



MEMORANDUM

To: Donna E. Shalala, President

From: Richard L. Williamson
Chair, Faculty Senate

A handwritten signature in blue ink, appearing to read 'Richard L. Williamson'.

Date: May 11, 2012

Subject: Faculty Senate Legislation #2011-60(B) –Revisions to *Faculty Manual* Section C12
Annual Review and relevant Sections C13.4 and C13.5

At its May 9, 2012 meeting, the Faculty Senate unanimously approved the proposal to revise section C12 Annual Review and relevant sections C13.4 and C13.5 from the *Faculty Manual*. These revisions are intended primarily to make the tenure process less burdensome for deans, chairs and the tenured faculty, but also to be fairer to the candidate. It does this by eliminating the requirement for annual faculty reviews, which has frequently led to a candidate facing two reviews in one year. Instead, the chair's annual salary review will now become a salary and performance review, while the special review process will be strengthened. While primarily motivated by the need to reform the tenure process, the changes will also affect multiyear reappointments of Educator, Research and Librarian faculty.

The administration was involved in developing these modifications. The ADPC was briefed and there were no objections.

The supporting materials are enclosed for your reference.

This legislation is now forwarded to you for your action.

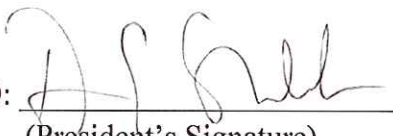
RW/rh

Enclosure

cc: Thomas LeBlanc, Executive Vice President and Provost
David Birnbach, Vice Provost, Faculty Affairs

CAPSULE: Faculty Senate #2011-60(B) –Revisions to *Faculty Manual* Section C12 Annual Review and relevant Sections C13.4 and C13.5

PRESIDENT'S RESPONSE

APPROVED:  DATE: 5/21/12
(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): _____

Proposed Revisions to Annual Review and Relevant Sections from the Faculty Manual

Purpose: The proposed revisions are intended to address the annual and special review process while a candidate is on the tenure track. The proposal is to simplify the process and to eliminate the possibility of two reviews within one year.

BEGIN TEXT

C12 Annual Salary and Performance Review

In accordance with Section A14.5 of the Faculty Government Charter, ~~the chairs~~ of each department or ~~the deans~~ of ~~a non-departmentalized schools~~ shall review annually each member of the UNIVERSITY FACULTY in ~~their that~~ departments ~~s or schools~~. Such reviews shall be based upon a systematic evaluation of the faculty member's ~~past year's~~ performance ~~in the past year, and shall include counseling to the faculty member on correcting any deficiencies identified. Unless the faculty member prefers otherwise, the chair shall discuss the evaluation with each faculty member.~~ For faculty members with tenure-earning appointments, the review shall also be provided to the faculty member in writing. -All other members of the UNIVERSITY FACULTY ~~may request, and shall then receive,~~ shall receive on request a written summary of their own review and of any available previous year's' written reviews. Each dean shall report annually to the Executive Vice President and Provost when the review of all members of the faculty under the dean's purview has been completed consistent with established University procedures. The Annual Salary and Performance Review is complete when the dean advises the Executive Vice President and Provost of the recommendations concerning salary.

C13.4 Annual Reviews

~~¹Beginning with the second probationary year, all individuals holding tenure-earning appointments shall be evaluated annually by the voting faculty for the purpose of assessment of progress toward tenure. Individuals appointed as RESEARCH FACULTY, EDUCATOR FACULTY AND LIBRARIAN FACULTY shall be evaluated by the voting faculty for the purposes of reappointment during each year when their appointments are considered for renewal. After systematic review of each candidate's file and after deliberation, the voting faculty shall determine by anonymous written ballot progress toward tenure for tenure-earning faculty, and whether to recommend the reappointment of each member of the RESEARCH FACULTY, EDUCATOR FACULTY AND LIBRARIAN FACULTY. 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.~~

¹ [#2004-09\(B\)](#)

C13.4 Special Reviews²

A Special Review shall be completed (1) during the candidate's third year for a faculty member holding a tenure-earning appointment³; (2) when promotion to associate professor or professor is to be considered later in that same academic year; (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 faculty member ~~of Faculty~~ holding a multi-year appointment.⁴ Individuals holding tenure-earning appointments shall be evaluated by the voting faculty for the purpose of assessment of progress toward tenure and individuals appointed as RESEARCH FACULTY, EDUCATOR FACULTY, and LIBRARIAN FACULTY shall be evaluated by the voting faculty for the purposes of reappointment. ~~For faculty members holding tenure-earning appointments whose terms are not renewed, the following timeline shall apply: (1) If the Special Review is completed on or before September 15 of the candidate's fourth year and the appointment is not renewed, the faculty member may continue service with the University through the end of the academic year; (2) If the Special Review is completed on or before January 1 of the candidate's fourth year and the appointment is not renewed, the faculty member may continue service with the University for one calendar year; (3) If the Special Review is completed later than January 1 during the candidate's fourth year and the appointment is not renewed, the faculty member may continue service with the University for the remainder of the fourth year and one additional academic year.~~ Each Special Review shall be conducted as described below.

