

MEMORANDUM

To: Donna E. Shalala, President

From: Jane E. Connolly *Jane*
Chair, Faculty Senate

Date: 28 March 2003

Subject: Faculty Senate Legislation #2002-17(B) – Amendment to section C12 of the Faculty Manual (Review of the Faculty for Reappointment, Promotion, and the Award of Tenure)

The Faculty Senate, at its 26 March 2003 meeting, voted to approve an amendment to section C12 of the Faculty Manual to help clarify areas that have caused great confusion. The major revisions include: 1) Creation of an independent section for the annual salary review by the chair. It makes no sense to include the salary review in the section on Reappointment, Tenure and Promotion, since these are actions that require reviews of the faculty by the faculty and salary review is a purely administrative action; 2) Separation of materials for review (candidate's file) and the steps for the review (process); 3) Sequential reordering of the procedures; 4) Clarification of the difference between the (optional) Evaluation Committee and the Ad Hoc Evaluation committee required for small departments in certain conditions; 5) Addition of Research/Educator/Librarian Faculty to the reappointment and promotion process; 6) Addition of the roles of the President and the Provost in the tenure process. As the current section stands, the Provost has no role, and the President only has a role in negative decisions; and 7) Consistency of language and actions, both within the section and with the language and actions in the charter.

Since many of the changes are reordering, it is very difficult to follow the document in strikethrough and underline format. Therefore, enclosed for your review and reference is the revised version, the current procedures, and other sections of the Manual that are relevant to the process for reappointment, tenure and promotion.

This legislation is now forwarded to you for your action.

Should the legislation pass we would renumber current sections of the Faculty Manual as appropriate. We would also ask that when these changes are communicated to the deans, they be informed that their schools may need to revise their bylaws. If they have any questions they may contact the Senate office.

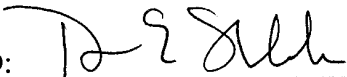
JC/kl

cc: Luis Glaser, Executive Vice President and Provost

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CAPSULE: Faculty Senate Legislation #2002-17(B) – Amendment to section C12 of the Faculty Manual (Review of the Faculty for Reappointment, Promotion, and the Award of Tenure)

PRESIDENT'S RESPONSE

APPROVED:  DATE: 4/3/02
(President's Signature)

OFFICE OR INDIVIDUAL TO IMPLEMENT: Vice Provost Allman

EFFECTIVE DATE OF LEGISLATION: _____
(if other than June 1 next following)

NOT APPROVED AND REFERRED TO: _____

REMARKS (IF NOT APPROVED): _____

Revised version as approved by the Faculty Senate

C12. ANNUAL SALARY REVIEW

In accordance with Section A14.5 of the Faculty Government Charter, the chair of each department or the dean of a non-departmentalized school shall review annually each tenured and untenured member of the faculty. Such reviews shall be based upon a systematic evaluation of the past year's work. The chair shall discuss this review with each faculty member. The faculty member may request, and shall then receive, a written summary of this review and any available previous years reviews. In the event of unsatisfactory performance, the chair shall counsel the faculty member with regard to ways of correcting any deficiencies. Each dean shall report annually to the Executive Vice President and Provost when the review of all members of the faculty has been completed consistent with established University procedures. The Annual Review is complete when the dean advises the Executive Vice President and Provost of recommended salary increases.

C13 REVIEW OF THE FACULTY FOR REAPPOINTMENT, PROMOTION, AND THE AWARD OF TENURE

C13.1 Notification of Standards and Procedures

(a) At the time of initial appointment, each faculty member shall be advised in writing by the Executive Vice President and Provost of the substantive standards outlined in Section C9 of these Policies and of the procedures generally employed in decisions affecting reappointment, promotion, and tenure as outlined in Section C13 of these Policies.

(b) Special additional standards may be adopted in departments by the appropriate voting faculty and with the approval of the school faculty, and in schools by the appropriate voting faculty. Such additional standards shall not conflict with the Faculty Manual. Departments and schools shall consult with the Faculty Senate to determine whether such additional standards conform to the Faculty Manual. Following certification by the Faculty Senate of non-conflict, copies of such special additional standards shall be provided to the dean and the President.

(c) Each faculty member shall be advised in writing by the chair of any additional standards applicable to that faculty member at the time of initial appointment and at the time of their adoption.

