



MISSISSIPPI STATE UNIVERSITY

ACADEMIC OPERATING POLICY AND PROCEDURE

MEMORANDUM TO: All Holders of Mississippi State University Academic Operating Policy and Procedure Manual

DATE: April 17, 1989

REVIEWED: January 10, 2008

SUBJECT: 13.07 Academic Promotion and Tenure Policies and Procedures

PURPOSE

The purpose of this Academic Operating Policy and Procedure (AOP) is to promote our understanding of both standards and procedures concerning academic promotion and tenure.

REVIEW

This AOP will be reviewed every four years (or whenever circumstances require an earlier review) by the Associate Provost for Academic Affairs (APAA) with recommendations for revision presented to the Provost and Vice President for Academic Affairs

POLICY/PROCEDURE

All regulations of Mississippi State University concerning employment, promotion, and the granting of tenure must adhere to the By-Laws and Policies of the Board of Trustees of State Institutions of Higher Learning(1970, with subsequent amendments). Specific attention is called to the section, "Employment and Tenure of Faculties of Institutions of Higher Learning in Mississippi."

Academic tenure and promotions in rank are subject to the general guidelines (shown below) as developed by the University Promotion and Tenure Committee or the Faculty Senate and ratified by the Faculty Senate, recommended to and approved by the President. At the time of the initial appointment the appropriate department head should make the faculty member aware of these general procedures as well as any other guidelines specific to the academic college, school and/or department in which he/she holds a tenure-track position.

RESPONSIBILITIES

<u>Position</u>	<u>Section</u>	<u>Year</u>
Associate Provost for Academic Affairs	Review	<u>2011</u>

AOP 13.07

APPROVED:

<u>/s/ Jerome Gilbert</u> Associate Provost for Academic Affairs	<u>10-12-07</u> Date
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<u>/s/ Peter Rabideau</u> Provost and Vice President for Academic Affairs	<u>10-12-07</u> Date
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<u>/s/ Robert Wolverton</u> President, Robert Holland Faculty Senate	<u>10-16-07</u> Date
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REVIEWED BY:

<u>/s/ Don Zant</u> Director, Internal Audit	<u>10-24-07</u> Date
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<u>/s/ Charles Guest</u> General Counsel	<u>01-04-08</u> Date
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APPROVED:

<u>/s/ Robert H. Foglesong</u> President	<u>01-10-08</u> Date
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Note:

The following Promotion and Tenure Procedures were approved by the President of the Robert Holland Faculty Senate and the Interim President of Mississippi State University on 6/30/08.

PROMOTION AND TENURE PROCEDURES

Revised and Approved by the Robert Holland Faculty Senate, 3-18-2008

Signed by Interim President Vance H. Watson, 6-30-2008

1.0 Scope

- 1.1. This document records Mississippi State University's policies and procedures governing academic tenure and promotion in academic rank. These policies and procedures were drawn up by the Robert Holland Faculty Senate in accordance with the Bylaws and Policies of the Board of Trustees of State Institutions of Higher Learning (IHL) (sections 402, 403, and 404) and have been approved by the Robert Holland Faculty Senate and the president.
- 1.2. This document applies only to faculty members in tenure-track positions. The appointment and termination of non-tenure-track faculty members is governed by IHL Board Policy 404.01-404.02, and their promotion is governed by university, college, school and departmental policies. Such faculty members are not eligible for tenure, but may apply for open tenure-track positions.
- 1.3. Suggested changes and recommendations to this document can originate from the President, the University Promotion and Tenure Committee, or the Faculty Senate. The President of the Faculty Senate will distribute copies of the suggested change(s) and recommendation(s) to all Senate members and the Faculty Senate will prepare its own recommendation(s). The Faculty Senate's report on the recommended changes in the promotion and tenure document will be reviewed at two regularly scheduled Senate meetings before a vote on the recommendations will be held. A copy of the Faculty Senate's decision will be sent to the University Promotion and Tenure Committee. Final action on the recommendation(s) will be taken by the President and announced through all appropriate channels.
- 1.4. The procedure outlined in section 1.3 will be followed, unless some extraordinary occasion should demand a more immediate change. In all cases, however, the Faculty Senate must vote to approve all changes and the University Committee on Promotion and Tenure will be a part of the process of consideration.
- 1.5. The policies and procedures in effect in any academic year must have been fully approved by the Faculty Senate and signed by the president by 1 July of that year.
- 1.6. Copies of all officially-approved, university promotion and tenure policies and procedures, including subsequent revisions, together with their dates of approval, will be kept in the Faculty Senate Office and the Office of the University Promotion and Tenure Committee. In addition, an electronic copy of the current policies and procedures will be posted on the MSU Web site (at www.facultysenate.msstate.edu).
- 1.7. Changes to this document become official on the day the revised document is signed by the President. All units within the MSU system are expected to be in compliance

