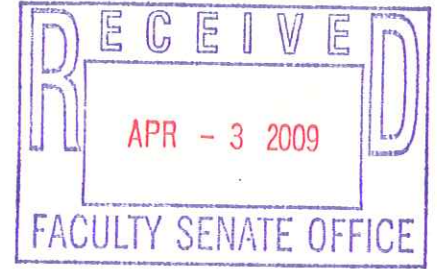


UNIVERSITY OF
Miami
FACULTY SENATE
MEMORANDUM



To: Donna E. Shalala
President

From: Stephen Sapp
Chair, Faculty Senate

A handwritten signature in black ink that reads "Stephen Sapp".

Date: March 26, 2009

Subject: Faculty Senate Legislation #2008-21(B) – Editorial Changes to the Charge of the Tenure Review Board in the *Faculty Manual*, section B4.12

On March 25, 2009, the Faculty Senate voted to approve the editorial changes in the charge of the Tenure Review Board in the *Faculty Manual*, section B4.12. For your reference, the proposed changes to the *Faculty Manual* are shown as underlined additions and ~~strikethrough~~ deletions on the enclosed document.

This legislation is now forwarded to you for your action.

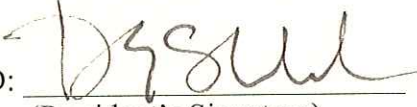
SS/rh

Enclosure (committee charge)

cc: Thomas LeBlanc, Executive Vice President and Provost
David Birnbach, Vice Provost for Faculty Affairs
Stephen Cantrell, Chair, Tenure Review Board

Faculty Senate Legislation #2008-21(B) – Editorial Changes to the Charge of the Tenure Review Board in the *Faculty Manual*, section B4.12

PRESIDENT’S RESPONSE

APPROVED:  DATE: 4/3/09
(President’s Signature)

OFFICE OR INDIVIDUAL TO IMPLEMENT: FACULTY SENATE

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

NOT APPROVED AND REFERRED TO: _____

REMARKS (IF NOT APPROVED): _____

Current updated version:

B4.12 The TENURE REVIEW BOARD shall (1) upon request by a member of the faculty within two calendar weeks from receipt of notice of a denial of tenure award by the Executive Vice President and Provost certify to the President by May 31, if practicable, whether in its opinion an unjust decision has been made and provide written reasons for such opinion either 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 (in cases where the Tenure Review Board is unable to make its certification by May 31, the certification shall be made by October 15) (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 tenure¹; (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 certification to the President. The President shall communicate his/her decision on each certification to the faculty member concerned, to the chair of the committee and to the Chair of the Faculty Senate.² Board members shall consist of tenured faculty and shall serve staggered 3-year terms.^{3 4}

Proposed changes:

B4.12 The TENURE REVIEW BOARD shall (1) upon request by a member of the faculty within two calendar weeks from receipt of notice of a denial of tenure award by the Executive Vice President and Provost ~~certify~~ certify-communicate to the President by May 31, if practicable, whether in its opinion an ~~unjust~~ incorrect decision has been made and provide written reasons for such opinion either 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 (in cases where the Tenure Review Board is unable to make its ~~certification~~ decision by May 31, the ~~certification~~ decision shall be made by October 15); (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 tenure⁵; (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 ~~certification~~ recommendation to the President. The President shall communicate his/her decision on each ~~certification~~ recommendation to the faculty member concerned, to the chair of the committee and to the Chair of the Faculty Senate.⁶ Board members shall consist of tenured faculty and shall serve staggered 3-year terms.^{7 8}

¹ #2003-04(B)

² #93003(B)

³ #2002-20(B)

⁴ 2008-19(B)

⁵ #2003-04(B)

⁶ #93003(B)

⁷ #2002-20(B)

Clean Version:

- B4.12 The TENURE REVIEW BOARD shall (1) upon request by a member of the faculty within two calendar weeks from receipt of notice of a denial of tenure award by the Executive Vice President and Provost communicate to the President by May 31, if practicable, whether in its opinion an incorrect decision has been made and provide written reasons for such opinion either 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 (in cases where the Tenure Review Board is unable to make its decision by May 31, the decision shall be made by October 15); (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 tenure⁹; (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/her decision on each recommendation to the faculty member concerned, to the chair of the committee and to the Chair of the Faculty Senate.¹⁰ Board members shall consist of tenured faculty and shall serve staggered 3-year terms.^{11 12}

⁸ [#2008-19\(B\)](#)

⁹ [#2003-04\(B\)](#)

¹⁰ [#93003\(B\)](#)

¹¹ [#2002-20\(B\)](#)

¹² [#2008-19\(B\)](#)