

FACULTY HANDBOOK—P 12-13 REVISIONS IN RED BOLD

Faculty Membership

Academic appointments at Arkansas Tech University include all employees with full-time and part-time teaching assignments. Faculty membership is limited to all tenured, tenure-track, and instructor-track ranks. When speaking or writing as citizens, or when expressing views on professional matters, faculty members, as well as all those with academic appointments, should be free from institutional censorship or discipline. But, as members of the community, faculty members and those with academic appointments at Arkansas Tech University have certain special obligations. They should remember that the public may judge their profession or the institution by their utterances and make every effort to indicate when they do not serve as a voice for the institution.

The professional life of faculty members should reflect and be shaped by individual strengths and interests, curricular/program requirements of departments, and the mission of Arkansas Tech University. Full time appointments for non-tenure track, tenure-track, and tenured faculty carry expectations in the areas of teaching, scholarship, and service as appropriate to their contracted assignments. The determination of criteria for professional engagement and faculty evaluation will be a joint effort between department heads and the faculty in the department or program. Such criteria will be within the norms of the profession and subject to approval of the appropriate academic dean.

Arkansas Tech University requires all instructional personnel to demonstrate proficiency in spoken and written English to communicate effectively in the classroom. The institution evaluates this proficiency through the use of course evaluations as part of the appointment and assignment process. This requirement applies to all faculty assigned teaching responsibilities and is intended solely to ensure instructional effectiveness. Arkansas Tech University does not discriminate on the basis of national origin and applies this standard in accordance with Arkansas ACCESS Act (2025).

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Faculty Load

Arkansas Tech University is dedicated to student success. Although many factors play into college student success, faculty interaction is one of the essential experiences associated with college student academic achievement and persistence. Faculty workload directly impacts both formal (classroom) and informal (out-of-classroom) interaction with students. Maintaining appropriate faculty teaching loads (typically twelve credit hours per semester) will allow all Arkansas Tech University faculty to work with students and community members for the betterment of Arkansas, the nation, and the world.

To support that mission and ensure compliance with Arkansas ACCESS Act (2025), faculty evaluations, including annual and post-tenure reviews, must be based on assigned duties such as teaching, research or creative activity, service, and other contractual responsibilities. Faculty conduct outside those duties may be considered only if it directly affects a faculty member's professional role or involves documented violations of law, policy, or ethical standards as defined by ATU and Arkansas ACCESS Act (2025). In such cases, faculty must be afforded written notice, an opportunity to respond, and a review consistent with ATU's due process procedures.

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Annual Review and Evaluation:

Arkansas code (ACA 6-63-104) states that “each state-supported institution of higher education in Arkansas shall conduct a rigorous, consistently applied, annual review of the performance of all full-time faculty members. This review shall include assessments by peers, students, and administrators and shall be utilized to ensure a consistently high level of performance and serve in conjunction with other appropriate information as a basis for decisions on promotion, salary increases, and job tenure.”

Annual evaluation at Arkansas Tech University is intended to promote better teaching, scholarship, and service of the faculty. All individuals holding faculty appointments will undergo an annual evaluation of teaching, scholarship, and service by the DPTC and the department head. Annual evaluations will be used in reappointment, promotion, and tenure decisions. Criteria used by the department head in faculty evaluation must be determined in consultation with the DPTC and conform to general disciplinary standards.

Each tenured, tenure-track, and instructor-track faculty member’s portfolio will be peer reviewed annually by the DPTC and evaluated by the department head. Written departmental guidelines will be created by department heads in collaboration with the DPTC for annual evaluation of teaching, scholarship, and service. These guidelines will be made available for individual and committee reference in advance of the annual evaluation, giving the faculty member adequate time to meet expectations.

Post-Tenure Review

Post-Tenure Review (PTR) is a developmental process intended to sustain consistently high performance. PTR is neither a disciplinary shortcut nor, by itself, grounds for termination. Tenure remains in force, and the faculty member’s status is recorded as Tenure Conditionally Maintained during PTR. PTR may not be used to retaliate or to implement program changes, downsizing, or reassignments unrelated to documented performance in the faculty member’s assigned duties. If PTR is not successfully completed, any termination action must proceed only under ATU’s Academic Termination Policies and Procedures and must meet those procedures’ evidentiary and procedural standards.

