

(The Senate and Senate Committees should use the following form for officially recommendations to the Provost. Such committees would include: UCC, UPC : Senate along with any other committees which provide recommendations directl

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March 2, 2012

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Senate Recommendation to the Provost

Originating Body: Academic Freedom and Tenure Committee

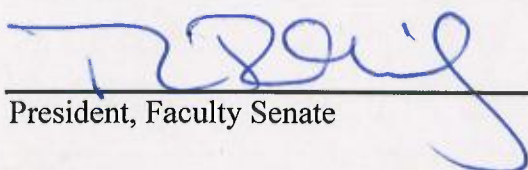
Originator: Theodore Gilkey

Date Submitted: March 1, 2012

Requested Effective Date: As soon as possible

Recommendation: "The Senate supports the recommendation of the Academic Tenure and Freedom Committee to revise the Tenure Process and asks the administration to make the appropriate changes."

Date Approved by Senate: February 14, 2012



President, Faculty Senate

3/1/12

Date

Attach any supporting documentation. Report from AFT attached.

Action Taken by Provost:

Date 03-02-12

☒ Recommendation Accepted

☐ Recommendation Not Accepted

☐ Recommendation returned to Originating Body for further review (see attached)

Disposition for Approved Recommendation:

☐ President
☒ Faculty Senate President
☐ Forum Chair
☐ Webmaster
☐ Catalogue Editor

☐ VP Student Affairs
☐ VP Finance
☒ School Deans
☐ Graduate Council
☐ Provost Council

Diane D. Allen

Provost

03-02-12

Date

1 **E. Procedures and Policies for Granting of Tenure to Faculty** (For school deans, see policy
2 on tenure of school deans.)
3

4 **1. Definition of Tenure.**
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6 According to the American Association of State Colleges and Universities in its 1971
7 pamphlet entitled Academic Freedom and Responsibilities, and Academic Tenure, "...
8 tenure ... is a means of making the teaching profession attractive to persons of ability,
9 and constitutes an important protection for academic freedom. It, thus, contributes to
10 the success of an institution in fulfilling its obligations to its students and to society."
11

12 To ensure the integrity of the university's tenure process, it is essential that:
13

- 14 a. the criteria actually applied in the tenure decision be approved by the department in
15 which the candidate is employed, be known to evaluators at all stages of the tenure
16 decision process, and be communicated to candidates at the beginning of their
17 employment.
18
- 19 b. all information regarding the candidate's success in meeting those criteria be
20 considered by those involved in making tenure recommendations and all
21 information considered be disclosed to the candidate in a timely manner.
22
- 23 c. the criteria, and corresponding performance expectations, be applied consistently to
24 all candidates and that the criteria be applied consistently to the same candidate
25 over time.
26
- 27 d. the university's procedures for conducting tenure review are adhered to by all
28 participants, at all stages of the review.
29
- 30 e. periodic evaluations of each candidate's progress toward meeting the criteria for
31 tenure are reported to the candidate clearly and candidly as well as constructive
32 guidance on the candidate's future efforts.
33

34 **2. Tenure Recommendations.**
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36 Tenure recommendations are primarily the responsibility of the tenured faculty in the
37 candidate's department, subject to administrative approval. Since there is considerable
38 diversity among academic departments, each department shall establish its own tenure
39 review committee. Departmental committees will establish written standards/guidelines
40 for faculty member performance necessary for the granting of tenure. Performance
41 areas will include teaching, scholarship and service. The written standards/ guidelines
42 for each department shall be subject to the approval of the tenured faculty of the
43 department, the department chair, the dean of the school, the provost, and the
44 Committee on Academic Freedom and Tenure.
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49 **3. Responsibilities and Structure of Departmental Tenure Review Committees**

- 50
51 a. Each academic department shall establish a Tenure Review Committee. This
52 Committee will have the following responsibilities:

- 53
54 1) Establish written standards/guidelines for faculty member performance
55 necessary for the granting of tenure as described in Paragraph E2 above.
56
57 2) Conduct annual progress reviews of all faculty in tenure line positions and
58 meet with these faculty to discuss their progress toward tenure. These reviews
59 will produce written reports advising each candidate of his or her progress in
60 achieving the performance expected of a tenured faculty member, offering
61 constructive suggestions where appropriate. Copies of these reports will be
62 forwarded to the candidate at the same time that they are forwarded to the
63 department chair. A copy will also be forwarded to the dean and a copy
64 preserved by the Tenure Review Committee. ~~made available to the~~
65 ~~candidate and the department chair and the dean. A copy will be preserved by~~
66 ~~the Tenure Review Committee.~~
67
68 3) Upon application for tenure by a candidate, this Committee will conduct a
69 review of the candidate's record and make a written recommendation to the
70 department chair as to whether the candidate should be awarded tenure. (See
71 Figure 2 below.) In reviewing the record, the Committee shall give significant
72 weight to the guidance provided to the candidate and the candidate's response to
73 that guidance contained in the annual evaluations described in paragraph 4 of
74 this section. A copy of this recommendation is to be forwarded to the
75 candidate at the same time that it is forwarded to the department chair.
76

- 77 b. The following guidelines apply to the structure of Departmental Tenure Review
78 Committees.
79

80 Committees shall consist of (at least) three faculty members, and each of these must
81 themselves be tenured in the university. In the event that a department does not
82 have three tenured members, the Committee will include tenured faculty members
83 from other departments in academic disciplines similar in nature to the discipline of
84 the candidates. For departments with more than three tenured members, the manner
85 of the selection of faculty for the Tenure Review Committee will be determined by
86 the tenured faculty members of that department subject to the following principles:
87

- 88 1) No tenured faculty member of a department may be denied membership on the
89 Tenure Review Committee or a vote on the final tenure recommendation for a
90 candidate unless a conflict of interest or other sound
91 reason for denial exists. Faculty members on sabbatical leave may vote in the
92 tenure process; faculty members on leave of absence may not vote in the tenure
93 process. A person aggrieved by a denial of participation may appeal to the
94 Academic Freedom and Tenure Committee dean of the school housing the
95 department, whose decision shall be final.
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- 2) No individual may participate in the tenure recommendation process at more than one level. For example, if the chairperson of a small department with less than three tenured faculty members available to sit on the departmental committee elects to sit on the Tenure Review Committee, the Chairperson shall not also forward his or her own separate recommendation.
 - 3) Faculty members may not serve on Tenure Review Committees when the candidate is a member of their immediate family.
 - 4) When faculty from outside the candidate's department are included on the Tenure Review Committee (less than three tenured faculty members in the department available to serve), the candidate shall be presented with a list of potential extra-departmental committee members by the tenured faculty of the Department. Barring extraordinary circumstances, the candidate will have the right to reject no more than two names from that list.
 - 5) In the event that there are no tenured faculty members in an academic department, the Academic Freedom and Tenure Committee will, in consultation with the department chairperson, prepare a list of tenured faculty from related disciplines from which the candidate may strike two names.

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4. Annual Review Procedures.

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- a. To prepare for future tenure decisions, the department chairperson is to prepare a realistic and candid written evaluation annually for each tenure-track faculty member concerning his or her progress toward tenure. A copy of the chairperson's evaluation will be forwarded to the faculty member at the same time that it is forwarded to the dean, and the dean. A copy will also be forwarded to the Departmental Tenure Review Committee for its consideration the following year. The department chairperson will also meet annually with each tenure-track faculty member to discuss this evaluation along with that of the departmental committee. This is not a merit evaluation; its purpose is to provide the faculty member with a realistic appraisal of work to date and prospects for the future.
 - b. The annual review process begins with submission by tenure-track faculty to the Departmental Tenure Review Committee of information regarding his or her performance during the previous two semesters with respect to the tenure criteria.
 - c. All members of the Departmental Tenure Review Committee will thoroughly examine the information provided by tenure-track faculty along with previous year's annual progress reviews.
 - d. When the Committee has concluded its examination of the faculty member's performance, it will prepare a report to the faculty member. That report will express the Committee's candid assessment of the faculty member's success in satisfying tenure requirements and offer recommendations, where appropriate, of how the faculty member might better satisfy those requirements.

e. A copy of this report will also be forwarded to the candidate at the same time that it is forwarded to the department chairperson. A copy will also be forwarded to the dean and a copy retained by the Departmental Tenure Review Committee. and the dean. A copy will be retained by the Departmental Tenure Review Committee.

f. The dean will review the annual recommendations made by the Departmental Tenure Review Committee and the chairperson. The dean will also meet with the faculty member and the department chairperson approximately midway between initial appointment and the tenure review year and develop a written report of the faculty member's progress toward tenure.

