



University of North Texas System

Board of Regents

Schedule of Events for Special Called Board of Regents Meeting

October 17, 2023

Real-Time Livestream Link: <https://livestream.com/accounts/7090653/events/10955884>

The University of North Texas System Board of Regents will meet on October 17, 2023, from 2:00 p.m. until approximately 3:00 p.m. according to the following agenda. It is necessary to conduct this special called meeting by videoconference with no in-person attendance. The meeting will be livestreamed in real time for public attendance at the link listed in this posting.

Agenda items are scheduled to follow each other consecutively and may start earlier or later than the posted time depending on the length of the discussions and the reports of previous items. Please note that the estimated times given in the posting are only approximate and may be adjusted as required with no prior notice.

Please contact the Office of the Board Secretary with any questions at 214.752.5533.

2:00 p.m. CONVENE FULL BOARD

2:05 p.m. RECESS TO EXECUTIVE SESSION

Government Code, Chapter 551, Section .071 - Consultation with Attorneys Regarding Legal Matters or Pending and/or Contemplated Litigation or Settlement Offers

- Consultation with counsel regarding confidential legal matters, including pending, threatened, and contemplated litigation or settlement offers, and possible action
- Consultation with counsel regarding contemplated, ongoing and/or finalized investigations and any findings, conclusions or recommendations related to those investigations.

Government Code, Chapter 551, Section .072 - Deliberation Regarding Real Property

- Deliberation regarding the purchase, exchange, lease, or value of real property.

Government Code, Chapter 551, Section .074 - Personnel Matters Relating to Appointment, Employment, Evaluation, Assignment, Discipline, or Dismissal of Officers or Employees

- Consideration of individual personnel matters related to the appointment, employment, evaluation, reassignment, discipline and dismissal of System and Institution officers or employees.

2:30 p.m. RECONVENE FULL BOARD

Consider action on Executive Session items, if any

Action Items:

1. UNTS Approval and Adoption of Tenure Policies for UNT, UNT Dallas, and UNT Health Science Center
2. UNTS Approval of Amendments to Regents Rule 06.1200, *Dismissal and Revocation of Tenure*

3:00 p.m. ADJOURNMENT



Board Briefing

Committee: Full Board

Submission Date: 08/24/2023

Title: Approval and Adoption of Tenure Policies and Procedures for UNT, UNT Dallas, and UNT Health Science Center

BACKGROUND SUMMARY:

The 88th Legislature passed Senate Bill 18 and amended Texas Education Code, Section 51.942 *Faculty Tenure*, effective September 1, 2023. As amended, section 51.942 requires the governing board of an institution of higher education to adopt all policies and procedures regarding tenure, after seeking the advice and comment from the institution's faculty.

PURPOSE:

Each UNT System institution must submit and recommend the institution's faculty tenure policies and procedures to the Board for review, approval, and adoption. A copy of each institution's tenure policies and procedures and any amendments thereto shall be filed with the Texas Higher Education Coordinating Board annually.

ASSESSMENT:

Per section 51.942, tenure policies and procedures must address the granting of tenure, allow for the dismissal of a tenured faculty member at any time after providing the faculty member with appropriate due process on a determination of adequate cause, and provide for a periodic performance review process for all tenured faculty at the institution.

FINANCIAL IMPLICATIONS/TIMELINE:

Institutional policies will be adopted upon Board approval. There are no financial implications.

PROPOSED BOARD ACTION:

Approval and adoption of Tenure Policies for UNT, UNT at Dallas, and UNT Health Science Center

Attachments Filed Electronically:

1. Memorandum Regarding Institutional Tenure Policies and Procedures
 2. UNT Tenure Policies and Procedures
 3. UNT Dallas Tenure Policies and Procedures
 4. UNTHSC Tenure Policies and Procedures
-

Legal Approval:




Renaldo L. Stowers
Deputy General Counsel


Recommendation for Approval:


Neal Smatresk (Sep 15, 2023 10:33 CDT)


