

SUBJECT: FACULTY REGULATIONS - Chapter V - Section 2 APPOINTMENTS, RETENTION, PROMOTION, AND TENURE**SECTION 2. RETENTION, PROMOTION, AND TENURE¹****A. RETENTION, PROMOTION, AND TENURE REVIEWS²****I. PURPOSE:**

- A. **RETENTION.** A PROBATIONARY PERIOD IS NORMALLY REQUIRED FOR ALL INDIVIDUALS APPOINTED TO REGULAR FACULTY RANKS PRIOR TO THE GRANTING OF TENURE. PERIODIC REVIEWS SHALL BE SCHEDULED DURING THIS PROBATIONARY PERIOD TO EXAMINE THE ACADEMIC COMPETENCE OF NONTENURED INDIVIDUALS AND TO TERMINATE THOSE WHO DO NOT MEET THE STANDARDS OF THE DEPARTMENT AND THE EXPECTATIONS OF THE UNIVERSITY AFTER THEIR INITIAL APPOINTMENTS.
 - B. **PROMOTION.** PROMOTION IN RANK IS THE ACKNOWLEDGMENT BY THE UNIVERSITY OF EXCELLENCE IN PERFORMANCE IN TEACHING, RESEARCH AND CREATIVE WORK, PROFESSIONAL COMPETENCE AND ACTIVITY, AND UNIVERSITY AND PUBLIC SERVICE.
 - C. **TENURE.** GRANTING TENURE IMPLIES A COMMITMENT BY THE UNIVERSITY TO DEFEND FACULTY MEMBERS' ACADEMIC FREEDOM. LIKewise, FACULTY MEMBERS WHO ARE GRANTED TENURE MAKE AN EQUALLY STRONG COMMITMENT TO SERVE THEIR STUDENTS, THEIR COLLEAGUES, THEIR DISCIPLINE, AND THE UNIVERSITY IN A MANNER BEFITTING AN ACADEMIC PERSON. IT ALSO RAISES A STRONG PRESUMPTION THAT THOSE GRANTED TENURE ARE COMPETENT IN THEIR DISCIPLINE AND CAPABLE OF SCHOLARLY CONTRIBUTIONS. GRANTING TENURE IS REGARDED AS THE UNIVERSITY'S MOST CRITICAL PERSONNEL DECISION. EXCEPT FOR EXTRAORDINARY INSTANCES, WHEN SPECIFIC AND PERSUASIVE JUSTIFICATION IS PROVIDED, TENURE WILL NOT BE AWARDED TO FACULTY MEMBERS PRIOR TO THEIR ADVANCEMENT TO THE RANK OF ASSOCIATE PROFESSOR. IT IS THEREFORE IMPERATIVE, BEFORE SUCH COMMITMENTS ARE MADE, THAT A RESPONSIBLE SCREENING PROCESS BE FOLLOWED TO ENSURE THAT THE MOST HIGHLY QUALIFIED CANDIDATES AVAILABLE ARE GRANTED TENURE.
2. **CRITERIA.** EACH DEPARTMENT SHALL FORMULATE AND DISTRIBUTE TO ALL FACULTY MEMBERS IN THE DEPARTMENT A STATEMENT OF CRITERIA TO BE USED IN RETENTION, PROMOTION, AND TENURE REVIEWS. THIS STATEMENT SHALL INCLUDE THE RATIONALE FOR THE CRITERIA, AND MUST BE APPROVED BY THE DEPARTMENT FACULTY. THE STATEMENT SHALL BE CONSISTENT WITH EXISTING COLLEGE CRITERIA, WITH APPLICABLE PROVISIONS OF UNIVERSITY REGULATIONS, FACULTY REGULATIONS AND THE CODE OF FACULTY RESPONSIBILITY, AND WITH THE PURPOSE OF THE UNIVERSITY OF UTAH AS STATED IN CHAPTER I, SECTION I, OF THE STATE HIGHER EDUCATION SYSTEM REGULATIONS. THE CRITERIA SHALL ADDRESS THE QUALIFICATIONS OF CANDIDATES WITH RESPECT TO THE AREAS OF (1) TEACHING, (2) RESEARCH AND OTHER CREATIVE WORK, AND (3) UNIVERSITY, PROFESSIONAL, AND PUBLIC SERVICE. THE CRITERIA SHALL EMPHASIZE THE UNIVERSITY'S COMMITMENT TO SUPERIOR INTELLECTUAL ATTAINMENT. DEMONSTRATION OF ACHIEVEMENT IN THE AREAS OF BOTH TEACHING AND RESEARCH AND/OR OTHER CREATIVE ACTIVITY, INCLUDING THE EXERCISE OF PROFESSIONAL

EXPERTISE, IS AN INDISPENSABLE QUALIFICATION FOR PROMOTION AND TENURE. FOR THE PURPOSE OF RETENTION, A REASONABLE POTENTIAL FOR ACHIEVING THESE CRITERIA SHOULD BE EVIDENT. IN ADDITION, RECOGNITION SHALL BE ACCORDED FACULTY MEMBERS FOR THE QUALITY AND EXTENT OF THEIR PUBLIC SERVICE AND SHALL BE TAKEN INTO ACCOUNT IN THE EVALUATION MADE IN THE CONTEXT OF RETENTION, PROMOTION, AND TENURE. INSISTENCE UPON THE HIGHEST ATTAINABLE STANDARDS FOR FACULTY MEMBERS IS ESSENTIAL FOR THE MAINTENANCE OF THE QUALITY OF THE UNIVERSITY AS AN INSTITUTION DEDICATED TO THE DISCOVERY AS WELL AS THE ASSIMILATION AND TRANSMISSION OF KNOWLEDGE.

