ARTICLE 25
Tenure, Promotions, and Non-Renewal

Section A. Criteria.

Subd. 1. Tenure. The decision to award tenure shall normally be based on the work of the faculty member during his/her probationary period. A faculty member’s work at the university prior to the commencement of the probationary period, if any, may be considered. To be awarded tenure, the faculty member must demonstrate a record of positive performance and professionally competent achievement over the duration of the probationary period that is consistent with the goals and objectives of the university/college/department/program and with the goals of the process outlined in Article 22. The faculty member’s record will be evaluated based on all the criteria outlined in Article 22. Completion of the probationary period alone does not mean the standards of tenure have been met.

Subd. 2. Promotion. The decision to promote shall be based on the cumulative work record of the faculty member since his/her last promotion or since the date of hire as applicable. To earn promotion, the faculty member must demonstrate a cumulative record of professional performance and high achievement appropriate to the relevant rank and consistent with the goals and objectives of the university/college/department/program. The faculty member’s record will be evaluated based on all the criteria outlined in Article 22.

Subd. 3. Changing Expectations. In arriving at a decision on tenure and promotion, due consideration shall be given to changes in performance expectations to the extent that such changes unfairly disadvantage faculty.

Section B. Schedule and Frequency.

Schedule of Evaluation for Tenure and Promotion. Except as otherwise provided in the schedule below, the President shall establish a schedule for promotion and tenure, consisting of time tables for submission of applications and supporting documentation and comments. The local Association shall be afforded the opportunity to meet and confer prior to implementation of this schedule.
### Activity Deadlines

<table>
<thead>
<tr>
<th>Activity</th>
<th>Tenure</th>
<th>Promotion</th>
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<tbody>
<tr>
<td>Faculty submission of application with</td>
<td>January 31</td>
<td>January 31</td>
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<tr>
<td>required forms, documents and supporting</td>
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<td>documentation to supervisor and</td>
<td></td>
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<tr>
<td>department(s)</td>
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<tr>
<td>Faculty response to Vice President’s</td>
<td>May 1</td>
<td>May 1</td>
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<tr>
<td>recommendation</td>
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<td>Vice President’s submission of</td>
<td>May 1</td>
<td>May 1</td>
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<tr>
<td>recommendation to President</td>
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<tr>
<td>President’s decision on application</td>
<td>June 15</td>
<td>June 15</td>
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<tr>
<td>Effective date of tenure/promotion</td>
<td>Date of Notice</td>
<td>First duty day of subsequent year</td>
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<tr>
<td>Faculty request for meeting with President</td>
<td>January 15 of Terminal Year</td>
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<td>following denial of tenure</td>
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### Section C. Tenure

The following procedures shall constitute the process of consideration for tenure.

**Subd. 1. Tenure application.** The faculty member submits an application for tenure, along with all required forms and documents and supporting documentation, to his/her immediate supervisor and the department(s)/unit through the chair(s) by January 31. If a faculty member does not comply by that date, he/she shall lose protection provided in Subd. 7 below. Failure of any faculty member to provide any required materials shall not prevent the process from continuing if the review is during the final year of the probationary period.

**Subd. 2. Department/program/faculty recommendation.** Tenure recommendation(s) by department(s)/unit and chair(s) (See Article 20, Section A, Subd. 4), with all documentation, shall be sent to the immediate supervisor in accordance with the university calendar, with copies sent to the faculty member by the chair(s). Individual faculty members and programs may also make recommendations. The applicant’s written responses to these recommendations become part of the tenure application file. Failure of the department(s) and/or chair(s) to make a recommendation to the immediate supervisor shall not prevent the process of review from continuing.

**Subd. 3. Supervisor’s recommendation.** The immediate supervisor shall provide the faculty member a written assessment in accordance with Article 22. In addition, the immediate supervisor shall provide a proposed tenure recommendation to the faculty member. After receipt of a proposed negative recommendation, the faculty member shall be given the opportunity to meet with the immediate supervisor. The final recommendation of the immediate supervisor shall be sent to the faculty member. The faculty member may submit a written response to the Vice President regarding the immediate supervisor’s recommendation. This response becomes part of the applicant’s tenure file.
Subd. 4. Vice President’s recommendation. A copy of the Vice President’s proposed recommendation shall be sent to the faculty member. Upon request, the faculty member shall be given the opportunity to meet with the supervising Vice President to discuss the recommendation. The applicant’s written response to the Vice President’s recommendation becomes part of the tenure application file. The applicant’s written response must be provided to the supervising Vice President by May 1. The supervising Vice President’s recommendation shall be sent to the President by May 1.

