

MEMORANDUM

TO: President Edward T. Foote II

FROM: Dr. George C. Alexandrakis *GCA*  
Chairman, Faculty Senate

DATE: December 6, 1988

SUBJECT: Faculty Senate Legislation #87001(B) -  
Bylaw on Faculty Appointment, Promotion and Tenure

The Faculty Senate, at its meeting of October 17, 1988, voted to approve Faculty Senate Legislation #87001(B) - Bylaw on Faculty Appointment, Promotion and Tenure. The text of the legislation is attached.

This legislation is now forwarded for your action.

GCA:b

Attachment

cc: Provost Luis Glaser

BYLAW ON FACULTY STATUS, TITLES,  
APPOINTMENT, REAPPOINTMENT, PROMOTION  
AND THE AWARD OF TENURE

Faculty Senate Actions.  
Consolidated Version  
87001, 87005, 87006, 87008, 87014  
Class B Legislation

1.0  
DEFINITIONS

1.1  
The General Faculty shall consist of the University Faculty and the Associated Faculty.

1.2  
The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.

1.3  
The Regular Faculty shall consist of all faculty having tenured or tenure-earning positions and holding the rank of Professor, Associate Professor, or Assistant Professor.

1.4  
The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.

1.5  
*[This paragraph shall define the educator faculty and is the subject of a separate action.]*

1.6  
The Associated Faculty are all faculty with professorial titles prefixed by Clinical, except in the School of Law, (e.g., Clinical Professor of Surgery) or by Adjunct, Visiting, or Affiliated, and all Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.

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1.7

The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.

The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair or Dean, and ratification of Amendments to the *Faculty Charter*.

The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.

Members of the General Faculty may vote only once on a single question. Persons holding joint appointments must designate a school or department in which to exercise their voting rights on university matters. Persons holding appointive administrative position may not vote on any matter which is subject to review or other action by their office.

1.8

Change of Type of Faculty Appointment

1.8.1

Any member of the Research or Educator faculty may initiate a request to be considered for appointment to the Regular Faculty of the University. The decision on that request must be made in accordance with the standards and procedures applicable to initial appointment to the Regular Faculty as set forth in the *Faculty Charter* and these Bylaws, including Sections 5 and 3. If the requested appointment to the Regular faculty is made, but without an immediate grant of tenure, the period served as a member of the Research or Educator faculty may, if requested by the faculty member and approved by the President, be credited toward the probationary period for Regular Faculty appointments as provided in Sections 3.6 and 3.6.1 of these Bylaws.

1.8.2

Any member of the Regular Faculty of the University, during their probationary period as defined in Section 3.6 of these Bylaws, may initiate a request to be considered for appointment to the Research or Educator Faculty. The decision on that request shall be made by the President upon recommendation of the Regular Faculty of the department and the Dean of the School.

1.8.3

Members of the Regular Faculty who have become members of the Research or Educator Faculty under the provisions of Section 1.8.2 may not subsequently be appointed to the Regular Faculty except as a tenured Professor.

2.0  
THE FACULTY

2.1  
Appointive Authorities

*[This section, with section 9.10, constitutes a separate Senate action, Legislation #87005.]*

The power to appoint and remove both administrative officers and members of the General Faculty is vested in the Board of Trustees. The Board of Trustees shall appoint the President of the University.

The President, by authority of the Board of Trustees, shall select the Provost, the Deans, and the administrative officers and shall appoint the General Faculty of the University. The President is the presiding officer of the General Faculty.

The Provost, as delegated by authority of the President, shall make appointments to the General Faculty and promote members of the General Faculty to higher ranks.

All appointments to the General Faculty and promotions to higher ranks shall be made in accordance with the procedures set forth in the *Faculty Charter*, Section XII, and in this Bylaw.

2.2  
Faculty Status

2.2.1

All University Faculty shall be deemed to have full-time status. Unless on sabbatical or other approved leave, University Faculty shall be deemed to be "in residence." University Faculty members may request reduced teaching and research loads for reduced pay while retaining all rights and privileges. Associated Faculty may have either full-time or part-time status as established by their contracts with the University.

2.2.2

While under contract all members of the University Faculty in residence shall be entitled to an average of one working day of consultation per week, either on a part-time or self-employed basis, unless a written exception allowing additional time is issued by the President.

2.2.3

[This section, with section 3.2.2, constitutes a separate Senate action,  
Legislation #87006.]

A member of the General Faculty shall be compensated from University approved sources, but not necessarily by the University. The fact that the salary of a member of the Regular Faculty is paid from non-University sources does not affect the faculty member's tenure status.

### 2.3

#### Joint Appointments

Members of the University Faculty may hold appointments in two or more schools or in two or more departments within a school. Such appointments imply financial support from both academic units and should be made to promote interdisciplinary or inter-professional teaching and research. Recommendations on salary, merit increases, promotion, and tenure, and assignment of teaching and research responsibilities shall be determined by both of the units involved. The holder of a joint appointment shall be entitled to vote in both units, but may not vote twice on the same question. All Participating Faculty in the Graduate School of International Studies shall hold joint appointments. In all joint appointments, one unit shall be designated as the "unit of primary administrative responsibility" for such matters as salary, promotion, tenure, and teaching assignment. Persons holding joint appointments must designate the unit of primary administrative responsibility as the school or department in which to exercise their voting rights on university matters.