3. **CANDIDATE'S FILE.** PROPER PREPARATION AND COMPLETENESS OF EACH CANDIDATE'S FILE IS ESSENTIAL FOR THE UNINTERRUPTED PROGRESS OF A FORMAL RETENTION/PROMOTION/TENURE REVIEW THROUGH ALL THE STAGES OF THE REVIEW PROCESS. THE CANDIDATE IS EXPECTED TO PROVIDE A CURRENT AND COMPLETE CURRICULUM VITAE WHICH IS ORGANIZED IN A CLEAR AND COHERENT MANNER, WITH APPROPRIATE DATE OF VARIOUS ITEMS AND LOGICAL GROUPINGS OR CATEGORIES RELATED TO THE DEPARTMENT'S RETENTION/PROMOTION/TENURE CRITERIA. ANY OTHER WRITTEN STATEMENTS--FROM THE CANDIDATE, FACULTY MEMBERS IN THE DEPARTMENT, THE DEPARTMENT CHAIRPERSON, THE COLLEGE DEAN, THE DEPARTMENT STUDENT ADVISORY COMMITTEE, OR INTERESTED INDIVIDUALS--WHICH ARE INTENDED TO PROVIDE INFORMATION OR DATA OF CONSEQUENCE FOR THE FORMAL REVIEW OF THE CANDIDATE, SHOULD BE PLACED IN THE FILE BEFORE THE DEPARTMENT FACULTY RETENTION/PROMOTION/TENURE ADVISORY COMMITTEE MEETS TO CONSIDER THE CASE. THE CANDIDATE IS ENTITLED TO SEE HIS/HER REVIEW FILE UPON REQUEST, EXCEPT FOR CONFIDENTIAL LETTERS OF EVALUATION SOLICITED FROM OUTSIDE THE DEPARTMENT. IF A CANDIDATE WISHES TO COMMENT ON, OR TO TAKE EXCEPTION TO, ANY ITEM IN HIS/HER INITIAL FORMAL REVIEW FILE, THE CANDIDATE'S WRITTEN COMMENT OR EXCEPTION MUST BE ADDED TO THE FILE BEFORE THE DEPARTMENT FACULTY ADVISORY COMMITTEE MEETING IS HELD.
4. **EXTERNAL EVALUATIONS.** THE DEPARTMENT CHAIRPERSON SHOULD MAKE SURE THAT ANY LETTERS OF EVALUATION FROM OUTSIDE THE DEPARTMENT ARE REQUESTED EARLY ENOUGH FOR THE LETTERS TO ARRIVE AND BE INCLUDED IN THE CANDIDATE'S FILE BEFORE THE DEPARTMENT FACULTY ADVISORY COMMITTEE MEETING. BEFORE EXTERNAL LETTERS OF EVALUATION ARE REQUESTED, THE FACULTY MEMBER BEING REVIEWED SHALL BE PRESENTED WITH A DEPARTMENTALLY PREPARED FORM CONTAINING THE FOLLOWING STATEMENTS AND SIGNATURE LINES:

I WAIVE MY RIGHT TO SEE THE EXTERNAL LETTERS OF EVALUATION OBTAINED FROM OUTSIDE THE DEPARTMENT FOR MY RETENTION/ PROMOTION/TENURE REVIEW.

SIGNATURE DATE

I RETAIN MY RIGHT TO READ THE EXTERNAL EVALUATION OBTAINED FROM OUTSIDE THE DEPARTMENT FOR MY RETENTION/PROMOTION/ TENURE REVIEW.

SIGNATURE DATE

THAT FORM, WITH THE CANDIDATE'S SIGNATURE BELOW THE STATEMENT PREFERRED BY THE CANDIDATE, SHALL BE INCLUDED IN THE CANDIDATE'S REVIEW FILE. WHEN THE CANDIDATE RESERVES THE RIGHT TO READ THE EXTERNAL LETTERS OF EVALUATION, RESPONDENTS SHALL BE INFORMED IN WRITING THAT THEIR LETTERS MAY BE SEEN BY THE FACULTY MEMBER BEING REVIEWED.