To ensure transparency and shared governance, the DPTC plays a meaningful role in both the annual evaluation and any PTR. Annual evaluations, grounded in assigned duties, recognize accomplishments and, when warranted, identify deficiencies using DPTC rubrics published in advance and applied consistently. PTR is governed by the criteria, weights, and rubrics in effect for the year of PTR notice. When an initiating condition relies on ratings from consecutive years, the criteria and instruments published for each year used apply to that year. No retroactive changes are permitted, and later changes apply prospectively. Inputs used in PTR (student course evaluations, peer/DPTC reviews, and administrative assessments) must be the same instruments and procedures used in the applicable annual cycle or cycles. The DPTC and department head provide written evaluations under the published criteria, and the Dean reviews for consistency and workload-proportionate application before any PTR initiation or outcome. Faculty retain the right to appeal PTR outcomes, remediation plans, and tenure-status decisions through the established grievance process.

PTR is not automatic; it may be initiated only after annual evaluation ratings meet the criteria below. When an initiating condition is met, the University will issue a separate written PTR notice within 15 business days of finalizing the annual evaluation. The notice states the basis for PTR affords the faculty member an opportunity to submit a written response for the record and opens the remediation-planning window. The remediation plan is finalized within 30 calendar days of notice unless extended for good cause. If PTR remediation is required, departments may include DPTC input in developing the plan to ensure alignment with disciplinary expectations and institutional goals. Occasional or context-specific concerns alone do not justify PTR initiation, remediation, or tenure-status change absent the initiation criteria and procedures in this policy.

Post-Tenure Review Initiation Criteria

Post-tenure review (PTR) may be initiated only through the annual evaluation when serious concerns are documented, and only for categories assigned a non-zero weight in the written workload agreement for that year. Because Arkansas Tech University is a teaching institution, the Teaching category is always considered the primary category. When percentage weights assign equal emphasis (e.g., 50/50 or 40/40), Teaching is treated as co-primary alongside the other highest-weighted category. “Minor category” means any non-zero category with a lower assigned weight than Teaching or another co-primary.

Ratings follow the campus five-point scale (Excellent, Good, Satisfactory, Needs Improvement, Unacceptable) and are used solely to determine the binary threshold (satisfactory or above vs. below satisfactory) in PTR initiation; no averages or weighting are used. PTR is initiated when a tenured faculty member receives the applicable ratings of Needs Improvement or Unacceptable using the following criteria:

- a. Teaching is rated Needs Improvement or Unacceptable in a single annual review; or
- b. Non-teaching co-primary: a co-primary category other than Teaching is rated Needs Improvement or Unacceptable in two consecutive annual reviews, or both co-primary categories (including Teaching) are rated Needs Improvement or Unacceptable in the same annual review; or
- c. Minor categories: the same minor category is rated Needs Improvement or Unacceptable in two consecutive annual reviews; or
- d. Mixed co-primary and minor: a non-teaching co-primary category and a minor category are both rated Needs Improvement or Unacceptable in the same annual review, representing a combined workload deficiency exceeding 50%.

Consecutive-year evidence applies only to the non-teaching co-primary criteria in (b) and the minor-category criteria in (c). All other initiating conditions, including (a) teaching and (d) mixed co-primary, are determined solely by the current year’s ratings. A category assigned 0% in that year’s written workload cannot initiate PTR.

Post Tenure Review Notification

The Department Head issues the official written annual evaluation to the faculty member under the published criteria and the assigned workload. The Department Head then forwards the evaluation, the DPTC’s written annual peer review document for the current evaluation cycle, and any faculty response to the Dean.

The Dean determines whether the PTR is initiated and the criteria for PTR have been met by verifying consistency with the published criteria and the written workload agreement. The Dean issues a written PTR decision and either returns the evaluation for correction or confirms that PTR criteria have been met. Upon the Dean’s confirmation, the EVPAA/Provost issues the formal PTR notice to the faculty member within 15 business days of the finalized annual evaluation. The notice states the basis for PTR and opens the remediation-planning window. Upon issuance of the PTR notice, the faculty member’s tenure status is recorded as Tenure Conditionally Maintained for the duration of the remediation plan.