### 2.4

#### Secondary Appointments

Members of the General Faculty may hold secondary appointments in departments or schools where they have a professional interest and in which they occasionally work. Holders of secondary appointments do not have tenure in, nor need they be compensated by, the secondary unit. Limited voting privileges may be extended by the secondary department in accordance with the provisions of Section 8.2 of the *Charter*.

### 2.5

#### Titles of Associated Faculty

##### 2.5.1

##### Visiting Faculty

The term "Visiting" is prefixed to the title of persons who are expected to teach and/or engage in research or clinical activities at the University of Miami for a limited period of time only. Faculty members may be appointed with the visiting title for no more than two consecutive one-year terms.

##### 2.5.2

##### Adjunct Faculty

The term "Adjunct" is prefixed to the title of persons who collaborate in some special way in the academic work of the University.

2.5.3

**Instructors**

The title "Instructor" shall be used only for persons being trained to become members of the University Faculty. Persons who are expected to be appointed to the University Faculty but who have not completed the requirements for a terminal degree in their field must be appointed as Instructor. The President shall make the final determination of "terminal degree" in any field or discipline.

2.5.4

**Affiliated Faculty**

Qualified staff members of hospitals and medical research institutions with which the University has an affiliation agreement may receive appointments as Affiliated Faculty of the Schools of Medicine and Nursing. Such appointments may be continued until normal retirement, subject to annual renewal by the University and continuing employment in the affiliated institution. Affiliated Faculty are not paid by the University, although the University may provide compensation to the institution for the services of such individuals.

2.6

**Emeriti Faculty**

Emeritus status is automatically conferred at the time of retirement upon all University Faculty holding tenure at the University. The President may be petitioned for the award of emeritus status to retired members of the General Faculty and academic administrative personnel who have not held tenure. The names of emeriti faculty are listed in a separate section of the appropriate Bulletin.

2.7  
Privileges and Benefits  
of Associated and Emeriti Faculty

[This section constitutes a separate Senate action. Legislation #87008.]

Associated and Emeriti faculty members are entitled to the following privileges and benefits:

- 1) Any discounts which University Faculty members are eligible to receive including identification cards, bookstore purchases, football tickets, etc.;
- 2) Membership in the Faculty Club, Lowe Museum, and Credit Union;
- 3) Purchase of parking stickers; and
- 4) Purchase of prescription medicines through the University Health Center.

⇒ Associated Faculty who ~~teach nine or more~~ <sup>more than ten</sup> hours in any calendar year are considered full-time. Members of the Associated Faculty are entitled to fifty percent (50%) personal tuition remission at the University of Miami after one academic year of continuous employment at the University except in the doctoral programs of the Graduate School and the programs in the Schools of Medicine and Law. Benefits are limited to seven credit hours per semester and four credit hours per summer session.

2.7.1

Full-time visiting faculty are entitled to remission of tuition for themselves and their dependents at the University of Miami consistent with tuition remission policy and are eligible for participation in the group insurance plans but not in the retirement plan.

2.7.2

Adjunct faculty and Instructors who are both full-time and salaried by the University are entitled to participate in the insurance and retirement programs.

2.7.3

All members of the University Faculty are entitled to the benefits and privileges listed in the Benefits and Privileges section of this *Manual*.

### 3.0 APPOINTMENTS

#### 3.1 General Policy

The University wishes to maintain the highest possible standards of teaching, scholarship and patient care at the University of Miami, to ensure faculty members full academic freedom, and to enable the University to rely on the continuous service of an able faculty.

To ensure teaching and scholarship of high quality in an atmosphere of academic integrity and mutual confidence, it is the policy of the University to provide stability and continuity of appointment for the faculty member at the University.

#### 3.2 Kinds of Appointments

Each member of the General Faculty shall be appointed to one of the following categories:

##### 3.2.1 Appointments to the Regular Faculty

Appointments to the Regular Faculty provide either for tenure with initial appointment or for tenure consideration during a probationary period if appointment is not terminated during that period.

##### 3.2.2 Regular Appointments With Limited Financial Support

*[This section, with section 2.2.3, constitutes a separate Senate action, Legislation #87006.]*

Regular appointments with limited financial support may be made only in the School of Medicine. "Limited financial support" defines the minimum level of salary support which the University is obligated to provide tenured members of the faculty. The dollar amount of the minimum level of salary support is calculated by a formula established by the School Council of the School of Medicine and approved by the Dean of the School of Medicine and the President. The amount of limited financial support may not be decreased except in times of declared financial exigency.

