

Legislative history--- Revisions to University Policies 6-002, 6-303, and 6-305, as approved by the Academic Senate and Board of Trustees in March 2009, with stated effective dates of July 1, 2009 for policies 6-002 and 6-305, and July 1, 2010 for policy 6-303.

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{RPT Policy Proposals (as finally approved by Senate, March 2, 2009)}

[Senate Executive Committee 2008-12-15 & 2009-1-20. Senate 2009-2-2 & 2009-3-2]

[Proposed revisions for U-Policy 6-303. as approved by Senate 2009-3-2 and subsequently approved by the Board of Trustees.]

University Policy 6-303, Revision ~~1920~~. Effective ~~April 9, 2007~~ date July 1, 2010.

[Formerly PPM 9-5.1.]

Policy 6-303: Retention, Promotion, and Tenure

I. Purpose and Scope

To establish criteria, standards, and procedures for retention, promotion, and tenure of regular faculty To establish departmental retention, promotion, and tenure advisory committees and describe their functions. To describe certain functions of the University Retention, Promotion, and Tenure Standards Committee, the University Promotion and Tenure Advisory Committee, the Consolidated Hearing Committee, and the Academic Freedom and Faculty Rights Committee, as related to retention, promotion, and tenure.

II. Definitions (Reserved)

III. Policy: Retention, Promotion, and Tenure ~~[Footnote 1]~~

A. Retention, promotion, and tenure reviews [Footnote 2-1]

1. Purpose:

a. Retention. A probationary period is normally required for all individuals appointed to regular faculty ranks prior to the granting of tenure. Annual reviews shall be scheduled during this probationary period to evaluate the academic performance of non-tenured individuals, to provide constructive feedback on their academic progress, and to terminate the appointment of 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 continuing and increasing professional competence and responsibility in teaching, research and creative work, and University and public service. ~~excellence in performance in teaching, research and creative work, professional competence, activity, and responsibility 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 a responsible 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. Tenured faculty shall be reviewed every five years as per Policy 2-005, Section 5.C.

2. Criteria, Standards and Procedures.

a. ~~Content Development~~ and approval of statements of RPT criteria, standards and guidelines procedures. Each department or college shall formulate and distribute to all regular faculty members a Statement of criteria, standards, and procedures ~~procedural guidelines~~ to be used in retention, promotion, and tenure ("RPT") reviews. These criteria statements shall address the qualifications

of candidates with respect to the areas of (1) teaching, (2) research and other creative activity, and (3) University, professional, and public service. ~~This-These~~ statements shall include the rationale for the criteria, and be consistent with applicable provisions of University Regulations, especially including Policies 6-303, 6-311, and 6-316 (Code of Faculty Rights and Responsibilities), as well as professional codes if appropriate, and with the purpose of the University of Utah as stated in Chapter 1, Section 1, of the State Higher Education System Regulations. The statements shall include the rationale for the criteria and standards, and shall include a description of departmental procedures where University Regulations permit departmental variation, such as the procedures for informal reviews in part III-B.1.a. of this Policy and any rules for allowing non-voting participants in meetings of the departmental RPT advisory committee as referred to in parts III-A-3 and III-K-1 of this Policy. Each statement must be approved by majority vote of the department regular faculty of the department, the dean, and the URPT Standards Committee.

~~The statement shall include the procedural guidelines adopted for conducting reviews referred to in part B of this policy as well as any guidelines adopted for allowing non-voting participants in meetings of the departmental RPT advisory committee as referred to in parts A-3 and K-1 of this policy. The statement shall be consistent with applicable provisions of University Regulations, Faculty Regulations and the Code of Faculty Responsibility as well as professional codes if appropriate, and with the purpose of the University of Utah as stated in Chapter 1, Section 1, of the State Higher Education System Regulations.~~

b. ~~Standards for the e~~Criteria. Teaching, research/creative activity, and service shall be assessed for retention, promotion, and tenure in terms of both the quantity and quality of work achieved. Departmental RPT Statements shall identify means of assessing quantity and quality appropriate to the discipline or profession. Any departmental expectation of accomplishment of or potential for obtaining external funding support (and the rationale for imposing such expectation) shall be described with particularity in the departmental statement.

