will also apply if there is adequate cause based on both misconduct and unsatisfactory performance.
2. The President or Provost may impose disciplinary sanctions (including, but not limited to, verbal or written reprimand, probation, suspension with or without pay, or termination) on any tenured or tenure-track faculty member who violates institutional policies or professional standards of conduct, as defined above.

3. Disciplinary action for misconduct may be initiated by the President or upon a recommendation by the Provost to the President.
4. In disciplinary proceedings, the University will ensure faculty due process, including the right to written notice of the grounds for disciplinary action and an opportunity to be heard by the President and/or Provost.
 - a. When the President, in consultation with the Provost, believes that conduct warrants disciplinary action, notice will be provided via email to the faculty member's TSU email. The notification will include the grounds for the proposed disciplinary action, including a summary of the allegations and details of the alleged misconduct.
 - b. The University will also provide the faculty member the opportunity to meet with the President and/or Provost regarding the misconduct allegations. The faculty member may respond in writing instead of, or in addition to, attending this meeting, but any written response must be delivered via TSU email to the President and Provost within ten (10) business days of the notification of alleged misconduct.
 - c. The meeting will be held within fifteen (15) business days of the notification of alleged misconduct, although the President or Provost may extend this period if they believe that there is a satisfactory reason to do so. The meeting may take place via videoconference if the faculty member and the President and/or Provost agree.
 - d. The faculty member may bring an advisor to the meeting, if desired. An advisor may not actively or directly participate in the meeting but may only consult with the faculty member. If an advisor interrupts the meeting and fails to follow the requirements of this policy, the President/Provost may stop the meeting and excuse the advisor. In such an instance, the faculty member shall not be permitted to have a substitute advisor. The faculty member must notify the President/Provost in writing at least twenty-four (24) hours before the meeting that the faculty member will utilize an advisor and identify the advisor by name and occupation.
5. Following the meeting with the faculty member, the President and/or Provost will render a decision based on the nature, severity, and/or impact of the misconduct. Prior to rendering a decision, the President and/or Provost may consult with the faculty member again, if desired.
6. If the President or Provost concludes that termination for misconduct is justified, the University will provide written notice of termination within ten (10) business days of meeting with the faculty member. Notice will be provided via email to the faculty member's TSU email address, and a hard copy will be provided by one of the following: (1) personal delivery by the

faculty member's chair, director, or dean; (2) certified mail, return receipt requested, postage prepaid; or (3) overnight courier. Any notification or document sent as specified above will be effective on the date that it is sent via any of the means set forth above. Written notice will include the grounds for termination, the date that the termination will become effective, and the faculty member's right to contest the decision.

- a. All termination and/or suspension decisions for misconduct must be made by the President and/or Provost without any recommendation or vote by another faculty member at the University.

7. If the President or Provost concludes, following a meeting with the faculty member, that adequate cause for misconduct exists, but that disciplinary sanctions other than termination are appropriate, the University may impose the lesser sanction. The University will provide written notice of sanctions within ten (10) business days of meeting with the faculty member. Notice will be provided via email to the faculty member's TSU email address, and a hard copy will be provided by one of the following: (1) personal delivery by the faculty member's chair, director, or dean; (2) certified mail, return receipt requested, postage prepaid; or (3) overnight courier. Any notification or document sent as specified above will be effective on the date that it is sent via any of the means set forth above.

8. The University and faculty member may also agree on a negotiated solution at any time in the process above.

9. **Contesting Termination and/or Suspension Without Pay**

- a. If a disciplinary decision based on misconduct includes termination or suspension without pay, the faculty member shall have ten (10) business days from the effective date of termination or suspension to file a written request with the Office of the President for a contested case proceeding pursuant to TSU Policy 1:06:00:05 Contested Cases Subject to the Uniform Administrative Procedures Act. A faculty member who does not request a contested case by the ten (10) business day deadline waives the right to a contested case hearing. A faculty member may also submit a waiver in writing.

- b. If at the conclusion of a contested case, the outcome is favorable to the faculty member and a conclusion is reached that the faculty member should not have been terminated for misconduct and/or the faculty member should not have been suspended without pay, then to the extent permitted by law, the University shall provide lost salary and benefits, if any, and restore the faculty member's employment position, including tenure, if applicable.

J. **Disciplinary Procedures for Unsatisfactory Performance**

1. The following procedures apply to disciplinary actions involving a tenured or tenure-track faculty member for unsatisfactory performance.
2. Corrective measures prior to disciplinary action for unsatisfactory performance should originate within the academic unit (i.e., program, department/school, and college). Corrective action addressing unsatisfactory performance should begin with a verbal or written reprimand and may include unsatisfactory annual evaluations and/or performance improvement plans that describe deficiencies and barriers to satisfactory performance, along with proposed corrective actions to address them.
3. If a faculty member fails to satisfactorily perform assigned duties as described in Section IV.H.4, disciplinary action may be initiated by the President or upon a recommendation by the Provost to the President, typically following a request from unit-level leadership (e.g., the department chair or director) and/or the dean of the college in which the department is housed. When applicable, this request will take the form of an official memorandum to the President and Provost, outlining the request to initiate disciplinary proceedings, a summary of the documentary evidence supporting the request, and a summary of corrective actions implemented thus far.
 - a. The University may impose sanctions (including, but not limited to, verbal or written reprimand, probation, suspension with or without pay, or termination) on any tenured faculty member who fails to meet performance expectations consistent with the assigned duties of a tenure-track or tenured faculty member, in accordance with the procedures below.
4. Department Chair or Director Assessment
 - a. Once disciplinary procedures are initiated by the President and/or Provost, the department chair or director will consider the faculty member's performance in teaching, research, and service. The chair/director will then assess whether the faculty member's performance constitutes adequate cause for termination based on unsatisfactory performance, as outlined in Section IV.H.4.
 - b. The chair/director will forward (via TSU email) their written assessment in a letter to the college dean within ten (10) business days of notification from the President and/or Provost, along with a chronological record of demonstrated efforts to encourage the faculty member to elevate their performance to satisfactory levels. The chair/director assessment will be advisory only.
5. Dean's Assessment
 - a. The dean will consider the faculty member's performance in

teaching, research, and service, along with the department chair's or director's assessment. The dean will then assess whether the faculty member's performance constitutes adequate cause for termination based on unsatisfactory performance, as outlined in Section IV.H.4.

- b. The dean will forward (via TSU email) their written assessment in a letter to the Provost within ten (10) business days of receipt of the letter from the chair/director, along with a chronological record of demonstrated efforts to encourage the faculty member to elevate their performance to satisfactory levels. The dean will also include the letter from the chair/director assessing whether the faculty member's performance constitutes adequate cause for termination based on unsatisfactory performance. The dean's assessment will be advisory only.

