

## Procedure Title: Termination of Tenured Faculty for Cause

**Impact:** Employees

**Responsibility:** Tenure Committee

**Effective Date:** 06/26/02

**Last Update:** 10/27/10

**Relates to Policy:** 3.02.32

**Legal Citation(s):**

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The Procedure for terminating tenured faculty for cause is as follows.

- A. The Chief Academic Officer (CAO) will notify the faculty member, immediate supervisor, the chair of the Tenure Committee, and the president in writing of the recommendation for termination. The CAO will document the date of delivery of the notice which will be accomplished by hand delivery or via the U.S. mail.
- B. The notice will contain the detailed reasons for recommendation of termination and will contain a statement of the faculty member's right to appeal.
- C. Within fifteen (15) calendar days of service of a recommendation for termination, the tenured faculty member may request a hearing before a five (5) member Review Panel whose membership is determined per the associated policy. Membership on the Review Panel will be by appointment, with the vice president member appointed by the president, the non-supervising dean or other non-supervising administrator appointed by the president, and the faculty representatives appointed by the Tenure Committee. The Review Panel will select a member to serve as chair. The faculty member's hearing request must be:
  - i. In writing;
  - ii. Served upon both the director of Human Resources and the CAO, by hand delivery or U.S. mail, with the date of transmittal documented by the faculty member,
  - iii. Accompanied by the faculty member's written response, if any, to the allegations, and
  - iv. Accompanied by relevant documents, if any, relating to the recommendation for termination.
- D. Within ten (10) working days of receipt of the faculty member's request for hearing, the director of Human Resources, or designee, shall notify each panel member of the hearing request and shall provide the panel with the documentation received from the faculty member and any documentation received from the CAO supporting the recommendation.
- E. If the faculty member does not request a hearing as set forth above, the CAO shall notify the president that the recommendation for termination is uncontested.

- F. Between ten (10) and (20) twenty calendar days of the receipt of notification from the director of Human Resources, the chair of the Review Panel will convene a hearing. The CAO and the faculty member will present such witnesses and documentary evidence as they believe bear on the recommendation for termination.
- G. Within ten (10) calendar days of the completion of the hearing, the chair of the Review Panel will make a recommendation to the president either for continuance of employment and reinstatement to full duties with or without remediation, or for termination. The recommendation shall be in writing and served upon the CAO, the faculty member, and the president.
- H. Within fifteen (15) calendar days of receipt of notice that a hearing has not been requested (Paragraph V), or the receipt of a recommendation from the Review Panel (Paragraph VII), the president will notify the faculty member that he or she has an opportunity to be heard separately by the president before any decision is made. The faculty member will have three (3) calendar days to contact the Office of the President in writing to request a meeting. If the faculty member requests a meeting with the president, the president will convene a meeting with the faculty member within (15) calendar days.
- I. Within thirty (30) calendar days of the latter of (1) the president's receipt of notice that a hearing has not been requested by the faculty member (Paragraph V), (2) the conclusion of a requested hearing, or (3) the president's receipt of a recommendation from the Review Panel (Paragraph VII), the president shall make a decision based on a preponderance of all of the evidence considered. The president's decision is final, without further appeal. The president's determination shall be issued in writing and served by hand delivery or certified mail upon the CAO, the chair of the Tenure Committee, and the faculty member.