

## **FACULTY MANUAL AMENDMENTS (SPRING 2020)**

**Approved by the Faculty Senate on April 14, 2020**

**Approved by the University President and Provost**

**Approved by the Board of Trustees on May 1, 2020**

### **FINAL TEXT OF PROPOSED AMENDMENTS with EDITS**

#### Key to proposed changes:

- Text to be added as of February 18<sup>th</sup> appears in **bold**; Newly added text in both the amendments and explanation of Amendment #2 appears in **bold CAPS**
- Deletions appear in ~~red~~ with strikethrough
- Explanations appear in blue box.
- New deletions (i.e., changes from original (2/18/20) amendments) are highlighted in yellow

#### **ITEM #1**

##### **III.E.1. Change in Unit Promotion & Tenure Standards (p.17)**

If changes to evaluation standards occur during the last three years of the probationary period (four years in the School of Medicine), the faculty member will be held to the pertinent previous standards. Otherwise, ~~the~~ faculty members **in their probationary period** will be held to the new standards.

**If changes to evaluation standards occurred in the three years prior to the application for advancement of tenured faculty applying for promotion from Associate Professor to Professor and non-tenure track faculty applying for promotion to any rank, those faculty will be held to the pertinent previous standards. Otherwise, these faculty members will be held to the new standards.**

EXPLANATION: The *Manual* is silent on changed standards for (a) tenured faculty applying for promotion from Associate Professor to Professor, and (b) NTT faculty. The Committee concluded that the three-year pause should apply to all candidates. While faculty in these scenarios are not held to a formal application timeline as tenure-track faculty are, they usually have a good idea as to when they are likely to apply and can plan accordingly with the pertinent standards.

#### **ITEM #2**

##### **III.E.4. Notification of Faculty Promotion & Tenure Applicants (p.18)**

For applications for advancement by tenure-track **FACULTY**, and full-time non-tenure-track faculty, **AND TENURED ASSOCIATE PROFESSORS**, members, the ~~recommendation of the College, School, or Library Rank and Tenure Committee, or comparable faculty committee, is communicated by the committee to the applicant, who may request an explanation and/or written reasons for a negative recommendation. If~~

~~the faculty member decides to continue the application, the recommendation of the forwards it~~ **only** the Dean or comparable administrator **shall** **WILL** provide the applicant a written summary of recommendations by, as applicable, the department, the department chair, the College, School, or Library Rank and Tenure Committee or comparable faculty committee, and the Dean, prior to the submission of the dossier to the University Committee on Academic Rank and Tenure, **THE DEADLINE FOR WHICH IS DECEMBER 1**. To preserve the confidential nature of the advancement process, and to ensure complete and consistent communication, information about the proceedings and recommendations is not to be shared by any person involved in the process other than the Dean or comparable administrator. It is the faculty member's decision whether to continue or withdraw their application from further consideration. **Absent a written request from the faculty member to the Dean or comparable administrator to withdraw his/her application, the Dean or comparable administrator will forward the dossier** to the University Committee on Academic Rank and Tenure, along with all supporting materials, including his/her own separate recommendation. ~~For members of the graduate faculty, a separate recommendation by the Graduate Dean is also forwarded to the Committee.~~

The University Committee on Academic Rank and Tenure evaluates applications for advancement and tenure using the norms in Sec. III.F and the standards, relative weightings, and interpretations described in Sec. III.E.3. The evaluation is based primarily on the documents presented to the Committee. However, the Committee may solicit additional information that it deems necessary to make an informed decision. If the generation of income, including through grants and sponsored programs, is to be a condition for the awarding of tenure or promotion, that condition must be explicitly stated in a faculty member's appointment papers, established through an existing practice or policy of which the faculty member has received prior notice, or explicitly specified as a Department, School, or College criterion. The Committee will normally complete its consideration of applications for advancement and tenure by March 15.