The President of the University shall determine annually which sources and amounts of funds the School of Medicine may consider sufficiently secure to be used in providing limited financial support for tenured members of the faculty. In making this determination, the General and Educational budget of the School of Medicine shall be considered the most secure source. Other secure sources may include, but are not limited to: Veterans Administration Medical Center; Profes-



sional Income Plan; and Dade County (Jackson Memorial Hospital/Public Health Trust). Research grants and contracts are not considered sufficiently secure to warrant their use in fulfilling the obligations associated with tenure with limited financial support.

### 3.2.3

#### Appointments not Involving Tenure

Faculty members holding Research, Educator or Associated appointments shall not be eligible for tenure.

### 3.3

#### Term Appointments

Term appointments are issued for a defined period of time specified in the letter of appointment. Appointment to the Associated Faculty is automatically terminated at the conclusion of the period specified in the letter of the appointment. Research and Educator Faculty have term appointments. Regular faculty with probationary appointments are not considered to have term appointments.

### 3.4

#### Notice of Termination for Research and Educator Faculty

*delete*  
Research Faculty members, faced with termination as a result of the cessation of external support, are entitled to ~~a minimum of~~ one month's notice with pay for each year of full-time continuous service as a Research Faculty member at the University up to a maximum of twelve months for twelve or more years of service. The Research Faculty member will be expected to perform normal faculty duties during the notice period and such pay will cease upon the availability of other grant support at the University or initiation of employment elsewhere. Notice so used may be re-earned at the rate of one month per year up to the maximum of twelve months.

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P. 55*  
Educator faculty in category two are entitled to notice by March 31 of their first year of service, by December 15 of their second year of service, and a full year of notice after the second year of service.

Faculty who change from a regular appointment to a research or educator appointment shall receive one month's notice for each year's service in the regular appointment.

### 3.5

#### Terms in Writing

All appointments shall specify, in writing, whether they are Regular, Research, Educator or Associated appointments and, in the case of untenured Regular Faculty, the expiration of the probationary period. All appointments shall specify rank and salary.

3.6

**Probationary Period for Regular Appointments**

The probationary period before the award of tenure is six (6) years at the University of Miami.

3.6.1

**Credit for Prior Service**

Persons with appropriate experience at other comparable institutions may be awarded up to three years credit toward the probationary period by the President following a recommendation of the Dean upon consultation with the Chair. Persons granted credit for prior service under section 3.6.1 shall have their probationary period appropriately reduced, but in no case shall a probationary period be established for less than three years.

3.6.2

**Waiver of Prior Service**

During the first year of appointment, faculty members may waive credit for applicable prior service at another institution.

3.6.3

**Early Award of Tenure**

A faculty member holding a regular appointment is normally considered for tenure during the sixth year of the probationary period, but in unusual circumstances may be awarded tenure at any other time during the probationary period. Faculty members wishing to be considered for tenure before the expiration of the probationary period should consult with the Chair or Dean. Any consideration of a faculty member for the early award of tenure shall have no prejudicial effect on reconsideration through the sixth year of the probationary period.

3.6.4

**Term of Probationary Appointments**

The University permits initial probationary appointments for terms of one, two or three years, provided that the term of the appointment is uniform within the School. A substantive review of the appointee shall occur as provided in Sections 9.6-9.10 below, and, if the conclusion is favorable, the appointment shall be renewed with the final review for tenure occurring in the sixth year. If sixth year review is unfavorable, the appointee shall be granted a one year terminal appointment. Where evidence of unsatisfactory performance exists during the term of any appointment, an early substantive review of the appointee may be initiated by the voting faculty, Chair or Dean.

3.6.5

**Definition Probationary Year**

The probationary period shall begin with the first September of the Faculty member's appointment. The first probationary year shall end on the following May 31.

### 3.6.6

#### Notice of Termination of a Probationary Appointment

During the probationary period, a regular appointment to the faculty may be terminated at the close of the term of the appointment by written notice, either by the University of intention not to reappoint or by the faculty member of intention not to return. Notice of termination by the faculty member shall be given prior to the expiration of the appointment.

Schools with probationary appointments for a term of one year shall observe the following notice requirements: Not later than March 15 during the first appointment; not later than December 15 during the second appointment. With the third and following appointments notice of a full year is required

Schools with probationary appointments for a term of two years shall observe the following notice requirements: Not later than December 15 of the second year of the first appointment and with the second and following appointments notice of a full year is required.

Schools with probationary appointments for a term of three year shall give notice of a full year.

The justification of a decision by the University not to reappoint need not be communicated to the faculty member, but shall be made in accord with established University standards.

### 3.7

#### Term Appointments Following Retirement

According to the University retirement plans, the official retirement age at the University of Miami is 65 years and the incumbent may complete the fiscal year in which the 65th birthday occurs. Faculty members terminate their regular employment with the University at the end of the academic year (June 1 to May 31) in which they reach age seventy (70). At the discretion of the President, faculty members may be requested to continue to serve full-time after that year on a year-to-year basis, provided the concerned department or school initiates the request. Faculty members may not be continued beyond the fiscal year in which they reach the age of 72 without the approval of the Board of Trustees. Faculty members under consideration for full-time appointment beyond the retirement age shall be notified of the decision as early as possible.

