



Standard Administrative Procedure (SAP)

12.01.99.L0.01 Dismissal for Cause and Summary Dismissal of Tenured Faculty

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Procedure Statement and Reason for Procedure

Faculty members who fail to adhere to the Texas A&M University System (TAMUS) or Texas A&M International University (TAMIU) academic responsibilities are subject to discipline up to and including termination in accordance with [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#) and this SAP.

The purpose of this SAP is to establish procedures for the dismissal for cause and the summary dismissal for specified cause(s) of tenured faculty.

Procedures and Responsibilities

1. DISMISSAL FOR CAUSE AND SUMMARY DISMISSAL OF TENURED FACULTY

Good cause for dismissal of a tenured faculty member is defined and addressed in Sections 4.3 and 4.4 of [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#).

Prior to initiating a dismissal for cause or summary dismissal for cause, a bona fide effort should be made by appropriate administrative officers to discuss difficulties with a tenured faculty member and achieve a satisfactory resolution, if possible, in accordance with [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#), Section 8.1

Pursuant to [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#), Section 8.1.1, a tenured faculty member shall not be dismissed for cause until he or she has received notice of cause and only after an opportunity for a pre-termination hearing.

1.1 DISMISSAL FOR CAUSE OF TENURED FACULTY

A tenured faculty member who is to be dismissed for cause or summarily dismissed for cause must be notified in writing by the Provost of the intent to dismiss the faculty member. The notification must specify the reason(s) for the dismissal, the effective date of the dismissal, and the due process rights of the tenured faculty member to challenge the dismissal. In accordance with [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#), Section 8, the due process rights are as follows:

- 1.1.1 Within 10 business days of the date of the Provost's letter notifying the tenured faculty member of dismissal for cause or of summary dismissal, the tenured faculty member may request of the President that a hearing be held. This request must be in writing and must be delivered to the President.
- 1.1.2 A hearing committee shall be established, consisting of 7 tenured faculty members from the Faculty Grievance Pool. The tenured faculty member may name 2 members, the Provost may name 2, and the Faculty Senate President may name 3. No more than 3 chosen may be members of the tenured faculty member's college. Once selected, the members of the hearing committee shall be notified by the President of their membership within 5 business days of the request for a hearing. Within 10 business days of their notification of the committee's formation, the hearing committee must meet, elect a chair, and schedule a date for the hearing. The hearing must be completed within 40 business days from the date on which the President notified the committee members of the formation of the committee. The chair of the committee may extend the time for completing the hearing by 10 business days for good cause shown or longer for extenuating circumstances. At the hearing, both the administration and the tenured faculty member may have legal representatives present to advise them, but those representatives may not participate in the proceedings. The case for dismissal will be presented by the Provost and the rebuttal by the tenured faculty member. Proceedings of the hearing must be transcribed, and copies made available to either party upon request. The burden of proof is on the administration to establish, by a preponderance of the evidence, the existence of good cause for dismissal. At the conclusion of the hearing, the hearing committee has 10 business days to complete its written report to the President and to the tenured faculty member. The report must present the committee's findings on each of the grounds for dismissal and a recommendation to the President as to whether or not, in the hearing committee's judgment, there is good cause for dismissal.
- 1.1.3 If the hearing committee's recommendation is that there is not good cause for dismissal and if the President elects to endorse this recommendation, then the issue is settled and the tenured faculty member is not to be dismissed for the causes originally specified in the Provost's letter to the tenured faculty member. If the tenured faculty member had been summarily dismissed, the University will then restore lost salary as soon as administratively possible.

- 1.1.4 If, regardless of the hearing committee’s recommendation, the President decides to proceed with dismissal, then the President must send to the Chancellor for review the following documentation: the full report of the hearing committee, the record of the hearing, the President’s letter recommending termination, and all other relevant documentation available to both the tenured faculty member and the University. The Chancellor’s review and decision is addressed [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#), Section.8.3.7.
- 1.1.5 Unless summary dismissal procedures were invoked, a tenured faculty member’s termination from employment shall be effective as determined by the Chancellor, upon a finding by the Chancellor, pursuant to these procedures, that there is good cause for the tenured faculty member’s dismissal. The decision by the Chancellor is final.

1.2 SUMMARY DISMISSAL OF TENURED FACULTY

Pursuant to [System Policy 12.01, Academic Freedom, Responsibility and Tenure](#), Section 8.2, a tenured faculty member may be subject to summary dismissal for serious misconduct that has been substantiated by an investigation and that is considered by the administration to warrant summary dismissal.

- 1.2.1 Tenured faculty subject to summary dismissal shall, not less than 10 business days prior to the effective date of the summary dismissal, be notified of the cause for the dismissal, be afforded an opportunity to respond to the summary dismissal notification and achieve a satisfactory resolution of issues giving rise to the dismissal and be provided an opportunity for a post-termination evidentiary hearing appealing the dismissal. Post-termination hearing procedures shall embody the elements set forth above in Sections 1.1.1 – 1.1.5.

Related Statutes, Policies, Regulations, or Rules

[System Policy 12.01, Academic Freedom, Responsibility and Tenure](#)

Contact Office

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