In carrying out their duties in teaching, research/other creative activity and service, faculty members are expected to demonstrate the ability and willingness to perform as responsible members of the faculty, as defined in the Code of Faculty Rights and Responsibilities (Policy 6-316). Assessments of teaching, research/other creative activity and service may consider the candidate's conduct as a responsible member of the faculty.

c. Standards. 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. Departmental RPT Statements and the decisions based upon them ~~The criteria shall emphasize the University's commitment to the achievement and maintenance of academic excellence, superior intellectual attainment and responsible faculty conduct~~ In carrying out their duties in teaching, research/other creative activity and service, faculty members are expected to demonstrate the ability and willingness to perform as responsible members of the faculty, as defined in the Code of Faculty Rights and Responsibilities (Policy 6-316).

i. Teaching and research/other creative activity.

~~A continuing record of achievement in the areas of both teaching and research/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 meeting these criteria should be demonstrated.~~

[Drafting Note: Version shown is that finally approved by Senate 2009-3-2, after amendments were approved---and so it differs from the versions included in the Senate agendas of 2009-2-2 & 2009-3-2]

For granting of tenure, it is indispensable that there be a cumulative record demonstrating sustained effectiveness in each of the two areas of teaching and research/other creative activity, and additionally, excellence in a combination of those areas. This set of requirements may be met through articulation and application of departmental standards that require either (i) effectiveness in one area and excellence in the other, or (ii) effectiveness in each area and combined achievements in the two areas that taken overall constitute excellence. Departments shall select, clearly articulate, and apply the selected standards in a manner that is appropriate to the characteristics and standards of the discipline and the intended roles of faculty members within the department. A department may select standards higher than these minimum requirements if clearly described in the departmental RPT Statement.

For retention during the probationary period, the record for the two areas must demonstrate reasonable potential for meeting the standards

established for tenure. For promotion in rank, the record for the two areas must demonstrate continuing professional growth at a level appropriate to the particular rank. Departmental RPT Statements shall clearly describe the standards applicable for each rank.

ii. University, professional, and public sService. Recognition shall be accorded faculty members for the quality and extent of their public service. both of which shall be taken into account in the evaluation made in the context of retention, promotion, and tenure Demonstration of effective service at a level appropriate to rank is essential for retention, promotion, and tenure. A department may select higher standards if clearly described in the departmental RPT Statement.

~~iii. Assessments of teaching, research/other creative activity and service may consider the candidate's conduct as a responsible member of the faculty.~~

e d. Prior accomplishments. Candidates in a regular faculty appointment may have accomplishments achieved prior to their probationary period at the University of Utah be considered as relevant to the demonstration of their achievement of the RPT criteria. Prior accomplishments, such as research publications or teaching experience, shall not substitute for a continuing record of accomplishments during the probationary period at the University of Utah. The burden is on the candidate to demonstrate that these achievements satisfy the RPT criteria. (For evaluation process, see Policy 6-311-~~III~~-Section ~~34~~.C.1.).

3. Department retention, promotion, and tenure advisory committee

a. Committee membership:

i. Retention. In each department all tenured faculty members, regardless of rank, are eligible to participate in the consideration of and to vote on recommendations in individual cases on matters of retention. Other faculty members may participate in the consideration of candidates for retention if allowed by department rules guidelines, but may not vote.

ii. 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. Other

faculty members may participate in the consideration of candidates for promotion if allowed by department rulesguidelines, but may not vote.

iii. Tenure. In each department all tenured faculty members, regardless of rank, are eligible to participate in the consideration of and to vote on recommendations in individual cases on matters of tenure. Other faculty members may participate in the consideration of candidates for tenure if allowed by department rulesguidelines, but may not vote.

iv. Small academic unit rule. Any department or division advisory committee making a formal RPT recommendation must include at least three members eligible to vote by tenure status and rank. If the unit does not have at least three eligible members, the department or division chair must recommend to the dean one or more faculty members with the appropriate tenure status and rank and with some knowledge of the candidate's field from other units of 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.

v. Single vote rule. No individual may cast a vote in the same academic year in any person's case in more than one capacity (e.g., as member of both department and academic program, as member of both department and college advisory committees, as member of both department and administration).

b. Chairperson. The chairperson of the department RPT advisory committee shall be elected annually from the tenured members of the department. In this election all regular 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.

B. Informal or Formal Reviews. All tenure-eligible faculty members shall be reviewed annually to assess their achievement in teaching, research/other creative activity, responsibility, and service. Informal annual reviews are required in each year in which a formal review is not held. More extensive, formal reviews are required for mid-probationary retention reviews; final probationary year reviews (consideration for tenure); consideration for termination at any point in the probationary period (such as triggered reviews); and promotion decisions. (A chart of the timing and review requirements is set forth below at Policy 6-303-III-D.12.)

