

Working Draft 11/11/2014

UNIVERSITY OF DENVER

**POLICIES AND PROCEDURES
RELATING TO FACULTY
APPOINTMENT,
PROMOTION, AND TENURE**

Revised 2014

Approved by the Board of Trustees

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1. PREFACE

The term “academic unit” will be used throughout this document to designate the smallest unit such as center, department, division, school, or college to which a faculty

adopted by a vote of the full faculty on April 9, 1993. Additional modifications were adopted by the Faculty Senate in October, 1995, and were approved by the Board of Trustees on January 19, 1996. The Faculty Senate adopted further modifications on May 4, 2001 and the Board of Trustees approved these modifications on June 8, 2001. The Faculty Senate approved additional changes in March, 2014. Faculty members who held appointed and benefitted positions in either the Tenure-line Professorial Series, Professorial Series in University Libraries, Lecturer Series, Clinical Professorial Series, or Research Professorial Series were asked to vote on those additional changes in April, 2014, and they were approved when “yes” votes outnumbered “no” votes. Additional changes (including renaming the document to “Policies and Procedures Relating to Faculty Appointment, Promotion, and Tenure”) were approved by the Faculty Senate in

been the subject of discrimination or harassment in violation of University policy or the law. The process of review is described more fully in other University documents (for more details consult with the Office of Equal Opportunity). Harassment or unlawful discrimination of any kind is a violation of University policy and will be subject to severe sanctions up to and including termination for cause (see Section 6).

2. FACULTY POSITIONS

The functions and responsibilities of each faculty position and the relative priority of these responsibilities within an academic unit should reflect agreement among the faculty members of the academic unit, the appropriate Dean, and the Provost.

If there are changes in the professional expectations for a faculty member, the academic unit and the University bear a responsibility to the faculty member to counsel and assist him/her over a transition period before the change in position expectations affect his/her eligibility for reappointment, promotion, tenure (if applicable) and salary increases.

Policies and procedures in this document which produce a change of status or title for a faculty member or which may adversely affect the progress of a faculty member toward desired goals of reappointment, promotion or tenure shall be negotiated in an effort to achieve satisfaction of all parties and may not be applied retroactively (unless specifically authorized by these guidelines) or arbitrarily.

2.1 Definitions

All faculty appointments must fall within the categories for faculty appointments established by the University.

The term "faculty" is defined broadly at the University to include a variety of persons engaged in some aspect of one or more of the basic purposes of the University: teaching, research and/or creative activity, and service. Within this broad definition of faculty there are two major types of appointments: tenure-line faculty appointments which are appointments with tenure or eligibility for tenure, and non-tenure-line faculty appointments which are appointments without eligibility for tenure. Awards of tenure may be made only within the Tenure-Line Professorial Series at the ranks of Professor and Associate Professor.

Non-tenure-line faculty appointments are further categorized as either renewable or term-limited appointments.

Provost.

2.1.6 Administrative Appointments

Administrators having earned faculty rank and/or tenure in an academic unit may maintain their faculty rank and tenure while serving as administrators. Newly appointed administrators desiring faculty rank and/or tenure must negotiate this with an academic unit and receive the approval of the Dean and Provost.

2.2 Faculty Series

Faculty appointments fall into the following series: Tenure-Line Professorial Series, Professorial Series in University Libraries, Teaching Professorial Series, Clinical Professorial Series, Professor of the Practice Series, Research Professorial Series, Adjunct Professorial Series, Visiting Professorial Series, In-Residence Series, and the Emeritus Professorial Series. These categories of faculty appointments and their associated titles are described below. Appointments that use categories other than those specified herein are not to be considered "faculty" appointments. Other persons engaged in various forms of research, instruction, or service, such as, without limitation, Post-Doctoral Fellows, Graduate Teaching Assistants, and Interns, are designated "other instructional personnel," and are not regarded as faculty members.

All appointments in the categories described in Sections 2.2.2 through 2.2.10 are without tenure or eligibility for tenure.

A faculty member in any Faculty Series is eligible to apply and be considered for an opening in any other Faculty Series. If a faculty member is appointed to a position in a different Faculty Series, the terms of appointment shall be adjusted accordingly.

By June 1 of each year the administration shall report to the Faculty Senate and to the Board of Trustees the numbers of persons by academic unit holding faculty appointments in each of the Faculty Series and the numbers of credit hours taught within each Faculty Series during the current academic year.

When performing evaluations for appointment, annual review, reappointment, promotion, and (where appropriate) pre-tenure review and tenure, the evaluation criteria specified in Sections 2.2.1 to 2.2.10 should serve as general guidelines.

significantly.

2.2.1 Tenure-Line Professorial Series

Although it is the intent of the University to define rather broadly the general category "faculty," appointment to the Tenure-Line Professorial Series is a guarded privilege granted only to those faculty members who meet the qualifications stated for each rank, and who are either tenured or deemed likely one day to become eligible for tenured appointments.

Faculty members in the Tenure-Line Professorial Series are normally appointed on a full-time basis. The Tenure-Line Professorial Series includes the ranks of Professor, Associate Professor, Assistant Professor, and Instructor.

Tenure may be granted only to those holding or being promoted to the rank of Professor or Associate Professor in the Tenure-

be based primarily upon contributions made to educational and other institutional goals through librarianship, scholarly research, participation in shared governance, and service to the University, profession, and public.

