

FACULTY SENATE MINUTES

February 2, 2017

Call to order: A regular meeting of the Faculty Senate of the University of North Alabama was held in room 330 of the University Commons on February 2, 2017. The meeting convened at 3:30 p.m. with President David Brommer presiding.

Proxies: President Brommer recognized the following proxies: Walt Aldridge for David Ruebhausen from Entertainment Industry; Alejandra Alvarado-Brizuela for Scott Infanger from Foreign Languages; Sarah Franklin for George Makowski from History; Kristy Oden for Michelle Nelson from Nursing, Online; and Jason Watson for Shane Banks Computer Science & Information Systems.

Members in attendance: Doug Barrett, David Brommer, Daryl Brown, Amy Butler, Lisa Clayton, Amanda Coffman, Katherine Crisler, Sarah Franklin, Leah Graham, Mark Greer, Clarissa Hall, Dan Hallock, Felecia Harris, Keith Jones, Ian Loepky, Glenn Marvin, John McGee, Rachel McKelvey, Janet McMullen, Prema Monteiro, Jeffrey Ray, Alaina Reid, Lee Renfroe, Craig Robertson, Patricia Roden, Richard Statom, Daniel Stevens, Jessica Stovall, Alexander Takeuchi, Karen Townsend, and Ryan Zayac. President Kitts and Vice President Thornell were also in attendance.

Members not in attendance (without proxy): Rae Atencio, Lisa Kirch, Katie Owens-Murphy, and Rachel Winston.

Approval of agenda: Richard Statom moved approval of the agenda. Doug Barrett seconded the motion. The motion passed.

Approval of minutes: Doug Barrett moved approval of the minutes of the January 12, 2017 meeting. Richard Statom seconded the motion. The motion passed.

Remarks from President Kitts: President Kitts reported on the Board of Trustees meeting held February 2. At this meeting the Board took action on two items. They passed a resolution to change the name of the Human Environmental Sciences department to the Connie D. McKinney Department of Human Sciences, Hospitality, and Design. They also provided approval for the purchase of the Off-Campus Bookstore. The College of Business will relocate the COB Generator from its off-campus location to this building.

President Kitts discussed the Administrative Open Forum. With attendance of 104, the turnout was modest. For future forums, he may look for a more modest venue. He may also attempt to restructure the event. He will work with campus leaders to discuss how this could work.

He also talked briefly about enrollment and the upcoming legislative session in Montgomery. The spring census date for enrollment is February 3. It looks like enrollment numbers will be close to the numbers used for budgeting. A new legislative session will begin on February 7. President Kitts says that the local delegation is hearing that the Education Trust Fund will be in relatively good shape compared to the General Fund. There is some concern that an attempt to fully fund a program for dependents of disabled veterans could have a major impact on the trust fund.

Remarks from Vice-President Thornell: Vice-President Thornell reminded the Senate of the upcoming Best Practices in Experiential Learning Conference on February 3. He talked about the importance of this type of learning and encouraged faculty to incorporate it into their courses.

Reports:

Academic Affairs Committee: The committee requested a postponement of the course evaluation to the March meeting. President Brommer granted the request.

Faculty Affairs Committee: Faculty Affairs report is covered under new business.

Faculty Attitude Survey Committee: The committee reported that the survey will be released in the next few weeks.

Unfinished Business:

Grievance Policy Proposal: The motion to approve was postponed at last meeting. The question was called, and the motion passed unanimously. See Attachment A.

Revisions to Section 2.5 of the Faculty Handbook – Policies on Promotion and Tenure: The motion to approve the changes that was previously postponed was discussed. Leah Graham proposed the amendment included in Attachment B. The Senate agreed to this amendment by acclamation. Richard Statom moved to change the number of tenured faculty required on the peer committee to three. Amy Butler seconded the motion. The motion failed with a vote of 7-20-2. The Senate voted to approve the policy with revisions agreed upon by acclamation. These revisions can be found in Attachment C. The final version of the policy as edited at the meeting can be found in Attachment D.

Information Items:

Next Meeting: The next meeting of the Senate will be on March 2 at 3:30 p.m. in Commons Room 330.

Adjournment: Richard Statom moved adjournment. Doug Barrett seconded the motion. The motion passed. The meeting adjourned at 4:48 p.m.

Amy Butler
Secretary
Faculty Senate

Date of Approval: March 2, 2017



Date: August 18, 2016

To: Dr. Scott Infanger
Chair, Shared Governance Executive Committee

From: Amber Fite-Morgan, University Attorney
Catherine D. White, Assistant Vice President for Human Resources

CPW
CLEM

RE: Proposed Revisions to the Grievance and Due Process Policy

The first Due Process Hearing in over a decade took place on campus at the close of the Fall semester. Subsequently, the faculty members who served on the Due Process Committee made a recommendation that the Grievance and Due Process procedures be reviewed and revised based on their concerns that the current policy was outdated, vague, and left the procedures open to interpretation.

Based on the committee's recommendation, we reviewed applicable federal and state laws, policies of other universities, as well as relevant information from the American Association of University Professors. The following is a brief, noninclusive summary of the recommended changes to the Grievance and Due Process Policy:

- Based on best practices at institutions of higher education, the grievance portion was extracted from the due process portion, creating two distinct policies. The proposed grievance portion is attached and is applicable to both faculty and staff.
- Built clarity and structure into the procedures.
- Added a reference to the University Ombudsman as a resource in the informal process.

Please find attached two versions of the proposed new Grievance Policy, one with comments and tracked changes and one in the final proposed version. In addition, the current Grievance and Due Process Policy is attached.

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Equal Opportunity / Equal Access Institution

Grievance Policy

GRIEVANCES

A grievance is a complaint directed against another member or organization of the university community or against the University--including the departments, divisions, and schools thereof--alleging improper, arbitrary, or discriminatory application of university rules, regulations, standards, practices, and/or procedures relating to the conditions of employment, or to other circumstances giving proper grounds for complaint. Grievance procedures do not apply to actions involving disciplinary suspension, , dismissal, or other termination of employment for cause. For such actions reference is made to the procedures under the Due Process Policy (insert link when finalized).

Informal procedures

A grievance must be filed within fourteen (14) days* of the event(s) that lead to the grievance. A grievant first must seek resolution or redress of the grievance informally through the established administrative channels beginning, according to the grievant's classification and to the nature of the grievance, with the official at the first or immediate level of authority, and, if required, continuing in the chain of authority to the next higher level. The complaint of a faculty member normally will be directed to the department head/director with continuation in line to the Vice President for Academic Affairs and Provost (VPAA); for staff, to the immediate supervisor/director and appropriate Executive Council member with continuation in line to the Assistant Vice President for Human Resources (AVPHR). Following a thorough review of all information presented including discussions with all parties involved, the VPAA or AVPHR should provide a written response to the grievant at the completion of the process.

At any point during the informal process, the grievant may seek resolution with the [University Ombudsman](#).

Formal hearing

If, after exhausting recourse through informal procedures, the grievant still feels that a satisfactory remedy or relief has not been provided, the grievant may request a formal hearing within fourteen (14) days* of receipt of the response from the VPAA or AVPHR. The request shall be directed to the President of the University in writing and shall bear the grievant's name, current address, and telephone number; a clear statement of the nature of the grievance and the facts supporting it; the remedy or relief sought; the date; and the grievant's signature.

On receipt of the grievant's request, the President shall proceed to the establishment of a proper Grievance Committee to hear the case, as provided for under Grievance Committees below and shall give the grievant not less than seven (7) days'* advance notice as to the date, time, and place set for the hearing.

GRIEVANCE COMMITTEE

On proper request for a hearing, as hereinafter provided, the President of the University shall establish for grievance hearings an ad hoc committee of three persons. The committee shall be composed of university personnel appointed by the President, according to the classification of the person initiating the request, as follows:

Committee Composition: Committees shall be composed as follows:

University Faculty: from the list of nine (9) nominees established for such purposes by the Faculty Senate at the beginning of each academic year. Staff: from among members of the university staff including recommendations from Staff Senate.

Committee Selection: Toward assuring a full and impartial hearing strictly on the merits of the case, due regard shall be given to appointment to committees of persons with appropriate expertise and without bias or direct interest in the outcome, to provision for peer representation where relevant, and to adherence to hearing procedures. Persons appointed to grievance committees who deem themselves disqualified by reasons of bias or interest may be excused. The grievant or accused shall have the right of challenge of committee appointments for cause and if in the judgment of the President a challenge is supported by adequate grounds, the member so challenged shall be excused. The President shall appoint replacements for members excused until a proper committee is established. The President shall designate one member of the committee to act as chair or may appoint an additional ex officio nonvoting member to act as chair. The committees may adopt supplemental rules and regulations for their governance and operation which are not in conflict with this resolution.

Functions of the Grievance Committee: The Committee or Committee Chair may confer with the grievant prior to the hearing to schedule witnesses, provide for the exchange of documents, and achieve other appropriate objectives to make the procedures fair, effective, and expeditious. In the hearing, the Committee may question the grievant and the witnesses presented by the grievant, may call such witnesses and examine such documents as it considers necessary, and shall keep a record of the hearing such as a recording or transcript from a court reporter.

The Committee's role is to investigate the complaint as presented to the Committee by the grievant, to obtain all the facts in the dispute, and to come to a conclusion as to whether or not the grievant has just cause for complaint. In grievances which are contractual in nature, the Committee's role is to determine whether or not the grievant has had all the benefits of the procedures afforded by the grievant's contract and the rules and regulations of the University, school, and department, and whether or not the decision which forms the basis for the complaint was the result of adequate consideration in terms of the relevant standards of the University, school, and department. It is not within the scope of the Committee to make judgments on the professional qualifications of the grievant, such being the responsibility of the administrators within the concerned department, school, and the University. The Committee shall be guided in its decisions only by the evidence presented at the hearing.

Grievance hearing procedures: A grievance hearing is not an administrative due process hearing and therefore does not include all of those procedures provided for in due process hearings; neither do formal rules of evidence apply. The hearing shall be confidential and only those persons concerned should be included in the hearing.

Rights and responsibilities of the grievant: It is the responsibility of the grievant to present all the facts and to prove the merits of the grievance. To this end the grievant shall state the grievance with specificity, shall be allowed to present witnesses and documents on the grievant's behalf, and to examine any other witnesses and documents presented. The grievant shall not be represented by counsel but may have the assistance of an adviser of his/her choice from among personnel of the university community.

The Committee's report and final action: Upon conclusion of the hearing, the Grievance Committee shall prepare a report summarizing the evidence and rendering its conclusions. Copies of the report shall be sent to the President. Within fourteen (14) days* of the receipt of the report, the President, giving due weight to the report of the Committee, shall render a decision and so notify the grievant. The President's action shall be final, except that a grievant may appeal adverse findings to a subcommittee of the Board of Trustees.

It is at the discretion of the President whether or not a formal hearing is granted; the President reserves the right to remand the grievance to alternative forms of resolution.

*Excludes weekends, University recognized holidays, and periods during which the University is closed.

*Approved by the Board of Trustees, 12/04/1992
Proposed Changes to Shared Governance, Fall 2016*

Grievance and Due Process Procedures Policy

GRIEVANCES

A grievance is a complaint directed against another member or organization of the university community or against the University--including the departments, divisions, and schools thereof--alleging improper, arbitrary, or discriminatory application of university rules, regulations, standards, practices, and/or procedures relating to the conditions of employment or enrollment, or to other circumstances giving proper grounds for complaint. Grievance procedures do not apply to actions involving disciplinary suspension, expulsion, dismissal, or other termination of employment or enrollment for cause. For such actions reference is made to the procedures under the "Due Process Policy (insert link when finalized)" below.

Informal procedures

A grievance must be filed within fourteen (14) days* of the event(s) that lead to the grievance. A grievant first must seek resolution or redress of the grievance informally through the established administrative channels beginning, according to the grievant's classification and to the nature of the grievance, with the official at the first or immediate level of authority, and, if required, continuing in the chain of authority to the next higher level. For university employees, the complaint of a faculty member normally will be directed to the department head/director with continuation in line to the Vice President for Academic Affairs and Provost (VPAA); for nonfaculty staff, to the immediate supervisor/director and appropriate Executive Council member with continuation in line to the or to the Director of Human Resources and Affirmative Action/Vice President for Human Resources (AVPHR) with continuation in line to the appropriate vice president. Following a thorough review of all information presented including discussions with all parties involved, the VPAA or AVPHR should provide a written response to the grievant at the completion of the process.