6. Provost's Review & Decision

- a. The Provost will consider the faculty member's performance in teaching, research, and service, along with the assessments from the department chair or director and the college dean. The Provost will then decide whether the faculty member's performance constitutes adequate cause for termination based on unsatisfactory performance, as outlined in Section IV.H.4.
- b. If the Provost concludes that adequate cause based on unsatisfactory performance exists, the Provost will call the faculty member to a meeting (via TSU email) within ten (10) business days of the college dean's submission to discuss any information provided by the faculty member, the performance assessment, and the possibility of a mutually satisfactory resolution.
- c. If the Provost concludes that adequate cause based on unsatisfactory performance does not exist, then the Provost will provide the faculty member with written notice of the conclusion (via TSU email, with a copy to the dean and chair/director) within ten (10) business days of their meeting with the faculty member. The notice will also include any further instructions pertaining to the matter.
- d. If, after considering information provided by the faculty member and after consulting with the President, the Provost concludes that adequate cause exists but that a sanction other than termination or suspension without pay should be imposed, then the Provost may impose the lesser sanction and notify the faculty member (via TSU email) within ten (10) business days of their meeting with the faculty member.

7. Appeal to President & Final Decision

- a. The faculty member may appeal the lesser sanction to the President via TSU email within five (5) business days, and the President's decision shall be final.

8. Sanctions of Termination or Suspension Without Pay

- a. If, after considering information provided by the faculty member and after consulting with the President, the Provost concludes that adequate cause exists and that the sanction should be termination or suspension without pay, then the Provost will provide written notice to the faculty member within ten (10) business days of their meeting with the faculty member. Notice will be provided via email to the faculty member's TSU email address, and a hard copy will be provided by one of the following: (1) personal delivery by the faculty member's chair/director; (2) certified mail, return receipt requested, postage prepaid; or (3) overnight courier. Any notification or document sent as specified above will be effective on the date that it is sent via any of the means set forth above.

Written notice will include:

1. The grounds for termination or suspension without pay and a date on which the termination/suspension without pay will become effective.
2. Information pertaining to the faculty member's right to contest the termination/suspension without pay before a Termination Hearing Committee (as described below) or in a post-termination contested case proceeding pursuant to TSU Policy 1:06:00:05 Contested Cases Subject to the Uniform Administrative Procedures Act.
3. A deadline of five (5) business days from receipt of the written notice to elect in writing to contest the termination/suspension without pay and to state in writing the preferred hearing type (via TSU email to the Provost).
4. If the faculty member does not contest the charge(s) in writing and select the preferred hearing type within ten (10) business days after receipt of written notice, the faculty member shall be subject to termination or suspension without pay, and no appeal of the matter is permitted within the University. Selection of one hearing type will waive the faculty member's right to the other.

9. Termination Hearing Procedures

- a. If the faculty member elects to contest the termination or suspension before a Termination Hearing Committee, the President

will appoint a committee of tenured faculty to determine if termination or suspension without pay based on unsatisfactory performance is appropriate.

1. The Faculty Senate President will provide tenured faculty nominations for this Committee to the President, with one tenured faculty member at the rank of Professor representing the Libraries and Media Center and each of the following colleges: Agriculture, Business, Education, Engineering, Health Sciences, Liberal Arts, Life and Physical Sciences, and Public Service.
 2. If the President finds nominations unsuitable, then the President, in consultation with the Provost, shall provide a list of approved, eligible faculty to the Faculty Senate President, who must select from the provided list within five (5) business days. If no selection is made, the President will proceed with appointing the committee of tenured faculty.
 3. Members deeming themselves disqualified for bias or interest will recuse themselves from the case, either at the request of a party or on their own initiative.
- b. The Committee will elect a chair to direct the proceedings. The Committee chair will provide the faculty member with written notice (via TSU email) of a hearing date, time, and place (including the grounds for the proposed termination/suspension and a summary of the allegations related to unsatisfactory performance) at least fifteen (15) business days in advance of the hearing date. The faculty member may waive the right to a live hearing within five (5) days of the notification and instead, rely on the Committee's determination based on written evidence and argument.
1. The faculty member may provide documents, affidavits, and/or other written/electronic evidence no later than five (5) business days in advance of the hearing date. The faculty member will also be permitted to explain their own case in discussion with the Committee throughout the hearing.
 2. The faculty member may bring an advisor to the hearing, if desired. An advisor may not actively or directly participate in the hearing but may only consult with the faculty member. If an advisor interrupts the meeting and fails to follow the requirements of this policy, the President/Provost may stop the hearing and excuse the advisor. In such an instance, the faculty member shall not

be permitted to have a substitute advisor. The faculty member must notify the President/Provost in writing at least twenty-four (24) hours before the hearing that the faculty member will utilize an advisor and identify the advisor by name and occupation.

3. The faculty member may accept the charges and agree not to contest the termination at any time.
 4. No witnesses are permitted at the hearing, but the Committee may require the appropriate dean, chair/director, and/or other faculty member to attend the hearing and respond to questions individually for the Committee (i.e., not in the presence of one another). For charges of incompetence, the Committee will make every effort to summon one or more qualified faculty members. The faculty member and other hearing attendees are not permitted to cross-examine one another.
 5. The Committee will not be bound by the rules of civil procedure or evidence and will make its recommendation to the President (as described below) following a fair and impartial hearing. The University's burden of proof will be a preponderance, or greater weight, of the evidence (i.e., it is more likely true than not that the faculty member's performance meets the definition of unsatisfactory performance, as defined above).
 6. The Committee will submit a written report to the President and the faculty member, explaining its recommendation based on the hearing's findings, including applicable policy. The report will state whether the Committee has determined that adequate cause for termination or suspension without pay exists and, if so, the specific grounds. The Committee may recommend action other than termination or suspension without pay.
- c. After considering the Committee's report and any evidence introduced at the hearing, the President may consult with the faculty member and/or Provost prior to issuing a final decision. If the President's and the Committee's decisions differ, the President will issue a written statement to the faculty member, Committee, and Provost, explaining the decision.
- d. Members of the Committee will not discuss the case outside Committee deliberations and will report any ex parte communication pertaining to the hearing to the President, who will notify all parties of the communication. Discussion of the case outside of Committee deliberations or failure to report ex parte

communications may result in disciplinary action.

5.0 AUTHORITY AND REFERENCES

2026 Public Acts, Chapter 761; T.C.A. §§ 10-7-101; 10-7-503; 49-8-301-302

6.0 HISTORY

TBR Board Meeting April 2, 2004; Board Meeting June 20, 2014.

This policy is a result of a comprehensive revision of former TBR Policy 5:02:03:00, Academic Freedom, Responsibility and Tenure. The former policy included provisions related to academic freedom and responsibility and tenure in both universities and community colleges. The revision, approved by the TSU Board of Trustees on April 2, 2004, created a separate policy on academic freedom and responsibility pertinent to both universities and community colleges, established separate policies relative to tenure for universities and community colleges, and instituted separate policies on faculty appointments for universities and community colleges. Faculty members appointed prior to July 1, 2004, may elect to be considered for tenure under the provisions of Policy 5:02:03:00 or under the revised policy for a four-year phase-in period. The revised policy will be applicable to all tenure action taken on or subsequent to July 1, 2008, for faculty whose employment began on or after July 1, 2004.

Note: This policy became effective on July 1, 1976, as to all faculty then or thereafter employed in the TSU Board of Trustees' System. The minimum qualifications and requirements for eligibility for an award of tenure applied to all faculty who had not previously been expressly awarded tenure by the Board, and the previous probationary period for such faculty was extended to a maximum of seven years. Faculty who had previously been awarded tenure retained their tenured status under this policy, subject to its terms and conditions. The definition of tenure (see p. 2 of 20) shall become effective January 1, 1984. That definition shall only apply to faculty tenured subsequent to the effective date. For faculty members tenured previous to January 1, 1984, the applicable definition of tenure shall be: "a status pursuant to which the academic year appointments of full-time faculty who have been awarded tenure are continued at a university until the expiration or relinquishment of that status, subject to termination for adequate cause for financial exigency or curricular reasons (see policy adopted June 25, 1976)."

