

STEPHEN F. AUSTIN STATE UNIVERSITY  
Faculty Senate  
Meeting No. 85  
March 8, 1978

- 1. Chairman Vincent called the meeting to order at 2:20 p.m.
- 2. The Senate approved the Minutes of Meeting No. 84.
- 3. Reports of Officers:

A. Chairman's Report:

- 1. Chairman Vincent reported on the three Deans' Council Meetings and one Academic Affairs Council meeting held since the last session of the Senate.

At the Academic Affairs Council meeting, held February 21, the Council approved a policy change for admission of foreign transfer students (consisting essentially of an increase of the required GPA to 2.5) and a policy for admission on probation of students who do not meet the normal entrance requirements.

On February 14, the Deans' Council approved a policy on overload assignments and compensation. At the meeting of the Council on February 27, a timetable for triennial departmental evaluations was established. At the March 3rd meeting, the Council approved procedures for notifying departments as to whether they can tenure additional faculty over the next five years. Untenured faculty will be notified of their prospects for tenure under these procedures. Also, the Council approved a policy for summer contracts--if a faculty member's class does not make and no other class assignment can be made, then the faculty member may, with reassignment to alternative duty, receive the originally contracted salary.

- 2. Dr. Vincent reported that the meeting of the Chairmen of Faculty Senates, held in Austin this past month, consisted mainly of a discussion of structure and function of the Senates at the various schools.
- 3. Chairman Vincent announced the establishment of an ad hoc committee, chaired by Dr. Bos, to look into the construction of By-Laws for the Senate and revisions of the Constitution.
- 4. The Chairman also announced that the Faculty Senate will have a business meeting in May prior to the regularly scheduled meeting for inducting members of the new Senate.

B. Treasurer's Report:

Mr. Snyder reported a balance of \$2,312.21 in the treasury.

4. Committee Reports:

A. Faculty Government Involvement Committee:

Dr. Blocker presented this committee's report to the Senate and moved that it be accepted. Dr. Rodewald seconded the motion. MOTION PASSED. An open hearing on the report, designated Senate Bill #85-1 (ATTACHMENT #1, sent under separate cover), will be held on March 16, 1978, at 4 p.m. in Science 135.

B. Ad Hoc Committee for University Committees:

Dr. Kerr presented his committee's report to the Senate and moved that it be accepted. Dr. Sartin seconded the motion. MOTION PASSED. An open hearing on this report, designated Senate Bill #85-2 (ATTACHMENT #2, sent under separate cover), will be held in conjunction with the hearing on Senate Bill #85-1 on March 16th at 4 o'clock in Science 135.

5. Old Business:

A. Dr. Lackey moved and Dr. Malpass seconded the motion to approve Senate Bill #84-1, a policy statement to be added to Research Policies and Procedures. (See ATTACHMENT #1, Meeting No. 84.) MOTION PASSED.

B. At this time, the Senate discussed Amended Senate Bill #84-2 on Promotion Policy. Dr. Sartin, Chairman of the Professional Welfare Committee, answered the Senators' questions on the Bill.

Mr. Logan pointed out that many inequities in rank exist on the SFA campus at the present time, even though, with the equivalency provision, anyone can be promoted. He questioned whether this Bill will cause the policy to be better implemented and applied fairly throughout the Schools and the University.

Dr. Sartin explained that the initiation of the University Committee on Promotion, set up in this Bill, is intended to rectify this situation and make it more equitable. He also pointed out that Recommendation III. D. is designed to deal with the question of equivalency. Since the Schools have differences in equivalency requirements, equivalencies will be spelled out for each School and will be available in the offices of the deans.

Dr. Sartin also pointed out that this Bill eliminates any rank quotas and strengthens the time-in-rank provisions.

Mr. Snyder questioned whether the University Committee on Promotion was designed to function for those who have not been recommended for or have been overlooked for promotion. Dr. Sartin explained that Recommendation IV. A. clarifies that recommendations for promotions can be initiated by anyone. Dr. Irons pointed out that Recommendation IV essentially means that all applications go all the way up through the review system, so an appeal procedure does exist in this Bill.