B. DEPARTMENT RETENTION, PROMOTION, AND TENURE ADVISORY COMMITTEE

I. COMMITTEE MEMBERSHIP:

- A. **RETENTION.** IN EACH DEPARTMENT ALL TENURE FACULTY MEMBERS OF EQUAL OR HIGHER RANK AND ALL NONTENURED REGULAR FACULTY MEMBERS OF HIGHER RANK THAN THAT HELD BY THE CANDIDATE FOR RETENTION ARE ELIGIBLE TO PARTICIPATE IN THE CONSIDERATION OF AND TO VOTE ON RECOMMENDATIONS IN INDIVIDUAL CASES ON MATTERS OF RETENTION.
 - B. **PROMOTION.** IN EACH DEPARTMENT ALL REGULAR FACULTY MEMBERS OF EQUAL OR HIGHER RANK THAN THAT PROPOSED FOR THE CANDIDATE FOR PROMOTION ARE ELIGIBLE TO PARTICIPATE IN THE CONSIDERATION OF AND TO VOTE ON RECOMMENDATIONS IN INDIVIDUAL CASES ON MATTERS OF PROMOTION.
 - C. **TENURE.** IN EACH DEPARTMENT ALL TENURED FACULTY MEMBERS WHOSE RANK IS EQUAL TO OR HIGHER THAN THE RANK CURRENTLY HELD BY THE CANDIDATE FOR TENURE, AND ALL NONTENURED REGULAR FACULTY MEMBERS OF HIGHER RANK THAN THAT PROPOSED FOR THE CANDIDATE FOR TENURE, ARE ELIGIBLE TO PARTICIPATE IN THE CONSIDERATION OF AND TO VOTE ON RECOMMENDATIONS IN INDIVIDUAL CASES ON MATTERS OF TENURE.
 - D. **ANY DEPARTMENT OR DIVISION ADVISORY COMMITTEE MAKING A FORMAL RPT RECOMMENDATION MUST INCLUDE AT LEAST 3 MEMBERS ELIGIBLE TO VOTE BY TENURE STATUS AND RANK. IF THE UNIT DOES NOT HAVE AT LEAST 3 ELIGIBLE MEMBERS, THE DEPARTMENT OR DIVISION CHAIR MUST RECOMMEND TO THE DEAN ONE OR MORE FACULTY MEMBERS WITH APPROPRIATE TENURE STATUS AND RANK AND WITH SOME KNOWLEDGE OF THE CANDIDATE'S FIELD FROM OTHER UNITS AT THE UNIVERSITY OF UTAH OR FROM APPROPRIATE EMERITUS FACULTY. IN ADVANCE OF THE CHAIR'S CONTACTING SUCH FACULTY MEMBERS, THE CHAIR SHALL NOTIFY THE CANDIDATE OF THE POTENTIAL PERSONS TO BE ASKED, AND THE CANDIDATE MUST BE OFFERED THE OPPORTUNITY TO COMMENT IN WRITING ON THE SUITABILITY OF THE POTENTIAL COMMITTEE MEMBERS. THE FINAL SELECTION RESTS WITH THE DEAN.**
2. **CHAIRPERSON.** THE CHAIRPERSON OF THE DEPARTMENT RETENTION, PROMOTION, AND TENURE ADVISORY COMMITTEE SHALL BE ELECTED ANNUALLY FROM THE TENURED MEMBERS OF THE DEPARTMENT. IN THIS ELECTION ALL FACULTY MEMBERS OF THE RANK OF PROFESSOR, ASSOCIATE PROFESSOR, ASSISTANT PROFESSOR, AND INSTRUCTOR SHALL BE ENTITLED TO VOTE. THE DEPARTMENT CHAIRPERSON IS NOT ELIGIBLE TO CHAIR THIS COMMITTEE.
 3. **QUORUM.** A QUORUM OF A DEPARTMENT ADVISORY COMMITTEE FOR ANY GIVEN CASE SHALL CONSIST OF TWO- THIRDS OF ITS MEMBERS, EXCEPT THAT ANY MEMBER UNABLE TO ATTEND THE MEETING BECAUSE OF FORMAL LEAVE OF ABSENCE OR PHYSICAL DISABILITY SHALL NOT BE COUNTED IN DETERMINING THE NUMBER REQUIRED FOR A QUORUM.
 4. **ABSENTEE VOTING.** WHENEVER PRACTICABLE, THE DEPARTMENT CHAIRPERSON SHALL ADVISE ALL MEMBERS ON LEAVE OR OTHERWISE ABSENT OF THE PROPOSED ACTION AND SHALL REQUEST THEIR WRITTEN OPINIONS AND VOTES. ABSENT MEMBERS' WRITTEN OPINIONS SHALL BE DISCLOSED AT THE MEETING AND THEIR VOTES WILL BE COUNTED THE SAME AS OTHER VOTES, BUT THEIR WRITTEN VOTES SHALL BE RECORDED SEPARATELY IN THE REPORT OF THE MEETING.

5. **LIMITATIONS.** DEPARTMENT CHAIRPERSONS, DEANS, AND OTHER ADMINISTRATIVE OFFICIALS WHO ARE REQUIRED BY THE REGULATIONS TO MAKE THEIR OWN RECOMMENDATIONS IN AN ADMINISTRATIVE CAPACITY MAY ATTEND AND SHOULD, UPON INVITATION BY MAJORITY VOTE OF THE COMMITTEE, SUBMIT EVIDENCE, JUDGMENTS, AND OPINIONS, OR PARTICIPATE IN DISCUSSION, BUT SHALL OTHERWISE ABSTAIN FROM PARTICIPATION. BY MAJORITY VOTE THE COMMITTEE MAY MOVE TO EXECUTIVE SESSION, FROM WHICH NONVOTING PARTICIPANTS MAY BE EXCLUDED. DEPARTMENT CHAIRPERSONS, DEANS, AND OTHER ADMINISTRATIVE OFFICIALS SHALL NOT VOTE AT THE DEPARTMENT LEVEL.

