

Hiring of Tenured and Tenure-Track Faculty Members to The University of Texas Rio Grande Valley

1. Purpose. The University of Texas Rio Grande Valley (UTRGV) shall implement this procedure consistent with The University of Texas System Board of Regents' legal obligation to govern, operate, support, and maintain UTRGV as a university of the first class and to facilitate the employment of as many faculty of The University of Texas at Brownsville (UTB) and The University of Texas-Pan American (UTPA) as is prudent and practical in accordance with Texas Senate Bill 24, codified in part in Chapter 79 of the *Texas Education Code*.
2. Other Contrary Rules and Policies Suspended. Unique considerations are inherent in the creation of UTRGV and abolition of UTB and UTPA. Accordingly, notwithstanding any contrary provision in the Regents' *Rules and Regulations*, UTPA's *Handbook of Operating Procedures* or UTB's *Handbook of Operating Policies*, or a U. T. System or other institutional policy, UTRGV shall use this procedure to facilitate the initial employment of UTB and UTPA faculty at UTRGV.
3. UTB and UTPA Appointments Terminated. On the earlier of the following dates, faculty appointments and tenure at UTB and UTPA will terminate if they have not already terminated by their own terms:
 - 3.1 the dates on which UTB and UTPA, respectively, are abolished by the Board of Regents; or
 - 3.2 another date designated by the Board of Regents by vote in open meeting.
4. Recommendation of Tenure at UTRGV for Full-Time Faculty Members Tenured at UTB or UTPA.
 - 4.1 The President of UTRGV shall recommend that the Board of Regents grant tenure to an individual if:
 - a. The individual holds a terminal degree and:
 1. holds a full-time, tenured faculty appointment as a Professor, Associate Professor, or Assistant Professor at UTB or UTPA on the date of the President's recommendation; or

2. receives UTB's or UTPA's recommendation for a tenured faculty appointment during the 2014-2015 academic year.
- b. The individual timely completes and submits all forms required by UTRGV to express the individual's interest in and qualifications for a tenured faculty appointment at UTRGV;
 - c. In the past seven years, UTB or UTPA has not issued the individual a disciplinary action that could have been grieved under that institution's faculty grievance policy or reviewed under other approved procedures of the Board of Regents, the appropriate institution or the U. T. System, and the disciplinary action is now final;
 - d. The individual is not currently the target of allegations under investigation by UTB, UTPA, or the U. T. System for which there is substantial evidence that would constitute good cause for termination from his or her tenured faculty appointment;
 - e. The individual has not received an overall "unsatisfactory" or "does not meet expectations" rating on:
 1. Either of the individual's two most recent annual reviews; or
 2. The individual's most recent comprehensive periodic evaluation conducted under Rule 31102 of the Regents' *Rules and Regulations*.
 - f. The individual is assigned to an academic unit at UTB or UTPA that corresponds with a UTRGV academic unit that will exist at the inception of UTRGV's first academic year;
 - g. UTRGV has budgeted a sufficient number of faculty positions in that academic unit to grant tenured appointments to all individuals in the corresponding UTB and UTPA academic unit(s) who qualify under this Section 4.1; and
 - h. The individual has either completed the criminal background check required of new UTRGV employees by The University of Texas System Administration Policy UTS124, Section 2.2,8 or had a criminal background check conducted by UTB

or UTPA since March 26, 2012, that is appropriate for the position sought.

