

# Tenure

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## I. Purpose of Tenure

The main purposes of tenure are to protect academic freedom and to enable the University to attract and retain a permanent faculty of distinction in order to accomplish its mission. For these reasons, tenure is usually awarded only after a suitable probationary period, and the decision to award tenure is based both on the merit of the individual faculty member and on the long-term needs and mission of the department, the college, and the University.

## II. Eligibility for Tenure

- A. Only faculty members who hold the ranks of assistant professor, associate professor, or full professor are eligible to be considered for tenure. Assistant professors will be awarded tenure only if they are simultaneously being promoted to the rank of associate professor.
- B. Faculty members may be considered for tenure only once.
- C. Under certain circumstances administrative faculty holding rank in a department at the assistant professor (if promotion to the rank of associate professor is being simultaneously considered), associate professor, or full professor level may be considered for tenure, as specified by the Board of Visitors policy concerning administrative faculty.
- D. Since tenure is granted as a faculty member in an academic department or program, the award of tenure does not imply continuance in any full-time or part-time administrative position, nor does it imply continuance of any specific work assignment within or outside the department in which tenure is granted.

## III. Probationary Period

- A. The probationary period begins with the initial full-time, tenure-track appointment at Old Dominion University at the rank of instructor, assistant professor, associate professor, or full professor; only time spent in a tenure-track position at one of these ranks is counted as part of the probationary period.

Subject to agreement by the University and the faculty member, any academic year in which the faculty member was on a full-time tenure-track appointment in one of these ranks for at least one semester may be counted as one year of the probationary period.
- B. The following do not count as part of the probationary period:
  1. Time in the rank of assistant instructor, lecturer, master or senior lecturer, faculty of practice, clinical faculty, artist-in-residence, performer-in-residence, writer-in-residence, research professor, research associate professor, research assistant professor, research associate, or any part-time position.
  2. Time in appointment as an administrator, that is, in a position designated as a teaching/research administrative position or as a classified position in the state personnel system. (Time spent in a teaching and research faculty position as defined in the state personnel system will count as part of the probationary period, even if administrative responsibilities are assigned as part of that position; normally, departmental administrative positions such as chair or assistant chair will thus count as part of the probationary period.)
  3. Time in a position that involves no teaching of credit courses, for example as a teacher of children or a therapist in the Children's Learning and Research Center or as a teacher of exclusively noncredit course work.
  4. Time spent on leave of absence.
  5. Time spent on faculty exchanges (including nationally competitive fellowships) if the faculty member so chooses.
- C. A period of time, not to exceed one year, may be excluded from the probationary period, upon the approval of the provost and vice president for academic affairs subject to the following conditions:

1. That the faculty member submits a request in writing to the department chair. The department chair and the dean shall forward the request with a recommendation to the provost and vice president for academic affairs.
  2. The request must be the result of the occurrence of a serious event. A “serious event” is defined as a life-altering situation which requires the faculty member to devote more than eight hours of each day to alleviate the impact of the event for a period greater than six weeks and less than one year. These events may include the birth of a child, adoption of a child under the age of six years, serious personal illness or care of an immediate family member including parent, stepparent, child, or spouse.
  3. The faculty member shall provide documentation to justify the time requested and the seriousness of the event.
  4. The request shall be made no later than one year from the first day of the serious event.
  5. The faculty member must have been adequately performing the duties assigned prior to the first day of the serious event.
  6. Faculty who are awarded this exclusion shall have no requirements or expectations beyond those of any probationary faculty member.
  7. Work accomplished during the excluded period may be cited in the tenure case.
  8. Requests for exclusion may be made at any time during each academic year. No request shall be made after the application for tenure has been submitted.
  9. Decisions will be made within 60 days of the receipt of the faculty member’s request by the department chair.
  10. The decision of the provost and vice president for academic affairs is final.
- D. The maximum total period for full-time probationary appointments (excluding periods not counted, see section III.B.) is six years, unless an approved extension is granted (see section III.C.). If the tenure decision is negative, a one-year terminal appointment is offered.
- E. The length of the probationary period may be reduced in any of the following instances:
1. A faculty member initially appointed to the rank of full professor may be considered for tenure in the second year of service and would be notified of a tenure decision according to the schedule in the Teaching and Research Faculty Handbook; if tenure is awarded, a tenure contract will be offered for the third year of service. In addition, the probationary period for a full professor may be eliminated, and an initial tenure appointment may be recommended to the board if such an appointment has been requested by the chair, voted on by the departmental tenure committee, the college promotion and tenure committee, the University Promotion and Tenure Committee and approved in writing by the dean, the provost and vice president for academic affairs, and the president. It is the sense of the Board of Visitors that the procedure of eliminating the probationary period for tenure should be rarely used. (Please refer to the policy on Initial Appointment of Teaching and Research Faculty for additional information on an initial appointment with tenure.)
  2. A faculty member initially appointed to the rank of associate professor may be considered for tenure in the fourth year of service and would be notified of a tenure decision according to the schedule in the Teaching and Research Faculty Handbook. If tenure is approved, a tenure contract will be offered for the fifth year. In addition, the probationary period for an associate professor may be eliminated, and an initial tenure appointment may be recommended to the board if such an appointment has been requested by the chair, voted on by the departmental tenure committee, the college promotion and tenure committee, the University Promotion and Tenure Committee and approved in writing by the dean, the provost and vice president for academic affairs, and the president. It is the sense of the Board of Visitors that the procedure of eliminating the probationary period for tenure should be rarely used.
  3. A faculty member may apply for early consideration for tenure, if the faculty member believes that he or she has met or exceeded the expectations of quantity and quality of achievements for teaching, scholarship, research, and service needed to qualify for tenure before the end of the normal probationary time period. The criteria for the award of tenure for such faculty will be the same as for those who apply after the normal probationary time period. A faculty member who applies for early consideration for tenure and is denied tenure will be offered a terminal contract for the ensuing year. It is the sense of the Board of Visitors that only demonstrably exceptional faculty will be awarded tenure under this clause.