Revisions: June 30, 2026

7.0 RELATED POLICIES

Appeals and Appearances Before the Board
Faculty Promotion at Universities
Financial Exigency
Faculty Appointments at Universities



OFFICE OF ACADEMIC AFFAIRS

Effective Date: July 1, 2026

ACADEMIC TENURE FOR UNIVERSITIES 5:02:03:60

Policy Number	5:02:03:60
Approval Authority	Board of Trustees
Responsible Administrator	Provost
Responsible Office	Academic Affairs
Policy Contact	Provost

1.0 POLICY STATEMENT

This policy establishes criteria and procedures relating to academic tenure at Tennessee State University (TSU or University).

2.0 IMPORTANCE AND REASON FOR THE POLICY

The purpose of this policy is to establish the criteria and process regarding academic tenure at universities governed by the TSU Board of Trustees.

3.0 DEFINITIONS

The following are general definitions of words and terms used in this policy which are not hereinafter specifically defined; however, the words and terms are subject to further qualification and definition in the subsequent sections of this policy.

- I. **Academic Tenure** - a personnel status in an academic department or academic program unit pursuant to which the academic or fiscal year appointments of full-time faculty who have been awarded tenure are continued at an university until the expiration or relinquishment of that status, subject to termination for adequate cause, for financial exigency, or for curricular reasons.
- II. **Adequate Cause** - a basis upon which a faculty member, either with academic tenure or a tenure-track or temporary appointment prior to the end of the specified term of the appointment may be dismissed or terminated. The specific grounds which constitute adequate cause are set forth in Section IV.H., herein.
- III. **Financial Exigency** - the formal declaration by the TSU Board of Trustees that one of its universities faces an imminent financial crisis, that there is a current or projected absence

of sufficient funds (appropriated or non-appropriated) for the campus as a whole to maintain current programs and activities at a level sufficient to fulfill its educational goals and priorities, and that the budget can only be balanced by extraordinary means which include the termination of existing and continuing academic and non-academic appointments.

- IV. **Faculty Member** - a full-time employee who holds academic rank as instructor, senior instructor, master instructor, assistant professor, assistant clinical or research professor, associate professor, associate clinical or research professor, professor, clinical or research professor, or instructor/coordinator.
- V. **Probationary Employment** - period of full-time professional service by a faculty member for whom an appointment letter denotes a tenure-track appointment in which he/she does not have tenure and in which he/she is evaluated by the university for the purpose of determining his/her satisfaction of the criteria for a recommendation for tenure. Probationary employment provides an opportunity for the individual to assess his/her own commitment to the university and for the university to determine whether the individual meets its perception of quality and/or projected need.
- VI. **Faculty Appointments** - are defined in TSU Policies 5:02:07:00 and 5:02:07:10.

4.0 PROCEDURES

I. Introduction

- A. The following policy of the TSU Board of Trustees on tenure is applicable to the university.
- B. University policies on tenure must cite and specifically acknowledge compliance with TSU Board of Trustees Policy on Academic Tenure (5:02:03:60). Likewise, university policies must as a minimum embody and communicate clearly all provisions, definitions, and stipulations of the Board policy.
- C. The quality of the faculty of any university is maintained primarily through support of a wide variety of professional development. It is monitored through the appraisal, by competent faculty and administrative officers, of each candidate for tenure. Tenure at a TSU Board of Trustees university provides certain full-time faculty with the assurance of continued employment during the academic year until retirement or dismissal for adequate cause, financial exigency, or curricular reasons, as further discussed herein.

II. Consideration of Tenure

A. Tenure Appointments

- 1. The awarding of tenure is recognition of the merit of a faculty member and of the assumption that he/she would meet the long-term staffing needs

of the department or academic program unit and the university.

2. Tenure is awarded only to those members of the faculty who have exhibited professional excellence and outstanding abilities sufficient to demonstrate that their future services and performances justify the degree of permanence afforded by academic tenure.
3. The TSU Board of Trustees does not award tenure in non-faculty positions.
4. Tenure appointments reside in the departments and academic program units, and are assurances of continued employment during the academic year subject to expiration, relinquishment, or terminations of tenure as set out in Sections III and IV.
5. Recommendations for or against tenure should originate from the department or academic program unit in which the faculty member is assigned and should include appropriate participation in the recommendation by tenured faculty in the department or academic program unit as specified in Policy.
6. Tenure is awarded only by positive action of the Board, pursuant to the requirements and procedures of this policy, at a specific university.
7. No faculty member shall acquire or be entitled to any interest in a tenure appointment at a university without a recommendation for tenure by the president of the university and an affirmative award of tenure by the Board of Trustees.
8. No other person shall have any authority to make any representation concerning tenure to any faculty member, and failure to give timely notice of non-renewal of a contract shall not result in the acquisition of a tenure appointment, but shall result in the right of the faculty member to another year of service at the university, provided that no tenure appeals remain outstanding due to lack of cooperation and/or appropriate action on the part of the candidate in completing the appeal process.

B. Tenure Process

1. Each university policy must contain the following:
 - a. Provisions for a tenure-track faculty member to be guided through the tenure process. Guidance may include provision of a mentor, pre-tenure review, portfolio development workshops, etc.
 - b. A process that defines the levels of review to include peer review.
 - c. Procedures associated with review by each level, a clear description of materials that each level will review.

- d. A calendar or schedule of the review process.
 - e. The types and frequency of evaluation of probationary faculty members in the areas of teaching, service/outreach, and scholarship/creative activities/research.
2. University procedures shall ensure that peer committees have qualified privilege of academic confidentiality against disclosure of individual tenure votes unless there is evidence that casts doubt upon the integrity of the peer committee.
 3. This policy shall be interpreted in a manner consistent with T.C.A. § 10-7-101 et seq. The recommendation for tenure must be made by the president to the Board. In the event that tenure is awarded by the Board, the president shall furnish to the faculty member written confirmation of the award.
 4. Annual evaluations conducted by the candidate's department chair or other appropriate head of an academic program unit are an important aspect of the criteria for tenure at universities; therefore, university policies should include a clear statement as to the role of evaluation in measuring those criteria relevant to assessing the merit of the probationary candidate. Types of evidence relevant to evaluating effectiveness and contributions in teaching, research/scholarship, and service/outreach are identified in subsections III.A1, 2, and C of this section.