Neal Smatresk
UNT President




Bob Mong
UNT Dallas President


Sylvia Trent-Adams (Sep 15, 2023 11:39 CDT)

Sylvia Trent-Adams
UNTHSC President


Gregory R. Anderson (Sep 15, 2023 10:32 CDT)

Gregory R. Anderson
Deputy Chancellor,
Finance and Operations



Michael R. Williams
Chancellor



Board Order 2023-

Title: Approval and Adoption of Tenure Policies and Procedures for UNT, UNT Dallas, and UNT Health Science Center

At an official meeting of the Board of Regents of the University of North Texas System properly posted and held on October 17, 2023, pursuant to a motion made by Regent _____ and seconded by Regent _____, the Board approved the motion presented below:

Whereas, Texas Education Code § 51.942, as amended effective September 1, 2023, requires the Board to approve all policies and procedures regarding tenure for each institution under the Board's governance, and

Whereas, the Board has reviewed the tenure policies and procedures for each of its institutions, and

Whereas, the attached tenure policies and procedures comply with Texas Education Code § 51.942 statutory language and requirements,

Now, Therefore, The Board of Regents authorizes and approves the following:

1. The adoption of Tenure policies and procedures for UNT, UNT Dallas, and UNT Health Science Center
-

Board Action:

VOTE: _____ ayes _____ nays _____ abstentions

Attested By:

Approved By:

Rachel Barone, Secretary
Board of Regents


Laura Wright, Chair
Board of Regents

UNT SYSTEM™

Office of General Counsel

MEMORANDUM

TO: Board of Regents
Chancellor Michael R. Williams

FROM: Renaldo L. Stowers, Deputy General Counsel 

DATE: September 15, 2023

SUBJECT: Institutional Policies and Procedures Regarding Tenure

The 88th Legislature passed Senate Bill 18, amending Texas Education Code, Section 51.942 - *Faculty Tenure*. The bill took effective September 1, 2023. As amended, this statute requires the governing board of an institution of higher education to adopt all policies and procedures regarding tenure after seeking advice and comment from the institution's faculty. Prior to this amendment, section 51.942 required governing boards to only approve an institution's policies and procedures relating to the periodic performance evaluation of faculty members after they were awarded tenure. Regents Rules 06.1000, 06.1100, and 06.1200, as amended on August 17, 2023, establish the policies and procedures that require Board of Regents review, approval, and adoption necessary to comply with section 51.942.

Regents Rule 06.1000, *Tenure*, establishes that each institution shall recommend to the Board for the review, approval, and adoption policies and procedures for the granting of tenure.

Regents Rule 06.1100, *Evaluation of Tenured and Non-Tenured Faculty*, establishes that each institution shall recommend to the Board for review, approval, and adoption a policy providing for annual performance evaluations of all tenured and non-tenured faculty, and policies and procedures for a comprehensive performance review process after a faculty member receives tenure (post-tenure review). The following summarizes the post-tenure performance review provisions of this policy:

1. performance evaluations of tenured faculty will occur not more often than once every year, and no less often than once every six years after the date the faculty member was granted tenure or received an academic promotion at the institution;
2. performance evaluations will be based on professional responsibilities in teaching, research, service, patient care, and administration, and include peer review of the faculty member;
3. the performance evaluation process will be directed toward the professional development of the faculty member;
4. the performance evaluation process will incorporate commonly recognized academic due process rights, including notice of the manner and scope of the

comprehensive performance evaluation, the opportunity to provide documentation during the performance evaluation process, and notice of specific charges and an opportunity for a hearing on those charges before any disciplinary action is taken on the basis of a comprehensive performance evaluation;

5. the revocation of tenure or other appropriate disciplinary action may be taken if the comprehensive performance evaluation determines the presence of incompetency, neglect of duty, or other good cause;
6. the process provides for a short-term development plan with performance benchmarks for returning to satisfactory performance for any faculty member who receives an unsatisfactory rating in any area of a comprehensive performance evaluation; and
7. failure to successfully complete a comprehensive performance review short-term development plan constitutes adequate cause for dismissal in accordance with Regents Rule 06.1206.