For students, a complaint involving services or activities normally will be directed to the appropriate director/officer of the service or activity with continuation in line to the Vice President for Student Affairs and University Counsel; on a complaint involving academic or instructional matters, to the academic department head with continuation in line to the Vice President for Academic Affairs and Provost. Complaint by an applicant who has been denied admission to the University will be directed to the Dean of Enrollment Services with continuation in line to the Vice President for Academic Affairs and Provost. Complaint by an applicant who has been denied employment at the University will be directed, for applicants to faculty positions, to the Vice President for Academic Affairs and Provost; for applicants to nonfaculty staff positions, to the Director of Human Resources and Affirmative Action with continuation in line to the Vice President for Business Affairs. At any point during the informal process, the grievant may seek resolution with the University Ombudsman.

Formal hearing

If, after exhausting recourse through established administrative channels/informal procedures, the grievant still feels that a satisfactory remedy or relief has not been provided, the grievant may request a formal hearing within fourteen (14) days* of receipt of the response from the VPAA or AVPHR. The request shall be directed to the President of the University in writing and shall bear the grievant's name, current address, and telephone number; a clear statement of the nature of the grievance and

the facts supporting it; the remedy or relief sought; the date; and the grievant's signature.

On receipt of the grievant's request, the President shall proceed to the establishment of a proper Grievance Committee to hear the case, as provided for under Grievance and Due Process Committees above/below and shall give the grievant not less than seven (7) days' advance notice as to the date, time, and place set for the hearing.

GRIEVANCE COMMITTEE

On proper request for a hearing, as hereinafter provided, the President of the University shall establish for grievance hearings an ad hoc committee of three persons. The committee shall be composed of university personnel appointed by the President, according to the classification of the person initiating the request, as follows:

Committee Composition: Committees shall be composed as follows:

University Faculty: from the list of nine (9) nominees established for such purposes by the Faculty Senate at the beginning of each academic year. Staff: from among members of the university staff including recommendations from Staff Senate.

Committee Selection: Toward assuring a full and impartial hearing strictly on the merits of the case, due regard shall be given to appointment to committees of persons with appropriate expertise and without bias or direct interest in the outcome, to provision for peer representation where relevant, and to adherence to hearing procedures. Persons appointed to grievance committees who deem themselves disqualified by reasons of bias or interest may be excused. The grievant or accused shall have the right of challenge of committee appointments for cause and if in the judgment of the President a challenge is supported by adequate grounds, the member so challenged shall be excused. The President shall appoint replacements for members excused until a proper committee is established. The President shall designate one member of the committee to act as chair or may appoint an additional ex officio nonvoting member to act as chair. The committees may adopt supplemental rules and regulations for their governance and operation which are not in conflict with this resolution.

Functions of the Grievance Committee: The Committee or Committee Chair may confer with the grievant prior to the hearing to schedule witnesses, provide for the exchange of documents, and achieve other appropriate objectives to make the procedures fair, effective, and expeditious. In the hearing, the Committee may question the grievant and the witnesses presented by the grievant, may call such witnesses and examine such documents as it considers necessary, and shall keep a record of the hearing such as a recording or transcript from a court reporter.

The Committee's role is to investigate the complaint as presented to the Committee by the grievant, to obtain all the facts in the dispute, and to come to a conclusion as to whether or not the grievant has just cause for complaint. In grievances which are contractual in nature, the Committee's role is to determine whether or not the grievant has had all the benefits of the procedures afforded by the grievant's contract and the rules and regulations of the University, school, and department, and whether or not the decision which forms the basis for the

complaint was the result of adequate consideration in terms of the relevant standards of the University, school, and department. It is not within the scope of the Committee to make judgments on the professional qualifications of the grievant, such being the responsibility of the administrators within the concerned department, school, and the University. The Committee shall be guided in its decisions only by the evidence presented at the hearing.

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Grievance hearing procedures: A grievance hearing is not an administrative due process hearing and therefore does not include all of those procedures provided for in due process hearings; neither do formal rules of evidence apply. The hearing shall be confidential and only those persons concerned should be included in the hearing.

Functions of the Grievance Committee: The Committee or Committee Chair may confer with the grievant prior to the hearing to schedule witnesses, provide for the exchange of documents, and achieve other appropriate objectives to make the procedures fair, effective, and expeditious. In the hearing, the Committee may question the grievant and the witnesses presented by the grievant, may call such witnesses and examine such documents as it considers necessary, and shall keep a record of the hearing.

The Committee's role is to investigate the complaint as presented to the Committee by the grievant, to obtain all the facts in the dispute, and to come to a conclusion as to whether or not the grievant has just cause for complaint. In grievances which are contractual in nature, the Committee's role is to determine whether or not the grievant has had all the benefits of the procedures afforded by the grievant's contract and the rules and regulations of the University, school, and department, and whether or not the decision which forms the basis for the complaint was the result of adequate consideration in terms of the relevant standards of the University, school, and department. It is not within the scope of the Committee to make judgments on the professional qualifications of the grievant, such being the responsibility of the administrators within the concerned department, school, and the University. The Committee shall be guided in its decisions only by the evidence presented at the hearing.

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Rights and responsibilities of the grievant: It is the responsibility of the grievant to present all the facts and to prove the merits of the grievance. To this end the grievant shall state the grievance with specificity, shall be allowed to present witnesses and documents on the grievant's behalf, and to examine any other witnesses and documents presented. The grievant shall not be represented by counsel but may have the assistance of an adviser of his/her choice from among personnel of the university community.

The Committee's report and final action: Upon conclusion of the hearing, the Grievance Committee shall prepare a report summarizing the evidence and rendering its conclusions. Copies of the report shall be sent to the President and to the grievant. Within fourteen (14) days* of the receipt of the report, the President, giving due weight to the report of the Committee, shall render a decision and so notify the grievant. Should the President's decision be inconsistent with the report of the Committee, the President shall state his reasons to the grievant and to the Committee. The President's

action shall be final, except that a grievant may appeal adverse findings reversed or modified decision to a subcommittee of the Board of Trustees.

It is at the discretion of the President whether or not a formal hearing is granted; the President reserves the right to remand the grievance to alternative forms of resolution.

*Excludes weekends, University recognized holidays, and periods during which the University is closed.

GRIEVANCE AND DUE PROCESS COMMITTEES

On proper request for a hearing, as hereinafter provided, the President of the University shall establish for grievance hearing an ad hoc committee of three persons and for a due process hearing an ad hoc committee of five persons. The committees shall be composed of university personnel appointed by the President, according to the classification of the person initiating the request, as follows:

- **University Faculty:** from among tenured members of the university faculty, with not more than one member for a grievance committee or two members for a due process committee also holding administrative appointment.
- **Non-Faculty Staff:** from among members of the university faculty and non-faculty staff;
- **Students:** from among members of the university faculty, non-faculty staff, and students.

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Toward assuring a full and impartial hearing strictly on the merits of the cases, due regard shall be given to appointment to committees of persons with appropriate expertise and without bias or direct interest in the outcome, to provision for peer representation where relevant, and to adherence to hearing procedures. In making committee appointments, the President may seek nominations from representative organizations such as, respectively, the Faculty Senate, and the Student Government Association. In cases involving a member of the university faculty as grievant or accused, the President shall, if so petitioned by the faculty member in the formal request for a hearing, make the committee appointments from the appropriate list of nominees established for such purposes by the Faculty Senate at the beginning of each academic year, one list to consist of nine nominees for grievance committees and one list to consist of fifteen nominees for due process committees. Persons appointed to grievance or due process committees who deem themselves disqualified by reasons of bias or interest may be excused. The grievant or accused shall have the right of challenge of committee appointments for cause and if in the judgment of the President a challenge is supported by adequate grounds, the member so challenged shall be excused. The President shall appoint replacements for members excused until a proper committee is established. The President shall designate one member of the committee to act as chair or may appoint an additional ex-officio nonvoting member to act as chair. The committees may adopt supplemental rules and regulations for their governance and operation which are not in conflict with this resolution.

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GRIEVANCES

~~A grievance is a complaint directed against another member or organization of the university community or against the University, including the departments, divisions, and schools thereof alleging improper, arbitrary, or discriminatory application of university rules, regulations, standards, practices, and/or procedures relating to the conditions of employment or enrollment, or to other circumstances giving proper grounds for complaint. Grievance procedures do not apply to actions involving suspension, expulsion, dismissal, or other termination of employment or enrollment for cause. For such actions reference is made to the procedures under "Due Process", below.~~

~~Informal procedures:~~

~~A grievant first must seek resolution or redress of the grievance informally through the established administrative channels beginning, according to the grievant's classification and to the nature of the grievance, with the official at the first or immediate level of authority, and, if required, continuing in the chain of authority to the next higher level. For university employees, the complaint of a faculty member normally will be directed to the department head/director with continuation in line to the Vice President for Academic Affairs and Provost; for nonfaculty staff, to the immediate supervisor/director or to the Director of Human Resources and Affirmative Action with continuation in line to the appropriate vice president. For students, a complaint involving services or activities normally will be directed to the appropriate director/officer of the service or activity with continuation in line to the Vice President for Student Affairs and University Counsel; on a complaint involving academic or instructional matters, to the academic department head with continuation in line to the Vice President for Academic Affairs and Provost. Complaint by an applicant who has been denied admission to the University will be directed to the Dean of Enrollment Services with continuation in line to the Vice President for Academic Affairs and Provost. Complaint by an applicant who has been denied employment at the University will be directed, for applicants to faculty positions, to the Vice President for Academic Affairs and Provost; for applicants to nonfaculty staff positions, to the Director of Human Resources and Affirmative Action with continuation in line to the Vice President for Business Affairs.~~

~~Formal hearing~~

~~If, after exhausting recourse through established administrative channels, the grievant still feels that a satisfactory remedy or relief has not been provided, the grievant may request a formal hearing. The request shall be directed to the President of the University in writing and shall bear the grievant's name, current address, and telephone number; a clear statement of the nature of the grievance and the facts supporting it; the remedy or relief sought; the date; and the grievant's signature.~~

~~On receipt of the grievant's request, the President shall proceed to the establishment of a proper Grievance Committee to hear the case, as provided for under Grievance and Due Process Committees above and shall give the grievant not less than seven days' advance notice as to the date, time, and place set for the hearing.~~

~~Grievance hearing procedures: A grievance hearing is not an administrative due process hearing and therefore does not include all of those procedures provided for in due process hearings; neither do formal rules of evidence apply. The hearing shall be confidential and only those persons concerned should be included in the hearing.~~

~~Functions of the Grievance Committee: The Committee or Committee Chair may confer with the grievant prior to the hearing to schedule witnesses, provide for the exchange of documents, and achieve other appropriate objectives to make the procedures fair, effective, and expeditious. In the hearing, the Committee may question the grievant and the witnesses presented by the grievant, may call such witnesses and examine such documents as it considers necessary, and shall keep a record of the hearing.~~

~~The Committee's role is to investigate the complaint as presented to the Committee by the grievant, to obtain all the facts in the dispute, and to come to a conclusion as to whether or not the grievant has just cause for complaint. In grievances which are contractual in nature, the Committee's role is to determine whether or not the grievant has had all the benefits of the procedures afforded by the grievant's contract and the rules and regulations of the University, school, and department, and whether or not the decision which forms the basis for the complaint was the result of adequate consideration in terms of the relevant standards of the University, school, and department. It is not within the scope of the Committee to make judgments on the professional qualifications of the grievant, such being the responsibility of the administrators within the concerned department, school, and the University. The Committee shall be guided in its decisions only by the evidence presented at the hearing.~~

~~Rights and responsibilities of the grievant: It is the responsibility of the grievant to present all the facts and to prove the merits of the grievance. To this end the grievant shall state the grievance with specificity, shall be allowed to present witnesses and documents on the grievant's behalf, and to examine any other witnesses and documents presented. The grievant shall not be represented by counsel but may have the assistance of an adviser of his choice from among personnel of the university community.~~

~~The Committee's report and final action: Upon conclusion of the hearing, the Grievance Committee shall prepare a report summarizing the evidence and rendering its conclusions. Copies of the report shall be sent to the President and to the grievant. Within 14 days of the receipt of the report, the President, giving due weight to the report of the Committee, shall render a decision and so notify the grievant. Should the President's decision be inconsistent with the report of the Committee, the President shall state his reasons to the grievant and to the Committee. The President's action shall be final, except that a grievant may appeal a reversed or modified decision to a subcommittee of the Board of Trustees.~~

DUE PROCESS

~~To assure the protection of individual rights and due process in actions involving the suspension, dismissal, or other termination for cause of university employees, the following procedures may be invoked by written request of the affected employee:~~

Due process procedures

~~Initiation of action: Any person may call to the President's attention in any reasonable manner directly or through channels any conduct or circumstance of any member of the university community thought to be violative of university rules or regulations or otherwise to merit action involving suspension, dismissal, or other termination for cause. The President, of his own volition, may investigate any such conduct or~~

circumstance. If, after investigation, the President is of the opinion that such action should be taken, he shall give the person so accused or affected proper notice of the action proposed:

Notice of proposed action: The President's notice to the accused of the action proposed shall be in writing by certified or registered mail or by such other appropriate means as may provide delivery and proof of receipt. The notice also shall contain:

a statement of the charges or conditions supporting the action proposed; notice of the accused's right to a full and fair hearing before a Due Process Committee; notice that such hearing shall be afforded only if requested in writing within ten days from the date of receipt of the Notice of Proposed Action, and that, if such request for a hearing is not received within this time limit, the right to a hearing shall be deemed to have been waived and the proposed action shall be imposed therewith or as specified in the notice; and information as to where a copy of the hearing procedures may be obtained.