C. Minimum Eligibility Requirements for Consideration for Academic Tenure

1. University policies must include specifically identifiable sections which define minimum eligibility requirements for consideration for academic tenure. Those sections must clearly distinguish between:
 - a. Minimum eligibility requirements for consideration for academic tenure; and
 - b. Criteria to be considered in tenure recommendations (see Section III).
2. Academic tenure may be awarded only to full-time faculty members who:
 - a. Hold academic rank as instructor, senior instructor, master instructor, assistant professor, associate professor, or professor and meet the minimum rank criteria for that rank as specified in TSU Board of Trustees Policy No 5:02:02:20 (however, a university may choose not to award tenure to faculty in the rank of instructor);
 - b. Have been employed pursuant to tenure-track appointments and have completed the probationary period of service as stated in the

university's policy, and/or as agreed upon in writing and signed by the appropriate academic officer; and

- c. Have been determined by the university to meet the criteria for recommendation for tenure and have been so recommended pursuant to this policy.
3. Faculty holding clinical or research appointments are not eligible for tenure, provided, however, that under certain circumstances, such appointments may be converted to tenure track appointments as discussed in faculty appointments, TSU Board of Trustees Policy Nos. 5:02:07:00 and 5:02:07:10.
4. Faculty members supported in whole or in part by funds available to the university on a short-term basis, such as grants, contracts, or foundation sponsored projects, shall not be eligible for tenure unless continuing support for such members can be clearly identified in the regular budget of the university upon the recommendation of tenure to the Board.
5. No faculty member shall be eligible for tenure unless the employee's contract specifies his/her tenure-track status; provided that where a faculty member with tenure is appointed to an administrative position, he/she will retain tenure in a former faculty position only; and provided further that a faculty member otherwise eligible for tenure who also holds a non-faculty position may be awarded tenure in the faculty position only, subject to the requirements of this policy.
6. Each university may establish additional reasonable requirements for the eligibility of faculty for consideration for tenure. These should include but are not limited to the completion of the doctorate or other specified terminal degree in the faculty member's discipline, a minimum rank of instructor, assistant professor, and prescribed research and publication achievements. (The TSU Board of Trustees, using national standards, will determine what constitutes the terminal degree for each discipline. The university may request exceptions to this standard based upon its mission, or based upon an extraordinary candidate. In the latter instance, the exception shall be requested when the faculty member is employed and/or when the length of the probationary period is determined.)

D. Probationary Employment

1. Tenure-track faculty are faculty who are employed in a probationary period of employment prior to consideration for tenure. Tenure-track faculty appointments do not include any right to permanent or continuous employment, shall not create any manner of legal right, interest, or expectancy of renewal or any other type of appointment, and shall be subject to annual review by the university.
2. Probationary faculty may be employed on annual tenure-track

appointments for a probationary period of which may not exceed six (6) years, however, six (6) years is considered to be the normal length of time required to develop a substantial record in teaching, research and service.

3. The faculty member may apply for tenure following a probationary period of not less than five years, provided that exceptions to the minimum probationary period may be made under special circumstances upon approval by the president.
 - a. Upon approval of such an exception by the president, the faculty member's recommendation for tenure will go forward to the Board as meeting the requirements for the probationary period.

E. Calculating the Probationary Period

1. Only full-time continuous service at a university will be included in determining completion of the probationary period, except where a break in service was pursuant to an approved leave of absence.
 - a. Credit for Prior Service - The minimum probationary period of five years may include credit for prior service when agreed to by the president, and subject to the maximum permissible credit for prior service as noted below:
 1. Credit toward completion of the probationary period may at the discretion of the president be given for a maximum of three years of previous full-time service at other colleges, universities, or institutes provided that the prior service is relevant to the institution's own needs and criteria.
 1. Any credit for prior service that is recognized and agreed to must be confirmed in writing at the time of the initial appointment.
 2. Credit toward completion of the probation period may, at the discretion of the president, be given for a maximum of three years or previous full-time service in a temporary faculty appointment or term appointment at the same institution or in an earlier tenure-track appointment at the same institution that has been followed by a break in service.
 1. Any credit for prior service in a temporary full-time faculty appointment at the same institution or in an earlier tenure-track appointment (at the same institution) that has been followed by a break in service must be recognized and confirmed in writing in the appointment letter to a tenure-track position.
- b. Approved Leave of Absence

1. A period of approved leave of absence shall be excluded from the requisite period for completion of the probationary period unless the president of the university specified in writing prior to the leave of absence that it shall be included in the probationary period.
 2. Leaves of absence may not be granted retroactively.
 3. A faculty member may apply for a maximum of two (2) extensions in one-year increments so long as the total probationary period does not exceed six years.
 4. Requests for a second extension follow the same procedure and are subject to the same considerations as the original extension.
- c. Stopping the Tenure Clock
1. A faculty member in a tenure track appointment may request to “stop the clock” during his/her probationary period when circumstances exist that interrupt the faculty member’s normal progress toward building a case for tenure.
 2. Discretion for stopping the tenure clock rests on the institution and also requires supervisory approval. In such cases, the faculty member may request to “stop the tenure clock” for one-year if he/she demonstrates that circumstances reasonably warrant such interruption.
 3. Reasons for approving a request to “stop the clock” will typically be related to a personal or family situation requiring attention and commitment that consumes the time and energy normally addressed to faculty duties and professional development.
 4. Examples may include, but are not limited to, childbirth or adoption, care of dependents, medical conditions or obligations, physical disasters or disruptions, or similar circumstances that require a fundamental alteration of one’s professional life.
 5. The intent of this policy is to serve the best interests of the university while providing neither preference to nor adverse effect on a faculty member’s process of developing a case for tenure.
 6. Once approved, the “stop the clock” year is not counted in the probationary period accrual.

d. Procedure

1. A faculty member seeking a modification of his/her probationary period must submit his/her request, in writing, addressing the considerations described above.
2. The request is to be submitted to the department chair for consideration and recommendation. The chair's recommendation is forwarded to the dean of the faculty member's college for consideration and recommendation; thence to the provost for consideration and recommendation; and finally to the president for approval or denial.
3. The president will notify the faculty member, in writing, of the decision to approve or deny such exceptions within one month of submission.
4. Requests for modification of the probationary period that are based on a faculty member's health or care for an immediate family member should also be submitted to the university's legal counsel or to TSU Board of Trustees' for review.

F. A faculty member that is appointed to an administrative position prior to a tenure award remains eligible for tenure under two conditions:

1. The faculty member must qualify for tenure under departmental or academic program unit, college and university guidelines; and
2. The faculty member must maintain a significant involvement in academic pursuits including teaching, scholarship and service. The time (or prorated portion of time) spent in the administrative position may be credited toward completion of the probationary period.

G. Where a faculty member is serving a probationary period in a department or academic program unit and is subsequently transferred to another department or academic program unit, the faculty member may – with the approval of the

president – elect to begin a new probationary period on the date that the transfer occurs.

1. If he/she does not so elect (and confirm in writing to the president), time spent in the first appointment shall count toward establishing the minimum and maximum probationary period (see E.1 above).

III. Criteria to be Considered in Tenure Recommendations

A. Overview

1. The nature and relative importance of the criteria for the recommendation for tenure depend upon the nature, mission, and goals of the university in which tenure may be awarded and of the department or academic program unit in which a faculty member is employed.
2. The long-term staffing needs of the department or division and the university are taken into account at each level in the review process when candidates are evaluated for tenure. Administrative criteria that departments, academic units, and the university may consider in developing written criteria include, but are not limited to:
 - a. Enrollment numbers, patterns and trends'
 - b. Program developments and/or changes;
 - c. Financial considerations;
 - d. Rank distributions;
 - e. Potential for future staff additions'
 - f. Prospective retirements and resignations; and
 - g. Other significant institutional considerations
3. The faculty member must demonstrate willingness and ability to work effectively with colleagues to support the mission of the institution and the common goals both of the institution and of the academic organizational unit.
4. Moreover, criteria for tenure relate to the university's three traditional, and often inter-related, missions: teaching, research/scholarship/creative activities, and service/outreach.