2.2.3 Teaching Professorial Series

The Teaching Professorial Series is appropriate for appointments where special factors, such as experience or stature, may qualify the appointee as an excellent teacher in a particular field. This Series includes the ranks of Teaching Professor, Teaching Associate Professor, Teaching Assistant Professor, and Teaching Instructor.

Appointment, annual review, reappointment, promotion, and termination of faculty members in the Teaching Professor Series shall be made in accord with the philosophies, policies, procedures, and evaluation criteria in the present document.

The evaluation criteria for appointment, annual review, reappointment, and promotion shall be the same as in Sections 3.5 to 3.8 except that between 90% and 100% of a faculty member's responsibilities shall be devoted to teaching, participation in shared governance, and service to the University, profession, and public, and between 0% and 10% shall be devoted to scholarship and creative activity. More than 10% of responsibilities may be devoted to scholarship and creative activity only with the approval of the Dean and Provost.

2.2.4 Clinical Professorial Series

The Clinical Professorial Series is appropriate where appointments involve primary responsibilities in specialized professional practice including teaching, supervising student internships, training, and participating in other practice components of degree programs. Such positions will frequently, but not exclusively, be in health-care or human service fields such as in psychology or social work. Responsibilities of clinical faculty members may encompass any area of professional practice and/or technical expertise and may include professional development. The primary function of faculty members in the Clinical Professorial Series is to train students to become practicing clinicians. Faculty members in the Clinical Professorial Series have the academic credentials appropriate to their rank and have largely acquired the skill set they need to fulfill the responsibilities of their appointments from their academic training and experience. This series includes the ranks of Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor, and Clinical Instructor.

Appointment, annual review, reappointment, promotion, and termination of

The Research Professorial Series is appropriate for research positions in an academic unit. This series includes the ranks of Research Professor, Research Associate Professor, and Research Assistant Professor.

The Research Professorial Series does not necessarily imply a remunerative relationship with the University. Appointment and reappointment are subject to the availability of external funding and may terminate due to the lack of external funding. Such termination shall not be considered a discharge. In most cases, the generation of adequate research funds is the responsibility of the faculty member. When approved by the Provost, faculty members in the Research Professorial Series may be hired without external funding when having a title in the Research Professorial Series would help in obtaining external funding.

Assuming adequate funding, appointment, annual review, reappointment, promotion, and termination of faculty members in the Research Professorial Series shall be made in accord with the philosophies, policies, procedures, and evaluation criteria in the present document.

The evaluation criteria for appointment, annual review, reappointment, and promotion shall be the same as in Sections 3.6 through 3.8 except that they shall be based primarily on the excellence of research (as demonstrated by the extent and quality of publications and the faculty member's reputation), participation in shared governance, and service to the University, profession, and public.

2.2.7 Adjunct Professorial Series

Adjunct faculty members fall into two categories. The first category consists of faculty members whose major assignment is in another academic unit of the University or outside the University. These faculty appointments are renewable and do not necessarily imply a remunerative relationship with the University. The second category is comprised of term-limited faculty members who are hired and paid in a non-benefitted capacity to teach on a per course basis. This series includes the ranks of Adjunct Professor, Adjunct Associate Professor, and Adjunct Assistant Professor.

The Adjunct faculty member may be a person with special competence or expertise not readily available from faculty members in the academic unit. Such persons may be professionals in the community, staff or management employees of the University, other scholars and scientists, or emeritus professors.

The philosophies, policies, and procedures for the termination of the appointments of Adjunct faculty members during their term shall follow the procedures in Section 6. Philosophies, policies, and procedures for appointment,

reappointment, and promotion in the present document do not apply to Adjunct faculty members. Instead, the philosophies, policies, and procedures for the appointment, reappointment, and promotion of Adjunct faculty members shall be established by the appropriate academic unit, with the approval of the Dean and Provost.

2.2.8 Visiting Professorial Series

Appointments in the Visiting Professorial Series are term-limited appointments. The Visiting Professorial Series includes the ranks of Visiting Professor, Visiting Associate Professor, and Visiting Assistant Professor. In addition, “Visiting” may be added to the title of faculty members in other Faculty Series where appropriate. For example, faculty members may have the title of Visiting Research Professor, Visiting Teaching Professor, Visiting Clinical Professor, Visiting Professor of the Practice, and so on. However, the designation “Visiting” is not used as a designation for an adjunct appointment. The Visiting faculty designation will most often be used for appointments of three types of faculty members: (1) faculty members who are just beginning their careers and do not have an appointment at another university, (2) faculty members who are on a leave of absence, such as a sabbatical, from another university and do not have a remunerative relationship with the University, and (3) faculty members with appointments at another university and have a remunerative relationship with the University for services performed for the University.

The length of appointment for faculty members in the Visiting Professorial Series is usually one to three years or less. The Visiting Professorial Series does not necessarily imply a remunerative relationship with the University.

The philosophies, policies, and procedures for the termination of the appointments of Visiting faculty members during their term shall follow the procedures in Section 6. Philosophies, policies, and procedures for appointment, reappointment, and promotion in the present document do not apply to Visiting faculty members. Instead, the philosophies, policies, and procedures for the appointment, reappointment, and promotion of Visiting faculty members shall be established by the appropriate academic unit, with the approval of the Dean and the Provost.

2.2.9 In-Residence Series

Appointments in the In-Residence Series are term-limited appointments. The In-Residence Series is appropriate to designate special contractual arrangements such as Poet-in-Residence, Artist-in-Residence, Scholar-in-Residence, or Executive-In-Residence.

