

College of Osteopathic Medicine

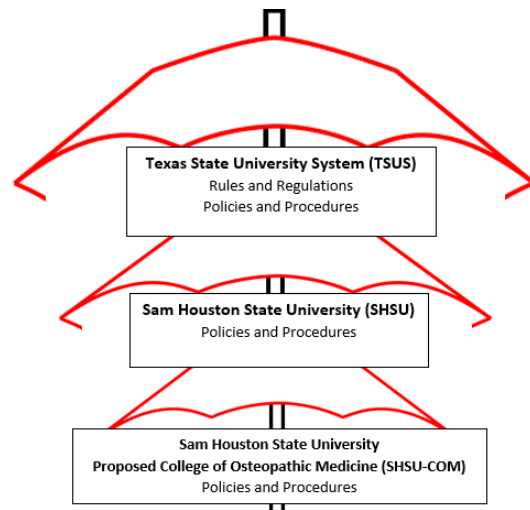
Element 7.8: Faculty Appointment and Advancement



Sam Houston State University

Element 7.8: Faculty Appointment and Advancement

The Sam Houston State University (SHSU) Proposed College of Osteopathic Medicine will be the 8th College of the University. Since SHSU is a member of the Texas State University System (TSUS), there are TSUS level policies and procedures, SHSU level/institutional policies and procedures, and SHSU-COM level policies and procedures. Therefore, the policies and procedures have been adopted, updated, and/or developed for the Proposed-COM faculty.



Included below are clear policies and procedures for faculty appointment, credentialing, renewal of appointment, promotion, granting of tenure, and remediation. Each faculty member will be provided with written information about his or her term of appointment, responsibilities, lines of communication, privileges and benefits, performance evaluation and remediation, terms of dismissal, and due process.

THE TEXAS STATE UNIVERSITY SYSTEM



RULES AND REGULATIONS

LAMAR UNIVERSITY
LAMAR INSTITUTE OF TECHNOLOGY
LAMAR STATE COLLEGE - ORANGE
LAMAR STATE COLLEGE - PORT ARTHUR
SAM HOUSTON STATE UNIVERSITY
SUL ROSS STATE UNIVERSITY
SUL ROSS STATE UNIVERSITY RIO GRANDE COLLEGE
TEXAS STATE UNIVERSITY

Adopted September 1, 1980
Amended November 16, 2017,
February 16, 2018, and May 24, 2018

3. ADMINISTRATIVE OFFICERS.

3.1 Employment.

3.11 Hiring. The President of each Component shall recommend annually to the Chancellor, before presentation to the Board of Regents, the employment or re-employment of all administrative officers, stating their names and academic credentials, if applicable. Such officers shall not have tenure by virtue of their office and shall serve without fixed term subject to the pleasure of the President. Statutory provisions requiring notification to employees shall be followed.

3.12 Salaries. The President shall recommend to the Chancellor, before presentation to the Board, the salary for each administrative officer at a regular Board meeting.

3.13 Vacancies. A President may fill any administrative vacancy by an interim appointment subject to Chancellor and Board ratification.

3.2 Terminations.

3.21 Limited Right to Hearing. The president of a Component may terminate the employment of an administrative officer of the Component when in the president's judgment the interests of the Component require termination. An administrative officer shall not have a right to a hearing unless the officer makes a *prima facie* showing that the decision to terminate violates rights guaranteed by the laws or Constitution of the State of Texas or of the United States and requests an administrative hearing to review the allegations. In such case the administrative officer shall be afforded an opportunity to present allegations before a hearing committee consisting of three impartial administrative officers of the Component appointed by the president. Such allegations shall be heard under the same procedures as in the case of dismissal of faculty for cause, with the following exceptions:

- (1) The burden of proof is upon the affected administrative officer to establish at such hearing that the decision in question constitutes violation of a right guaranteed by the laws or Constitution of the State of Texas or of the United States.
- (2) The president of the Component need not state the reasons for the questioned decision nor offer evidence in support thereof unless the affected administrative officer presents a *prima facie* case in support of such allegations. In such case, the hearing committee shall determine whether the President has no other reason for his decision.
- (3) The hearing committee will make written findings on the material facts and a recommendation, which findings and

recommendation shall be forwarded to the president and to the affected administrative officer. The administrative officer may appeal to the president and ultimately to the Board of Regents in accordance with the terms and procedures specified in *Subsections 4.55 and 4.56* of this *Chapter*.

3.22 Tenured Faculty as Administrators. If the administrative officer has tenure at the Component by virtue of holding a past faculty position or otherwise, termination as a member of the tenured faculty shall be only for good cause shown, and the official shall be given a hearing if terminated from tenured faculty status.

3.3 Sexual Misconduct. Administrative officers shall comply with the System's "*Sexual Misconduct*" policy found in *Chapter III Paragraph 22* and *Appendix A-6*.

4. FACULTY.

4.1 Employment.

4.11 The Board of Regents strongly desires to maintain learned faculties who, by precept and example, will instruct and inspire their students and reflect credit upon the Component. The Board encourages scholarship, creative activity, research, and public service but affirms that the primary goal of each faculty member shall be to attain a greater proficiency in teaching.

4.12 Nominations. The President of each Component shall recommend to the Chancellor and the Board the employment or re-employment of faculty members to be awarded term or annual appointments, advising in writing as to the tenure status, proposed academic rank, and highest degree of each nominee.

4.13 Appointments. All faculty appointments, including the granting of tenure, are subject to the approval of the Chancellor and the Board. At the earliest practicable Board meeting following the Governor's approval of the State's *General Appropriations Act*, the Board shall appoint the faculty and other teaching personnel to term or annual appointments for a specified period not to exceed one year, renewable annually for up to five years, contingent upon satisfactory annual performance evaluations, departmental need, and continuity of funding. The President shall advise each appointee in writing of the provisions and conditions of the appointment. If a faculty member has already been appointed by the Board for either a fall or spring semester, the contract may be extended for the summer or for additional special assignments during the same Fiscal Year by the President, unless the extension includes a change in academic rank or an increase in the base salary.

- 4.14 Reappointments. Written notice of a decision not to reappoint will be given to a tenure track faculty member not later than March 1st, of the first, or not later than December 15th of the second, academic year of probationary service. After two or more academic years, written notice shall be given not later than August 31st that the subsequent academic year will be the terminal year of appointment. The notice required by this *Section* is not applicable where termination of employment is for good cause under *Subsection 4.5* or for faculty members who are appointed on a term basis.
- 4.141 Reappointment or the award of tenure shall be accomplished only upon the President's written recommendation and the Chancellor's and the Board of Regent's approval. If the faculty member does not receive notice as prescribed in this *Chapter*, it shall be his or her duty to inquire as to the decision of the President, who shall without delay give the required notice to the faculty member. Failure of the Component to comply with the notice provisions of this *Chapter* shall not entitle a faculty member to *de facto* tenure, and these *Rules and Regulations* expressly prohibit the awarding of *de facto* tenure.
- 4.142 Each faculty member shall keep the President or his or her designee notified of the faculty member's current mailing address. Written notices required by *Subsections 4.24* or *4.54* shall be sent by certified mail, return receipt requested. Notice shall be complete when deposited in the United States mail, addressed to the last known address given by the faculty member. The faculty member's failure or refusal to receive the notice is immaterial.
- 4.15 Vacancies. A President may fill, by interim appointment, a faculty vacancy, subject to the Chancellor's and Board of Regent's ratification.
- 4.16 Salary Authority. No faculty member's salary, regardless of the source of funds, shall exceed the Component President's salary as designated by the Legislature in the *General Appropriations Act*, unless the salary is specifically recommended by the Chancellor and approved by the Board of Regents.
- 4.2 Tenure.
- 4.21 Defined. Tenure denotes an entitlement to continued employment as a member of the faculty at a Component in accordance with the provisions of these *Rules and Regulations*. Tenured faculty can expect those privileges customarily associated with tenure at their Component. Such privileges include a suitable office and workspace, serving as a principal investigator and conducting of research, teaching classes, and participating in faculty governance. However, tenure does not

create a property interest in any attributes of the faculty position beyond the annual salary. By way of example only, tenure does not create a property interest in laboratory space, a particular office, the right to teach graduate students, or use of research materials or equipment. Only members of the faculty with the academic title of Professor, Associate Professor, or Assistant Professor may be granted tenure, unless the Component handbook recognizes the rank of Instructor as eligible for tenure. In exceptional cases, tenure may be granted at the time of appointment to any of such academic ranks by the Board of Regents or may be withheld pending satisfactory completion of a probationary period of faculty service. For tenure to be granted at the time of appointment, the President must consult with and submit a written justification to the Chancellor, who shall review all such recommendations with the full Board.

- 4.22 Tenure Track Faculty. Only full-time service in the academic ranks of Professor, Associate Professor, Assistant Professor, and/or Instructor (at Components where such is an academic rank eligible for tenure) shall be counted toward fulfillment of a required probationary period. Periods during which a faculty member is on leave of absence shall not be counted toward fulfillment of a required probationary period. If the Component faculty handbook does not recognize the rank of Instructor as eligible for tenure, then no more than three (3) years service as Instructor shall be so counted.
- 4.23 Prior Service Credit. At the discretion of the Component, up to three (3) years prior service at the other academic Component may be counted toward fulfillment of the required probationary period.
- 4.24 Maximum Probationary Service. The maximum period of probationary faculty service in tenure track status in any academic rank or combination of academic ranks shall not exceed six years of full-time academic service, unless the tenure clock has been tolled as provided in this *subparagraph*. Not later than August 31st of the last academic year of the maximum probationary period in effect at any Component, a tenure track faculty member shall be given written notice that the subsequent academic year will be the terminal year of employment or that, beginning with the subsequent academic year, tenure will be granted. In the event that the employment of a tenure track faculty member is to be terminated prior to the end of the maximum probationary period, notice shall be given in accordance with *Subparagraph 4.5* below. Faculty members who have not been granted tenure by the Board of Regents shall not be entitled to tenure by virtue of being employed at the Component past the probationary period, i.e., such faculty members do not have *de facto* tenure.
- 4.241 Tolling of Tenure Clock. A Component may permit a tenure track faculty member to toll the tenure clock—that

is, exclude not more than two academic years of countable service toward tenure—in order to accommodate one or more of the following exigencies or hardships: a) Childbirth or adoption; b) Dependent care (including children, parents, spouses, or other dependents); c) The faculty member’s own illness or other personal emergency; and/or, d) The inability of the institution to provide agreed upon facilities for the faculty member’s research.

- 4.242 **Timing of Request.** The request to toll shall, to the extent possible, occur prior to the occurrence of the event(s) stated in *Subparagraph 4.241* and, in any case, within one year of the event(s). Requests made after the Component provides written notice of commencement of the promotion and/or tenure review process will not be honored.
- 4.243 **Faculty Member’s Obligations.** Per *Subparagraph 4.242*, the faculty member shall notify his or her chair and dean and make a written request to the chief academic officer to toll up to two years of service on the tenure clock, clearly explaining the basis(es) for the request—namely, why the exigency or hardship prevents or significantly impedes the faculty member’s ability to make progress toward achieving tenure; stating the estimated duration of both the exigency or hardship and the tolling period requested; and providing such supporting documentation as the Component may require.
- 4.244 **Chief Academic Officer’s Obligations.** The chief academic officer shall notify the faculty member, the chair/director, and the dean, and submit his or her recommendation to the System vice chancellor for academic affairs (VCAA) for his or her decision. The recommendation shall include the faculty member’s date of hire; process used to decide to request extension (such as executive committee approval or department chair recommendation); rationale to exclude the requested period of countable service; other facts or documentation relevant to the case; and the date by which the faculty member will be reviewed for tenure if the extension is approved.
- 4.245 **Two Year Limitation.** The total time excluded from countable service under this policy is two years (for example, a faculty member who tolls or excludes one year for childbirth or adoption and one year for dependent care has reach the maximum).
- 4.246 **No Property Right Created.** The tolling of the tenure clock under this policy lies within the sole discretion of the Component administration, subject to the VCAA’s

approval, and creates no property right, contractual or other legal entitlement in a member of the faculty. The administration may deny a request when, in its judgment, the needs and best interests of the Component, its academic units, and/or its students so require; provided, that this policy shall not be applied in violation of Component or System non-discrimination policies.