B. Teaching

1. Effective teaching is an essential qualification for tenure, and tenure should not be granted in the absence of clear evidence of a candidate's teaching ability and potential for continued development.

2. Excellence in teaching is a strong recommendation for both tenure and promotion though it cannot be considered in isolation from scholarship and service.
3. Although it is difficult to establish evidence of teaching excellence, each department must develop a procedure to ensure that factual information relative to a candidate's teaching is available at the time he/she is considered for tenure. It is expected that a component of teaching is effective student advisement.
4. The teaching portfolio should include, but is not limited to, evidence of teaching excellence as follows:
 - a. Ability to organize and present subject matter in a logical and meaningful way;
 - b. Ability to motivate and stimulate creativity, intellectual curiosity, and interest in writing and inquiry in undergraduates and/or graduate students; and
 - c. Evidence of peer evaluation.
5. Documentation of teaching should routinely include:
 - a. Statement of teaching philosophy;
 - b. Course materials;
 - c. Student evaluations for every course evaluated during the probationary period; and
 - d. Evidence of supervision of student projects and other forms of student mentorships.
6. A candidate for tenure may choose to include other types of evidence that support his/her application for tenure such as:
 - a. Additional student input;
 - b. Student products;
 - c. Teaching recognition;
 - d. Teaching scholarship;
 - e. Peer input;
 - f. Evidence of professional development in teaching;
 - g. Evidence of disciplinary or interdisciplinary program or curricular

development;

- h. Alumni surveys and student exit interviews; and
- i. Other evidence of excellence in teaching or mentoring, or both.

C. Research/Scholarship/Creative Activities

1. A candidate for tenure must present evidence of his/her research, scholarship and/or creative activities when he/she applies for tenure.
 - a. Such evidence should cite books, journal articles, monographs, creative activities, performances, or exhibitions that have undergone appropriate peer review.
 - b. Research publications in refereed journals or media of similar quality are considered reliable indicators of research/scholarly ability.
 - c. Written reviews and evaluations by qualified peers, either in person or aided by other forms of reports, or both, are appropriate for performances, compositions, and other artistic creations.
 - d. Books published by reputable firms and articles in refereed journals, reviewed by recognized scholars, are more significant than those that are not subjected to such rigorous examination.
 - e. It should be emphasized that quality is more important than quantity.
2. The tenure dossier/application must include evidence of peer review of the candidate's record of research/scholarly activity by qualified peers. The scholarship of teaching is a valid measure of research capability.
 - a. It goes beyond doing a good job in the classroom; creative teachers should organize, record, and document their efforts in such a way that their colleagues may share their contributions to the art of teaching.
 - b. Appropriate textbooks or educational articles in one's own discipline and innovative contributions to teaching, if published or presented in a peer-reviewed forum, constitute scholarship of teaching.
3. Service/Outreach Service and/or outreach encompass a faculty member's activities in one of three areas:
 - a. Outreach or public service;
 - b. University service; and

- c. Professional service.
- 4. The outreach or public service function is the university's outreach to the community and society at large, with major emphasis on the application of knowledge for the solution of problems with which society is confronted.
 - a. Outreach primarily involves sharing professional expertise and should directly support the goals and mission of the university.
 - b. A vital component of the university's mission, public service must be performed at the same high levels of quality that characterize the teaching and research programs.
- 5. University service refers to work other than teaching and scholarship done at the department, college, or university level. A certain amount of such service is expected of every faculty member; indeed, universities could hardly function without conscientious faculty who perform committee work and other administrative responsibilities.
 - a. University service includes, but is not limited to, serving on departmental committees and participating in college and university committees.
 - b. Some faculty members may accept more extensive citizenship functions, such as a leadership role in the Faculty Senate, membership on a specially appointed task force, service as advisor to a university-wide student organization, and membership on a university search committee.
- 6. Professional service refers to the work done for organizations related to one's discipline or to the teaching profession generally.
 - a. Service to the profession includes association leadership, journal editorships, article and grant proposal review, guest lecturing on other campuses, and other appropriate activities.
 - b. While it is difficult to define the exact nature of significant professional service, clearly more is required than organizational membership and attendance; examples of significant service would be that done by an officer of a professional organization or a member of the editorial staff of a journal.

IV. Changes in Tenure/Tenure-Track Status

A. Non-renewal of Probationary Tenure-Track

- 1. When tenure-track appointments of faculty are not to be renewed for further service, the faculty member shall receive notice of his/her non-retention for the ensuing academic year as follows:

- a. Not later than April 1 of the first academic year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least two months in advance of its termination;
 - b. Not later than January 1 of the second year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least five months in advance of its termination;
 - c. Not later than the close of the academic year preceding the third or subsequent year of service, if the appointment expires at the end of that year; or, if the appointment terminates during an academic year, at least twelve months in advance of its termination.
2. The above stated dates are the latest dates for notice of non-renewal of faculty on tenure-track appointments, and each university may adopt annual dates which provide for longer notice of non-renewal. Notice of non-renewal shall be effective upon personal delivery of the notice to the faculty member, or upon the date the notice is mailed, postage prepaid, to the faculty member at his/her current home address of record at the university.
3. Applicable dates for notice of non-renewal are based upon actual years of service at a particular university and in no way affected by any credit for prior service. When a faculty member on a tenure-track appointment completes his/her probationary period, the faculty member will be recommended for tenure by the president or will be given notice of non-renewal of the appointment during the spring term following application for such status. Such notice of non-renewal should be given not later than the final day of the academic year. The faculty member's right in an instance where timely notice is not given is described in II.A.8.
4. The non-renewal or non-reappointment of any faculty member on a tenure-track appointment does not necessarily carry an implication that his/her work or conduct has been unsatisfactory.
5. Unless there is a violation of state or federal law under the limitations described in the TSU BOARD OF TRUSTEES Policy on Appeals (1:02:11:00), decisions that are not subject to appeal to the Chancellor include (a) non-renewal of a tenure-track faculty appointment during the first five years of the probationary period and (b) denial of tenure unaccompanied by notice of termination in the fifth year of the probationary period.

B. Transfer of Tenure

1. Where a faculty member is tenured in an academic program unit (e.g., a department or division) he/she may be transferred to another academic

program unit.

2. In such cases, the transfer will be made with tenure; moreover, the tenure appointment will be transferred to the new academic program unit.
3. In no instance may the faculty member be compelled to relinquish tenure as a condition for affecting the transfer.

C. Expiration of Tenure

1. Tenure status shall expire upon retirement of the faculty member.
2. Tenure shall also expire upon the event of permanent physical or mental inability of a faculty member, as established by an appropriate medical authority, to continue to perform his/her assigned duties.

D. Relinquishment of Tenure

1. A faculty member shall relinquish or waive his/her right to tenure upon resignation from the university or upon failure to report for service at the designated date of the beginning of any academic term, which shall be deemed to be a resignation unless, in the opinion of the president, the faculty member has shown good cause for such failure to report.
2. Where a tenured faculty member is transferred or reclassified to another department or academic program unit by the university, the transfer or reassignment shall be with tenure.
3. Tenure is not relinquished during administrative assignments at the university.

