

POLICY: 9-5.5 REV: 4
DATE: SEPTEMBER 1, 1980

SUBJECT: FACULTY REGULATIONS - Chapter V - Sections 6, 7, 8 APPOINTMENTS, RETENTION, PROMOTION, AND TENURE

SECTION 6. RESIGNATIONS, REMOVALS, AND DISMISSALS

PURPOSE. WHILE ANY FACULTY MEMBER MAY BE DISMISSED FOR ADEQUATE CAUSE, IT IS IMPERATIVE THAT THE UNIVERSITY PROVIDE PROPER PROCEDURAL SAFEGUARDS SO AS TO INSURE THAT DISMISSAL PROCEEDINGS ARE CONDUCTED FAIRLY AND THAT THE DISMISSAL IS NOT A VIOLATION OF ACADEMIC FREEDOM. AT THE SAME TIME, IT IS ALSO IMPORTANT THAT A COMPETENT FACULTY MEMBER NOT BE FORCED TO RESIGN BECAUSE OF UNPROVEN RUMORS, UNSUPPORTED INSINUATIONS OF IMPROPER CONDUCT, OR OTHER UNFOUNDED EFFORTS TO DISCREDIT HIS OR HER TEACHING ABILITY OR RESEARCH. IT IS EQUALLY IMPORTANT FOR A FACULTY MEMBER TO GIVE REASONABLE ADVANCE NOTICE OF HIS OR HER PENDING RESIGNATION. SUCH NOTICE SHOULD BE GIVEN TO THE COGNIZANT DEPARTMENT CHAIRPERSON OR COLLEGE DEAN AT LEAST FOUR MONTHS IN ADVANCE OF THE DATE UPON WHICH THE RESIGNATION IS INTENDED TO BECOME EFFECTIVE.

PROCEDURES.

- A. THE PRESIDENT SHALL INFORM THE ACADEMIC SENATE OF RESIGNATIONS, WHETHER ROUTINE OR UNDER PROTEST, AND OF PROPOSED REMOVALS AND DISMISSALS. ROUTINE RESIGNATIONS SHALL BE REPORTED BY THE PRESIDENT TO THE SENATE AT ITS NEXT REGULAR MEETING.
- B. ANY FACULTY MEMBER SHALL HAVE THE RIGHT TO REQUEST THE REVIEW OF ANY RESIGNATION. EACH REQUEST FOR A REVIEW SHALL BE REFERRED TO THE ACADEMIC FREEDOM AND TENURE COMMITTEE. ALL PROTESTED RESIGNATIONS OR PROPOSED DISMISSALS OR REMOVALS SHALL BE REFERRED TO THIS COMMITTEE FOR INVESTIGATION AND STUDY. THE COMMITTEE PROCEDURES ARE DESCRIBED IN UNIVERSITY REGULATIONS, CHAPTER VII, SECTION 2 AND APPENDIX.
- C. THE PRESIDENT AND THE FACULTY MEMBER SHALL BE NOTIFIED IN WRITING OF THE COMMITTEE'S RECOMMENDATION, AND SHALL BE GIVEN A COPY OF THE RECORD OF THE HEARING. AN INFORMATION REPORT OF THE DECISION SHALL ALSO BE GIVEN TO THE ACADEMIC SENATE. IF THE PRESIDENT REJECTS THE REPORT, THE PRESIDENT SHALL STATE THE REASONS FOR DOING SO, IN WRITING TO THE ACADEMIC FREEDOM AND TENURE COMMITTEE AND TO THE FAULTY MEMBER, AND PROVIDE AN OPPORTUNITY FOR WRITTEN RESPONSE BEFORE TRANSMITTING THE CASE TO THE UNIVERSITY BOARD OF TRUSTEES. ACTION BY THE UNIVERSITY BOARD OF TRUSTEES IS GOVERNED BY UNIVERSITY REGULATIONS, CHAPTER VII, SECTION 3, THIRD PARAGRAPH.

SECTION 7. GRIEVANCES

- A. SHOULD DIFFERENCES ARISE BETWEEN MEMBERS OF THE ACADEMIC STAFF, THE FACULTY MEMBER WHO FEELS THAT HE/SHE HAS BEEN AGGRIEVED SHALL BE PRIVILEGED TO HAVE HIS/HER CASE REVIEWED BY THE APPROPRIATE ADMINISTRATIVE AUTHORITIES. THEREAFTER, THE FACULTY MEMBER SHALL HAVE THE RIGHT TO BRING THE MATTER TO THE ATTENTION OF THE ACADEMIC FREEDOM AND TENURE COMMITTEE, WHICH SHALL HAVE FULL POWER TO INVESTIGATE THE MATTER IN QUESTION, INCLUDING THE POWER TO APPOINT A SUBCOMMITTEE FOR THE PURPOSE OF BRINGING ABOUT A RECONCILIATION. THE COMMITTEE SHALL SUBMIT ITS REPORT AND RECOMMENDATIONS TO THE PRESIDENT. COPIES OF THE REPORT AND THE RECOMMENDATIONS SHALL BE SENT TO THE AGGRIEVED

MEMBER, THE EXECUTIVE OFFICERS CONCERNED, AND THE ACADEMIC SENATE.

- B. ANY OF THE PARTIES INVOLVED IN THE CONTROVERSY SHALL HAVE THE RIGHT TO APPEAL THE MATTER TO THE COMMITTEE ON ACADEMIC AFFAIRS OF THE BOARD OF TRUSTEES IF A SETTLEMENT OF THE CASE HAS NOT BEEN REACHED UNDER THE ABOVE PROCEDURES.
- C. THIS SECTION SHALL NOT BE APPLICABLE TO DIFFERENCES CONCERNING RETENTION, TENURE, OR PROMOTION. SEE FACULTY REGULATIONS, CHAPTER V, SECTION 4.

SECTION 8. REQUESTS FOR OPINIONS

THE PRESIDENT MAY REFER TO THE ACADEMIC SENATE ANY MATTERS CONCERNING ACADEMIC FREEDOM AND TENURE UPON WHICH THE PRESIDENT FEELS IT WOULD BE WELL TO HAVE AN OPINION. THE SENATE SHALL REFER SUCH MATTERS TO THE ACADEMIC FREEDOM AND TENURE COMMITTEE FOR INVESTIGATION AND STUDY. THE REPORT AND RECOMMENDATIONS OF THE COMMITTEE SHALL BE SUBMITTED TO THE PRESIDENT AND TO THE ACADEMIC SENATE.

APPROVED: UNIVERSITY SENATE 5/5/80; INSTITUTIONAL COUNCIL 5/12/80.