- 4.247 Tenure and Promotion Criteria Unaltered. Chairs/directors, deans, and chief academic officers shall ensure that all faculty members, tenure and promotion or other reviewing committees, and outside letter writers are informed that the criteria for tenure do not change when service has been excluded from a faculty member's probationary period.
- 4.25 Calculating Service. For purposes of calculating the period of probationary service, an "Academic year" shall be the approximate nine-month period from September through May as designated in the common calendar established by the Texas Higher Education Coordinating Board. One year of probationary service is accrued by at least nine months full-time academic service during any academic year, regardless of whether contracted on an annual basis or for a consecutive fall and spring semester. A faculty member shall be considered to be on full-time academic service if in full compliance with Board standards pertaining to minimum faculty workloads at general academic universities. If a faculty member is initially appointed during an academic year, the period of service from the date of appointment until the beginning of the following academic year shall not be counted as academic service toward fulfillment of the maximum probationary period.
- 4.26 Non-tenured Faculty. No non-tenured member of the faculty should expect continued employment beyond the period of current appointment as approved by the Board of Regents. Any commitment to employ a non-tenured member of the faculty beyond the period of current appointment shall have no force and effect until approved by the Board. Non-tenured members of the faculty serve at the pleasure of the Component President and the Board, subject to the provisions of proper notice as required by these *Rules and Regulations*.
- 4.27 Non-reappointment and Denial of Tenure. A non-tenured faculty member, who is notified of non-reappointment in accordance with *Subsection 4.14* or who is notified in accordance with *Subsection 4.24* that tenure has been denied and that the subsequent academic year will be the terminal year of appointment, shall not be entitled to a statement of the reasons upon which the decision for such action is based.
- 4.28 Performance Reviews. Components shall develop and publish campus-specific faculty performance review policies.

- 4.281 Annual Review Policies. Each Component shall develop campus-specific annual review policies for non-tenured faculty members.
- 4.282 Performance Review of Tenured and Other Faculty. Each Component shall develop campus-specific post tenure policies and procedures to determine whether a tenured faculty member is performing consistently at an acceptable professional level as well as a mechanism whereby a faculty member is informed of any deficiencies and provided opportunity to improve his or her performance. Such policies and procedures shall be consistent with the tenure policies of this *Chapter* and *Education Code, Section 51.942* and shall accord faculty members fundamental due process, including the opportunity for referral of a termination based upon evaluation to non-binding alternative dispute resolution, and a right of appeal in accordance with existing Component and Board policy.

4.3 Promotion.

- 4.31 Discretionary Nature of Promotion. The academic promotion of a faculty member is discretionary on the part of the President of the Component, the Chancellor and the Board of Regents. Faculty members do not have an entitlement to a prospective promotion rising to the level of a property interest, and the denial of a prospective promotion is not sufficiently stigmatic to constitute a liberty interest. No commitments, implied or otherwise, shall be made by any individual regarding faculty promotions without the prior written approval of the President, and all faculty promotions shall be subject to the approval of the Chancellor and Board of Regents. Faculty members who are not recommended for promotion shall not be entitled to a statement of reasons for the decision against the recommendation. However, supervisors are encouraged to offer suggestions for a program of professional development in teaching, scholarly or creative work, and leadership or service that may enhance the likelihood of promotion in the future.
- 4.32 Guidelines. The President of each Component shall develop minimum expectations and guidelines to be used in the evaluation of faculty for promotions, salary increases, reappointments, and tenure. Such guidelines shall include but not be limited to:
- (1) Teaching in the classroom, laboratory, or seminar room;
 - (2) Studying, investigating, discovering, and creating;
 - (3) Performing curricular tasks auxiliary to teaching and research, e.g., serving on faculty committees, attending to

administrative and disciplinary tasks, and promoting diligence and honest work in the student body;

- (4) Advising and counseling of students, including the posting or publishing of office hours in such a manner as may be required by the President;
- (5) Influencing beneficially students and citizens in various extracurricular ways; and,
- (6) Patents or commercialization of research, where applicable.

Within the guidelines, a faculty member becomes eligible for promotion by meeting or exceeding standards of performance although such eligibility shall not entitle him or her to a promotion.

4.4 Faculty Grievances of Non-renewal or Termination of Employment.

- 4.41 Faculty Member Defined. For purposes of this *Paragraph*, “faculty member” means a person employed full-time by a System Component as a member of the faculty, including professional librarians, whose duties include teaching, research, administration, or the performance of professional services. It does not include a person who holds faculty rank but spends the majority of his or her time engaged in managerial or supervisory activities, including a chancellor, president, provost, vice president, associate or assistant vice president, dean, associate or assistant dean.
- 4.42 Grievable Issues. A faculty member may present a grievance, in person, to a System Component’s president on an issue related to non-renewal or termination of the faculty member’s employment at the end of his or her contract period.
- 4.43 Termination Prior to End of Contract Period. A faculty member, whose employment is terminated prior to the end of his or her contract period, shall be entitled to invoke the full due process procedures provided to tenured faculty under *Paragraph 4.5* of this *Chapter*.
- 4.44 Grievance Process. The president shall designate a member of his or her administration as a hearing officer to consider grievances under this *Chapter*.
 - 4.441 No later than thirty (30) business days after the grievant learns (or in the exercise of reasonable care should have learned) of the action or condition giving rise to the grievance, he or she shall file the grievance on a form prescribed by the Component, providing supporting documentation, if any.

- 4.442 The hearing officer will meet with the grievant at a mutually convenient time to review any documentation or other evidence that the grievant may present in support of his or her position.
- 4.443 The hearing officer may not recommend changing the administration's action regarding non-renewal or termination of employment unless the faculty member establishes a *prima facie* case—that is, presents evidence sufficient to establish a claim in the absence of rebuttal by the Component—that he or she has been denied a right guaranteed by the constitutions or laws of the United States or of the State of Texas.
- 4.444 If he or she finds that the grievant has established a *prima facie* case, the hearing officer shall determine whether the administration has stated a non-discriminatory reason for its decision and so advise the president.
- 4.445 The president shall make the final decision regarding the grievance.
- 4.45 Not a Due Process Proceeding. A grievance under this *Paragraph* is not a due process hearing, requiring the formalities specified in *Paragraph 4.5* of this *Chapter*.
- 4.46 Component Procedures. A Component may not establish procedures that expand or contract the rights granted or materially alter processes described in this *Paragraph*. To the extent Component procedures conflict with the procedures in this *Paragraph*, the latter shall prevail. Existing Component policies on this subject matter are hereby revoked.
- 4.5 Termination and Due Process Procedures.
- 4.51 Grounds. Termination by a Component of the employment of a tenured faculty member and of all other faculty members before the expiration of the stated period of their appointment, except by resignation or retirement, will be only for good cause shown.
- Good cause includes but is not limited to the following:
- (1) Failure to work efficiently or effectively;
 - (2) Insubordination;
 - (3) Serious professional or personal misconduct, examples of which include:
 - (a) Commission of a misdemeanor involving moral turpitude, or a felony;

- (b) Failure to secure and maintain Federal, State, or local permits required in the discharge of teaching, research, or other professional duties, including failure to maintain appropriate documentation;
 - (c) Willful destruction of Component property or violent disruption of the orderly operation of the campus;
 - (d) Violation of the System's ethics policy (*Chapter VIII* of these *Rules and Regulations*), including acceptance or solicitation of gifts that might tend to influence the discharge of one's professional responsibilities;
 - (e) Stealing and publishing as one's own the intellectual property of another;
 - (f) Misuse or misappropriation of state property, resources, funds, including funds held by a faculty member as part of official duties;
 - (g) Sexual harassment, as defined by *Section 4.4* of *Chapter VII* of these *Rules and Regulations*; and,
 - (h) Racial harassment as defined by *Section 4.3* of *Chapter VII* of these *Rules and Regulations*.
- (4) Professional incompetence and/or neglect of professional duties;
 - (5) Mental or physical disablement of a continuing nature adversely affecting to a material and substantial degree of the performance of duties or the meeting of responsibilities to the institution, or to students and associates;
 - (6) Illegal use of drugs, narcotics, or controlled substances. A faculty member who, by a preponderance of the evidence, under these *Rules and Regulations*, is found to have illegally possessed, used, sold, or distributed any drug, narcotic, or controlled substance, whether the infraction is found to have occurred on or off campus, shall be subject to termination, suspension or other discipline as determined by the President or the President's designee. That an employee is charged in a criminal case, or is found "not guilty" therein, shall not be construed as prohibiting administrative enforcement of these *Rules and Regulations*. If, in the judgment of the President or the Board of Regents, the best interests of the students or the Component or the System so dictate, the employee may be immediately removed from contact

with students and other employees, pending resolution of disciplinary proceedings; and,

- (7) Intentionally or knowingly violating any Board or administrative order, rule, or regulation, including the provisions of *Chapter V, Section 2.144* of these *Rules and Regulations*. The employee is presumed to have knowledge of such Board or administrative order, rule, or regulation that is published in these *Rules and Regulations* or is a published policy of the Component.

4.52 Suspension. A President may, for good cause, suspend an accused faculty member pending immediate investigation or speedy hearing as hereinafter provided when the continuing presence of the faculty member poses a danger to persons or property or an ongoing threat of disrupting the academic process. An employee who is suspended or discharged from a particular duty or job at the Component may be suspended or discharged from all other duties or jobs in the Component for the same or other good cause. The President shall, as soon as possible, notify both the Chancellor and the Vice Chancellor and General Counsel of any such actions.

4.53 Summary Dismissal. In cases of good cause where the facts are admitted by the faculty member, summary dismissal may follow.

4.54 Hearing Tribunal. In all cases where the facts are in dispute, the accused faculty member shall be informed in writing of the charges which, on reasonable notice, will be heard by a special hearing tribunal whose membership, including its chair, shall be appointed by the President from members of the faculty whose academic rank is equal to or higher than that of the accused faculty member. At such a hearing:

- (1) The hearing tribunal shall not include any accuser of the faculty member. The faculty member may challenge the alleged lack of fairness or objectivity of any tribunal member, provided such challenge is made prior to the submission of any evidence to the tribunal. The faculty member shall have no right to disqualify such member from serving on the tribunal. Each such challenged member shall determine whether he or she can serve with fairness and objectivity in the matter. In the event the challenged member chooses not to serve, the President shall appoint a substitute.

- (2) The faculty member shall have a right to attend the hearing; confront and cross-examine adverse witnesses; present relevant evidence on his or her own behalf; testify or choose not to testify; and, be assisted or represented by counsel. The hearing shall be closed although the faculty member may request that it be open to the public. Notwithstanding a faculty member's request, the tribunal

may close all or a portion of a hearing to deliberate or if it appears likely that privacy interests of others are relevant and could be affected by an open hearing.

- (3) The Component, through a representative and/or through counsel, shall have the right to attend proceedings; present witnesses and evidence against the faculty member; and, cross-examine the faculty member (if the faculty member testifies) and his or her witnesses.
- (4) The hearing tribunal, by a majority of the total membership, shall make written findings on the material facts and a recommendation of the continuance or termination of the faculty member's tenure as well as any supplementary suggestions it may have concerning the case. The original of such findings, the recommendation, any supplementary suggestions, and the record of the hearing shall be delivered to the President and a copy thereof sent to the faculty member. Any minority findings, recommendations, or suggestions shall be distributed in the same manner.
- (5) A stenographic or electronic record of the such record shall be made accessible to the faculty member.

4.55 Review by President. The President shall review the record, plus any additional written briefs the parties wish to submit, and render a decision, stating his or her reasons therefore in writing and communicating the same to the faculty member. The President may recommit the matter to the same tribunal to hear additional evidence and/or to reconsider its findings, recommendations, or suggestions, if any. The original findings, recommendations, and suggestions of the hearing tribunal, a transcript of the hearing, any briefs submitted, and the decisions, recommendations, findings, and suggestions of the President shall be delivered to the Board.

4.56 Appeal to the Board. Upon written request by the faculty member, received in the System Administration Office within thirty (30) calendar days of the faculty member's receipt of the President's decision, the Board shall review the record before it. Such request should specifically address any defects in procedure or substance which require reversal of the President's decision. The President may submit a written response to the request for review. By a majority of the total membership, the Board may approve, reject, or amend any decisions, findings, recommendations, and suggestions before it, or recommit the matter to the President for reconsideration or the hearing of additional evidence. The Board shall notify the faculty member in writing of the reasons for its decision.

4.6 Termination of Faculty Employment Under Special Circumstances. If, in the judgment and discretion of the Board, reductions in legislative

appropriations for faculty salaries; governmentally mandated reductions in faculty positions; significant loss of enrollment; consolidation of departments or other reorganization; dropping of courses, programs, or activities for educational or financial reasons; or financial exigency make such action advisable, the employment of a faculty member who has been granted tenure or of any other faculty member before the expiration of the stated period of his or her employment, may be terminated in accordance with the provisions of this *Section*.