E. Termination of Tenure for Reasons of Financial Exigency

1. A tenured faculty member may be terminated as a result of financial exigency at a university subject to Board declaration that such financial conditions exist.
2. Personnel decisions (including those pertaining to tenured faculty) that result from a declaration of financial exigency at a Board of Trustees university will comply with the Board Policy on Financial Exigency (5:02:06:00).

F. Termination of Tenure for Curricular Reasons

1. The employment of a tenured faculty member may be terminated because:
 - a. An academic program is deleted from the curriculum; or
 - b. Because of substantial and continued reduction of student enrollment in a field or discipline.

2. Before declaring that curricular reasons exist, the president will ensure meaningful participation by the university's representative faculty body in identifying the specific curricular reasons, evaluating the long-term effect on the university's curriculum and its strategic planning goals, and the advisability of initiating further action.
3. Prior to initiating the process described below, the president will present-either verbally or in writing - a description of curricular reasons that may warrant the termination of tenured faculty member(s).
4. Each university policy will describe procedures whereby this presentation will be made to a representative faculty body, and that body will have the opportunity to respond in writing to the president before action described below is initiated.
5. Each of these reasons for termination of tenure for curricular reasons must denote shifts in staffing needs that warrant greater reductions than those which are accommodated annually in light of shifting positions from one department to another or among colleges to handle changing enrollment patterns (see Definitions, G.6 below).

G. Procedures for Termination of Tenure

1. Upon determining that termination of one or more tenured faculty members is required for one or more of the two reasons cited above, the president shall furnish each faculty member to be terminated a written statement of the reasons for the termination.
 - a. Those reasons shall address fully the curricular circumstances that warranted the termination and shall indicate the manner and the information upon which the decision of which faculty members were to be terminated was reached.
 - b. The president's written statement shall also indicate that the faculty member has the opportunity to respond in writing stating any objections to the decision.
2. If the faculty member(s) to be terminated indicate(s) objections to the president's written statement(s) and request(s) a review, the president will appoint a faculty committee consisting of a minimum of five tenured faculty members from a slate of ten tenured faculty members proposed by the representative faculty body.
 - a. The committee shall conduct a hearing on the proposed termination(s).
 - b. The committee shall report its findings and recommendations to the president, who shall in a reasonable time inform the faculty member(s) proposed for termination in writing either that the

decision for termination stands or that it has been altered.

3. The president's decision to terminate a tenured faculty member for curricular reasons is subject to appeal to the Board as provided in the policy on appeals to the Board (TSU BOARD OF TRUSTEES Policy 1:02:11:00).
4. When a tenured faculty member is terminated for curricular reasons, the position will not be filled by a new appointee with the same areas of specialization as the terminated faculty member within a period of three years unless the terminated faculty member has been offered, in writing, reappointment to the position at his/her previous rank and salary (with the addition of an appropriate increase which, in the opinion of the president, would constitute the raise(s) that would have been awarded during the period that he/she was not employed).
5. Upon determining that termination of one or more tenured faculty members is warranted for curricular reasons, the president shall base his/her decision about which faculty member(s) should be terminated upon his/her assessment as to what action would least seriously compromise the educational programs in a department or division.
 - a. Termination for curricular reasons presumes a staffing pattern in a department or academic program unit which cannot be warranted either by comparison with general load practices within the university or by comparison with faculty loads in comparable departments or academic program units at similar universities.
 - b. In that light, the president shall also, at his/her discretion, base his/her decision on a careful assessment of the impact of the curricular reason on staffing requirements in the department or academic program unit as compared to overall patterns in the university and to comparable departments or academic program units which, in his/her judgment, are in universities similar enough to warrant assessment.

6. Definitions

- a. "Program is deleted from the curriculum" means that the Board takes formal action to terminate a degree major, concentration, or other curricular component and that such termination eliminates or reduces need for faculty qualified in that discipline or area of specialization.
- b. "Substantive and continued reduction of student enrollment in a field" means that over a period of at least three (3) years student enrollment in a field has decreased at a rate in considerable excess of that of the university as a whole and that such reduction has resulted in faculty-student ratios that, in the opinion of the

president, cannot be warranted either by comparison with equivalent faculty load practices within the university or by comparisons with faculty loads in comparable departments or academic program units at similar universities which the president would deem to be appropriate for comparison.

7. When a tenured faculty member is to be terminated for curricular reasons, the president will make every possible effort to relocate the tenured faculty member in another existing vacant position for which he/she is qualified.
 - a. In instances where (in the opinion of the president) relocation within the university is a viable alternative, the university has an obligation to make significant effort to relocate the faculty member, including the bearing of reasonable retraining costs.
 - b. The final decision on relocation is within the discretion of the president.

H. Termination for Adequate Cause

1. While tenure serves as an important safeguard for academic freedom, the advancement of knowledge, and the protection of intellectual independence, the safeguarding of tenure must be balanced with the responsibility of institutional leadership to ensure accountability, integrity, and appropriate professional conduct within the faculty. Accordingly, University leadership possesses clear authority to discipline or remove faculty for cause.
2. Pursuant to T.C.A. §§ 49-8-301(b)(3) and 49-8-302, a faculty member with tenure or a faculty member on a tenure-track appointment prior to the end of the term of appointment may be terminated for adequate cause, misconduct and/or unsatisfactory performance.
3. Misconduct includes, but is not limited to, the following and similar types of misconduct:
 - a. Willful failure, refusal, and/or persistent neglect to comply with University policies, procedures, rules, or other regulations;
 - b. Capricious disregard of accepted standards of professional conduct;
 - c. Conduct that adversely affects University's ability to operate;
 - d. Willful conduct directly related to the fitness of the faculty to perform the duties and responsibilities for which the faculty member was employed, or failure to carry out specific assignments when such assignments are reasonable and non-discriminatory;

- e. Admission of guilt or conviction of a felony or a non-felony involving moral turpitude and/or related to fitness for institutional duties;
 - f. Improper use of narcotics or intoxicants that substantially impairs the faculty member's fulfillment of departmental and institutional duties and responsibilities;
 - g. Theft or misappropriation of University funds, property, services, or other resources; and/or
 - h. Falsification of information on an employment application or other information concerning qualifications for a position.
4. Unsatisfactory performance includes, but is not limited to, the following and similar performance-related issues:
- a. Persistent failure to demonstrate professional competence in teaching, research, creative activities, and/or service;
 - b. Persistent failure to satisfactorily perform the assigned duties for a tenure-track or tenured faculty member, including failure to meet the required elements of a performance improvement plan;
 - c. Dishonesty or other serious violation of professional ethics or responsibility in teaching, research, creative activities, or service, or in interactions with students, employees, and/or members of the University community; and/or
 - d. Prolonged or frequent absence from duties without appropriate approvals and/or authorized leave.

I. Disciplinary Procedures for Misconduct

- 1. The following procedures apply to disciplinary actions involving a tenured or tenure-track faculty member for misconduct. The procedures in this section will also apply if there is adequate cause based on both misconduct and unsatisfactory performance.
- 2. The President or Provost may impose disciplinary sanctions (including, but not limited to, verbal or written reprimand, probation, suspension with or without pay, or termination) on any tenured or tenure-track faculty member who violates institutional policies or professional standards of conduct, as defined above.
- 3. Disciplinary action for misconduct may be initiated by the President or upon a recommendation by the Provost to the President.
- 4. In disciplinary proceedings, the University will ensure faculty due process,

including the right to written notice of the grounds for disciplinary action and an opportunity to be heard by the President and/or Provost.

