

<b>Appointment, Non-Reappointment, and Dismissal of Faculty; Evaluations</b>	Procedure Number	UA-PTC AR 405.1.1
	Effective Date	Jan 1, 2019

**Policy:** This policy supersedes all existing policies concerning appointments, promotion, non-reappointment and dismissal of faculty. The College through UA Board of Trustee action has the right to amend any portion of this policy at any time in the future.

### 1.0 PURPOSE

1 The Chancellor, with the authority of the President of the University, has final approval of all faculty appointments.  
 2 The precise terms and conditions concerning each appointment shall be stated in writing on the official College  
 3 Faculty Appointment Letter. Evaluation of performance will be an ongoing part of the re-appointment process and  
 4 will be formalized to ensure quality instruction.

### 2.0 REVISION HISTORY

5 Adopted on:  
 6 Revised on:  
 7 Supersedes: BP 2.12 Faculty Appointments; 2.13 Non-Renewal of Faculty Appointments; 2.14  
 8 Employee Evaluation; AR 2.12 Faculty Vesting & Continued Employment

### 3.0 PERSONS AFFECTED

Full-time Faculty  
 Part-time faculty

### 4.1 DEFINITIONS

9 Appointment- An appointment is employment by written contract (“Notice of Appointment”) by the Board of  
 10 Trustees of an individual in a given capacity for a specified period at a stated salary. The appointment is valid  
 11 only when a Faculty Appointment Letter is approved and signed by the Chancellor of the College or the  
 12 Chancellor’s designee in accordance with authority delegated by the Board of Trustees, and the letter is signed  
 13 by the individual being appointed and returned to the specified College official.

14  
 15 Cause - Cause is defined as conduct that demonstrates the faculty member lacks the willingness or ability to  
 16 perform duties or responsibilities to the University, or that otherwise serves as a basis for disciplinary action.  
 17 Pursuant to procedures set out herein or in other University or campus policies, a faculty member may be  
 18 disciplined or dismissed for cause on grounds including, but not limited to, (1) unsatisfactory performance,  
 19 consistent with the requirements of section V.A.9 below, concerning annual reviews;  
 20 (2) professional dishonesty or plagiarism; (3) discrimination, including harassment or retaliation, prohibited by  
 21 law or university policy; (4) unethical conduct related to fitness to engage in teaching, research,  
 22 service/outreach and/or administration, or otherwise related to the faculty member’s employment or public  
 23 employment; (5) misuse of appointment or authority to exploit others; (6) theft or intentional misuse of  
 24 property; (7) incompetence or a mental incapacity that prevents a faculty member from fulfilling his or her job  
 25 responsibilities; (8) job abandonment; (9) a pattern of conduct that is detrimental to the productive and  
 26 efficient operation of the instructional or work environment3; (10) refusal to perform reasonable duties; (11)  
 27 threats or acts of violence or retaliatory conduct; or (12) violation of University policy, or state or federal law,

28 substantially related to performance of faculty responsibilities or fitness to serve the University. Nothing in this  
29 provision is intended to inhibit expression that is protected under principles of academic freedom, or state or  
30 federal law.

31 Dismissal – Dismissal is severance from employment for cause during the term of an appointment in  
32 accordance with the administrative procedures set forth in the UA-PTC Handbook. Termination by notice,  
33 expiration of appointment, or non-reappointment, or due to job abandonment, is not a dismissal.  
34

35 Full-time Faculty – Faculty are UA-PTC employees who are employed on a contract basis (of nine months or  
36 more and have a course load of 15 hours or equivalent) to provide direct instruction to students.

37 Non-Reappointment – Non-reappointment means that a faculty member is not offered a next successive  
38 contract for employment at the end of a stated period. It is effected by a written notice sent in compliance  
39 with the time limits hereafter specified.  
40

41 Part-time Faculty – Part-time faculty are employees who are employed on a contract basis of less than full-time  
42 to provide direct instruction to students.

43 Resignation – Resignation is voluntary termination of employment by an employee. The dean or director of the  
44 unit to which the employee is assigned and authorized by the Board of Trustees to accept the resignation.

45 Suspension – Suspension is temporarily relieving an employee of duties.

46 Termination – Termination is the general term to describe severance of employment from the College.  
47 Termination may be by resignation, retirement, dismissal, non-reappointment, termination for convenience, or  
48 expiration of appointment.