C. ACTION BY DEPARTMENT RETENTION, PROMOTION, AND TENURE ADVISORY COMMITTEE

1. **CONSIDERATIONS.** THE DEPARTMENT CHAIRPERSON SHALL CALL A MEETING OF THE DEPARTMENT RETENTION, PROMOTION, AND TENURE ADVISORY COMMITTEE ANNUALLY TO CONSIDER THE RETENTION OF ALL NONTENURED REGULAR FACULTY MEMBERS, THE PROMOTION OF REGULAR FACULTY MEMBERS, AND THE POSSIBLE AWARD OF TENURE TO NONTENURED REGULAR FACULTY MEMBERS.
 - A. THE RETENTION CONSIDERATION GIVEN EACH YEAR TO NONTENURED FACULTY MEMBERS MAY BE EITHER INFORMAL OR FORMAL, EXCEPT AS PROVIDED IN THE FOLLOWING SENTENCE, AS DEEMED APPROPRIATE BY THE DEPARTMENT ADVISORY COMMITTEE. FORMAL CONSIDERATION IS REQUIRED FOR A RECOMMENDATION FOR TERMINATION, AND FORMAL CONSIDERATION WILL BE GIVEN TO ALL NONTENURED REGULAR FACULTY MEMBERS IN THEIR THIRD PROBATIONARY YEAR AND TO ASSISTANT PROFESSORS IN AT LEAST ONE SUBSEQUENT YEAR PRIOR TO THEIR SEVENTH PROBATIONARY YEAR, AS DETERMINED IN ADVANCE BY DEPARTMENT POLICY.
 - B. INFORMAL CONSIDERATIONS RESULTING IN A RECOMMENDATION FOR RETENTION MAY BE COMPLETED WITHOUT SPECIAL INQUIRY OR DOCUMENTATION.
 - C. FORMAL CONSIDERATION FOR RETENTION, PROMOTION OR TENURE REQUIRES THOROUGH EXAMINATION AND DOCUMENTATION OF THE CANDIDATE'S ACADEMIC COMPETENCE AND PERFORMANCE IN ACCORDANCE WITH THE PERTINENT CRITERIA AND IN CONFORMANCE WITH THE PROCEDURES PRESCRIBED IN THIS SUBSECTION.
2. **NOTICE TO STUDENT ADVISORY COMMITTEE AND DEPARTMENT FACULTY.** PRIOR TO THE CONVENING OF THE DEPARTMENT RETENTION, PROMOTION, AND TENURE ADVISORY COMMITTEE, THE DEPARTMENT CHAIRPERSON SHALL REQUEST THE DEPARTMENT STUDENT ADVISORY COMMITTEE AND INVITE ANY INTERESTED FACULTY MEMBERS IN THE DEPARTMENT TO SUBMIT WRITTEN RECOMMENDATIONS WITH RESPECT TO EACH CANDIDATE TO BE CONSIDERED, STATING AS SPECIFICALLY AS POSSIBLE THE REASONS FOR EACH RECOMMENDATION.
3. **NOTICE TO ACADEMIC PROGRAM.** WHEN A CANDIDATE FOR RETENTION, TENURE OR PROMOTION IN A DEPARTMENT IS ALSO A MEMBER OF AN ACADEMIC PROGRAM, THE DEPARTMENT CHAIRPERSON, PRIOR TO THE CONVENING OF THE DEPARTMENT RPT ADVISORY COMMITTEE, SHALL NOTIFY THE CHAIR/DIRECTOR OF THE ACADEMIC PROGRAM OF THE ACTION TO BE CONSIDERED. ACADEMIC PROGRAM FACULTY AS DEFINED BY PROCEDURES ESTABLISHED BY THE PROGRAM (AND NOT PARTICIPATING IN THE DEPARTMENTAL REVIEW COMMITTEE) SHALL MEET TO MAKE A WRITTEN RECOMMENDATION WHICH SHALL BE SENT TO THE DEPARTMENT CHAIR IN A TIMELY MANNER. THE RECOMMENDATION WILL BE INCLUDED IN THE CANDIDATE'S FILE WHICH WILL THEN BE REVIEWED BY THE DEPARTMENT ACCORDING TO ITS ESTABLISHED

PROCEDURES.