After the discussion, Dr. Bos moved and Dr. Reeves seconded the motion to approve Amended Senate Bill #84-2 (ATTACHMENT #3). MOTION PASSED.

6. New Business:

Dr. Johnson proposed that the Senate serve coffee at future meetings. Dr. Franklin reminded the Senate that coffee cannot be paid for out of state funds.

7. Comments from Ex Officio Members:

Dr. Gordon Beasley, Chairman of the Ad Hoc Planning Committee on Parking, presented his committee's recommendations for the Senate's information and comments. The report covers five general areas: (1) Vehicle Assignment--This recommendation is designed to open up the main part of the campus to faculty, staff, and residence hall students primarily by enticing commuter students, through the use of lower parking fees, express buses, more and better bus service, and protected waiting areas, to park in the stadium and coliseum lots. (2) Registration Permits--The committee recommends only one "S" permit per person; registration of boats, trailers, buses, etc.; and the issuance of a "J" permit to anyone wishing to buy one. (3) Charges--\$25 per year for "S" areas; \$15 per year for "A" areas; and \$5 per year for "J" areas. (4) Enforcement--The committee recommends more rigid enforcement through the use of tow-away services and impounding in place. Also, it recommends zone permits with no more permits issued than there are places available in the zone. (5) Visitor Parking--The committee proposes parking meters in strategic locations and the establishment of a visitor's information booth.

Chief Ben Wright spoke to the Senators and showed them a map of proposed parking areas. The Senators questioned Mr. Wright and Dr. Beasley on points of their proposals and offered suggestions and comments on the recommendations.

8. Other Business:

A. Dr. Pollock moved and Dr. Malpass seconded a motion to request clarification of Policy Paper No. 6; specifically, what is an overload, when is certification necessary, when is it eligible for compensation, and how are these decisions arrived at. MOTION PASSED.

B. Dr. Franklin pointed out that his office had gone to a great deal of trouble to organize meetings around the Senate meetings to accommodate the Senate and expressed concern that the Senate had not adhered to its published schedule. Chairman Vincent asserted that the time of the spring meetings was set by the Senate early in the fall.

9. The next meeting of the Faculty Senate will be April 12, 1978, at 2:15 p.m. in the Aztec-Caddo Room of the University Center.

10. Dr. Lackey moved and Dr. Reeves seconded the motion to adjourn. MOTION PASSED and Chairman Vincent adjourned the meeting at 4:05 p.m.

Absentees:

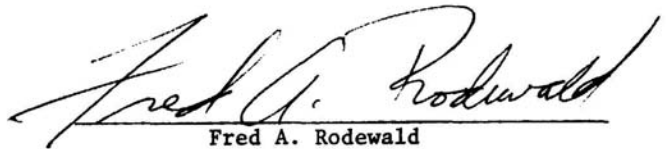
Dr. June Irwin (Excused--Professional Conflict)  
Dr. David Jeffrey (Excused--Professional Conflict)  
Dr. Leslie Thompson (Excused--Professional Conflict)  
Dr. George Thompson (Unexcused)

Ex Officio Members Present:

Dr. Gordon Beasley  
Dr. Bill Franklin  
Dr. James Reese

Visitors:

Ms. Sandra Langham  
Ms. Mary Milligan  
Dr. H. B. Weyland  
Mr. Ben Wright  
Mr. William A. Hill  
Dr. C. R. Schoenewolf  
Ms. Willie Earl Tindall  
Dr. Jim DiNucci  
Dr. Ronnie Barra



Fred A. Rodewald  
Secretary, 1977-78 Senate

MEMO TO: Faculty Senate

FROM: Professional Welfare Committee--Sartin (Chairman), Bos, Hunter, Petty  
Reeves, Young

DATE: March 8, 1978

SUBJECT: Amended Faculty Senate Bill #84-2--Promotion Policy

This policy is intended to create a standardized system for appointment and promotion. Information for this policy was derived from: material gathered from approximately 20 faculty handbooks of schools in Texas and throughout the United States; the report of the Senate Ad Hoc Committee on Tenure/Rank Quotas; AAUP guidelines; conferences with administrators and individual faculty; and the open hearing of Faculty Senate Bill #84-2.