### 4.0

#### TENURE

### 4.1

#### Administrators and Tenure

### 4.1.1

Tenure at the University of Miami shall be awarded to persons only in their

capacities as faculty members in academic departments. In no case is tenure applicable of persons in their administrative capacities.

#### 4.1.2

Academic deans and academic directors are eligible for the award of tenure as faculty members in the academic departments of their specialization, but not in their administrative posts. No other persons engaged in administrative duties are eligible for the award of tenure nor shall the period of time during which such persons are employed in positions with administrative duties be counted toward the completion of the probationary period for tenure, unless each of the following conditions is satisfied:

1) During the period of employment in question such persons must devote more than fifty percent of their total work time to teaching, research, patient care or other activities of an academically-related nature.

2) The division of such persons' efforts between administrative duties and teaching, research, patient care or other activities of an academically-related nature must be specifically documented each semester, and must be certified by the appropriate academic dean who shall make such documentation part of the faculty personnel records of such persons.

### 4.2

#### Attainment of Tenure

##### 4.2.1

Tenure shall not be awarded to faculty members serving under any type of Research, Educator or Associated appointment. Regular appointments that are not accompanied by an initial award of tenure shall specify the expiration date of the probationary period.

##### 4.2.2

By April 15 of the year in which the probationary period would normally expire, the process should culminate in a tenure decision by the Board of Trustees, which is the final authority for the award of tenure. If the process of tenure consideration has not been completed by this date, the faculty member may ask the President, in writing, to direct that the process be completed immediately.

##### 4.2.3

Tenure shall not be awarded at the rank of assistant professor.

##### 4.2.4

Promotion to the rank of professor awards tenure at the time of promotion. A faculty member initially appointed to the rank of associate professor or professor is eligible for tenure at any time upon recommendation of the voting faculty of the department.

##### 4.2.5

The faculty member shall be advised in writing at the time of initial appointment, of the substantive standards and procedures generally employed in decisions

affecting reappointment and tenure. Any special standards adopted by the faculty member's department or school under the provisions of Section 9.1.2. below, shall also be communicated to the faculty member in writing by the Chair or the Dean.

4.3  
Meaning of Tenure

4.3.1

Faculty members having tenure shall have appointments continued from year to year without necessity for annual or other renewal thereof.

4.3.2

Tenure implies that the faculty member shall accede to reasonable requests to redistribute efforts between teaching and research, to accept classes assigned, whether in day or evening hours, and, in an emergency and for the period thereof, to accept such other reasonable assignments as may be deemed necessary by the University.

4.3.3

Tenure does not imply any promise of promotion or any regular increase in salary, but it does assure the faculty member of participation in any general change in the salary scale. It also assures the faculty member of provisions for general working conditions on the same basis as other faculty members in the same academic areas who have similar professional activities and duties.

4.3.4

Tenure of a faculty member shall continue until death, resignation, retirement, termination for cause, or, in extraordinary circumstances, because of financial exigency or reorganization.

4.4  
Termination of Tenure  
Because of Declared Financial Exigency or Reorganization

4.4.1

If it appears that a tenure appointment may need to be terminated because of financial exigency or because of reorganization brought about by decline in enrollment, lack of funds to support an activity, or change of course offerings, the President shall consult with the Faculty Senate Council.

4.4.2

The purposes of such consultation shall be to explain the reasons why reduction is necessary, to explore the equities of the situation, including consideration of the best interests of the University and due consideration for the faculty members involved, and to attempt to arrive at an alternative solution. If no alternative is practicable and a position must be so discontinued, such a position shall not be filled for a period of two years unless the released faculty member has been offered reappointment and has declined.

4.4.3

If the appointment of a faculty member with tenure is terminated by the University, one year's notice shall be given except in cases of termination for cause involving serious immediate injury to the University.

4.5

**Obligations of Tenure**

A faculty member having the rights and privileges of tenure shall in turn have the continuing obligation to maintain and improve professional competence to render efficient service to the University. Faculty members may accept an assignment to administrative duties and position without interrupting or impairing their tenure, but tenure shall apply only to their rank and service on the faculty, an administrative assignment being subject to change at any time by authority of the President.

4.6

**Retention of Existing Rights**

Nothing stated herein shall be interpreted to affect adversely rights acquired by faculty members under previously existing tenure policies at the University of Miami.

5.0

**ACADEMIC FREEDOM**

All members of the General Faculty are entitled to academic freedom as defined in the 1940 Statement of Principles of Academic Freedom and Tenure, as amended, formulated by the Association of American Colleges and the American Association of University Professors. This statement is reproduced on pp. xx of the *Manual*.