#### **IV. Criteria for the Award of Tenure**

- A. The following criteria are used in the evaluation of every candidate for tenure. Each faculty committee and administrator considering a tenure case must specifically address each of these criteria as they apply to that case in the written recommendations that are submitted up the line to the provost and vice president for academic

affairs. Committee votes must be recorded in the recommendations. In cases in which a vote is not unanimous, reasons for negative votes must be included.

B. Criteria to be used are as follows:

1. Since tenure may be awarded only to faculty members who hold the rank of associate or full professor or who are being simultaneously appointed to one of those ranks, any faculty member awarded tenure must meet the minimum requirements for the rank of associate professor.
2. Merit - Merit of the faculty member in teaching, research, and service over the entire probationary period and the contributions made by the faculty member in these areas to the University. Scholarly and teaching activity up to six years before the tenure decision should be considered, which can include activity at another accredited institution of higher education or national research institutions. (For definition of teaching, research, and service and a discussion of methods of evaluation, see policies and procedures concerning evaluation of faculty members, evaluation of teaching, evaluation of scholarly activity and research, and evaluation of service.) In addition to information supplied by faculty information sheets, the chair's evaluation, and other material presented by the department, an opportunity shall be made available for the faculty member to provide in writing any other material in support of the tenure candidacy. It is the responsibility of the department chair and the departmental promotion and tenure committee to provide an assessment of the quality of the publications for the faculty being considered for tenure. The evidence should address the quality of the journals and the reputation of book and other such publishers. In case of material developments, additional documentation may be added to the portfolio before the conclusion of the evaluation process with the concurrence of the department chair and dean.

External evaluation of the quality of the faculty member's research performance will be required from nationally recognized experts in the faculty member's field. Candidates for tenure are responsible for the preparation of the research portfolio and curriculum vitae to be sent to external reviewers. Candidates for tenure should provide a statement of potential external and/or internal reviewers with whom there is a conflict of interest, e.g., co-authors, co-investigators, etc.

- a. A curriculum vitae will be required of each external reviewer. Each reviewer will be asked to describe any personal or professional relationship with the candidate. It is the responsibility of the chair to include a curriculum vitae of each reviewer. For tenure of department chairs, the responsibility belongs to the dean.
  - b. External reviewers will be asked to evaluate all submitted material mailed to them based on the department's approved criteria for the evaluation of scholarly activity and research. In the case of the arts, reviewers may be asked to consider works of art or performances. External reviewers will be asked to evaluate: a) the quality of the scholarship or creative work under review; and b) the scholarly reputation (regional, national, international) of the candidate.
  - c. All candidates for tenure will be required to have their scholarship evaluated by no fewer than four external reviewers. If fewer than four reviews are received, the chair will choose additional reviewers alternately from the lists of the department promotion and tenure committee and of the candidate.
3. The determined long-term needs of the department, college, and University, including at least the following:
    - a. The long-term enrollment of the department.
    - b. The need for an additional specialist in the faculty member's area of specialization as a permanent member of the department in terms of the mission of the department, the college, and the University.
    - c. The tenure structure of the department. (Although no maximum percentage of faculty members on tenure is established, all committees and administrators considering tenure must take into account the need for flexibility in course offerings and the desirability of a tenure structure that will allow openings for new tenured faculty members in the ensuing decades so that new areas of specialization and new needs can be met. The position of other nontenured faculty members in the department, anticipated retirements, or other known departures, and projected new programs or changes in directions must be considered.)
  4. No person can be awarded tenure unless convincing evidence is provided of effective teaching.
  5. No faculty member can be awarded tenure unless convincing evidence is provided of successful performance in scholarly activity and research, as judged by the department's approved criteria for the evaluation of scholarly activity and research. It is the faculty member's responsibility to include these criteria in the research portfolio submitted to external reviewers and in the data file submitted internally. If these criteria changed during the faculty member's probationary period, he or she can choose which version to submit.