1. Informal reviews. Informal reviews must minimally include 1) a face to face meeting between the candidate and the department chair (or a designee, as per department ~~guidelines rules~~) to discuss the candidate's progress based on the file; 2) involvement, determined by the department, from the RPT advisory committee (and academic program if relevant); and, 3) a written report to be made available to the candidate, the members of the RPT advisory committee and the department chair.

a. ~~Procedures, al Guidelines~~. The Statement of RPT criteria, standards, and ~~procedures, al guidelines~~ adopted by the department (or college) must prescribe specific requirements for informal reviews. Minimally, ~~the guidelines it~~ must state the required documentation and who provides it, procedures for preparing and distributing the written report, the nature of the involvement by the RPT advisory committee (and academic program if relevant), procedures and criteria for appointment of a chair's designee, if any, and the timetable for the annual reviews. Departments may elect to include in their ~~guideline~~ Statements more extensive review procedures than the minimum required.

b. Actions after the report. Candidates shall have the opportunity to make a written response to the report. The report and the response, if any, are then filed in the candidate's cumulative file with a copy of each sent to the dean. The informal review concludes at this point.

c. Triggering formal retention reviews. If a tenure-eligible faculty member does not demonstrate clearly adequate progress to the reviewers in an informal review, the department chair or department RPT advisory committee in consultation with the reviewers may trigger a formal RPT review after giving the candidate written notice of such a review and its timing. The formal RPT review may proceed either in the following year or as soon as the file is completed (including the solicitation and receipt of external review letters if applicable) but no sooner than 30 days after written notice of the review is provided to the candidate.

2. Formal reviews. Formal reviews must provide a substantive assessment of the candidate's research or other creative activity, teaching and service to date. Formal reviews require a vote of the full RPT advisory committee. External evaluations, as discussed below (Policy 6-303-III-D-9), are required for tenure and promotion reviews. Departments, through departmental ~~policy~~ RPT Statements, may also mandate external evaluations for mid-probationary and ~~or~~ triggered reviews. When such external evaluations are not mandated, candidates still retain the right to have external letters solicited unless quality of research or creative activity is not an issue in the review (e.g., a

triggered review focused solely on teaching) and provided that such request is made before the review commences.

a. Mid-probationary retention reviews. All tenure-eligible faculty members shall have at least one formal, mid-probationary review in their third or fourth year, as determined by departmental ~~rule~~policy. Department ~~policy~~ RPT Statements must prescribe the number of reviews and the year(s) in which they occur.

b. “Triggered” reviews. The results of an informal review may “trigger” a formal review earlier than ordinarily prescribed by departmental ~~rule~~policy if an informal review has demonstrated inadequate performance or progress, as described in Policy 6-303 Part III-B-1-c above.

c. Tenure. Tenure-eligible faculty members must be reviewed for tenure by the final year of their probationary period.

i. Deadline for tenure review. The final year is the fifth year for persons appointed at the ranks of associate professor or professor and the seventh year for those appointed at the rank of assistant professor (unless the department has established, through ~~policy~~ its RPT Statement, a six year probationary period for assistant professors). See Policy 6-311, Section ~~34~~B.

ii. Request for earlier review. Within limits specified by the departmental ~~policy~~ RPT Statement and by University Policy 6-311, III-Section 34-C.1, tenure-eligible faculty may request a review for tenure earlier than the year of the mandatory review.

d. Promotion.

i. Timing for tenure-eligible faculty. Tenure-eligible faculty members are usually reviewed for promotion concurrently with their tenure reviews. Under unusual circumstances, tenure-eligible faculty members may request a review for promotion earlier than the year of the mandatory tenure review.

ii. Timing for tenured faculty. Tenured faculty members may request a review for promotion within limits specified by the departmental ~~policy~~ RPT Statement.

C. Notice to involved individuals

1. Notice to candidate. Each candidate for retention, promotion, or tenure shall be given at least 30 days advance notice of the department RPT advisory committee meeting and an opportunity to submit any information the candidate desires the committee to consider.

2. Notice to department faculty and staff. At least three weeks prior to the convening of the departmental RPT advisory committee, the department chairperson shall invite any interested faculty and staff members in the department to submit written recommendations for the file of each candidate to be considered, stating as specifically as possible the reasons for each recommendation.