C13.2 Types of Review

The REGULAR FACULTY of each school and department undertakes two types of review of the performance of its members: (1) ANNUAL REVIEWS of individuals holding tenure-earning appointments for the purpose of reappointment and assessment of progress toward tenure and/or promotion; and (2) SPECIAL REVIEWS for the purposes of promotion and/or tenure, as well as for the mid-probationary period reappointment of individuals holding tenure-earning appointments. The RESEARCH FACULTY, the EDUCATOR FACULTY, the LIBRARIAN FACULTY and the ASSOCIATED FACULTY of each school are subject to Annual Reviews and Special Reviews for the purposes of reappointment and promotion. Such reviews shall be undertaken by the REGULAR FACULTY, except as provided in Section A3 of the Faculty Government Charter. Such reviews shall be carried out by the processes set forth in C13.

C13.3 Faculty Files

The file of the candidate shall be the basis for the deliberations at each stage of the reviews. Faculty members shall be responsible for maintaining a current statement of professional activities, arranged according to customary practices and university requirements. This file shall include evidence of: (1) educational attainments; (2) awards and fellowships; (3) funded research projects; (4) publications, papers, performances and other scholarly contributions to the profession; (5) outstanding achievement in teaching; (6) services to the profession in scholarly bodies and in university activities; and (7) public service to the community related to scholarship and the profession. Specific requirements for candidate's files for SPECIAL REVIEWS are described in Section C13.5(a) of these Policies. Prior to any faculty review or vote, candidates shall have an opportunity to make current their files in the office of the chair, as provided in Section A14.4 of the Faculty Government Charter. The chair shall make available to the voting faculty all relevant materials in the file of each candidate.

C13.4 Annual Reviews

All individuals holding tenure-earning appointments shall be evaluated annually by the voting faculty for the purpose of reappointment. All RESEARCH FACULTY, EDUCATOR FACULTY AND LIBRARIAN FACULTY shall be evaluated by the voting faculty for the purposes of reappointment during each year when their contracts are considered for renewal. After systematic review of each candidate's file and after deliberation, the voting faculty shall determine by ballot whether to recommend the reappointment of each candidate. Absentee ballots shall not be counted unless they have been submitted prior to the balloting. The chair shall prepare a written summary of the discussion, which will be circulated to the voting faculty for their comment. The Chair shall transmit to the candidate the faculty views as contained in the summary as well as the Chair's own views. Copies of the summary and of a statement of the Chair's views shall then be placed in the faculty member's file and given to the faculty member, who may prepare a written response for the file.

C13.5 Special Reviews

A more complete review is required: (1) at the beginning of the candidate's fourth year for the mid-probationary period reappointment of a faculty member holding a tenure-earning appointment; (2) when promotion to associate professor or professor is to be considered; (3) in the year prior to the end of the probationary period; and (4) in the next-to-last year prior to reappointment of a member of Faculty holding a multiyear appointment.¹ Each Special Review shall be conducted as described below.

(a) CANDIDATE'S FILE. The file of a candidate for mid-career reappointment, promotion and tenure will ordinarily include the following:

(i) TEACHING EVALUATION. The file of a candidate for reappointment, promotion and tenure shall contain an assessment of teaching performance. For promotion to associate professor and for tenure, except for initial appointments and cases in which teaching has not been part of the duties of the candidate, the file shall include an assessment of teaching made by the appropriate voting faculty on the basis of observation, and a summary and interpretation of the results of student evaluations. The faculty of each school and college is authorized to develop procedures governing the peer review and classroom visitations by tenured faculty who are evaluating the teaching of non-tenured faculty members.

(ii) EXTERNAL LETTERS. The file of a candidate for tenure or for promotion 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 positions of comparable or higher rank to that which the applicant aspires at major universities or research institutions. These letters are solicited by the chair following consultation with the candidate and the appropriate voting faculty. Candidates shall be permitted to identify persons who are thought to be unsuitable external reviewers and the reasons for that judgment. If outside letters are solicited from reviewers recommended by the candidate, the nature of any relationship shall be indicated. The chair shall supply the voting faculty and the dean with a list of the external reviewers, indicating how and why each was selected. 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. A copy of each letter used to solicit external reviews shall be included in the candidate's file. Letters of evaluation are confidential, but they may be seen by anyone directly concerned in making the promotion or tenure decision. In the case of LIBRARIAN FACULTY 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.

