Commission on Faculty Affairs

RESOLUTION TO REVISE FACULTY HANDBOOK SECTION ON APPEAL OF PROBATIONARY NON-REAPPOINTMENT DECISION

CFA 2025-26A

Resolution Proposal Form Sent to University Council Cabinet	Date
First Reading by Commission	Date
Approval by Commission	Date
First Reading by Senate	Date
Approval by Senate	Date
Faculty Senate Comment	Date
Staff Senate Comment	Date
Administrative and Professional Faculty Senate Comment	Date
Graduate and Professional Student Senate Comment	Date
Jndergraduate Student Senate Comment	Date
First Reading, University Council	Date
Approved, University Council	Date
Approved, President	Date
Approved, Board of Visitors	Date
Effective Date	Upon Approval or Date

WHEREAS, The Faculty Handbook specifies all policies related to employment of faculty; and

WHEREAS, hiring decisions require multiple approvals considering budget, program needs, strategic priorities, and other factors; and

WHEREAS, dismissal for cause requires notification specifying the reason for non-renewal; and

WHEREAS, current policies for non-reappointment not related to dismissal for cause lack clarity; and

WHEREAS, academic leaders have the rightful authority to hire and dismiss faculty, importance of transparency Important of transparency but transparency in such decisions is important, especially when dismissals are for reasons other than performance;

NOW, THEREFORE, BE IT RESOLVED that the Faculty Handbook, section 3.5.1, be revised as shown below with changes noted in red.

3.5 Appeals of Decisions on Non-Reappointment, Tenure, or Promotion

(for *grievances* see Faculty Grievance Policy and Procedures in this chapter of the faculty handbook)

Appeal. A faculty member who is notified of a negative decision following an evaluation for a term reappointment during the probationary period per section Reviews of Progress Toward Promotion and/or Tenure in this chapter, for a tenured appointment, or for promotion may appeal for review of the decision under conditions and procedures specified in this section. The appellant has a right to an explanation of the reasons for the denial.

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3.5.1 Appeal of Probationary Non-Reappointment Decision

Faculty members on probationary term appointments should make no presumption of reappointment. Typically, the department head, chair, or school director with the advice of the department/school personnel committee or the faculty development committee determines non-reappointment. Notice of non-reappointment is furnished according to the schedule in chapter two of this handbook, "Retirement, Resignation, and Non-Reappointment."

If the non-reappointmentnegative decision is based on evaluation of the faculty member's performance, including perceived lack of potential for further professional development, the faculty member may appeal the decision to the dean of the college. If the dean sustains the departmental or school decision, the faculty member may request, through the dean, a further and independent review of the decision by the properly constituted college committee on promotion and tenure. The faculty member presents the appeal in writing as specified in chapter three of this handbook, "Appeals of Decisions on Reappointment, Tenure, or Promotion."

The faculty member has the right to appear before the committee to present arguments. The college committee makes a recommendation to the dean, who informs the faculty member of the committee's recommendation and the dean's subsequent decision. The dean's decision closes the appeal process, unless it varies from the college committee's recommendation, in which case the faculty member may appeal to the provost for a final decision. The provost's decision cannot be appealed.

The non-reappointment decision of a faculty member on a probationary term appointment may also be made for reasons other than the faculty member's performance, such as modification of programmatic emphasis, enrollment trends, or a change in the nature of the position. Such a non-reappointment must be approved by the appropriate dean and the provost unless the non-reappointment decision is being made by the provost. The provost's decision cannot be appealed.