Due process hearing: If proper request for a hearing is made, the hearing shall be afforded not sooner than 14 or later than 21 days from the date of receipt of the request, unless, by mutual agreement, other time limits are established by written agreement. On receipt of the request, the President shall proceed with the establishment of an appropriate Due Process Committee (as provided for under Grievance and Due Process Committees, above), informing the accused of the names of the members and providing reasonable opportunity and time for exercise of the rights of challenge. When a proper Due Process Committee is established, the accused shall be notified in writing of the date, time, and place set for the hearing at least seven days before the hearing. The notice shall contain the names of the witnesses and a summary of the nature of the testimony and evidence to be presented against the accused, and the accused and/or the accused's representative shall be permitted to inspect, at least three days in advance of the hearing, any affidavits or exhibits the University intends to submit at the hearing. However, the foregoing shall not prevent the presentation of evidence or testimony by the University that has not been disclosed to the accused, provided the University has good cause or justification for failure to disclose. The President shall designate an appropriate person or persons to present the case for the University.

Not later than three days before the hearing, the accused shall present to the University or its attorney a list of the names, addresses, and telephone numbers of all witnesses expected to be called to testify and the nature of the testimony and evidence to be offered by each witness. The university representative shall be permitted to inspect at least three days in advance of the hearing any affidavits or exhibits the accused intends to submit at the hearing. However, the foregoing shall not prevent the presentation of evidence or testimony by the accused that has not been disclosed to the University, provided the accused has good cause or justification for failure to disclose.

At the discretion of the President, the accused may be suspended during the proceeding if immediate harm to the accused or to others is threatened by continuance or if there is other just and sufficient cause supported by substantial evidence. Unless forbidden by law, the salary or wages of the university employee so suspended will be continued during the time of suspension.

~~Committee procedures: The Committee or the Committee Chair may confer with the parties prior to the hearing in order to review procedures, provide for scheduling of witnesses and for any necessary exchange of documents or other information, and to achieve such other objectives as may make the hearing fair, effective, and expeditious. The Committee may consider, in advance of the hearing, the statement of grounds for the proposed action already formulated and such written response as the accused may elect to submit.~~

~~The Committee shall be responsible for establishing the order of procedure, for conducting the question of witnesses, for securing if necessary the presentation of evidence important to the case, and for developing such supplemental rules and procedures for its governance and operation as are not in conflict with other provisions of this resolution.~~

~~The Committee, in consultation with the parties concerned, shall exercise its judgment as to whether the hearing shall be private or public.~~

~~Hearing procedures: The due process hearing shall be governed by the following rules and regulations: The accused shall be permitted to have legal counsel and/or an adviser of the accused's choice. The University shall be permitted to have legal counsel. The accused shall be afforded the right to present his version as to the charges or circumstances and to present his case by way of such statements, affidavits, witnesses, and exhibits as he desires. The accused shall be afforded an opportunity to obtain necessary witnesses and documentary or other evidence, and the University will reasonably cooperate with the Committee in securing witnesses and in making available documentary and other evidence.~~

~~The accused and the University shall have the right to confront and cross-examine all witnesses. The Committee may grant adjournments to either party to permit the investigation of evidence to which a claim of surprise is made.~~

~~The Committee shall not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Reasonable effort should be made to obtain the most reliable evidence available.~~

~~The burden of proof that adequate cause exists rests with the University and will be satisfied only by a preponderance (majority) of the evidence. The findings of fact in the decision shall be based solely on the hearing record.~~

~~An audio recording of the hearing shall be made and the audio recording of the hearing shall be made available to the accused and the University on request and without charge.~~

~~Except for such simple announcements as may be required covering the time of the hearing and similar matters, publicity and public statements about the case by either party will be avoided.~~

~~Committee decision and report: On conclusion of the hearing, the Due Process Committee in executive session shall, by majority vote and solely on the basis of the evidence presented at the hearing, decide whether or not the evidence in the record~~

~~has established adequate cause for the action proposed, and, on the basis of that decision, shall recommend to the President the disposition of the case. If the Committee concludes that adequate cause has been established but that a proper penalty less than that proposed would be more appropriate, it may so recommend with supporting reasons. The Committee's decision and recommendations shall be reduced to a written report which shall be forwarded, along with the record of the hearing, to the President. A copy of the Committee's report shall be sent to the accused by certified mail.~~

~~President's decision: Within 14 days of the receipt of the report, the President, giving due weight to the report of the Committee, shall render a decision and so notify the accused in writing. Should the President's decision be inconsistent with the report of the Committee, the President shall state his reasons to the accused and to the Committee. The President's action shall be final, except that the accused may appeal a reversed or modified action to a subcommittee of the Board of Trustees.~~

Exceptions to Due Process Procedures:

~~Student discipline: This procedure shall not be construed in any manner to apply to or affect the operation of student operated procedures which may impose discipline short of suspension, expulsion, or dismissal, or to matters covered by the Student Disciplinary System Manual.~~

~~Academic probation, suspension, and dismissal: This procedure shall not be construed in any manner to give any right of hearing of any nature to students placed on academic probation or suspended or dismissed because of academic insufficiency.~~

~~Reorganizations, reductions in force, and nonrenewal of non-tenured faculty contracts: This procedure shall not be construed to limit the administrative discretion of the President to elect not to renew contracts of non-tenured personnel of the University or to terminate or abolish certain positions in the University for economic or other legitimate, nondiscriminatory, and constitutionally permissible reasons. In such situations, the person whose contract is not renewed or whose employment is otherwise terminated shall not have an absolute right to a hearing before a Due Process Committee; provided, however, that if the person whose position is so severed is of the opinion that such action has deprived him of "liberty" or of a "property interest" in continued employment, he may, within ten days of severance notice, make written petition to the President to invoke the due process procedures provided herein and may be granted such a hearing at the President's sole discretion.~~

~~At-will employees: At-will employees are not entitled to due process procedures upon their termination from employment unless an adverse action against them infringes a "liberty" or "property" interest of the employee, or the President expressly grants them that right in a letter imposing the adverse action.~~

Definitions

~~Masculine pronouns used herein shall be deemed to include and refer to females as well as to males.~~

~~The term "University" when used herein without further designation shall refer to the University of North Alabama.~~

~~The term "President" when used herein without further designation shall refer to the President of the University of North Alabama.~~

~~The phrase "university community" when used herein shall refer to the students, faculty, and non faculty staff members and employees of the University of North Alabama.~~

Approved by the Board of Trustees, 12/04/1992
Proposed Changes to Shared Governance, Fall 2016

Grievance and Due Process Procedures

GRIEVANCE AND DUE PROCESS COMMITTEES

On proper request for a hearing, as hereinafter provided, the President of the University shall establish for grievance hearing an ad hoc committee of three persons and for a due process hearing an ad hoc committee of five persons. The committees shall be composed of university personnel appointed by the President, according to the classification of the person initiating the request, as follows:

- **University Faculty:** from among tenured members of the university faculty, with not more than one member for a grievance committee or two members for a due process committee also holding administrative appointment.
- **Non-Faculty Staff:** from among members of the university faculty and non-faculty staff.
- **Students:** from among members of the university faculty, non-faculty staff, and students.

Toward assuring a full and impartial hearing strictly on the merits of the cases, due regard shall be given to appointment to committees of persons with appropriate expertise and without bias or direct interest in the outcome, to provision for peer representation where relevant, and to adherence to hearing procedures. In making committee appointments, the President may seek nominations from representative organizations such as, respectively, the Faculty Senate, and the Student Government Association. In cases involving a member of the university faculty as grievant or accused, the President shall, if so petitioned by the faculty member in the formal request for a hearing, make the committee appointments from the appropriate list of nominees established for such purposes by the Faculty Senate at the beginning of each academic year, one list to consist of nine nominees for grievance committees and one list to consist of fifteen nominees for due process committees. Persons appointed to grievance or due process committees who deem themselves disqualified by reasons of bias or interest may be excused. The grievant or accused shall have the right of challenge of committee appointments for cause and if in the judgment of the President a challenge is supported by adequate grounds, the member so challenged shall be excused. The President shall appoint replacements for members excused until a proper committee is established. The President shall designate one member of the committee to act as chair or may appoint an additional ex officio nonvoting member to act as chair. The committees may adopt supplemental rules and regulations for their governance and operation which are not in conflict with this resolution.

GRIEVANCES

A grievance is a complaint directed against another member or organization of the university community or against the University—including the departments, divisions, and schools thereof--alleging improper, arbitrary, or discriminatory application of university rules, regulations, standards, practices, and/or procedures relating to the conditions of employment or enrollment, or to other circumstances giving proper grounds for complaint. Grievance procedures do not apply to actions involving suspension, expulsion, dismissal, or other termination of employment or enrollment for

cause. For such actions reference is made to the procedures under "Due Process", below.

Informal procedures

A grievant first must seek resolution or redress of the grievance informally through the established administrative channels beginning, according to the grievant's classification and to the nature of the grievance, with the official at the first or immediate level of authority, and, if required, continuing in the chain of authority to the next higher level. For university employees, the complaint of a faculty member normally will be directed to the department head/director with continuation in line to the Vice President for Academic Affairs and Provost; for nonfaculty staff, to the immediate supervisor/director or to the Director of Human Resources and Affirmative Action with continuation in line to the appropriate vice president. For students, a complaint involving services or activities normally will be directed to the appropriate director/officer of the service or activity with continuation in line to the Vice President for Student Affairs and University Counsel; on a complaint involving academic or instructional matters, to the academic department head with continuation in line to the Vice President for Academic Affairs and Provost. Complaint by an applicant who has been denied admission to the University will be directed to the Dean of Enrollment Services with continuation in line to the Vice President for Academic Affairs and Provost. Complaint by an applicant who has been denied employment at the University will be directed, for applicants to faculty positions, to the Vice President for Academic Affairs and Provost; for applicants to nonfaculty staff positions, to the Director of Human Resources and Affirmative Action with continuation in line to the Vice President for Business Affairs.

Formal hearing

If, after exhausting recourse through established administrative channels, the grievant still feels that a satisfactory remedy or relief has not been provided, the grievant may request a formal hearing. The request shall be directed to the President of the University in writing and shall bear the grievant's name, current address, and telephone number; a clear statement of the nature of the grievance and the facts supporting it; the remedy or relief sought; the date; and the grievant's signature.

On receipt of the grievant's request, the President shall proceed to the establishment of a proper Grievance Committee to hear the case, as provided for under Grievance and Due Process Committees above and shall give the grievant not less than seven days' advance notice as to the date, time, and place set for the hearing.

Grievance hearing procedures: A grievance hearing is not an administrative due process hearing and therefore does not include all of those procedures provided for in due process hearings; neither do formal rules of evidence apply. The hearing shall be confidential and only those persons concerned should be included in the hearing.

Functions of the Grievance Committee: The Committee or Committee Chair may confer with the grievant prior to the hearing to schedule witnesses, provide for the exchange of documents, and achieve other appropriate objectives to make the procedures fair, effective, and expeditious. In the hearing, the Committee may question the grievant and the witnesses presented by the grievant, may call such witnesses and examine such documents as it considers necessary, and shall keep a record of the hearing.

The Committee's role is to investigate the complaint as presented to the Committee by the grievant, to obtain all the facts in the dispute, and to come to a conclusion as to whether or not the grievant has just cause for complaint. In grievances which are contractual in nature, the Committee's role is to determine whether or not the grievant has had all the benefits of the procedures afforded by the grievant's contract and the rules and regulations of the University, school, and department, and whether or not the decision which forms the basis for the complaint was the result of adequate consideration in terms of the relevant standards of the University, school, and department. It is not within the scope of the Committee to make judgments on the professional qualifications of the grievant, such being the responsibility of the administrators within the concerned department, school, and the University. The Committee shall be guided in its decisions only by the evidence presented at the hearing.