49 Termination for Convenience – Termination for convenience is the right of UA-PTC to terminate an employee's  
50 employment at any time and for any reason. Sixty (60) days advance written notice can be given to the  
51 employee.

52 Year – Year is defined as the fiscal year extending July 1 through June 30 next.

## 5.1 PROCEDURE

53 The following principles shall apply to appointments to faculty positions:

### A. General

54 Appointments shall be for a specified period of time not to exceed one fiscal year.

55 A completed New Hire Request Form shall be initiated by the Hiring Authority and forwarded to the  
56 Provost for approval. Upon approval, the form is forwarded to the Vice Chancellor of Finance and  
57 Administration to verify funds for the position are budgeted. Upon approval and prior to posting the  
58 position, interviewing or adding/replacing personnel, the completed New Hire Request Form is  
59 forwarded to the Director of Human Resources for review.

60 UA-Pulaski Technical College seeks to transfer and promote interested and qualified employees within the  
61 College whenever possible. Job posting procedures are used to assure that current College staff are aware

62 of and have the opportunity to be considered for position vacancies and newly created jobs which may  
63 provide career advancement and alternatives.

- 64 1. All positions will be posted on the UA-PTC website, Human Resources Employment Tab.
- 65 2. An email will be sent out to the campus when positions are posted.
- 66 3. All positions will be posted by close of business on Friday and will remain open until the following  
67 Friday, at which time it will be pulled from the website and the candidates reviewed.
- 68 4. At the end of the second five day period Human Resources in conjunction with the head of the  
69 department will determine if the pool of applicants is sufficient, or if additional outlets such as  
70 newspapers or journals should be utilized and the position reposted for another 5 days.
- 71 5. After the second five (5) day posting the interview process may begin regardless of the number of  
72 qualified candidates.

B. Initial Appointment

73 Criteria and procedures for the initial appointment of all faculty members on a campus shall be  
74 adopted by the faculty of that campus through its governance structure. The deans and Provost shall  
75 have an opportunity to give their advice regarding these criteria and procedures, and they must be  
76 submitted to the Chancellor of the campus and the President for approval.

77 An appropriate degree or professional experience is an essential qualification for appointment to  
78 faculty.

79 Other important qualifications include experience in teaching, research, or other creative activity,  
80 and educational service either at other colleges and universities and/or in non-academic settings.

81 UA-Pulaski Technical College will make all human resource decisions without regard to race, color,  
82 creed, sex, age, national origin, or disability of qualified handicapped individuals. All hiring for the  
83 College will comply with federal equal opportunity and affirmative action regulations and guidelines.

C. Successive Appointments

84 Faculty do not have a right to a next successive appointment, and if they do not have an interest in  
85 continued employment at UA-PTC. Faculty may be offered an appointment after the expiration of a  
86 current appointment at the discretion of the Chancellor (and recommended by the Provost).

D. Academic Freedom

87 a. The faculty member is entitled to full freedom in research and in the publication of results, subject to  
88 the performance of his or her other academic duties, but personal research for pecuniary return  
89 requires prior approval by the appropriate College authorities and must be in accordance with Board  
90 Policy 450.1.

91 b. The faculty member is entitled to academic freedom in the classroom in discussing the subject of the  
92 course, but should not teach material inappropriate or unrelated to the course. The college will be  
93 guided by the 'AAUP 1940 Statement of Principles on Academic Freedom and Tenure which follows:

94 c. *"Teachers are entitled to full freedom in research and in the publications of the results subject to the*  
95 *adequate performance of their academic duties; but research for pecuniary return should be based*

96 upon an understanding with the authorities of the institution.  
97

- 98 d. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be  
99 careful not to introduce into their teaching controversial matter which has no relation to their subject.  
100 Limitations of academic freedom because of religious or other aims of the institution should be clearly  
101 stated in writing at the time of appointment.  
102
- 103 e. The College faculty member is a citizen, a member of a learned profession, and a member of an  
104 educational community. Speaking or writing as a citizen, the faculty member is free from institutional  
105 censorship or discipline. However, as a person of learning and as a member of an educational  
106 community, the faculty member has a responsibility for awareness that the public may judge the  
107 profession and the institution by his or her utterances. Hence, faculty should at all times make an  
108 effort to be accurate, exercise good judgement and appropriate restraint, show respect for the  
109 opinions of others, and indicate that they are not spokespersons for the institution.”