Within 30 calendar days of the PTR notice, the Department Head, in consultation with the faculty member and DPTC, finalizes a written remediation plan that includes all of the following:

- a. Deficient category or categories. Name each category rated Needs Improvement or Unacceptable and list the assigned weight from the written workload agreement for the review year.
- b. Performance standards and evidence. State the measurable milestones, the evidence that will be used to verify each milestone, and how that evidence maps to the campus five-point scale.
- c. Supports and resources. Identify the supports to be provided, who provides them, and when they will be

available. Examples include mentoring, peer observations, professional development, course releases, or research support.

- d. **Timelines.** Set start and end dates for the plan, interim deadlines for each milestone, and the expected date window for summative reassessment consistent with the minimum periods below.
- e. **Formative check-ins and documentation.** Set the frequency and format of check-ins, what will be reviewed at each check-in, and who will document progress and file it in the record.

To ensure time-intensive work is judged fairly, no summative PTR reassessment occurs before the minimum periods appropriate to the work. Teaching requires at least one full semester. Service requires one full semester or the next complete assignment or committee cycle, whichever is longer. Scholarship or creative activity requires two to three long semesters, recognizing disciplinary lead times. Formative check-ins occur each semester to document progress. A faculty member may request earlier summative reassessment upon reaching Satisfactory or higher in the previously deficient category. Approved leave, ADA accommodations, or other documented circumstances that materially affect implementation pause the timeline, and the minimum periods extend accordingly.

Post Tenure Review Procedure and Outcomes

Upon PTR notice, tenure remains in force and the faculty member's status is Tenure Conditionally Maintained. The University must provide the supports identified in the plan. If supports are delayed or unavailable, plan timelines pause until the supports are in place. After the plan is approved, implementation proceeds during the review year under the plan's timelines and supports. The faculty member may submit a written response at each checkpoint and retains all grievance and appeal rights. No summative PTR reassessment occurs before the minimum periods appropriate to the work:

- a) Teaching requires at least one full semester.
- b) Service requires one full semester or the next complete assignment or committee cycle, whichever is longer.
- c) Scholarship or creative activity requires two to three long semesters.

Approved leave, ADA accommodations, or other documented circumstances that materially affect implementation pause the plan, and all dates extend for the length of the pause. The plan may be adjusted by mutual agreement to address barriers outside the faculty member's control.

An early-completion path is available once the minimum period has run and the plan's milestones and evidence have been met. For a Teaching category, PTR closes upon the first summative reassessment showing Satisfactory or higher in the deficient primary category. For co-primary, minor, or mixed co-primary and minor criteria PTR initiation, PTR closes upon the first post-notice summative reassessment showing Satisfactory or higher in the deficient category or categories, unless the written plan states that sustained performance for that category or categories must be confirmed at the next annual review because of discipline norms or the nature of the deficiency. Any such requirement must appear in the plan and identify the evidence that will be used. When early completion is granted, PTR ends and the status returns to Tenure Maintained.

At the first post PTR notification annual review, three outcomes are possible:

- a) **Completion:** If the plan is complete and the deficient category or categories are Satisfactory or higher, PTR ends and the status returns to Tenure Maintained.
- b) **Satisfactory Progress:** If the faculty member shows meaningful progress toward the plan outcomes, the plan continues with any needed adjustments and supports (Tenure Conditionally Maintained).
- c) **Disciplinary Pathway:** Barring unusual circumstances, if there is no meaningful progress per the PTR

plan, the Dean will recommend and the University will initiate a for adequate cause process under ATU's Academic Termination Policies and Procedures. If adequate cause is established through that process, tenure status is recorded as Tenure Revoked with termination as the final outcome.

The policy's notice period applies, and all evidentiary and procedural protections apply. "Meaningful progress" means meeting the interim milestones and producing the evidence specified in the plan for the review period.