Rights and responsibilities of the grievant: It is the responsibility of the grievant to present all the facts and to prove the merits of the grievance. To this end the grievant shall state the grievance with specificity, shall be allowed to present witnesses and documents on the grievant's behalf, and to examine any other witnesses and documents presented. The grievant shall not be represented by counsel but may have the assistance of an adviser of his choice from among personnel of the university community.

The Committee's report and final action: Upon conclusion of the hearing, the Grievance Committee shall prepare a report summarizing the evidence and rendering its conclusions. Copies of the report shall be sent to the President and to the grievant. Within 14 days of the receipt of the report, the President, giving due weight to the report of the Committee, shall render a decision and so notify the grievant. Should the President's decision be inconsistent with the report of the Committee, the President shall state his reasons to the grievant and to the Committee. The President's action shall be final, except that a grievant may appeal a reversed or modified decision to a subcommittee of the Board of Trustees.

DUE PROCESS

To assure the protection of individual rights and due process in actions involving the suspension, dismissal, or other termination for cause of university employees, the following procedures may be invoked by written request of the affected employee:

Due process procedures

Initiation of action: Any person may call to the President's attention in any reasonable manner--directly or through channels-- any conduct or circumstance of any member of the university community thought to be violative of university rules or regulations or otherwise to merit action involving suspension, dismissal, or other termination for cause. The President, of his own volition, may investigate any such conduct or circumstance. If, after investigation, the President is of the opinion that such action should be taken, he shall give the person so accused or affected proper notice of the action proposed.

Notice of proposed action: The President's notice to the accused of the action proposed shall be in writing by certified or registered mail or by such other appropriate means as may provide delivery and proof of receipt. The notice also shall contain:

a statement of the charges or conditions supporting the action proposed; notice of the accused's right to a full and fair hearing before a Due Process Committee; notice that such hearing shall be afforded only if requested in writing within ten days from the date of receipt of the Notice of Proposed Action, and that, if such request for a hearing is not received within this time limit, the right to a hearing shall be deemed to have been waived and the proposed action shall be imposed therewith or as specified in the notice; and information as to where a copy of the hearing procedures may be obtained.

Due process hearing: If proper request for a hearing is made, the hearing shall be afforded not sooner than 14 or later than 21 days from the date of receipt of the request, unless, by mutual agreement, other time limits are established by written agreement. On receipt of the request, the President shall proceed with the establishment of an appropriate Due Process Committee (as provided for under Grievance and Due Process Committees, above), informing the accused of the names of the members and providing reasonable opportunity and time for exercise of the rights of challenge. When a proper Due Process Committee is established, the accused shall be notified in writing of the date, time, and place set for the hearing at least seven days before the hearing. The notice shall contain the names of the witnesses and a summary of the nature of the testimony and evidence to be presented against the accused, and the accused and/or the accused's representative shall be permitted to inspect, at least three days in advance of the hearing, any affidavits or exhibits the University intends to submit at the hearing. However, the foregoing shall not prevent the presentation of evidence or testimony by the University that has not been disclosed to the accused, provided the University has good cause or justification for failure to disclose. The President shall designate an appropriate person or persons to present the case for the University.

Not later than three days before the hearing, the accused shall present to the University or its attorney a list of the names, addresses, and telephone numbers of all witnesses expected to be called to testify and the nature of the testimony and evidence to be offered by each witness. The university representative shall be permitted to inspect at least three days in advance of the hearing any affidavits or exhibits the accused intends to submit at the hearing. However, the foregoing shall not prevent the presentation of evidence or testimony by the accused that has not been disclosed to the University, provided the accused has good cause or justification for failure to disclose.

At the discretion of the President, the accused may be suspended during the proceeding if immediate harm to the accused or to others is threatened by continuance or if there is other just and sufficient cause supported by substantial evidence. Unless forbidden by law, the salary or wages of the university employee so suspended will be continued during the time of suspension.

Committee procedures: The Committee or the Committee Chair may confer with the parties prior to the hearing in order to review procedures, provide for scheduling of witnesses and for any necessary exchange of documents or other information, and to achieve such other objectives as may make the hearing fair, effective, and expeditious. The Committee may consider, in advance of the hearing, the statement of grounds for the proposed action already formulated and such written response as the accused may elect to submit.

The Committee shall be responsible for establishing the order of procedure, for conducting the question of witnesses, for securing—if necessary--the presentation of evidence important to the case, and for developing such supplemental rules and procedures for its governance and operation as are not in conflict with other provisions of this resolution.

The Committee, in consultation with the parties concerned, shall exercise its judgment as to whether the hearing shall be private or public.

Hearing procedures: The due process hearing shall be governed by the following rules and regulations: The accused shall be permitted to have legal counsel and/or an adviser of the accused's choice. The University shall be permitted to have legal counsel. The accused shall be afforded the right to present his version as to the charges or circumstances and to present his case by way of such statements, affidavits, witnesses, and exhibits as he desires. The accused shall be afforded an opportunity to obtain necessary witnesses and documentary or other evidence, and the University will reasonably cooperate with the Committee in securing witnesses and in making available documentary and other evidence.

The accused and the University shall have the right to confront and cross-examine all witnesses. The Committee may grant adjournments to either party to permit the investigation of evidence to which a claim of surprise is made.

The Committee shall not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Reasonable effort should be made to obtain the most reliable evidence available.

The burden of proof that adequate cause exists rests with the University and will be satisfied only by a preponderance (majority) of the evidence. The findings of fact in the decision shall be based solely on the hearing record.

An audio recording of the hearing shall be made and the audio recording of the hearing shall be made available to the accused and the University on request and without charge.

Except for such simple announcements as may be required covering the time of the hearing and similar matters, publicity and public statements about the case by either party will be avoided.

Committee decision and report: On conclusion of the hearing, the Due Process Committee in executive session shall, by majority vote and solely on the basis of the evidence presented at the hearing, decide whether or not the evidence in the record has established adequate cause for the action proposed, and, on the basis of that decision, shall recommend to the President the disposition of the case. If the Committee concludes that adequate cause has been established but that a proper penalty less than that proposed would be more appropriate, it may so recommend with supporting reasons. The Committee's decision and recommendations shall be reduced to a written report which shall be forwarded, along with the record of the hearing, to

the President. A copy of the Committee's report shall be sent to the accused by certified mail.

President's decision: Within 14 days of the receipt of the report, the President, giving due weight to the report of the Committee, shall render a decision and so notify the accused in writing. Should the President's decision be inconsistent with the report of the Committee, the President shall state his reasons to the accused and to the Committee. The President's action shall be final, except that the accused may appeal a reversed or modified action to a subcommittee of the Board of Trustees.

Exceptions to Due Process Procedures:

Student discipline: This procedure shall not be construed in any manner to apply to or affect the operation of student-operated procedures which may impose discipline short of suspension, expulsion, or dismissal, or to matters covered by the Student Disciplinary System Manual.

Academic probation, suspension, and dismissal: This procedure shall not be construed in any manner to give any right of hearing of any nature to students placed on academic probation or suspended or dismissed because of academic insufficiency.

Reorganizations, reductions in force, and nonrenewal of non-tenured faculty contracts: This procedure shall not be construed to limit the administrative discretion of the President to elect not to renew contracts of non-tenured personnel of the University or to terminate or abolish certain positions in the University for economic or other legitimate, nondiscriminatory, and constitutionally permissible reasons. In such situations, the person whose contract is not renewed or whose employment is otherwise terminated shall not have an absolute right to a hearing before a Due Process Committee; provided, however, that if the person whose position is so severed is of the opinion that such action has deprived him of "liberty" or of a "property interest" in continued employment, he may, within ten days of severance notice, make written petition to the President to invoke the due process procedures provided herein and may be granted such a hearing at the President's sole discretion.

At will employees: At will employees are not entitled to due process procedures upon their termination from employment unless an adverse action against them infringes a "liberty" or "property" interest of the employee, or the President expressly grants them that right in a letter imposing the adverse action.

Definitions

Masculine pronouns used herein shall be deemed to include and refer to females as well as to males.

The term "University" when used herein without further designation shall refer to the University of North Alabama.

The term "President" when used herein without further designation shall refer to the President of the University of North Alabama.

The phrase "university community" when used herein shall refer to the students, faculty, and non-faculty staff members and employees of the University of North Alabama.

Approved by the Board of Trustees, 12/04/1992

Proposed amendment

Original 1 (see page 66 of 81, last full paragraph)

2.4.3 Non-tenure-track faculty who are offered tenure-track appointments as cited in section 2.4.1 may request that their years of non-tenure-track service at UNA be counted toward their years of probationary service. Prior to the time that an offer of tenure-track employment is made, the department chair will meet with the employee regarding the proposed number of years to be counted, including the impact on tenure, and will consult with the dean who will make a recommendation to the Vice President for Academic Affairs VPAA and Provost. The tenure-track employment letter will specify the years, if any, of non-tenure track employment credited toward the employee's tenure-track probationary period. **(INSERT HERE)**

Original 2 (page 69 of 81, subsection number 3)

Associate Professor. Appointment, promotion to this rank, and/or tenure requires possession of a doctoral degree or a terminal degree appropriate in the field of assignment as determined by university policy. In addition, the applicant shall have had successful experience in teaching; research, scholarship, or other creative activities; and service.

Promotion to Associate Professor: Faculty will be required to be evaluated for promotion and/or tenure no later than the sixth year of service as an Assistant Professor at UNA. Faculty employment contracts may, upon approval by the dean and Vice President for Academic Affairs and Provost, include credit for up to four years of service at the assistant professor level or higher at other institutions toward the six years of service. The credit given must be determined at the time of hiring and included in the employment letter. **(INSERT HERE)**

Amendment: "The relevant documentation of years of probationary service will be maintained by the VPAA office and may be used in lieu of offer letters written prior to the 2017-2018 academic year that do not include this information."

Reasoning: prior to this addition, the incorporation of years of service in the offer letter was not standard across all departments. This will cover the needs of recent new hires.

Attachment C

Policies on Promotion and Tenure

Revisions Agreed to at February 2017 Senate Meeting

Section 2.5.3

- Delete the word hired and insert “whose appointment began” before “prior to” to indicate that the new policy is effective for those who start in fall, regarding of their contract date

Faculty ~~hired~~ whose employment began prior to the 2017-18 academic year are covered by the promotion and/or tenure policies found at Appendix 2.E, unless a request to opt in to the current promotion and/or tenure policies is made to the department chair, dean, and Vice President for Academic Affairs and Provost no later than the end of the 2021-22 academic year. Opting in to the new policies does not allow for a combination of the two policies. The policy contained herein is effective for all new faculty hires beginning with the 2017-18 academic year.

- Insert reference to Section 2.5.5 as indicated in red below (under letter A, number 4)

For faculty seeking promotion and/or tenure, an electronic portfolio will be submitted to the department chair and to promotions@una.edu by October 1 of the final academic year of probationary status. For those seeking promotion only, the faculty member will present to the department chair and to promotions@una.edu by October 1 an electronic portfolio that provides evidence of accomplishments. Candidates can withdraw their application at any time in the process with the understanding that a final decision will not be made for promotion and/or tenure. This choice by the candidate may have an impact on continuation of employment if the decision to withdraw a promotion and/or tenure application is in the final academic year of probationary status (See Section 2.5.5). The timeline for reviewing promotion and/or tenure materials can be found in Appendix 2.D/2.D1.

Section 2.5.4

- In the first paragraph, change the word termination to separation from the university
- In the second paragraph, insert wording indicated below (to establish that chairs do not get to select their own committee)

The final decision for or against the granting of promotion and/or tenure will be made by the President by April 22. Letters of notification from the President’s Office will be mailed to all candidates, with copies to the respective dean and department chair, no later than May 1. For faculty being considered for promotion and tenure to associate professor, the notification will occur during the final year of the probationary period. Faculty not approved for tenure will be issued a terminal contract and will serve one additional year before ~~termination~~ separation from the

university. Promotion and/or tenure, and promotional raises, will become effective on the first day of the following fall semester.