Subd. 5. President’s consideration. Should a recommendation for denial of tenure be made by the department, the chair, the immediate supervisor or the Vice President, the President shall invite the faculty member to meet to discuss the recommendations before a decision is made. The faculty member may choose to be accompanied by an Association representative.

Subd. 6. President’s decision. The President’s decision to grant or to deny tenure shall not be arbitrary or capricious. The President’s written notice of denial of tenure shall include reasons for denial. The President’s tenure decision shall be conveyed to the faculty member in writing by June 15.

Subd. 7. Denial of tenure without evaluation. During the fifth (5th) year of a probationary period or during the last year of a shortened or lengthened probationary period, faculty members who are denied tenure without evaluation in compliance with Article 22 during the academic year in which notice of denial is given shall have the decision rescinded and shall obtain an additional year of employment during which they shall re-apply for tenure. If tenure is subsequently awarded, it will be retroactive to the year following the year in which the tenure was denied due to the lack of evaluation in accordance with Article 22. The Administration may not intentionally avoid conducting an evaluation in order to extend the probationary period. In the event that a faculty member undergoes two successive tenure reviews wherein the Arbitrator reverses the decision on alleged violations of this section, the arbitrator is free to fashion the appropriate remedy, which may in certain cases be an award of tenure.

Subd. 8. Terminal year. In cases of denial of tenure in the fifth (5th) year or during the final year of a shortened or lengthened probationary period, the faculty member’s appointment expires at the end of the subsequent academic year/nine-month appointment year, whichever is later.

Subd. 9. Meeting with the President. A probationary faculty member who has been given notice of denial of tenure shall, upon request, be granted an interview with the President by January 15 of the terminal year in order to discuss his/her employment status. Any change in the decision shall be communicated to the faculty member in writing within fifteen (15) days.

Subd. 10. Voluntary withdrawal. If a faculty member voluntarily withdraws from the established tenure review process, the review shall conclude at that point. If this is in the last year of the probationary period, the faculty member’s appointment will terminate at the end of the subsequent year.
Section D. Promotion. The criteria to be used in the promotion process shall include those described in Article 22, Section B. The following shall constitute the process for consideration for promotion.

Subd. 1. Application. The faculty member submits an application for promotion, along with all required forms and documents and supporting documentation, to his/her immediate supervisor and the department(s)/unit through the chair(s) by January 31.

Subd. 2. Department/program/faculty recommendation. Promotion recommendation(s) by department(s)/unit and of the chair(s) (See Article 20, Section A, Subd. 4), with all documentation, shall be sent to the immediate supervisor in accordance with the university calendar, with copies sent to the faculty member by the chair(s). Individual faculty members and programs may also make recommendations. The applicant’s written responses to these recommendations become part of the promotion application file. Failure of the department(s) and/or chair(s) to make a recommendation to the immediate supervisor shall not prevent the process of review from continuing.

Subd. 3. Supervisor’s recommendation. The immediate supervisor shall provide a proposed promotion recommendation to the faculty member. After receipt of a proposed negative recommendation, the faculty member shall be given the opportunity to meet with the immediate supervisor. The final recommendation of the immediate supervisor shall be sent to the faculty member. The faculty member may submit a written response to the Vice President regarding the immediate supervisor’s recommendation. This response becomes part of the applicant’s promotion file.

Subd. 4. Vice President’s recommendation. A copy of the Vice President’s proposed recommendations shall be sent to the faculty member. Upon request, the faculty member shall be given the opportunity to meet with the supervising Vice President to discuss the recommendation. The applicant’s written response to the Vice President’s recommendation becomes part of the promotion application file. The applicant’s written response must be provided to the supervising Vice President by May 1. The supervising Vice President’s recommendation shall be sent to the President by May 1.