Lastly, Regents Rule 06.1200, *Dismissal and Revocation of Tenure*, establishes that each Institution shall recommend to the Board for review, approval, and adoption procedures for dismissal of a tenured faculty member for adequate cause. Such procedures shall provide the faculty member with appropriate due process and include, at a minimum, the following provisions:

1. reasonable and timely notice of the reason for possible dismissal;
2. an opportunity to meet with and respond to an administrator prior to initiation of formal action to dismissal;
3. an informal, advisory inquiry into the reasons for the dismissal before initiation of formal proceedings;
4. a statement informing the faculty member of the reason(s) for initiation of formal dismissal proceedings and of his or her procedural rights under Institution policy;
5. an opportunity for a formal hearing; and
6. a requirement that the Board make the final determination involving the dismissal of a tenured faculty member for adequate cause.

The Office of General Counsel has performed a comprehensive review of all institutional policies and procedures regarding tenure and certifies the following: all institutional policies and procedures submitted for review, approval, and adoption by the Board of Regents are in compliance with Texas Education Code, section 51.942 and applicable Regents Rules.

ATTACHMENTS:

- UNT Promotion and Tenure Policies
- UNT Dallas Promotion and Tenure Policies
- UNT Health Science Center Promotion and Tenure Policies



Board Briefing

Committee: Full Board

Submission Date: September 14, 2023

Title: Adoption of Amendments to Regents Rules 06.1200, *Dismissal and Revocation of Tenure*

BACKGROUND SUMMARY:

This past legislative session Senate Bill 18 amended Texas Education Code, Section 51.942 - *Faculty Tenure*, effective September 1, 2023. As amended, section 51.942 requires the governing board of an institution of higher education to adopt all policies and procedures regarding tenure. Further, the amended statute allows the Board of Regents to adopt policies and procedures that authorize the summary dismissal of a tenured faculty member based on a finding of serious misconduct, which is distinct from dismissal for adequate cause.

Section 51.942, sets out fundamental due process requirements for summary dismissal procedures, including the opportunity to appeal. Otherwise, governing boards may design their policies and procedures to fit each institution's particular educational mission, traditions, resources, and circumstances relevant to each institution's character, role, and scope, in addition to other relevant factors determined by the board. The governing board is required to seek advice and comment from the institution's faculty before adopting any policies and procedures pursuant to the statute.

PURPOSE:

The proposed amendments to 06.1200, *Dismissal and Revocation of Tenure*, align the Regents Rules with the statutory language and requirements of section 51.942.

ASSESSMENT:

The Board has the authority to adopt these amendments under Texas Education Code, section 105.101, which grants the Board the power to adopt rules and policies for the administration of the Board's powers and duties. As amended, effective September 1, 2023, Texas Education Code, section 51.942 requires the Board to approve all policies and procedures regarding tenure for each institution.

FINANCIAL IMPLICATIONS/TIMELINE:

The amended Regents Rules will become effective upon Board approval. There are no fiscal implications related to the amendments to this Regents Rule.

PROPOSED BOARD ACTION:

Adoption of the amendments to Regents Rule 06.1200, *Dismissal and Revocation of Tenure*, as set forth in the attachments.

Attachments Filed Electronically:

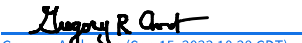
1. Proposed amendment to Regents Rule 06.1200, *Dismissal and Revocation of Tenure* (with Track Changes)
 2. Regents Rules 06.1200, *Dismissal and Revocation of Tenure* (Clean Version)
-

Legal Approval:



Renaldo L. Stowers
Deputy General Counsel

Recommendation for Approval:



Gregory R. Anderson (Sep 15, 2023 10:29 CDT)

Gregory R. Anderson
Deputy Chancellor,
Finance and Operations



Michael R. Williams
Chancellor



Board Order 2023-

Title: Adoption of Amendments to Regents Rules 06.1200, *Dismissal and Revocation of Tenure*

At an official meeting of the Board of Regents of the University of North Texas System properly posted and held on October 17, 2023, pursuant to a motion made by Regent _____ and seconded by Regent _____, the Board approved the motion presented below:

Whereas, the Board has the authority to adopt rules and policies for the administration of the Board's powers and duties; and

Whereas, Texas Education Code § 51.942, as amended effective September 1, 2023, allows the Board of Regents to adopt policies and procedures with provisions that authorize the summary dismissal of a tenured faculty member based on a finding of serious misconduct; and,

Whereas, the proposed amendments align Regents Rule 06.1200 with Texas Education Code § 51.942 statutory language and requirements.