4.61 A faculty member whose employment will be recommended for termination under this *Section 4.6* shall be given:

- (1) a statement of the basis for the decision to terminate the faculty member's employment, together with a description of the manner in which the recommendation of termination was made;
- (2) access the information and data upon which the recommendation was based; and,
- (3) an opportunity to respond consistent with the requirements of due process.

4.62 In cases involving the termination of faculty employment under the provisions of this *Section*, the guidelines to be used to identify faculty members in a designated program whose employment will be recommended for termination shall include the following:

- (1) Whenever possible, faculty reduction will be accomplished through attrition;
- (2) Within a designated program, the termination of the employment of a faculty member with tenure may not be recommended in favor of retaining a faculty member without tenure unless:
 - (a) The removal of a non-tenured faculty member would eliminate an essential part of a program or render a program dysfunctional; or,
 - (b) The removal of a non-tenured faculty member who is deemed to be of equal or greater merit than a tenured faculty member would jeopardize the advances achieved by the Component under its diversity program.

4.63 A faculty member recommended for termination under the provisions of *Section 4.6* should be given the opportunity for appointment in a related area provided: (a) the faculty member is qualified professionally to teach in such area or is willing to undergo the appropriate professional retraining that will qualify him or her to do so; and (b) a position is available.

- 4.64 A faculty member whose position has been terminated will be given first consideration for rehiring, should the position be re-established within a three-year period.
- 4.65 The President of each Component shall develop and publish in the Component's faculty handbook the Component's policy regarding termination of employment under *Section 4.5*, subject to the reviews and approvals specified in these *Rules and Regulations*.
- 4.7 Rights and Responsibilities as a Teacher and as a Citizen.
- 4.71 Classroom. The faculty member is entitled to freedom in the classroom in discussing the faculty member's subject but should be judicious in the use of controversial material in the classroom and should introduce such material only as it has clear relationship to the subject field.
- 4.72 Research and Publication. The faculty member is entitled to freedom in research and in the publication of the results in accordance with responsible academic and professional practices.
- 4.73 Licenses and Permits. The faculty member shall be responsible for securing and maintaining any and all federal, state, and local licenses and permits required for his or her classroom, research, or other professional activities.
- 4.74 Speaking as a Citizen. The faculty member is a citizen, a member of a learned profession, and an employee of an educational component supported by the State. When the faculty member speaks or writes as a citizen, the faculty member should be free from component censorship or discipline; but, the faculty member's special position in the community imposes special obligations. As a person of learning and a faculty member of a state funded educational component, the faculty member should remember that the public may judge his or her profession and component by his or her utterance. Hence, the faculty member should at all times be accurate, exercise appropriate restraint, and should show respect for the opinions of others.
- 4.75 Partisan Political Activities. The Board of Regents recognizes and affirms a faculty member's right to participate in political activities as long as such political activities do not interfere with the discharge of the duties and responsibilities that a member of the faculty owes to the System or a Component or otherwise involve the System or a Component in partisan politics. If, in the President's or Board's judgment, the interest of the System or a Component so require, they may grant a leave of absence without pay to a member of the faculty. If a member of the faculty, who has not been granted a leave of absence, wishes to engage in political activity that interferes with the discharge of the duties and responsibilities that are owed to the System or a Component, the faculty member should voluntarily terminate employment

with the Component. If the faculty member does not voluntarily terminate his or her employment and the President or the Board finds that the faculty member's political activity interferes with the discharge of the duties and responsibilities that are owed to the System or a Component, the President or the Board shall terminate such faculty member's employment by the Component.

4.76 Non-competitive use of employee-owned courseware. (See *Chapter III, Paragraph 11.6* of these *Rules*). Courseware developed by an employee without specific direction or significant support of the Component institution shall not be sold, leased, rented, or otherwise used in a manner that competes with the instructional offerings of his/her own Component without the prior written approval of the chief academic officer of the Component. Should approval be granted to offer the course, course Components, or instructional support materials outside of the institution, the employee shall reimburse the Component for any use of its resources.

4.8 Terms and Conditions of Employment.

4.81 Faculty Development Leaves. The Board of Regents authorizes each President to implement a Faculty Development Leave Program pursuant to the provisions of *Texas Education Code, Chapter 51, Subchapter C* and approval of the Chancellor.

4.82 Absences. The following regulations, pertaining to faculty absences, authorized and unauthorized, are established for each Component and have been filed with the Texas Higher Education Coordinating Board as required by the *Texas Education Code, Section 51.108*. Each Component President is delegated authority to promulgate policies to implement the provisions of this *Subsection*, including the reporting of faculty absences and the granting of such sick leave, emergency leave, and/or other leave as may be authorized by statute or the *General Appropriations Act*. Component policies shall make provisions for the following:

4.821 Authorized Absences. A faculty member employed by a Component must discharge faithfully instructional duties and other responsibilities associated with faculty appointment, including the meeting of all scheduled classes. Absences from classes will be authorized only under the following conditions:

- (1) Professional meetings when, in the judgment of the President or his/her designee, attendance at such a meeting would contribute to the improvement of teaching or scholarship at the Component;
- (2) Personal or immediate family illness;
- (3) Family emergencies;

- (4) Specific assignments of the President of short duration (the Board of Regents discourages specific assignments which will cause a faculty member to be absent from assigned classes);
- (5) Special circumstances where the President considers such absences to be for valid reasons and in the best interest of both the faculty member and the Component.

4.822 Unauthorized Absences. Unauthorized absences on the part of the faculty member are not permitted. Each Component shall regard such absences as a violation of the terms of the faculty member's appointment.

4.83 Outside Employment. The President of each Component shall approve and incorporate in the faculty handbook specific policies governing outside employment by all faculty members. These guidelines shall include but not be limited to the provisions and conditions of this *Subsection*.

4.831 Faculty members should not be discouraged from accepting appropriate appointments of a consultative or advisory capacity with governmental agencies, industry, or other educational institutions as long as such activities do not conflict with the individual's work at the Component. The consideration to the System of such activity is the improvement of the individual through contact with the non-academic world. Faculty members should be discouraged from accepting regular employment outside the Component because such does not directly benefit the Component as indicated herein.

4.832 Conflict of interest must be avoided in all instances of outside employment. Conflict of interest means any outside activity which intrudes upon the faculty member's responsibility to the Component. See *Subsection 2.4* of this *Chapter* and *Chapter VIII (Ethics Code)*.

4.833 No member of the faculty engaged in outside remunerative activities shall use in connection therewith the official stationery, supplies, equipment, personnel services, or other resources of the System or any of its Component universities. Nor shall such member of the faculty accept pay from private persons or corporations for tests, essays, chemical analysis, computer programming, bacteriological examinations, or other work of a routine character which involves the use of property owned by the System or its Components.

4.834 Every member of the faculty who gives professional opinions must protect the System and its Components

against the use of such opinions for advertising purposes. That is, when work is done in a private capacity, the faculty member must make it clear to the employer that such work is unofficial and that, absent the President's prior approval, the name of the System and its Components are not in any way to be connected with the faculty member's name. Exceptions may be made for the name of the author attached to books, pamphlets, and articles in periodicals, and the identification of an individual in publications of corporations or companies related to service as a member of an advisory council, committee, or board of directors.

- 4.835 A faculty member (as defined in *Section 1.11* of this *Chapter*) may not engage in any outside work or receive compensation from an outside source that creates a conflict of interest with the faculty member's duties at the Component. A conflict of interest includes the actions prohibited in *Section 3.2* of *Chapter VIII* of these rules. The faculty member shall notify the President or his/her designee of such activity.
- 4.836 Reporting Requirements. Any faculty member who seeks to engage in remunerative employment or consulting outside of his or her primary employment relationship with the Component, shall notify and obtain written permission from the head of his or her department before beginning such outside employment or consulting. If his or her department head determines that the employment or consulting serves a public purpose and does not unreasonably interfere or conflict with the faculty member's obligations or duties to the Component, the department head may authorize the employment or consulting.
- 4.84 Textbooks and Other Course Materials. Policies which govern textbooks and other materials prescribed for use by students will be specified for each Component in the faculty handbook for that Component.
- 4.841 Generally, the individual faculty member or the academic department should have wide discretion in the choice of materials to be used in the courses offered by the department with the approval by the chairman or head of the department. Although the authorship of books, outlines, manuals, and similar materials by members of the faculty should be encouraged, the prescribed use of these for students is a responsibility that goes beyond that of the individual author. Where practicable and equitable, the charge for outlines, syllabi, and similar materials prescribed for the use of students should be borne by the instructional department concerned. Whenever a charge is authorized for such copied materials, the prices should

be as low as possible, consistent with the payment of a fair and reasonable royalty to the author or authors. This charge must be considered in conjunction with the a incidental course fees or charges” such that students are not charged more than once for the same material(s).

- 4.842 Textbooks, notebooks, manuals, or other materials for the use of students of a Component, written or prepared by a member of the faculty of that Component, shall not be prescribed for the use of or sold to such students until such books, notes, manuals, or materials shall have been approved, with reasons stated, by the department head and approved by the academic Vice President. All such requests shall indicate the proposed prices and profits, and their authorization shall be effective only to the end of the fiscal year (August 31) for which such approval has been given.
- 4.85 Acceptance of Money from Students. Faculty members shall not, without approval of the President or his/her designee, collect from students any fees or charges to be expended for Component purposes or sell to students books, notes, materials or supplies. Faculty of the rank of lecturer or above, and other instructional personnel as designated by the Component President, may not accept pay from students for extra instruction or teaching of students registered in the Component. With prior written approval of the President or his or her designee, instructional employees below the rank of lecturer may accept pay from students for extra-class instruction or coaching but only in courses or sections of courses with which they have no instructional connection. The faculty handbook of the Component shall specify the procedure for approval at the Component level.
- 4.86 Knowledge of These *Rules & Regulations*. Each faculty member shall become acquainted with these *Rules and Regulations*, Component policies and faculty handbooks, catalogues, announcements of courses, other official publications, and printed or other material regularly prepared for the use of the faculty. The President shall have copies of these *Rules and Regulations*, Component policies and faculty handbook available at the President’s office, the library, and other appropriate campus locations.
- 4.9 Honorary Titles and *Emeritus* Faculty.
- 4.91 Honorary Titles. Several honorary titles - Regents’ Professor, University Distinguished Professor, *Emeritus* (or distinguished *emeritus*) Status - recognize long and distinguished service.
- 4.92 Regents’ Professor. Upon the recommendation of the Chancellor, the Board of Regents, from time to time, may bestow

the title of “Regents’ Professor” upon a very select number of tenured faculty members who have demonstrated the following:

- (1) Excellence in teaching and exceptional dedication to students;
- (2) National or international distinction and acclaim for academic achievement or scholarship; and,
- (3) Notable contributions and commitment to their Component institutions and communities.

Upon retirement, a Regents’ Professor shall automatically receive *Emeritus* faculty status.

4.93 University (College or Institute) Distinguished Professor. The President of each Component may establish criteria to recognize, annually, as “University (College or Institute) Distinguished Professors,” a select number of outstanding professors or associate professors, who have achieved academic accomplishment and stature that exceeds the criteria for the granting of tenure. Upon retirement, a University Distinguished Professor shall automatically receive *Emeritus* faculty status.

4.94 *Emeritus* (or Distinguished *Emeritus*) Status. The President of each Component is authorized to bestow the following titles upon retired or retiring faculty:

- (1) Professor *Emeritus*, Distinguished Professor *Emeritus*, or similar honorific titles, provided that the faculty member holds the rank of professor and has served the Component, with distinction, at least ten years.
- (2) Associate Professor *Emeritus*, provided that the faculty member holds the rank of associate professor and has served the Component, with distinction, at least fifteen years.

Except for Regents’ Professors and University Distinguished Professors, the conferring of *emeritus* status is not automatic upon retirement but shall be based upon individual distinction, exceptionally high quality service, and outstanding contributions to the Component which clearly demonstrate the individual’s worthiness for the honor conferred.

4.95 Privileges and Perquisites of *Emeritus* Status. Although *Emeritus* status constitutes continued academic appointment without remuneration or authority, holders of the title of “distinguished professor *emeritus*” or “distinguished associate professor *emeritus*” shall be accorded the following privileges and perquisites:

- (1) Use of the title “distinguished professor *emeritus*” or “distinguished associate professor *emeritus*.”

- (2) Membership (without vote) in the general faculty and in the college and department faculties in which membership was held at the time of retirement.
- (3) Membership in the graduate faculty (without vote) if membership was held at the time of retirement.
- (4) Eligibility for service on Component committees upon appointment by the President of the Component.
- (5) Assignments of office space and use of laboratory facilities, when available, with the approval of the department head, dean of the college, and Provost and Vice President for Academic Affairs.
- (6) Listing in the faculty directory and applicable publications.