Subd. 5. President’s decision. The President’s decision to grant or to deny promotion shall not be arbitrary or capricious. The President’s written notice of denial of promotion shall include reasons for denial. The President’s promotion decision shall be conveyed to the faculty member in writing by June 15. Processing of any subsequent applications for promotion shall take into account the areas of deficiency upon which promotion was denied.

Subd. 6. Meeting with President. A faculty member who is not promoted may, upon request, meet with the President or designee to discuss the President’s decision. The faculty member may request, and shall be furnished, written indication of deficiencies and guidance concerning appropriate action to overcome such deficiencies.
Subd. 7. Eligibility for promotion. Length of service in rank and at the university may be a factor in consideration for promotion. Normally, three (3) years in rank, with two (2) PDR evaluations conducted in accordance with Article 22, since the initial assignment to rank or last promotion is a minimum prerequisite for consideration for promotion. All full-time faculty whose appointments are effective after the beginning of the academic year shall be considered as having begun service at the beginning of that academic year. Faculty members who do not receive an evaluation under Article 22 shall not be denied consideration for promotion.

Subd. 8. Effective date of promotion. All promotions shall take effect with the start of the fiscal year following the President’s decision to promote.

Subd. 9. Promotion of instructors. An Instructor shall be promoted to Assistant Professor upon being granted tenure.

Section E. Non-Renewal of Probationary Faculty. A recommendation for non-renewal of a probationary faculty member may be made by the appropriate department, immediate supervisor or Vice President.

Subd. 1. Schedule for Non-Renewal. Except as otherwise provided, the President shall establish a schedule for non-renewal consisting of time tables for submission and consideration of recommendations for non-renewal. The Local Association shall be afforded the opportunity to meet and confer prior to implementation of the schedule.

Subd. 2. Should a recommendation for non-renewal be made, the President shall invite the faculty member to meet with him/her to discuss the recommendation before his/her decision is made. The faculty member may be accompanied by an IFO representative.

Subd. 3. Notice of non-renewal of probationary faculty shall be as follows.

a. For first year faculty, the notice of the non-renewal decision shall be given no later than November 1 of the second academic year of their appointment. Following notice of non-renewal, the faculty member shall have employment through the remainder of his/her second academic year.

b. For all other faculty, the notice of the non-renewal decision shall be given no later than August 1. Following notice of non-renewal, the faculty member shall have employment through the subsequent academic year.

c. Service of written notice shall be in accordance with Article 5, Section A, Subd. 48.

b. Written notice shall include reasons for the non-renewal.
Subd. 4. A probationary faculty member who has been given notice of non-renewal shall, upon request, be granted an interview with the President by January 15 of the terminal year in order to discuss his/her employment status. Any change in the decision to non-renew shall be communicated to the faculty member within fifteen (15) days.

Subd. 5. The probationary faculty member who is non-renewed shall have access to the full grievance procedure for any violation of Subds. 2 and 3 above and shall have access through the President’s level of the grievance procedure for any other violations of this section.

Subd. 6. Probationary faculty members who are non-renewed without evaluation in compliance with Article 22 during the academic year in which the notice of non-renewal is given shall have their non-renewal rescinded and obtain an additional year of employment during which an appropriate evaluation shall be conducted.

The additional year of employment shall not automatically confer tenure upon faculty members nor shall it be construed as authorizing the Administration to intentionally avoid conducting an evaluation to thereby extend the probationary period. Faculty members who fail to submit their professional development report in accordance with Article 22 shall lose the protection provided by this subdivision.

Section F. Non-Renewal of Non-Tenure Track Faculty. Non-renewal of non-tenure track faculty shall be based on performance evaluation as provided for in Article 22. Notice of non-renewal shall be by August 1 preceding their final academic year appointment. The faculty member shall have employment through the remainder of the subsequent academic year.

Section G. Dismissal of Tenured Faculty. Dismissal of tenured faculty shall be in accordance with Articles 23 and 24.

Section H. Arbitration. In the event that the decision to non-renew a probationary faculty member, or to deny tenure or promotion is grieved and appealed to arbitration, the arbitrator is limited to determining whether the President’s decision was arbitrary or capricious or was procedurally flawed.