with all changes within one year of that date. Unaltered sections of the document remain in effect regardless of changes that are made to other sections.

2.0 Academic Rank

- 2.1. A faculty member of professorial rank must have a professional or terminal degree appropriate to the discipline (or the equivalent in training and experience), a strong commitment to higher education and to the mission of Mississippi State University, and a willingness to assume the responsibilities and obligations appropriate to a university faculty member.
- 2.2. Academic ranks at Mississippi State University include:
 - 2.2.1. *Assistant Professor*: A faculty member who has met the requirements in section 2.1 and has the potential to be successful in the areas of teaching, research and/or creative achievement, and service.
 - 2.2.2. *Associate Professor*: A faculty member who has met the criteria for assistant professor, who has consistently demonstrated an ability to perform at a satisfactory level in teaching, research and/or creative achievement, and service, and who excels in at least one of these areas. Based upon the criteria established in the departmental promotion and tenure documents, an associate professor is developing a national reputation, and is showing potential for sustained contributions to the university and to his/her profession or field.
 - 2.2.3. *Professor*: A faculty member who has met the criteria for associate professor, who has consistently demonstrated an ability to perform at a satisfactory level in teaching, research and/or creative achievement, and service, and who excels in at least two of these areas. Based upon the criteria established in the departmental promotion and tenure documents, a professor is expected to have a national reputation in the person's area of expertise.

3.0 Promotion.

Promotion is never granted routinely for simple satisfactory performance or for length of service, but reflects progressively higher professional competence and accomplishment. Promotion from assistant professor to associate professor, or from associate professor to professor, will normally only be considered after a faculty member has served at least five years in rank so that sustained productivity at MSU can be demonstrated. Applications for promotion prior to that time will be regarded as early action and considered only for exceptionally strong and well documented cases. Rank should reflect comparable stature with others in similar disciplines in other university settings. Professional achievement at another academic institution may be considered for promotion.

4.0 Tenure

- 4.1. The granting of tenure is a faculty-driven process and is the academic community's chief guarantee of academic freedom for the faculty member to perform his/her academic duties without undue or inappropriate external pressures.
- 4.2. Definition: *Tenure* is defined by IHL Board Policy 403.01 as:

Continuing employment that may be granted to a faculty member after a probationary period upon nomination by the Institutional Executive Officer for election by the Board. .
- 4.3. IHL Board Policy 403.0104 further provides that a tenured faculty member is protected from dismissal except under the extraordinary circumstances stated in section 12.0.
- 4.4. According to IHL Board Policy 403.01, tenure is granted in a department, unless otherwise designated by the IHL Board.
- 4.5. Attainment of tenure at Mississippi State University is by no means automatic, based on years of service, but is the result of a thorough evaluation of a faculty member's performance in teaching, research and/or creative achievement, and service. The proportions of these activities will vary by discipline. Excellence in one area and satisfactory performance in the others are needed to qualify a faculty member for tenure.
- 4.6. Tenure is granted with the university's expectation that the faculty member will continue to perform at or above the minimum standards set by the department, school, or college, and university.
- 4.7. Eligibility. Tenure may hereafter be granted only simultaneously with promotion to associate professor, or to associate professors, or to professors. Faculty members of all professorial ranks in specifically designated tenure-track positions may work toward tenure. Graduate assistants and adjuncts, non-ranked library personnel, research assistants and associates, lecturers, instructors, visiting or adjunct professors, and all other employees are non-tenure-track. An instructor, even if a full-time employee in an academic department, may not be automatically promoted to assistant professor upon earning a terminal degree.
- 4.8. Probationary period.
 - 4.8.1. A faculty member must apply for and be recommended for tenure by the president during sixth full contract year of employment in a tenure-track position. Failure to earn tenure at the end of the sixth full contract year will result in a terminal contract in the seventh full contract year. The probationary period for tenure-track faculty begins at the start of the faculty member's first full contract year. A full contract year is defined as one that starts on August 16 for 9-month employees and on July 1 for 12-month employees and continues until the next contract period. If the initial contract is for a partial year, e.g.,

starts after August 16 for a 9-month employee and after July 1 for a 12-month employee, that time is not included in the probationary period.

- 4.8.2. Up to five years at other universities may be counted in this probationary period, as determined and agreed upon by the departmental promotion and tenure committee, the department head or director, the dean, and the faculty member in the letter of offer at the time of initial appointment.
- 4.8.3. For clearly stated personal reasons (e.g., emergencies related to health, activation of military service, pregnancy, childcare, care of parents), a faculty member may request an extension of up to two years from the first five years of this probationary period for an approved leave of absence or a modified assignment. Such an extension must be agreed to by the department head or director, the dean, the Provost, and the faculty member at the time the leave is applied for. The departmental promotion and tenure committee shall be notified of the extension and the revised probationary period.
- 4.8.4. IHL Board Policy 403.0101 allows a faculty member or an administrative employee who held faculty rank at the level of assistant professor, associate professor, or professor and tenure at another institution to be awarded tenure at the time of initial appointment if recommended by the faculty of the tenuring department, the dean, the provost, and the president, and awarded by the Board.
- 4.8.5. For faculty members with a shortened probationary period (for reasons described in 4.8.2) or a lengthened probationary period (for reasons described in 4.8.3), the “third-year review” should be held at the mid-point of the individual’s probationary period.

5.0 Relation of Promotion and Tenure

- 5.1. Faculty members who have met the requirements for promotion, but who have not fulfilled the probationary period for tenure, may be promoted without tenure.
- 5.2. Faculty members who are granted tenure as assistant professors automatically meet the criteria for associate professor.

6.0 Performance Standards and Evaluation of Professional Activities

- 6.1. Every faculty member is expected to meet high standards of professional competence, integrity, and collegiality and to further the goals of his/her department or unit. In every case, a faculty member's performance in teaching, research and/or creative achievement, and service will be judged by all participants in promotion and/or tenure decisions on the basis of specific criteria in written policy statements, developed by the appropriate academic units. All criteria should be based on the application of the highest professional standards and are to be in harmony with the following university criteria:

- 6.1.1. *Teaching*. Criteria may include regular classroom and laboratory instruction; supervision of field work, internships, performances, and fellowships; direction of theses and dissertations; development of educational materials; conduct of other academic programs that confer university credit; presentation of non-credit and off-campus public lectures and demonstration; and other teaching activities as defined by the academic units. Excellence in teaching includes the ability to impart the knowledge, methods, and standards of the discipline, the ability to communicate effectively with students by counseling, advising, or motivating them, the ability to direct students in their own research, and the ability to evaluate student work accurately and fairly according to prevailing academic standards of the discipline. Excellence in teaching may be documented by peer reviews, student evaluations, sample course materials, graded student work, recordings of teaching sessions, graduate student theses and dissertations, and any other documentary materials that demonstrate teaching effectiveness.
- 6.1.2. *Research and/or Creative Achievement*. Criteria may include systematic, original investigation directed toward the enlargement or validation of human knowledge, the solution of contemporary problems, or the exploration of creative forms that bring greater meaning to life. Excellence in research and/or creative achievement must be established by critical peer evaluation, using standards prevailing in the discipline. Excellence may be documented by books, articles, or reviews published by commercial or university presses or in refereed journals of international, national, or regional prestige; research grants, leading to high quality research; presentation of papers before professional groups; invited participation in scholarly conferences; editorial work for professional journals or publishers; or artistic or humanistic performances, presentations, or shows. Evidence of substantive progress on long-term projects that meet the criteria above may be considered as specified by the academic units.
- 6.1.3. *Service*. Criteria may include activities which enhance the scholarly life of the university or the discipline, improve the quality of life or society, or promote the general welfare of the institution, the community, the state, or the nation. Thus it includes outreach and extension of academic knowledge to the public, participation on departmental, college, or university committees, or on regional, national, or international scholarly committees, boards, or review panels, or on public boards as a representative of the scholarly community. Membership or participation in such bodies may constitute satisfactory service, but excellence requires leadership or initiative leading to substantial improvements or progress.
- 6.2. In evaluating a faculty member being considered for tenure, the appropriate faculty committees and academic administrators will give adequate consideration to the faculty member's professional performance. Adequate consideration of a tenure case consists of a conscientious review, which seeks out and considers all available evidence bearing on the relevant performance of the faculty member, and assumes that the various academic units follow their approved procedural guidelines during

the tenure and promotion review process. Such consideration should be based upon adequate deliberation over the evidence in light of relevant standards and exclusive of improper standards (*i.e.*, any criterion not related to the professional performance of the faculty member). The evaluation of a tenure case should constitute a bona fide exercise of professional academic judgment.

7.0 Annual Faculty Evaluation and Review

- 7.1. At the time of initial appointment, each faculty member will be informed in writing by the department head or unit administrator whether the appointment is tenure-track or non-tenure-track and will be given a copy of this promotion and tenure policy, as well as college and departmental promotion and tenure policies (or will be referred to appropriate web sites for online versions of these documents). The new faculty member will respond in writing that the terms of employment are understood and agreed to.
- 7.2. During the probationary period, the department head will counsel each faculty member annually about progress toward promotion and tenure. This annual evaluation will comprise a written review of the previous year's progress and a written agreement about the faculty member's objectives, responsibilities, and expectations for the coming year, and the department head's assessment of progress toward tenure.
- 7.3. The written agreement about the coming year must be consistent with the promotion and tenure criteria of the department, the school or college, and the university. If the department head and the faculty member cannot reach agreement, the matter will be referred to the dean or director.
- 7.4. The annual evaluation, signed by both parties, will be sent to the dean or director. A copy will be placed in the faculty member's personnel file. The faculty member has the right to attach a dissenting statement to all copies of this evaluation.
- 7.5. No record in personnel files relating to promotion or tenure is to be added, changed, or withdrawn without the knowledge of the faculty member and the unit administrator. Personnel files are confidential and are available only to the faculty member and university officials. Appropriate administrators will make all pertinent information available to elected promotion and tenure committees and administrators when the faculty member is a candidate for promotion and tenure. If material from a personnel file (or other material that is not in the candidate's promotion or tenure application) is provided to a committee or administrator, then the candidate will be provided a copy of the material and an opportunity to submit his/her written comments regarding the material before the material is considered by the committee or administrator. Otherwise, no additions will be made.