RECOMMENDATION I: Employment and Promotion Policies--General statement of guiding principles governing employment and promotion policies.

- A. Appointment and/or promotion of a faculty member shall be based upon standards of quality, as outlined below. Both peer judgment and administrative judgment will weigh significantly in the process.
- B. Promotion policies are designed to assure that faculty members of comparable training, experience, and performance, engaged in the same type of college and university service, hold comparable positions.

RECOMMENDATION II: Appointment Policies

- A. Approval of new positions and appointments to fill all positions which become vacant are the responsibility of the President of the University. The chairman or director of the unit concerned, with the concurrence of the appropriate administrators, recommends to the President the creation of new positions and appointments to fill all positions.
- B. Positions are created or abolished only after consultation with the chairman or director of the unit concerned. In each department, the faculty devises contingency plans which are used when positions must be abolished. Those plans are available from offices of the department chairmen and the Vice President for Academic Affairs.
- C. All conditions of appointment are in writing.
- D. The rank of initial appointment should be based upon the qualifications of the appointee.

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Amended Faculty Senate Bill #84-2--Promotion Policy

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RECOMMENDATION III: Standards for Appointment and Promotion

- A. Promotion will be based upon a cumulative record of performance at SFA as defined by merit criteria stated in the Faculty Handbook.
- B. Standards of academic training and experience for eligibility for appointment and promotion are at two levels: (1) There are minimum standards, applicable to the entire University, and (2) additional standards, applicable to each school. The minimum standards are described below; additional standards, specified for each school by its Advisory Council, are available upon request from the offices of the academic deans and the Vice President for Academic Affairs. These additional standards will be furnished in writing to new faculty members prior to time of appointment.
- C. Demonstration of high quality teaching performance, academic scholarship, and service to the University are the cardinal requirements of anyone considered for appointment or promotion. Other minimum standards of academic training and experience for appointment and promotion shall be as follows for each rank:

Instructor:

Master's degree, or equivalent, in the field in which employed.

Assistant Professor:

A doctoral degree in the field in which employed or a master's degree which is considered to be a terminal degree in the field, for example, a 60-hour M.F.A. degree or the equivalent.

Associate Professor:

- a. A doctoral degree in the field in which employed or a master's degree which is considered a terminal degree in the field, for example, a 60-hour M.F.A. degree or the equivalent,

and

- b. Seven years college teaching experience or the equivalent,

including

- c. Five years as Assistant Professor.

Professor:

- a. A doctoral degree in the field in which employed or a master's degree which is considered to be a terminal degree in the field, for example, a 60-hour M.F.A. degree or the equivalent,
- and
- b. Twelve years college teaching experience or the equivalent,
- including
- c. Five years as Associate Professor.
- D. In some circumstances, with reference to specific individuals, special training in recognized institutions (such as conservatories or research institutes) may be accepted as equivalent to advanced degrees. In all fields, practical experience may be evaluated as meeting degree and/or teaching requirements. In each academic school, the Advisory Council specifies the type of special training and practical experience accepted as "equivalent." Those specifications are available in the offices of the academic deans.
- E. At the time of appointment, each new faculty member will be notified in writing of the number of years of faculty experience and the equivalent for which he has been credited.

## RECOMMENDATION IV: Procedure for Promotion\*

- A. Nomination or application for promotion may be initiated by any faculty member or department chairman. All applicants should submit any supporting materials, including a current vita, and any other information the faculty member wishes to include in support of his application.
- B. All applications for promotion received at the department level will be evaluated by a departmental committee comprised of faculty not being considered for promotion from all academic ranks higher than that of the applicant. A department may elect to include one faculty member from faculty outside of the school in which the department is housed.

