

## POLICY ON RETENTION AND TENURE

This document spells out policies, organizational structures, and procedures for retention and tenure. All procedures and actions at all levels shall conform to University policies and the Unit 3 Collective Bargaining Agreement.

A “probationary period” is the period of service prior to the granting or denial of tenure credited to a faculty member who has received a probationary appointment.<sup>1</sup>

“Tenure” refers to the right of a faculty member awarded tenure at this campus to continued permanent employment at this campus as a faculty member except when such employment is voluntarily terminated or terminated by the employer pursuant to the collective bargaining agreement or law.<sup>2</sup>

“President” refers to the university’s President or her/his designee. Unless announced otherwise, the Provost serves as the President’s designee for purposes of the Retention, Tenure, and Promotion (RTP) process.

### I. GENERAL POLICY

Appointment or reappointment with tenure is the most important personnel decision made by the university regarding an individual faculty member. Tenure is not a right of a probationary faculty member or solely a reward for services and accomplishments during the probationary period. A decision in favor of tenure must be based upon evidence that indicates a high probability that the faculty member will continue to be a valuable and productive colleague throughout their academic career.

Therefore, this decision must be made with great care based upon documentation gathered and analyzed during the probationary period. The probationary period should be one of professional growth and development in addition to being a period of evaluation.

To assist the probationary faculty member and provide clear expectations for retention and tenure, the university has adopted the probationary plan process. The department and the probationary faculty member share the primary responsibility for establishing clear expectations and goals for the probationary period through the preparation and approval of a mandatory probationary plan.<sup>3</sup> The college, university, and President, through a consultative process, share in the responsibility for establishing clear expectations and goals by reviewing, affirming, or suggesting modifications in plans as outlined in the Policy on Probationary Plans and Faculty Mentoring.<sup>4</sup>

The probationary faculty member should receive continuing assessment of progress toward the goals established in the probationary plan, periodic opportunities to review the goals with the Mentoring Committee and the department chair, collegial guidance, advice and assistance, and other mutually agreed upon support, as described in the Policy on Probationary Plans and Faculty Mentoring (APM 324).

Any full-time faculty member appointed to a probationary position and serving a period of probation is eligible to be considered for tenure. The normal period of probation shall be six (6) years of full-time probationary service, including service credit granted at the time of appointment. Appointment to a seventh (7th) year shall be either with tenure or to a terminal year. Any deviation from the normal six (6)

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<sup>1</sup> CBA Article 13.2.

<sup>2</sup> CBA Article 13.13.

<sup>3</sup> See Policy on Probationary Plans and Faculty Mentoring (APM 324).

<sup>4</sup> APM 324.

year period, including credited service, shall be the decision of the President following consideration of recommendations from the department peer review committee, the department chair if making a separate recommendation, the college/school peer review committee, University Board on Retention and Tenure, and appropriate administrators.

One (1) year of service for a faculty member in an academic year position is two (2) consecutive semesters of full-time employment within an academic year. One (1) year of service for a faculty member in a twelve (12) month position is any consecutive twelve (12) months of full-time employment. One (1) year of service for a faculty member in a ten (10) month position is ten (10) months employment within a twelve (12) month period.<sup>5</sup> For the purpose of calculating the probationary period, a year of service commences with the first fall term of appointment.<sup>6</sup>

Reappointment with tenure shall be effective at the beginning of the academic year succeeding the academic year in which tenure is awarded.

## II. CRITERIA FOR RETENTION AND TENURE

- A. Terminal degree requirements are considered to have been met by virtue of the appointment to the probationary position.
- B. The basis for a positive recommendation for reappointment to two additional probationary years (retention without tenure) is satisfactory progress toward the achievement of the criteria and standards in the Scholarship of Teaching; in the Scholarship of Application, Integration, and Discovery; and in university and community service, as described below and as established in the Probationary Plan, including an established pattern of productive working relationships with peers and colleagues. Only achievements while a probationary faculty member at this university shall be considered toward completion of the probationary plan.
- C. The basis for a positive recommendation for reappointment with tenure is the satisfactory completion of the goals in the Scholarship of Teaching; in the Scholarship of Discovery, Application, and Integration; and in university and community service, as described below and as established in the Probationary Plan, including an established pattern of productive working relationships with peers and colleagues.<sup>7</sup>
- D. The responsibilities of all full-time faculty members include effective teaching; professional, scholarly, and creative activities; and university and public service.<sup>8</sup> A strong record of demonstrated effectiveness in the Scholarship of Teaching is the primary and essential criterion for tenure, but is not sufficient in and of itself. Although there is no weighting of the other two (2) categories, an overall high level of performance in both professional/scholarly/creative activities and university and public service must be documented, as well as a record of excellence in at least one (1) category other than the Scholarship of Teaching.