8.0 Promotion and Tenure Committees

- 8.1. University Committee on Promotion and Tenure

- 8.1.1. The University Committee on Promotion and Tenure serves four functions:
- 8.1.1.1. to advise the provost on promotion and tenure matters, including the review of criteria, policies, and procedures for promotion and tenure used by schools or colleges;
 - 8.1.1.2. to hear appeals from faculty members whose nominations for promotion or tenure have been denied;
 - 8.1.1.3. to review suggested changes in this document; and
 - 8.1.1.4. to hear appeals from tenured faculty members who have been recommended for termination.
- 8.1.2. The committee consists of one member elected from each academic unit with an administrative head. Committee members will elect a chair who reports directly to the provost. Members must be full-time, tenured professors, rank of associate professor or above. No dean, associate dean, assistant dean, department head, or unit leader providing an official promotion and tenure evaluation will be a member of the committee. They are elected in the fall by a majority vote of the unit's full-time tenured or tenure-track faculty members with the rank of assistant professor and above. Members may serve for two consecutive three-year terms, excluding partial terms. A partial term will be filled by election, as needed. The committee will annually elect its chair, who will be a full voting member of the committee.

8.2. College Promotion and Tenure Committees

- 8.2.1. Every college will establish and maintain a promotion and tenure committee. Each college will develop its own criteria for membership on the committee, and the procedures for electing members to that committee. All full-time faculty members who are not deans, associate deans, department heads, or equivalent are eligible to serve on the committee.
- 8.2.2. The responsibilities of a college promotion and tenure committee will be the following:
- 8.2.2.1. write promotion and tenure policies and procedures for their college, which include the mechanism for their adoption and revision;
 - 8.2.2.2. approve the promotion and tenure documents of departmental committees within the college, ensuring that such documents are consistent with the mission of the university and the college, and the university promotion and tenure document;
 - 8.2.2.3. assist departments in developing procedures for a third-year review of all non-tenured, tenure-track faculty;
 - 8.2.2.4. assist departments in developing a criteria for external peer reviews, including the identification of comparable departments or schools at other colleges or universities;
 - 8.2.2.5. assist departments in developing definitions of excellence, satisfactory, and unsatisfactory as it pertains to the evaluation of candidates for promotion and tenure;

- 8.2.2.6. assist departments in developing definitions of teaching, research and/or creative achievement, and service consistent with the mission of the department or school;
- 8.2.2.7. conduct a vote on all applications for promotion and tenure, ensuring department standards are fairly applied and university standards are maintained; and
- 8.2.2.8. approve the original departmental promotion and tenure document and policies and all subsequent changes.

8.3. Department and School Promotion and Tenure Committees

- 8.3.1. Every department and school will establish and maintain a promotion and tenure committee.
- 8.3.2. The faculty of each school or department will determine the structure of its promotion and tenure committee, subject to the conditions that:
 - 8.3.2.1. The committee consists of at least three members.
 - 8.3.2.2. All members of the committee are full-time faculty members with rank equal to or greater than that for which the candidate has applied in a particular case. (Thus an associate professor could sit on the committee to review applications for tenure and promotion to associate professor, but could not sit on the committee to review applications for promotion to professor.) If three members are not available because of absence, recusal or insufficient rank, the professorial faculty of that department will elect substitutes from the professors of an appropriate unit.
 - 8.3.2.3. Unless a unit uses a committee-of-the-whole, the members of the committee must be elected. The length of terms will be determined by the unit.
 - 8.3.2.4. No member of the committee will consider the application of a relative.
 - 8.3.2.5. No dean, associate dean, assistant dean, department head, or unit leader providing an official promotion and tenure evaluation will be a member of the committee. No faculty member may participate in an applicant's promotion or tenure review at more than one level.
 - 8.3.2.6. The committee will annually elect its chair.
 - 8.3.2.7. The membership of the committee will be made known to the faculty.
 - 8.3.2.8. An individual will not serve in a year that his or her promotion application is being considered.
- 8.3.3. Among the responsibilities of the department and school promotion and tenure committee are the following:
 - 8.3.3.1. Write a promotion and tenure document, which is approved by a majority of the faculty in the department, the department head, and the college promotion and tenure committee. This document should detail the specifics, including any uniqueness, of the department or school in which the individual is to be tenured and should contain:

- 8.3.3.1.1. procedures for a third-year review of all non-tenured, tenure-track faculty;
 - 8.3.3.1.2. criteria for external peer reviews, including the identification of comparable departments or schools at other colleges or universities;
 - 8.3.3.1.3. definitions of excellence, satisfactory, and unsatisfactory as it pertains to the evaluation of candidates for promotion and tenure; and
 - 8.3.3.1.4. definitions of teaching, research and/or creative achievement, and service, consistent with the mission of the department or school, including criteria for a developing a national reputation and an established national reputation.
- 8.3.3.2. Conduct a review by end of the third year of all non-tenured, tenure-track faculty.
- 8.3.3.3. Conduct a vote on all applications for promotion and tenure.
- 8.3.3.4. Conduct a vote including all professorial faculty in the department or school to approve the original promotion and tenure document and policies and all subsequent changes.
- 8.3.4. College, school or departmental promotion and tenure committees will consider if submitted, but are not bound by, the Department Head's annual review of a candidate's progress toward tenure or promotion. Candidates are not required to submit their annual reviews.
- 8.3.5. Prior to the offer of hire, the appropriate promotion and tenure committee will make a formal recommendation on the initial appointment of a faculty member or administrator at the rank of associate professor or professor, on the acceptance of experience as the equivalent of a terminal degree, and on the award of years of credit at another institution of higher education toward fulfillment of the minimum probationary period for tenure.

9.0 Procedures for Faculty Promotion and Tenure

9.1. The process

- 9.1.1. The decision to recommend tenure to the IHL Board of Trustees is made by the president. All judgments made at lower levels of the university are recommendations to the president.
- 9.1.2. External letters will be solicited from professionals in the field who can provide an impartial evaluation of the candidate's work and accomplishments. The external reviewers will generally be tenured professors at MSU peer institutions, or more prestigious institutions, and should not include individuals who are in a conflict of interest with the candidate. The identity of the reviewers will be blind to the candidate except as may be required by law or ordered by a court of competent jurisdiction. The specific procedures regarding solicitation and use of external letters of evaluation are to be detailed in school and departmental policies.

- 9.1.3. The candidate makes a formal application for promotion and/or tenure by completing the MSU Application for Promotion and Tenure form and attaching supporting documentation. Each unit will specify the format and the level of detail for the supporting documentation. Except for the candidate's optional written response to recommendations at each level, as described in Section 91.5, no material may be added or removed from this file after a decision has been made at the department level, unless the candidate, department head and the departmental committee agree. The request will be made in writing, define what is being added or removed, state the purpose for the change in the application, be signed by all parties, and be included as part of the formal application.
- 9.1.4. Except for the candidate's optional written response to recommendations at each level, as described in Section 9.1.5, the candidate takes no part in the process after submission of the application, unless requested to do so by those considering the application, until a decision has been announced by the president. No discussion of correspondence relating to the application is to be initiated by the candidate with the reviewing authorities. Deliberation at all levels will be confidential.
- 9.1.5. The candidate will be officially notified of the disposition of the application at each level of the process. A written recommendation and rationale will be made at each level in the process. These written recommendations will be provided to the candidate and placed on file by the department head, dean or director, and provost. These recommendations will be the basis of future discussions of professional development between the faculty member and the department head. The candidate may respond in writing to the written recommendation and rationale of either the department head or the dean/director, or both. If the candidate elects to provide a written response to a recommendation, it must be submitted to the review level to which the response is made within 5 working days of receipt of the recommendation. The response will become part of the formal application.
- 9.1.6. The faculty member has the right to discontinue the review process for tenure or promotion at any point before a decision has been made.
- 9.1.7. Departmental and college committees on promotion and tenure will assist their department head or director and dean, respectively, in reviewing the eligibility of all faculty members who have met the minimum requirements for advancement in rank or tenure.
 - 9.1.7.1. These committees will base their recommendations upon available and pertinent evidence documented in the faculty member's promotion and tenure application and information in the personnel file that is applicable to the candidate's performance in professional activities.
 - 9.1.7.2. A single vote evaluating the three areas (teaching, research and/or creative achievement, and service) as a whole will be taken on promotion and tenure.