(iii) CANDIDATE'S STATEMENT. Candidates are encouraged to present a written career assessment providing the rationale for their work and describing the significance of their contribution to knowledge and the profession.

(iv) EVALUATION OF SERVICE IN THE LIBRARIES. The file of each candidate in the Libraries for promotion, tenure, or the award of a five-year term appointment shall contain an assessment of service in the Libraries.²

¹ #89013(B)

² #89013(B)

(b) REVIEW PROCESS. The review process shall proceed as follows:

(i) REQUEST FOR REVIEW. In accordance with Section A14.3 of the Faculty Government Charter, any faculty member wishing to be considered for promotion must make this request in writing. A written request is not required for the mid-career reappointment or for consideration of tenure during the last year of the probationary period.

(ii) AD HOC REVIEW COMMITTEE. In the case of departments with fewer than five faculty eligible to vote on a candidate, *Ad Hoc* Review Committees shall be established for each candidate in the department. The Committees shall be appointed in the manner provided for in the School's bylaws, but, in all events, shall have five members consisting of (1) such voting faculty in the department as the bylaws provide and (2) up to five faculty from related disciplines preferably from within the School, otherwise from the University whose research and scholarly activities will enable them to assist in evaluating the candidate. The dean shall appoint *Ad Hoc* Review Committees and shall advise the candidates, the Senate and the Executive Vice President and Provost of the appointment of all such Committees. *Ad Hoc* Review Committees shall be chaired, wherever possible, by a member of the department. If it is likely that an *Ad Hoc* Review Committee will be needed when a member of the department becomes a candidate for reappointment, promotion or tenure, the Committee should be established at the time of the candidate's appointment or as far in advance of the evaluation as is practicable. The *Ad Hoc* Review Committee shall perform the function of the voting faculty as outlined below.

(iii) EVALUATION COMMITTEE. Each School may provide, through a bylaw, for the establishment of an Evaluation Committee in each department of the School with ten or more faculty eligible to vote on candidates for reappointment, promotion or tenure. A School may delegate to each department the decision whether to establish such a Committee. The Committee shall assist the voting faculty of the department in assessing the qualifications of the candidate. 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, the chair and the dean shall be entitled to examine the report. If in the judgment of the Committee or the department faculty any of these persons can show good cause why the Committee should reconsider its decision, the Committee shall promptly do so. Prior to any vote by the faculty of the department the candidate shall have the right to submit a written statement in response to the Committee's report and that statement shall be part of the candidate's file available to the voting faculty.

(iv) FACULTY VOTE. The appropriate voting faculty, or the *Ad Hoc* Review Committee when one is required, shall be assembled to consult on the candidate. Notice of the meeting shall be in writing and shall include the names of candidates under consideration. The meeting shall be noticed sufficiently in advance to provide faculty members adequate time to review the candidates' files. 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 summary of the recommendation of the voting faculty which shall be circulated to the voting faculty for concurrence on its accuracy prior to its transmission to the dean. Absentee ballots shall not be counted unless they have been submitted prior to the balloting.

(v) **ROLE OF THE CHAIR.** 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. The chair shall forward with the file of the candidate all materials that were considered in the Special Review, the recommendation of the chair, the approved written summary of the recommendation of the voting faculty, and the numerical tally of the ballot. 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.

(vi) **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 a school faculty Advisory Board 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. No non-tenured member may vote on a tenure question. Advisory Boards shall examine all the material forwarded by the department and the chair and shall prepare a written report indicating their recommendation and explaining the reasons. This report shall be included in each candidate's file along with all materials received by the Board 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.

(vii) **ACTIONS BY THE DEAN.** In a departmentalized school, the dean shall, after reviewing the file of each candidate, make a recommendation and prepare a written statement with regard to each candidate. The dean shall forward to the Executive Vice President and Provost the files of all candidates together with the recommendations of the chair, the voting faculty, and the report of any Advisory Board. The dean's written statement and recommendation shall be included in each candidate's file and forwarded to the Executive Vice President and Provost together with all materials considered in the Special Review.