Now, Therefore, The Board of Regents authorizes and approves the following:

1. Amendments to Regents Rules 06.1200, *Dismissal and Revocation of Tenure*, as set forth in the attachment to this briefing and order.
-

Board Action:

VOTE: _____ ayes _____ nays _____ abstentions

Attested By:

Approved By:

Rachel Barone, Secretary
Board of Regents

Laura Wright, Chair
Board of Regents

06.1200 Dismissal and Revocation of Tenure

06.1201 Dismissal of Tenured Faculty. The employment of a tenured faculty member may be terminated and tenure revoked only ~~by the Board~~ in accordance with this Rule and only for adequate cause, serious misconduct, financial exigency, or discontinuance of academic programs.

06.1202 Procedures for Dismissal of Tenured Faculty for Adequate Cause. Except as provided for summary dismissal set forth in this Rule, each Institution shall recommend to the Board for review, approval, and adoption procedures for dismissal of a tenured faculty member for adequate cause. Such procedures shall provide the faculty member with appropriate due process including, at a minimum, the following provisions:

1. reasonable and timely notice of the reason for possible dismissal;
2. an opportunity to meet with and respond to an administrator prior to initiation of formal action to dismissal;
3. an informal, advisory inquiry into the reasons for the dismissal before initiation of formal proceedings;
4. a statement informing the faculty member of the reason for initiation of formal dismissal proceedings and of his or her procedural rights under Institution policy;
5. an opportunity for a formal hearing; and
6. a requirement that the Board make the final determination involving the dismissal of a tenured faculty member.

06.1203 Board Review. A recommendation to dismiss a tenured faculty member for adequate cause shall be forwarded by

the President to the Board through the Chancellor. A tenured faculty member shall not be dismissed for adequate cause except by a majority vote of the total membership of the Board. The Board shall provide specific reasons in writing for any decision to dismiss a tenured faculty member for adequate cause.

06.1204 Dismissal of Non-Tenured Faculty. An Institution may dismiss the employment of a non-tenured faculty member by non-renewal of his or her appointment, for adequate cause, financial exigency, or discontinuance of academic programs during the course of his or her appointment.

06.1205 Procedures for Dismissal of Non-Tenured Faculty for Adequate Cause. Each Institution shall adopt procedures for dismissal of non-tenured faculty for adequate cause. Such procedures shall include, at minimum, reasonable and timely notice of the reason for dismissal and an opportunity to respond.

06.1206 Adequate Cause. ~~Each Institution shall recommend to the Board for review, approval, and adoption policies and procedures for dismissal of a tenured faculty member for adequate cause.~~ Adequate cause for dismissal and revocation of tenure of a tenured faculty member and dismissal of a non-tenured faculty member may include, but shall not be limited to, a determination that the faculty member has:

1. exhibited professional incompetence;
2. continually or repeatedly failed to perform duties or meet responsibilities of the faculty member's position;
3. failed to successfully complete a post-tenure review professional development program;
4. engaged in conduct involving moral turpitude that adversely affects the Institution or the faculty member's performance of duties or meeting of responsibilities;
5. violated laws or System or Institution policies or regulations substantially related to the performance of the faculty member's duties;

6. been convicted of a crime affecting the fitness of the faculty member to engage in teaching, research, service, outreach, or administration or failed to disclose or misrepresented criminal history background information;
7. engaged in unprofessional conduct that adversely affects the Institution or System or the faculty member's performance of duties or meeting of responsibilities; or
8. falsified the faculty member's academic credentials.