The length of appointment for faculty members in the In-Residence Series is

usually less than two years.

The philosophies, policies, and procedures for the termination of the appointments of In-Residence faculty members during their term shall follow the procedures in Section 6. Philosophies, policies, and procedures for appointment, reappointment, and promotion in the present document do not apply to In-Residence faculty members. Instead, the philosophies, policies, and procedures for the appointment, reappointment, and promotion of In-Residence faculty members shall be established by the appropriate academic unit, with the approval of the Dean and the Provost.

2.2.10 Emeritus Professorial Series

The Emeritus Professorial Series includes the ranks of Emeritus Professor, Emeritus Associate Professor, Emeritus Teaching Professor, Emeritus Teaching Associate Professor, Emeritus Cl8 9.15(e)4(ssca4(ri.3(mer)5(it)-3(us P)-4(rofoBT1 0)4(84(c)4(

3. APPOINTMENT, ANNUAL REVIEW, AND REAPPOINTMENT

3.1 Appointment Policies

The qualifications a candidate shall possess to be appointed to a rank are specified in Sections 3.5 - 3.8.

3.2 Appointment Procedures

All appointments shall be recommended by and negotiated with an academic unit. Procedures for recruiting candidates for faculty appointments vary according to the nature of the position, i.e., whether the position is a full-time or part-time position, term-limited or renewable. Appointed faculty postings and contract terms are recommended by the academic unit's Dean for approval by the Provost.

A job specification shall be developed or revised by the appropriate academic unit to describe the nature of the position and to set forth the qualifications, education, and previous experience required of candidates to qualify for the position. The process by which the job specification is developed or revised shall provide representation by the faculty in the academic unit. For joint appointments, appropriate steps have to be taken to assure that all involved units are represented.

A screening mechanism shall be developed by each academic unit for the review of applications. The mechanism should provide adequate representation by those faculty members whose interests would be affected by the employment of the applicant, including opportunities for the candidate to have personal conversation with associated faculty members and students. The search process shall be conducted in accordance with the current Affirmative Action Plan. Consult the Office of Equal Opportunity for guidance and information on this plan.

An on-campus interview of the applicant is normally required for appointed positions. Interview requests must be approved by the academic unit and the appropriate Dean. The interview process shall provide for adequate representation by those faculty members whose interests would be affected by the employment of the applicant. If a faculty appointment would include an award of tenure, the Provost should be included in the review process.

At the time of initial appointment, the appropriate academic unit shall provide each faculty member with a copy of the University's Policies and Procedures Relating to Faculty Appointment, Promotion, and Tenure and with a copy of any approved center, department, division, school, or college's corresponding philosophies, policies, and procedures for appointment, annual review, reappointment, promotion, and (as applicable) pre-tenure and tenure review (see Section 1). The University, colleges, schools, divisions, departments, and centers have an obligation to inform faculty members when changes are made to University, college, school, division, department, or

center's philosophies, policies, and procedures. Correspondingly, faculty members have an obligation to ensure that they have a full understanding of the philosoph

Reappointment is primarily recognition of excellent performance. Reappointment decisions shall be based on rigorous standards and reappointment

Unless the policy and procedures of the academic unit stipulate otherwise, the appeal and review procedures in Section 7 are not available for negative reappointment decisions at the rank of Instructor. However, faculty members may pursue grievance procedures (see the Department of Human Resources for further information).

3.4.2 Tenure-Line Professorial Appointments above the Level of Instructor

A. Assistant Professors in the Tenure-Line Professorial Series

Assistant Professors in the Tenure-Line Professorial Series are subject to pre-tenure review (see Section 5.2) and tenure review as specified in Section 5. Following the policies and procedures in Section 5, Assistant Professors shall either be tenured and promoted to Associate Professor or their appointment shall be terminated in accord with their tenure probationary periods as specified in Section 5.5.

B. Tenured Faculty in the Tenure-Line Professorial Series

Tenured faculty members receive career-long contracts. Policies and procedures for promotion from Associate Professor to Professor are specified in Section 4 (and include the policies and procedures for review and appeal in Section 7).

3.4.3 Renewable Non-Tenure-Line Professorial Appointments above the Level of Instructor

A. Assistant Professor

Except for faculty in the Research Professorial Series (see Section 3.4.3.B), a faculty member may hold an appointment at the rank of Assistant Professor for no more than seven years.

Contracts awarded to Assistant Professors may be no longer than three years. Policies and procedures for the reappointment of Assistant Professors shall be established by the academic units, with the approval of the Dean ex26.01 239.931 239.93 Tm7raneBT1 0 0 1 272.57 281.33 Tm()JTJETBT1 0 0

reappointment review shall be shared with the faculty member in writing.

If the decision to reappoint an Assistant Professor is negative and if the faculty member has been employed as an Assistant Professor at the University for less than three years, the faculty member's appointment shall end in one of two ways. If the decision reached in the reappointment review is shared with the faculty member on or before April 1 of the last year of the faculty member's current contract, the faculty member's appointment shall expire at the end of the faculty member's current contract. If the decision reached in the reappointment review is shared with the faculty member after April 1 of the last year of the faculty member's current contract, the faculty member shall be awarded a contract for one additional year beyond the current contract, after which the faculty member's appointment shall end.