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<sup>5</sup> Only librarians are eligible for a ten-month appointment.

<sup>6</sup> See CBA Article 13.6.

<sup>7</sup> Allegations of non-collegial working relationships by reviewers must be supported by documentation in the RTP file.

<sup>8</sup> See Article 20 of the CBA. For faculty without teaching responsibilities, professional effectiveness in assigned responsibilities is substituted for teaching.

The documentation of the scholarly activities of teaching, application, integration, and discovery, and university and public service should be rich and varied. It should consist of evidence gathered over time during the probationary period from a variety of sources, namely, self-evaluation, peer evaluation, student ratings, and other evaluations. Assessment of scholarly activities should be relevant to and fit the probationary faculty member's field of expertise. The responsibility for documenting performance in these areas resides with the faculty member.

### 1. **Teaching Effectiveness**<sup>9</sup>

The Scholarship of Teaching (teaching effectiveness) is an essential precondition or retention and tenure. Teaching is considered to be a "scholarly act" that includes the clear communication of knowledge of the discipline and subject matter, and the transformation and extension of that knowledge.

It is expected that the probationary faculty member will continually improve their understanding of student learning, increase their knowledge of pedagogy, and strengthen teaching skills throughout the probationary period and will demonstrate both the accomplishment of clear, precise communication in teaching as well as the application of that knowledge.

The "scholarly act of teaching" is demonstrated through understanding and current knowledge, including the use of measures of student learning, in such activities as <sup>10</sup>

- a. clearly defined student learning objectives
- b. appropriate learning exercises
- c. prepared exercise packets
- d. samples of student exams and essays
- e. designed course materials
- f. creation of course software
- g. published research in teaching and learning
- h. teaching portfolio analysis.
- i. experiential learning, such as service-learning.

Probationary faculty are expected to participate in conferences, seminars, and workshops that enhance effectiveness in the scholarly act of teaching<sup>11</sup> for the purpose of

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<sup>9</sup> Non-instructional faculty such as librarians and SSP-ARs shall substitute professional effectiveness in their assigned responsibilities for the scholarship of teaching.

Strong evidence of professional effectiveness is a precondition for tenure for faculty without instructional responsibilities. It is expected that faculty with non-instructional responsibilities will demonstrate professional competence and effectiveness, including demonstration of the skills necessary to perform assigned responsibilities throughout the probationary period. A careful assessment will be made of the performance of assigned responsibilities including quality of work, soundness of judgment, willingness to initiate and complete projects, and effectiveness of professional interactions with faculty and students.

<sup>10</sup> From the list, faculty members are expected to accomplish only those items that are appropriate to their discipline and enumerated in their probationary plan.

<sup>11</sup> Faculty are encouraged to attend events such as those sponsored by the Center for the Enhancement of Teaching and Learning (CETL) to strengthen and update their professional expertise in classroom instruction.

- a. Acquiring theoretical and empirical research based knowledge about the effective learning and teaching;
- b. Reflecting upon and practicing such knowledge in the educational setting; and
- c. Demonstrating the transformational effect from experience in utilizing various pedagogies.

Teaching is a scholarly endeavor demonstrated and assessed primarily through peer evaluation of classroom teaching and summary analysis of student evaluations by peers. Additional requirements shall include: course syllabi and content, clearly defined learning objectives, samples of exams, learning exercises, handouts, results of classroom research activities, writing requirements including student exams and essays, and teaching portfolios.

Constructive and professional relationships with students are important for a strong academic program. Therefore, it is expected that the probationary faculty member will be evaluated for demonstrated sound academic advising, effective counseling of students on course related matters, the ability to work with a diverse student population, and the faculty member's availability on a regular basis to assist the students with their academic needs.

## **2. Professional Growth and Scholarly/Creative Activities**

All faculty members are expected to engage in a demanding program of professional development and scholarly or creative activities:<sup>12</sup>

- a. As a teacher-scholar strengthening and updating professional expertise for classroom instruction, (Scholarship of Teaching);
- b. As a scholar strengthening and broadening the faculty member's scholarly and academic credentials (Scholarship of Discovery);
- c. As a practitioner engaging in both theory and application (Scholarship of Application); and
- d. As an integrated scholar placing specialties in a broader context (Scholarship of Integration).

The Scholarship of Discovery is documented through critically evaluated and professional recognized activities such as:

- a. Journal articles;
- b. Monographs;
- c. Proceedings;
- d. Poems;
- e. Stories;
- f. Artistic Creations;
- g. Awarded grants and evidence of subsequent work;
- h. Public performances;
- i. Published books;
- j. Public presentations.