\*Items A-E in Recommendation IV have already been passed by the Faculty Senate.

- C. Committee recommendations for all applicants who have been evaluated by the departmental committee, along with recommendations of the department chairman, will be submitted to the dean of the school.
- D. All applicants will be reviewed by a School Promotion Committee consisting of faculty from the upper two academic ranks who are not being considered for promotion. The committee may elect to include one committee member from faculty outside the school.
- E. School committee recommendations for all applicants who have been evaluated by the committee, along with the recommendations of the school dean, will be submitted to the Vice President for Academic Affairs.
- F. All applicants will be reviewed by a University Promotion Committee consisting of a faculty member (who is not being considered for promotion) from each of the schools in the University.
- G. Recommendations of the University committee shall be forwarded to the Vice President for Academic Affairs.

RECOMMENDATION V: These recommendations replace all parts of promotion and appointment policies in the SFA Faculty Handbook Number 8 (1975) from "Employment and Promotion Policies," p. 13, to "Academic Freedom, Tenure, and Responsibilities," p. 16.

MEMO TO: Faculty Senate

April 3, 1978

FROM: Larry Pollock

RE: SFASU Policy Statement Number VII concerning summer teaching contracts

MOTION

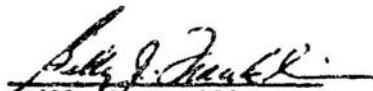
I move that the Faculty Senate request Dr. Franklin to provide written clarification of Policy Statement Number VII concerning summer teaching contracts. Specifically, we request that he clarify the following points:

1. Why did the administration use the word "may" instead of "will" or "shall" on line 7 of Policy Statement VII?
2. Does the administration intend their usage of "may" to imply that assignment to alternate duties (under the specified conditions) is permitted but is not mandatory?
3. If the administration does not assign a faculty member to alternate duties, will that faculty member be paid for the contracted number of courses even though she/he does not teach the full number of contracted courses?
4. If the administration is reserving the right to decide if and when a faculty member will be assigned alternate duties:
  - a. what process and procedures will be used to arrive at this decision?
  - b. who will participate in this decision-making process?
  - c. what criteria will be used in deciding whether alternate assignments are made?
5. What are some concrete examples of the kinds of alternate duties which may be assigned?
6. Would the following activities be acceptable as alternate duties?
  - a. personal research and/or other scholarly activity
  - b. the development of new courses and/or improvement of existing courses
  - c. program development and/or evaluation within the faculty member's own department
  - d. activities designed to improve professional knowledge and competence through conferences, meetings, seminars, and other faculty development mechanisms.

POLICY GOVERNING SUMMER CONTRACTS

The University offers no guarantee of summer employment to any faculty member except as specifically contracted.

In the event that (1) a class for which a faculty member is contracted does not meet minimum enrollment standards as established by the Board of Regents of Stephen F. Austin State University, and (2) no alternative class can be assigned, the faculty member may receive the originally contracted salary with reassignment to alternative faculty duties.

  
Billy G. Franklin  
Vice President for  
Academic Affairs

3-14-77  
Date



November 15, 1978

AMENDED SENATE BILL #85-1  
TENURE POLICY

I. DEFINITION

Tenure means the entitlement of a faculty member\* to continue in his or her academic position unless dismissed for adequate cause, and tenure is awarded by the institution according to established procedures after an appropriate probationary period.

A faculty member with tenure shall not be dismissed until he or she has received reasonable notice of the cause for dismissal and been afforded an opportunity for a hearing following established procedure of due process.