- a. When the President, in consultation with the Provost, believes that conduct warrants disciplinary action, notice will be provided via email to the faculty member's TSU email. The notification will include the grounds for the proposed disciplinary action, including a summary of the allegations and details of the alleged misconduct.
 - b. The University will also provide the faculty member the opportunity to meet with the President and/or Provost regarding the misconduct allegations. The faculty member may respond in writing instead of, or in addition to, attending this meeting, but any written response must be delivered via TSU email to the President and Provost within ten (10) business days of the notification of alleged misconduct.
 - c. The meeting will be held within fifteen (15) business days of the notification of alleged misconduct, although the President or Provost may extend this period if they believe that there is a satisfactory reason to do so. The meeting may take place via videoconference if the faculty member and the President and/or Provost agree.
 - d. The faculty member may bring an advisor to the hearing, if desired. An advisor may not actively or directly participate in the hearing but may only consult with the faculty member. If an advisor interrupts the meeting and fails to follow the requirements of this policy, the President/Provost may stop the meeting and excuse the advisor. In such an instance, the faculty member shall not be permitted to have a substitute advisor. The faculty member must notify the President/Provost in writing at least twenty-four (24) hours before the hearing that the faculty member will utilize an advisor and identify the advisor by name and occupation.
5. Following the meeting with the faculty member, the President and/or Provost will render a decision based on the nature, severity, and/or impact of the misconduct. Prior to rendering a decision, the President and/or Provost may consult with the faculty member again, if desired.
6. If the President or Provost concludes that termination for misconduct is justified, the University will provide written notice of termination within ten (10) business days of meeting with the faculty member. Notice will be provided via email to the faculty member's TSU email address, and a hard copy will be provided by one of the following: (1) personal delivery by the faculty member's chair, director, or dean; (2) certified mail, return receipt requested, postage prepaid; or (3) overnight courier. Any notification or document sent as specified above will be effective on the date that it is sent via any of the means set forth above. Written notice will include the

grounds for termination, the date that the termination will become effective, and the faculty member's right to contest the decision.

- a. All termination and/or suspension decisions for misconduct must be made by the President and/or Provost without any recommendation or vote by another faculty member at the University.
7. If the President or Provost concludes, following a meeting with the faculty member, that adequate cause for misconduct exists, but that disciplinary sanctions other than termination are appropriate, the University may impose the lesser sanction. The University will provide written notice of sanctions within ten (10) business days of meeting with the faculty member. Notice will be provided via email to the faculty member's TSU email address, and a hard copy will be provided by one of the following: (1) personal delivery by the faculty member's chair, director, or dean; (2) certified mail, return receipt requested, postage prepaid; or (3) overnight courier. Any notification or document sent as specified above will be effective on the date that it is sent via any of the means set forth above.
8. The University and faculty member may also agree on a negotiated solution at any time in the process above.
9. Contesting Termination and/or Suspension Without Pay
 - a. If a disciplinary decision based on misconduct includes termination or suspension without pay, the faculty member shall have ten (10) business days from the effective date of termination or suspension to file a written request with the Office of the President for a contested case proceeding pursuant to TSU Policy 1:06:00:05 Contested Cases Subject to the Uniform Administrative Procedures Act. A faculty member who does not request a contested case by the ten (10) business day deadline waives the right to a contested case hearing. A faculty member may also submit a waiver in writing.
 - b. If at the conclusion of a contested case, the outcome is favorable to the faculty member and a conclusion is reached that the faculty member should not have been terminated for misconduct and/or the faculty member should not have been suspended without pay, then to the extent permitted by law, the University shall provide lost salary and benefits, if any, and restore the faculty member's employment position, including tenure, if applicable.

J. Disciplinary Procedures for Unsatisfactory Performance

1. The following procedures apply to disciplinary actions involving a tenured or tenure-track faculty member for unsatisfactory performance.

2. Corrective measures prior to disciplinary action for unsatisfactory performance should originate within the academic unit (i.e., program, department/school, and college). Corrective action addressing unsatisfactory performance should begin with a verbal or written reprimand and may include unsatisfactory annual evaluations and/or performance improvement plans that describe deficiencies and barriers to satisfactory performance, along with proposed corrective actions to address them.
3. If a faculty member fails to satisfactorily perform assigned duties as described in Section IV.H.4, disciplinary action may be initiated by the President or upon a recommendation by the Provost to the President, typically following a request from unit-level leadership (e.g., the department chair or director) and/or the dean of the college in which the department is housed. When applicable, this request will take the form of an official memorandum to the President and Provost, outlining the request to initiate disciplinary proceedings, a summary of the documentary evidence supporting the request, and a summary of corrective actions implemented thus far.
 - a. The University may impose sanctions (including, but not limited to, verbal or written reprimand, probation, suspension with or without pay, or termination) on any tenured faculty member who fails to meet performance expectations consistent with the assigned duties of a tenure-track or tenured faculty member, in accordance with the procedures below.
4. Department Chair or Director Assessment
 - a. Once disciplinary procedures are initiated by the President and/or Provost, the department chair or director will consider the faculty member's performance in teaching, research, and service. The chair/director will then assess whether the faculty member's performance constitutes adequate cause for termination based on unsatisfactory performance, as outlined in Section IV.H.4.
 - b. The chair/director will forward (via TSU email) their written assessment in a letter to the college dean within ten (10) business days of notification from the President and/or Provost, along with a chronological record of demonstrated efforts to encourage the faculty member to elevate their performance to satisfactory levels. The chair/director assessment will be advisory only.
5. Dean's Assessment
 - a. The dean will consider the faculty member's performance in teaching, research, and service, along with the department chair's or director's assessment. The dean will then assess whether the faculty member's performance constitutes adequate cause for

termination based on unsatisfactory performance, as outlined in Section IV.H.4.

- b. The dean will forward (via TSU email) their written assessment in a letter to the Provost within ten (10) business days of receipt of the letter from the chair/director, along with a chronological record of demonstrated efforts to encourage the faculty member to elevate their performance to satisfactory levels. The dean will also include the letter from the chair/director assessing whether the faculty member's performance constitutes adequate cause for termination based on unsatisfactory performance. The dean's assessment will be advisory only.

6. Provost's Review & Decision

- a. The Provost will consider the faculty member's performance in teaching, research, and service, along with the assessments from the department chair or director and the college dean. The Provost will then decide whether the faculty member's performance constitutes adequate cause for termination based on unsatisfactory performance, as outlined in Section IV.H.4.
- b. If the Provost concludes that adequate cause based on unsatisfactory performance exists, the Provost will call the faculty member to a meeting (via TSU email) within ten (10) business days of the college dean's submission to discuss any information provided by the faculty member, the performance assessment, and the possibility of a mutually satisfactory resolution.
- c. If the Provost concludes that adequate cause based on unsatisfactory performance does not exist, then the Provost will provide the faculty member with written notice of the conclusion (via TSU email, with a copy to the dean and chair/director) within ten (10) business days of their meeting with the faculty member. The notice will also include any further instructions pertaining to the matter.
- d. If, after considering information provided by the faculty member and after consulting with the President, the Provost concludes that adequate cause exists but that a sanction other than termination or suspension without pay should be imposed, then the Provost may impose the lesser sanction and notify the faculty member (via TSU email) within ten (10) business days of their meeting with the faculty member.