4. NOTICE TO CANDIDATE. EACH CANDIDATE FOR RETENTION, PROMOTION, OR TENURE SHALL BE GIVEN AT LEAST THREE WEEKS ADVANCE NOTICE OF THE MEETING AND AN OPPORTUNITY TO SUBMIT ANY INFORMATION THE CANDIDATE DESIRES THE COMMITTEE TO CONSIDER.
5. MATERIALS TO COMMITTEE. THE DEPARTMENT CHAIRPERSON SHALL FORWARD TO THE DEPARTMENT ADVISORY COMMITTEE THE RECOMMENDATIONS SUBMITTED BY INDIVIDUAL FACULTY MEMBERS AND THE STUDENT ADVISORY COMMITTEE, AND ANY STATEMENTS AND MATERIALS SUBMITTED BY THE CANDIDATE FOR RETENTION, PROMOTION, OR TENURE. THE CHAIR WILL ALSO SUBMIT THE RECOMMENDATION OF THE ACADEMIC PROGRAM WHEN THE CANDIDATE IS ALSO A MEMBER OF AN ACADEMIC PROGRAM.
6. STUDENT ADVISORY COMMITTEE REPORTS. THE STUDENT ADVISORY COMMITTEE SHALL BE GIVEN AT LEAST THREE WEEKS TO PREPARE ITS RECOMMENDATIONS, BUT UPON FAILURE TO REPORT AFTER SUCH NOTIFICATION AND ATTEMPTS BY THE DEPARTMENT CHAIRPERSON TO OBTAIN THE REPORTS, THE STUDENT ADVISORY COMMITTEE'S RECOMMENDATIONS SHALL BE DEEMED CONCLUSIVELY WAIVED AND THEIR ABSENCE SHALL NOT THEREAFTER BE CAUSED FOR COMPLAINT BY FACULTY MEMBERS APPEALING AN ADVERSE DECISION.
7. COMMITTEE SECRETARY. A SECRETARY OF EACH MEETING SHALL BE DESIGNATED BY THE CHAIRPERSON OF THE DEPARTMENT RETENTION, PROMOTION, AND TENURE ADVISORY COMMITTEE AND SHALL TAKE NOTES OF THE DISCUSSION TO PROVIDE THE BASIS FOR DEVELOPING A SUMMARY.
8. COMMITTEE REPORT. AFTER DUE CONSIDERATION, A VOTE SHALL BE TAKEN ON EACH CANDIDATE FOR RETENTION, PROMOTION, OR TENURE. THE SECRETARY SHALL MAKE A RECORD OF THE VOTE AND SHALL PREPARE A SUMMARY OF THE MEETING WHICH SHALL INCLUDE THE SUBSTANCE OF THE DISCUSSION AND ALSO THE FINDINGS AND RECOMMENDATIONS OF THE DEPARTMENT ADVISORY COMMITTEE. THIS SUMMARY REPORT OF THE MEETING, SIGNED BY THE SECRETARY AND BEARING THE WRITTEN APPROVAL OF THE COMMITTEE CHAIRPERSON, SHALL BE MADE AVAILABLE FOR INSPECTION BY THE COMMITTEE MEMBERS. AFTER ALLOWING AN INSPECTION PERIOD OF NOT LESS THAN TWO DAYS NOR MORE THAN FIVE DAYS, AND AFTER SUCH MODIFICATION AS THE COMMITTEE APPROVES, THE SECRETARY SHALL FORWARD THE SUMMARY REPORT TO THE DEPARTMENT CHAIRPERSON AND THE CANDIDATE, ALONG WITH A LIST OF ALL FACULTY MEMBERS PRESENT AT THE MEETING.

D. ACTION BY DEPARTMENT CHAIRPERSON

1. RECOMMENDATIONS. AFTER STUDYING THE ENTIRE FILE RELATING TO EACH CANDIDATE, THE DEPARTMENT CHAIRPERSON SHALL PREPARE HIS/HER WRITTEN RECOMMENDATION TO BE INCLUDED IN THE FILE ON THE RETENTION, PROMOTION, OR TENURE OF EACH CANDIDATE, INCLUDING SPECIFIC REASONS FOR THE RECOMMENDATION.
2. NOTICE TO FACULTY MEMBER. PRIOR TO FORWARDING THE FILE, THE DEPARTMENT CHAIRPERSON SHALL SEND AN EXACT COPY OF THE CHAIRPERSON'S EVALUATION OF EACH FACULTY MEMBER TO THAT FACULTY MEMBER.
3. CANDIDATE'S RIGHT TO RESPOND. THE CANDIDATE SHALL HAVE THE OPPORTUNITY AT THIS TIME, BUT NOT THE OBLIGATION, TO ADD A WRITTEN STATEMENT TO HIS/HER FORMAL REVIEW FILE IN RESPONSE TO THE SUMMARY REPORT OF THE DEPARTMENT FACULTY ADVISORY

COMMITTEE AND/OR THE EVALUATION OF THE DEPARTMENT CHAIRPERSON. WRITTEN NOTICE OF THIS OPTION SHALL BE INCLUDED WITH THE COPY OF THE CHAIRPERSON'S EVALUATION WHICH IS SENT TO THE CANDIDATE. IF THE CANDIDATE CHOOSES TO ADD SUCH A STATEMENT TO THE FILE, THAT STATEMENT MUST BE SUBMITTED TO THE DEPARTMENT CHAIRPERSON WITHIN SEVEN DAYS, EXCEPT IN EXTENUATING CIRCUMSTANCES, OF THE DATE UPON WHICH THE CHAIRPERSON'S EVALUATION IS DELIVERED TO THE CANDIDATE. IF THE CANDIDATE SUBMITS A WRITTEN STATEMENT TO THE DEPARTMENT CHAIRPERSON WITHIN THIS TIME LIMIT, THE CANDIDATE'S STATEMENT SHALL BE ADDED TO THE REVIEW FILE WITHOUT COMMENT BY THE CHAIRPERSON.

4. FORWARDING FILES. THE DEPARTMENT CHAIRPERSON SHALL THEN FORWARD THE ENTIRE FILE FOR EACH INDIVIDUAL TO THE DEAN OF THE COLLEGE.

