

Permanent Separations

Faculty appointments can terminate for a variety of reasons. Whatever the situation, Texas A&M University-Commerce seeks to conclude the employment relationship in a way that fairly and appropriately recognizes the needs of both the faculty member and the university.

Retirement

System Policy: 31.07

Approved: February 27, 1995

Most Recent Revision: May 7, 2024

Next Scheduled Review: May 7, 2029

System Regulation: 31.07.01

Approved: February 5, 1997

Most Recent Revision: December 14, 2023

Next Scheduled Review: December 14, 2028

Responsible Office: System Benefits Administration

Retirement from university employment occurs when an employee: (a) elects retirement under the provisions of the Teacher Retirement System (TRS) or the Optional Retirement Program (ORP), through a combination of age and years of service; or (b) meets the conditions for disability retirement; or (c) in accordance with mandatory retirement provisions set forth in state and federal law. See System Policy 31.07 for more information.

EMPLOYMENT OF RETIRED FACULTY: Tenure status ceases at retirement; however, retired faculty members may return to work at the university as non-tenured employees on a part-time or full-time basis. Retired faculty members wishing to return to work must meet the A&M System requirements for employment after retirement. See System Regulation 31.07.01 for specific procedures and responsibilities regarding retirement and employment after retirement.

Any additional questions regarding retirement can be directed to HR.Benefits@tamuc.edu.

Termination of Employment

System Policy: 12.01

Approved: February 27, 1995

Most Recent Revision: November 9, 2023

Next Scheduled Review: November 9, 2028

A&M-Commerce Rule: 12.01.99.R1

Approved: September 8, 2016

Next Scheduled Review: September 8, 2021

Responsible University Office:

Office of the Provost and Vice President for Academic Affairs

Responsible University Administrator:

Provost and Vice President for Academic Affairs

Dismissal for Cause

TENURED FACULTY: Good cause for dismissal of a faculty member with tenure will relate directly and substantially to the performance of professional duties, and may include, but is not limited to the following: (a) professional incompetence; (b) continuing or repeated failure to perform duties or meet responsibilities to A&M-Commerce or to students or associates; (c) failure to successfully complete a post tenure review professional development program; (d) moral turpitude adversely affecting the performance or duties or the meeting of responsibilities to A&M-Commerce or to students or associates; (e) violation of system policies, system regulations, A&M-Commerce rules, or laws substantially related to performance of faculty duties; (f) bona fide financial exigency or (g) the phasing out of institutional programs requiring reduction of faculty. A faculty member with tenure will not be dismissed until he or she has received notice of the cause for dismissal and, except in cases of summary dismissal for specified causes, only after an opportunity for a pre-termination hearing pursuant to established procedures.

Faculty members may be placed on administrative leave with pay by the faculty member's academic dean/director of school, with the concurrence of the provost, pending an investigation into matters pertaining to the faculty member's job performance, including but not limited to fiscal matters and improper conduct in teaching, research, or service. See System Policy 12.01, Section 5 for information on the notification and appeal process for such leave.

PROFESSIONAL TRACK AND CLINICAL FACULTY: Professional track and clinical faculty may have appointments of variable length. However, professional track and clinical faculty members whose contracts have not expired may be dismissed for cause on the same basis that tenured faculty may be dismissed for cause. Professional track and clinical faculty members may be placed on administrative leave pending investigation.

See A&M-Commerce [Rule 12.01.99.R1](#), Section **2.2** for procedures for dismissal for cause of a faculty member with tenure or whose term appointment has not expired. See Section **2.3** for a description of the timeline and steps involved in dismissal for cause hearings.

Non-Renewal of Non-Tenured Tenure Track Faculty at End of Term Contract

A&M-Commerce is not required to give a non-tenured faculty member a reason for a decision not to reappoint for another contract term or to provide a hearing. A non-tenured faculty member may present, in person, a grievance to the president over non-renewal of the faculty member's employment at A&M-Commerce. The president may designate an individual within the university administration to hear the faculty member's grievance. A non-tenured faculty member may appeal a decision not to reappoint on the basis that the decision was made in violation of his or her academic freedom, or for an illegal reason, or for inadequate consideration of his or her record of professional achievement. See System Policy 12.01, Section **7** for details of the appeal process.

Resignation

Prompt notice of resignation should always be given. In no case should a notice of resignation be submitted later than May 15 or 30 days after receiving notification of the terms of continued employment the following year, whichever date occurs later. When negotiations that may lead to a resignation are in progress, a faculty member is expected, wherever feasible, to keep his or her department head or dean informed of the progress of such negotiations.