06.1207 Suspension. A tenured or non-tenured faculty member may be suspended pending proceedings to dismiss for adequate cause if the faculty member presents a threat of immediate harm to the Institution.

06.1208 Procedures for Summary Dismissal of Tenured Faculty for Serious Misconduct. Each Institution shall recommend to the Board for review, approval, and adoption procedures for dismissal and revocation of tenure of a tenured faculty member based upon serious misconduct substantiated by an investigation conducted by the System or Institution, or a federal, state, or local agency with applicable jurisdiction over the subject matter, and consistent with this Rule. Such procedures shall provide the faculty member with appropriate due process including, at a minimum, the following provisions:

1. written notice of the allegation(s) against the faculty member together with an explanation of the evidence supporting possible dismissal;
2. copies of non-confidential or non-privileged investigative reports (with appropriate redactions) that are available to the Institution at the time of written notice;
3. an opportunity for the faculty member to respond to the allegation(s) in a hearing with the Institution's Provost;
4. consideration of the faculty member's response, in any, by the Institution's Provost;

5. a written determination by the Provost stating whether the Institution will proceed with summary dismissal and clearly stating the faculty member:

(a) is not subject to summary dismissal; or

(b) is subject to summary dismissal, the effective date of the dismissal, and information regarding the faculty member's opportunity for a post-dismissal appeal.

2-6. prompt delivery of the Provost's written determination to the faculty member;

7. the opportunity to appeal the determination of summary dismissal as set out below:

(a) an appeal must be submitted in writing to the Institution's President no later than ten (10) business days following receipt of the written determination and include the reason(s) for the appeal.

(b) the President will have fifteen (15) business days following receipt of the faculty member's appeal to render a final determination, except under extenuating circumstances.

(c) the President's decision shall be final.

(d) notice of the written determination shall be deemed delivered and received the day on which the Provost's determination is sent to the faculty member's assigned Institution email address.

06.1209 Serious Misconduct. Serious misconduct for dismissal and revocation of tenured of a tenured faculty includes a determination of any of the following:

1. intentional or knowing falsification of a faculty member's academic credentials;

2. egregious scientific or research misconduct;
3. conviction of a crime substantially affecting the fitness of the faculty member to engage in teaching, research or creative activity, service, outreach, or administration;
4. sexual misconduct that violates federal Title IX or state sexual misconduct laws or policies; or
5. violence or threat of violence in the workplace.

06.1210. Suspension. A faculty member subject to a summary dismissal procedure may be suspended with or without pay during the summary dismissal process. If suspension without pay has not already been imposed, notice of summary dismissal shall result in immediate suspension without pay.

06.1211 Procedures for Dismissal of Tenured or Non-Tenured Faculty for Financial Exigency. Each institution shall adopt procedures for dismissal of tenured or non-tenured faculty for financial exigency. Such procedures shall include, at minimum, the following provisions:

1. reasonable and timely notice of the intent to dismiss a faculty appointment because of financial exigency;
2. an opportunity for a formal hearing before a faculty committee;
3. an opportunity for tenured faculty to be appointed to an open position in another department at the institution in which the faculty member is qualified to teach; and
4. an opportunity of re-employment for faculty members who are dismissed based on financial exigency if the position is restored within a period of three years from the dismissal date.

06.1209~~1212~~ Dismissal of Tenured Faculty for Financial Exigency. A tenured faculty member may be dismissed due to financial

exigency only upon recommendation by the President and approval by the Board.

06.~~1210~~1213 Procedures for Dismissal of a Tenured or Non-Tenured Faculty for Discontinuance of Academic Programs. Each institution shall adopt procedures for dismissal of tenured or non-tenured faculty for discontinuance of academic programs. Such procedures shall include, at minimum, the following provisions:

1. reasonable and timely notice of the intent to dismiss a faculty appointment because of discontinuance of academic programs;
2. an opportunity for a formal hearing before a faculty committee; and
3. an opportunity for tenured faculty to be appointed to an open position in another department at the institution in which the faculty member is qualified to teach.