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<sup>12</sup> From the lists, faculty members are expected to accomplish only those items that are appropriate to their discipline and enumerated in their probationary plan.

The Scholarship of Application is documented by using knowledge to address demanding, substantive human problems such as:

- a. Conducting applied research and evaluation;
- b. Providing technical assistance;
- c. Developing new products, practices, clinical procedures, new artistic works, consultation with community organizations;
- d. Performing clinical service;
- e. Promoting experiential learning and professional development;
- f. Engaging in community-based research.

The Scholarship of Integration is documented by making connections across disciplines through such activities as:

- a. Designing new courses;
- b. Writing textbooks;
- c. Developing videocassettes and television programs;
- d. Writing for non-specialists;
- e. Sponsoring colloquia and forums;
- f. Shaping a core curriculum;
- g. Preparing quality computer software;
- h. Integration of professional experiences in classrooms;
- i. Critical review articles.

The faculty member is expected to engage the Scholarship of Discovery, Integration, or Application, or a combination thereof, appropriate to their discipline and as described in the probationary plan. These activities will be demonstrated through documented scholarly research activities, refereed or juried publications, public performances and exhibits, and presentations; participation in professional conferences, workshops, or seminars; activities leading to the improvement of teaching skills such as the development of innovative courseware; service learning; the development of new products; the development of new clinical procedures; grant and contract activity; participation in professional organizations; post-doctoral studies; and other creative and scholarly activities.

### **3. University and Public Service**

Faculty members are expected to participate fully, productively, collegially, and collaboratively in the collective efforts and functions of the department, college/school, university and, on occasion, the CSU.

It is expected that the faculty member will demonstrate university and community service through such activities as:<sup>13</sup>

- a. Participation on department, college/school and university committees, and commissions, including participation on the academic senate;
- b. Service to the university, profession and community;
- c. Working collaboratively and productively with colleagues;

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<sup>13</sup> This list is derived from faculty responsibilities described in Article 20 of the Collective Bargaining Agreement.

- d. Mentoring colleagues;
  - e. Participation in traditional academic functions;<sup>14</sup>
  - f. Participation in group projects directed toward department, college/school and university goals;
  - g. Contributions to the community-at-large such as organizational leadership and presentations, as well as any other relevant participation in groups serving the public interest.<sup>15</sup>
- E. Individuals who have administrative appointments may have retreat and tenure rights in an academic department or unit.
- 1. Administrators serve at the pleasure of the President. Tenure cannot be acquired through service in an administrative (MPP) position.
  - 2. After consultation with the affected academic department or unit and at the time of the initial appointment, persons appointed as provost or appointed as a college/school dean will normally receive tenure in an academic department or unit.
  - 3. Other administrators may have faculty appointments in an academic department or unit. Tenure may be awarded in an academic department or unit according to university policy. Evaluation for tenure in an academic department or unit shall follow this retention and tenure policy.
  - 4. All administrators who did not receive tenure at the time of the initial appointment, who desire a faculty appointment in an academic department or unit, shall be evaluated through the normal probationary process. This includes the preparation and satisfactory completion of the mandatory probationary plan.
- F. Individuals may be appointed with tenure to a faculty position using the following criteria and standards:
- 1. The individual must be a teacher and a scholar with an established record of achievement and normally must be qualified for appointment at the rank of Professor or equivalent in the department or unit in which tenure is being considered.
  - 2. Except in rare instances, the individual shall have been previously awarded tenure at a four (4) year, accredited institution of higher education.
  - 3. Appointments with tenure shall be made only after a thorough evaluation of the individual's qualifications and a written recommendation from the tenured faculty of the appropriate department or unit. Except in rare instances, tenure shall be awarded only when a clear, positive, department or unit recommendation exists.

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<sup>14</sup> Traditional academic functions include activities such as participation in convocation and commencement Activities; student outreach activities, etc.

<sup>15</sup> Those community service contributions which relate directly to one's discipline or position will be given greater weight.

### III. CONSIDERATION FOR EARLY TENURE

The following process and criteria must be met before reappointment with tenure prior to the conclusion of the normal probationary period (“early tenure”).

#### A. Procedure

An individual consultation with the Provost must take place prior to consideration for early tenure. The probationary faculty member seeking early tenure shall provide the Provost with a letter outlining her/his accomplishments. This letter shall be sent to the Provost two weeks prior to the scheduled consultation. An RTP file is not to be submitted at this time. Encouragement from the Provost for consideration for early tenure does not guarantee that early tenure will be granted.