(viii) **ACTIONS BY THE PROVOST.** The Provost, as authorized by the President, makes all decisions regarding reappointments and promotions. After reviewing each candidate's file, the Provost shall notify each candidate of a decision regarding reappointment or promotion. When the decision is against promotion and there is a positive recommendation from the voting faculty, the Provost should explain the reasons for this decision in writing to the dean. The candidate should be counseled by the chair or the dean on what should be done to secure promotion. The Provost makes recommendations to the President regarding

tenure decisions. When the recommendation is negative, the Provost shall inform the faculty member in writing no later than 15 January. The faculty member may, within thirty days, request a review of this recommendation by the Tenure Review Board (B4.12).

(ix) ACTIONS BY THE PRESIDENT. With regard to tenure decisions, after reviewing each candidate's file, the President makes recommendations to the Board of Trustees. Following a decision by the President not to recommend a candidate for tenure in the final Special Review, the voting faculty of the department, the Dean of the school, the Provost or the Tenure Review Board may recommend to the President that the decision be reconsidered during the notice year. Such a further Special Review may be conducted only when there is a significant indication that the candidate's record will improve during the notice year. Upon the agreement of the President, the Provost shall ask the appropriate Dean, Chair and department faculty to conduct a further Special Review of the candidate in the notice year.³

C14 TRUSTEE AUTHORITY IN TENURE

Tenure may be earned only by a considered action of the University. The Board of Trustees is the final authority for the award of tenure. The award or denial of tenure shall be directly communicated to the candidate by the Executive Vice President and Provost immediately following the completion of the tenure process. If tenure is denied to a faculty member in the final year of the probationary period, the faculty member shall receive at least twelve (12) months notice prior to the expiration of the appointment.

³ #91010(B)

Current Faculty Manual version

C12 REVIEW OF THE FACULTY FOR REAPPOINTMENT, PROMOTION, AND THE AWARD OF TENURE

C12.1 Notification of Standards and Procedures

(a) At the time of initial appointment, each faculty member shall be advised in writing by the Executive Vice President and Provost of the substantive standards outlined in Section C9 of these Policies and of the procedures generally employed in decisions affecting reappointment, promotion, and tenure.

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

(c) Each faculty member shall be advised in writing by the chair of any additional standards at the time of initial appointment, at the time of their adoption, and before any major review.

C12.2 Review of the Faculty

In accord with established University policies, a systematic annual evaluation is made of every faculty member, tenured and untenured. These evaluations are implemented by the chair observing the guidelines, standards and rights established in Section A14 of the Faculty Government Charter. Each Faculty may adopt such procedures as are appropriate to the School, consistent with the Faculty Government Charter and with the criteria defined in Section C9 of these Policies. Reappointment, promotion, merit salary increases, and the award of tenure are based on these reviews. Upon completion of the 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 ways of correcting any deficiencies. In the extreme case where there appear to be grounds for termination for cause, the provisions of Section C14 of these Policies shall be observed. Each dean reports annually to the Executive Vice President and Provost when the review of all members of the faculty has been completed consistent with established University procedures.

C12.3 Types of Review

The REGULAR FACULTY of each school and department undertakes two types of review of the performance of its members: (1) ANNUAL REVIEWS of each individual's

accomplishments for the purposes of salary increases; and (2) SPECIAL REVIEWS for the purposes of reappointment, promotion, and the award of tenure. The RESEARCH FACULTY, the EDUCATOR FACULTY, the LIBRARIAN FACULTY and the ASSOCIATED FACULTY of each school are subject to Annual Reviews and Special Reviews for the purposes of reappointment and promotion. Such reviews shall be undertaken by the REGULAR FACULTY, except as provided in Section A3 of the Faculty Government Charter.

C12.4 Faculty Files

The file of the candidate shall be the basis for the deliberations at each stage of the reviews. Faculty members shall be responsible for maintaining a current statement of professional activities, arranged according to customary practices and university requirements. This file shall include evidence of: (1) educational attainments; (2) awards and fellowships; (3) funded research projects; (4) publications, papers, performances and other scholarly contributions to the profession; (5) services to the profession in scholarly bodies and in university agencies; and (6) public service to the community related 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 provided in Section A14.4 of the Faculty Government Charter. The chair shall make available to the voting faculty all relevant materials in the file of each candidate.

C12.5 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.

(a) 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.

