UNIVERSITY OF ILLINOIS AT SPRINGFIELD
CAMPUS SENATE AY 2007/2008
RESOLUTION 37-17

Establishment of Dismissal Procedures for Multi-year Appointments

WHEREAS, UIS Campus Senate Resolution 35-23 established procedures for Multi-Year Appointments; and

WHEREAS, the University of Illinois Senates Conference approved ST-47 and changes to Articles IX and X of the University of Illinois Statutes providing for Multi-year appointments; and

WHEREAS, the Office of University Counsel requested changes to the dismissal procedures to provide for an expedited process, one that is still parallel to that of tenured and tenure-track faculty but is more appropriate to the length of the appointments;

THEREFORE, BE IT RESOLVED THAT: the following changes to Article 10 and 16, along with the addition of Appendix 16 to the UIS Faculty Personnel Policies be approved:

ARTICLE 10

FACULTY APPOINTMENT PROCEDURES

Section 8. Multi-year Appointments

A. Conditions

Non-tenure track faculty appointments may be made on a multi-year basis for the purpose of leave replacement, for replacement of a faculty member assigned to work on a grant, contract, or NIA, and for other short term needs.
B. **Eligibility**

Faculty who are eligible for multi-year appointments shall fulfill equivalent degree and background requirements for equivalent faculty positions. The percentage of multi-year appointments shall not exceed 8% of the total number of full-time faculty.

C. **Review and Approval Process**

Multi-year faculty appointments will be limited to a period not to exceed three (3) consecutive years. All multi-year appointments must be approved by the program, department and college and shall be renewable at the discretion of the hiring unit. The performance of faculty who hold multi-year appointments will be evaluated yearly according to criteria in *Faculty Personnel Policies*.

D. **Oversight**

Within thirty (30) working days after the beginning of each academic term, the VCAA shall notify the Campus Senate Steering Committee of the multi-year appointments in existence that term and the reason for each.

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**ARTICLE 16**

**SANCTION AND DISMISSAL PROCEDURES**

Section 1. Sanction and Dismissal Procedures

A. Tenured and Tenure-Track Faculty

Sanction and dismissal procedures are provided for under Academic Freedom and Tenure, Article X of the University Statutes. (See Appendix 1)

B. Non Tenure-Track Faculty on Multi-Year Appointments

Article IX Section 12 of the University Statutes states that members of the academic staff with multiple year appointments may be dismissed for cause. (See Appendix 16)
APPENDIX 16

Dismissal Procedures for Non Tenure-Track Faculty on Multi-Year Appointments

Section 1. Definition of Cause

Article IX Section 12 of the University Statutes states that members of the academic staff with multiple year appointments may be dismissed for cause, and further defines cause as:

1. Failing to perform contractual duties or related activities in a professional manner, whether from incompetence, neglect or willful refusal;
2. Failing to follow all applicable campus or University regulations or policies, and all applicable laws related to the conduct of contractual duties;
3. Acting outside the appropriate exercise of University responsibilities so as to willfully cause or threaten to cause physical harm to, harass or intimidate a visitor or a member of the University community;
4. Willfully or negligently damaging, destroying or misappropriating property owned by the University or any property used in connection with a University function or approved activity; or
5. Being convicted of or pleading guilty to a felony.

Section 2. Dismissal Procedures

The following procedures apply to all cases wherein a Dean has communicated to the Provost that cause may exist to seek dismissal of an academic staff member prior to the conclusion of his/her contract term.

A. Charges

It is the responsibility of the Provost, in consultation with the Senate Executive Committee, to consider whether cause may exist to initiate dismissal proceedings against an academic staff
member ("person being charged"). In considering whether cause may exist to initiate dismissal proceedings concerning an academic staff member, and before arriving at a determination that such cause may exist, the Provost shall consult with the Senate Executive Committee in closed session about the matter. This consultation and all further deliberations and communications involved in any such proceeding shall be confidential to the extent permitted by law.

B. Notification

When the Provost has arrived at the determination that cause may exist to initiate dismissal proceedings, the person being charged shall be given notice and informed in writing by the Provost of the charges and initiation of dismissal proceedings, and of the process outlined in this policy (including the appeal procedure). This notification will occur within 5 business days of the Senate Executive Committee session about this matter.

C. Hearing by a Faculty Committee

For each case, there shall be a Hearing Committee for Academic Staff Dismissal (henceforth "Hearing Committee" or "Committee") to which dismissal charges shall be referred by the Provost. The Committee shall hold hearings, inquiries and deliberations and shall be empowered and charged to act as specified below. The Committee shall consist of three (3) faculty, appointed by the Provost, in consultation with the chair of the Senate.

No member of the Hearing Committee shall have a conflict of interest which would render their involvement in the hearing inappropriate or have close professional or personal relationships with the person being charged, nor be in the same department or other smallest administrative unit, or have previously acted on another committee in which the case has previously been considered.

The Hearing Committee shall be charged by the Provost conduct its proceedings as expeditiously as is feasible and consistent with due diligence. All of its proceedings shall be confidential, and be held in confidence by all who take part in them.

For each case, the Provost will appoint a chair to convene the Committee. The Chair shall select one of its members to make a confidential written summary of what transpires in its sessions.
These summaries shall be reviewed and approved by the Committee, and turned over to the Provost at the conclusion of the Committee's deliberations.

The Committee will commit to writing timelines and any ground rules it plans to follow in considering the case. It shall not be bound by technical rules of evidence, but all findings, conclusions and recommendations of the Committee shall be supported by substantial evidence. The Committee shall give the person being charged the opportunity to appear before it prior to its final deliberations to respond to the charges, address evidence supporting dismissal, and present further evidence relevant to the charges. It shall give the Dean or Dean’s designee the same opportunity. The person being charged may be accompanied by and consult with an advisor, as may the Dean or Dean’s designee, subject to ground rules and decisions of the chair. The final deliberations of the Committee shall be held in closed session, with all and only members of the Committee present.

D. Findings, Conclusions and Recommendations

The Hearing Committee shall vote on whether to recommend dismissal based on majority vote of the committee. The committee shall prepare and submit a written report to the Provost containing findings, conclusions and recommendations concerning whether they found cause for dismissal.

The Provost shall proceed to consider and determine whether dismissal is warranted within ten business days of receiving the committee’s report, giving due consideration to the report of the Hearing Committee, and consulting with the Hearing Committee as may be appropriate and needed. The Provost’s decision shall be deemed final.

The Provost will notify the person charged of his/her decision by registered mail, together with a statement of the reasons for the decision, and notification of the appeal process available, with copies to the Chancellor and the Hearing Committee.

E. Appeal Process

An academic staff member upon whom dismissal has been imposed may file an appeal with the Chancellor within 20 business days following the Provost's decision. This appeal must be in
writing, and must set out the grounds on which the appeal is being made. The appeal should involve procedural objections.

The Chancellor shall make a determination on the appeal, informing the academic staff member, the Provost and the Hearing Committee in writing. The appeal process shall be concluded as expeditiously as possible and in any event, not more than 30 business days after the Chancellor received the appeal.

The Chancellor's decision shall be final, and shall be sent by registered mail to the person being charged, and reported in writing to the person's department chair and dean, the Provost, campus legal counsel, the Hearing Committee, and any other committee that has been consulted. These reports shall be made and held in confidence.