- 9.1.7.3. These committees will arrive at their recommendations on the question of promotion or promotion and tenure by a simple majority vote, conducted by secret ballot. This recommendation, with accompanying reasons, including the committees' detailed evaluation of teaching, research and/or creative achievement, and service, will be provided in writing to their respective department head or director and dean.
- 9.1.8. The respective administrators (department or school head or director, and dean) will make separate recommendations, based upon available and pertinent evidence, documented in the faculty member's promotion and/or tenure application and permanent file including the recommendation of their committees. The administrators' recommendations may agree or disagree with that of their respective committees.

9.2. Chronology

- 9.2.1. By October 1, a faculty member eligible for consideration for promotion and/or tenure must have provided the department head with all pertinent and available information. The department head has the responsibility to assist, where appropriate, the faculty member in preparing materials for tenure and promotion review. The department head also has the responsibility to provide the departmental promotion and tenure committee with the faculty member's materials.
- 9.2.2. By November 15, the department head will send to the dean or director a separate packet of materials for each candidate, consisting of:
- 9.2.2.1. The formal application of the candidate with attached materials. Copies of publications, works of arts, etc., will be included only if specifically requested by the dean.
- 9.2.2.2. A letter concerning each candidate, giving the following information:
- 9.2.2.2.1. the department head's evaluation of the candidate's teaching effectiveness, research and/or creative achievement, and service including professional service;
- 9.2.2.2.2. the summary vote of the department committee; and
- 9.2.2.2.3. a summary of the procedures followed by the academic unit in evaluating the candidate.
- 9.2.2.3. The external peer review letters.
- 9.2.3. By January 15, the dean or director will send to the provost a separate packet of materials for each candidate, consisting of:
- 9.2.3.1. The formal application of the candidate with attached materials, including all materials received from the department head. Copies of publications, works of art, etc., will be included only if specifically requested by the provost.
- 9.2.3.2. A letter concerning each candidate, giving the following information:

- 9.2.3.2.1. the dean or director's evaluation of the candidate's teaching, research and/or creative achievement, and service;
 - 9.2.3.2.2. the summary vote and written recommendation of the college committee; and
 - 9.2.3.2.3. a summary of the procedures followed by the academic unit in evaluating the candidate.
- 9.2.4. By March 10, the provost will have reviewed the applicant's packet (as described in section 9.2.3) and made a recommendation to the president.
- 9.2.5. The president will review the recommendation of the provost and will decide to accept or reject that recommendation.
- 9.2.6. The president will transmit that decision, together with reasons for a negative decision, to the faculty member directly, with copies to the dean or director, department head, and chairs of college and departmental promotion and tenure committees.

10.0 Appeals

- 10.1. Faculty members who have been denied promotion or tenure may, within ten working days of the date on the president's decision letter, request an appeals hearing before the University Committee on Promotion and Tenure. The request must be made through the provost who will forward the request to the University Committee on Promotion and Tenure. Grounds for requesting an appeal are:
- 10.1.1. that the decision was prejudiced, arbitrary, or capricious; or
 - 10.1.2. that the procedures contained in the promotion and tenure policies of the IHL, MSU, or those in the applicant's college or unit promotion and tenure policies were not properly followed.
- 10.2. The University Committee on Promotion and Tenure, upon request of the provost, will review the entire case. The appeal will be heard by at least five members. Members should recuse themselves from appeals by candidates who are relatives or with whom they have some conflict of interest, if the committee member has served in the previous levels of evaluation of the appellant or if for any reason the committee member feels he/she cannot be objective. A committee member will not vote on an appeal unless he/she has heard all hearings pertaining to the case. If five members are not available because of absence or recusal, the chair may, with the concurrence of the committee, appoint substitutes from among the professors of the general faculty. In special circumstances potentially prejudicial to the appellant, the chair may, with the concurrence of the committee, appoint an ad-hoc committee to assist in the resolution of the appeal. This ad-hoc committee reports its findings back to the University Committee on Promotion and Tenure.
- 10.3. The committee will review all available pertinent information and will conduct interviews with appropriate persons, i.e., appellant, unit head, unit committee chair, dean, college committee chair and provost. The committee will render its