06.~~1211~~1214 Dismissal of Tenured Faculty for Discontinuance of Academic Programs. A tenured faculty member may be dismissed due to discontinuance of academic programs only upon recommendation by the President and approval by the Board.

06.~~1212~~1215 Reporting Requirement. Each Institution shall file a copy of its dismissal and revocation of tenure policies and procedures and any amendments thereto with the Texas Higher Education Coordinating Board on or before September 1 of each year.

Adopted: February 7, 2008
Effective: February 7, 2008
Revised: August 18, 2011; September 1, 2023

06.1200 Dismissal and Revocation of Tenure

06.1201 Dismissal of Tenured Faculty. The employment of a tenured faculty member may be terminated and tenure revoked only in accordance with this Rule and only for adequate cause, serious misconduct, financial exigency, or discontinuance of academic programs.

06.1202 Procedures for Dismissal of Tenured Faculty for Adequate Cause. Except as provided for summary dismissal set forth in this Rule, each Institution shall recommend to the Board for review, approval, and adoption procedures for dismissal of a tenured faculty member for adequate cause. Such procedures shall provide the faculty member with appropriate due process including, at a minimum, the following provisions:

1. reasonable and timely notice of the reason for possible dismissal;
2. an opportunity to meet with and respond to an administrator prior to initiation of formal action to dismissal;
3. an informal, advisory inquiry into the reasons for the dismissal before initiation of formal proceedings;
4. a statement informing the faculty member of the reason for initiation of formal dismissal proceedings and of his or her procedural rights under Institution policy;
5. an opportunity for a formal hearing; and
6. a requirement that the Board make the final determination involving the dismissal of a tenured faculty member.

06.1203 Board Review. A recommendation to dismiss a tenured faculty member for adequate cause shall be forwarded by

the President to the Board through the Chancellor. A tenured faculty member shall not be dismissed for adequate cause except by a majority vote of the total membership of the Board. The Board shall provide specific reasons in writing for any decision to dismiss a tenured faculty member for adequate cause.

06.1204 Dismissal of Non-Tenured Faculty. An Institution may dismiss the employment of a non-tenured faculty member by non-renewal of his or her appointment, for adequate cause, financial exigency, or discontinuance of academic programs during the course of his or her appointment.

06.1205 Procedures for Dismissal of Non-Tenured Faculty for Adequate Cause. Each Institution shall adopt procedures for dismissal of non-tenured faculty for adequate cause. Such procedures shall include, at minimum, reasonable and timely notice of the reason for dismissal and an opportunity to respond.

06.1206 Adequate Cause. Adequate cause for dismissal and revocation of tenure of a tenured faculty member and dismissal of a non-tenured faculty member may include, but shall not be limited to, a determination that the faculty member has:

1. exhibited professional incompetence;
2. continually or repeatedly failed to perform duties or meet responsibilities of the faculty member's position;
3. failed to successfully complete a post-tenure review professional development program;
4. engaged in conduct involving moral turpitude that adversely affects the Institution or the faculty member's performance of duties or meeting of responsibilities;
5. violated laws or System or Institution policies or regulations substantially related to the performance of the faculty member's duties;
6. been convicted of a crime affecting the fitness of the faculty member to engage in teaching, research,

service, outreach, or administration or failed to disclose or misrepresented criminal history background information;

7. engaged in unprofessional conduct that adversely affects the Institution or System or the faculty member's performance of duties or meeting of responsibilities; or
8. falsified the faculty member's academic credentials.

06.1207 Suspension. A tenured or non-tenured faculty member may be suspended pending proceedings to dismiss for adequate cause if the faculty member presents a threat of immediate harm to the Institution.