At the second post-notice annual review, which is the final limit, two outcomes are possible:

- a) **Completion:** If the plan is complete and performance is Satisfactory or higher in the affected category or categories, PTR ends and the status returns to Tenure Maintained.
- b) **Disciplinary Pathway:** Barring unusual circumstances, if progress remains insufficient, the Dean recommends and the University will initiate a for adequate cause process under the Academic Termination Policies and Procedures. If adequate cause is established through that process, tenure status is recorded as Tenure Revoked with termination as the final outcome.

"Meaningful progress" means meeting the interim milestones and producing the evidence specified in the plan for the review period. The policy's notice period and due process protections apply.

Any decision to impose discipline after PTR notice relies on the post-notice record. Reviewers consider whether deficiencies are sustained across the post-notice period using up to a consecutive three-year sequence preceding the decision point (i.e., PTR initiation year, First Post PTR Review, and Final Post PTR Review). A termination recommendation requires clear and convincing evidence under the Academic Termination Policies and Procedures.

After PTR actions, status is recorded as Tenure Maintained, Tenure Conditionally Maintained, or Tenure Revoked. Any change of status includes written notice and access to appeal under University procedures.

Appeals and Due Process in Post Tenure Review

The Faculty Welfare Committee serves as the hearing body in any grievance arising from a faculty member contesting:

- a) the outcome of a post-tenure review,
- b) the terms, implementation, or findings of a remediation plan (particularly when such findings may lead to reclassification or dismissal), or
- c) a decision to reclassify or revoke tenure.

In such cases, the Faculty Welfare Committee shall follow the procedures outlined in this section, including the right to hearing, representation, access to evidence, and appeal. Faculty are entitled to full due process protections at each stage. No reclassification or revocation of tenure shall occur outside of these established procedures. Per the Academic Termination Policies and Procedures section of this handbook, the University bears the burden of proof, and in cases involving tenured faculty the standard is clear and convincing evidence.

Tenured faculty who are not subject to remediation continue to be classified as Tenure Maintained without interruption. Tenure status classifications will not be used to restrict academic freedom or otherwise alter the foundational principles of tenure, except as required under the procedures outlined in this handbook and consistent with Arkansas ACCESS Act (2025) requirements

When a tenured faculty member is alleged to have engaged in conduct that meets the criteria for adequate cause termination, a separate process will apply under the Academic Termination Policies and Procedures section of this handbook. Examples include repeated failure to meet responsibilities, failure to complete required

remediation, violations of law or university policy substantially related to job duties, criminal conviction affecting fitness to serve, unprofessional conduct that adversely affects the university, or falsification of academic credentials. These matters will follow the procedures outlined in the section Academic Termination Policies and Procedures and may result in termination even with tenured status. In such cases, the faculty member must be provided with written notice of the charges, an opportunity to respond, and a fair review in accordance with ATU's formal due process, as specified in the Academic Termination Policies and Procedures section.

Mid-term Review

1. Criteria

All tenure-track faculty and instructor-track faculty seeking promotion to senior instructor will be subject to a mid-term review. This review will take place during the third year of a full-time probationary appointment and at the conclusion of the fourth probationary year, considering the years of credit, for faculty receiving credit for prior service. Faculty will submit a mid-term portfolio summarizing their work to date at Arkansas Tech (see Appendix A for information on portfolio creation). Faculty at Arkansas Tech who receive credit toward tenure or promotion in their initial contracts will follow procedures for mid-term review, which will be established at the time of employment and stated in their letter of appointment. Portfolios should cover both experience at Tech and experience at other institutions in the timeframe for which the faculty member is receiving credit toward tenure and/or promotion.

This mid-term review will proceed through both departmental and college level evaluation. At the department level, the DPTC and department head will provide formative reviews that will be forwarded to the Dean for additional comment. The DPTC, department head, and dean will review the portfolio in that order. Each will provide a written statement commenting on the faculty member's progress toward tenure and/or promotion. Reviews will address any deficiencies in the faculty member's performance to date and propose corrective courses of action. The mid-term review will be used for reference in tenure and/or promotion consideration.

The mid-term review is a formative process intended for tenure-track and instructor-track faculty during their probationary period. It does not replace or satisfy the post-tenure review requirements established by Arkansas ACCESS Act (2025). Post-tenure review applies only to tenured faculty and is initiated only when annual evaluation ratings meet the PTR criteria in the Post-Tenure Review Initiation Criteria section of this handbook.