6.0  
**SCHOLARLY AND PROFESSIONAL QUALIFICATIONS  
OF THE FACULTY**

6.1  
**Mission of the Faculty**

The basic functions of a university are to preserve, augment, criticize and transmit knowledge and to foster creative capacities. Its chief instrument for performing these functions is the faculty, and its success in doing so depends on the quality of the faculty. The policy of this University is to enlist, develop and retain distinguished faculty members with outstanding qualifications.

6.2  
**Requirement for Scholarship**

Scholarship embraces inquiry, research, and creative professional performance and activity. Scholarship is required for effective teaching and is the obligation of all members of the faculty. Scholarship may be judged by the character of the advanced degree, by contributions to knowledge in the form of publication and instruction, by reputation among other scholars and professional persons, and by the performance of students.

The scholarly function of a university requires the appointment of faculty members devoted to inquiry and research. Among the criteria for evaluating research are publication of books by nationally recognized presses, and of articles and reviews of a scholarly nature in books, periodicals and technical reports nationally recognized in the profession; the directing of scholarly work by students working on advanced degrees; the receipt of professional awards and fellowships; membership on boards and commissions devoted to inquiry; and the judgment of professional colleagues.

Scholarship may be demonstrated by significant achievement in an art related to a faculty member's discipline, such as creative works, original designs, or original procedure. National recognition of such activities is demonstrated: by commissions, awards and prizes from nationally recognized bodies; by performances with nationally recognized companies; by invited presentations, exhibitions, lectures and performances before nationally recognized bodies; by invitations to teach master classes or lead intensive workshops at nationally recognized institutions; and by reviews of performance and creative works in nationally recognized journals, magazines and newspapers.

Promotion, tenure, and merit salary increases should recognize these scholarly achievements. Whenever possible, Chairs shall reduce other duties for those faculty engaged in these activities.

6.3  
**Teaching**

The educational function of a university requires the appointment of faculty who are effective teachers. Among the meant to evaluate teaching effectiveness are: 1) the informed judgment of colleagues; 2) the performance of students; and 3)

qualified student opinion. Promotion, tenure, and merit salary increases should recognize outstanding achievements in teaching.

6.4

**University Service and Administration**

Contributions to committee and administrative activities are recognized as furthering the University's educational function.

6.5

**Recognition of Degrees**

To ensure that faculty members are appropriately qualified, the University of Miami recognizes degrees from universities which are accredited within the United States by the appropriate accrediting association. Other degrees will be individually evaluated.

6.6

**Scholarly and Professional Qualifications  
for Each Rank of the Regular Faculty**

6.6.1

**Assistant Professor**

Appointment to the rank of assistant professor requires completion of professional training, in most fields marked by the Ph.D., and the clear promise of a successful career in teaching and scholarship. Appointment to the University Faculty requires a terminal degree. This requirement may be waived by the President upon recommendation of the Provost.

6.6.2

**Associate Professor**

Appointment to the rank of associate professor normally requires a record of substantial success in both teaching and scholarship. In unusual cases an outstanding record in one of these activities and an adequate record in the other may be considered sufficient.

6.6.3

**Professor**

Appointment to the rank of professor requires national recognition in the profession.



7.0  
DEFINITIONS FOR PROCEDURES FOR THE  
APPOINTMENT, REAPPOINTMENT, PROMOTION,  
AND AWARD OF TENURE

7.1

The *Faculty Charter* in section XII calls for consultation with the voting faculty of the department in recommendations from the department on faculty appointments, reappointments, promotions and award of tenure. Such consultations shall be conducted in accordance with this Bylaw.

7.2

Definitions

For purposes of Sections 7-10 of this Bylaw, the following definitions shall apply:

7.2.1

The term department means either a department or a school in the case of an undepartmentalized school.

7.2.2

In an undepartmentalized school the term Dean encompasses the role of the Chair.

7.2.3

The term appropriate faculty means the Regular Faculty of the department in which the appointment is made.

7.2.4

The voting faculty for tenure are those tenured faculty equal or superior in rank to the candidate and for promotion those tenured faculty superior in rank to the candidate.

7.2.5

A person under consideration for appointment, reappointment, promotion or tenure is termed a candidate.

7.3

Voting Rights

No person may vote at more than one level of review on questions of appointment, reappointment, promotion or tenure.

Faculty members who devote more than fifty percent personal effort to administrative duties other than departmental and whose duties may involve the review of candidates, shall not participate in the vote of a department with regard to any recommendation for promotion or the award of tenure.

8.0  
INITIAL APPOINTMENT

8.1

The entire Regular Faculty of a department are entitled to vote on each new appointment. In periods of recess, in summer sessions, and in departments with thirty-five or more members a committee of at least five members of the voting faculty shall be appointed, at the discretion of the Chair and in accordance with departmental bylaws, to vote on the candidate.

8.2

The voting faculty shall have an opportunity to review supporting materials of the candidate. In addition, when candidates are brought to campus, the voting faculty shall have a reasonable opportunity to interview and to attend a professional presentation by the candidate.

8.3

A Consultative Committee shall vote on the nominees by each committee member indicating the order of preference, if there is more than one nominee, and the disapproval of individual nominees. The numerical results of each member's ordered preferences, recorded anonymously, shall be reported by the committee to the appointing agent.