If the decision to reappoint an Assistant Professor is negative and if the faculty member has been employed at the rank of Assistant Professor for three years or more, the faculty member's appointment shall end in one of two ways. First, if the decision reached in the reappointment review is shared with the faculty member before the beginning of the last year of the faculty member's current contract, the faculty member's appointment shall expire at the end of the current contract. Second, if the decision reached in the reappointment review is shared with the faculty member after the beginning of the last year of the faculty member's current contract, the faculty member shall be awarded a contract for one additional year beyond the faculty member's current contract, after which the faculty member's appointment shall end.

Unless the policies and procedures of the academic unit stipulate otherwise, the appeal 30TJETBT1 0 0 1 250.25 36 1 93 T4(a)ct for

reappointment.

The policies and procedures for the reappointment and promotion of an Associate Professor shall be the same as the policies and procedures for promotion as specified in Section 4 (including the policies and procedures for review and appeal in Section 7) except that “reappointment and promotion” replaces “promotion” everywhere “promotion” appears in Section 4.

The review for reappointment and promotion of an Associate Professor shall be conducted no later than the next to last year of the faculty member’s current contract. With the mutual agreement of the academic unit and the faculty member, a review for reappointment and promotion may be conducted prior to the next to last year of the faculty member’s current contract (i

and awarded a seven-year contract that begins the year after the year in which the review was conducted. To be promoted to Full Professor and receive a seven-year contract, an Associate Professor shall meet the qualifications to be appointed to the rank of Full Professor (see Section 3.8).

- ii. The Associate Professor may be continued in rank without promotion under the faculty member's current contract and considered for reappointment and promotion in the next to last year of the faculty member's current contract.

If a faculty member is initially appointed to the rank of Full Professor, the length of the initial contract shall be determined by the Dean and shall be for no more than seven years. An appointment at the rank of Full Professor must be approved by the Provost.

D. Reappointment to Full Professor

The policies and procedures for the reappointment of a Full Professor shall be the same as the policies and procedures for promotion as specified in Section 4 (including the policies and procedures for review and appeal in Section 7) except that "reappointment" replaces "promotion" and "promotion to a higher rank" in Sections 4.2 to 4.4 and except that a positive decision by the Dean shall be final; reappointment need not be approved by the Provost or Board of Trustees.

The review for reappointment shall take place no later than the next to last year of the faculty member's current contract. With the mutual agreement of the academic unit and the faculty member, a review for reappointment may be conducted prior to the next to last year of the faculty member's current contract (i.e., an "early" review).

A review for the reappointment of Full Professors shall result in one of two decisions. With a positive decision, the faculty member shall be granted a seven-year contract that begins the year after the year in which the review was conducted.

With a negative decision f e

3.5 Qualification for: INSTRUCTOR

The candidate shall possess the same qualifications as for promotion to Assistant Professor (see Section 3.6) except that the candidate does not yet have the educational background or achievement appropriate to Assistant Professors in his/her discipline. Normally, this means the candidate is working toward but has not yet completed his/her

shorter time or in nonacademic fields. When the standards of certain disciplines differ in career patterns, consideration may be given to those standards. Growth can be judged by evidence of development by the individual of new talents, or expertise in successively broader fields, or increasingly significant contributions made in a single field.

3.8.2 The candidate shall have the educational background appropriate to Professors

4. PROMOTION

4.1 Philosophy

The University is committed to academic excellence as determined principally by teaching, scholarly research and/or creative activity, participation in shared governance, and service to the University, profession, and public. Both promotion to a higher academic rank and reappointment are primary ways for recognizing such excellence in performance. Decisions about the promotion of a faculty member shall be based upon high standards to ensure that the candidate possesses qualifications which meet current University, college, school, division, department, and center expectations. It is recognized that standards for promotion may change over time.

As we improve our quality standards for faculty performance, faculty members who may have qualified for promotion at some past time might no longer do so. As we state and invoke higher standards, however, we shall avoid unfairness to previously appointed faculty members, which might be caused by retroactive application of higher standards without reasonable time and opportunity to meet these standards.

4.2 Policies for Promotion

Promotion to a higher rank by the University is primarily recognition of excellent performance in teaching, scholarship, and/or creative activity. Consideration is also given to contributions to the shared governance of the University and to professional/public service. The qualifications a candidate shall possess to be promoted in rank are specified in Sections 3.6-3.8.

Promotion to a higher rank implies recognition by a faculty member that, concurrent with the honor and privileges awarded, there are continuing obligations to academic excellence, professional growth, and service.

Promotion shall occur only after an exhaustive evaluation has been made of the candidate's merits. Service at a lower rank shall not, in itself, constitute grounds for promotion.

An essential component in promotion is a positive judgment by a faculty member's immediate peers and colleagues, both intra- and extra-mural, regarding the candidate's performance.

4.3 Types of Evidence for Promotion Decisions

The types of evidence to be used in the evaluation process include the following (where feasible and appropriate), but not to the exclusion of any other data that the candidate or committee may consider relevant:

4.3.1 Vita

The candidate shall submit to the academic unit promotion committee (see Section 4.4) a comprehensive and current vita.

4.3.2 Teaching

Evidence of quality of teaching shall be considered in the evaluation process to the extent teaching is a component of the candidate's job responsibilities. The quality of teaching – broadly understood to include classroom teaching, on-line teaching or instruction, experiential learning, student mentoring, and research partnering with students shall be judged by all appropriate evidence available. The evidence to be used, though not to the exclusion of other evidence available, shall come at a minimum from each of the following three areas: (A) self-analysis, (B) teaching observations and/or the review of course material, and (C) empirical data on teaching effectiveness.