The recommendations of the University Committee on Academic Rank and Tenure are forwarded to the Provost, along with all supporting materials. The final decisions rest with the Provost, who normally completes the consideration of applications for advancement and tenure by May 1. When the Provost does not concur with the Committee's recommendation, s/he will discuss his/her rationale with the Committee prior to making a final decision. When the decision is adverse, the applicant may **submit request-an**, **within two weeks of the Provost's notification, a written request to the Provost for an explanation** ~~or written reasons from the Provost of the decision~~. In responding to the request, the Provost ~~may disclose all determinations made during the decision-making process~~ **shall, within 30 days of receipt of the applicant's request, provide a written summary of all recommendations made at prior levels AND A RATIONALE FOR HIS/HER DECISION**. The applicant may appeal an adverse decision in writing to the President of the University, **WITHIN TWO WEEKS OF THE DATE OF THE PROVOST'S NOTIFICATION**, whose decision is final and not subject to further appeal.

~~The applicant may withdraw the application for advancement or tenure at any stage of the process.~~

**EXPLANATION:**Paragraph 1

The current provision tasks the college-level committee with communicating its recommendation to the applicant. This is not done by all units. Also, the current provision does not exclude the possibility that others involved in the review process—including faculty colleagues and chairs—might communicate recommendations and related information to applicants. In fact, this is occurring, and differs from one unit to another. It raises concerns in terms of the consistency, content, and confidentiality of these communications, all of which create potential legal issues. Limiting to the Dean or comparable administrator the task of communicating information to the applicant will (a) eliminate variability in that communication; (b) reduce the potential for lapses in confidentiality; and (c) ensure that the applicant is advised of all recommendations prior to consideration of their dossier by the UCART so that s/he may make an informed decision as to whether to advance their application.

**THE REVISION OF THE FIRST SENTENCE IN PARAGRAPH 1 CLARIFIES THAT THIS AMENDMENT APPLIES TO ALL FULL-TIME FACULTY SEEKING PROMOTION AND/OR TENURE.**

**THE WORD “ONLY” PRECEDING “THE DEAN OR COMPARABLE ADMINISTRATOR SHALL PROVIDE...” IS ELIMINATED AS UNNECESSARY GIVEN THE SUBSEQUENT SENTENCE.**

**SUBSTITUTION OF “WILL” FOR “SHALL” BETTER CONVEYS THAT DEANS WILL PROVIDE A WRITTEN SUMMARY.**

**THE DECEMBER 1<sup>ST</sup> DEADLINE FOR SUBMISSION OF P&T DOSSIERS TO THE PROVOST’S OFFICE IS ADDED TO ENSURE THAT ALL FACULTY ARE AWARE OF THAT DEADLINE AND TO MAKE CLEAR THAT DEANS’ NOTIFICATIONS TO APPLICANTS MUST OCCUR PRIOR TO THAT DATE.**

Amended Paragraph 1 states that “It is the faculty member’s decision whether to continue or withdraw their application from further consideration.” **THIS TAKES THE PLACE OF THE PARAGRAPH 4 CURRENTLY IN THE *MANUAL*.** While an applicant can decide to withdraw their application prior to receiving the Dean’s summary, it is expected that most applicants will want to have as much information as possible before deciding whether their application should be forwarded to the UCART.

The elimination of the Graduate School renders the last sentence moot.

Paragraph 3

For purposes of documentation, the applicant’s request is to be made in writing within the stated timeline.

**CLARIFIED THAT THE PROVOST’S WRITTEN RESPONSE TO AN APPLICANT’S REQUEST FOR AN EXPLANATION INCLUDE NOT ONLY A SUMMARY OF ALL RECOMMENDATIONS MADE AT PRIOR LEVELS, BUT ALSO THE PROVOST’S OWN RATIONALE FOR HIS/HER DECISION.**

**ADDED TIME FRAME FOR APPLICANTS’ REQUEST FOR APPEAL TO THE PRESIDENT OF ADVERSE DECISION BY THE PROVOST.**

Until the point at which the Provost reviews applications, recommendations—not decisions—are made. Therefore, reference to a “decision-making process” is eliminated.

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