4.96 Duration of Honorary Titles. The Board of Regents prefers and intends that honorary titles be held in perpetuity (for example, if a faculty member enjoying *emeritus* status is recalled to service in the interest of the Component after an intervening period, *emeritus* status is not affected); notwithstanding anything to the contrary in this *Paragraph 4.9*, conferring any such title shall not create a property right or entitlement in the holder. The Board reserves the right to revoke a title if, in its sole judgment and discretion, the best interests of the Texas State University System or of a Component warrant such action.

4.10 Miscellaneous Provisions.

4.10(1) Faculty Organizations. The President of each Component is authorized and encouraged to permit the faculty to organize and function in the form of representative faculty bodies in order that the faculty might effect greater utilization of its resources in the conduct of Component affairs.

4.10(11) General Authority. Subject to the ultimate authority of the Board of Regents and the delegated authority of the Component President or his or her designees, the faculties of the Components shall have an appropriate advisory role in the governance of their respective Components. Officially recognized faculty bodies shall have no existence separate and apart from the Component with which they are associated. This role may include but not be limited to the following areas:

- (1) General academic policies and procedures;
- (2) Student life and activities;
- (3) Requirements of admission and graduation;

- (4) Honors and scholastic performance generally;
- (5) Approval of candidates for degrees; and,
- (6) Faculty rules of procedure.

4.10(12) Faculty Minutes. Copies of Component faculty minutes, or those of their legislative bodies, shall be available for use of members of the particular faculties individually, if desired, and shall be filed in the office of their secretaries and a copy distributed to the offices of the Academic Deans, Academic Vice President, and President.

4.10(2) Recruitment and Resignation of Faculty Members. Mobility of faculty members among colleges and universities is rightly recognized as desirable in American higher education. Yet, the departure of a faculty member always requires changes within a Component and may entail major adjustments on the part of the faculty member's colleagues, the administration, and students in the faculty member's field. Thus, each Component President shall establish procedures regarding the recruitment and resignation of faculty members. The standards set forth below are recommended:

- (1) Recruitment Negotiations. Negotiations looking to the possible appointment of persons for the following fall semester who are faculty members of other universities in active service or on leave-of-absence and should be begun and completed as early as possible in the academic year and the appropriate other Component officers informed of such negotiations.
- (2) Notification of Resignation. A faculty member should not resign later than May 15 or thirty days after receiving notification of the terms of continued employment for the following year, whichever date occurs later.
- (3) Appointment Offer. To permit a faculty member to give due consideration and timely notice to his or her Component, an offer of appointment for the following fall at a Component should be made before May 1 whenever possible.

4.10(3) Retired Faculty. A full-time faculty member, who has retired from service from one of the Components in The Texas State University System and who held the title professor, associate professor, assistant professor, or instructor at the time of retirement, shall be accorded the following privileges and perquisites at such Component:

- (1) A faculty identification card denoting previous academic rank and the designation "Retired". In the case of holders of an emeritus title, the identification card shall denote the applicable emeritus title;
- (2) Faculty library privileges;
- (3) Use of Component dining services;
- (4) Authority to purchase a faculty-staff activity card on the same basis as active faculty members;
- (5) Parking privileges provided to active faculty members of the Component;
- (6) Continued eligibility for Component group health and life insurance as provided by statute;
- (7) Use of internal Component mail service and facilities; and,
- (8) Other privileges for retired faculty approved by the President of the Component.

4.11 Sexual Misconduct. Faculty shall comply with the System's "*Sexual Misconduct*" policy found in *Chapter III Paragraph 22* and *Appendix A-6*.

5. UNCLASSIFIED EMPLOYEES (EXCLUDING ADMINISTRATIVE OFFICERS) AND ALL CLASSIFIED EMPLOYEES.

5.1 Employment.

5.11 Hiring. The Board authorizes the President of the Component to hire all unclassified staff employees (exclusive of administrative officers), all classified staff employees, and other non-faculty personnel who are paid on a monthly or hourly basis. The employment of unclassified staff employees is subject to ratification by the Chancellor and the Board of Regents. All employees hired under the authority of this *Subsection* shall serve without a fixed term and at the pleasure of the President.

5.111 All hiring shall be made on the basis of merit. The President of the Component may investigate the character, integrity, scholastic attainment, and other qualifications of prospective employees before hiring them or before exercising any delegated authority for hiring them.

5.112 As provided in the *Constitution of the State of Texas, Article I, Section 4*, and by statute, no religious qualification shall be required for appointment to any

office or position connected with the System or any Component thereof.

- 5.113 There shall be full compliance with statutory provisions requiring notification to employees.
- 5.114 Each Component may require a pre-employment, post-offer physical examination of applicants to be employed in regular positions if the physical examination is required of all applicants for a particular job position. Examinations for those applicants whose duties will require the handling of food will be administered in accordance with the *Americans with Disabilities Act* and the regulations adopted pursuant to the Act. Each Component may use the results of physical examinations to make job decisions in compliance with the Act and its regulations. The physical examinations may be made at the health center of the Component at which the applicant will be employed. If such center does not exist, the physical examination will be performed by qualified medical personnel approved by the Component. The expense of the examination will be paid by the Component. Reports of the physical examinations shall be retained as confidential medical records and treated in accordance with the Act and its regulations.
- 5.12 Salaries. The salary of each employee covered by *Subsection 5.11* of this *Chapter* shall be set by the President of the Component, subject to confirmation by the Chancellor and the Board of Regents and in accordance with the approved budgets.
- 5.2 Terminations. The President of each Component shall have the authority to terminate at any time the employment of any employee covered by *Subsection 5.11* of this *Chapter* subject to review by the Chancellor and the Board of Regents.
- 5.3 Absences. The President of each Component shall adopt policies and guidelines covering the authorized absences for all personnel covered by *Section 5* of this *Chapter*. Such policies and guidelines shall be in accordance with the provisions of current statutes and these *Rules and Regulations* (see *Subsection 2.51* of this *Chapter*).
- 5.4 Outside Employment. The provisions and conditions for outside employment by all classified and unclassified staff employees, including administrative officers, shall be the same as those established for faculty members under *Subsection 4.83* of this *Chapter*.
- 5.5 Acceptance of Money from Students. Administrative and staff employees shall not, without previous and special written approval of the Component administration, collect from students any fees or charges to be expended for Component purposes. Certain positions, such as cashiers and similar positions, may have this approval as part of their job descriptions. Acceptance of funds by Component employees, in any

case, shall be only via official Component receipt mechanisms as approved by the Component's chief fiscal officer.

- 5.6 Sexual Misconduct. Unclassified employees and all classified employees shall comply with the System's "*Sexual Misconduct*" policy found in *Chapter III Paragraph 22* and *Appendix A-6*.

6. EMPLOYEE TRAINING.

The President of each Component is authorized to expend public funds for the training and education of its employees where the training or education is related to the current or prospective duty assignment of the employee. Any Component-specific written regulations governing such training and education shall be in accordance with the provisions of *Texas Government Code, Section 656.044*.

6.1 Seminars and Workshops.

- 6.11 Employees may take time off from regularly assigned duties to participate in seminars, workshops or similar training events of limited duration if the employee's supervisor determines that the seminar, workshop, or similar training events will enhance the employee's job performance.

- 6.12 Subject to availability, funds may be expended for employee participation in seminars, workshops or similar training events of limited duration if the following conditions are met:

6.121 The employee's supervisor has determined that the seminar, workshop, or similar event will enhance the employee's job performance;

6.122 Reimbursable expenses incurred (i.e., attendance charges, tuition course-related materials, and travel expenses) are determined to be cost-effective;

6.123 Travel expenses will be reimbursed if the necessity of travel is justified (e.g., the training is not available through a local source);

6.124 The travel request was approved by the employee's supervisor in advance of the training.

- 6.13 Travel expense reimbursement for seminars, workshops and similar training events must meet all applicable policies, rules and statutory provisions regarding travel by State employees.

- 6.2 Continuing Professional Education (CPE). Funds may be expended for continuing professional education required to maintain a professional license or certification for those positions which require such licenses or certificates and for positions in which licensure or certification is desirable. Employees in such positions may have time off from regularly

assigned duties to satisfy CPE requirements. Expenditures for the training are subject to availability of funds.

- 6.3 College Courses. Subject to availability of funding, employees may be reimbursed for certain college courses if the following conditions are met.
 - 6.31 The employee's supervisor has determined that the course will enhance the employee's job performance.
 - 6.32 The course is taken in accordance with the Component's written policies and appropriate written approval is obtained prior to enrolling in the course.
- 6.4 Training Subject to *Subchapter D, Chapter 656, Title 6, Texas Government Code* (Restrictions on Certain Training).
 - 6.41 "Training" means instruction, teaching, or other education received by a state employee that is not normally received by other state employees and that is designed to enhance the ability of the employee to perform the employee's job. The term includes a course of study at an institution of higher education if the employing state agency spends money to assist the state employee to meet the expense of the course of study or pays salary to the employee to undertake the course of study as an assigned duty. The term does not include training required either by state or federal law or that is determined necessary by the agency and offered to all employees of the agency performing jobs.
 - 6.42 If an employee receives training, as defined in *subsection 6.41* of this *Section* that is paid for by a Component, and during the training period the employee does not perform the employee's regular duties for three or more months as a result of the training, then the employee must agree in writing before the training begins to:
 - 6.421 Work for the Component following the training for at least one month for each month of the training period; or
 - 6.422 Reimburse the agency for all the costs associated with the training that were paid during the training period, including any amounts of the employee's salary that were paid and that were not accounted for as paid vacation or compensatory leave.
 - 6.43 An employee may make a written request to the President of his or her Component to waive the requirements in *subsection 6.42* of this *Section* and release an employee from the obligation to meet those requirements. Each President may authorize such a waiver if he or she finds that such action is in the best interest of the agency or is warranted because of an extreme personal hardship suffered by the employee.

6.44 If an employee does not provide the services required in *subsection 6.42* of this *Section*, provides those services for less than the required term, or fails to make any required payments and is not released from the obligation, the employee is liable to the Component for the obligated amount and reasonable expenses incurred in obtaining payment, including reasonable attorney's fees and other collection costs.

1. THE BOARD OF REGENTS

- 1.01 Policies concerning reappointment, tenure, and promotion in The Texas State University System are set forth in the *Rules and Regulations* [http://www.shsu.edu/~pre_www/tsus/] of the Board of Regents, The Texas State University System, which body will be referred to as “the Board of Regents” in the remainder of this document. In any case of contradiction between this policy and the Board of Regents’ *Rules and Regulations*, the Board of Regents’ *Rules and Regulations* prevails.
- 1.02 Exceptions to the policies and procedures set forth herein may be authorized only by the President of the University.
- 1.03 Authority to approve reappointment, tenure, or promotion rests with the President, subject to the approval of the Board of Regents.

2. GENERAL PROVISIONS

- 2.01 Tenure. Tenure is the most important decision a university makes with regard to its faculty, and the quality of tenure decisions over the years determines in large measure the quality of the university. Tenure denotes a status of continuing appointment as a member of the faculty at Sam Houston State University. It is not granted automatically or on the basis of seniority. Tenure is granted to faculty, after a rigorous probationary period, on the basis of meritorious performance in teaching, research, and service. A faculty member is normally reviewed for tenure during the sixth year in a tenure-track position. The length of the probationary time period may be modified in accordance with Section 4.05 of this policy at the time of employment.

On rare occasions, truly outstanding faculty may be considered for tenure prior to completion of the probationary period. Early consideration of tenure requires the approval of the appropriate chair and dean prior to the second Monday of October in the year in which tenure is to be considered. Special permission by the chair and/or dean does not imply a subsequently favorable recommendation. If approved for early consideration for tenure, the probationary period for that faculty member is effectively modified and the current year will be deemed the terminal year of the probationary period. No subsequent consideration of tenure will be allowed beyond the new terminal year.

“However, tenure does not create a property interest in any attributes of the faculty position beyond the annual salary. By way of example only, tenure does not create a property interest in laboratory space, a particular office, the right to teach graduate students, or use of research materials or equipment” (see Texas State University System, *Rules and Regulations*, Chapter V, Subsection 4.21). Tenure ensures academic freedom and protects faculty from inappropriate retribution. It allows faculty to take a long-term approach to their work while still requiring faculty accountability. It assists in attracting and keeping excellent faculty and promotes the orderly induction of new faculty into the community of mature scholars.