All evaluations of the faculty member's research and scholarly activity, at every stage of the tenure process, should be guided by these criteria.

**V. Procedure for Tenure Consideration<sup>1</sup>**

- A. The provost and vice president for academic affairs, fifteen months prior to the date for giving notification of the tenure decision, shall formally advise the professor that the limit of the probationary period is approaching, and explain what procedures should be followed by those wishing to be considered for tenure.
- B. The initial steps of the review process are normally conducted by the chair of the department or unit with which the candidate for tenure is affiliated, assuming the chair has tenure. If the chair is not tenured, he or she may not be involved in any aspect of the tenure decision. In that case, the dean of the college housing the department should appoint a tenured member of the department in question to act in the chair's stead. This faculty member shall not take part in any deliberations or votes of the departmental, college or University tenure committee. If the candidate for tenure is the chair of a department, the dean shall conduct the initial steps of the review process but will not write a separate recommendation at the departmental level.
- C. External review process
  1. The responsibility for initiating the external review, securing the reviewers, and forwarding complete review files to the dean, provost and vice president for academic affairs, and the University Promotion and Tenure Committee belongs to the department chair, or his/her replacement if the chair is not tenured (see section V.B.).
  2. External reviewers with academic positions will hold the same rank or higher than the promotion rank for which the faculty member is being considered; exceptions should be justified by the dean. The department tenure and promotion committee and the candidate will prepare separate lists of potential reviewers. The candidate will review both lists and will document personal and professional relationships with all potential reviewers. The chair (or replacement, see section V.B.) will select three reviewers from the candidate's list and three reviewers from the department tenure and promotion committee's list; the chair (or replacement, see section V.B.) will provide this list of reviewers to the dean. The dean will submit an agreed upon list to the provost and vice president for academic affairs for final approval prior to initiating the review process. As a general rule, external reviewers should not be co-authors or former mentors of the candidate. The selection of potential external reviewers must be completed before the end of the semester prior to the submission of credentials for tenure.
  3. External reviews will be confidential; reviewers will be so advised. Requests for exception to the confidentiality of external reviews should be made directly to the provost and vice president for academic affairs before the reviewers are asked to submit evaluations. If an exception is approved, candidates for tenure will be allowed access to the substance of external reviews, but the authorship of specific external reviews and other identifying information contained therein will remain confidential. All external reviewers will receive a standard letter sent by the chair (or replacement, see section V.B.) but prepared by the provost and vice president for academic affairs in consultation with the deans and a copy of the policy on external reviews so their responsibilities will be clear.
  4. The University and college administration will assist departments where reasonable expenses are necessary to obtain appropriate external reviews.
- D. Initial consideration of tenure cases is conducted by the tenured faculty of the department.
  1. The tenured faculty of a department may determine that a tenure committee of a specified size will be selected from their membership to conduct the tenure deliberations and make recommendations to the chair (or replacement, see section V.B.). In this case, the entire full-time department faculty will elect the committee. It is the responsibility of this committee to determine the opinions of tenured members of the department not serving on the committee.
  2. In departments where fewer than three members are tenured, the dean, in consultation with the chair (or replacement, see section V.B.), will appoint enough additional tenured faculty members to form a committee of at least three.
  3. No dean, associate dean, assistant dean, or other full-time administrator or department chair (or replacement, see section V.B.) shall attend or participate in the deliberations of the departmental, college, or University Promotion and Tenure Committee, or of the tenured faculty of the department serving as a group to consider tenure, except in those cases when such committees or groups may, at their discretion, request administrators

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<sup>1</sup>See the Schedules for Faculty Personnel Actions in the appendix for specific dates and actions.

or chairs to answer specific questions concerning tenure cases. The deliberations of all three committees are confidential and must not be shared with anyone outside of the committee.