9.0  
REVIEW OF THE FACULTY FOR  
REAPPOINTMENT, PROMOTION,  
AND THE AWARD OF TENURE

9.1  
Notification of Standards and Procedures

9.1.1

At the time of initial appointment, each faculty member shall be advised in writing by the President of the substantive standards outlined in Section 6 above and of the procedures generally employed in decisions affecting reappointment, promotion, and tenure.

9.1.2

Special additional criteria may be adopted by departments, by vote of their tenured faculty and with the approval of the school faculty, and by schools by vote of their faculty. Such additional criteria shall not conflict with the *Faculty Manual*. Departments and schools shall consult with the Faculty Senate Council to determine whether such additional standards conform to the *Faculty Manual*. Following certification of the Faculty Senate Council, copies of such special additional criteria shall be provided the Dean and the President.

9.1.3

Each faculty member shall be advised in writing by the Chair of any additional criteria at the time of initial appointment, at the time of their aoption, and before any major review.

9.2  
Review of the Faculty

In accord with established University policies, a systematic annual evaluation is made of every faculty member, tenured and untenured. Such evaluations are implemented by the Chair observing the guidelines, standards and rights established in Article XII, Sections 12.3 and 12.4 of the *Faculty Charter*. Reappointment, promotion, merit salary increases, and the award of tenure are based on such reviews. Upon completion of this evaluation, in accordance with the procedures described below, the Chair discusses the results with each faculty member and, in the event of unsatisfactory performance, the Chair shall counsel the faculty member as to how to correct any deficiencies. In the extreme case where there appear to be grounds for termination for cause, the provisions of Section XX of the University Faculty and Tenure Policy shall be observed. Each Dean reports annually to the President when the review of all members of the faculty has been completed consistent with established University procedures.

9.3  
Types of Review

The Regular Faculty of each school and department undertakes two types of review of the performance of its members:

*Annual Reviews* of each individual's accomplishments for the purposes of salary increases; and

*Special Reviews* for the purposes of reappointment, promotion, and the award of tenure.

The Research and Educator Faculty of each school are subject to Annual Reviews and Special Reviews for the purposes of reappointment and promotion.

9.4  
Faculty Files

The file of the candidate shall be the basis for the deliberations at each state of the reviews.

Each faculty member shall be responsible for maintaining a current statement of his professional activities, arranged according to customary practices and university requirements. This file shall include evidence of: a) educational attainments; b) awards and fellowships; c) funded research projects; d) publications, papers, performances and other scholarly contributions to the profession; e) services to the profession in scholarly bodies and in university agencies; and f) public service to the community relating to scholarship and the profession.

Prior to any faculty consultation or vote, candidates shall have an opportunity to make current their files in the office of the Chair, as described in Bylaw 12.5.

The Chair shall make available to the appropriate voting faculty all relevant materials from the files of each candidate.

9.5  
Annual Reviews

Each tenured and untenured member of the faculty shall be reviewed annually by the appropriate faculty based upon a systematic evaluation of the past year's work.

9.5.1

For untenured faculty, the Chair shall discuss the results of the Annual Review with each faculty member, and, following this discussion, the Chair shall prepare a written statement summarizing the review. This statement shall be placed in the file and shall be made available to the faculty member who may prepare a response to be included in the file.

9.5.2

The Annual Review is complete when the Dean advises the Provost of recommended salary increases.

9.6  
Special Reviews

A more complete review is required: i) in the year prior to reappointment of a faculty member holding a tenure earning appointment; ii) when promotion to associate professor or professor is to be considered; and iii) in the year prior to the award of tenure. Each Special Review shall be conducted as follows:

9.6.1  
Teaching Evaluation

The file of candidates for reappointment, promotion to associate professor, and tenure shall include the an assessment of classroom teaching made by the appropriate voting tenured faculty on the basis of classroom visitation by peers and, where appropriate, an interpretation of the results of formal student evaluations by the Chair. The faculty of each college and school is authorized to develop procedure governing the peer review and classroom visitations by faculty who are evaluating the teaching of non-tenured members.

9.6.2  
External Letters

The file of a candidate for tenure or for promotion to full professor shall include at least three written evaluations of the scholarly work of the candidate solicited from scholars specializing in the field of work who hold tenured positions at comparable universities.

Such letters are solicited by the Chair following consultation with the candidate and the appropriate voting faculty. The content of letters requesting written evaluations shall be prepared with the approval of the appropriate voting faculty and shall be shown to the candidate. Letters of evaluation are confidential, but such letters may be seen by anyone directly concerned in making the promotion or tenure decision.

Copies of each letter used to solicit external reviews shall be included in the candidate's file. The Chair shall supply the voting faculty and the Dean with a list of external reviewers, indicating how and why each was selected. If outside letters are solicited from reviewers recommended by the candidate, the nature of any relationship shall be indicated. Candidates shall be permitted to identify persons who are thought to be unsuitable external reviewers and the reasons for that judgment.