Department chairs who are candidates for promotion and/or tenure will be evaluated using the same process as that described for other faculty members, except that the department chair review is omitted. No committee shall consist of less than five tenured faculty. When that number is not possible at the departmental level, the dean will complete the committee membership from among all tenured faculty not applying for promotion from other departments in the college or in a related discipline. In the case of department chairs, however, the evaluation completed by the peer promotion and/or tenure committee will be sent directly to the dean no later than November 15. The dean will evaluate the candidate's portfolio and will forward his or her evaluation and the peer promotion and/or tenure committee's evaluation to the Vice President for Academic Affairs and Provost by February 1. By April 15, the Vice President for Academic Affairs and Provost will review each candidate, and the recommendations from the peer promotion and/or tenure committee, the dean, and the University-Wide Promotion and Tenure Portfolio Review Committee, and will recommend for or against the granting of promotion and/or tenure to the President.

Section 2.5.5

- Insert the wording indicated below to indicate that this sentence only applies to those probationary faculty that have applied for but not been granted tenure and promotion

The recommendation to renew or not to renew a probationary appointment normally will originate with the department chair or other immediate supervisor. Tenured members of the department also will be consulted. After review of the recommendation by the appropriate college dean, the Vice President for Academic Affairs and Provost makes the final decision to renew or not to renew the appointment. The person affected will be advised of that decision in writing by the Vice President for Academic Affairs and Provost. Probationary faculty who receive non-renewal notices as a result of tenure and promotion review will be retained for one academic year of employment prior to separation from the institution.

and tenure, are in the form of separate documents as specified in Section 2.3.2 above and must be in writing and signed by the President of UNA. This section shall not be construed, however, to affect adversely the rights of tenured faculty members in any way.

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**2. PERSONNEL POLICIES,
REGULATIONS, AND
PROCEDURES**

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- 2.1 EQUAL OPPORTUNITY**
- 2.2 NEPOTISM**
- 2.3 FACULTY EMPLOYMENT PROCEDURES**
 - 2.3.1 SEARCH GUIDELINES FOR TENURE-TRACK AND/OR NON-TENURE-TRACK FACULTY**
 - 2.3.2 FACULTY EMPLOYMENT AGREEMENTS**
 - 2.3.3 BACKGROUND CHECKS**
- 2.4 TYPES OF APPOINTMENTS**
 - 2.4.1 TENURE-TRACK**
 - 2.4.2 NON-TENURE-TRACK**
 - 2.4.3 ADJUNCT**
- 2.5 CRITERIA FOR APPOINTMENT, PROMOTION, AND/OR TENURE**
 - 2.5.1 GENERAL CRITERIA FOR PROMOTION AND/OR TENURE**
 - 2.5.2 SPECIAL CRITERIA BY RANKS FOR APPOINTMENT, PROMOTION, AND/OR TENURE**
 - 2.5.3 PROCEDURE FOR PROMOTION AND/OR TENURE**
 - 2.5.4 RENEWAL OR TERMINATION OF A PROBATIONARY APPOINTMENT**
- 2.6 TERMINATION OF FACULTY APPOINTMENTS**
 - 2.6.1 RETIREMENT**
 - 2.6.2 TERMINATION FOR CAUSE**
 - 2.6.3 CHECK-OUT PROCEDURES**
- 2.7 SANCTIONS LESS THAN TERMINATION**
- 2.8 DUE PROCESS PROCEDURES**
- 2.9 FACULTY RECORDS**
- 2.10 APPLICATION OF HANDBOOK**

2.1 EQUAL OPPORTUNITY

The University's policy on Equal Opportunity can be located on the university's website at <http://www.una.edu/employee-policy-manual/policies/equal-employment-opportunity-policy.html>.

2.2 NEPOTISM

The University's policy on Nepotism can be located on the university's website at <http://www.una.edu/employee-policy-manual/policies/nepotism.html>. This statute is applicable to all university positions, including non-tenure-track, adjunct, and student positions. Furthermore, any committee membership (i.e., University-Wide Promotion and Tenure Portfolio Review Committee) in which there may be a possible conflict of interest due to relationships shall be subject to this statute.

2.3 FACULTY EMPLOYMENT PROCEDURES

The objectives of faculty employment procedures are to hire the most qualified faculty candidates, to create transparency in the search process, and to ensure that diversity and equity are achieved in all faculty searches. For the latter objective, the Director of Diversity and Institutional Equity (DDIE) will provide assistance and guidance as outlined below.

The University defines diversity broadly as differences related to age, culture, ethnicity, gender, nationality, national origin, political affiliation, physical disability, physical attributes, race, religion, sexual orientation, and/or socioeconomic status. Search committee chairs and members of the search committees are expected to maintain communication with the DDIE throughout the search and screening processes. In the event that a search committee chair and the DDIE do not concur on any step in this protocol requiring their agreement, this matter should be resolved by the respective Executive Council member. Under the University's enabling act, appointments to the faculty are made by the Board of Trustees upon written nomination by the President. As a matter of practice, and by express delegation of authority, the University Administration has approved the following procedures for faculty selection and appointment. (Also see Appendix 2.A, Policies Concerning Adjunct Faculty)

2.3.1 Search Guidelines for Tenure-Track and/or Non-Tenure-Track Faculty

A search process is initiated when the Vice President for Academic Affairs and Provost indicates that an existing position vacancy may be filled or, after consultation with the President, that a new position may be created from university resources.

1. Identification of Search Committee. Once a position has been authorized, the department chair will include, as a part of the Request to Fill/Advertise electronic form, a listing of proposed search committee members (in the appropriate field in the Online Employment System – OES). Search committees will be formed from a pool of all full-time department members, including the department chair, and should typically be made up of

no more than nine and no less than five members, at least one of whom reflects diversity. Departments lacking diversity and those with fewer than five eligible members may select additional committee members from the campus and/or community at large. In order for an individual to serve on a search committee, he/she must have evidence of participation in diversity training and search committee training, when available. The department members, including the department chair, shall select the members of the search committee, with the department chair having final approval. The department chair may elect to serve on the search committee. The search committee shall select its chair. Once the Request to Fill/Advertise is completed, it should be forwarded to the DDIE for approval via the OES. Once a search is authorized, the search committee chair will schedule a brief meeting of the committee with the DDIE and Assistant Vice President for Human Resources and Affirmative Action (DHRAA) to explore ways of attracting a diverse pool of qualified applicants.

2. **Development of Job Advertisement.** The committee, in consultation with all department members, including the department chair (where applicable), shall write a draft job advertisement that represents the position and include as part of the Request to Fill/Advertise electronic form. The draft advertisement shall then be forwarded to the dean for approval. If the dean objects to any wording, suggested changes and rationales are returned to the committee for consideration. Included in the advertisement is the requirement for all applicants to supply a cover letter, curriculum vita, including references, and unofficial transcripts at the time of application. The search committee shall also recommend journals and other venues in which the advertisement should appear. The search committee and the department chair (where applicable) shall be given an opportunity to offer suggestions and changes to the advertisement before the advertisement is published. The DDIE will advise as to his/her approval via the OES. If not approved, the Request to Fill/Advertise will be returned by the DDIE to the originator of the request for needed information. The Vice President for Academic Affairs and Provost shall approve the advertisement and make the final decision as to where the advertisement shall appear.
3. **Receipt of Applications.** All applications and supporting materials will be received and initially processed by the Office of Human Resources and Affirmative Action. Applications and supporting materials are immediately available to the DDIE via the OES. Applications and supporting materials are then presented to the appropriate committee chair via the OES. Applications can be accessed by the search committee and the DDIE via the online employment system.
4. **Access to Application Material.** Unlimited access to all applications and supporting materials shall be afforded all members of the search committee as well as the rest of the department, including the department chair (where applicable), the appropriate dean, Vice President for Academic Affairs and Provost, and DDIE via the OES.
5. **Confidentiality of Material.** Confidentiality of material applies to all who have access to materials submitted by applicants. To the extent allowed by law, such materials shall remain otherwise confidential unless consent to release such materials is obtained from

the applicant. Members of search committees are asked to sign a Confidentiality Agreement pertaining to all committee and candidate deliberations.

6. Review of Applications. The search committee shall specify criteria to be used to evaluate all applicants. Using these criteria, the committee shall review all applications for the position. The committee members may find it useful to complete Form 1 (see Appendix 2.B) or create a modified version of this form to assist them in the selection process. The committee will review applications and supporting materials and develop an initial list of candidates with a realistic chance of receiving an offer. With the concurrence of the DDIE (via the OES), videoconference/telephone interviews may be conducted with a wide range of qualified applicants to gain initial information with respect to the candidates' qualifications.
7. On-Campus Interviews. Following videoconference/telephone interviews, the search committee chair will designate its top candidates (typically 2 or 3) recommended for an on-campus interview. Additional candidates may be invited with approval from the DDIE, DHRAA, and the hiring unit's senior administrator. Fewer top candidates may be invited for this purpose if the DDIE and chair concur that none of the other candidates have a realistic chance of receiving an offer. In cases where some or all of the finalists must travel a substantial distance to campus, the Vice President for Academic Affairs and Provost shall be consulted regarding the availability of financial resources for the particular search. This may limit the number of candidates ultimately invited for a campus interview. The chair of the search committee, department chair, and dean approve the list which is then submitted to the Vice President for Academic Affairs and Provost for approval. If the chair of the search committee, department chair, or dean disagrees concerning the list of chosen candidates, the Vice President for Academic Affairs and Provost shall meet with both parties in order to reach a final agreement. In cases where disputes are not rectified, the Vice President for Academic Affairs and Provost shall decide which candidates shall be invited for campus interviews.
8. Arrangements for On-Campus Interviews. After approval is given to invite candidates for campus interviews, the chair of the search committee shall arrange interviews, including meetings of the finalists with the search committee, the department, the department chair, and dean. The Vice President for Academic Affairs and Provost will participate in interviews at the department chair level or higher and the Vice President for Academic Affairs and Provost and President will participate in interviews at the dean level or higher. Resume materials for candidates with on campus visits will be available via the online employment system.
9. Interview Format. A set of interview questions to be asked of each candidate shall be prepared by the search committee before campus interviews are conducted. Other questions aside from the prepared questions may be asked as well during the campus interview. As part of the interview process, the finalists may be afforded an opportunity to make a presentation to the members of the department and the university community and to answer questions in open meetings. All departmental faculty, the department chair,

the dean, the DDIE, Vice President for Academic Affairs and Provost, and President shall be provided, upon request, with evaluation/comment sheets regarding the applicants.

10. Final Evaluation of Candidates and Recommendation for Hiring. The search committee shall consider each written evaluation before making its recommendation. Further discussions between the search committee and those who completed written evaluations of the candidates interviewed are permitted as needed. Upon conclusion of all deliberations, the search committee shall recommend candidate(s) to the department for the position. If multiple candidates are recommended, these may be ranked or unranked. The members of the department shall vote on the committee's recommendation. The chair of the search committee shall prepare a written report for the department chair and dean detailing the results of the search committee's decision and results of the departmental vote. This report will include a brief evaluation of the interviews for each candidate afforded a campus interview. The department chair and dean will review the report and recommendations, make a decision, and notify the departmental faculty. The department chair will also consult with the DDIE to confirm that all diversity candidates have been given full consideration prior to a final recommendation to and selection by the President. The department chair will assign the recommended candidate the status of "Recommend for Hire" and all candidates not selected the appropriate statuses in the OES. Upon these status changes, the OES will prompt the department chair to complete the Hiring Proposal form and forward to the appropriate dean via the OES. Once all approvals are obtained, the Hiring Proposal will be forwarded to the Office of Human Resources and Affirmative Action via the OES. The Office of Human Resources and Affirmative Action will perform the appropriate background checks, and the Office of the Vice President for Academic Affairs and Provost will prepare an employment contract for the President's signature. After an employment contract is offered to the candidate and accepted, the department chair will complete the Search Summary Form. Once the form is received via the OES, the candidate will be offered the contract of employment.
11. Lack of Consensus for Recommendation or Candidate Declines Offer. If the dean of the college disagrees with the recommendation of the department, the reason(s) shall be provided to the chair of the search committee. The search committee shall either recommend another candidate from the list of those interviewed on campus, recommend that other candidates from the applicant pool be invited for a campus interview, or recommend that the search process be reopened. Final approval for each alternative rests with the Vice President for Academic Affairs and Provost. The same alternatives shall apply if the candidate or candidates decline the offer of the position. If a search is cancelled or suspended at any time throughout the process, all parties shall be informed of the reason(s).
12. Deviation from this policy may be necessary if unique circumstances exist. Exceptions to the policy must be approved by the DDIE, Vice President for Academic Affairs and Provost, and the AVPHRAA.
13. Where appropriate, the search committee should consult the following links for additional information on search protocols:

<http://www.una.edu/humanresources/files/employment/Protocol%20for%20External%20FacultyStaff%20Searches.pdf> , <http://www.una.edu/employee-policy-manual/policies/employment-of-foreign-nationals-policy.html>.