E. ACTION BY DEAN AND COLLEGE ADVISORY COMMITTEE

1. REFERRAL OF CASES TO THE COLLEGE ADVISORY COMMITTEE:

- A. RETENTION. IF TERMINATION OF A CANDIDATE IS RECOMMENDED BY THE STUDENT ADVISORY COMMITTEE, OR THE DEPARTMENT ADVISORY COMMITTEE, OR THE DEPARTMENT CHAIRPERSON, THE DEAN SHALL TRANSMIT THE ENTIRE FILE ON THAT CANDIDATE TO THE COLLEGE ADVISORY COMMITTEE. THE DEAN AT HIS/HER DISCRETION, MAY REQUEST THE COLLEGE ADVISORY COMMITTEE TO REVIEW AND SUBMIT RECOMMENDATIONS ON ANY OTHER CANDIDATE FOR RETENTION.
 - B. PROMOTION OR TENURE. THE DEAN SHALL FORWARD THE ENTIRE FILE ON ALL CASES DEALING WITH PROMOTION OR TENURE TO THE COLLEGE ADVISORY COMMITTEE.
2. ATTENDANCE AND PARTICIPATION AT MEETINGS. NEITHER THE DEAN NOR THE CHAIRPERSON OF THE DEPARTMENT CONCERNED SHALL ATTEND OR PARTICIPATE IN THE DELIBERATIONS OF THE COLLEGE COMMITTEE EXCEPT BY INVITATION OF THE COMMITTEE.
 3. RECOMMENDATIONS OF THE COLLEGE ADVISORY COMMITTEE. THE COLLEGE ADVISORY COMMITTEE SHALL REVIEW THE FILE OF EACH CASE REFERRED TO IT AND ADVISE THE DEAN IN WRITING OF ITS RECOMMENDATIONS.
 4. RECOMMENDATIONS OF THE DEAN. THE DEAN SHALL THEN REVIEW THE ENTIRE FILE FOR EACH CANDIDATE FOR RETENTION, PROMOTION, OR TENURE AND SHALL MAKE RECOMMENDATIONS IN WRITING, STATING REASONS THEREFOR, AND SHALL FORWARD THE FILE, INCLUDING ALL THE RECOMMENDATIONS, TO THE COGNIZANT VICE PRESIDENT (FOR ACADEMIC AFFAIRS OR FOR HEALTH SCIENCES).
 5. NOTICE TO FACULTY MEMBERS. PRIOR TO FORWARDING THE FILE, THE DEAN SHALL SEND AN EXACT COPY OF THE COLLEGE ADVISORY COMMITTEE'S REPORT OF ITS EVALUATION AND AN EXACT COPY OF THE DEAN'S EVALUATION OF EACH FACULTY MEMBER TO THAT FACULTY MEMBER.
 6. CANDIDATE'S RIGHT TO RESPOND. THE CANDIDATE SHALL HAVE THE OPPORTUNITY AT THIS TIME, BUT NOT THE OBLIGATION, TO ADD A WRITTEN STATEMENT TO HIS/HER FORMAL REVIEW FILE IN RESPONSE TO THE REPORT OF THE COLLEGE ADVISORY COMMITTEE'S EVALUATION AND/OR THE DEAN'S EVALUATION. WRITTEN NOTICE OF THIS OPTION SHALL BE INCLUDED WITH THE COPY OF THE DEAN'S EVALUATION WHICH IS SENT TO THE CANDIDATE. IF THE CANDIDATE

CHOOSES TO ADD SUCH A STATEMENT TO THE FILE, THAT STATEMENT MUST BE SUBMITTED TO THE DEAN WITHIN SEVEN DAYS, EXCEPT IN EXTENUATING CIRCUMSTANCES, OF THE DATE UPON WHICH THE DEAN'S EVALUATION IS DELIVERED TO THE CANDIDATE. IF THE CANDIDATE SUBMITS A WRITTEN STATEMENT TO THE DEAN WITHIN THIS TIME LIMIT, THE CANDIDATE'S STATEMENT SHALL BE ADDED TO THE REVIEW FILE WITHOUT COMMENT BY THE DEAN.

F. ACTION BY COGNIZANT VICE PRESIDENT, AND THE UNIVERSITY PROMOTION AND TENURE ADVISORY COMMITTEE

- I. REFERRAL OF CASES TO THE UNIVERSITY COMMITTEE. THE COGNIZANT VICE PRESIDENT SHALL FORWARD TO THE UNIVERSITY PROMOTION AND TENURE ADVISORY COMMITTEE FOR ITS REVIEW AND RECOMMENDATION THE FILES IN ALL CASES IN WHICH:
 - A. THERE IS A DIFFERING RECOMMENDATION FROM ANY OF THE PRIOR REVIEW LEVELS -- THE STUDENT ADVISORY COMMITTEE, THE DEPARTMENT ADVISORY COMMITTEE, THE DEPARTMENT CHAIRPERSON, THE COLLEGE ADVISORY COMMITTEE, OR THE COLLEGE DEAN; OR
 - B. THE COLLEGE IS ORGANIZED AND FUNCTIONS AS A SINGLE ACADEMIC DEPARTMENT.
2. RECOMMENDATIONS OF THE UNIVERSITY PROMOTION AND TENURE ADVISORY COMMITTEE. THE COMMITTEE SHALL REVIEW THE ENTIRE FILE FOR ALL CASES REFERRED TO IT, AND AFTER DUE DELIBERATION SHALL SUBMIT ITS RECOMMENDATIONS WITH REASONS TO THE COGNIZANT VICE PRESIDENT.
3. CONSIDERATION BY THE VICE PRESIDENT. THE COGNIZANT VICE PRESIDENT SHALL REVIEW EACH FILE, INCLUDING THE RECOMMENDATIONS (IF ANY) OF THE UNIVERSITY PROMOTION AND TENURE ADVISORY COMMITTEE, AND SHALL PREPARE A FINAL RECOMMENDATION TO THE PRESIDENT WITH RESPECT TO THE CANDIDATE'S RETENTION, PROMOTION, AND/OR TENURE, STATING REASONS THEREFOR.
4. NOTICE TO FACULTY MEMBER OF VICE PRESIDENT'S RECOMMENDATION. BEFORE TRANSMITTING HIS OR HER FINAL RECOMMENDATION TO THE PRESIDENT, THE COGNIZANT VICE PRESIDENT SHALL GIVE NOTICE THEREOF BY PROVIDING A COPY OF THE RECOMMENDATION TO THE CANDIDATE, TOGETHER WITH A COPY OR SUMMARY OF THE PROVISIONS OF SUBSECTION G OF THIS SECTION. THE VICE PRESIDENT SHALL ALSO FORWARD A COPY OF THE RECOMMENDATION, TOGETHER WITH A COPY OR SUMMARY OF SUBSECTION G, TO THE DEAN AND THE DEPARTMENT CHAIRPERSON. THE DEPARTMENT CHAIRPERSON, IN TURN, SHALL FORWARD A COPY OF THE RECOMMENDATION AND A COPY OR SUMMARY OF SUBSECTION G TO THE CHAIRPERSONS OF THE DEPARTMENTAL RTP COMMITTEE AND THE STUDENT ADVISORY COMMITTEE. THE CHAIRPERSONS OF THE DEPARTMENTAL RTP AND STUDENT ADVISORY COMMITTEES SHALL NOTIFY THE MEMBERS OF THEIR COMMITTEES IN AN EXPEDITIOUS MANNER OF THE VICE PRESIDENT'S RECOMMENDATION. THE VICE PRESIDENT SHALL NOT SUBMIT THE FINAL RECOMMENDATION TO THE PRESIDENT UNTIL AT LEAST SEVEN DAYS HAVE ELAPSED FOLLOWING THE GIVING OF SUCH NOTICE.