A. Self-Analysis

Self-analysis entails the candidate's written reflection on:

- i. Teaching goals, and/or
- ii. Teaching strengths and areas for further development, and/or
- iii. Innovative approaches to teaching (in method or content), as well as extra efforts in developing new courses or laboratories, and/or
- iv. Efforts to improve teaching effectiveness (such as attendance at appropriate programs, taping or filming class sessions for analysis, use of course evaluations and assessments of student learning outcomes, and the like) and/or
- v. Presentations at teaching seminars, conferences, workshops on or off campus, and/or
- vi. Curricular development/evaluation/academic program assessment activities, and/or

Teaching observations and/or the review of course materials includes assessment of the following:

- i. Teaching materials such as course syllabi, course outlines, reading lists, statements regarding the basis on which grades are given, sample exams, assignments, and/or other materials for content, organization, practice and mechanics, and/or
- ii. Descriptive or evaluative letter(s) written by colleague(s), reflecting upon class visits and course materials, and/or
- iii. Degree of commitment to students (e.g., class attendance, punctuality, office hours, counseling, and the like),
- iv. Among other evidence.

C. Empirical Data on Teaching Effectiveness

Empirical data on teaching effectiveness includes:

- i. Teaching performance assessed through course and teacher evaluations performed by students, and/or
- ii. Student learning outcomes, and/or
- iii. L, aTm{a}4(c)l95 Tm{b}c1 2051 0 0 0 ng

scholarly research and/or

head of the academic unit is obligated to make written requests for evaluation of the candidate's scholarly/creative abilities from each of the persons on the list as amended by the candidate. Reasonable time should be allowed for securing written evaluations.

4.3.4 University Service

Evidence of the quality and quantity of University service shall be considered in

- B. Statements from recognized authorities in the candidate's specialized fields, cognate fields, interdisciplinary fields, and areas of applied practice relating to the individual's work and abilities. If evaluations will not be obtained to assess scholarly output as specified in Section 4.3.3 or if the evaluations to be obtained in Section 4.3.3 are not anticipated to be adequate to assess a candidate's regional, national, or international stature, additional evaluations may be sought. The procedures to be used to solicit additional evaluations should follow the procedures in Section 4.3.3 to the extent those procedures are deemed reasonable.
- C. Invitations to speak at or participate in major international, national, or regional conferences.

4.4 Procedures for Promotion

4.4.1 Composition of the Academic Unit Promotion Committee

Each academic unit shall have an academic unit promotion committee constituted according to guidelines agreed upon by the faculty of that academic unit and the Dean, which will make recommendations on promotion to the administrative head of the academic unit, the Dean (if he/she is not the administrative head of the academic unit) and the Provost.

The academic unit guidelines may stipulate that a single promotion committee be formed to consider promotions of all candidates. Or, the academic unit guidelines may stipulate that different promotion committees be formed for different candidates.

With the approval of the Dean, the academic unit guidelines may stipulate that an academic unit promotion committee serve concurrently as an academic unit reappointment committee (see Section

other bias. Such a request will be granted only with the approval of the Provost.

from among its members. If a single academic unit promotion committee considers the promotion of more than one candidate, the chair of the academic unit promotion committee may differ for different candidates.

While the promotion of the academic unit's administrative head is under consideration, a faculty member of a cognate academic unit, mutually acceptable to the academic unit promotion committee and the academic unit's administrative head, shall chair the promotion committee, serve as a voting member of the committee, and prepare the recommendations and supporting report for the Dean or the Provost. If the academic unit's administrative head's appointment is in the Tenure-Line Professorial Series, the chair of the promotion committee must be tenured. If the academic unit's administrative head's appointment is not in the Tenure-Line Professorial Series, the chair of the promotion committee may, but need not, be tenured. If the academic unit promotion committee and the academic unit's administrative head cannot agree on a mutually acceptable faculty member from a cognate academic unit to chair the academic unit promotion committee, the Dean (or Provost if the Dean is under review) shall choose that faculty member. Unless division, college, school, department, or center guidelines stipulate otherwise, serving on an academic unit promotion committee (or on an academic unit review committee, see Section 7.3.3, or on a reconstituted review committee, see Section 7.3.5) does not disqualify a person from serving on a divisional, college, or school promotion committee.

When academic unit guidelines concerning eligibility for membership on academic unit promotion committees or academic unit review committees are incomplete or ambiguous, the Dean (or the Provost, if the Dean is under review) shall determine eligibility.

4.4.2 Meetings of the Academic Unit Promotion Committee

The academic unit promotion committee shall meet at least annually to consider candidates for promotion. Minutes of all meetings of this committee shall be prepared and retained by the academic unit. It is suggested, in order to allow

candidate's materials. The portfolio shall include the candidate's vita, the candidate's statements if applicable (see Section 4.4.3), the candidate's annual performance reports with any accompanying written responses by the candidate (see Section 3.3), and any other materials the academic unit promotion committee deems appropriate or are stipulated to be included in the candidate's portfolio by division, school, college, department, or center guidelines. If letters of evaluation are obtained (see Sections 4.3.3 and 4.3.6), a copy of each evaluation and of the letter requesting the evaluations shall be included in the candidate's portfolio.