3. Notice to student advisory committee. Prior to the convening of the departmental RPT advisory committee, the department chairperson shall notify the college's representative to the Student Senate and the department student advisory committee(s) (SACs) of the upcoming review and request that the department SAC(s) submit a written report evaluating teaching effectiveness and making RPT recommendations as appropriate with respect to each candidate to be considered, stating as specifically as possible the reasons for each recommendation. The SAC evaluation and report should be based on guiding principles approved by the University RPT Standards Committee and provided to the SAC by the department chairperson. The SAC shall be given at least three weeks to prepare its ~~recommendations-report~~, but upon failure to report after such notification and attempts by the department chairperson to obtain the reports, the SAC's recommendations shall be deemed conclusively waived and their absence shall not thereafter be cause for complaint by faculty members appealing an adverse decision.

4. 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 shall notify the chair/director of the academic program of the action to be considered at the same time that the faculty candidate is notified. 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.

D. Candidate's file. Proper preparation and completeness of each candidate's file are essential for the uninterrupted progress of a RPT review through all the stages of the review process. Required components and their timing are identified in the table below in Policy 6-303 III-D-12.

1. Structure of the file. The file is envisioned as a notebook in the department office, which is growing throughout a faculty member's probationary period at the University. However, a physical notebook is not the only method allowable — for

example an electronic file or other format may be used alone or as a supplement. The file shall be cumulative and kept current as described in the following sections.

2. Curriculum vitae. The candidate's file is expected to provide a current and complete curriculum vitae (CV), which is organized in a clear and coherent manner, with appropriate dates of various items and logical groupings or categories related to the department's RPT criteria. The CV should be updated annually, but not during the course of a given year's review. During a review, new accomplishments may be reported and documented as a part of any of the reports or responses in the regular process.

3. Evidence of research/creative activity. The candidate is expected to provide evidence of research and other creative activity, updated annually.

4. Past reviews and recommendations. The department chair shall include the recommendations from all previous reports submitted by all voting levels in formal reviews, i.e. SAC, department and college RPT advisory committees, letters from chairs, deans, vice presidents, the president and recommendation from UPTAC (if present). Teaching evaluations and letters or reports from all informal reviews should also be included. The past reviews and recommendations in a file for promotion to Professor shall include the candidate's vita at the time of the previous promotion (or at appointment if hired as Associate Professor), all reports and recommendations from tenured faculty reviews, and teaching evaluation summaries since the previous promotion (or appointment). If that promotion or appointment was more than five years earlier, teaching evaluation summaries should be included for at least the most recent five years.

5. Evidence of faculty responsibility. Letters of administrative reprimand and the latest findings, decisions, or recommendations from university committees or officials, arising from relevant concerns about the faculty member should also be included in the candidate's file.

6. Recommendation from academic program. In the event that an academic program produces a recommendation as under Policy 6-303-III-C.4, the department chairperson shall include the recommendation in the candidate's file before the department faculty RPT advisory committee meets to consider the case.

7. Recommendation from the department student advisory committee. If the department SAC produces a recommendation as under Policy 6-303-III-C-3, the recommendation shall be placed in the candidate's file by the department chairperson before the department faculty RPT advisory committee meets to consider the case.

8. Other written statements. Any other written statements — from the candidate, faculty members in the department, the department chairperson, the college dean, staff, or interested individuals--which are intended to provide information or data of consequence

for the formal review of the candidate, must be placed in the file by the department chairperson before the department ~~faculty~~-RPT advisory committee meets to consider the case.

9. External evaluations. The purpose of external evaluations is to provide an objective assessment of the quality of the candidate's work and its impact on the academic and/or professional community at large. Along with the actual review, the external evaluator should describe his/her qualifications and relationship to the candidate. 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 program and department RPT advisory committee meetings. 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.

10. Candidate's rights. Candidates are entitled to see their review file upon request at any time during the review process, except for confidential letters of evaluation solicited from outside the department if the candidate has waived the right to see them. 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 RPT advisory committee meeting is held.

11. Review of file. The candidate's file shall be made available to those eligible to attend the departmental RPT advisory committee meeting a reasonable time before the meeting, which may be specified in the department policy RPT Statement.