4. The college committees shall consist of one tenured faculty member from each department in the college. All members of college promotion and tenure committees shall be elected directly by the faculties they represent for a one-year term renewable twice for a total of three years. This member shall be chosen by majority vote of all full-time, tenure-track teaching and research faculty members of the department, present and voting, by secret ballot before April 15 of each year for the ensuing year. Every reasonable effort should be made to ensure that there at least three full professors on the college committee. No person shall serve on a college promotion and tenure committee for more than three years consecutively but is eligible for reelection after an absence of at least one year. The representative from a tenure candidate's department will participate in deliberations in the candidate's case but will not cast a vote.
  5. The University Promotion and Tenure Committee shall consist of one tenured full professor from each of the major degree-granting academic colleges. This member shall be elected by his/her college's promotion and tenure committee(s) by September 15. The University Promotion and Tenure Committee shall elect one of its members as chair.<sup>1</sup> No person shall serve on the University Promotion and Tenure Committee for more than three years consecutively but is eligible for reelection after an absence of at least one year. The representative from a tenure candidate's college will participate in deliberations in the candidate's case but will not cast a vote.
  6. Any committee member who participates in the tenure process votes at most only once on any particular case.
  7. In order to ensure transparency, fairness, and equity in the internal review process, a faculty member or administrator who participates in the tenure process must disclose any potential conflict of interest that might undermine the credibility of the process. The chair of the department (or replacement, see section V.B.) will work in consultation with the dean of the college to decide whether the person should be excluded from serving on the review committee.
  8. The faculty member under consideration is informed whenever a committee is considering tenure and is given an opportunity to submit a statement (in electronic form) to the Provost's Office in support of their tenure case, or to correct any factual misinformation in previous recommendations. The Provost's Office will add such statements to the candidate's file.
  9. In case of material new accomplishments before the conclusion of the evaluation process, additional documentation may be added to the portfolio with the concurrence of the dean. Such additional material must be clearly marked as such and dated at the time of addition to the tenure file by the Provost's Office. If such additional documentation is considered, this must be clearly documented in the recommendation letters by the committee or individual (e.g. dean) who first see this new material.
- E. The committee or group of tenured faculty makes its recommendation to the chair (or replacement, see section V.B.). All committee members shall vote yes or no through a secret ballot, after participating (either in person or remotely) in the deliberation of the committee. Proxy votes or votes submitted by non-secure means (e.g., email or communication accessible to a third party) are not permitted. In instances of a non-unanimous vote, the minority opinion must be included in the committee recommendation and the minority must be given the option to write the minority opinion. A copy of the recommendation letter will be sent to the faculty member by the chair of the committee. Considering this recommendation, the chair (or replacement, unless the dean is acting in the chair's stead, see section V.B.) makes an additional evaluation and recommendation concerning tenure. A copy of that review and recommendation letter will be sent to the faculty member and the dean by the chair of the department.
- F. If either the tenured faculty (or their committee), or the chair (or replacement, see section V.B.), or both recommend tenure, the credentials of the faculty member together with the recommendations of the tenured faculty (or their committee) and the chair (or replacement, see section V.B.) are forwarded to the tenure committee of the college, which examines the facts and the recommendations and makes a recommendation to the dean. All eligible committee members shall vote yes or no through a secret ballot, after participating (either in person or remotely) in the deliberation of the committee. Proxy votes or votes submitted by non-secure means (e.g., email or communication accessible to a third party) are not permitted. Members who are eligible to vote on a specific

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<sup>1</sup>The members of the faculty who are elected to serve on the University Promotion and Tenure Committee shall serve for the subsequent academic year. The promotion and tenure committees elected by each individual degree-granting college serve for an entire academic year, not for the spring semester of one year and the fall semester of the following year.

candidate's tenure application are defined in section V.D.4. In instances of a non-unanimous vote of all eligible voting members, the minority opinion must be included in the committee recommendation and the minority must be given the option to write the minority opinion. A copy of the recommendation letter will be sent to the faculty member by the chair of the committee.

- G. If neither the departmental committee nor the chair (or replacement, see section V.B.) recommends tenure for the faculty member, tenure is not granted in the ensuing year. The faculty member is given a terminal contract for the ensuing year unless a further review is requested.

If the faculty member requests further review, all materials including departmental and chair evaluations and recommendations are forwarded to the college tenure committee, which makes a separate recommendation to the dean. All committee members should vote yes or no through a secret ballot. In instances of a non-unanimous vote, the minority opinion must be included in the committee recommendation and the minority must be given the option to write the minority opinion. The dean then makes a decision concerning tenure and informs the faculty member.