The academic unit promotion committee's recommendation, report and, if applicable, memorandum to the candidate shall also be included in the candidate's portfolio. The candidate will, if the recommendation is negative, have the right to an academic unit review (see Section 7). The candidate's written request for a review (and, if applicable and when available, the academic unit promotion committee's response to that request – see Section 7.3.2) shall be added to the candidate's portfolio. If an academic unit review is undertaken, the report of the academic unit review committee shall be added to the candidate's portfolio. If, following the appeals/review procedures described in Section 7, the academic unit promotion committee repeats its review, the report and recommendation of that repeated review shall be included in the candidate's portfolio. If, following the appeals/review procedures described in Section 7, a reconstituted academic unit promotion committee repeats the promotion review, the report and recommendation of the reconstituted committee shall be included in the candidate's portfolio.

4.4.6 Recommendation by the Academic Unit Administrative Head

After the candidate's portfolio has been assembled as specified in Section 4.4.5 and after any academic unit review, the candidate's portfolio shall be forwarded to the academic unit's administrative head. The academic unit's administrative head shall review the candidate's portfolio and prepare a separate statement of recommendation, with supporting report. The statement of recommendation, but not the supporting report, shall be shared with the candidate, the academic unit promotion committee, and, if atten

If the academic unit is a college, school, or division, the procedures in Sections 4.4.7 and 4.4.8 shall be omitted. The procedures in Sections 4.4.7 and 4.4.8 apply only if the academic unit is encompassed within a college, school, or division which has a Dean who is not the academic unit's administrative head.

After the candidate's portfolio has been assembled as specified in Sections 4.4.5 and 4.4.6, it shall be forwarded to and reviewed by the Dean and, if established, the college, school, or division tenure and promotion committee. If a college, school, or division promotion committee is established, policies for the composition of the committee and procedures that the committee will follow shall be developed by the Dean in consultation with appropriate faculty members. These policies and procedures must be approved by the faculty of the school, college, or division and submitted to the Provost for approval and communicated to faculty members in the college, schools, or division and to the Faculty Senate Personnel Committee. The policies and procedures of colleges, schools or divisions may vary; however, every effort should be made to ensure equitable and fair treatment of the faculty as a whole.

Decisions by a college, school, or division promotion committee shall be reached by a simple majority vote of the members of the committee.

The college, school, or division promotion committee shall forward its recommendation for or against promotion to the candidate, academic unit's administrative head, the academic unit promotion committee, the academic unit review committee (if there is one), and the reconstituted academic unit promotion committee (if there is one).

The recommendation for or against promotion and the supporting report of the college, school, or division committee shall be added to the candidate's portfolio. If the college, school, or division has not established a promotion committee separate from the academic unit promotion committee, the procedures in Section 4.4.7 shall be omitted.

4.4.8 Recommendation by the Dean

After the candidate's portfolio has been assembled as specified in Section

5. TENURE

5.1 Philosophy

Tenure may be granted only to those holding or being promoted to the rank of Professor or Associate Professor in the Tenure-Line Professorial Series (see Section 2.2.1).

A decision to award tenure commits the University to a career-long contract with a faculty member. He/she is free to leave the University at any time, but the University is obliged to retain his or her services until retirement, except in the circumstances and under the conditions delineated in Section 6 of these Guidelines. Because tenure is usually considered in the sixth year in what may be a thirty-year or more career, the future academic quality of the University depends heavily on whether tenured faculty members continue to develop and produce as teachers, scholars, and/or artists. By awarding tenure, the University is better able to retain its best people and preserve academic freedom (which includes the freedom to speak and write about professional duties and the functioning of the University – see Section 1.1). The judgment to award tenure, however, must be carefully made, on the basis of substantial evidence of achievement and promise; it cannot and shall not be made on the basis of default or reluctance to deny tenure.

Tenure decisions are based on rigorous standards of quality of performance in teaching, scholarly research and/or creative activity. Therefore, all tenure decisions shall involve high academic unit standards and shall also involve comparisons of the qualifications of the candidate for tenure with the qualifications of those persons who are at a similar stage in their careers and who might be available to the academic unit.

Consistent with these

faculty members,

teaching and scholarly research and/or creative activity. Additional consideration may be given to University service and professional/public service.

Tenure, once granted, is the right of a faculty member to continuance of appointment at the same full-time or part-time status without notice until retirement, resignation, abandonment of appointment, or termination for some other permissible reason, such as for cause (see Section 6). Conversion from part-

With the approval of the Dean, the academic unit guidelines may stipulate that untenured faculty members may advise and serve as members of the academic unit tenure committee.

The evidence and procedures for awarding tenure shall be the same as the evidence and procedures for promotion, as described in Section 4.3 and Section 4.4, except that “tenure” or the “awarding of tenure” replaces “promotion” everywhere “promotion” appears in Section 4.3 and Section 4.4, and except that the evidence to be used in the evaluation process

the Tenure-Line Professorial Series at the University, a faculty member either shall be awarded tenure or released (except as described in Sections 5.5.4.D