14. Review of Procedures. These procedures should be reviewed periodically by the Office of the Vice President for Academic Affairs and Provost with input from areas conducting searches the prior year and the Faculty Senate.

2.3.2 Faculty Employment Agreements

Offers of appointment are made by the President in letter form. Offers of appointment are for one year only and specify position, academic rank, contract period, effective date of appointment or position, any departmental or college standards, and a deadline date for acceptance. Offers of appointment are contingent on receipt by the Vice President for Academic Affairs and Provost of official transcripts for bachelor's, master's, and doctoral degrees as well as any coursework in support of faculty credentials. The appointee also will be advised by the department chair of the standards and procedures generally used in decisions affecting the renewal of contracts and tenure. As applicable, acceptance of an offer of appointment shall be in writing.

2.3.3 Background Checks

The University's statement on Background Checks can be located at <http://www.una.edu/humanresources/handbook-policies.html>.

2.4 TYPES OF APPOINTMENTS

The University uses three types of faculty appointments—tenure-track, non-tenure-track, and adjunct—as follows:

2.4.1 Tenure-Track

These appointments are for full-time positions and are subject to university policy on tenure and any provisions in individual contracts of employment. Tenure-track faculty have full entitlement to the rights, privileges, and benefits accorded faculty by the University.

2.4.2 Non-Tenure-Track

These appointments are for full-time assignments but only for a limited period of time—normally one term or one academic year—with the appointment terminating automatically at the end of the period specified. For reappointment guidelines, non-tenure-track instructors should refer to Appendix 2.C, Recommended Practices for Reappointment of Full-Time Faculty at the Instructor Rank. Non-tenure-track faculty are not eligible for promotion or tenure, but do share during the period of employment the general responsibilities, privileges, and benefits accorded regular faculty.

Non-tenure-track faculty who are offered tenure-track appointments as cited in section 2.4.1 may request that their years of non-tenure-track service at UNA be counted toward their years of probationary service. Prior to the time that an offer of tenure-track employment is made, the department chair will meet with the employee regarding the proposed number of years to be counted, including the impact on tenure, and will consult with the dean who will make a recommendation to the Vice President for Academic Affairs and Provost. The tenure-track employment letter will specify the years, if any, of non-tenure-track employment credited toward the employee's tenure-track probationary period. The relevant documentation of years of probationary service will be maintained by the Office of the Vice President for Academic Affairs and Provost and may be used in lieu of offer letters written prior to the 2017-18 academic year that do not include this information.

2.4.3 Adjunct

These appointments are part-time assignments specifying both the part-time workload and the period of time—normally one term—with the appointment terminating automatically at the end of the period specified. Adjunct appointment is typically limited to a teaching load of two courses or less per semester. Exceptions must be approved by the college dean based on a recommendation from the department chair. For additional IRS information on calculation of load limits for adjunct faculty relative to the Affordable Care Act, please refer to the following link: <http://www.una.edu/humanresources/forms-and-links.html> (see Shared Responsibility for Employers Regarding Health Coverage; Final Rule – specifically section VI.C.) Adjunct faculty are not eligible for promotion or tenure but do participate in the retirement plan if already holding active membership in the Teachers' Retirement System of Alabama. All adjunct faculty share the general rights and privileges accorded regular faculty except when regular and/or full-time status are stipulated. (See Appendix 2.A, Policies Concerning Adjunct Faculty)

2.5 CRITERIA FOR APPOINTMENT, PROMOTION, AND/OR TENURE

2.5.1 General Criteria for Promotion and/or Tenure

As a regional, state supported institution of higher education, the University of North Alabama pursues its mission of engaging in teaching, research, and service in order to provide educational opportunities for students, an environment for discovery and creative accomplishment, and a variety of outreach activities meeting the professional, civic, social, cultural, and economic development needs of our region in the context of a global community. Faculty members seeking promotion and/or tenure are expected to demonstrate significant contributions in support of this mission as reflected in accomplishments specific to the criteria below.

1. Effectiveness in Teaching/Effectiveness in Role as Library or Educational Technology Faculty. The candidate is evaluated upon evidence such as the following: knowledge of subject matter, including current developments in the discipline; active concern for the student's academic progress; evidence of success in supporting mentoring and student research and creative activity; ability to organize and effectively present and evaluate coursework, including effectiveness in oral and written communication; ability to motivate student interest and participation; ability to relate coursework to other fields

with a view to broadening the student's general knowledge; evidence of conscientious preparation; and use of effective methodology and teaching techniques. The non-teaching faculty candidate (e.g., Librarians, Instructional Designers, etc.) is evaluated upon evidence of professional effectiveness such as the following: knowledge of the field, including current developments in the field; demonstrated active concern in providing resources that support student, faculty, and staff development and enhance academic progress; effectiveness in oral and written communication; and ability to develop their own unique contribution to their area and the university.

2. Effectiveness in Research, Scholarship, and Other Creative Activities. The candidate is evaluated upon the University of North Alabama's mission in research (including basic, applied, and pedagogical research, creative accomplishments, and other forms of scholarship) through recognition that active participation in one's academic discipline promotes intellectual growth and enhances and informs classroom, laboratory, clinical, and studio instruction. Scholarly inquiry and learning vary by discipline and the individual is evaluated upon evidence that one's scholarly accomplishments are valued by others in the discipline. Examples of such recognition would include publication of one's work in peer-reviewed outlets (books, monographs, journal articles) or invited contributions to scholarly works (book chapters); presentations and/or chaired sessions at professional society meetings; invited presentations at exhibits or recognition at juried shows; professional acclaim for performances or contributions to performances; honors or awards recognizing scholarly accomplishment; competitively awarded grants or contracts that support professional growth; selection as a professional referee or editor; and other generally recognized scholarly accomplishments.
3. Effectiveness in Rendering Service. The candidate is evaluated upon evidence such as recognition in the professional field; consultant services of high professional quality in business, cultural, educational, governmental, and industrial endeavors; activities in learned and professional societies; contributions to academic and university development and growth, including grants submissions and sponsored research; effective performance on committees and administrative assignments; and contributions to the improvement of student life. Evidence of service outside the university should ideally be related to the faculty member's profession or should contribute to promoting the University. Other contributions to the community are encouraged; however, such efforts should not constitute a majority of the evidence for effective service.

In addition to the three areas of general criteria, faculty members in areas with regional and specialized accreditation standards shall satisfy applicable credential and performance requirements.

The Board of Trustees for the University of North Alabama has determined that the degree of Master in Library Science is to be considered a terminal degree for promotional and tenure purposes. The following degrees are to be considered terminal degrees for promotional, pay, and tenure purposes: MFA in Studio Art (all fields), MFA in Creative Writing, MFA in Theatre, J.D. for Business Law, and MFA in Interior Design.

2.5.2 Special Criteria by Ranks for Appointment, Promotion, and/or Tenure

Faculty ranks of the University, including librarians, and educational technologists, are instructor, visiting (open rank) professor, assistant professor, associate professor, and professor. Only positions at the assistant professor level or higher are considered tenure-track. All others are based on renewable appointment, not including visiting (open rank) professor appointments. Appointment, continued employment and consideration for tenure of supervising teachers at Kilby Laboratory School are subject to all relevant Alabama laws and Alabama State Board of Education policies governing P-12 public school teachers. Determination of rank is established at the time of initial appointment. The years of appropriate experience are calculated at the end of the academic year prior to appointment. The academic year in which a promotion portfolio is submitted will count toward appropriate cumulative experience for that rank. Compensation for visiting (open rank) professors is determined by joint agreement of the department chair, dean, and Vice President for Academic Affairs and Provost based on duties, needs of the University, and available funds.

The University understands that the interests and areas of emphasis for faculty members change as their career develops. It is the responsibility of departments, in cooperation with their respective deans, to develop guidelines for faculty professional growth that (1) adequately define for each faculty member what his/her departmental expectations are for promotion and/or tenure, and year-to-year success, and (2) are implemented through guidance provided by the department chair to the faculty member during the annual evaluation and at other appropriate times. It is the responsibility of the deans and Vice President for Academic Affairs and Provost to monitor equity of expectations across the University.

For non-teaching faculty, effectiveness in role as library or educational technology faculty is evaluated instead of teaching effectiveness. The following criteria and procedures below do not apply to Kilby School and the Department of Military Science because of the special nature of those departments. Faculty from the Department of Military Science will not serve on promotion committees.

Minimum Qualifications by Rank (Also see Appendix 2.D/2.D1, Timeline for Promotion and/or Tenure)

1. Instructor/Visiting (Open Rank) Professor. Appointment to this rank typically requires possession of a master's or higher degree in the field of assignment. For appointments without the master's or higher degree in the field of assignment, there must be evidence of related work experience in the field, professional licensure and certifications, honors and awards, continuous documented excellence in teaching, or other demonstrated competencies and achievements that contribute to effective teaching and student learning outcomes.
2. Assistant Professor. Appointment, promotion to this rank, and/or tenure requires possession of a doctoral degree or a terminal degree appropriate in the field of assignment as determined by university policy. There shall also be evidence of potential for effective teaching; research, scholarship, or creative activities; and service; as well as for a

successful career. As per the terms of the letter of employment, faculty members hired to fill tenure-track appointments in anticipation of being awarded the terminal degree but who have not completed the degree at the time of hire will be employed at the rank of Instructor. Upon receipt of the terminal degree in the teaching field from a properly accredited institution, the faculty member is automatically eligible for promotion to the rank of Assistant Professor upon the recommendation of the department chair and dean and final approval by the Vice President for Academic Affairs and Provost.

3. Associate Professor. Appointment, promotion to this rank, and/or tenure requires possession of a doctoral degree or a terminal degree appropriate in the field of assignment as determined by university policy. In addition, the applicant shall have had successful experience in teaching; research, scholarship, or other creative activities; and service.

Promotion to Associate Professor: Faculty will be required to be evaluated for promotion and/or tenure no later than the sixth year of service as an Assistant Professor at UNA. Faculty employment contracts may, upon approval by the dean and VPAA, include credit for up to three years of service at the assistant professor level or higher at other institutions toward the six years of service. The credit given must be determined at the time of hiring and included in the employment letter. The relevant documentation of years of probationary service will be maintained by the Office of the Vice President for Academic Affairs and Provost and may be used in lieu of offer letters written prior to the 2017-18 academic year that do not include this information. An Assistant Professor must serve a minimum of two years at UNA prior to the review of the promotion and/or tenure application in the third academic year of employment at UNA.

4. Professor. Appointment, promotion to this rank, and/or tenure, requires possession of a doctoral degree or terminal degree appropriate in the field of assignment as determined by university policy. In addition, a minimum of 12 years' appropriate cumulative experience specific to the discipline is also required, at least six of which must be in rank as associate professor. Effective for new hires beginning fall 2012, promotion to this rank requires that three of the twelve years of cumulative experience shall be earned at UNA. In addition, the applicant shall have established a sustained and consistent record of excellence in teaching; research, scholarship, or other creative activities; and service.

Promotion to Professor: Faculty will be eligible to be evaluated for promotion no earlier than the sixth year of service as an Associate Professor at UNA. Faculty employment contracts may, upon approval by the dean and Vice President of Academic Affairs and Provost, include credit for up to three years of service at the associate professor level or higher at other institutions toward the six years of service. The credit given must be determined at the time of hiring and included in the employment letter. The relevant documentation of years of probationary service will be maintained by the Office of the Vice President for Academic Affairs and Provost and may be used in lieu of offer letters written prior to the 2017-18 academic year that do not include this information. An Associate Professor must serve a minimum of two years at UNA prior to the review of the promotion application in the third academic year of employment at UNA.

Tenure for Full Professors: Faculty appointed as full professors will apply for tenure after completing at least two years of service at UNA.

Exceptions: In rare and unique circumstances, a petition by the department chair (approved by a majority of the full-time tenured departmental faculty) and by the dean for a waiver of the aforementioned credential and experience requirements for tenure and/or any rank may be granted by the Vice President for Academic Affairs and Provost.

2.5.3 Procedure for Promotion and/or Tenure

Faculty whose employment began prior to the 2017-18 academic year are covered by the promotion and/or tenure policies found at Appendix 2.E, unless a request to opt in to the current promotion and/or tenure policies is made to the department chair, dean, and Vice President for Academic Affairs and Provost no later than the end of the 2021-22 academic year. Opting in to the new policies does not allow for a combination of the two policies. The policy contained herein is effective for all new faculty hires beginning with the 2017-18 academic year.