- 2.02 Promotion. Promotion is granted as recognition of sustained, high-quality performance, combined with efforts at continuous improvement. It also does not come automatically or with length of service. A faculty member normally establishes eligibility for consideration for promotion upon the completion of five and one-half years in a tenure-track position or in the rank of associate professor. On rare occasions, truly outstanding faculty may be considered prior to this time. Nominations for consideration for promotion shall be addressed to the Department Promotion and Tenure Advisory Committee (DPTAC) in any of three ways: (1) by the faculty member herself/himself, (2) by another faculty member, or (3) by the department/school chair. (Note: For composition of the DPTAC, see Section 7 below and see Section 4.02 for a definition of the term “department/school chair” in this policy statement.) A faculty member is allowed to self-nominate for promotion to full professor once every three years.
- 2.03 Discretionary Nature of Promotion. “The academic promotion of a faculty member is discretionary on the part of the President of the Component, the Chancellor, and the Board of Regents. Faculty members do not have an entitlement to a prospective promotion rising to the level of a property interest; and, the denial of a prospective promotion is not sufficiently stigmatic to constitute a liberty interest. No commitments, implied or otherwise, shall be made by any individual regarding faculty promotions without the prior written approval of the President, and all faculty promotions shall be subject to the approval of the Chancellor and Board of Regents. Faculty members who are not recommended for promotion shall not be entitled to a statement of reasons for the decision against the recommendation. However, supervisors are encouraged to offer suggestions for a program of professional development in teaching, scholarly or creative work, and leadership or service that may enhance the likelihood of promotion in the future” (see Texas State University System, *Rules and Regulations*, Chapter V, Subsection 4.31).

- 2.04 Only members of the faculty with the academic rank of associate professor or professor may be granted tenure. Tenure and promotion from assistant professor to associate professor are linked at Sam Houston State University. A faculty member cannot be promoted to the rank of associate professor without a concomitant award of tenure. Tenure may be granted at the time of appointment to an academic rank of associate professor or professor, or initially tenure may be withheld pending satisfactory completion of a probationary period of faculty service.

3. THE ACADEMIC RANKS

- 3.01 Sam Houston State University shall utilize the following academic ranks for tenure-track and tenured faculty: instructor, assistant professor, associate professor, professor, and distinguished professor. The terminal degree or special credentials are required for all tenure-track ranks except instructor.
- 3.02 Terminal Degrees and Special Credentials
- a. The term “special credentials” as used in this policy shall be defined to include the Certified Public Accountant license and other special credentials, insofar as these signify generally recognized levels of achievement, competence, and experience specifically applicable to particular academic fields.
 - b. The term “terminal degree” as used in this document shall be defined as the highest academic degree customarily awarded in the field of study. This term may include the Master of Fine Arts, the Doctor of Jurisprudence, the Master of Social Work, and the Master of Library Science from a library school program accredited by the American Library Association.
 - c. The term terminal degree for the SHSU-COM faculty implies Doctor of Osteopathic Medicine, Doctor of Medicine, Doctor of Philosophy, or Doctor of Pharmacy from accredited institutions. This may also include other doctoral level or terminal professional degrees in related areas with appropriate training and licensure/certification (if applicable). Practicing physician faculty, including Medical Educator and Clinical faculty, must hold an unrestricted license or be eligible for an unrestricted license to practice medicine in the State of Texas.
- 3.03 Sam Houston State University shall utilize the following academic rank designations for interim, non-tenure-track faculty: Visiting Scholar, Adjunct Faculty, Medical

Educator Assistant Professor, Medical Educator Associate Professor, Medical Educator Professor, Clinical Assistant Professor, Clinical Associate Professor, Clinical Professor, Clinical Faculty, Lecturer-Pool Faculty, Lecturer-Special Faculty, Lecturer, Research Faculty, Visiting Assistant Professor, Visiting Associate Professor, and Visiting Professor. These academic rank designations shall not be assigned to faculty in tenure-track positions.

- 3.04 SHSU-COM offers two non-tenure-track faculty, designated as (a) Medical Educator and (b) Clinical track faculty with ranks of assistant, associate, and full in both designations. Non-tenure Medical Educator track appointments are for faculty engaged primarily in education. Non-tenure Clinical track appointments are for faculty (e.g. preceptors) engaged primarily in clinical practice and education. Individuals employed as Clinical faculty may have a secondary appointment with another medical or educational institution, so long as the secondary appointment is approved in advance and approval renewed on an annual basis. (See SHSU Finance & Operations Human Resources Policy E-6).

Medical Educator Assistant Professors can, upon request and receipt of written approval of by the SHSU-COM administration, transition to the tenure-track within the first 3 years of employment with SHSU. However, no time spent in service as Medical Educator shall count as the tenure track probationary period.

- 3.05 SHSU also recognizes Dual and Adjunct appointments, as defined here.

Dual appointments. Faculty members with dual appointments are faculty that hold a primary appointment at SHSU. These faculty are only eligible for promotion through the process at their SHSU College of primary appointment.

Adjunct appointments. Adjunct faculty who have a primary faculty appointment at another academic institution, are only eligible for promotion process at the primary institution. SHSU-COM does not promote faculty with an adjunct appointments. Faculty with an adjunct appointment are not in a track that requires service as regular faculty, however evidence of service in health care/education to other constituencies/institutions is welcomed. Faculty members with an adjunct appointment can: (1) simultaneously hold another academic appointment at another college or university or (2) be employed or work with a community agency (broadly defined).

4. GENERAL PROCEDURAL GUIDELINES

- 4.01 For purposes of tenure, the term “tenure unit” is defined as the faculty of a college which is not divided into smaller units, or of a department, or of an officially designated program or group of programs within a department, or of the Newton Gresham Library, who share in the obligations, rights, and protections of tenure within their discipline(s). The designated tenure units, within the present administrative structure at Sam Houston State University, are those listed below.

Tenure Units in the College of Business Administration

- Accounting
- Economics and International Business
- General Business and Finance
- Management, Marketing and Information Systems

Tenure Units in the College of Criminal Justice.

- Criminal Justice and Criminology
- Forensic Science
- Security Studies

Tenure Units in the College of Education

- Counselor Education
- Curriculum and Instruction
- Educational Leadership
- Language, Literacy and Special Populations
- Library Science

Tenure Units in the College of Fine Arts and Mass Communication

- Art
- Dance
- Mass Communication
- Music
- Theatre and Musical Theatre

Tenure Units in the College of Health Sciences

- Family and Consumer Sciences
- Kinesiology
- Nursing
- Population Health

Tenure Units in the College of Humanities and Social Sciences

- Communication Studies
- English
- History
- Philosophy
- Political Science
- Psychology
- Sociology
- World Languages and Cultures

College of Osteopathic Medicine is a tenure unit.

Tenure Units in the College of Sciences and Engineering Technology

- Agricultural Sciences
- Biological Sciences
- Chemistry
- Computer Science
- Engineering Technology
- Geography
- Geology
- Mathematics and Statistics
- Physics

The Newton Gresham Library is a tenure unit.

- 4.02 For ease of reference in the remainder of this document, the term “department” refers to each of the tenure units listed in section 4.01 above. Furthermore, the term “department/school chair” refers to the relevant administrative official, whether that person is the chair of the department/school within which the tenure unit is located or the Director of the Newton Gresham Library.
- 4.03 Years of service as tenure-track probationary faculty. Only full-time service in the academic ranks of Professor, Associate Professor, Assistant Professor, Instructor, or any combination thereof shall be counted toward fulfillment of a required probationary period related to the award of tenure. Periods during which a faculty member is on leave of absence shall not be counted toward fulfillment of a required probationary period.
- 4.04 Calculating years of service. For purposes of calculating the period of probationary service, an “academic year” shall be the approximate nine-month period from

September through May. If a faculty member is initially appointed during an academic year, the period of service from the date of appointment until the beginning of the following academic year shall not be counted as academic service toward fulfillment of the maximum probationary period.

- 4.05 Prior service credit. At the discretion of Sam Houston State University, prior service of up to three years at another university may be counted toward fulfillment of the required probationary period for tenure and promotion.
- 4.06 Maximum probationary service and the duty of the University to give notice. The maximum period of probationary faculty service at Sam Houston State University in tenure-track status in any academic rank or combination of the academic ranks of instructor, assistant professor, associate professor, or professor shall not exceed six years of full-time academic service. Not later than August 31 of the last academic year of the maximum probationary period in effect, a tenure-track faculty member shall be given written notice that the subsequent academic year will be the terminal year of employment or that beginning with the subsequent academic year, tenure will be granted. In the event that the employment of a tenure track faculty member is to be terminated prior to the end of the maximum probationary period, notice shall be given in accordance with Subsection 4.10 below. Faculty members who have not been granted tenure by the Board of Regents shall not be entitled to tenure by virtue of being employed past the probationary period, i.e., such faculty members do not have *de facto* tenure.
- 4.07 Suspension of the Probationary Period
- 4.071 Personal circumstances may justify the suspension of the tenure clock. It is the responsibility of the faculty member to provide appropriate documentation to demonstrate sufficiently why the request should be granted.
- 4.072 The department/school chair will provide his/her recommendation concerning the request for a suspension of the tenure clock to the dean within five working days from receipt of the request.
- 4.073 The dean will provide his/her recommendation concerning the request for a suspension of the tenure clock to the Provost and Vice President for Academic Affairs within five working days from receipt of the department chair's recommendation.

- 4.074 The decision regarding the request for a suspension of the tenure clock shall be made by the Provost and Vice President for Academic Affairs within five working days from the date of receipt of the dean's recommendation.
- 4.08 Employment continuance for non-tenured faculty. All faculty appointments are subject to the approval of the Board of Regents. The University's commitment to employ a probationary or nontenured faculty member is limited to the term specified in the faculty member's contract for that appointment period. Any commitment to employ a nontenured member of the faculty beyond the period of current appointment shall have no force and effect until approved by the Board of Regents.
- 4.09 No conflicting appointments. A person appointed to a faculty position with the rank of instructor, assistant professor, associate professor, or professor at Sam Houston State University may not, during the term of such appointment, hold a tenured or tenure-track position on the faculty of another educational institution. Appointments at Sam Houston State University to the above-specified ranks shall be conditional upon the appointee having resigned any tenured position that the appointee may then hold on the faculty of another educational institution. The resignation must be effective prior to the effective date of the appointment at Sam Houston State University; otherwise, such appointment shall be void and of no effect. The acceptance of an appointment to a tenured or tenure-track position on the faculty of an educational institution outside Sam Houston State University shall be considered as a resignation of any faculty position with the rank of instructor, assistant professor, associate professor, or professor that such appointee may hold at Sam Houston State University.
- 4.10 Written notice of nonreappointment and denial of tenure. Written notice of a decision not to reappoint will be given to a tenure-track faculty member no later than March 1 of the first or not later than December 15 of the second academic year of probationary service. After two or more academic years, written notice shall be given not later than August 31 that the subsequent academic year will be the terminal year of appointment. The notice required by this section is not applicable where termination of employment is for good cause or for faculty members who are appointed on a term basis.
- 4.11 Reappointment and award of tenure. Reappointment of nontenured members of the faculty to a succeeding academic year or the award of tenure shall be accomplished only upon the President's written recommendation and the Board of Regents' approval.

- 4.12 All faculty members shall keep the President or his/her designee notified of their current mailing addresses.

