

## Commission on Faculty Affairs

### RESOLUTION TO REVISE FACULTY HANDBOOK TO DEFER TENURE CASES WITH LEGAL ENTANGLEMENTS

#### CFA 2025-26B

Resolution Proposal Form Sent to University Council Cabinet	August 28, 2025
First Reading by the Commission on Faculty Affairs	November 14, 2025
Approval by the Commission on Faculty Affairs	December 12, 2025
First Reading by Faculty Senate	November 21, 2025
Approval by Faculty Senate	January 23, 2026
Staff Senate Comment	November 7, 2025
Administrative and Professional Faculty Senate Comment	December 5, 2025
Graduate and Professional Student Senate Waived Right to Comment	December 19, 2025
Undergraduate Student Senate Waived Right to Comment	December 19, 2025
First Reading, University Council	February 2, 2026
Approved, University Council	Date
Approved, President	Date
Approved, Board of Visitors	Date
Effective Date	Upon Approval

**WHEREAS**, Virginia Tech is committed to maintaining the integrity, fairness, and credibility of its promotion and tenure process; and

**WHEREAS**, the promotion and tenure process is designed to evaluate faculty members based on their academic and professional accomplishments, free from bias or extraneous influence; and

**WHEREAS**, faculty members who become involved in serious, unresolved legal matters may face circumstances that could unduly prejudice their review, deny them due process, or otherwise compromise the fairness of the process; and

**WHEREAS**, allowing the provost, with the approval of the president, to defer a recommendation in such cases provides a mechanism to protect both the individual faculty member and the integrity of the university's evaluative processes because cases will proceed to final consideration by the president and Board of Visitors only after the relevant legal matter has been fully resolved; and

**WHEREAS**, this policy addition reinforces Virginia Tech's commitment to academic integrity, procedural equity, and responsible stewardship of the promotion and tenure system;

**NOW, THEREFORE, BE IT RESOLVED** that the Faculty Handbook, section 3.4.5, be revised as shown below with changes noted in **red**.

## CHAPTER THREE: TENURE-TRACK AND TENURED FACULTY

### 3.4.5 University Evaluation for Promotion and Tenure

For more information, consult [Promotion and Tenure](#).

**University Promotion and Tenure Committee Composition.** The University Promotion and Tenure Committee is appointed and chaired by the provost. The committee is composed of the college deans, a tenured faculty representative from each college, a tenured faculty member at-large, and the provost. The faculty subcommittee of the University Promotion and Tenure Committee includes the college faculty representatives plus the faculty member-at-large. The provost, who is a non-voting member, chairs both the full committee and faculty subcommittee. The vice provost for faculty affairs serves as resource and scribe for committee deliberations.

Significant elements of faculty choice must be part of the selection of the faculty subcommittee; therefore, each college faculty, through means deemed suitable by them, nominates two faculty members for each vacancy, from which the provost selects one. The Faculty Senate nominates two faculty members for the at-large appointment, from which the provost selects one. The selection of the faculty members should be based on demonstrated professional excellence. The faculty members of the committee hold rotating terms of three years. Regardless of the size of the committee, the faculty must always have a majority of the potential votes.

**University Promotion and Tenure Committee Evaluation of Candidate.** The committee reviews the qualifications of each candidate recommended for promotion and/or tenure by the college committee and/or the dean.

The purpose of the review is to verify that the recommendations for promotion and/or tenure are consistent with the evidence, reflect university wide standards, and conform to the university's expectations of the candidate's future success.

The faculty subcommittee initially discusses all the cases with the provost in attendance. Committee members provide a brief summary of the cases from their college to begin the committee discussion, though they are not expected to champion or defend cases. After the discussions with the provost, the faculty subcommittee must be given a period of time to discuss the cases in the absence of the provost and all other university-level personnel. The provost then rejoins the subcommittee and asks the faculty to rate the cases to identify those they would like to discuss further with the deans. Deans are informed of which cases the faculty subcommittee would like to discuss further and the specific concerns the subcommittee has in each case.

The full committee then convenes. The deans present information based on faculty subcommittee concerns. The committee then rates the cases to clarify which cases require further discussion. Deans abstain from rating the candidates in their colleges, as the dean's statement, which is included in the dossier, serves as their estimation of the case's strength. The provost shares the result of the rating, after which the full committee discusses the cases. The committee adjourns and reflects upon the group discussion.

Upon reconvening, the provost invites committee members to comment on any case. The full committee then votes, with deans abstaining from voting on any candidates from their colleges. Similarly, faculty members serving on the committee do not vote on any case on which they previously voted.

The vote must occur using a secret ballot. Though the provost shares the result of the vote with the committee, committee members must keep the results confidential. The majority vote of the committee reflects either a positive or negative recommendation to the provost. A tie vote is considered a negative recommendation.

Following the committee's recommendation on each candidate to the provost, the provost makes recommendations to the president, informing the committee of those recommendations, including the basis for any non-concurrence with committee recommendations. The provost informs the president of any variation between the provost's recommendations and those of the committee.

In certain cases involving a faculty member who is the subject of an unresolved legal matter, the faculty member may request that the provost defer making a recommendation to the president. If the provost agrees that deferral is warranted, the recommendation to the president will be deferred for increments of one year. If the provost declines the request, a recommendation to the president is made. If the case is deferred, the provost shall make a recommendation to the president as soon as practicable after the legal matter has been fully resolved, and the case shall then be brought forward to the Board of Visitors for its consideration, as appropriate. The provost's decision on deferment is final.

The president makes recommendations to the Board of Visitors from among those candidates reported by the provost, with the Board of Visitors being responsible for the final decision.

The provost notifies the appropriate dean of any negative decision reached by the provost, the president, or the Board of Visitors. The dean, when notifying the faculty member in writing, notes appeal options.



**Staff Senate Comments**  
**CFA Resolution 2025-26B**  
**November 7<sup>th</sup>, 2025**

Staff Senate has reviewed CFA 2025-26 and has the following questions and comments.

Commission Member 1 asks “What if the unresolved legal matter was in no way the fault of the faculty member- according to this change they would not be allowed to proceed with tenure process and get the required recommendations until the issue is fully resolved-that could push back their promotion by a year or more-maybe two and it does not sound like they would have any recourse. To me, this could be a big setback for a faculty who at no fault of their own became drawn into an unresolved, serious legal matter. Would the CFA consider wording that the faculty could ask to be considered for tenure/promotion even though the matter is not resolved?”

Commission Member 2 commented “Deferring the P&T process during other legal proceedings seems like something we should already have rules for! This addition sounds good to me.”

Staff Senate has no further comments or questions.

Thank you,

Gabe Petry, Chair, Staff Senate Policies and Issues Committee



## AP Faculty Senate Comments

### CFA 2025-26B - Resolution to Revise Faculty Handbook to Defer Tenure Cases with Legal Entanglements

December 5, 2025

The A/P Faculty Senate Polices and Issues Committee has reviewed and approves/endorses CFA 2025-26B - Resolution to Revise Faculty Handbook to Defer Tenure Cases with Legal Entanglements.