G. REVIEW OF RECOMMENDATION WITH RESPECT TO RETENTION, PROMOTION, AND/OR TENURE.

- I. EXAMINATION OF FILE BY FACULTY MEMBER. EXCEPT AS PROVIDED IN THE FOLLOWING SENTENCE, FACULTY MEMBERS SHALL BE ENTITLED TO REVIEW THEIR INDIVIDUAL FILES AS

DEVELOPED AND USED IN THE REVIEW PROCESS AT ANY TIME DURING THE REVIEW PROCESS. LETTERS OF EVALUATION WHICH WERE SOLICITED IN CONFIDENCE FROM INDIVIDUALS OUTSIDE OF THE DEPARTMENT SHALL BE REMOVED FROM THE FILE BEFORE IT IS EXAMINED BY THE FACULTY MEMBER.

2. **STATEMENT BY FACULTY MEMBER.** WITHIN SEVEN DAYS AFTER RECEIVING NOTICE OF THE FINAL RECOMMENDATION OF THE VICE PRESIDENT WITH RESPECT TO HIS/HER RETENTION, PROMOTION, AND/OR TENURE, THE FACULTY MEMBER CONCERNED MAY SUBMIT A WRITTEN STATEMENT TO THE VICE PRESIDENT AND THE STATEMENT SHALL BE INCLUDED IN THE FACULTY MEMBER'S FILE. IF THE VICE PRESIDENT, AFTER CONSIDERING THE STATEMENT, MODIFIES THE FINAL RECOMMENDATION, NOTICE OF THE RECOMMENDATION AS MODIFIED SHALL BE GIVEN TO THE FACULTY MEMBER PURSUANT TO SUBSECTION F (4) ABOVE, AND THE FACULTY MEMBER SHALL BE ENTITLED TO ALL OF THE REMEDIES PROVIDED BY THIS SUBSECTION G WITH RESPECT TO THE RECOMMENDATION AS MODIFIED.
3. **APPEAL BY FACULTY MEMBER.** A FACULTY MEMBER MAY APPEAL TO THE UNIVERSITY RPT STANDARDS AND APPEALS COMMITTEE FOR REVIEW OF AN UNFAVORABLE FINAL RECOMMENDATION WITH RESPECT TO RETENTION, PROMOTION, AND/OR TENURE BY FOLLOWING THE PROCEDURES PROVIDED IN SECTION 4. C. OF THIS CHAPTER, AND UPON THE GROUNDS ENUMERATED IN THAT SECTION.
4. **OTHER APPEALS.** APPEALS OF THE VICE PRESIDENT'S RECOMMENDATION MAY ALSO BE INITIATED BY THE DEPARTMENT STUDENT ADVISORY COMMITTEE, A MAJORITY OF THE FACULTY RTP COMMITTEE, THE DEPARTMENT CHAIRPERSON, OR THE DEAN, WHEN THE VICE PRESIDENT'S RECOMMENDATION OPPOSES THEIR OWN RECOMMENDATION. THE APPEAL IS MADE TO THE UNIVERSITY RPT STANDARDS AND APPEALS COMMITTEE AND SHOULD FOLLOW THE PROCEDURES PROVIDED IN SECTION 4 C OF THIS CHAPTER, AND UPON THE GROUNDS ENUMERATED IN THAT SECTION.
5. **ALLEGATIONS OF VIOLATIONS OF ACADEMIC FREEDOM.** IF, WITHIN SEVEN DAYS AFTER RECEIVING NOTICE THEREOF, A FACULTY MEMBER WHO IS AGGRIEVED BY A RECOMMENDATION WITH RESPECT TO RETENTION, PROMOTION, AND/OR TENURE, ASSERTS IN WRITING A VIOLATION OF HIS/HER ACADEMIC FREEDOM, THE VICE PRESIDENT SHALL IMMEDIATELY REFER THE MATTER TO THE ACADEMIC FREEDOM AND TENURE COMMITTEE. EXCEPT AS PROVIDED IN SUBSECTION H (3), BELOW, NO OTHER ACTION SHALL BE TAKEN UNTIL A FULL REPORT HAS BEEN MADE BY THE ACADEMIC FREEDOM AND TENURE COMMITTEE TO THE PRESIDENT.
6. **EXTENSION OF TIME LIMITS.** THE TIME LIMITS PROVIDED BY THIS SUBSECTION G MAY BE EXTENDED BY THE VICE PRESIDENT IN THE INTEREST OF JUSTICE.