06.1208 Procedures for Summary Dismissal of Tenured Faculty for Serious Misconduct. Each Institution shall recommend to the Board for review, approval, and adoption procedures for dismissal and revocation of tenure of a tenured faculty member based upon serious misconduct substantiated by an investigation conducted by the System or Institution, or a federal, state, or local agency with applicable jurisdiction over the subject matter, and consistent with this Rule. Such procedures shall provide the faculty member with appropriate due process including, at a minimum, the following provisions:

1. written notice of the allegation(s) against the faculty member together with an explanation of the evidence supporting possible dismissal;
2. copies of non-confidential or non-privileged investigative reports (with appropriate redactions) that are available to the Institution at the time of written notice;
3. an opportunity for the faculty member to respond to the allegation(s) in a hearing with the Institution's Provost;
4. consideration of the faculty member's response, in any, by the Institution's Provost;

5. a written determination by the Provost stating whether the Institution will proceed with summary dismissal and clearly stating the faculty member:
 - (a) is not subject to summary dismissal; or
 - (b) is subject to summary dismissal, the effective date of the dismissal, and information regarding the faculty member's opportunity for a post-dismissal appeal.
6. prompt delivery of the Provost's written determination to the faculty member;
7. the opportunity to appeal the determination of summary dismissal as set out below:
 - (a) an appeal must be submitted in writing to the Institution's President no later than ten (10) business days following receipt of the written determination and include the reason(s) for the appeal.
 - (b) the President will have fifteen (15) business days following receipt of the faculty member's appeal to render a final determination, except under extenuating circumstances.
 - (c) the President's decision shall be final.
 - (d) notice of the written determination shall be deemed delivered and received the day on which the Provost's determination is sent to the faculty member's assigned Institution email address.

06.1209

Serious Misconduct. Serious misconduct for dismissal and revocation of tenured of a tenured faculty includes a determination of any of the following:

1. intentional or knowing falsification of a faculty member's academic credentials;
2. egregious scientific or research misconduct;

3. conviction of a crime substantially affecting the fitness of the faculty member to engage in teaching, research or creative activity, service, outreach, or administration;
4. sexual misconduct that violates federal Title IX or state sexual misconduct laws or policies; or
5. violence or threat of violence in the workplace.

06.1210. Suspension. A faculty member subject to a summary dismissal procedure may be suspended with or without pay during the dismissal process. If suspension without pay has not already been imposed, notice of summary dismissal shall result in immediate suspension without pay.

06.1211 Procedures for Dismissal of Tenured or Non-Tenured Faculty for Financial Exigency. Each institution shall adopt procedures for dismissal of tenured or non-tenured faculty for financial exigency. Such procedures shall include, at minimum, the following provisions:

1. reasonable and timely notice of the intent to dismiss a faculty appointment because of financial exigency;
2. an opportunity for a formal hearing before a faculty committee;
3. an opportunity for tenured faculty to be appointed to an open position in another department at the institution in which the faculty member is qualified to teach; and
4. an opportunity of re-employment for faculty members who are dismissed based on financial exigency if the position is restored within a period of three years from the dismissal date.

06.1212 Dismissal of Tenured Faculty for Financial Exigency. A tenured faculty member may be dismissed due to financial exigency only upon recommendation by the President and approval by the Board.

06.1213 Procedures for Dismissal of a Tenured or Non-Tenured Faculty for Discontinuance of Academic Programs. Each

institution shall adopt procedures for dismissal of tenured or non-tenured faculty for discontinuance of academic programs. Such procedures shall include, at minimum, the following provisions:

1. reasonable and timely notice of the intent to dismiss a faculty appointment because of discontinuance of academic programs;
2. an opportunity for a formal hearing before a faculty committee; and
3. an opportunity for tenured faculty to be appointed to an open position in another department at the institution in which the faculty member is qualified to teach.

06.1214 Dismissal of Tenured Faculty for Discontinuance of Academic Programs. A tenured faculty member may be dismissed due to discontinuance of academic programs only upon recommendation by the President and approval by the Board.

06.1215 Reporting Requirement. Each Institution shall file a copy of its dismissal and revocation of tenure policies and procedures and any amendments thereto with the Texas Higher Education Coordinating Board on or before September 1 of each year.

Adopted: February 7, 2008
Effective: February 7, 2008
Revised: August 18, 2011; September 1, 2023