- 5.5.6 The procedure for arriving at a mutual agreement to count years of service in any Professorial rank at another college or university or experience in non-academic fields as part of the probationary period is as follows:
- A. In no case will the probationary period exceed seven years of aggregate equivalent full-time service (except as described in Sections 5.5.4.D and 5.5.4.E).
 - B. At the time of appointment, at the request of the faculty member, and with the approval of the Dean and the Provost, the University shall inform the candidate of the number of years of prior experience that the University deems allowable. This defines the tenure probationary period. For example, if two years of service elsewhere is allowed then the probationary period is defined to be five years.
 - C. No later than 30 months prior to the end of the probationary period as defined in Section 5.5.6.B above, the candidate shall decide how many of the previously granted years of service elsewhere are actually to be counted. Based on this decision by the candidate, the probationary period shall be redefined. For example, if two years of service elsewhere has been allowed by the University and the candidate elects to have only one of those years of prior service counted, then the probationary period is redefined to be six years.
- 5.5.7 In cases in which a candidate begins service at the rank of Assistant, Associate or Full Professor at a time other than the beginning of an academic year, the following rules shall apply, and the foregoing time periods shall all be adjusted accordingly, unless the candidate secures the approval of the Dean and the Provost to another arrangement:
- A. Where the candidate begins service with the second academic quarter or semester, the academic year in which service begins shall

probationary period shall be correspondingly shortened.

6. TERMINATION OF APPOINTMENTS

6.1 Preamble

Faculty members who have been awarded tenure by the Board of Trustees have the right to continuance of the appointment without periodic notice. Tenured faculty may be deprived involuntarily of such tenure, and non-tenured faculty (including non-tenure-line faculty members) may have their appointments involuntarily terminated during their terms only under the conditions specified in Section 6.2, and only after full and adequate consideration involving significant input from affected units and personnel as provided herein. The involuntary termination of tenured or of non-tenured appointments during their terms, under the conditions set forth below, may be appealed as specified in Sections 6.3.3 – 6.3.10 and 6.7.2.

Because the involuntary termination of tenure or the involuntary termination of non-tenured appointments during their term may result from financial problems confronting the University (see Sections 6.2.2, 6.2.3, 6.2.4, 6.4, 6.5, and 6.6), and because of the University's commitment to the concept of tenure as a way of ensuring academic freedom, procedures to address financial problems should examine all possible alternatives before resorting to the termination of faculty appointments. In addition, the resolution of financial problems shall involve collaborative efforts between the central administration and the faculty. Thus, the faculty shall share the burden and the process of resolving financial problems.

Toward that goal, the Chancellor, Provost and Chief Financial Officer shall regularly provide the Faculty Senate with accurate and complete information about the financial status of the University. The information provided shall include student enrollment, revenues, expenditures and endowments and any other information reasonably requested by the Faculty Senate. In this way, the Faculty Senate will be able to assess the University's financial situation, assist the administration in avoiding financial problems and keep all faculty members informed. Where information relevant to the University's financial situation is sensitive and the public release of such information might harm the University, appropriate measures agreed to and adopted by both the Administration and Faculty Senate shall

are inconsistent with professional standards recognized by the academic community (such as sexual, racial or other harassment or discrimination or engaging in conduct involving dishonesty, fraud, deceit or misrepresentation); willful neglect of duty; prolonged inability or prolonged refusal to carry out the responsibilities of a faculty member; or conduct which results in clear and demonstrable damage to the University. A faculty member shall not be dismissed for cause if her/his inability to carry out responsibilities is due to a psychological, emotional or other personal problem which counseling reasonably can be expected to adequately address in a reasonable period of time. Dismissal for cause shall be directly and substantially related to the fitness of the faculty member in his/her professional capacity as a teacher or researcher, and dismissal or threat of dismissal shall not be used to restrain faculty members in their exercise of academic freedom or other legal rights. Grounds for dismissal for cause do not include matters of personal morality or acts of social conscience so long as such actions are consistent with Sections 1.2 and 1.3. (See Section 6.3.)

6.2.2 For "discontinuance of an academic unit," defined as a formal decision to close an academic unit based on the judgment that the long-range educational mission of the University would be benefitted without the unit under consideration, and for associated financial reasons. (See Section 6.4.)

6.2.3 During a state of "financial exigency" defined as an imminent financial university-wide crisis which threatens the survival of the University and which cannot be adequately alleviated without drastic reductions in University operations, including the widespread termination of non-tenured appointments during their terms and/or the termination of tenured appointments. (See Section 6.5.)

6.2.4 Termination of appointments to avoid financial exigency. (See Section 6.6.)

6.3 Termination for Cause

6.3.1 Termination for cause of a faculty member with tenure, or of non-tenured appointments during their terms, shall be preceded by: (i) discussions between the faculty member and appropriate administrative officers looking toward a mutual settlement, and (ii) at the discretion of the Provost, informal consultation with a specially appointed faculty advisory committee which may recommend settlement or advise the Provost whether, in its opinion, a termination should be undertaken, without its advice being binding upon the Provost.

6.3.2 Written notice of termination for cause shall be communicated from the Provost to the faculty member.

both the faculty member and the Committee in writing, within 15 days of receipt of the Committee's report, of the reasons for the disagreement, and allow at least 15 days for written responses from the Committee and the faculty member before transmitting a recommendation and the supporting documents to the Board of Trustees.

6.3.9 The Board of Trustees shall review the report and recommendation of the Provost and the reports submitted to the Provost. If, in reviewing the matter, the Board of Trustees determines that there is need for additional evidence, it may return the case to the Committee for further consideration. The Board of Trustees shall make a final decision whether to reverse or modify the termination only after considering the revised report of the Committee. Throughout this process, the Provost may serve as adviser to the Board of Trustees if the Board so desires. The Provost, the Committee, and the faculty member under review shall be informed in writing of the decision of the Board of Trustees.

