

301. Tenure

I. Policy Statements

- A. With regard to tenure, The Board of Trustees delegates to the Chancellor and to the institution Presidents, who in turn delegate to the provost, deans, chairpersons, and faculty, all procedural authority.
- B. Institutional policies and procedures must be consistent with Board policy.
- C. Tenure within The University of Alabama System is held by a faculty member only at the institution in which tenure has been awarded, not in the System as a whole.
- D. Institutional tenure policies are to be submitted to the Chancellor and the Board for approval.
- E. Guidelines and procedures for the development, submission, review, and approval of institutional tenure policies are developed and administered by the System's Office of Academic and Student Affairs.

II. Guidelines for Tenure

A. Definition

The definition of tenure used in each institutional policy should recognize that tenure is an affirmative commitment by the Board of Trustees to a faculty member, generally offered after a probationary period of employment, of a right to continuing employment except upon dismissal for cause, retirement, resignation, bona fide financial exigency of the institution or division in which tenure is held, or major curtailment or formal discontinuance of a program or department of instruction.

B. Outline of institutional statements on tenure and post-tenure review

- 1. Each institution of the System, through appropriate involvement of the faculty, shall develop formal written policies and procedures for the administration of the Board's tenure policy. These written institutional policies and procedures shall provide for the following:
 - a) Criteria and procedures for faculty appointment, promotion, and the award of tenure;
 - b) Procedure for non-reappointment of non-tenured faculty;
 - c) Policies and procedures for comprehensive post-tenure review;

- d) Policies and procedures for termination for cause of a tenured faculty member or a faculty member whose term of appointment has not expired;
 - e) Procedure for termination due to a bona fide financial exigency or formal discontinuance of a program or department of instruction; and
 - f) Procedure for handling faculty grievances.
2. The above list of procedures, which is necessary to implement the Board's policy on tenure, shall in no way limit the institutions from promulgating additional policies and procedures related to faculty affairs. However, because the authority of the Board of Trustees prevails in matters of termination, discipline and grievances, individual institutional policies in those areas shall not attempt to speak on behalf of the Board.
3. The post-tenure review process for each institution must be designed to promote faculty development and productivity as well as provide accountability. Post-tenure review is intended to promote ongoing academic quality and institutional excellence as well as to recognize faculty contributions. In addition, it is also to assist a faculty member to improve their service, teaching, and/or research abilities through an assessment of performance and outcomes, identifying any areas of incompetency, serious or pervasive neglect of duty, or other good cause (including serious misconduct), which adversely affects the institution or the faculty member's performance of duties or meeting of responsibilities. The post-tenure review process must include a peer review of the tenured faculty's performance and provide for a post-tenure remediation plan in the event of an unsatisfactory post-tenure review decision. The post-tenure review process must also provide for appropriate disciplinary action (including dismissal) in the event the post-tenure review process determines (a) a tenured faculty member fails to satisfactorily complete the post-tenure review process, (b) a tenured faculty member is incompetent, (c) a tenured faculty member has neglected his or her duty, or (d) there is other good cause. Each tenured faculty member must receive a post-tenure review no less frequently than every five years, provided no faculty member may be reviewed more than once a year.
4. The tenured faculty termination for cause policies and procedures for each institution must authorize the dismissal of a tenured faculty member based on a determination that the faculty member committed serious misconduct. Consistent with applicable law, serious misconduct includes but is not

limited to: professional incompetence, failure to perform duties or meet professional responsibilities, failure to successfully complete any post-tenure review, engaging in behavior that adversely affects the institution or the faculty member's performance of duties or meeting responsibilities, violating laws or committing policy violations deemed to be terminable offenses, being convicted of a crime affecting the fitness of the faculty member to engage in teaching, research, service, outreach, or administration, engaging in unprofessional conduct that adversely affects the institution or the faculty member's performance of duties or meeting of responsibilities, and falsifying the faculty member's academic credentials. Each institution's policies and procedures that provide for disciplinary action shall provide the faculty member with due process consistent with the law. For disciplinary action that includes termination of tenure and/or dismissal, due process will include:

- a) written notice of the allegations against the faculty member explaining the evidence supporting tenure termination or dismissal, as the case may be, and
- b) an opportunity for the faculty member to respond to the allegations in a hearing with a designated administrator. Each institution's policies and procedures shall create a process for designating the administrator or administrators to conduct these hearings and ensure the designated administrator(s) receive the appropriate training.

C. Tenure for Administrative Officers

- 1. Under Board policy, administrative appointments do not carry tenure.
- 2. The Board recognizes that an individual who holds administrative office may also carry an appropriate academic rank and, thus, have tenure status in the regular faculty. The Board also recognizes that an administrator holding non-tenured academic rank may earn tenure under procedures prescribed for regular faculty members. Therefore, the Board expects that institution recommendations of tenure for executive and senior administrative and professional staff such as presidents, vice presidents, associate and assistant vice presidents, and others as defined in Board Rule 302 shall be reported to the Chancellor for approval by the Board and that such recommendations will be limited to:
 - a) Those officials who already hold faculty tenure when moving into administrative positions; and

- b) Those individuals whose faculty tenure is recommended pursuant to the usual review and recommendations set out in each institution faculty handbook, but in all Instances providing for a recommendation by the provost, dean, chairpersons, and faculty of the unit to which application for tenure was made.

D. Determination of a bona fide financial exigency or formal discontinuance of a program or department of instruction

It is the policy of the Board of Trustees to require the institutions to submit their decisions of “financial exigency” or “program discontinuance” to the Chancellor and the Board for approval.

E. Periodic reporting on institution tenure systems

The Board expects each institution to develop strong personnel policies, consistent with Board policies, and a staffing plan to enable each institution to reach its objectives. The Board expects each institution to keep personnel policies, especially those affecting tenure, under review, make needed revisions, and bring these to the attention of the Board. Periodic reviews of tenure percentages and retirement patterns should be prepared and shared with the Chancellor and the Board. Also, each institution should submit an annual report to the Board of individuals awarded tenure during the preceding year and of academic units more than sixty percent (60%) tenured.

(Adopted November 19, 1980 as Rule 310; amended and renumbered December 5, 1997; amended November 14, 2008; June 7, 2019, and August 21, 2026.)