(b) The Annual Review is complete when the dean advises the Executive Vice President and Provost of recommended salary increases.

C12.6 Special Reviews

A more complete review is required: (1) in the year prior to reappointment of a faculty member holding a tenure-earning appointment; (2) when promotion to associate professor or professor is to be considered; (3) in the year prior to the award of tenure; and (4) in the next-to-last year prior to the initial appointment or in the next-to-last year prior to reappointment of a member of the LIBRARIAN FACULTY holding a five-year term appointment.⁴ Each Special Review shall be conducted as follows:

⁴ #89013(B)

(a) TEACHING EVALUATION. The file of a candidate for reappointment, promotion and tenure shall contain an assessment of teaching performance. For promotion to associate professor and tenure the file shall include, except for initial appointments and cases in which teaching has not been part of the duties of the candidate, an assessment of classroom teaching made by the appropriate voting faculty on the basis of classroom visitation, and a summary and interpretation of the results of student evaluations. The faculty of each school and college is authorized to develop procedures governing the peer review and classroom visitations by tenured faculty who are evaluating the teaching of non-tenured faculty members.

(b) EVALUATION OF SERVICE IN THE LIBRARIES. The file of each candidate in the Libraries for promotion, tenure, or the award of a five-year term appointment shall contain an assessment of service in the Libraries.⁵

(c) 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. These 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 they may be seen by anyone directly concerned in making the promotion or tenure decision. A copy 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.

(d) EVALUATION COMMITTEE. Each School may provide, through a bylaw, for the establishment of an Evaluation Committee in each department of the School with five or more faculty eligible to vote on candidates for reappointment, promotion or tenure. A School may delegate to each department the decision whether to establish such a Committee. The Committee shall assist the voting faculty of the department to assess the qualifications of the candidate.

(e) AD HOC EVALUATION COMMITTEE. In the case of departments with fewer than five faculty eligible to vote on a candidate, *Ad Hoc* Evaluation Committees shall be established for each candidate in the department. The Committees shall be appointed in the manner provided for in the School's bylaws, but, in all events, shall have five-members consisting of (1) such voting faculty in the department as the bylaws provide and (2) up to five faculty from cognate disciplines within the University whose research and scholarly activities will enable them to assist in evaluating the candidate. The vote of the *Ad Hoc*

⁵ #89013(B)

Evaluation Committees shall be recorded and placed in the candidate's file. The dean shall appoint *Ad Hoc* Evaluation Committees and shall advise the candidates, the Senate and the Executive Vice President and Provost of the appointment of all such Committees. *Ad Hoc* Evaluation Committees shall be chaired, wherever possible, by a member of the department. If it is likely that an *Ad Hoc* Evaluation Committee will be needed when a member of the department becomes a candidate for reappointment, promotion or tenure, the Committee should be established at the time of the candidate's appointment or as far in advance of the evaluation as is practicable.

(f) 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, the chair and the dean shall be entitled to examine the report. If in the judgment of the Committee or the department faculty any of these persons can show good cause why the Committee should reconsider its decision, the Committee shall promptly do so. Prior to any vote by the faculty of the department the candidate shall have the right to submit a written statement in response to the Committee's report and that statement shall be part of the candidate's file available to the voting faculty.

(g) CANDIDATE'S STATEMENT. Candidates may present a written career assessment providing the rationale for their work and describing the significance of their contribution to knowledge and the profession.

(h) 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. 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 summary of the recommendation of the voting faculty which shall be circulated to the voting faculty prior to its transmission to the dean. Absentee ballots shall not be counted unless they have been submitted prior to the meeting called to consider candidates for reappointment, promotion and tenure. The electorate shall be informed of the numerical results of the ballot.

(i) ROLE OF THE CHAIR. 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. 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. The chair shall forward with the file of the candidate all materials that were considered in the Special Review, the

recommendation of the chair, and the written summary of the recommendation of the voting faculty. 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.

(j) 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 full professors to assist in the review of all candidates for reappointment, promotion and tenure in the school. Only tenured full professors may vote on the matter of tenure. 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 received by the Board 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.

(k) ACTIONS BY THE DEAN. In a departmentalized school, the dean shall, after reviewing in a written statement the file of each candidate, make a recommendation with regard to each candidate. The dean shall forward the files of all candidates together with the recommendations of the chair, the voting faculty, and the report of the advisory board. The dean's written statement and recommendation shall be included in each candidate's file and forwarded to the Executive Vice President and Provost together with all materials considered in the Special Review.