recommendation, in writing, to the provost. The committee will also provide a copy of this written recommendation to the candidate.

10.4. The provost will transmit the committee's written recommendation along with his or her own recommendation to the president, who will make the final on-campus decision. This decision will end the university appeals process. A copy of each recommendation will be provided to the candidate.

10.5. The Board of Trustees of the Institutions of Higher Learning may grant a further appeal as outlined in Board of Trustees Policy 403.0105.

10.6. Candidates who are denied tenure and who have no time remaining in their probationary periods will receive terminal contracts for the following year.

11.0 Notice of Non-reappointment of Non-tenured, Tenure-track Faculty

11.1. Non-tenured, tenure-track faculty members will be notified in writing of the university's intention not to renew their contracts as provided in IHL Board Policy 403.0102:

11.1.1. not later than March 1 before the date of contract termination during the first year of service;

11.1.2. not later than December 1 before the date of contract termination during the second year of service; or

11.1.3. not later than September 1 before the date of contract termination after two or more years of service.

11.2. This schedule of notification does not apply to persons holding temporary, part-time, or adjunct positions.

12.0 Dismissal of Tenured Faculty

12.1. Termination of service of a tenured faculty member is made only under these extraordinary circumstances (as outlined in IHL Board Policy 403.0104):

12.1.1. financial exigencies as declared by the Board;

12.1.2. termination or reduction of programs, academic or administrative units as approved by the Board;

12.1.3. malfeasance, inefficiency or contumacious conduct; or

12.1.4. for cause.

12.2. Termination for cause of a tenured faculty member or the dismissal for cause of a faculty member prior to the expiration of a term appointment will not be recommended by the Institutional Executive Officer until the faculty member has been afforded the opportunity for a hearing. In no event will the contract of a tenured faculty member be terminated for cause without the faculty member being afforded the opportunity for a hearing.

- 12.3. In all cases, the faculty member will be informed in writing of the proposed action against him/her and that he/she has the opportunity to be heard in his/her own defense. Within ten (10) working days from the date of the president's decision, the faculty member will state in writing his/her desire to have a hearing. He/she will be permitted to have with him/her an adviser of his/her own choosing who may be an attorney. The institution is directed to record (suitable for transcription) all hearings. In the hearing of charges of incompetence, the testimony will include that of faculty and other scholars.
- 12.4. Tenured faculty members, who are dismissed for reasons stated in sections 12.1.1 or 12.1.2 will remain employed for a minimum of 9 to 12 months, consistent with current contract periods of time, from date of notification. Tenured faculty members, who are dismissed for reasons in sections 12.1.3 or 12.1.4 will have their contracts terminated at any time subsequent to notice and hearing with no right to continued employment for any period of time. At the discretion of the Institutional Executive Officer, any faculty member's salary may be paid, and he/she may be relieved of all teaching duties, assignments, appointments and privileges when he/she is dismissed for any reasons stated above or pending a termination hearing.

Approved by:

<u>/s/ Vance H. Watson</u>	<u>06-30-08</u>
Vance H. Watson Interim President, Mississippi State University	Date
<u>/s/ Robert Wolverton</u>	<u>06-30-08</u>
Robert E. Wolverton, Sr. President, Robert Holland Faculty Senate	Date