If either the decision of the college committee or that of the dean is positive, the faculty member's case is considered in accordance with the procedures in the following paragraphs. If both decisions are negative, the faculty member may request, within two weeks, a further review by the provost and vice president for academic affairs, who makes a final determination concerning further consideration of tenure.

- H. The dean of the college examines the facts and all previous recommendations and makes a recommendation concerning tenure, which is forwarded, with reasons, to the provost and vice president for academic affairs, with copy to the faculty member.
- I. The University Promotion and Tenure Committee, consisting of one tenured full professor from each of the major degree-granting academic colleges, examines the facts and all previous recommendations and documentation and makes a recommendation (with reasons) concerning tenure, which is forwarded to the provost and vice president for academic affairs. All eligible committee members shall vote yes or no through a secret ballot, after participating (either in person or remotely) in the deliberation of the committee. Proxy votes or votes submitted by non-secure means (e.g., email or communication accessible to a third party) are not permitted. Members who are eligible to vote on a specific candidate's tenure application are defined in section V.D.5. In instances of a non-unanimous vote of all eligible voting members, the minority opinion must be included in the committee recommendation and the minority must be given the option to write the minority opinion. The Office of the Provost will provide a copy of the recommendation letter to the dean of the college, the department chair and the faculty member.
- J. The provost and vice president for academic affairs, after examining all submitted documents and consulting with appropriate staff members, makes a determination concerning tenure for the faculty member. If the recommendations from all committees and administrators previously acting on the case have not all been the same, or if the provost and vice president for academic affairs disagrees with the recommendations that have been the same, then the provost and vice president for academic affairs shall consult with the University Promotion and Tenure Committee and with the chair (if tenured) and dean concerned.
- K. If the determination of the provost and vice president for academic affairs is in favor of tenure, the provost and vice president for academic affairs forwards the faculty member's name to the president for presentation to the Board of Visitors as a candidate for tenure. The Board of Visitors will act on the case according to the schedule in the Teaching and Research Faculty Handbook of the year in which it is being taken up. Upon approval of the Board of Visitors, the faculty member is offered a tenure contract for the coming year.
- L. If the determination of the provost and vice president for academic affairs is against tenure, the faculty member is notified according to the schedule in the Teaching and Research Faculty Handbook that a terminal contract will be offered for the ensuing year.
- M. The faculty member may request, within two weeks, that the president review a negative decision of the provost and vice president for academic affairs. The president should make a decision on the review within one month. If the president upholds the decision of the provost and vice president for academic affairs, the faculty member may request a further review by the Board of Visitors or its designated committee within two weeks. (Refer to the policy on Communications With the Board of Visitors for procedural information.) The decision of the Board of Visitors or its designated committee is final.
- N. Copies of the recommendations by all committees, chairs, deans and the provost shall be provided to the faculty member being considered for tenure. The faculty member will be provided opportunity to correct any factual misinformation in such recommendations by placing a letter in his or her tenure file at any stage, or up until March 1 to the provost (November 22 for faculty hired mid-year).

- O. The above procedures at the departmental and college level may be suitably adapted for faculty members who hold interdisciplinary or interdepartmental appointments. The adapted procedures should be recommended by the promotion and tenure committee of the college or colleges involved and approved by the dean or deans and the provost and vice president for academic affairs. Procedures above the college level will be the same as designated above in all cases.

#### VI. **Pre-Tenure Review**

1. The concept of a major review of faculty performance is intended to serve the purpose of giving the faculty member a clear indication of progress toward tenure and to offer constructive suggestions for self-improvement.
2. Non-tenured faculty members, without prior teaching service credit toward tenure, who are in their third year of probationary service at Old Dominion University will receive a major faculty review. This review will be conducted by the dean and will begin in the spring of the third year of faculty service (fall of the third calendar year of service for faculty hired mid-year). The review will include a meeting with the faculty member and chair. The review process, conducted by the department promotion and tenure committee, department chair, college promotion and tenure committee, and dean, will include an in-depth evaluation of teaching effectiveness, scholarly works, grant and contract efforts, and other professional activities. An evaluation report emphasizing the long-range impact of the faculty member on the University should be submitted to the provost and vice president for academic affairs by May 1 (December 1 for faculty hired mid-year) following the completion of the review at the college level with a copy provided to the faculty member at all evaluation levels<sup>1</sup>. It is important that the review extend beyond certifying adequate teaching performance and focus on creative ability, productivity, and potential to excel.
3. In situations where a faculty member receives one or two years of credit toward tenure, the review process will be conducted during the second year of service at Old Dominion University, but no sooner than 12 months after initial appointment.

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