(l) ACTIONS BY THE EXECUTIVE VICE PRESIDENT AND PROVOST. The Executive Vice President and Provost, as delegated by the President, makes all reappointments and promotions. After reviewing each candidate's file, the Executive Vice President and Provost shall notify each candidate of a decision regarding reappointment or promotion. When the decision is against promotion and there is a positive recommendation from the voting faculty, the Executive Vice President and Provost should explain the reasons for this decision in writing to the dean. The candidate should be counseled by the chair or the dean on what should be done to secure promotion.

(m) REVIEW OF TENURE DECISION. Following a decision by the President not to recommend a candidate for tenure in the final Special Review, the voting faculty of the department or the Dean of the school, or the Tenure Review Board, or the Provost may recommend to the President that the decision be reviewed during the notice year. Such a review may be conducted only when there is a significant indication that the candidate's record will improve during the notice year. Upon the agreement of the President, the Provost shall ask the appropriate Dean, Chair and department faculty to conduct a further Special Review of the candidate in the notice year.⁶

C13 TRUSTEE AUTHORITY IN TENURE

⁶ #91010(B)

Tenure may be earned only by a considered action of the University. The Board of Trustees is the final authority for the award of tenure. The award or denial of tenure shall be directly communicated to the candidate by the Executive Vice President and Provost immediately following the completion of the tenure process. If tenure is denied to a faculty member in the final year of the probationary period, the faculty member shall receive at least twelve (12) months notice prior to the expiration of the appointment.

SECTIONS REFERRED TO PERTAINING TO REAPPOINTMENT, TENURE AND PROMOTION

A14 FACULTY APPOINTMENT, RETENTION, TENURE, PROMOTION, AND MERIT SALARY INCREASES

- A14.1 The primary responsibility in nomination for new appointments of the faculty that do not involve the immediate award of tenure rests with the chair of the department to which the appointment is made. Qualified members of the department faculty shall be consulted and the recommendations will ordinarily be made in conformity with the results of this consultation. At the discretion of the chair of the department, the responsibility for new appointments not involving the immediate award of tenure may be assigned to an appointed committee. Recommendations on appointments along with all supporting information shall be submitted by the chair to the Executive Vice President and Provost for decision, through the dean of the school. The dean of the school may also submit independent recommendations.
- A14.2 When a new appointment that involves the immediate award of tenure is favorably considered by a department chair, or when it is time to consider the renewal of a tenure-earning appointment to the faculty, or when it is time to consider the award of tenure to a faculty member, the following procedure shall apply. The tenured members of the department, equal or superior in rank to that of the candidate, shall vote on the matter. The vote shall be based on the scholarly and professional qualifications of the candidate as described in Section C9 of the Faculty Policies. The recommendation, including the numerical results of the vote, shall be transmitted through the dean of the school to the Executive Vice President and Provost. The chair and the dean shall also transmit their recommendations. All actions regarding tenure shall be taken in accord with the stated tenure policies of the University.
- A14.3 Any member of the faculty below the rank of Professor shall, upon written request, be considered for promotion as described in Section C13 of the Faculty Policies. The tenured members of the department and those members of the department authorized to vote on this matter in accordance with Section A3.1⁷ who are superior in academic rank to that faculty member shall decide whether to recommend the promotion. In this decision they shall take into account the qualifications for the several academic ranks described in Section C9 of the Faculty Policies. Promotion shall be based upon possession of these qualifications and not upon length of service. The department chair shall transmit a recommendation on promotion to the dean of the school along with supporting evidence, and may also transmit opinions. The dean shall attach a final recommendation and any additional information, and transmit to the Executive Vice President and Provost for decision.

⁷ [#2001-09\(A\)](#)

A14.4 It shall be the responsibility of each member of the faculty to maintain in the office of the department chair and in the office of the dean an active and current file containing all data pertinent to these decisions. The chair and the dean shall maintain these files in confidence, except as necessary for decisions on reappointment, tenure, or promotion or for review by the faculty committee on Rank, Salary and Conditions of Employment or the Tenure Review Board. The file in the office of the dean shall contain the annual recommendations of the faculty member's colleagues regarding promotion, the corresponding recommendations of the department chair and of the dean and the final decision; it shall also contain a continuing record of the faculty member's salary. Relevant materials from this file shall be forwarded to the Executive Vice President and Provost whenever promotion or the award of tenure is under consideration.