7. Appeal to President & Final Decision

- a. The faculty member may appeal the lesser sanction to the President via TSU email within five (5) business days, and the President's

decision shall be final.

8. Sanctions of Termination or Suspension Without Pay

- a. If, after considering information provided by the faculty member and after consulting with the President, the Provost concludes that adequate cause exists and that the sanction should be termination or suspension without pay, then the Provost will provide written notice to the faculty member within ten (10) business days of their meeting with the faculty member. Notice will be provided via email to the faculty member's TSU email address, and a hard copy will be provided by one of the following: (1) personal delivery by the faculty member's chair/director; (2) certified mail, return receipt requested, postage prepaid; or (3) overnight courier. Any notification or document sent as specified above will be effective on the date that it is sent via any of the means set forth above.

Written notice will include:

1. The grounds for termination or suspension without pay and a date on which the termination/suspension without pay will become effective.
2. Information pertaining to the faculty member's right to contest the termination/suspension without pay before a Termination Hearing Committee (as described below) or in a post-termination contested case proceeding pursuant to TSU Policy 1:06:00:05 Contested Cases Subject to the Uniform Administrative Procedures Act.
3. A deadline of five (5) business days from receipt of the written notice to elect in writing to contest the termination/suspension without pay and to state in writing the preferred hearing type (via TSU email to the Provost).
4. If the faculty member does not contest the charge(s) in writing and select the preferred hearing type within ten (10) business days after receipt of written notice, the faculty member shall be subject to termination or suspension without pay, and no appeal of the matter is permitted within the University. Selection of one hearing type will waive the faculty member's right to the other.

9. Termination Hearing Procedures

- a. If the faculty member elects to contest the termination or suspension before a Termination Hearing Committee, the President will appoint a committee of tenured faculty to determine if termination or suspension without pay based on unsatisfactory

performance is appropriate.

1. The Faculty Senate President will provide tenured faculty nominations for this Committee to the President, with one tenured faculty member at the rank of Professor representing the Libraries and Media Center and each of the following colleges: Agriculture, Business, Education, Engineering, Health Sciences, Liberal Arts, Life and Physical Sciences, and Public Service.
 2. If the President finds nominations unsuitable, then the President, in consultation with the Provost, shall provide a list of approved, eligible faculty to the Faculty Senate President, who must select from the provided list within five (5) business days. If no selection is made, the President will proceed with appointing the committee of tenured faculty.
 3. Members deeming themselves disqualified for bias or interest will recuse themselves from the case, either at the request of a party or on their own initiative.
- b. The Committee will elect a chair to direct the proceedings. The Committee chair will provide the faculty member with written notice (via TSU email) of a hearing date, time, and place (including the grounds for the proposed termination/suspension and a summary of the allegations related to unsatisfactory performance) at least fifteen (15) business days in advance of the hearing date. The faculty member may waive the right to a live hearing within five (5) days of the notification and instead, rely on the Committee's determination based on written evidence and argument.
1. The faculty member may provide documents, affidavits, and/or other written/electronic evidence no later than five (5) business days in advance of the hearing date. The faculty member will also be permitted to explain their own case in discussion with the Committee throughout the hearing.
 2. The faculty member may bring an advisor to the hearing, if desired. An advisor may not actively or directly participate in the hearing but may only consult with the faculty member. If an advisor interrupts the meeting and fails to follow the requirements of this policy, the President/Provost may stop the hearing and excuse the advisor. In such an instance, the faculty member shall not be permitted to have a substitute advisor. The faculty member must notify the President/Provost in writing at

least twenty-four (24) hours before the hearing that the faculty member will utilize an advisor and identify the advisor by name and occupation.

3. The faculty member may accept the charges and agree not to contest the termination at any time.
 4. No witnesses are permitted at the hearing, but the Committee may require the appropriate dean, chair/director, and/or other faculty member to attend the hearing and respond to questions individually for the Committee (i.e., not in the presence of one another). For charges of incompetence, the Committee will make every effort to summon one or more qualified faculty members. The faculty member and other hearing attendees are not permitted to cross-examine one another.
 5. The Committee will not be bound by the rules of civil procedure or evidence and will make its recommendation to the President (as described below) following a fair and impartial hearing. The University's burden of proof will be a preponderance, or greater weight, of the evidence (i.e., it is more likely true than not that the faculty member's performance meets the definition of unsatisfactory performance, as defined above).
 6. The Committee will submit a written report to the President and the faculty member, explaining its recommendation based on the hearing's findings, including applicable policy. The report will state whether the Committee has determined that adequate cause for termination or suspension without pay exists and, if so, the specific grounds. The Committee may recommend action other than termination or suspension without pay.
- c. After considering the Committee's report and any evidence introduced at the hearing, the President may consult with the faculty member and/or Provost prior to issuing a final decision. If the President's and the Committee's decisions differ, the President will issue a written statement to the faculty member, Committee, and Provost, explaining the decision.
 - d. Members of the Committee will not discuss the case outside Committee deliberations and will report any ex parte communication pertaining to the hearing to the President, who will notify all parties of the communication. Discussion of the case outside of Committee deliberations or failure to report ex parte communications may result in disciplinary action.

5.0 AUTHORITY AND REFERENCES

2026 Public Acts, Chapter 761; T.C.A. §§ 10-7-101; 10-7-503; 49-8-301-302

6.0 HISTORY

TBR Board Meeting April 2, 2004; Board Meeting June 20, 2014.

This policy is a result of a comprehensive revision of former TBR Policy 5:02:03:00, Academic Freedom, Responsibility and Tenure. The former policy included provisions related to academic freedom and responsibility and tenure in both universities and community colleges. The revision, approved by the TSU Board of Trustees on April 2, 2004, created a separate policy on academic freedom and responsibility pertinent to both universities and community colleges, established separate policies relative to tenure for universities and community colleges, and instituted separate policies on faculty appointments for universities and community colleges. Faculty members appointed prior to July 1, 2004, may elect to be considered for tenure under the provisions of Policy 5:02:03:00 or under the revised policy for a four-year phase-in period. The revised policy will be applicable to all tenure action taken on or subsequent to July 1, 2008, for faculty whose employment began on or after July 1, 2004.

Note: This policy became effective on July 1, 1976, as to all faculty then or thereafter employed in the TSU Board of Trustees' System. The minimum qualifications and requirements for eligibility for an award of tenure applied to all faculty who had not previously been expressly awarded tenure by the Board, and the previous probationary period for such faculty was extended to a maximum of seven years. Faculty who had previously been awarded tenure retained their tenured status under this policy, subject to its terms and conditions. The definition of tenure (see p. 2 of 20) shall become effective January 1, 1984. That definition shall only apply to faculty tenured subsequent to the effective date. For faculty members tenured previous to January 1, 1984, the applicable definition of tenure shall be: "a status pursuant to which the academic year appointments of full-time faculty who have been awarded tenure are continued at a university until the expiration or relinquishment of that status, subject to termination for adequate cause for financial exigency or curricular reasons (see policy adopted June 25, 1976)."

Revisions: June 30, 2026

7.0 RELATED POLICIES

Appeals and Appearances Before the Board
Faculty Promotion at Universities
Financial Exigency
Faculty Appointments at Universities