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

(i) TEACHING EVALUATION. The file of a candidate for reappointment, promotion, and tenure who has any teaching duties shall contain an assessment of teaching performance. For promotion to associate professor and for tenure, except for initial appointments, 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. Student includes individuals in professional training programs who are formally or informally instructed by the candidate. 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-five written evaluations of the scholarly work of the candidate solicited from ~~scholars individuals~~ specializing in the ~~candidate's~~ field ~~of work~~ who hold positions at major universities or research institutions of comparable or higher rank to that ~~to for~~ which the ~~applicant candidate~~ ~~aspiresis being considered at major universities or research institutions~~. The file of a candidate being reviewed for mid-career reappointment shall include at least two written evaluations of the scholarly work of the candidate solicited

² See section C10.2(d) for voting criteria

³ Based on a friendly amendment on the floor, Item #1 was not changed as proposed, but remains the same as 2011-2012 version of the *Faculty Manual*.

⁴ #89013(B)

from individuals specializing in the candidate's field who hold positions at major universities or research institutions of comparable or higher rank to that for which the candidate is being considered. These letters are solicited by the chair following consultation with the candidate and the appropriate voting faculty. Candidates shall not be informed of the names of potential external reviewers suggested by the voting faculty but shall be permitted to submit a memorandum for inclusion in the file identifying persons who are thought to be unsuitable external reviewers and the reasons for that judgment; they may not, however, exclude specific external reviewers. 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, with the names of the addressees removed. 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~~ involved 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 for reappointment, promotion, or tenure are encouraged to present a written career assessment providing the general context of and rationale for their work and describing the significance of their contribution to knowledge and the profession.⁵

(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.⁶

(v) REPORTER'S SUMMARY AND STATEMENT OF THE CHAIR'S VIEWS. Copies of the approved written summary of the recommendation of the voting faculty, as prepared by the faculty member selected ~~elected~~ as reporter and approved by the voting faculty according to Section C13.4(b)(iv) of these Policies, and of the written statement of the chair's views, as outlined in Section C13.4(b)(v) of these Policies, shall be placed in the faculty member's file. The faculty member may request from the chair of the department or the dean of the non-departmentalized school an oral characterization of the approved reporter's summary and of the chair's written views. All candidates, upon receipt of this characterization, may prepare a written response for the file.

(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 reappointment, or for

⁵ [2007-22\(B\)](#)

⁶ [#89013\(B\)](#)

consideration ~~of~~ for tenure or tenure and promotion, as appropriate, during the last year of the probationary period.

(ii) AD HOC REVIEW COMMITTEE. In the case of departments with fewer than five faculty members eligible to vote on a candidate, *Ad Hoc* Review Committees shall be established for each candidate in the department and be comprised of individuals who would be eligible to vote in the candidate's department if they held an appointment in that 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 but, 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. Each Committee shall consist of no less than five members. 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,⁷ 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

⁷ See section [C10.2\(d\)](#) for voting criteria

anonymous written⁸ 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, a reporter, who shall be ~~selected~~⁹ ~~selected~~ from the appropriate voting faculty but who shall be someone other than the chair or dean, 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 are authorized in writing by a school's bylaws and have been submitted prior to the balloting. [Voting by proxy at the meeting is not permitted to substitute for an absentee ballot.](#)

(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 Salary 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 written 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 Salary and Performance Reviews 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. Each candidate shall be informed promptly of the Dean's recommendations.

⁸ [2009-17\(B\)](#)

⁹ "Selected" amended to "elected, as discussed at the Senate meeting on May 9, 2012.

(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 shall explain the reasons for this decision in writing to the dean. 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 May 1. The faculty member may, within 10 academic work days,¹⁰ request a review of this recommendation by the Tenure Review Board (B4.12).¹¹ A faculty member may request such a review, even if that faculty member had requested the review of a prior denial of tenure.

(ix) COUNSELING OF THE CANDIDATE. In the event of a ~~negative~~ adverse decision on promotion or a denial of a multi-year reappointment (except in the case of a denial of tenure at the end of the probationary period), based on the discussions by the voting faculty, the evaluations by external reviewers, and the recommendations by the chair, dean, and Provost, the chair shall counsel the candidate on what might be done to secure multi-year reappointment or promotion.¹²

(x) 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 sufficiently during the notice year that a different recommendation might be forthcoming. 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.¹³

END TEXT

¹⁰ [#2008-19\(B\)](#)

¹¹ [#2004-15\(B\)](#)

¹² [#2007-22\(B\)](#)

¹³ [#91010\(B\)](#)