Exceptions to the need for written external evaluations of the candidate's scholarly work may be made when such letters would not add materially to the candidate's file.

9.6.3  
Evaluation Committee

After consultation with the appropriate voting faculty, the Dean, upon recommendation of the department, shall appoint an Evaluation Committee consisting of at least five tenured faculty superior in rank to the candidates. They shall be chosen because their research and scholarly activities enable them to assess the candidates'

contributions to knowledge. The committee should include faculty from cognate departments or schools, but the Chair of the Committee and a majority of its members should be from the department of the candidate. When there is good reason to appoint a majority or Chair of the Evaluation Committee from outside the department or school, the Dean shall advise the candidate, the Senate Council, and the President of the justification.

#### 9.6.4

##### Formal Written Evaluation.

The Evaluation Committee shall examine the complete work of the candidate. On the basis of this examination, the Committee shall prepare a detailed written evaluation of the candidate's contribution to knowledge and to the profession. The Committee shall then state whether, in its judgment, reappointment, promotion, or award of tenure is justified. The candidate, the appropriate voting faculty, and the Chair shall be entitled to examine the report. Any of these can, for cause, ask the Committee to reconsider its evaluation.

#### 9.6.5

##### Candidate's Statement

Candidates may present a written career assessment providing the rationale of their work and the significance of their contribution to knowledge and the profession.

#### 9.7.

##### Faculty Vote

The appropriate voting faculty shall be assembled to consult on the candidate. Notice of the meeting shall be in writing, shall provide adequate notice of the date and agenda of the meeting, and shall include the names of candidates under consideration.

#### 9.7.1

After systematic examination of the file, including any Evaluation Committee report, and after deliberation, the voting faculty shall determine by ballot for each candidate whether to recommend reappointment, promotion or tenure. The ballots shall be counted by two designated members of the voting faculty and the results of the ballot announced to the electorate. Following this announcement, the Chair shall prepare a written statement of the views of the voting faculty which shall be circulated to the voting faculty prior to its transmission to the Dean.

#### 9.7.2

Absentee ballots shall not be counted unless they have been submitted prior to the meeting called to consider candidates for tenure, promotion, and appointment. The electorate shall be informed of the numerical results of the ballot.

9.8  
Role of the Chair.

9.8.1

The Chair shall prepare and forward a written summary of the recommendation of the voting faculty and a numerical tally of the ballot with the file of the candidate.

9.8.2

The Chair shall not participate in the ballot of the voting faculty, but shall provide a separate recommendation supported by a written evaluation of each candidate. The Chair should make reference to the performance of the candidate in terms of the Annual Reviews and any prior Special Reviews.

9.8.3

The Chair shall forward with the file of the candidate all materials that were considered, the recommendation of the Chair, and the written summary of the voting faculty.

9.8.4

Subsequent to the meeting of the voting faculty, the voting faculty and each candidate shall be informed promptly by the Chair of the relevant recommendations of the voting faculty and of the Chair.

9.9  
Actions of the Dean

In a departmentalized School, the Dean shall, after reviewing in a written statement the file of each candidate, make a recommendation to the President with regard to each candidate.

9.9.1

School Advisory Boards

In departmentalized schools where Deans do not perform the role of Chair in the Annual and Special Reviews, the Faculty of the School may enact a bylaw establishing an Advisory Board consisting of tenured full professors to assist in the review of all candidates for reappointment, promotion and tenure in the School. The bylaw shall prescribe the number, composition and method of selecting the members of the board. Advisory Boards shall examine all the material forwarded by the department and the Chair and shall prepare a written report explaining the reasons for their recommendations. This report shall be included in each candidate's file along with all other materials and forwarded to the Dean. Recommendations of any advisory group not established in accordance with this provision may not be cited or placed in the file of the candidate.

9.9.2

The Dean shall forward the files of all candidates together with the recommendations of the Chair and the voting faculty, and the report of the Advisory Board.



MEMORANDUM

TO: All Voting Members of the University Faculty  
FROM: George C. Alexandrakis *GCA*  
Chairman, Faculty Senate  
DATE: December 4, 1989

Dear Colleagues:

The legislation on the reverse side of this sheet and the attached sheets is Class A Legislation, consisting of proposed revisions to the **Faculty Charter**. This legislation is submitted for your approval in accordance with the requirement that the Faculty ratify all amendments to the **Charter** before they are presented to the Board of Trustees for their action. All items have been approved by the Faculty Senate and by President Foote. Other current legislation related to these Class A amendments is noted for your information.

All Class A amendments refer to the most recent edition (1985) of the *Faculty Manual*, pp. 13-28. Item 1 replaces the current requirement for annual consideration for promotion with a provision that faculty will be considered for promotion upon request. Item 2 places in the **Charter** the present four-year evaluation of Deans. Item 3 removes two committees from the **Charter** and places them in the Bylaws, consistent with the practices for other committees. Item 4 is designed to make the **Charter** consistent with new Class B Legislation regarding "Policy on Faculty Status, Titles, Appointment, Reappointment, Promotion and the Award of Tenure." This Class B Legislation, which has been approved by the Senate and the President, replaces Sections 3.11 and 3.12 of the Bylaws, Section V of the Bylaws, and pages 51 through 63 of the *Faculty Manual*. The complete text of this Class B legislation has been sent to your Dean and your Department Chair and is available for your review.