- 4.2 Decision and Reconsideration. If a full-time, tenured faculty member at UTB or UTPA timely completes and submits all forms under Section 4.1.b above, UTRGV shall notify that faculty member whether he or she will be recommended for tenure at UTRGV. Any such faculty member who is not recommended for tenure may submit additional material for use by UTRGV. This material will be carefully reviewed by UTRGV in reconsidering this initial decision. No later than 45 days after UTRGV receives this additional material, UTRGV should notify the faculty member of its final decision.
- 4.3 Title Upon Award of Tenure. A UTB or UTPA Professor awarded tenure after a recommendation made under Section 4.1 above shall hold tenure at UTRGV in the initial rank of Professor. A UTB or UTPA Associate Professor or Assistant Professor awarded tenure after a recommendation made under Section 4.1 above shall hold tenure at UTRGV in the initial rank of Associate Professor.
5. Comprehensive Periodic Evaluation. The number of years since a tenured faculty member last received a comprehensive periodic evaluation at UTB or UTPA shall determine the timing of that faculty member's next evaluation under Rule 31102 of the Regents' *Rules and Regulations*.
6. Tenure-Track Appointment. The award of a full-time, tenure-track faculty appointment at UTRGV is governed by this Section.
 - 6.1 The President of UTRGV shall grant a full-time, tenure-track faculty appointment to an individual if:
 - a. The individual holds a terminal degree and a full-time, tenure-track faculty appointment as an Associate Professor or Assistant Professor at UTB or UTPA on the date of the President's grant;
 - b. The individual timely completes and submits all forms required by UTRGV to express the individual's interest in and qualifications for a tenure-track faculty appointment at UTRGV;
 - c. In the past seven years, UTB or UTPA has not issued the individual a disciplinary action that could have been grieved under that institution's faculty grievance policy or reviewed under other approved procedures of the Board of Regents,

the appropriate institution or the U. T. System, and the disciplinary action is now final;

- d. The individual is not currently the target of allegations under investigation by UTB, UTPA, or the U. T. System for which there is substantial evidence that would constitute good cause for termination from his or her tenure-track faculty appointment;
- e. UTB or UTPA has not issued the individual, in accordance with Rule 31002, Section 1 of the Regents' *Rules and Regulations*, a notice of nonrenewal, or does not issue a notice of nonrenewal to the individual during the 2014-2015 academic year;
- f. The individual has not received an overall "unsatisfactory" or "does not meet expectations" rating on either of the individual's two most recent annual reviews;
- g. The individual is assigned to an academic unit at UTB or UTPA that corresponds with an UTRGV academic unit that will exist at the inception of UTRGV's first academic year;
- h. UTRGV has budgeted a sufficient number of faculty positions in that academic unit to grant tenure-track appointments to all individuals in the corresponding UTB and UTPA academic unit(s) who qualify under this Section 6.1; and
- i. The individual has either completed the criminal background check required of new UTRGV employees by The University of Texas System Administration Policy UTS124, Section 2.2, or had a criminal background check conducted by UTB or UTPA since March 26, 2012, that is appropriate for the position sought.

6.2 Decision and Reconsideration. If a full-time, tenure-track faculty member at UTB or UTPA timely completes and submits all forms under Section 6.1.b above, UTRGV shall notify that faculty member whether he or she will receive a tenure-track appointment at UTRGV. Any such faculty member who does not receive a tenure-track appointment may submit additional material for UTRGV. This material will be carefully reviewed by UTRGV in reconsidering this initial decision. No later than 45 days after UTRGV receives this additional material, UTRGV should notify the faculty member of its final decision.

- 6.3 Title Upon Award of Tenure-Track Faculty Appointment. An individual appointed to a tenure-track faculty appointment at UTRGV shall hold the title of Assistant Professor.
- 6.4 Credit Toward Probationary Period. Prior full-time service at UTB or UTPA in an academic rank listed in Regents' Rule 31007, Section 3 shall count toward fulfillment of the maximum period of probationary service described in Rule 31007, Section 5.
7. Board Approval. The award of tenure is subject to the approval of the Board of Regents.
8. Joint Appointments Permitted. A person appointed to a tenured or tenure-track faculty position at UTRGV under these procedures may concurrently hold his or her faculty appointment at UTB or UTPA until that respective institution is abolished.
9. Expiration. These procedures shall expire at the end of the 2014-2015 academic year.