6.3.10 Termination for cause shall

each from the division, school or college that houses the department or center, the Graduate Council, the Undergraduate Council, and the Faculty Senate

Chancellor, who will

6.5.5 Termination because a state of financial exigency has been declared requires a minimum of twelve months' notice.

6.6 Termination to Avoid Financial Exigency

6.6.1 If it becomes necessary to terminate tenured faculty members or non-tenured appointments during their terms due to financial conditions that threaten a state of financial exigency, a plan shall be presented to the faculty and Faculty Senate for their approval accompanied by a clear demonstration of the need to terminate positions. The plan should include suggestions of the areas where reductions are needed and for the timing of terminations, but shall not identify specific persons to be terminated. The demonstration should provide all relevant financial information and will

belief that her/his academic freedom has been violated. The procedures for such appeals shall parallel, to the extent reasonable, those provided in Sections 6.3.3 – 6.3.10 of these Guidelines. In cases of dispute over the extent to which procedures parallel to those in Sections 6.3.3 – 6.3.10 are reasonable, the decision of the Provost, in consultation with the Personnel Committee of the Faculty Senate, is final.

6.7.3 Upon termination, the University shall make every effort, consistent with its educational mission, to relocate affected faculty members with tenure to other academic units within the University, where appropriate.

6.7.4 Upon request by a termi

7. REVIEWS AND APPEALS

7.1 Scope

The scope of Section 7 is limited to reviews and appeals of negative recommendations for reappointment, promotion, or tenure, that do not curtail the term of a faculty member's contractual appointment. Procedures for reviews and appeals of terminations that curtail the term of a faculty member's contractual appointment are described in Section 6.

7.2 Basis for Reviews and Appeals

Requests for appeals and reviews shall be based only upon alleged lack of "adequate consideration" or upon the faculty member's belief that his/her academic freedom has been violated.

"Adequate consideration" concerns the procedures that lead to a recommendation for or against promotion, reappointment, or tenure and not to the recommendation itself. The question to address is not whether the correct recommendation was reached, but whether the recommendation, whatever it is, was reached using appropriate procedures and standards. Was the available evidence taken into consideration? Was the decision made conscientiously? Were the standards used to evaluate the faculty member's accomplishments and performance relevant and appropriate? It is these types of procedural issues that are relevant to assessing adequate consideration. Discrimination on the basis of age, color, disabled status, national origin, race, religion, sex, sexual orientation, marital status, and veteran's status will be viewed as a "procedural" inadequacy and is included in the assessment of "adequate consideration". Allegations of prohibited harassment or discrimination will be handled according to the University's policy on sexual harassment and discrimination.

7.3 Review of Negative Academic Unit Recommendations

7.3.1 If the recommendation from the academic unit reappointment/promotion/tenure committee in Section 4.4.5 is negative, the candidate shall have the right to an academic unit review of that recommendation. The academic unit review of an initial reappointment/promotion/tenure recommendation may differ from that specified herein in those professional or graduate schools that (i) demonstrate to the Provost's satisfaction that a separate academic unit review process is necessary or advisable, (ii) develop such a process in writing, and (iii) obtain the Provost's approval of the process. The academic unit review process so adopted shall supersede the appeal process below, except that there shall be no changes in the role of the Dean, Faculty Review Committee or Provost. To meet the deadlines specified in Section 5.5.4, the review committee must complete its review in a timely manner.

7.3.2 A request for an academic unit review must be submitted in writing to the

reappointment/promotion/tenure committee shall be reached by a simple majority vote of the members of the committee.

The reconstituted academic unit reappointment/promotion/tenure committee shall submit a recommendation for or against reappointment/promotion/tenure and a report of its reasons for that recommendation. If any member of the committee so requests, a statement of the reasons for any dissenting or concurring vote(s) shall be included in the report of the reconstituted committee. The recommendation of the reconstituted committee shall be shared with the candidate and both the committee's recommendation and report shall be added to the candidate's portfolio as specified in Section 4.4.5. To meet the deadlines specified in section 5.5.4, the reconstituted academic unit committee should complete its review promptly.

With the approval of the Dean, the academic unit

Office, further action under these Policies and Procedures Relating to Faculty Appointment, Promotion, and Tenure shall be suspended until the conclusion of any appeal taken under the procedures of the Office of Equal Opportunity (see Section 7.4.6). However, if the candidate's discrimination complaint has gone through the Office of Equal Opportunity prior to the appeal to the Faculty Review Committee, the complaint may not be asserted again unless the Office of Equal Opportunity determines there is new evidence.

7.4.6 At the completion of any review handled through the Faculty Review Committee or the Office of Equal Opportunity, where a finding is made that discrimination has tainted the reappointment/promotion/tenure process, the Provost may require a re-review by the appropriate center, department, college, school and/or division reappointment/promotion/tenure committees or reconstituted reappointment/promotion/tenure committee. In appropriate circumstances, the Provost may recommend to the Board of Trustees that the candidate be reappointment/promoted/tenured.

7.4.7 The Provost shall make a recommendation for or against reappointment/promotion/tenure based on all information transmitted to his or her office (including, if applicable, the reports from the Faculty Review Committee and/or Office of Equal Opportunity) and convey his or her recommendation to the Board of Trustees.

A. ~~The decision of the Board of Trustees (The Provost) to grant or deny reappointment/promotion/tenure shall be communicated to the candidate~~