#### B. Criteria for Early Tenure

Faculty members seeking early tenure must provide evidence of sustained exceptional performance in all three areas: Scholarship of Teaching; The Scholarship of Application, Integration, and Discovery; and university and community service, as described above.<sup>16</sup>

##### 1. Teaching Effectiveness

The probationary faculty member must demonstrate a sustained record of excellence in the Scholarship of Teaching as described in Section II above for at least four years.

Excellence in the Scholarship of Teaching shall be demonstrated through outstanding student ratings, outstanding peer evaluations, receipt of outstanding teaching awards, national or regional recognition for outstanding teaching, or other applicable evidence the candidate can provide that the Provost deems acceptable. (e.g., students the faculty member has mentored receiving meritorious recognition for art work, research and/or publications).

##### 2. Professional Growth and Scholarly or Creative Activities

The probationary faculty member must demonstrate a sustained record of excellence in the Scholarship of Discovery, Application, and Integration as described in Section II above.

##### 3. University and Public Service

The probationary faculty member must demonstrate a sustained record of outstanding university and public service as described in Section II above.

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<sup>16</sup> Completion of the probationary plan at an early date is not a sufficient basis for early tenure. In all cases, the documented performance in all three categories must be sustained and exceptional and distinguish the faculty member from the performance of similarly situated faculty members.

#### IV. PROCEDURES<sup>17</sup>

Responsibilities of departments and department chairs shall be fulfilled by programs and program coordinators when so authorized by the President.

##### A. General Procedures Applicable to the Entire Retention and Tenure Process

Academic Personnel Services will provide instructions and forms for the preparation of the RTP file and for the preparation of recommendations on its website.

The President will issue, as part of the Academic Personnel Calendar, the deadline dates for each step in the RTP process.

1. Probationary faculty members hired without service credit shall submit an RTP File for evaluation in the second, fourth, and sixth probationary years. Those hired with one year of service credit shall submit in the second, fourth, and fifth probationary years. Those hired with two years of service credit shall submit in the second and fourth probationary years. For purposes of this provision, probationary years are to be counted starting with the first year of the faculty member's tenure-track appointment, regardless of service credit.<sup>18</sup>
  - a. As part of these regular evaluations, any level of review may recommend that a faculty member be evaluated in the third or fifth probationary year, as appropriate, if, after fully reviewing the RTP File, it is determined that the faculty member is not making normal progress toward tenure. In such cases, the faculty member shall submit an RTP File the next year in accordance with the recommendation.
  - b. Notwithstanding the foregoing, a faculty member may submit his/her RTP File for evaluation if sh/e wishes to apply for early tenure in accordance with Section III.
  - c. In academic years in which a probationary faculty member is not subject to RTP review, the probationary faculty member shall be subject to periodic evaluation.<sup>19</sup>
    - (1) Periodic evaluations shall be conducted by the department peer review committee and the college/school dean. If the department chair does not participate in the department peer review committee, the chair may make separate recommendations.
    - (2) Periodic evaluation procedures shall be developed by each college/school and approved by the President after consideration

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<sup>17</sup> Procedures for Librarians: The procedures outlined in the Library's Articles of Governance shall be used in place of Sections IV.F and IV.G. Procedures for Counselors: the procedures outlined in the Counseling Area's Articles of Governance shall be used in place of Sections IV.F and IV.G.

<sup>18</sup> This provision complies with APM 324, which states "All probationary faculty members will be appointed to a two-year initial appointment. A probationary plan will be developed and implemented for each new probationary faculty member in the first year of probationary status. The first probationary review shall take place in the second year of the appointment.

<sup>19</sup> CBA Article 15.26-15.28.

of the recommendations of the appropriate faculty committee(s). Such procedures shall, for probationary faculty unit employees who teach, include, without limitation, student ratings of teaching performance, peer reviews, administrative reviews, and an updated curriculum vita.