II. APPOINTMENTS\*\*

- A. With the exception of special appointments clearly limited to a brief association with the University and reappointments of retired faculty members on special conditions, all full-time appointments\*\*\* to the rank of instructor or higher are of two kinds:
1. Appointments with tenure, provided that, prior to the appointment, the individual has successfully completed the procedure for acquiring tenure at this institution.
  2. Probationary appointments may be for one year, or for other legally stated periods, subject to renewal. Beginning with full-time appointment to the rank of instructor or higher rank, the probationary period for a faculty member shall not exceed seven years at this institution, including within this period credit granted for appropriate full-time service in all institutions of higher education. This appointment is subject to the provision that when, after a term of probationary service of more than three years in one or more institutions of higher education, it may be agreed in writing that his or her appointment at Stephen F. Austin State University is for a probationary period of not more than four years (even though thereby the person's total probationary period in the academic profession is extended beyond the normal maximum of seven years). Scholarly leave of absence for one year or less will count as part of the probationary period as if it were prior service at another institution unless the individual and the institution agree in writing to an exception to this provision at the time the leave is granted.

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\*"Faculty member" includes professional librarians.

\*\*Faculty who were initially appointed to non-tenure track position under prior policy are included in this and all subsequent references to probationary appointment or probationary position.

\*\*\*"Full-time appointment" means a 100% appointment for a full academic year (September through May).

- B. Notice of non-reappointment, or of intention not to reappoint a faculty member, will be given in writing in accord with the following standards:
1. not later than March 1 of the first year of probationary service at *Stephen F. Austin State University*,
  2. not later than December 15 of the second year of probationary service at *Stephen F. Austin State University*,
  3. at least twelve months before the expiration of a probationary appointment after two or more years of probationary service at *Stephen F. Austin State University*.
- C. *A probationary faculty member's tenure status, including years of credit for probationary service and departmental programmatic needs, will be specified in writing at the time of appointment and in subsequent annual reappointment notifications.*

### III. PROCEDURE FOR AWARDING TENURE

- A. A faculty member may be nominated or apply for tenure. A nomination may be initiated by an individual faculty member, the department chairman, or other appropriate administrative officer of the University. The candidate is responsible for developing and submitting to the department chairman a packet of supporting materials, including a current vita. *A faculty member who occupies an administrative position will submit his or her packet of supporting materials to his or her immediate administrative supervisor. The administrative supervisor alone will receive all recommendations of the tenured departmental or tenured divisional faculty.* (Faculty members with concurrent appointments in two departments and/or two schools will be evaluated by both departments and/or schools.)
- B. Each application/nomination for tenure, including all supporting materials will be evaluated by all tenured faculty from the candidate's department with regard to the candidate's credentials and performance as a faculty member. *Each tenured faculty member will submit a recommendation to the department chairman that the candidate be granted or not granted tenure with comments concerning the judged strengths of the candidate.* (If there are no tenured members in the candidate's department, this step will be omitted.)
- C. The chairman of the candidate's department will evaluate the packet of materials submitted by the candidate and will forward these materials, along with his or her recommendation and the recommendations of the tenured faculty of the department, to the dean of the school.
- D. Each application/nomination for tenure including all supporting materials will be evaluated by a school tenure committee with regard to the candidate's credentials and performance as a faculty member. The dean of the school will constitute the review committee. The committee will consist of one tenured member *elected from each department in the school.* The

committee member *from* the department should not be the department chairman unless there are no other tenured faculty members in the department. The committee will review the supporting materials prepared by the candidate and *each member* will submit a recommendation to the dean of the school that the candidate be granted or not granted tenure, with comments concerning the judged strengths of the candidate.

- E. The dean of the school will evaluate the packet of materials submitted by the candidate and will review the recommendation of the department chairman, the recommendations of the tenured faculty of the candidate's department, and the recommendations of the school tenure committee as a basis for his or her recommendation to the Vice President for Academic Affairs. The dean's recommendation that the candidate be granted or not granted tenure and comments concerning the judged strengths of the candidate will be submitted to the Vice President for Academic Affairs, along with the packet of materials prepared by the candidate and the recommendations generated at each preceding stage of the evaluation.
- F. The Vice President for Academic Affairs will review these materials and recommendations as a basis for his or her recommendation to the President of the University that the candidate be granted or not granted tenure. The Vice President for Academic Affairs will submit to the President of the University his or her recommendation, along with all supporting materials and the recommendations generated at each preceding stage of the evaluation.
- G. The President of the University will review these materials and recommendations and any other evidence deemed pertinent as a basis for his or her recommendation to the Board of Regents that the candidate be awarded tenure.
- H. Tenure is awarded by action of the Board of Regents of Stephen F. Austin State University.