An award of promotion and/or tenure is not a right but a privilege that must be earned by a faculty member on the basis of his or her performance and promotion during a probationary period. The granting of promotion and/or tenure is never automatic. Promotion and/or tenure is granted after a faculty member has been evaluated by a committee made up of tenured faculty members in a department, the department chair, the dean, the University-Wide Promotion and Tenure Portfolio Review Committee, the Vice President for Academic Affairs and Provost, and the President. However, the President may, after appropriate consultation, grant tenure at any time if a sufficient reason exists for doing so.

Approved leaves may count toward years of service toward promotion and/or tenure if negotiated with the department chair, dean, and Vice President for Academic Affairs and Provost at the time leave is granted.

A. Faculty Members Who Are Not Department Chairs

The initiation of the promotion and/or tenure review process is the responsibility of the faculty member. It begins when the faculty member submits by e-mail to the department chair, dean, and Vice President for Academic Affairs and Provost a notification of intent to apply by May 1 prior to the fall semester the application will be evaluated. The dean will confirm, with the Office of the Vice President for Academic Affairs and Provost, whether the candidate is eligible for promotion and/or tenure and notify the candidate by May 15. This notice to the candidate shall be made in writing and sent through official university communication methods, including email. Failure to notify the candidate by this deadline does not automatically constitute a grant of promotion, tenure or extension of the employment contract. In such situations, appropriate adjustment of deadlines for notification and portfolio submission will be recommended by the dean to the Vice President for Academic Affairs and Provost.

For faculty seeking promotion and/or tenure, an electronic portfolio will be submitted to the department chair and to promotions@una.edu by October 1 of the final academic year of probationary status. For those seeking promotion only, the faculty member will present to the department chair and to promotions@una.edu by October 1 an electronic portfolio that provides evidence of accomplishments. Candidates can withdraw their application at any time in the process with the understanding that a final decision will not be made for promotion and/or tenure. This choice by the candidate may have an impact on continuation of employment if the decision to withdraw a promotion and/or tenure application is in the final academic year of probationary status (See Section 2.5.5). The timeline for reviewing promotion and/or tenure materials can be found in Appendix 2.D/2.D1.

The electronic portfolio (items 1, 2, 3 below) will contain the information set forth by the University, plus the college and/or departmental guidelines. The information will be housed on a secure server and will be accessible only by the administration and committee members involved in the promotion and/or tenure review process.

1. Application for Promotion and/or Tenure (See Appendix 2.F)
2. A cover letter in which the faculty member indicates degree of merit or level of prestige or quality of work specific to his/her area in order to demonstrate quality of scholarship for university-wide committee members who may be unfamiliar with the field, as well as indicates which of the areas in item 3 should be weighed more heavily or less heavily than others.
3. Current Resume or Vita (limited to 10 pages)
 - a. Education (Institution, major, minor, degrees awarded, and dates degrees were awarded)
 - b. College/university teaching or library/educational technology services experience as appropriate to field (include position and dates)
 - c. Other teaching or library/educational technology services experience (describe and include dates)
 - d. Other related experience (describe and include dates)
4. Supporting information for the following items, as outlined in section 2.5.1 (optional – electronic submission of supporting information is preferred; if submitted in hard-copy form, references to these materials must be made within the electronic portfolio)
 - a. Effectiveness in Teaching/Effectiveness in Role as Library or Educational Technology Faculty
 - b. Effectiveness in Research, Scholarship, and Other Creative Activities
 - c. Effectiveness in Rendering Service
 - d. Any other relevant information pertaining to the college or department

Responsibility of the Peer Promotion and/or Tenure Committee

When a faculty member applies for promotion and/or tenure, it is the responsibility of the department chair to form a peer promotion and/or tenure committee by October 15. In Library and Educational Technology Services, the dean serves the functions of chair and dean. The department chair shall convene a peer promotion and/or tenure committee, consisting of all tenured faculty not applying for promotion in the department. No committee shall consist of less than five tenured faculty. When that number is not possible at the departmental level, the chair will complete the committee membership from among all tenured faculty not applying for promotion from other departments in the college or in a related discipline. The department chair or designee will supervise the election of a chairperson. It is the responsibility of the peer promotion and/or tenure committee chair to complete an evaluation form (Appendix 2.G) on each candidate, with a copy to each committee member, that addresses strengths and weaknesses in relation to the university, college, and departmental criteria established for promotion and/or tenure and to recommend for or against the granting of promotion and/or tenure. In addition, the peer promotion and/or tenure committee will then submit through the department chair to the dean all of the information relating to the promotion and/or tenure recommendation by November 15. The evaluation form, composed by the candidate's peer promotion and/or tenure committee chair and copied to each committee member, should provide information directly addressing the degree of merit or level of prestige or quality of scholarly outlets cited within the candidate's portfolio. These should include discipline specific accomplishments relative to effectiveness in teaching; research, scholarship, and other creative activities; and service. Members of the peer promotion and/or tenure committee participate with the understanding that all matters related to their deliberations remain confidential.

Responsibility of the Department Chair

The department chair will evaluate the portfolios of the candidates in his or her department and complete the evaluation form (Appendix 2.G) on each candidate that addresses strengths and weaknesses in relation to the university, college, and departmental criteria established for advancement in rank and recommend for or against the granting of promotion and/or tenure. The department chair will forward the peer promotion and/or tenure committee's recommendation, and his or her own recommendation for each candidate, to the college or area dean no later than December 1. In Library and Educational Technology Services, the dean serves the functions of chair and dean.

Responsibility of the College Dean

The dean will review the candidate portfolios in his/her college and the materials presented by the peer promotion and/or tenure committee and the department chair, complete the evaluation form (Appendix 2.G) on each candidate that addresses strengths and weaknesses in relation to the university, college, and departmental criteria established for promotion and/or tenure, recommend for or against the granting of promotion and/or tenure, and forward to the Vice President for Academic Affairs and Provost and to

promotions@una.edu all of the information relating to the promotion and/or tenure recommendation by February 1.

Responsibility of the University-Wide Promotion and Tenure Portfolio Review Committee

The University-Wide Promotion and Tenure Portfolio Review Committee will review the materials presented by the peer promotion and/or tenure committee, the department chair, and dean, and the committee chair will complete the evaluation form (Appendix 2.G) on each candidate that addresses strengths and weaknesses in relation to the university, college, and departmental criteria established for promotion and/or tenure as reported on the numerical secret ballot vote to recommend for or against the granting of promotion and/or tenure and forward to the Vice President for Academic Affairs and Provost all of the information relating to the promotion and/or tenure recommendation by March 15. This committee is to be drawn from all five faculty constituencies (four colleges and Library/Educational Technology Services faculty). The committee will have nine (9) members consisting of a minimum of one (1) member from each constituency plus at-large faculty to total nine. The committee will select a vice chair to serve as assistant to the chair during the first year of a two-year term and to assume the role of chair during the second year. Annually, the Faculty Senate will identify a pool of at least fifteen (15) eligible members to serve in this pool. Appointment to the pool and service on the committee is limited to faculty who are tenured and hold rank as Associate Professor or Full Professor. From this pool of candidates, the President of the University will annually, in October, select members to serve for two (2) academic years. No faculty member from a faculty constituency will be appointed for additional terms until the entire pool from that constituency has been exhausted. Only then may professors be appointed to serve another term. Exemptions from service should only be granted in extreme circumstances and then only for one (1) term. Faculty may not serve on the committee while applying for promotion and/or tenure.

Duties of the committee may include, but are not limited to, reviewing promotion and/or tenure portfolios for content; reviewing procedures/processes for adherence to stated policies with respect to promotion and/or tenure criteria; ensuring the missions, learning objectives, and goals of the University, various colleges, and specific departments are being met in concordance with one another with respect to promotion and/or tenure criteria; and concurring with, or not, the recommendations of candidates for promotion and/or tenure. The University-Wide Promotion and Tenure Portfolio Review Committee will focus on the portfolio (including all forms as described in section 2.5.3). All portfolios that are incomplete or not in compliance with the stated guidelines (section 2.5.3) will be considered as non-responsive and rejected.

As soon as the annual committee membership is announced, the chair will call a meeting during the fall semester for the express purpose of orienting the committee, especially incoming new members, to the established procedures and guidelines for the committee. All members of the committee must participate in this orientation. Departmental criteria with respect to promotion and/or tenure criteria, unique college criteria and policies with respect to promotion and/or tenure criteria, and university policies with respect to promotion and/or tenure criteria, will be made available to each member of the committee.

After orientation, the committee will begin its work with review of tenure portfolios, followed by review of promotion portfolios. As soon as the portfolios become available, the chair will notify the committee of the location of the portfolios on the UNA server and the committee will begin the review process. Every member of the committee will review each portfolio submitted, regardless of recommendation and concurrence at previous stages in the process. After all members have reviewed each portfolio, the committee will meet *en masse* (convened in person) to discuss each portfolio and vote on each candidate by reported numerical secret ballot.

The committee will perform a year-end process/procedures review and prepare a report to be presented to the Vice President for Academic Affairs and Provost by May 15. This report should include what worked well, what did not work, and remediation recommendations.

Members of the University-Wide Promotion and Tenure Portfolio Review Committee participate with the understanding that all matters related to their deliberations remain confidential.

Responsibility of the Vice President for Academic Affairs and Provost

The Vice President for Academic Affairs and Provost will review each candidate, and the recommendations from the peer promotion and/or tenure committee, the department chair, the dean, and the University-Wide Promotion and Tenure Portfolio Review Committee, and will recommend for or against the granting of promotion and/or tenure to the President by April 15.

Responsibility of the President

The final decision for or against the granting of promotion and/or tenure will be made by the President by April 22. Letters of notification from the President's Office will be mailed to all candidates, with copies to the respective dean and department chair, no later than May 1. For faculty being considered for promotion and/or tenure to associate professor, the notification will occur during the final year of the probationary period. Faculty not approved for tenure will be issued a terminal contract. Promotion and/or tenure, and promotional raises, will become effective on the first day of the following fall semester.

B. Department Chairs Applying for Promotion and/or Tenure

Department chairs who are candidates for promotion and/or tenure will be evaluated using the same process as that described for other faculty members, except that the department chair review is omitted. No committee shall consist of less than five tenured faculty. When that number is not possible at the departmental level, the dean will complete the committee membership from among all tenured faculty not applying for promotion from other departments in the college or in a related discipline. In the case of department chairs, however, the evaluation completed by the peer promotion and/or tenure committee will be sent directly to the dean no later than November 15. The dean will evaluate the candidate's portfolio and will forward his

or her evaluation and the peer promotion and/or tenure committee's evaluation to the Vice President for Academic Affairs and Provost by February 1. By April 15, the Vice President for Academic Affairs and Provost will review each candidate, and the recommendations from the peer promotion and/or tenure committee, the dean, and the University-Wide Promotion and Tenure Portfolio Review Committee, and will recommend for or against the granting of promotion and/or tenure to the President.

Evaluation Results

At each stage of the process, the evaluation form will be e-mailed to the next level, to promotions@una.edu, and be copied to the candidate. The candidate may offer a rebuttal, if desired, by e-mailing it to promotions@una.edu. The rebuttal(s), if any, will be added to the application materials.

2.5.4 Renewal or Termination of a Probationary Appointment

Written notice of renewal or termination of a probationary appointment will be March 1 for the second year and October 1 for third and subsequent years. Written notice delivered via official university communication methods, including e-mail, before the specified dates shall be deemed sufficient notice. Otherwise, offers of reemployment will be made by an offer of appointment as specified in Section 2.3.2 above. Acceptance of an offer of reemployment must be made in writing and received by the Vice President for Academic Affairs and Provost not later than thirty (30) calendar days following the offer.

The recommendation to renew or not to renew a probationary appointment normally will originate with the department chair or other immediate supervisor. Tenured members of the department also will be consulted. After review of the recommendation by the appropriate college dean, the Vice President for Academic Affairs and Provost makes the final decision to renew or not to renew the appointment. The person affected will be advised of that decision in writing by the Vice President for Academic Affairs and Provost. Probationary faculty who receive non-renewal notices as a result of tenure and promotion review will be retained for one academic year of employment prior to separation from the institution.

2.6 TERMINATION OF FACULTY APPOINTMENTS

2.6.1 Retirement

A faculty member electing to retire under options available through the Teachers' Retirement System of Alabama must submit written notice to the President not later than February 1 immediately preceding the expiration of the contract period. The effective date of retirement will coincide with the end of the contract period unless a different date is approved.