- (3) A written record of the periodic evaluation shall be placed in the probationary faculty member's Open Personnel File, and the probationary faculty member shall receive a copy.
2. The chair of the peer review committee at each level, department chair, and the appropriate administrators are responsible to assure that the procedures and established timelines are followed.
  3. All deliberations of consultative bodies on individual personnel cases shall be conducted in executive session and remain confidential as provided by law. **Violations of this confidentiality are considered unprofessional conduct and grounds for disciplinary action.**<sup>20</sup>
  4. Only individuals authorized by university policy to discuss clarifications of evidence or recommendations with higher level committees or appropriate administrators may do so. Such discussions shall only occur in the presence of the assembled peer review committee or appropriate administrator. Such discussions shall only occur at the request of a peer review committee or appropriate administrator. **Discussion of personnel cases outside of the committee setting is prohibited.**
  5. All committees designated to make recommendations in the RTP process must be **elected**. Vacancies can only be filled by election. Substitution of elected members by proxies is prohibited.
  6. Each peer review committee recommendation shall be approved by a simple majority of the membership of that committee present and voting.<sup>21</sup>
  7. Voting by proxy or by absentee ballot is prohibited. Only those committee members who are present and voting when the recommendations are made may sign the recommendation form.
  8. The probationary faculty member has the responsibility to place materials in the RTP file that provide documentation regarding individual achievement in each category to be reviewed. In addition, the probationary faculty member is responsible for providing a completed and signed application form and an updated vita.
  9. The chair of the department RTP committee, the department chair, and the dean have the responsibility to see that the following information is placed in the candidate's RTP file:

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<sup>20</sup> It is not a violation of this confidentiality to report to appropriate administrators (i.e., the dean or the Associate Vice President for Academic Personnel) any inappropriate conduct that may have occurred.

<sup>21</sup> If there is a tie vote, the RTP file shall go forward with a recommendation from the peer review committee. (See CBA 15.39.)

- a. The Access Log and Check Sheet;
  - b. A copy of the approved Probationary Plan and a description of any non-instructional assignments;
  - c. The Retention and Tenure Form as prepared and completed by the department peer review committee;
  - d. Numerical data on student ratings including departmental and, if available, college/school norms;
  - e. All summaries of student ratings (numerical data and, if appropriate, summaries of written comments from the student ratings process) in reverse chronological order;
  - f. A copy of the student ratings form used by the department or college/school;
  - g. All peer evaluations (in reverse chronological order);
  - h. Any letters and/or other written comments which have been signed and included in the Open Personnel File from students, colleagues, or other individuals regarding a faculty member's performance in any category to be used as evidence in the review process;
  - i. All previous Retention and Tenure Forms including written reasons (in reverse chronological order); and
  - j. The President's final decision for each probationary year review.
10. A faculty member has the right to place any information into the RTP file that s/he feels is pertinent to the evaluation process. Only activities while a probationary faculty member at this university shall be considered toward completion of the probationary plan. Therefore, the material placed in the RTP file should document progress toward completion of the probationary plan.
  11. After the established deadline(s) set by the President each year, materials may not be added to the RTP file unless: (a) the material was not accessible prior to the deadline, and (b) the college/school peer review committee or appropriate University Board approves a written request to add additional information to the file. This provision does not affect requests for additional information or clarification from committees or administrators, recommendations, reasons, responses, etc., placed in the RTP file pursuant to university procedures in the normal course of the RTP process.<sup>22</sup>
  12. **Recommendations on retention and tenure shall be based solely upon the contents of the candidate's RTP file.** Should the President make a decision on any basis not directly related to the professional qualifications, work performance, or personal attributes of the person in question, those reasons shall be stated in writing and entered into the Open Personnel File and shall be immediately provided to the probationary faculty member.
  13. Academic Personnel Services should provide a training workshop each year on retention and tenure policies and practices.
  14. A faculty member may participate on a peer review committee at only one level of review. That is, a faculty member may not attend meetings at more than one level where recommendations for retention and tenure and/or promotion are discussed. Classroom visits/evaluations, assessments of publications and committee work, etc., and other forms of evaluation (resulting in written reports at the department level) do not constitute "participation."

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See Article 15.12 of the CBA.

15. No faculty member being considered for promotion may serve on any retention, tenure, or promotion peer review committee or make a separate recommendation as department chair.
16. Department chairs who have not received tenure may not make recommendations in the RTP process.
17. At each step in the process, the retention and tenure form completed to that point in the process and the accompanying reasons shall be added to the RTP file five (5) days after the candidate has been notified.
18. The appropriate sections of the retention and tenure form and the accompanying reasons shall be prepared by the chair of the peer review committee at each level. **Under no circumstances is the candidate for retention and/or tenure to be involved in the preparation of the Retention and Tenure Form.**

**B. Reasons for Recommendations**

1. The burden of proof for retention and tenure rests with the probationary faculty member's record of achievement in relation to the standards and expectations in the Probationary Plan as documented in the RTP file. It is also understood that reasonable people may disagree in the evaluation of evidence. Further, scholars in a particular field or activity have the chief competence for judging the work of their colleagues. The retention and tenure process requires that the judgment of the university, through its peer review committees and appropriate administrators, be made with full and careful consideration of this peer judgment and be consistent with academic freedom and standards of fairness and due process.

