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MEMORANDUM

To: Donna E. Shalala, President

From: Richard L. Williamson
Chair, Faculty Senate

Date: August 29, 2013

Subject: Faculty Senate Legislation #2013-04(B) – Conform Language in the *Faculty Manual* Sections B4.12 and C13.4 (c)(viii) Regarding Deadlines for the Tenure Review Board

The Faculty Senate, at its August 28, 2013 meeting, voted unanimously to approve the proposal to conform language in the *Faculty Manual* sections B4.12 and C13.4 (c)(viii) regarding deadlines for requesting a review of a denial of tenure by the Tenure Review Board (TRB). The legislation changes the language of “ten academic days” to now read “two calendar weeks.” On policy grounds, two calendar weeks is the better choice, avoiding a situation where a faculty member could delay requesting review by the TRB throughout the summer.

BEGIN TEXT:

B4.12 The TENURE REVIEW BOARD shall (1) upon request by a member of the faculty within ~~10 academic work days~~ 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 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 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.² Board members shall consist of tenured faculty and shall serve staggered 3-year terms.^{3 4 5}

¹ #2003-04(B)

² #93003(B)

³ #2002-20(B)

⁴ #2008-19(B)

⁵ #2008-21(B)

C13.4(c)

(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~~ two calendar weeks⁶ request a review of this recommendation by the Tenure Review Board (B4.12).⁷ A faculty member may request such a review, even if that faculty member had requested the review of a prior denial of tenure.

This legislation is now forwarded to you for your action.

RLW/rh

Enclosure

cc: Thomas LeBlanc, Executive Vice President and Provost
David Birnbach, Vice Provost, Faculty Affairs
Zanita Fenton, Chair, Faculty Senate Tenure Review Board

⁶ #2011-60(B)

⁷ #2004-15(B)

CAPSULE: Faculty Senate Legislation #2013-04(B) – Conform Language in the *Faculty Manual* Sections B4.12 and C13.4 (c)(viii) Regarding Deadlines for the Tenure Review Board

APPROVED:  DATE: 9/10/13
(President's Signature)

OFFICE OR INDIVIDUAL TO IMPLEMENT: SENATE OFFICE

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

NOT APPROVED AND REFERRED TO: _____

REMARKS (IF NOT APPROVED): _____