2. Procedures

a. Portfolio

Tenure-track faculty will prepare a mid-term portfolio of teaching, scholarship and service and submit it to his or her DPTC. Instructor-track faculty seeking promotion to senior instructor will prepare a mid-term portfolio of teaching and any other duties contracted and submit it to his or her DPTC. The portfolio will include the faculty member's previous annual reviews, annual peer reviews, student evaluations, and other documentation as evidence of professional accomplishments under the period of review (see Appendix A on Portfolio creation).

b. DPTC

The DPTC will produce a one page, written formative peer review reflecting on the candidate's progress to date toward tenure or promotion. DPTC evaluations will address any deficiencies in the faculty member's progress and propose corrective courses of action. The faculty member will sign the mid-term review letter, acknowledging that the review has taken place. The DPTC will forward the signed letter to the department head and dean. Mid-term review letters will be included in tenure and promotion portfolios.

c. Department Head

The department head will provide a written comprehensive assessment of the faculty member's progress toward tenure or promotion and meet with the faculty member to discuss corrective actions to address any deficiencies. The faculty member will sign the mid-term review letter acknowledging that the review has taken place. The signed review letter will be forwarded to the dean. Mid-term review letters will be included in tenure and promotion portfolios.

d. Dean

The dean will provide a written comprehensive assessment of the faculty member's progress toward tenure or promotion. The mid-term review letter will be signed by the faculty member, acknowledging that the review has taken place. Mid-term review letters will be included in tenure and promotion portfolios.

FACULTY HANDBOOK P 33-34 END OF TENURE SECTION PRIOR TO PROMOTION – REVISIONS IN RED BOLD

f. Executive Vice President for Academic Affairs and Provost

The Executive Vice President for Academic Affairs and Provost will make a formal written recommendation to grant tenure or not to grant tenure for each applicant along with a written explanation providing rationale or context for each recommendation not to grant tenure. These documents will be included in the portfolio of the faculty member for reference by the other evaluators in the tenure process, and the portfolio will be submitted to the President according to calendar deadlines established by the Office of the Executive Vice President for Academic Affairs and Provost.

g. President

The President will provide a written recommendation to grant tenure or not to grant tenure for each applicant along with a written explanation providing rationale, or context for each recommendation not to grant tenure. Recommendations of the DPTC, department head, dean, UPTC, and Executive Vice President for Academic Affairs and Provost shall be given deliberate and careful consideration on the question of tenure, but shall not be binding upon the President. The President's recommendations will be submitted to the board according to calendar deadlines established by the Office of the Executive Vice President for Academic Affairs and Provost.

h. Board of Trustees

The Board of Trustees will make its final decision on faculty tenure. Only the University Board of Trustees has the authority to grant tenure.

3. Extension of Tenure Probationary Appointment

A tenure-track faculty member may request an extension of a probationary appointment to accommodate exigencies or unexpected hardships. A written report outlining the basis for the request must be submitted to the dean and if recommended by the dean, to the Executive Vice President for Academic Affairs and Provost for final approval. The request must be submitted prior to the end of the academic year preceding the final year of the faculty member's probationary period. The Executive Vice President for Academic Affairs and Provost will indicate in writing, within 10 business days, whether the probationary period has been extended and specify the length in time of the extension.

4. Tenure Appeals

Appeals of tenure decisions may be made to the FWC only under the following two conditions and prior to the deadline established for the President to act upon the recommendations:

- The faculty member's appeal is a claim that the tenure policy process for his/her tenure application was not followed at a specified level of review.
- The faculty member's appeal is a claim that his/her portfolio for tenure was not evaluated in accordance with the established policies and guidelines.

Appeals are limited to issues arising in the process from the time of the application forward. The FWC must review all appeals and issue a finding within 10 business days of the appeal. Appeals can be made in a memo format to the FWC Chair and copied to the Executive Vice President for Academic Affairs and Provost. The FWC's findings will be referred to the Executive Vice President for Academic Affairs and Provost for determination on the status of the candidate's application. The Executive Vice President for Academic Affairs and Provost will inform the candidate for tenure of the outcome of his/her appeal. In no instance should the FWC substitute its judgment for the judgments made by the parties in the process.