Faculty assessment should be flexible, recognizing the mission of the university, the priorities of departments, the strengths of individuals, and the uniqueness of the disciplines. In evaluating the faculty member's performance, committees and appropriate administrators shall exercise reasonable flexibility, balancing where the case requires, heavier commitments and responsibilities in one area with lesser accomplishments in another. The committees and appropriate administrators must judge whether the faculty member is engaging in activities that are sound and productive and contributing to the mission of the university. All evaluations of performance shall be based on documented patterns of performance.

At all levels of review, before recommendations are forwarded to a subsequent review level, the probationary faculty member shall be given a copy of the recommendation and the accompanying written reasons. The probationary faculty member may submit a rebuttal statement or response in writing and/or request a meeting to discuss the recommendation within ten (10) days following receipt of the recommendation.<sup>23</sup> (If such a meeting is requested, it shall be held within a reasonable amount of time.) A copy of the response or rebuttal statement shall accompany the RTP File and also be sent to all previous levels of review. This provision shall not require that evaluation timelines be extended.

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Should the probationary faculty member wish to submit a rebuttal after the ten (10) days, s/he may do so.

2. The recommendation, and written explanation of the reasons for it, and all rebuttals and responses, if any, shall become part of the RTP File.
3. The probationary faculty member is provided with the recommendation and reasons for two purposes: (a) to facilitate the faculty member's professional growth and development especially where shortcomings are identified; and (b) to enable the probationary faculty member to respond to a recommendation.
4. An individual faculty member may only have access to her/his own Open Personnel/RTP File.

**C. Timelines**

1. If any stage of the evaluation/recommendation process is not completed within the time specified in the Academic Personnel Calendar, the file shall be automatically transferred to the next level of review and the faculty member shall be so notified. **In such cases, the level failing to make the recommendation by the timeline shall not make a recommendation.**
2. At the beginning of each academic year, deadlines for the completion of RTP Files and timelines for recommendations shall be published through the Academic Personnel Calendar.
3. The President shall notify a probationary faculty member who has served fewer than two years of probation of the final decision on retention no later than February 15.<sup>24</sup>
4. The President shall normally notify a probationary faculty member who has served more than two (2) years of probation of a final decision on retention, reappointment with tenure, or a terminal year appointment prior to the end of the academic year, but no later than June 1. Official notification to a probationary faculty member of a terminal year appointment shall indicate that the faculty member has no further appointment rights. Terminal year appointments shall be limited to probationary faculty who have served a minimum of three (3) years of probation.<sup>25</sup>
5. No person shall be deemed to have been reappointed or to have been awarded tenure because notice is not given or received by the time prescribed. It is the responsibility of the probationary faculty member concerned to make inquiry to determine the decision of the President, who shall give notice without delay.<sup>26</sup>

**D. Review Process for Faculty in the Second (and Third, If Applicable) Probationary Year**

1. Probationary faculty members in their second (or third, if applicable) probationary year shall be reviewed at the department and college/school levels.

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<sup>24</sup> CBA Article 13.11.

<sup>25</sup> CBA Article 13.12.

<sup>26</sup> CBA Article 13.17 states in part, "lack of official notification shall not result in the award of tenure."

2. Recommendations for probationary faculty in their second (or third, if applicable) probationary year shall go directly to the Provost at the conclusion of the review at the college/school level when all levels have recommended retention.
3. Recommendations for probationary faculty in their second (or third, if applicable) probationary year shall be reviewed by the University Board on Retention and Tenure only in the event that there is: (1) a request for consideration for early tenure, or (2) a recommendation for termination at any level. The Board will then forward the recommendations to the Provost.

**E. Department Level**<sup>27</sup>

1. The probationary and tenured faculty of the department<sup>28</sup> shall elect a department peer review committee (or a separate committee for each candidate of tenured full-time faculty members. The department, if so desired, may function as a committee of the whole; that is, the department peer review committee may consist of all eligible tenured full-time faculty in the department. In either event, the recommendations of the peer review committee(s) are the recommendations of the departments.
2. Departments have the primary responsibility to state, in writing, and in detail, the reasons for their recommendations. The department is responsible for preparing a complete description and analysis of the factors significant in the departmental evaluation consistent with the criteria previously described
3. Each peer review committee's independent recommendation shall be approved by a simple majority of the membership of that committee and shall be based solely on information and documentation in the RTP File. A meeting(s) of the department peer review committee which includes confidential, careful, thorough deliberations leading to a vote is the required process for arriving at a recommendation.
4. Department chairs may decide to submit an independent recommendation or to participate as a member of the department peer review committee.<sup>29</sup> The department chair shall make known her/his decision, in writing to the probationary and tenured faculty in the department, after consultation with the probationary and tenured faculty of the department and prior to the date beginning the campus RTP process. A copy of the notification shall be placed in the RTP File. The chair shall apply this decision to all RTP candidates in that academic year. If the department chair makes an independent recommendation, s/he shall not participate in deliberations or attend meetings of the departmental peer review committee. If the chair does not make an independent recommendation, s/he may participate as a member of the department peer review committee.