5. CATEGORIES AND STANDARDS OF PERFORMANCE

- 5.01 Recommendations for reappointment, tenure, and/or promotion should consider the following categories and standards of performance.

a. Categories of Performance

- (1) **Teaching:** This category includes, among other things, classroom and laboratory instruction; development of new courses, laboratories, and teaching methods; publication of and/or development of electronic instructional materials; academic advising; and supervision of undergraduate and graduate students.
- (2) **Scholarly and/or Creative Accomplishment:** For most disciplines, this category consists of research and publication. For some disciplines, however, it may include other forms of creative works and activities, such as instructional technology, patents or commercialization of research (where applicable), poetry, painting, musical performance or composition, and sculpture.
- (3) **Service:** This category includes service to students, colleagues, program, department, school, college, and the University; administrative and committee service; and service beyond the University to the profession, community, state, and nation, including academic or professionally-related public service.
- (4) **Collegiality:** This category addresses the faculty member's ability to function as an effective professional in accomplishing the goals of the tenure unit and the University.
- (5) Meeting of the above criteria, especially the first three, does not guarantee or confer an entitlement to tenure and/or promotion.
- (6) For special evaluative criteria pertaining to faculty members who are librarians, see Academic Policy Statement 810814, "Tenets for Academic Status for Professional Librarians."

b. Categories of performance at SHSU-COM:

Criteria for Achievements in Teaching

The faculty member engages in educational activities that benefit the College, University, profession, or society in quality, breadth, quantity, innovation, educational leadership and mentoring:

- **Evidence of Quality:** (e.g., success of teaching) includes: evidence of excellence through student evaluations; peer observation and formal review; teaching rewards, course director ratings; peer letters of support; outcome indicators (student performance).
- **Dimensions of Breadth:** (e.g., diversity of teaching) includes: Structures teaching to address individual levels of understanding and unique types of learners; teaches a variety of courses; different styles/formats of teaching or evaluation; old versus new curriculum, etc.
- **Evidence of Quantity:** (e.g., amount of teaching) includes: number of hours teaching (duration and frequency of lectures); number of learners and/or groups taught.
- **Evidence of Innovation in Education:** implementation of novel teaching methods includes: development of a new delivery tool which may include use of technology, generation of novel teaching resources and cross-disciplinary or inter-disciplinary learning exercises or curricular development/innovations.
- **Evidence of Educational Leadership:** directing curricular blocks or units, etc.
- **Evidence of Coaching Faculty and Tutoring Students:** conducting peer evaluations and scaffolding of their curricular delivery. Serving as a mentor of a learning community, and/or providing additional assistance to students outside of the classroom.

Criteria for Achievements in Scholarship

Examples of scholarship may include, but are not limited to:

- Basic science research
- Clinical research involving patients, e.g., case reports, case series and clinical trials
- Quantitative and qualitative social science research such as epidemiology, outcomes and health services research, and biostatistics, as well as research in social sciences, ethics, bioinformatics and health economics, among others
- Community-engaged research
- Medical or health professions education research
- Development/implementation, conduct of studies, data collection and/or analysis of new or existing data; may make intellectual contributions to multicenter studies
- Development of new methods/technologies and/or novel applications of existing methods/technologies in basic science, clinical research, education, and social sciences and humanities
- Dissemination of research in peer reviewed publications and presentations

Criteria for Achievements in Service

Faculty carry out the mission of SHSU-COM through excellence in service to the College, University, the community and the profession. Participation in governance and other civic activities is expected of everyone within the percent time employed. Evidence of the work performed and time spent on conducting committee (or other service) business should be provided.

Examples of service to the College/University and Profession include:

- Serves on standing committee or academic council, either by election or appointment, in order to conduct School/University business

- Serves on college/university ad hoc committee
- Clinical expertise and innovation. Clinical Expertise and innovation occurs when a faculty member builds a reputation as a practitioner, innovator, and mentor in the health care field.
- Participates on a clinical agency committee or task force to develop solutions to patient care problems
- Maintains membership or holds office in local, state, national, regional, or international professional organization
- Service on community task force or committee to address health policy concerns
- Service as a board member for health related local, state, regional, or national organization
- Attends business meeting of national professional organizations
- Attends community meetings of organizations whose purpose is to promote health
- Attends Faculty meetings
- Reviews grant proposals or books

Criteria for Achievements in Service

Demonstrated effectiveness and flexibility as a contributing member in accomplishing the goals of the SHSU-COM.

c. Standards of Performance

To be recommended for an award of tenure and/or promotion, an applicant must document a sustained pattern of professional competence and effectiveness in each of the categories of performance listed in Section 5.01a. In addition, the

applicant should have a clearly developed, ongoing strategy for sustaining professional development throughout his/her career.

(1) Associate Professor:

- sustained effective teaching and mentoring of students as documented by student evaluations and peer and chair review and/or by an exemplary record of academic advisement, supervision of student research, or thesis/dissertation direction, as appropriate for the discipline
- sustained contribution to program support, such as course and curriculum development, innovations in teaching methodology, electronic instruction development, or participation in interdisciplinary academic programs
- participation in professional development activities to update skills or to gain new expertise
- sustained pattern of peer-reviewed research, creative activities, or scholarly work that contributes to her/his discipline; evidence of growth in quality/significance of scholarly or creative contributions
- sustained, documented service to the University, profession, or community, as appropriate for the discipline
- demonstrated collegiality and effectiveness as a contributing member in accomplishing the goals of the department/college/ University.

(2) Professor

- sustained, effective teaching and mentoring of students as documented by student evaluations and peer and chair review and/or by an exemplary record of academic advisement, supervision of student research, or thesis/dissertation direction, as appropriate for the discipline since the last promotion
- leadership in program support, such as course and curriculum development, innovations in teaching methodology, electronic

instruction development, participation in interdisciplinary programs, or mentoring of less-experienced faculty

- participation in professional development activities to update skills or to gain new expertise
- leadership in peer-reviewed research, grantsmanship, creative activities, or scholarly work that contributes to his/her discipline; evidence of growth in quality/significance of scholarly or creative contributions; sustained contribution to the intellectual culture of the University
- sustained, documented leadership in service to the University, profession, or community, as appropriate for the discipline
- demonstrated collegiality and leadership in accomplishing the goals of the department/college/University.

d. Standards of Performance at SHSU-COM

To be promoted to the rank of Associate or Full Professor, faculty must excel in Education or Scholarship, and show evidence of advancement in the other area (Scholarship or Education, respectively). The promotion also requires evidence of service to and demonstrated collegiality with other members of the SHSU-COM. Service may also include clinical practice.

Examples of Educational Expertise Across Ranks:

- **Assistant Professor.** The Assistant Professor should provide evidence that s/he is performing at a competent level and is working towards excellence in view of future promotions. Such evidence may include involvement in the development and local adoption of educational material in print or other media, including items such as syllabi, curricula, web-based training modules or courses, and/or technologies (e.g., simulation); s/he may also include development of educational methods, policy statements, and/or assessment tools.
- **Associate Professor.** The candidate for promotion to Associate Professor provides evidence of excellence in teaching. Candidates for Associate

Professor will have strong teaching evaluations from students and faculty, with colleagues who request assistance in peer observations and improving instructional effectiveness. A candidate will track and provide the number and stature of trainees upon whom s/he had a major influence, including feedback from trainees and publications with trainees. Associate professor candidates develop sound teaching methods, curricula, educational policy, and evidence of assessment tools, leadership and mentoring. Candidate will demonstrate regional or national adoption or dissemination of these curricular materials, techniques and scholarship (i.e. publications, grants and presentations at regional and national meetings). The candidate must provide examination of the success of programs developed or innovations to existing programs.

- **Full Professor.** The candidate for Full Professor shows continued excellence in teaching as reflected in student and peer evaluations. A candidate for full professor is teaching/lecturing nationally and/or internationally. Innovation in classroom teaching methods may be adopted nationally and/or internationally. The candidate demonstrates increasing and sustained national and/or international leadership and mentorship roles in their profession.

Examples of Scholarship across Ranks:

- **Assistant Professor.** The Assistant Professor begins the development of a research program. The Assistant Professor should provide evidence of scholarly work that has or will be disseminated and peer reviewed. Work should begin to be disseminated through scholarly presentations to the college and at local and national conferences. The faculty member should be beginning the process of publication in peer reviewed journals. The faculty member should be seeking initial funding through small grants from foundations and national agencies.
- **Associate Professor.** The candidate for Associate Professor has a program of scholarship that demonstrates a research agenda and shows sustained productivity. The candidate publishes in peer reviewed journals on a regular basis. He or she has regular presentations at national and international meetings within the discipline. The candidate for Associate Professor continues to apply for funding from granting agencies. The research

program should demonstrate breadth and may include collaborations with colleagues.

- **Full Professor.** The candidate for Full Professor must show excellence and leadership in a scholarly program that has shown an increase in depth and breadth relative to the Associate Professor. The scholarship shows a continued strong focus with an increase in the complexity of the research. The candidate has a national and international reputation as evidenced by presentation at national and international conferences. The candidate is committed to training future scholars through undergraduate and graduate research programs. The candidate will also be serving as a mentor to junior faculty. These accomplishments are clear from evaluations from peers within the SHSU-COM faculty as well as from the peers in the faculty's discipline outside of SHSU COM.

Examples of Service across Ranks:

- **Assistant Professor.** The college and the university benefits from the involvement of its junior level faculty. An assistant professor is expected to provide service at the local level of the department or college, for example, by serving as a student advisor, as a member of the admissions committee, or as a member of a faculty search committee. Service at the university level is relatively rare for Assistant Professor, but when it occurs, it is most appropriate for the service to be on university committees that do not have intensive and prolonged time demands.
- **Associate Professor.** Candidates for Associate Professor serve their department, the college and the university; for example, as chairs and directors as well as through membership on standing committees and ad hoc committees. Candidates for Associate Professor give time to their profession through service on editorial boards, grant review committees, program and conference program committees or show strong evidence of clinical expertise. Associate Professor candidates also serve as elected or appointed officers of professional societies or associations.
- **Full Professor.** At the level of Full Professor, the expectations for candidates increase to include all of the categories initiated in the lower ranks of the professorate, including leadership at all levels of service. Full

professors serve on certain high impact committees requiring senior faculty (e.g. DPTAC and Faculty Senate). In addition, a candidate for Full Professor level serves on university-wide committees when appointed or invited. Candidates offer frequent and broadly distributed service to multiple constituencies within the academic community. If clinicians, candidates also show evidence of clinical expertise and innovation.

- 5.02 Faculty applicants for tenure and promotion are evaluated based on accomplishments for each of the four categories of performance. The weight given to each of the four categories may be determined by department and college tenure and promotion documents; however, greater weight shall be given to teaching and creative or scholarly activities than to service or collegiality. Successful performance in any or all of such categories does not guarantee or entitle the applicant to tenure and/or promotion.
- 5.03 All recommendations for reappointment, tenure, and/or promotion or assessment of progress toward such shall be based on the above categories and standards. Department- and college-specific requirements relating to these categories and standards must be approved by the Provost and Vice President for Academic Affairs. Although these documents will be provided to the faculty member at the outset of employment in a tenure-track position, it is the faculty member's responsibility to know these criteria.

6. FACULTY REVIEW PORTFOLIO

- 6.01 For a faculty member to be considered for promotion and/or tenure, the faculty member must prepare a Faculty Review Portfolio. The Faculty Review Portfolio may contain any information or materials that the individual deems pertinent for consideration. The department/school chair and college dean may, on behalf of the University, place in the portfolio file any additional information that may be pertinent to the faculty member's status.
- 6.02 For a faculty member to have an application considered for promotion and/or tenure, he or she must assure that the Faculty Review Portfolio contains a complete, accurate and truthful record of accomplishments that is organized under the following headings:
 - a. Curriculum vita including at least:

- (1) Academic training
- (2) Summary of work experience
- (3) Scholarly and creative contributions (juried contributions must be listed separately)
- (4) Funded grants (external and institutional grants must be listed separately)
- (5) Honors, awards, and other special recognitions

b. Significant professional service

c. Documentation of teaching performance utilizing summaries of student evaluations

d. Any further documentation that clarifies achievements in other sections or includes other material supporting promotion or tenure

6.03 Faculty are expected to maintain the highest level of standards and integrity and therefore, proven instances of academic fraud or dishonesty by faculty with regard to submitted material within the portfolio may be grounds for denial of tenure and/or promotion

7. DEPARTMENT PROMOTION AND TENURE ADVISORY COMMITTEE (DPTAC)

7.01 The DPTAC shall be an advisory body composed ordinarily of all of the tenured faculty members appointed in the tenure unit. The dean shall appoint the chair for this committee.

7.02 If the DPTAC, when constituted in accordance with section 7.01, has three or fewer tenured members, then the department chair and either (a) the probationary faculty member or (b) the person to be considered for promotion shall submit to the dean a list of three names of tenured faculty members from other tenure units who are qualified to serve on the DPTAC. The nominations should be accompanied by documentation of the nominees' relevant qualifications. The dean shall appoint members from these lists until there are at least four members of the DPTAC. The

dean shall also appoint the chair for this committee. If the need arises to replace a member of the DPTAC, the dean shall follow the same procedure.