H. FINAL ACTION BY PRESIDENT

1. **ACTION IN ABSENCE OF REVIEW PROCEEDINGS.** IF NO PROCEEDINGS FOR REVIEW HAVE BEEN INITIATED UNDER SUBSECTION G OF THIS SECTION WITHIN THE TIME PROVIDED THEREIN, THE RECOMMENDATION OF THE VICE PRESIDENT WITH RESPECT TO RETENTION, PROMOTION, AND/OR TENURE OF A FACULTY MEMBER SHALL BE TRANSMITTED TO THE PRESIDENT FOR ACTION. AFTER REVIEWING THE RECOMMENDATION, GIVING SUCH CONSIDERATION TO THE DOCUMENTS IN THE CANDIDATE'S FILE AS THE PRESIDENT DEEMS NECESSARY UNDER THE CIRCUMSTANCES, THE PRESIDENT SHALL MAKE A FINAL DECISION GRANTING OR DENYING RETENTION, PROMOTION, AND/OR TENURE, AND SHALL ADVISE THE CANDIDATE, THE COGNIZANT VICE PRESIDENT, THE

DEAN AND THE DEPARTMENT CHAIRPERSON OF THAT DECISION, STATING REASONS THEREFOR.

2. ACTION AFTER CONCLUSION OF REVIEW PROCEEDINGS. IF PROCEEDINGS FOR REVIEW HAVE BEEN TIMELY INITIATED UNDER SUBSECTION G OF THIS SECTION, THE RECOMMENDATION OF THE VICE PRESIDENT WITH RESPECT TO RETENTION, PROMOTION, AND/OR TENURE SHALL BE PLACED IN THE CANDIDATE'S FILE BUT SHALL NOT BE TRANSMITTED TO THE PRESIDENT FOR ACTION. EXCEPT AS PROVIDED IN SUBSECTION H (3), BELOW, THE PRESIDENT SHALL NOT CONSIDER THE MERITS OF THE MATTER AND SHALL NOT TAKE FINAL ACTION WITH RESPECT THERETO UNTIL THE PENDING REVIEW PROCEEDINGS HAVE CONCLUDED. UPON CONCLUSION OF THE REVIEW PROCEEDINGS, THE PRESIDENT SHALL REVIEW THE FILE AND MAKE A FINAL DECISION CONSISTENT WITH PARAGRAPH (1), ABOVE.
3. NOTICE OF TERMINATION. WHEN REVIEW PROCEEDINGS HAVE BEEN TIMELY INITIATED UNDER SUBSECTION G OF THIS SECTION, THE PRESIDENT, ON RECOMMENDATION OF THE COGNIZANT VICE PRESIDENT, MAY GIVE A CANDIDATE ADVANCE WRITTEN NOTICE OF TERMINATION PURSUANT TO UNIVERSITY REGULATIONS, CHAPTER VI, SECTION 3. SUCH NOTICE SHALL BE EFFECTIVE AS OF THE DATE IT IS GIVEN IF A FINAL DECISION TO TERMINATE THE FACULTY MEMBER'S APPOINTMENT IS SUBSEQUENTLY MADE BY THE PRESIDENT, ON OR BEFORE THE TERMINATION DATE SPECIFIED IN THE NOTICE, BUT SHALL HAVE NO FORCE OR EFFECT IF A FINAL DECISION IS MADE BY THE PRESIDENT ON OR BEFORE THAT DATE APPROVING RETENTION, PROMOTION, AND/OR TENURE OR OTHERWISE DISPOSING OF THE CASE IN A MANNER THAT DOES NOT REQUIRE TERMINATION.

APPROVED: ACADEMIC SENATE 4/7/2003

APPROVED: BOARD OF TRUSTEES 6/9/2003

Moi

[REV. 15](#)

1. ON MARCH 2, 1987 THE ACADEMIC SENATE ADOPTED THE FOLLOWING RESOLUTION: THE UNIVERSITY RPT PROCESS SHALL BE REVIEWED IN THREE YEARS (SPRING 1990) BY A COMMITTEE SELECTED BY THE ACADEMIC SENATE. THE COMMITTEE SHALL CONSIST OF STUDENTS, FACULTY (BOTH TENURED AND NONTENURED), AND ADMINISTRATORS.

2. FOR PURPOSES OF THIS SECTION, "DEPARTMENT" REFERS AS WELL TO COLLEGES OR SCHOOLS NOT DIVIDED INTO DEPARTMENTS AND TO FREE-STANDING DIVISIONS NOT WITHIN A DEPARTMENT.