5. Arkansas Tech University shall classify all tenured faculty annually into one of the following categories based on formal evaluation outcomes:

- a. **Tenure Maintained:** Tenure Maintained is the default status for all tenured faculty members who meet expectations in their assigned duties as documented through the annual faculty evaluation process. Faculty in this category retain full rights and responsibilities associated with tenure. No further action is required.
- b. **Tenure Conditionally Maintained:** Tenure Conditionally Maintained applies only to faculty who are currently under a formal remediation plan following an unsatisfactory rating as outlined by criteria above in a post-tenure review. This classification is temporary and is limited to the period of remediation. Faculty in this category remain tenured and retain all rights to due process and appeal. A return to Tenure Maintained status occurs upon demonstration of satisfactory performance.
- c. **Tenure Revoked:** Tenure Revoked applies only when a faculty member's tenure has been formally revoked following established university procedures. This may occur after a failed remediation process or as the outcome of a for-cause review, such as findings of professional misconduct, violation of institutional policy, or failure to fulfill assigned responsibilities. Faculty in this category may be subject to dismissal, consistent with university policy and due process protections.

Classification decisions must be based on documented evaluation results, post-tenure review outcomes, or formal disciplinary proceedings. No tenured faculty member shall be classified as Conditionally Maintained or Revoked unless they have been subject to a post-tenure review or a formal cause-based review that provides full due process, including written notice, opportunity to respond, peer input where applicable, and the right to appeal.

Faculty who are not under remediation or formal review shall remain classified as Tenure Maintained. Tenure status classifications shall not be used to suppress academic freedom or as a substitute for proper evaluation and review procedures.

- 6. Tenure is granted in recognition of sustained professional achievement and the expectation of continued excellence in teaching, scholarship or creative activity, and service. It provides the faculty member with a right to continued appointment, subject to the conditions outlined in this Faculty Handbook. In accordance with Arkansas ACCESS Act (2025), tenure may be revoked through a formal review process if a faculty member is found to have failed to meet professional responsibilities, demonstrated professional incompetence, violated laws or university policies substantially related to their duties, falsified credentials, been convicted of a crime affecting their fitness to serve, or engaged in unprofessional conduct that materially impairs their ability to perform their role or causes harm to the institution. Revocation of tenure is a serious action and may occur only through a clearly defined process, with full due process protections and adherence to established university procedures.

Tenure may be revoked under either of the following circumstances:

- a) **Post-Tenure Review Failure:** A faculty member receives an overall unsatisfactory performance evaluation, is subject to post-tenure review, is placed under a formal remediation plan, and subsequently fails to demonstrate "meaningful progress" as defined in the Post Tenure Review Procedures and Outcomes section of this handbook. In such cases, tenure may be revoked leading to termination following a formal "for cause" review, recommendation of the appropriate academic leadership, and review by the EVPAA/Provost, with the opportunity for the faculty member to appeal.
- b) **For Adequate Cause Review:** A separate for-cause review process determines that the faculty member has engaged in conduct or exhibited deficiencies that constitute grounds for dismissal under university policy. This may include professional incompetence, neglect of duty, misconduct, violations of law or policy, or actions that materially impair the faculty member's ability to perform

assigned responsibilities. Revocation of tenure in this case may occur with or without a preceding remediation plan.

In all cases, revocation of tenure must follow due process, including written notice of concerns, an opportunity to respond, faculty peer input where applicable, and the right to appeal through the university's grievance process. No faculty member shall have tenure revoked outside of these procedures.

Tenure status shall otherwise be considered Maintained unless formally reclassified as Conditionally Maintained or Revoked in accordance with the processes described above.