#### IV. PROCEDURAL GUARANTEES

- A. Tenured Faculty and Probationary Faculty with an Unexpired Appointment Extending Beyond the Date of Proposed Dismissal\*
  - 1. The only adequate causes for the dismissal of a faculty member with tenure or a probationary faculty member whose specified term of employment has not expired are moral turpitude, professional incompetence, gross neglect of professional responsibilities, *bona fide* financial exigency or phasing out of programs requiring faculty reduction, and physical or mental disability rendering the faculty member unable to perform his or her professional responsibilities.
  - 2. The burden of proof that adequate cause exists for dismissal rests with the University.

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\*The University has a uniform procedure by which charges of discrimination made by employees or students are considered.

- A. 3. Dismissal of a faculty member with tenure or a probationary faculty member whose specified term of employment has not expired will be preceded by:
- a. discussions between the faculty member and appropriate administrative officers of the University, and
  - b. if the conferences fail to achieve a mutual settlement, a *written* statement of *specific* charges *will be prepared* by the President or the President's delegate.
4. If an official statement of charges against a faculty member is issued, the faculty member will have the right to a hearing by a Hearing Committee of the University Grievance Committee.\* *Service of notice of hearing with specific charges in writing will be made at least twenty days prior to the hearing.*
- a. The University Grievance Committee will be composed of fourteen tenured faculty members, two from each academic school and the library (exclusive of the Graduate School) elected by the full-time faculty members of the school to two-year staggered terms.
  - b. The Hearing Committee to hear a grievance will be composed of *seven* members selected as follows from the University Grievance Committee: *three* selected by the aggrieved faculty member; *three* by the President or the President's delegate; and one by lot. Each party will have a maximum of two challenges without stated cause.
  - c. Once constituted, the Hearing Committee will organize itself to carry out its responsibilities and establish its procedures.
5. At the faculty member's option, the hearing may be open or closed.
6. The Hearing Committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved.
7. The Hearing Committee's findings of fact and decision will be based solely upon the hearing record.
8. The Hearing Committee's decision and the basis for it will be communicated in writing to the faculty member and the President. It will be accompanied by a verbatim typewritten record of the hearing.
9. If the Hearing Committee concludes that adequate cause for dismissal has not been established by the evidence in the record and the President rejects the Committee's conclusion, he will state his reason(s) for

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\*This procedure in no way precludes a faculty member's right to petition the Faculty Senate for a hearing.

doing so in writing to the Committee and the faculty member. The President will provide a reasonable time for response before transmitting the case to the Board of Regents.

10. When it is the President's final judgment to recommend dismissal, he will transmit to the Board of Regents a verbatim typewritten copy of the record of the hearing, the report of the Hearing Committee, and his recommendation regarding dismissal. *The governing board of review will be based on the record of the committee hearing, and it will provide opportunity for argument, oral or written or both, by the principals at the hearing or by their representatives.* Following the Board's decision, the chairman will communicate the decision in writing through the President of the University to the chairman of the Hearing Committee and the faculty member.
11. Pending action by the Board of Regents, the faculty member will be suspended or assigned to other duties only if harm to himself/herself or others or the education of students is threatened by his/her continuance of regular duties. The faculty member's salary will continue until final action by the Board of Regents, within limits established by state law.

