

Tenure Appeals Committee Bylaws

Article 1: Purpose. As established in UNC *Board Policy Manual* 2-3-902(7), the Tenure Appeals Committee (hereafter referred to as Committee) will hear appeals from faculty who believe that the evaluation by his or her department/school/program area's faculty was not consistent with the program area's approved criteria or evaluation process, which resulted in a negative recommendation for tenure.

Article 2: Membership.

- A. **Committee:** The Committee shall consist of two representatives from each college and one from the University Libraries. Each representative shall be a voting member of the faculty.
- B. **Elections of Committee Members:** Elections will be conducted by the Faculty Senate and will be held during the spring semester. Elections shall be held annually so that one member of each college is elected each year.
- C. **Term of Office:** All members are elected to two-year terms. The term of office begins at the beginning of the academic year after the member is elected and each member's term continues until his or her replacement's term begins. In case of a vacancy, a special election shall be held.
- D. **Committee Chair:** The Committee shall elect a chair by majority vote. The chair:
 - 1. shall respond to inquiries concerning appeals under the Tenure Appeals Committee Policy [2-3-902(7) of the *Board Policy Manual*].
 - 2. shall notify the Committee when an appeal is filed.
 - 3. shall schedule Committee meetings, and oversee the conduct of the appeal process.
 - 4. is responsible for delivering the final report according to the guidelines in Article 5, items E, F & G below.

Article 3: Definitions.

- A. **Appellant:** The faculty member who has appealed to the Committee the denial of tenure by his or her school, department, or program area.
- B. **Committee:** The Tenure Appeals Committee.
- C. **Department/School/Program Area:** The academic unit in which the appellant has applied for tenure.

Article 4: The Appeal.

- A. The appellant must insure the chair of the Committee receives his or her appeal in *writing with all supporting documents* within ten working days (excluding winter and spring breaks) of notification of the program area's vote to deny tenure. Failure to do so will result in dismissal of the appeal. The Committee shall conclude its deliberations and deliver its final report within no fewer than ten working days before the date on which recommendations on tenure are due to the Chief Academic Officer (CAO).

The appellant's appeal shall consist of a written statement as to the grounds upon which the appeal is being made. The only grounds for an appeal is if the faculty member believes that the evaluation by his or her department/school/program area's faculty was not consistent with the program area's approved criteria or evaluation process, which resulted in a negative recommendation for tenure.

- B. The appellant may include written evidence to document the appeal. The appellant should notify his or her department chair/school director/program area coordinator of his or her decision to appeal.
- C. Upon receiving the appeal, the committee chair shall notify the appellant that the file has been received.
- D. Upon receiving the appeal, the chair shall notify the appellant's program area faculty in writing that an appeal has been filed by the appellant. The program area faculty shall provide the Committee with its justification and any other supporting documents. The program area faculty will also be given a deadline for such a response *of 5 working days*.

Article 5: The Process.

- A. The chair shall notify the Committee of the appeal and schedule an initial meeting. The appellant's file shall be made available to the Committee members in good time before the meeting.
- B. Any Committee member who is from the program area of the appellant or who feels he or she cannot be fair and objective should exclude him- or herself from the Committee's deliberations.
- C. The file, its contents, and all meetings pertaining to the appeal shall be held in the strictest of confidence by the members of the Committee.

The Committee shall meet to discuss the appeal. After discussion, a vote of the Committee shall be taken as to whether the department/school/program area's faculty was or was not consistent with the department/school/program area's approved criteria or evaluation process.

- D. The Committee's decision shall be made by a majority vote. The Committee shall issue a final report that shall contain its decision, its rationale and its vote count.
- E. If the Committee does not find reasonable grounds to support the allegation that the evaluation by the department/school/program area's faculty was not consistent with the program area's approved criteria or evaluation process, which resulted in a negative recommendation for tenure, then the denial of tenure shall be final. The chair of the Committee shall deliver the final report to the appellant, the program area faculty, and CAO.
- F. If the Committee finds reasonable grounds for the allegation that the evaluation by the department/school/program area's faculty was not consistent with the program area's approved criteria or evaluation process, which resulted in a negative recommendation for tenure, the process of administrative review can begin. The chair of the Committee shall deliver the final report to the appellant and to the program area faculty, department chair/ school director/program area coordinator, dean and CAO.
- G. Upon completion of the Committee's decision, all documents from an appeal shall be retained in the Office of the University Counsel.

Article 6: Amendments. These bylaws may be amended by a majority vote at any Committee meeting and approved by the Faculty Senate.

Date of Adoption: January 30, 2017