2. Termination of Appointment by the Institution

a. Termination of an appointment with tenure, or of a special or probationary appointment before the end of the specified term, may be affected by the institution only for adequate cause. **“Adequate cause” refers to conduct or performance that demonstrates an unwillingness or inability to meet professional responsibilities or fulfill assigned duties. Termination for cause must be based on documented evidence and may occur only after appropriate review and due process.**

Examples of adequate cause include, but are not limited to:

- a) Persistent unsatisfactory performance following post-tenure review and remediation;**
- b) Repeated failure or refusal to perform assigned responsibilities;**
- c) Professional dishonesty, including plagiarism or falsification of credentials;**
- d) Ethical misconduct related to teaching, research, service, or administration;**
- e) Discrimination, harassment, or retaliation in violation of university policy or law;**
- f) Misuse of university resources, authority, or breach of institutional trust;**
- g) Criminal conviction that impairs the faculty member’s ability to perform their role;**
- h) Abandonment of duties without reasonable justification;**
- i) Violation of institutional policies, federal or state laws, or accreditation standards that directly relate to faculty responsibilities.**

Termination for cause may result from either the outcome of post-tenure review with failed remediation or from an independent for-cause review initiated by serious misconduct. In all cases, faculty shall receive written notice of the grounds for termination, a reasonable opportunity to respond, and access to formal hearing. The burden of proof shall rest with the institution, and in cases involving tenured faculty, the standard shall be clear and convincing evidence. Final dismissal decisions must follow the procedures outlined in this Handbook and applicable university policies.

b. If such termination takes the form of a dismissal, it will be pursuant to the procedure specified in Item 3.

c. Where termination of an appointment with tenure, or of a nontenured appointment before the end of the specified term, is based upon bona fide financial exigency or discontinuance of a program or department of instruction, Item 3 will not apply; but faculty members shall be able to have the issues reviewed by the Faculty Welfare Committee, with ultimate review of all controverted issues by the governing board of the institution. In every case of financial exigency or discontinuance of a program or department of instruction, the faculty member concerned will be given notice or severance salary not less than that prescribed in Item 6. Before terminating an appointment because of the abandonment of a program or department of instruction, the institution will make every effort to place affected faculty members in other suitable positions within the University. If an appointment is terminated before the end of the period of appointment, because of financial exigency, or because of the discontinuance of a program of instruction, the released faculty member's place will not be filled by a replacement within a period of two years in the case of financial exigency, or four years for the discontinuance of a program, unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

d. Termination of a tenured appointment, or of a nontenured or special appointment before the end of the period of appointment, for medical reasons, will be based upon clear and convincing medical evidence. The decision to terminate will be reached only after there has been appropriate consultation and the faculty member or his/her representative has been advised of the basis of the proposed action, and has been afforded an opportunity to present his/her position and to respond to the evidence. If the faculty member so requests, the evidence will be reviewed by the Faculty Welfare Committee before a final decision is made by the governing board on the recommendation of the President of the institution.

e. A formal review may be initiated outside the normal evaluation cycle when cause exists to believe that a faculty member

has engaged in conduct or exhibited performance consistent with the standards for dismissal for cause as outlined in subsection (a) above. This review may occur in response to documented concerns or credible reports involving professional incompetence, unprofessional conduct, violation of law or university policy, or other grounds listed in this section.

The faculty member shall be notified in writing of the basis for the review and shall have the opportunity to respond prior to any formal dismissal proceeding. The purpose of the preliminary review is to determine whether sufficient cause exists to initiate a dismissal process under this section. All reviews shall be documented and conducted in a manner consistent with principles of fairness and confidentiality. Faculty retain the right to due process throughout any resulting proceedings.

TO BE ADDED TO ANY EVALUATION REFERENCE IN APPENDICES (PAGES 79, 81, 82)

Arkansas Tech University evaluates faculty performance in alignment with institutional policy, shared governance, and Arkansas ACCESS Act (2025). In the case of post-tenure review, evaluation results may support recommendations for remediation, changes in tenure status (Maintained, Conditionally Maintained, or Revoked), or other appropriate action. Faculty have the right to respond to evaluations and appeal any adverse outcomes through university procedures.

Faculty performance is assessed in relation to assigned duties and over a sustained period. Evaluators are responsible for ensuring that reviews are well-documented, that expectations are consistent with the faculty member's workload, and that conclusions are supported by evidence. Occasional or context-specific performance concerns do not, on their own, justify remediation or a change in tenure status. Patterns of unsatisfactory performance must be documented and reviewed as part of the broader evaluation process.