

**III.C.1.d. Appeals by Tenured or Tenure-Eligible Faculty Members of Decisions Not to Retain, Tenure, or Promote**

The university – acting through the appropriate recommending authorities – may decide not to retain, award tenure to, and/or promote a tenure eligible faculty member, and may decide not to promote a tenured faculty member, due to lack of any of the following: the professional education, experience, and degrees appropriate or necessary for their duties; conscientious and effective teaching with proper command of the material of their fields, and helpfulness to their students; the appropriate level of contributions to their fields through research and scholarly or artistic activity, and through professional service; and responsible participation in departmental, faculty, and college governance (see Section III.C.1. above).

When a recommendation not to retain, not to award tenure, or not to promote has been reached by the appropriate faculty group or administrative officer, the faculty member will be informed of that recommendation in writing by the department chair, when appropriate, and by the Dean of the faculty or school, and, upon request, will be advised in writing of the reasons which contributed to that recommendation

When the Provost decides that a faculty member should not be retained or recommends that a faculty member shall not be granted tenure or promotion, the faculty member may appeal or petition for reconsideration. The petition shall set forth the basis for reconsideration in detail. Such a faculty member may file a formal appeal on three different grounds, each of which is described in greater detail below:

- The negative decision was or resulted from a violation of academic freedom;
- The negative decision was or resulted from discrimination against the faculty member;
- The negative decision resulted from a failure to follow the procedures governing the consideration of the faculty member for retention, tenure and/or promotion.

Should the faculty member prevail in one or more of these appeals, the University shall reconsider the decision not to retain, tenure, and/or promote the candidate.

The faculty member may also petition the Provost for an order of reconsideration based on good cause shown. “Good cause” does not include violations of academic freedom, discrimination, or a failure to follow procedure, as the formal appeals described above are the exclusive means of assessing such claims.<sup>1</sup> Instead, good cause consists of the existence of new information that a reasonable member of the recommending authorities would have considered relevant in light of the standards governing the decision. The faculty member bears the burden of proving the elements

---

<sup>1</sup> Nothing in this section alters the Provost’s obligation to report any claim of discrimination to the Office of Compliance and Equity.

of good cause by a preponderance of the evidence. If the Provost orders reconsideration, she shall designate the recommending authority at which such reconsideration should begin.

A petition to the Provost for reconsideration must be filed no later than 30 calendar days after receipt of the letter from the Provost informing the faculty member of the decision.