2.6.2 Termination for Cause

Termination of an appointment with tenure or of a probationary, non-tenure-track, or adjunct appointment before the end of the term specified in the letter of appointment may be

affected by the University only for adequate cause. The following causes, proved by substantial evidence, shall justify the termination of the above categories of faculty appointments: professional incompetence; commission of a felony; gross neglect of duty; gross insubordination; inability to fulfill terms and conditions of appointment due to medical condition; excessive absenteeism; sexual harassment; intentional violation of other university rules or regulations; any other adequate cause related directly and substantially to the fitness of a faculty member to serve in his or her capacity as a teacher, researcher, or provider of public service; bona fide financial exigency; and the discontinuance of a department or program. In the event of terminations by reason of financial exigency or discontinuation of a department or program for lack of enrollment or otherwise, the University shall make reasonable efforts to place the personnel affected in other open positions for which they may be qualified, and in no case shall a tenured faculty position so terminated be filled within two years unless the person affected has been offered reappointment and a reasonable time in which to accept it.

Any termination for cause shall be pursuant to the due process procedures set forth in the official policy statement, Grievance and Due Process Procedures, as they exist at the time the proposal for termination originates.

2.6.3 Check-Out Procedures

Faculty members who are leaving employment with the University must be cleared by University Police, the Business Office, Collier Library, Educational Technology Services, Information Technology Services, the department chair, the Registrar's Office, the Office of Human Resources, and any other offices from which they may have borrowed equipment and/or owe charges. All university equipment must be returned, and all outstanding balances must be settled. The Office of Human Resources will notify the faculty member of this requirement, and any delinquencies, prior to his or her departure from the University.

Faculty members who are granted a leave of absence will meet with their department chair who will determine, with subsequent written notification to the Assistant Vice President for Human Resources and the Vice President for Business and Financial Affairs, which of the following check-out procedures will apply: employee returns keys to the Facilities Administration and Planning Office; employee returns all departmental equipment that may be needed during the employee's absence; employee returns all library materials, books, etc. that may be on loan to the employee; and employee returns all Information Technology Services equipment and materials that may be on loan to the employee. All faculty on leave of absence must obtain clearance from the Business Office and meet with the Office of Human Resources for health benefit information.

2.7 SANCTIONS LESS THAN TERMINATION

If the President believes that the conduct of a faculty member justifies disciplinary action or sanctions less than termination for cause, such action or sanction shall not be imposed unless the employee is availed of the due process procedures as set forth in the official policy statement, Grievance and Due Process Procedures.

2.8 DUE PROCESS PROCEDURES

This policy is applicable to faculty members with property interests in their jobs either in the form of tenure or set amounts of time remaining on contracts when either is subject to disciplinary suspension and/or dismissal from employment for cause. To assure the protection of individual rights and due process in actions involving the disciplinary suspension, dismissal, or other termination for cause ([*see Faculty Handbook 2.6.2, Termination for Cause*](#)), faculty members are entitled to procedural due process as outlined below:

Dismissal of a Tenured Faculty Member for Cause

Dismissal proceedings shall begin with a conference between the faculty member and the appropriate academic officer. The conference may result in agreement that the dismissal proceedings should be discontinued or that the best interest of the tenured faculty member and the University would be served by the faculty member's resignation. If this conference does not result in mutual agreement, the academic officer will submit a recommendation in writing with rationale to the faculty member and to the Vice President for Academic Affairs and Provost (VPAA). Within fourteen (14) days*, the VPAA should have a conference with the faculty member. At the conclusion of the conference the VPAA will make a written recommendation to the University President with a copy to the faculty member.

The VPAA's recommendation to the faculty member of the action proposed shall be in writing by certified or registered mail or by such other appropriate means as may provide delivery and proof of receipt. The recommendation shall also contain a statement of the charges or conditions supporting the action proposed as well as notice of the faculty member's right to a full and fair hearing before a Due Process Committee according to the guidelines established in this policy.

Due Process Procedures

A faculty member who receives notice of recommendation of disciplinary suspension or dismissal by the VPAA may request, and shall be afforded, a hearing before a Due Process Committee. Failure to make a request in writing to the President within fourteen (14) days* after receipt of notification shall constitute a waiver by such faculty member of his/her right to a hearing before a Due Process Committee, and the President shall then make a final determination. On proper request for a hearing, as hereinafter provided, the President shall establish an ad hoc committee of five persons from the appropriate list of fifteen (15) nominees, from among tenured members of the University faculty, established for such purposes by the Faculty Senate at the beginning of each academic year. If the need arises during the summer terms, the President, in consultation with the Faculty Senate President, may make temporary appointments to fill vacancies on the committee.

Toward assuring a full and impartial hearing strictly on the merits of the case, due regard shall be given to the appointment to committees of persons with appropriate expertise and without bias or direct interest in the outcome, to provision for peer representation where relevant, and to adherence to hearing procedures. Persons appointed to a Due Process Committee who

deem themselves disqualified by reasons of bias or interest may be excused. The faculty member shall have the right of challenge of Committee appointments for cause and, if in the judgment of the President a challenge is supported by adequate grounds, the member so challenged shall be excused. The President shall appoint replacements for members excused until a proper committee is established. The President shall designate one member of the Committee to act as chair or may appoint an additional ex officio nonvoting member to act as chair. The Committee may adopt supplemental rules and regulations for their governance and operation which are not in conflict with this resolution.

Due Process Hearing Procedures

1. Once a timely request for a hearing has been received by the President and a Due Process Committee has been established, the Committee shall, with due diligence, considering the interests of both the University and the faculty member affected, hold a hearing and report its findings and recommendations to the President and to the involved faculty member.
 - a. If proper request for a hearing is made, the hearing shall be afforded not sooner than fourteen (14) or later than 21 days* from the date of receipt of the request, unless, by mutual agreement, other time limits are established by written agreement.
 - b. The Due Process Committee Chair, in collaboration with both the VPAA and the faculty member shall set the date, time, and place for the hearing and shall notify both parties of such in writing at least seven (7) days* before the hearing.
 - i. The Committee or the Committee Chair may confer with the parties prior to the hearing in order to review procedures, provide for scheduling of witnesses and for any necessary exchange of documents or other information, and to achieve such other objectives as may make the hearing fair, effective, and expeditious. The Committee may consider, in advance of the hearing, the statement of grounds for the proposed action already formulated and such written response as the faculty member may elect to submit.
 - ii. The Committee shall be responsible for establishing the order of procedure, for conducting the question of witnesses, for securing—if necessary--the presentation of evidence important to the case, and for developing such supplemental rules and procedures for its governance and operation as are not in conflict with other provisions of this resolution.
 - c. At the discretion of the President, the faculty member may be suspended pending the outcome of the proceeding if such is determined to be in the best interest of the University, the faculty member, or both. Unless forbidden by law, the salary or wages of the faculty member so suspended will be continued during the time of suspension.
2. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence, and the administration of the University will attempt to secure the cooperation of such witnesses and will make available necessary documents and other evidence within its control. No employee of the University, regardless of

position, should be excluded or excused from appearing before the Committee, if available.

- a. Not later than four (4) days* before the hearing, the VPAA and the faculty member shall present to the Due Process Committee Chair a list of the names, addresses, and telephone numbers of all witnesses expected to be called to testify and the nature of the testimony and evidence to be offered by each witness.
- b. At least four (4) days* prior to the hearing, both parties shall be permitted to inspect any affidavits or exhibits he/she intends to submit at the hearing.

3. During the hearing:

- a. Both parties shall be permitted to have an advisor or attorney present who will not serve in a legal capacity but rather as a consultant. An advisor/attorney is not allowed to speak on the party's behalf, object in any manner to any questions asked or discussions raised during the hearing, cross-examine or question witnesses in the hearing, or interrupt the hearing proceeding.
- b. A court reporter will be retained by the University to record the proceedings. A copy of the hearing transcript shall be prepared by the court reporter and distributed to both parties at no charge.
- c. The Committee, in consultation with the parties concerned, will determine whether the hearing should be public or private.
- d. Both parties shall be afforded the right to present their versions as to the charges or circumstances and to present their respective cases by way of such statements, affidavits, witnesses, and exhibits as he desires.
- e. Both parties shall have the right to confront and cross-examine all witnesses. The Committee may grant adjournments to either party to permit the investigation of evidence to which a claim of surprise is made.
- f. The Committee shall not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Reasonable effort should be made to obtain the most reliable evidence available.

4. The hearing will begin with the VPAA (or the most appropriate academic administrator in the absence of the VPAA) presenting the case for dismissal and continue with the faculty member presenting the case against dismissal. Each side may introduce evidence and/or call witnesses as desired. The faculty member and the University will have the right to cross examine all witnesses present. Affidavits are admissible whenever a witness cannot appear.

5. The burden of proof that adequate cause exists rests with the University and will be satisfied only by a preponderance (majority) of the evidence. The findings of fact in the decision shall be based solely on the hearing record.

6. The Committee, in executive session, may conclude: a) that adequate cause for the action has been established by the evidence; b) that adequate cause for the action has not been established by the evidence; or c) that adequate cause for the action has been established, but a penalty less than the action, including removal of tenure, would be more appropriate. The Committee may make any other recommendations it determines are

appropriate. The Committee's written findings and recommendations shall be made to the President.

7. Within 14 days* of the receipt of the Committee's written findings and recommendations, the President shall render a decision and so notify the faculty member in writing. Should the President's decision be inconsistent with the findings and recommendations of the Committee, the President shall state his/her reasons to the faculty member and to the Committee. Although the President's action shall be final, the faculty member may appeal adverse findings to a subcommittee of the Board of Trustees.
8. The faculty member shall have the right to request the Board to review adverse findings and recommendations of the President. The request must be in writing and filed within fourteen (14) days* after final notification by the President. If the affected faculty member does not timely request the Board's review of the President's findings and recommendations, the President's determinations become final and binding.
9. If the appeal is filed timely, the Board has the discretion to determine whether the review will be a de novo hearing or a review of the record.
10. Public statements and publicity about the case by the University will be avoided until the proceedings, including consideration by the Board, have been concluded.

Exceptions to Due Process Procedures

Title IX infractions: Pursuant to federal law, the appeals procedures for these infractions are separate and are detailed in the University's [Equal Opportunity, Harassment, and Nondiscrimination Policy and Procedures](#).

Reorganizations, reductions in force, and nonrenewal of non-tenured faculty contracts: This procedure shall not be construed to limit the administrative discretion of the President to elect not to renew contracts of non-tenured personnel of the University or to terminate or abolish certain positions in the University for economic or other legitimate, nondiscriminatory, and constitutionally permissible reasons.

At will employees: At will employees are not entitled to due process procedures upon their termination from employment unless the President expressly grants them that right in a letter imposing the adverse action.

Definitions

The term "University" when used herein without further designation shall refer to the University of North Alabama.

The term "President" when used herein without further designation shall refer to the President of the University of North Alabama.

*Excludes weekends, University recognized holidays, and periods during which the University is closed.

2.9 FACULTY RECORDS

Permanent record files for faculty members are maintained in the Office of the Vice President for Academic Affairs and Provost. Included in these files are employment agreements, personal data records, official transcripts for bachelor's, master's, and doctoral degrees as well as any coursework in support of faculty credentials, correspondence, and other relevant materials. Faculty records related to payroll are maintained in the Business Office; those records relating to benefits are maintained in the Office of Human Resources. All faculty records are maintained with proper regard for security and confidentiality. Access is limited to those persons whose positions carry authorization for record use and review. Faculty members may inspect their records by appointment.

Faculty members are expected to assist in keeping their records current by reporting changes affecting directory information, tax and benefit records, additional training and degrees, research, special honors and recognitions, offices and memberships, publications, and other pertinent information.

New appointees should contact the Office of Human Resources immediately to complete all appropriate forms, including tax withholding forms, applications for insurance, retirement system membership, and other university benefits. This must be done at least two weeks prior to the end of the month in which first payment is to be made.

2.10 APPLICATION OF HANDBOOK

The provisions of this Handbook are general guidelines the University intends to apply in every applicable case. None of these provisions is intended, however, to induce continued employment or otherwise to be an offer of a contract of employment for a definite duration or to constitute an employment contract or to create a property interest under Alabama or Federal law. Initial employment contracts, and notices of promotion and tenure, are in the form of separate documents as specified in Section 2.3.2 above and must be in writing and signed by the President of UNA. This section shall not be construed, however, to affect adversely the rights of tenured faculty members in any way.