12. Table of Minimum University Requirements for Reviews.

Type	Retention			Tenure	Promotion to Associate or "full" Professor
Category	Informal	Formal	Formal	Formal	Formal
When	<i>Annual</i>	<i>Triggered-b,c</i>	<i>Mid-Probationary</i>	<i>End of Probation, or see U-Policy 6-311</i>	<i>Typically end of probation or when meets department standards</i>
<i>Involved parties:</i>					
External reviewers	No	As per Department rule <u>Policy-a</u>	As per Department rule <u>Policy-a</u>	Yes	Yes
Academic program, if appropriate	Yes	Yes	Yes	Yes	Yes
SAC	No	Yes	Yes	Yes	Yes
Department RPT	Representation-d	Yes	Yes	Yes	Yes
Department chair-f	Yes	Yes	Yes	Yes	Yes
College RPT	No	As per 6-303, G.1.a.	As per 6-303, G.1.a.	Yes	Yes
Dean	Receives report	Yes	Yes	Yes	Yes
Candidate includes in file: (minimum requirements)					
Curriculum Vitae	Yes	Yes	Yes	Yes	Yes

Department Includes in File: (minimum Requirements)						
SAC report	No	Yes	Yes	Yes	Yes	Yes
External Letters (could be internal to University but external to department)	No	As per Departmental <u>rule</u> Policy-a	As per Departmental <u>rule</u> Policy-a	Yes	Yes	Yes
Past Reviews and Recommendations- e	Yes	Yes	Yes	Yes	Yes	Yes
Academic program report	Yes	Yes	Yes	Yes	Yes	Yes
Comments from others	Optional	Yes	Yes	Yes	Yes	Yes
Student Course Evaluations	Yes	Yes	Yes	Yes	Yes	Yes

a. Candidates retain the right to have external letters be solicited in a formal review if quality of research or creative activity is an issue in the review. See Policy 6-303-III-D-9 above.

b. This triggered review may occur in the same year as the review or in the subsequent year.

c. The required components for triggered and mid-probationary reviews may be identical or different, as determined by department rulepolicy.

d. This representation occurs through the type of involvement set forth in departmental rulecriteria. See Policy 6-303-III-B-1 above.

e. Reports from all voting levels in all RPT reviews and letters or reports from all annual reviews. See Policy 6-303-III- D-4 above.

f. A designee may be used for informal reviews in large departments' reviews as noted in Policy 6-303-III-B-1.

E. Action by the department retention, promotion, and tenure advisory committee

1. Meetings. The department chairperson shall call a meeting of the departmental RPT advisory committee to conduct reviews as described in Policy 6-303-III- B.

2. Committee secretary. A secretary of each meeting shall be designated by the chairperson of the department RPT advisory committee and shall take notes of the discussion to provide the basis for developing a summary.

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. Absentee votes must be received prior to the meeting at which a vote is taken by the department advisory committee.

5. Limitations on participation and voting. 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, upon invitation by majority vote of the committee, may submit evidence, judgments, and opinions, or participate in discussion. By majority vote the committee may move to executive session, from which nonvoting participants may be excluded. Department chairpersons, deans, and other administrative officials who cast RPT votes in their administrative capacities shall not vote at the department level.

6. Committee report. After due consideration, a vote shall be taken on each candidate for retention, promotion, or tenure, with a separate vote taken on each proposed action for each candidate. 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. If a candidate is jointly appointed with an academic program, the department advisory committee report

shall reflect the department's discussion and consideration of the report and recommendation of the academic program.

7. Approval of the committee report. 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 business days nor more than five business 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.

8. Confidentiality. All committee votes and deliberations are personnel actions and should be treated with confidentiality in accordance with policy and law.

F. 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 ~~RPT~~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 business 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.

G. Action by dean and college advisory committee.

1. Referral of cases to the college advisory committee / membership of committee. Each college shall establish a college RPT advisory committee and define its

membership. The definition of membership shall specify whether there must be representation from all or fewer than all departments within the college, and whether or in what way representatives from a department are to participate or not participate in matters involving candidates from the representatives' departments, consistent with the part III-A-3-a-v of this policy (single vote rule). The definition of membership shall be included in the charter of the college council, or may be included in the college's statement of RPT criteria, standards and procedures guidelines (described in part III-A-2 of this policy).

a. Retention. The dean at his/her discretion may request the college advisory committee to review and submit recommendations on any candidate for retention. However, if termination of a candidate is recommended by the SAC, or the department advisory committee, or the department chairperson, the dean shall transmit the entire file on that candidate to the college advisory committee.

b. Promotion or tenure. The dean shall forward the entire file on all cases dealing with promotion or tenure to the college advisory committee.

c. 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.

d. Recommendations of the college advisory committee. The college advisory committee shall review the file of each case referred to it and shall determine if the department reasonably applied its written criteria, standards and procedures ~~substantive and procedural guidelines~~ to each case. The college committee shall make its recommendations on an individual's retention, promotion, or tenure, based upon its assessment whether the department's recommendations are supported by the evidence presented. The college committee shall use the department's criteria and standards (or college criteria and standards if the college has college-wide instead of departmental criteria and standards) in making its assessment. If documents required by policy are missing, the college committee may return the file to the department for appropriate action. The college committee shall advise the dean in writing of its vote and recommendations.