Please return this ballot to the Faculty Senate Office, Ashe 325, no later than January 26. If you have any questions concerning the legislation, please do not hesitate to call the office of the Faculty Senate at 284-3721.

GCA/b

Attachments



## BALLOT

4. Faculty Senate Legislation #87001(A) -  
Definitions of Faculty Titles

APPROVE

DISAPPROVE

### II. DEFINITIONS

**Current**

**Language 2.1**

The University faculty consists of the President, the vice presidents holding professorial appointments, the academic deans, the professors, the associate professors, the assistant professors and the instructors, whether serving in teaching, research, or administrative appointments, whether serving part-time or full-time and whether serving in an active or an emeritus capacity. The President of the University is the presiding officer of the University faculty.

**Proposed**

**Language 2.1**

*The General Faculty shall consist of the University Faculty and the Associated Faculty.*

*The University Faculty shall consist of the President, the Provost and Executive Vice President, the academic deans, the Regular, Research and Educator Faculty.*

*The Regular Faculty shall consist of all faculty having tenured or tenure-earning appointments and holding the rank of Professor, Associate Professor, or Assistant Professor.*

*The Research Faculty shall consist of those faculty whose major function is to conduct research in the academic units of the University and who hold the rank of Research Professor, Research Associate Professor, or Research Assistant Professor. Research Faculty shall not hold tenured or tenure-earning appointments.*

*The Educator Faculty shall consist of those clinicians who hold the rank of Professor, Associate Professor, or Assistant Professor, who serve in the clinical programs of the University, and whose title consists of a rank and discipline prefixed by "Clinical" (e.g., Professor of Clinical Surgery, Professor of Clinical Nursing). Educator Faculty shall not hold tenured or tenure-earning appointments.*

*The Associated Faculty are all faculty with professorial titles prefixed by Clinical (e.g., Clinical Professor of Surgery), Adjunct, Visiting, and Affiliated, Lecturers, and Instructors. Additional titles for Associated Faculty may be created by a special Bylaw defining the title.*

**Current  
Language 2.2**

The voting members of the University faculty are those members of the University who (1) hold the rank of professor, associate professor, assistant professor, or instructor, (2) serve full-time in their appointments at the University of Miami, and (3) devote at least half-time to teaching or research duties, or other activities of an academically related nature. Research professors, research associate professors, research assistant professors, and research instructors, meeting the preceding requirements, are considered voting members of the University faculty with the exception of ratification of Class A legislation. For the ratification of Class A legislation, only faculty with unmodified rank, otherwise qualified, are eligible to vote.

**Proposed  
Language 2.2**

*The Regular Faculty are entitled to vote on all matters for which they are qualified by rank and tenure status.*

*The Research and Educator Faculty are entitled to vote on all matters for which they are qualified with the exception of appointment, reappointment, promotion, the award of tenure, evaluation of the Chair and Dean, and ratification of Amendments to the Faculty Charter.*

*The University Faculty of each school are the President, Provost, Dean of the school, and the University Faculty holding appointments in the school.*

*Members of the University Faculty may vote only once on a single question. Persons holding appointive administrative office may not vote on any matter which is subject to or may be reviewed by their office.*

**Current  
Language 2.4  
(Delete)**

The voting members in a department or school are those voting members of the University faculty holding at least half-time (as specified in the annual renewal of appointment) appointments in the department or school. A voting member of the University who holds half-time appointments in two departments or two schools, excluding the Graduate School, shall in a written statement to the Secretary of the Senate, elect one department or school for all voting privileges.

REVISION OF BYLAW

SECOND COUNT

Legislation # 84012 (A)	Approved	<u>261</u>
	Disapproved	<u>26</u>
Legislation # 84014 (A)	Approved	<u>279</u>
	Disapproved	<u>10</u>
Legislation # 86001 (A)	Approved	<u>256</u>
	Disapproved	<u>24</u>
Legislation # 87001 (A)	Approve	<u>259</u>
	Disapproved	<u>34</u>

Total Number of Ballots Received 291



**FILE COPY**

March 19, 1990

Edward T. Foote II  
President  
University of Miami

Dear Mr. President:

It gives me great pleasure to inform you that the Faculty has, by ballot, approved amendments # 84012, 84014, 86001, 87001 to the Faculty Charter. Please submit this legislation to the Board of Trustees for their action.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "GCAlexandrakis". The signature is written in a cursive style with a horizontal line underlining the name.

George C. Alexandrakis  
Chair, Faculty Senate

GCA/ca

cc Provost Glaser  
Ms. Dorothy Ball  
Assistant Secretary of the University