
2:30 p.m. RECONVENE FULL BOARD

Consider action on Executive Session items, if any

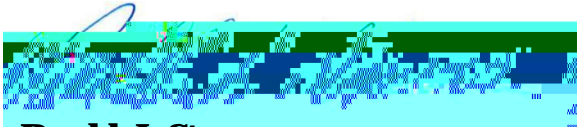
Action Items:

2.

Revocation of Tenure

Dismissal and

3:00 p.m. ADJOURNMENT



Rinaldo L. Stowers
Deputy General Counsel

Neal Smatresk



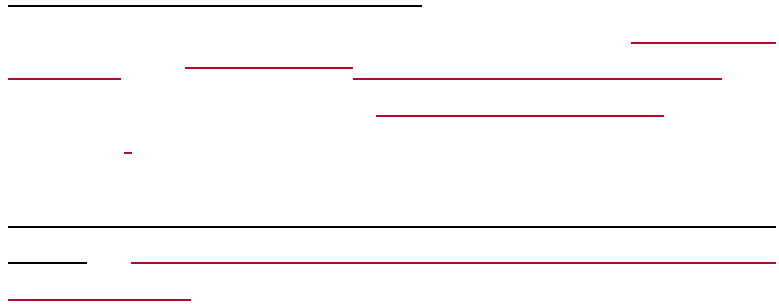
Dismissal and Revocation of Tenure

Dismissal and Revocation of Tenure



Dismissal and Revocation of Tenure

the Board has the authority



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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

5. a written determination by the Provost stating whether the Institution will proceed with summary

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