B. Probationary Faculty Whose Contract Is Not Renewed

1. A probationary faculty member who has been notified of non-reappointment according to the schedule set forth in Section II. B., Appointments, may appeal non-reappointment only on presentation of *prima facie* evidence that constitutional guarantees or academic freedom were violated.
2. The burden of proof of allegations of abridgment of constitutional guarantees or academic freedom is upon the probationary faculty member.
3. A faculty member who alleges abridgment of constitutional guarantees or academic freedom will present evidence to a committee of the University Grievance *Committee*.
  - a. An Advisory Committee to hear the evidence will be composed of *five* members selected as follows from the University Grievance *Committee*: *two* members selected by the faculty member, *two* by the President or the President's delegate, and one by lot. Each party will have one challenge without stated cause.
  - b. Once constituted, the Advisory Committee will organize itself to carry out its responsibilities and establish its procedures.
4. If the Advisory Committee determines that there is *prima facie* evidence of abridgment of constitutional guarantees or academic freedom, conferences between the faculty member and appropriate administrative officers of the University will be scheduled. If the conferences fail to achieve a mutual settlement, the grievance procedure enumerated in Section IV, A. 4. b. through A. 11, will be initiated.

5. If the Advisory Committee determines that there is no *prima facie* evidence of abridgment of constitutional guarantees or academic freedom, the faculty member's *institutional* due process is completed and a written report of the Advisory Committee's findings will be sent to the President and to the faculty member.

C. Financial Exigency

1. Termination of an appointment with continuous tenure, or of a probationary or special appointment, before the end of the specified term may occur under extraordinary circumstances because of a demonstrably *bona fide* financial exigency; i.e., an imminent financial crisis which threatens the survival of the institution as a whole and which cannot be alleviated by less drastic means. The burden will rest on the administration to prove the existence and extent of the condition.
2. If the institution, because of financial exigency, terminates appointments, it will not at the same time make new appointments except in extraordinary circumstances where a serious distortion in the academic program would otherwise result. Employment of a faculty member with tenure will not be terminated in favor of retaining a faculty member without tenure, except in extraordinary circumstances through which a serious distortion of the academic program would otherwise result.
3. Before terminating an appointment because of financial exigency, the appropriate University administrators, with faculty participation, will make every reasonable effort to place the faculty member concerned in another position within the University for which he or she is professionally qualified.
4. In each case of termination of appointment because of financial exigency, *probationary* faculty members concerned will be given notice not less than as prescribed in Section II. B., Appointments. *Tenured faculty members will be given notice at least twelve months prior to termination of appointment.*
5. In each case of termination of appointment because of financial exigency, the place of the faculty member concerned will not be filled by a replacement within a period of three years, unless the released faculty member has been offered reinstatement and at least sixty days in which to accept or decline it.
6. A faculty member who alleges abridgment of constitutional guarantees or academic freedom in such an emergency will be afforded due process in accord with Section IV, A. 4. b. through A. 11.

D. Discontinuance of Program or Department Not Mandated by Financial Exigency

Termination of an appointment with tenure, or of a probationary or specified appointment, before the end of the specified term may occur as a result of *bona fide* formal discontinuance of a program or department of instruction. The following standards and procedures will apply:

1. The Decision to discontinue formally a program or department of instruction will be based essentially upon educational considerations\* as determined by the University administration after consultation with the faculty as a whole or an appropriate committee thereof.
  2. Before the administration issues notice to a faculty member of its intention to terminate an appointment because of formal discontinuance of a program or department of instruction, the institution will make every reasonable effort to place the faculty member concerned in another position within the University for which he/she is professionally qualified.
  3. In each case of termination of appointment because of program discontinuance, *probationary* faculty members concerned will be given notice not less than as prescribed in Section II. B., Appointments. *Tenured faculty members will be given notice at least twelve months prior to termination of appointment.*
  4. A faculty member who alleges abridgment of constitutional guarantees or academic freedom will be afforded due process in accord with Section IV, A. 4. b. through A. 11.
- E. Procedures for Resolving Disagreements Regarding Other Administrative Decisions

[The original motion to approve the Bill includes the motion to delete this section (E) and the following section (F).]

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\*"Educational considerations" do not include cyclical or temporary variations in enrollment. They must reflect long-range judgments that the educational mission of the institution as a whole will be enhanced by the discontinuance.