A copy of the dean's evaluation will be forwarded to the faculty member at the same time that it is forwarded to the department chairperson, and the chairperson of the Departmental Tenure Review Committee.

g. The department chairperson will maintain a tenure review file for each tenure-track faculty member in his or her department. This file should include a copy of the annual written evaluations made by the Departmental Tenure Review Committee, the chairperson, and the dean.

h. A candidate may, upon receipt of an evaluation by the department tenure review committee, the department chairperson or the school dean (or other communications per paragraph 5.e. 3) prepare a letter of rebuttal and forward this letter to all evaluators.

5. General policies and procedures for the final tenure review.

a. It is important that the five essential points to insure the integrity of the tenure process noted in E. 1. above be observed.

b. In the fall semester of each academic year, the Office of Academic Affairs establishes a list of all faculty who are eligible for review of their service for the granting of tenure in the subsequent academic year. The provost of academic affairs notifies deans of the names of faculty in each academic department who should be reviewed for tenure so that reviews may be carried out in accordance with System and university policy for such reviews.

c. Upon receipt of names of faculty eligible for tenure, deans will notify the candidates and their respective chairpersons. Deans will also forward to the candidate a copy of his or her contract and statement of certification of years of service for inclusion in their tenure application file.

d. The applicant is responsible for assembling the tenure application file (see Appendix D) and forwarding it to the chairperson of the Departmental Tenure

Review Committee. At a minimum, the candidate's tenure review file should include the following:

- 1) The tenure application described in Appendix D.
 - 2) The applicant's contract.
 - 3) Statement of certification of years of service (provost office).
 - 4) Evidence of teaching, professional development, and service. This information should be organized in accordance with the promotions committee's requirements as described in Appendix C.
 - 5) Evaluations made by the Departmental Tenure Review Committee, the chairperson, and the dean for all previous years.
- e. Review procedures for the Departmental Tenure Review Committee, the chairperson, and the dean are the same as described in the annual review procedures with the following additions:
- 1) Significant positive conduct by the candidate that occurs or becomes known after the tenure application has been submitted is to be considered. It is the responsibility of the applicant to forward evidence of the positive conduct to his or her department chairperson. The department chairperson will see that the tenure application is updated. Previous evaluators will also be expected to consider these events.
 - 2) Significant negative conduct by the candidate that occurs or becomes known after the tenure process has begun is to be considered. The applicant will be notified of the allegation and given an opportunity to respond. Some allegations may be considered exclusively by the Departmental Tenure Review Committee. Other allegations may require channeling into other university dispute mechanisms and the suspension, upon agreement of the candidate and the university, of the tenure process until their conclusion.
 - 3) Letters, e-mails, or other written documents created by faculty members or others that are not part of the formal process that come to the attention of evaluators (committee minority opinions, private letters, etc.) may be considered as part of the evaluation materials as long as they are forwarded to the chairperson of the Departmental Tenure Review Committee before that committee has completed its deliberations. Once the Departmental Tenure Review Committee has completed its deliberations, communications of this type are no longer allowed at any level unless approved by the Provost. In all cases, whether the communications are allowed or not, the evaluator receiving such communications and any other participant aware of such communication will make sure that the candidate and the chairperson of the Departmental Tenure Review Committee receives a copy. In addition, private meetings or extensive verbal communications that are not part of the formal process but intended to influence the process should not be entertained by evaluators. Knowledge of such material, however, must be immediately disclosed to the candidate.