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<sup>27</sup> Includes programs designated by the Provost.

<sup>28</sup> Pursuant to the Collective Bargaining Agreement, participants in the Faculty Early Retirement Program and tenured faculty on paid or unpaid leaves of absence are ineligible to serve on peer review committees.

<sup>29</sup> CBA Article 15.34 department or college/school procedures may not limit the discretion of the department chair in this matter.

5. The department peer review committee and the department chair (if making independent recommendations) shall indicate their recommendations and the vote on the Retention and Tenure Form. The reasons for the recommendation shall accompany the Retention and Tenure Form.
6. There shall be no meetings between the department peer review committee and the department chair, if the department chair is making a separate recommendation.
7. Voting by proxy and/or absentee ballot is prohibited. Only those committee members who are present and voting when the recommendations are made may sign the recommendation form.
8. At the conclusion of the department level review and by the date specified in the Academic Personnel Calendar, the probationary faculty member shall be given a copy of the Retention and Tenure Form (complete to this point) and the reasons for the recommendation. The Retention and Tenure Form and the reasons for the recommendation shall be added to the RTP File five (5) days after the probationary faculty member has been notified.
9. The probationary faculty member shall be given an opportunity to discuss the department's and/or chair's recommendation with the department chair.
10. The department chair shall forward the RTP File including the recommendations of the department peer review committee and the department chair (if separate) to the college/school dean by the deadline specified in the Academic Personnel Calendar.

**F. College/School Level**<sup>30</sup>

1. The dean shall transmit copies of all department and department chair evaluations/recommendations and supporting materials to the appropriate college/school peer review committee. This committee shall be established and shall function according to written college/school procedures and guidelines. The college/school peer review committee shall be elected by the probationary and tenured faculty in the college/school. Only full-time tenured faculty at the rank of Professor may serve on the college/school peer review committee.
2. The procedures used in the college/school shall be made available to all members of the college/school and to the University Board on Retention and Tenure. These college/school procedures shall make available to each probationary faculty member a means to respond to or appeal the recommendation of the department peer review committee and/or chair.
3. The college/school peer review committee shall examine the evaluations and recommendations of the department peer review committee and the department chair and shall make a thorough evaluation of the documentation for each probationary faculty member being reviewed for retention and/or tenure. The college/school peer review committee shall make an independent recommendation by the date specified in the Academic Personnel Calendar

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<sup>30</sup> For purposes of this policy, the Library and Student Services Professionals-Academically Related each constitutes a separate college/school.

which shall include the reasons for the recommendations of the college/school committee.

4. The college/school peer review committee's recommendations shall be approved by a simple majority of the membership of the committee. **These recommendations shall be based solely upon the information and documentation in the RTP File.** Votes by proxy and/or absentee voting are prohibited. Only those committee members who are present and voting when the recommendations are made may sign the recommendation form.
5. Upon independent review of the department peer review committee and department chair recommendations and RTP files, and by the date specified in the Academic Personnel Calendar, the college/school dean shall make a written independent recommendation concerning retention and/or tenure based solely on information and documentation in the RTP File. The recommendation shall include reasons for the action.
6. In the event that the probationary faculty member is recommended for termination by the department peer review committee and/or the department chair, the probationary faculty member shall have the right to make a separate appearance before the college/school peer review committee and the dean to present her/his case. Both the peer review committee and the dean must allow presentations of at least thirty (30) minutes in separate meetings. **Discussions must be limited to information and documentation in the RTP File.**
7. The college/school peer review committee may request clarifications of either recommendations or evidence in the RTP File. All requests for clarification and the responses shall be in writing and placed in the RTP File.
8. The dean may request clarification of either recommendations or evidence in the RTP File. All requests for clarification and responses shall be in writing and placed in the RTP File.
9. At the conclusion of the college/school level review, and by the date specified in the Academic Personnel Calendar, the probationary faculty member shall be given a copy of the Retention and Tenure Form (complete to this point) and the reasons for the recommendation. The Retention and Tenure Form and the reasons for the recommendation shall be added to the RTP file five (5) days after the probationary faculty member has been notified. A copy of the recommendations of the college/school peer review committee and the dean shall also be sent to the department chair and the chair of the department review committee.
10. All evaluations and recommendations from the department peer review committee, the department chair, the college/school peer review committee, and the dean shall be transmitted by the dean to the University Board on Retention and Tenure via Academic Personnel Services by the date specified in the Academic Personnel Calendar.