E. Non-Reappointment

110 The appointment of a faculty member may be terminated effective at the end of the appointment  
111 period, with or without cause, and at the option of either the individual or UA-PTC.

112 The Provost will offer recommendation to the Chancellor in the determination of which faculty  
113 members will be offered reappointment, and notify the individual in writing no later than April 15  
114 each year.

115 The individual, upon being notified that he or she will not be reappointed, may request an interview  
116 within ten working days after receipt of the notice, first with the dean, then, if the employee  
117 requests it, within an additional five working days, with the Provost. The dean, and the Provost  
118 jointly will, within ten working days, make the final decision on any request that the decision be  
119 reconsidered.

120 Department chairpersons and other employees of that campus may be requested to participate in  
121 the interviews by the individual concerned, by the Provost, or by the dean.

122 If the individual does not request these interviews within the time limits stated above after receipt of  
123 non-reappointment, the matter shall be considered closed.

F. Dismissal, Suspension, and Progressive Discipline

1. Counseling Process

124 A process of progressive counseling has been established to provide faculty members the ability  
125 to address areas of opportunity. The counseling process may begin at any step and include  
126 verbal warnings, written warnings, performance improvement plans, suspension and  
127 termination. If disciplinary action becomes necessary, the type of discipline and timeframe for  
128 execution will be determined by UA-PTC on an individual basis according to the nature of the  
129 circumstances surrounding the issue.  
130  
131  
132

2. Due Process

133 Before a faculty member is dismissed, the faculty member will be provided notice and an  
134 opportunity to be heard in the form of a meeting with the Provost. During the meeting, the  
135 faculty member will be informed of the basis for the decision and allowed an opportunity to  
136 provide information that he or she feels is relevant to the decision. The Provost will review the  
137 information and, if necessary, conduct further investigation of the situation. Once the situation  
138 has been reviewed by the Provost, the faculty member will be notified in writing of the decision.  
139 After the termination, the employee may utilize UA-PTC's grievance procedures and appeal the  
140 decision to the Chancellor, who may convene a hearing.

3. Suspension

141 UA-PTC may suspend a faculty member with pay during the pendency of an investigation. In  
142 addition, UA-PTC may suspend a faculty member without pay as a form of discipline or due to  
143 the pendency of a criminal felony charge. A disciplinary suspension without pay shall be subject  
144 to appeal pursuant to the grievance process set forth in the UA-PTC handbook.

G. Annual Review

145 An annual review of the work of each faculty member shall be made on the basis of assigned duties  
146 and in accordance to criteria and procedures adopted by UA-PTC. Completion of the evaluation  
147 process in a timely manner, meeting all criteria established by UA-PTC, will directly impact the  
148 supervisor's evaluation.

- 149 a. Within thirty (30) days of beginning their employment at UA-PTC, faculty will meet with their  
150 Chair to review and sign their job description. A copy will remain in the department, a copy  
151 will be given to the faculty member, and the original will be sent to the Office of Human  
152 Resources;
- 153 b. During the first three months of employment, the new faculty member will meet with their  
154 Chair and discuss performance expectations, performance criteria and the evaluation cycle;
- 155 c. Faculty are encouraged, during the review cycle, to submit to their chairperson any materials  
156 they feel are relevant to the annual evaluation process;
- 157 d. At the conclusion of the evaluation cycle, the Chair will complete the evaluation form and  
158 schedule an appointment with the faculty member to discuss the evaluation and set  
159 performance goals for the upcoming year;
- 160 e. The faculty member may utilize the UA-PTC grievance procedures if they feel the evaluation  
161 result does not adequately represent their performance during the evaluation period.
- 162 f. Copies of personnel records are maintained in the Office of Human Recourses while the  
163 faculty member is an active employee and for three years after separation.

REQUIRED APPROVALS	NAME/SIGNATURE/TITLE	DATE
Originator:	UA-PTC Review	October 2018
Ratified by:	UA-PTC Provost	Jan 1, 2019
Recommended by Chancellor (Signature)	Margaret Ellibee	Jan1, 2019
UA Policy Alignment:	405.1	