A14.5 Each year the chair of each department shall recommend, based upon systematic evaluation, each member of the department for merit salary increases. The chair shall then transmit recommendations to the dean of the school who shall, in turn, append recommendations and transmit to the Executive Vice President and Provost. The dean of the school shall recommend, based upon systematic evaluations, the salary increase merited by each department chair. The Executive Vice President and Provost shall then make the final recommendations, taking into account the differing philosophies of the chairs and deans as manifested by their recommendations.

A14.6 A faculty member may appeal an unfavorable decision regarding rank or salary in writing to the President via the Committee on Rank, Salary and Conditions of Employment. The President shall then request justification from the Executive Vice President and Provost. The President shall personally decide the matter.

B4.12 The TENURE REVIEW BOARD shall: (1) upon request by a member of the faculty within 30 days from receipt of notice of a denial of tenure award by the Executive Vice President and Provost certify to the President within 45 days⁴⁹ of the request whether or not in its opinion an unjust decision has been made, and provide written reasons for such opinion whether for or against the award of tenure based upon criteria and requirements of the Faculty Manual and upon the proposition that tenure is to be granted on the basis of the professional qualifications described in Section C9 of the Faculty Policies and is not to be limited by artificial restrictions such as quotas in its deliberations; (2) determine the rules and procedures for such hearings; (3) report to the Committee on General Welfare any evidence of gross injustice in matters pertaining to the award or denial of tenure; (4) recommend to the Senate legislation on matters pertaining to tenure; and (5) submit an annual report of its activities to the Senate. The Committee shall forward to the Chair of the Faculty Senate a copy of its recommendation to the President. The President shall communicate his decision on each recommendation to the faculty member concerned, to the chair of the committee and to the Chair of the Faculty Senate.⁵⁰

C9 SCHOLARLY AND PROFESSIONAL QUALIFICATIONS OF THE FACULTY

C9.1 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.

C9.2 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 professionals, 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 the publication of books by nationally recognized presses and of articles and reviews of a scholarly nature in books, periodicals, technical reports, and other forms of publication⁸ nationally recognized in the profession; the direction of scholarly work by students working on advanced degrees; 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 procedures. National recognition of such activities is demonstrated by: commissions, awards and prizes from nationally recognized bodies; performances with nationally recognized companies; invited presentations, exhibitions, lectures and performances before nationally recognized bodies; invitations to teach master classes or lead intensive workshops at nationally recognized institutions; and 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 faculty engaged in these activities.

C9.3 Teaching

⁸ #89013(B)

The educational function of a university requires the appointment of faculty who are effective teachers. The means of evaluating 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.

C9.4 University Service and Administration

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

C9.5 Service in the Libraries

Service responsibilities in the libraries includes; reference and research assistance to the University community; selection, acquisition, and evaluation of library resources; bibliographical control of library materials; instruction in the use of the library and its resources; and management of library services.⁹

C9.6 Recognition of Degrees

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

C9.7 Scholarly and Professional Qualifications for Each Rank of the UNIVERSITY FACULTY

(a) INSTRUCTOR. Appointment to the rank of instructor ordinarily identifies faculty engaged in teaching who have not completed the requirements for a terminal degree in their field or have not completed their professional education and training. Some of these faculty members may provide clinical services. Appointments at this rank other than licensed health practitioners are limited to three years of service. The Executive Vice President and Provost shall make the final determination of what constitutes a "terminal degree" in any field or discipline.¹⁰

(b) ASSISTANT PROFESSOR. Appointment to the rank of assistant professor requires completion of professional training, in most fields marked by the doctoral degree, and the clear promise of a successful career in teaching and scholarship. Appointment to the UNIVERSITY FACULTY requires a terminal degree. This

⁹ #89013(B)

¹⁰ [#99027\(B\)](#)

requirement may be waived by the President upon recommendation of the Executive Vice President and Provost.

(c) 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.

(d) PROFESSOR. Appointment to the rank of professor requires national recognition in the profession.