**G. University Level**

1. The University Board on Retention and Tenure (UBORT) shall examine the evaluations and recommendations of the department and college/school levels and shall make a thorough evaluation of the documentation for each probationary

faculty member being considered for retention and/or tenure. The Board shall make independent recommendations directly to the President. **These recommendations shall be based solely on information and documentation in the RTP File.**

2. UBORT is a Subcommittee of the Personnel Committee of the Academic Senate. It shall consist of five (5) full-time tenured members with the rank of Professor or equivalent who do not occupy a position of department chair or above, elected from the faculty. The election shall follow the procedures for the election of Senators in the shall consist of five (5) full-time tenured members with the rank of Professor or equivalent who do not occupy a position of department chair or above, elected from the faculty. The election shall follow the procedures for the election of Senators in the Bylaws of the Academic Senate, including the requirement that the nominee meets the eligibility requirements for UBORT and agrees that s/he will serve if elected. UBORT members may not serve simultaneously on the Personnel Committee of the Academic Senate, the University Board on Promotion (UBOP) or a department or college/school level peer review committee that makes recommendations on promotion. No more than one (1) UBORT member may be from any one (1) college/school. UBORT members shall serve three-year overlapping terms.
3. All deliberations of the Board shall be conducted in executive session. The Board's recommendations shall be approved by a simple majority of the membership of the Board. Voting by proxy and/or absentee ballot is prohibited. Only those committee members who are present and voting when the recommendations are made may sign the recommendation form.
4. In the event that an individual is recommended for termination by the department peer review committee, the department chair, the college/school peer review committee, or the dean, the individual shall have the right to make an appearance before the UBORT to present his/her case. The Board must allow presentations of at least thirty (30) minutes. **Discussions must be limited to information and documentation in the RTP File.**
5. UBORT may request clarifications of either recommendations or evidence in the RTP File. All requests for clarification and responses shall be in writing and placed in the RTP File.
6. The Board shall forward recommendations from all levels to the President. The probationary faculty member shall be notified in writing of the Board's recommendation and the reasons for the recommendation by the date specified in the Academic Personnel Calendar. A copy of the recommendations shall also be sent to the department chair, the chair of the department peer review committee, the dean, and the chair of the college/school peer review committee.
7. The Retention and Tenure Form shall be added to the RTP File five (5) days after the probationary faculty member has been notified.

#### H. **President's Decision**<sup>31</sup>

1. A probationary faculty member may submit a response to or appeal of the Board's recommendation to the President or designee. The response or appeal

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Unless announced otherwise, the Provost makes the final decision as the President's designee.

shall be in writing only and shall be based upon information and documentation in the RTP File.

2. In the event that a probationary faculty member is recommended for termination by the department peer review committee, the department chair, the college/school peer review committee, the dean, or UBORT, the probationary faculty member shall have the right to make an appearance before the President to present her/his case. The President must allow a presentation of at least thirty (30) minutes. **Discussion must be limited to information and documentation in the RTP File.**
3. The President shall review and consider the recommendations for retention and/or tenure, relevant material and information.
4. The President may request clarifications of either recommendations or evidence in the RTP File. All requests for clarification and the responses shall be in writing and placed in the RTP File.
5. The President shall make a final, independent decision on each retention and/or tenure recommendation and shall notify each probationary faculty member under review in writing, of that decision and of the reasons for the decision by the date specified in the Collective Bargaining Agreement.<sup>32</sup>

#### REFERENCES:

CBA Articles 11, 13, 15, 16, 20, 27, 28, 29  
 Final Report of the Faculty Scholar Blue Ribbon Committee (APM)  
 Policy on the Assessment of Teaching Effectiveness (APM)  
 Policy on Probationary Plans and Faculty Mentoring (APM)

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| Recommended by the Academic Senate | November, 1972  |
| Approved by the President          | December, 1972  |
| Amended                            | 5/73; 4/80; 5/82; 7/84; 12/84; 6/86; 11/86; 12/87;<br>6/88; 10/89; 4/93; 5/94; 11/95; October 14, 2003;<br>January 22, 2007; January 13, 2010 |
| Approved by the President          | February 17, 2010   |

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<sup>32</sup> Lack of official notice shall not result in the award of tenure (CBA Article 13.17). No person shall be deemed to have been reappointed or to have been awarded tenure because notice is not given or received by the time prescribed. It is the responsibility of the faculty member concerned to make inquiry to determine the decision of the President, who shall give notice without delay.