- 7.03 With regard to the DPTAC formed as a result of 7.02, in the case of a probationary faculty member, the members of the DPTAC should be appointed to review the performance of the probationary faculty member every year beginning with the second year of employment and continuing until a final recommendation concerning tenure is made. In the case of promotions, the members of the DPTAC should be appointed to review the performance of the faculty member every year beginning with the second year after the previous promotion and continuing until a final recommendation concerning promotion is made.
- 7.04 The full DPTAC shall limit its recommendations to tenure decisions. Decisions about promotion should be made by all members of the DPTAC holding at least the rank for which the candidate is being considered for promotion. All votes by the committee shall be done by secret ballot. A separate record of the vote count for tenure and/or promotion from the DPTAC members shall be transmitted to the appropriate administrator and to the Standing Faculty Tenure Committee.
- 7.05 In addition to annual reviews, an extensive review shall be conducted during the spring semester of the faculty member's third academic year of probationary service by the DPTAC, as well as the department chair and dean. The review should include an indication of the degree of consensus of the DPTAC, in the form of a preview vote, regarding the probationer's progress toward tenure. The general result (whether the majority vote was favorable or not favorable) should be reported to the probationer by the department/school chair and dean. A written summary of the DPTAC's assessment and the department chair's review shall be kept in the probationer's tenure file.

8. REVIEW OF PROBATIONARY FACULTY

- 8.01 Formative review of faculty is an ongoing process. A faculty member in the first year of probationary service as an instructor, assistant professor, or nontenured associate professor is reviewed by the department chair based on the performance categories outlined above. If the progress of the faculty member toward meeting the required standards of performance is judged to be insufficient, the chair may notify the faculty member of his/her nonreappointment.

- 8.02 If the progress of the faculty member toward meeting the standards of performance required for eligibility for tenure and/or promotion to assistant or associate professor is judged to be inadequate the dean shall make a decision and, if a faculty member is not to be renewed, notify the faculty member in writing.
- 8.03 If the performance of the faculty member is judged to be satisfactory to continue in probationary status, the department chair will discuss the results of the review with the faculty member (with a view toward improving performance) and provide her/him with a copy of the written report.
- 8.04 At Sam Houston State University, the title of instructor denotes a tenure-track probationary appointment and is used to appoint a faculty member who is near completion but does not have the terminal degree in his/her area. The maximum period that may be served in the rank of instructor is two years. In unusual circumstances, a petition for a one-year extension may be made by the probationary faculty member to the Provost and Vice President for Academic Affairs. This three-year limit does not apply to existing tenured instructors at the time of the policy's approval. Recommendations for promotion to assistant professor will be made at the earliest opportunity for consideration by the Board of Regents, The Texas State University System, when a faculty member serving in an instructor position has completed all requirements for the terminal degree. Otherwise, during an instructor's second year of service, the department/school chair shall notify the instructor in writing not later than thirty days prior to the end of the current academic year that the subsequent year will be the terminal academic year of appointment. Notice is not required where termination of employment is for good cause or program reduction or abandonment.

9. ELIGIBILITY FOR COMMITTEE SERVICE

Department/school chairs, deans, and vice presidents are not eligible to serve on the DPTAC.

10. APPOINTMENTS OF PROFESSORS

Special appointments to the rank of professor may be with tenure except when the appointment is that of visiting professor, which is a nontenure-track rank.

11. REVIEW TIMETABLE AND PROCEDURES

The individual faculty member is responsible for preparing and submitting all materials to be considered for promotion and tenure. The Standing Faculty Tenure Committee will post a

specific calendar at the start of each academic year. However, the review process and the approximate annual timetable for the review procedure are as follows:

a. By second Monday in October

Prior to the first Monday, deans will receive a list from the Provost's office of all faculty members who are eligible for either promotion and/or tenure. By the second Monday in October, the respective chairs will notify each faculty member who is eligible for consideration for promotion and/or tenure. Individual faculty members who are not notified may also choose to apply; these faculty members must meet the same standards of performance as those who are notified by their chairs and must notify their chairs and deans in writing of their intention to apply by the second Monday in October.

b. By third Monday in January

Each individual faculty member who intends to be considered for promotion and/or tenure must submit a complete Faculty Review Portfolio to the chairperson of the Department Promotion and Tenure Advisory Committee (DPTAC).

c. Upon submission, the DPTAC will have two weeks to evaluate the portfolio (Weeks 1-2 after third Monday in January).

The chairperson of the DPTAC will submit the recommendations of the committee to the department/school chair. Each Faculty Review Portfolio must be forwarded with a separate recommendation for or against promotion and/or tenure. The review must include a tally of the recommendation of the committee in terms of the number in favor and against. This recommendation becomes part of the Faculty Review Portfolio.

d. The department chair will have one week to make a recommendation (week 3).

The department chair will forward each Faculty Review Portfolio with a recommendation for or against promotion and/or tenure to the dean. A separate recommendation letter must accompany each portfolio. This recommendation becomes part of the Faculty Review Portfolio.

e. The dean will have two weeks to make a recommendation (weeks 4-5).

The dean will forward each Faculty Review Portfolio with a recommendation for or against promotion and/or tenure to the Provost and Vice President for Academic Affairs. This recommendation becomes part of the Faculty Review Portfolio.

- f. The Provost will have two weeks to make a recommendation (weeks 6-7).

The Provost and Vice President for Academic Affairs will forward each Faculty Review Portfolio with a recommendation for or against promotion and/or tenure to the University President. This recommendation becomes part of the Faculty Review Portfolio.

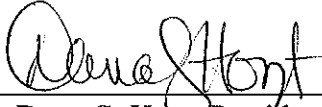
- g. The University President will send his/her recommendation to the Board of Regents for consideration at its spring meeting. After the President submits his/her recommendation to the Board, the Provost and Vice President for Academic Affairs will notify the faculty member under consideration for promotion and/or tenure of his/her recommendation. The President will officially notify faculty after the Board has acted on the recommendation.

12. APPEALS

Faculty members who are denied promotion and/or tenure have the right to appeal. All appeals shall follow the established policies and procedures for faculty grievances (see Academic Policy Statement 820830). All appeals must be initiated by September 1 of the calendar year in which the denial of promotion and/or tenure occurs.

13. REVISIONS TO THIS POLICY

Substantive proposals for revisions to this policy shall be submitted to the Standing Faculty Tenure Committee, the University Faculty Senate, the Council of Academic Deans, and the Academic Policy Council for review and comment prior to action by the Provost and Vice President for Academic Affairs.

APPROVED: 
Dana G. Hoyt, President

DATE: 10/10/18

CERTIFICATION STATEMENT

This academic policy statement (APS) has been approved by the reviewer(s) listed below and represents SHSU's Division of Academic Affairs' policy from the date of this document until superseded.

Original: April 17, 1990
Reviewer(s): Council of Academic Deans
Faculty Senate
Academic Affairs Council

Review Cycle: Five years*
Review Date: Spring 2023

Approved: Richard Eglsaer
Richard Eglsaer
Provost and Vice President
for Academic Affairs

Date: 10.10.18

*Effective January 2018, Academic Policy Statements will be reviewed on a rotating 5-year schedule. To transition to a distributed review load, some policies may be reviewed prior to the 5-year timeframe, with subsequent reviews transitioning to the 5-year schedule.

I. GENERAL FEATURES OF THE FACULTY EVALUATION SYSTEM

- 1.01 The Faculty Evaluation System is established to provide an orderly, comprehensive approach to the evaluation of faculty performance at Sam Houston State University. The system is designed to maximize objectivity and minimize bias. The evaluation system is important for purposes of (1) faculty development, (2) promotion in academic rank, (3) rewarding meritorious performance through salary adjustments, (4) contract review for probationary faculty members, and (5) decisions concerning future contracts for non-tenured and non-tenure track faculty members.
- 1.02 The Faculty Evaluation System is intended to recognize and reward excellence serving to advance the mission and goals of the University. The Faculty Evaluation System (FES) recognizes that faculty members' interests, strengths, and skills evolve throughout their careers (see Academic Policy Statement 790601, *Faculty Instructional Workload*). The University is best served by striving for a system that has enough flexibility to reward meritorious performance with enough structure to promote fairness and consistency. SHSU's FES process evaluates faculty performance in each of three categories (see Section 1.03). The FES provides a table of weights (Table I) for both the normative nine-credit-hours-per-semester- and twelve-credit-hours-per-semester-workloads (see Academic Policy Statement 790601, *Faculty Instructional Workload*) and identifies the respective weights used in creating the final summary FES score (see Section 6).
- 1.03 The Faculty Evaluation System recognizes three categories for purposes of evaluation. These three categories are: teaching effectiveness, scholarly and/or creative accomplishments, and service. Each of these categories will be assigned a weight as specified in Table I, "Weights for Faculty Evaluation," attached to this policy statement. Teaching effectiveness is comprised of two inputs, the Chair's Rating of Teaching Effectiveness (FES 1) and the Students' Rating of Teaching Effectiveness (FES 2). The weights applied to the FES 1 and FES 2 scores are the same to ensure that both the chair's and students' ratings contribute 50% of the overall measure of teaching effectiveness. The respective colleges are responsible for the determination and development of specific performance standards to be evaluated in FES 1, FES 3, and FES 4. Input from faculty members at the department/school and/or program level is strongly encouraged in identifying specific performance standards that may be unique to a given department/school or program. The University values continuous improvement efforts and encourages the incorporation of professional development standards within FES 1, FES 3, and FES 4. The

categories used in the Faculty Evaluation System are similar to those identified in Academic Policy Statement 800722, *Promotions in Rank and Advances in Salary Within Rank*, and Academic Policy Statement 900417, *Faculty Reappointment, Tenure, and Promotion*.

- 1.04 Provisions are made in the Faculty Evaluation System for the following:
- a. A rating of teaching effectiveness to be accomplished by combining the chair's evaluation of faculty teaching effectiveness and the students' evaluation of classroom teaching effectiveness. The chair's evaluation will consider the general guidelines in Section 2. The students' evaluation will follow the guidelines in Section 3.
 - b. A report of scholarly and/or creative accomplishments (FES 3) is to be completed by using the "Report on Scholarly and/or creative Accomplishments." This report is to be completed by each faculty member as a means of indicating his/her scholarly and/or creative accomplishments. Each faculty member must submit the appropriate supporting documentation as required in the respective college's FES policy to verify the scholarly and/or creative accomplishments (see Section 4.)
 - c. A report of service activities (FES 4) is to be completed by each member of the faculty as a means of indicating his/her service. Each faculty member must submit the appropriate supporting documentation as required in the respective college's FES policy to verify his/her service activities (see Section 5).
 - d. A summary rating of each faculty member based upon FES 1 through FES 4 is to be completed by using the "FES Summary Report" (Attachment 1). This "FES Summary Report" is to be completed by the department/school chair and is to be signed by both the chair and the faculty member. A faculty member who fails to sign the FES Summary Report shall be ineligible for any merit increases based on productivity in the time period covered by the unsigned FES Summary Report. A faculty member who believes the FES Summary Report does not accurately reflect his/her productivity may appeal his/her summary rating as described in Section 6.
- 1.05 The "FES Summary Report" is to reflect faculty activity for the twelve-month period beginning January 1 of each calendar year and ending December 31 of the same calendar year. Should a faculty member change his/her workload during this twelve-

month period, he/she will negotiate with his/her academic dean and chair to determine the weights from Table I to be used.

- 1.06 Should a faculty member receive an administrative FES X assignment (see APS 790601), the faculty member will receive a separate evaluation for the FES X assignment by the supervisor of the assignment as well as the FES 5 evaluation. The weights for FES 1, 2, 3, and 4 are not adjusted and the faculty member receives an FES 5-based merit recommendation as if he/she does not have a separate FES X assignment. In a like manner, the faculty member's performance of the FES X responsibility is evaluated and a merit recommendation is made as if the FES X assignment is the faculty member's sole responsibility. The final merit recommendation is the weighted average of the two merit recommendations. The weight for FES X is the proportional reduction in the teaching load and the weight for FES 5 "one minus the FES X weight."
- 1.07 The timelines for the completion of the forms are to be established by the Provost and Vice President for Academic Affairs.
- 1.08 Evaluation for merit pay purposes should be based on data covering only the specific time period.