- 4) While tenure recommendations are primarily the responsibility of the tenured faculty, the recommendation of the Departmental Tenure Review Committee shall carry greater weight than the recommendation of tenured department faculty not on the Committee.
- 5) The Departmental Tenure Review Committee, the department chair, and the dean will each independently and expressly make a recommendation in favor or opposed to the award of tenure for the candidate. A copy of these recommendations will be forwarded to the candidate on the dates prepared.
- 6). A candidate may, upon receipt of an evaluation by the department tenure review committee, the department chairperson or the school dean (or other communications per paragraph 5.e. 3) prepare a letter of rebuttal and forward this letter to all evaluators.
- f. The provost will review the applicant's file, make a recommendation, include the recommendation in the applicant's file, and forward the recommendation to the president of the university.
- g. The president, in consultation with the provost, makes final decisions as to whether or not to award tenure to applicant faculty and notifies faculty in writing of that decision.
- h. Participants in the tenure review process must regard their work to be of the utmost confidentiality. Any discussion of matters that come before the Departmental Tenure Review Committee to anyone not on the Committee or discussion of these matters in public areas or in unofficial meetings is inappropriate. Any and all such behavior shall be regarded as a serious breach of confidentiality and shall be subject to disciplinary action.

i. **When procedural conflicts exist, the procedures documented in the faculty handbook for tenure take precedent over procedures documented elsewhere.**

6. Deadlines for completing each step in the procedures for granting of tenure to faculty are presented in **Figure 1**. This timeline is carried out in the fall semester of each academic year so that faculty seeking promotion in the spring of the academic year will have been reviewed for tenure when they seek promotion. Deviations from the schedule that do not prejudice the parties will not be grounds for appeal.

Figure 1. Timeline for Faculty Tenure

STEP	DEADLINE
a. Notification by Academic Affairs Office to deans of	September 1

STEP	DEADLINE
tenure-track faculty eligible for review.	
b. Eligible faculty notified by dean.	September 5
c. Applicant notifies department chair, in writing, of intent to apply for tenure. Department chair notifies chairperson of Departmental Tenure Review Committee of intentions of candidates.	September 15
d. Candidate's application file for tenure to the chairperson of the Departmental Tenure Review Committee.	October 1
e. Recommendations by Departmental Tenure Review Committees along with application file forwarded to department chair.	November 1
f. Recommendations by department chair along with application file forwarded to school dean.	November 15
g. Recommendations by school dean along with application file forwarded to the provost.	December 1
h. Recommendations by provost to president.	December 15
i. Written notification of tenure decision by the president to the candidate.	January 15

F. Procedures for Faculty Appeals in Matters of Promotion and Tenure

1. The president of the university has the final authority to decide on appeals from faculty for promotion and tenure decisions.
2. Appeals by faculty of tenure decisions may be made on the basis of an allegation of error in procedures or application of policy and not on the substance of recommendations per se. Mere disagreement with the substance of recommendations of departmental committees, department chairs, deans of schools, and the provost or with the decisions of the president is not cause for appeal.
3. Appeals by faculty of tenure decisions which are related to allegations of unlawful discrimination based arbitrarily upon race, color, national origin, sex, age, marital

status, handicap, or sexual orientation will be heard by the Academic Freedom and Tenure Committee.

4. When a faculty member wishes to appeal a tenure decision, the faculty member will notify the provost who will in turn notify the president. The president will then refer the case for review and recommendation to the Academic Freedom and Tenure Committee, which will serve as an appeals hearing board. **Appeals must be made within 45 days of receiving the president's tenure decision letter.**
5. The Academic Freedom and Tenure Committee may gather information; hold hearings; meet with faculty, department chairs, deans, other committees, administrators, and other parties; offer counsel; mediate; and perform the investigations it believes necessary to make a recommendation to the president concerning the appeal for tenure. The Academic Freedom and Tenure Committee may, after a preliminary investigation, decide not to pursue a grievance or to forward the grievance to another committee. The procedure to be followed is set forth in the University Grievance Policy for faculty (See **Appendix E**).
6. The Academic Freedom and Tenure Committee will maintain its deliberations in strict confidence and will gather necessary information and forward recommendations with the utmost discretion.
7. When a faculty member wishes to appeal a promotion decision, the faculty member will notify the provost who will in turn notify the president. The president will then refer the case for review and recommendation to the Faculty Welfare Committee, which will serve as an appeals hearing board for promotion appeals. The same policies and procedures will apply to promotion appeals as to tenure appeals.

Draft 10/31/2011