2. CHAIR'S EVALUATION OF FACULTY TEACHING EFFECTIVENESS

- 2.01 A department/school chair may decide to use a faculty committee to assist him/her in evaluating faculty teaching effectiveness.
- 2.02 Teaching may include, among other things, classroom and laboratory instruction; development of new courses, laboratories, and teaching methods; publication of and/or development of electronic instructional materials; and supervision of undergraduate and graduate students. The chair's rating of faculty teaching effectiveness should be based on as much information as can be reasonably obtained. FES 1 Worksheet (see Attachment 2) may be used. A variety of inputs are necessary to give the evaluation maximum validity. Two primary sources of information may be a teaching portfolio prepared by the faculty member and a conference with the individual being evaluated. Other inputs may include, but are not limited to, comments from students, student outcome measures, and results of assessment measures. Each college/department/school should define its own

performance standards for the chair's rating of faculty teaching effectiveness. Items that may be considered by the chairs include, but are not limited to:

Professionalism

- Adheres to scheduled class meeting times
- Is reasonably available for student conferences and counseling; maintains appropriate office hours
- Submits grades, reports, etc. in a timely manner
- Maintains appropriate professional demeanor in teaching situations
- Maintains high ethical standards of honesty and objectivity
- Adheres to university/college/department/school timelines, policies, and procedures
- Regularly prepares for teaching
- Attempts to evaluate and improve own teaching
- Commitment and contribution to course and/or program assessments
- Engages in professional development aimed at improving teaching effectiveness
- Uses fair and appropriate grading practice(s)

Content and Pedagogy

- Appropriateness and relevance of material covered in the class to subject matter of the class
- Supporting educational material (e.g., handouts, electronic tutorials)
- Appropriate use of pedagogical resources
- Adherence to syllabus
- Appropriateness, relevance, and quality of syllabus content
- Effective use of technology
- Effective utilization of innovations
- Timely, clear, informative, and appropriate feedback to students on assignments, tests, and on student progress in general beyond grades
- Making reasonable accommodations for individual students requiring the same
- Incorporation of civic engagement, service-learning, community-based teaching strategies or internships

In accordance with college and/or department/school policy, each faculty member may present a teaching portfolio and update it on an annual basis. The portfolio should provide information relating to teaching effectiveness. Because of the wide variety of programs and teaching situations, departments/schools should develop criteria as to the appropriate content, limitations, and uses of portfolios.

- 2.03 FES 1 reflects the chair's rating of teaching effectiveness for each faculty member on a one-to-five scale. The FES 1 worksheet or a similar tool will be used by the chair to document the chair's rating of teaching effectiveness.

3. STUDENTS' EVALUATION OF CLASSROOM TEACHING EFFECTIVENESS

- 3.01 Student responses on the IDEA Center's "Survey Form – Student Reactions to Instruction and Courses" are used for administrative decisions (e.g., tenure, promotion, and merit pay) and for development purposes. The IDEA "Summary Evaluation Score" will be used as the FES 2 score.
- 3.02 The IDEA Center's "Survey Form – Student Reactions to Instruction and Courses," at the discretion of the dean of the college, may be obtained directly from the Office of Institutional Research by department/school chairs for distribution to the faculty.
- 3.03 Evaluations may be conducted online or in class. For in-class evaluations, the evaluation will be conducted during the first 20-25 minutes of the period. The instructor may not be present in the classroom while the students are completing the form. The instructor should read the prepared college statement on teaching evaluation and then appoint a student or colleague per department/school/college guidelines to distribute, gather, and deliver the forms to the department/school chair's office. The instructor must exit the classroom prior to the distribution of the forms.
- 3.04 Federal and state law protects each student's privacy rights. For this reason, the class instructor should not have access to completed individual survey forms or score summaries until after all grades have been submitted to the Registrar. Even then, any information on the forms that identifies a student shall be redacted prior to being provided to the instructor.
- 3.05 The SHSU-COM will utilize internally distributed survey forms to gather data regarding student reactions to specific instructors and student reactions to courses/blocks/rotations for administrative decisions and development purposes. The SHSU-COM will combine these student required evaluations to create the FES 2 score. All SHSU-COM evaluations will be conducted online.

4. REPORT ON SCHOLARLY AND/OR CREATIVE ACCOMPLISHMENTS

- 4.01 This report is to be completed by each faculty member and submitted to his/her department/school chair as input for the FES 3 score. The final FES 3 score will be on a one-to-five point scale.
- 4.02 For most disciplines, this category consists of research and publication. For some disciplines, however, it may include other forms of creative works and activities, such as instructional technology; poetry; painting; musical, dance, or theatrical performance or composition; and sculpture. Scholarly activities shall be interpreted to include, but are not limited to, production of basic and applied research, writing and publications, scholarly grant development, scholarly grant acquisition, presentations to professional and learned societies, and professional development directly related to scholarly and/or creative accomplishments. Subject to the approval of the appropriate academic dean, the department/school chair may add additional subcategories or activities in accordance with department/school/college expectations.
- 4.03 Different disciplines and individuals define creative accomplishments in different ways, engage in different types of artistic endeavors, and evaluate such endeavors differently. As such, the criteria for evaluation can be defined here in only the most general terms. Each college/department/school should define its own specific criteria. Ultimately, individuals must be evaluated on the merit of their creative accomplishments and the level of their critical success.
- 4.04 The respective colleges are responsible for the determination and development of specific performance standards to be evaluated in FES 3. Input from faculty members at the department/school and/or program level is encouraged in identifying specific performance standards that may be unique to a given department/school or program. In creating performance standards, each college is encouraged to address the issue of quality as well as quantity.

5. REPORT ON SERVICE

- 5.01 This report is to be completed by each faculty member and submitted to his/her department/school chair as input for the FES 4 score. The final FES 4 score will be on a one-to-five point scale.

5.02 Service includes service to students, colleagues, program, department/school, college, and the University; administrative and committee service; and unpaid service beyond the University to the profession, locally, regionally, nationally, and internationally, including academic or professionally-related public service. Activities for which the faculty member received a stipend or release time may not be considered for service activities. Activities that may be considered, but are not limited to, include:

- Committee service
- Student recruitment
- Student advisement
- Acquisition and development of facilities, equipment, and other resources
- Appropriate professional development activities
- Student mentoring
- Student organization(s) sponsorship
- Program/curriculum development
- Faculty-community collaboration for scholarly research
- Faculty-community projects for leadership, economic, or social service development

5.03 The respective colleges are responsible for the determination and development of specific performance standards to be evaluated in FES 4. The performance standards should identify types of service that advance the mission and goals of the University, college, and department/school.

6. SUMMARY RATING REPORT

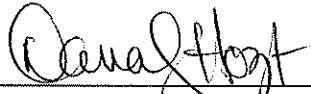
6.01 The “FES Summary Report” is to be completed by the department/school chair.

6.02 There must be an individual conference between the faculty member being evaluated and the chair. At this meeting, the evaluation will be discussed. The faculty member should be encouraged to provide any relevant information. Faculty members needing improvement should be encouraged to seek appropriate assistance in creating and implementing a development plan.

6.03 Once completed, the “FES Summary Report” is to be signed by the chair and by the faculty member. The signature of the faculty member represents merely an indication that the completed report has been reviewed with the faculty member by the chair and does not necessarily indicate concurrence with the report’s contents. The faculty

member's signature does not preclude the faculty member from appealing the summary rating report. A faculty member who fails to sign the "FES Summary Report" is ineligible for any merit increases based on productivity in the time period covered by the unsigned "FES Summary Report." The final score on the "FES Summary Report" will serve as the basis for recommendations to the dean for merit pay.

- 6.04 A faculty member may appeal his/her FES Summary Rating Report score to the chair and/or academic dean. The faculty member must submit in writing his/her rationale for the appeal accompanied by appropriate documentation. If not satisfied with the dean's decision, the faculty member may appeal to the Provost and Vice President for Academic Affairs. The decision of the Provost and Vice President for Academic Affairs is final.

APPROVED: 
Dana G. Hoyt, President


DATE: 10/10/18

CERTIFICATION STATEMENT

This academic policy statement (APS) has been approved by the reviewer(s) listed below and represents SHSU's Division of Academic Affairs' policy from the date of this document until superseded.

Original: March 17, 1982
Reviewer(s): Council of Academic Deans
Faculty Senate
Academic Affairs Council

Review Cycle: Five years*
Review Date: Fall 2019

Approved: 
Richard Eglsaer
Provost and Vice President
for Academic Affairs

Date: 10.10.18

*Effective January 2018, Academic Policy Statements will be reviewed on a rotating 5-year schedule. To transition to a distributed review load, some policies may be reviewed prior to the 5-year timeframe, with subsequent reviews transitioning to the 5-year schedule.

Attachment 1

FES SUMMARY REPORT

Teaching effectiveness ratings are weighted averages and should be recorded to the nearest tenth. Ratings by the students and chair should be weighted equally (each comprises 50% of the teaching activity score). The remaining activity areas are each to be evaluated as a whole. For example, scholarly and/or creative accomplishments (FES 3) should be evaluated and assigned an overall rating from 1 to 5. The weights for each of the categories vary depending upon each faculty member's normative teaching load as described in Table I.

Faculty Member's Workload Assignment (check one):

- Normative nine credit hours per semester
 Normative twelve credit hours per semester

FES Category	Rating	x	Weight	=	Score
1. Chair's Rating of Teaching Effectiveness	_____	x	_____	=	_____
2. Students' Rating of Teaching Effectiveness	_____	x	_____	=	_____
3. Scholarly and/or Creative Accomplishments	_____	x	_____	=	_____
4. Service	_____	x	_____	=	_____
Sum of Scores – FES 5					_____

* Weights for each category area are determined by referencing Table I of this policy.

The signatures below indicate only that the department/school chair and faculty member met to discuss the faculty member's annual evaluation pertaining to APS 820317 and does not necessarily indicate the faculty member's concurrence with the same.

Chair's Signature: _____

Faculty Member's Signature: _____

Date: _____

Attachment 2

FES 1 WORKSHEET

Chair's Rating of Faculty Teaching Effectiveness Worksheet

Faculty Member's Name: _____
Identification Number: _____ Date: _____

Using the guidelines in Section 2 of APS 820317 and/or the appropriate college/department/school criteria, please document evidence/rationale for the chair's rating of teaching effectiveness score listed below. The broad categories listed in Section 2.02 are reproduced for your convenience.

Professionalism

Content and Pedagogy

Other

Chair's Rating of Teaching Effectiveness: _____

Attachment 3

TABLE I: WEIGHTS FOR FACULTY EVALUATION

NORMATIVE TWELVE-CREDIT HOURS-PER-SEMESTER WORKLOAD

FES 1 Chair's Rating	FES 2 Students' Rating	FES 3 Scholarly and/or Creative Accomplishments	FES 4 Service
.25	.25	.25	.25

NORMATIVE NINE-CREDIT-HOURS-PER-SEMESTER WORKLOAD

FES 1 Chair's Rating	FES 2 Students' Rating	FES 3 Scholarly and/or Creative Accomplishments	FES 4 Service
.20	.20	.40	.20



1. GENERAL

This policy covers all clinical and community faculty at SHSU-COM and affiliated clinical sites to ensure timely review and updating of credentials to ensure qualifications are appropriate.

2. ACADEMIC CREDENTIALING FOR SHSU-COM FACULTY

2.01. All SHSU-COM faculty will complete and submit faculty new hire documents that include, but are not limited to: a Faculty Credentialing Review Form, Curriculum Vitae, Criminal Background Check, Official Transcripts, and Three (3) Letters of Recommendation. This process aligns with SACS-COC Credentialing Guidelines.

3. ADDITIONAL CREDENTIALING AND APPROVAL FOR CLINICIANS

3.01. All instruction at SHSU-COM or its affiliated clinical sites shall be conducted under the supervision of COM-approved faculty. SHSU-COM will credential and approve the faculty at all affiliated and educational teaching sites.

3.02. SHSU-COM shall ascertain that licensed practitioners have the necessary credentials to perform their clinical education roles. SHSU-COM shall collect, verify, and assess information related to their credentials, including current licensure and relevant training for academic and clinical roles.

Procedure Title: Credentialing

Corresponding Policy: SHSU-COM Credentialing Policy
COCA Standard/Element: COCA 7.2 – Approvals at All Teaching Sites

Effective: Upon Receiving Pre-Accreditation Status
Revised: October 4, 2018

Description:

SHSU-COM will confirm the academic qualifications of and provide academic appointments to all faculty providing teaching and assessment in its core curriculum.

Procedure Step/Task		Responsible Party
1.	SHSU-COM will identify in its syllabi and curricular documents all faculty assigned teaching and evaluation responsibilities for all courses.	Course Directors, Clinical Coordinators
2.	The Dean's Office will compile a roster of its assigned faculty at the beginning of each academic year to include those faculty providing learning experiences at affiliated teaching sites.	Associate Dean for Clinical Affairs; Associate Dean for Educational Affairs
3.	All clinicians not holding academic appointments will be notified and credentialing documents obtained as required by the faculty bylaws.	Office of the Dean SHSU-COM, SHSU Credentialing Specialist
4.	Credentials shall be submitted to the Dean's Office for processing and appointment to appropriate category and rank as defined in the faculty bylaws.	Office of the Dean SHSU-COM; Department Promotion and Tenure Advisory Committee (DPTAC)
5.	Faculty providing clinical care will be required to maintain a license to practice in the venue in which they are providing care, board certification or eligibility, and medical liability insurance.	Clinical Faculty