2. 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 therefore, and shall forward the file, including all the recommendations, to the cognizant senior vice president (for academic affairs or for health sciences).

3. 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 and to the department chair.

4. 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.

5. Forwarding files. The dean shall then forward the entire file for each individual to the cognizant senior vice president.

H. Action by cognizant vice president, and the University Promotion and Tenure Advisory Committee.

1. Referral of cases to the university committee. The cognizant senior vice president shall forward to the University Promotion and Tenure Advisory Committee ("UPTAC") for its review and recommendation the files in all cases in which the college is organized and functions as a single academic department or there is a differing recommendation from any of the prior review levels--the student advisory committee, the academic program, the department RPT advisory committee, the department chairperson, the college RPT advisory committee, or the college dean. The cognizant senior vice president, in his/her sole discretion, may also send any other RPT case to UPTAC for its review and recommendations. UPTAC provides advice to the senior vice president.

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 and its vote to the cognizant senior vice president.

a. In cases reviewed only because they arise from single department colleges, UPTAC shall determine whether the college reasonably applied its written criteria, standards, and procedures~~substantive and procedural guidelines~~ to each case and whether the college's recommendations are supported by the evidence presented.

b. In cases in which there were differing recommendations from the prior reviewing entities, UPTAC shall identify the source(s) of the differences or controversy, determine how each level addressed the issues in controversy, and assess the degree to which the file is sufficiently clear to support any conclusive recommendation.

c. In cases which are reviewed at the discretionary request of the senior vice president, UPTAC shall review the file to respond to the specific issues identified by the senior vice president.

d. In making all reviews, UPTAC shall consider only the material in the file. UPTAC shall summarize its assessment of the issues identified in a, b, or c above in a written report to the senior vice president, but not report a conclusion of its own on the candidate's overall qualification for retention, promotion, or tenure.

3. Consideration by the senior vice president. The cognizant senior vice president shall review each file, including the recommendations (if any) of the University Promotion and Tenure Advisory Committee. If the senior vice president determines that the file is incomplete or unclear, he/she may return the file to the department with a request to clarify specific matters, materials, and/or issues. All levels of review shall reconsider the file and their votes if appropriate, with the candidate responding in writing at the normal points in the process. (SAC need not reconsider the file unless teaching is the issue in question.)

4. Senior vice president's decision. In cases of positive retention decisions, the senior vice president's decision shall be the university's final decision. In all cases of promotion and tenure and in cases of retention when termination is recommended, the senior vice president shall prepare a final recommendation to the president with respect to the candidate's retention, promotion, and/or tenure, stating reasons therefore.

5. Notice of senior vice president's recommendation. In positive retention cases, the senior vice president shall transmit the final decision and the report of the University Promotion and Tenure Advisory Committee (if any) to the candidate, the department chair, and the dean. In all other cases, prior to forwarding the file to the president, the senior vice president shall send an exact copy of the report of the University Promotion and Tenure Advisory Committee (if any) and an exact copy of the senior vice president's recommendation with respect to that faculty member to the candidate, the dean, the department chairperson, and the chairpersons of the departmental RPT advisory committee and the Student Advisory Committee, together with a copy or summary of Policy 6-303-III-subsection I (Appeal of recommendation). The chairpersons of the departmental RPT and student advisory committees shall notify the members of their

committees in an expeditious manner of the senior vice president's recommendation. The senior vice president shall not submit the final recommendation to the president until at least fourteen days have elapsed following the giving of such notice, so that parties may notify the senior vice president's office if they intend to appeal.

6. Extension of time limits. The time limits provided by this subsection H may be extended by the senior vice president in the interest of justice.

I. Appeal of recommendation with respect to retention, promotion, and/or tenure.

1. Appeal by faculty member. A faculty member may appeal to the Consolidated Hearing Committee (CHC) for review of an unfavorable final recommendation with respect to retention, promotion, and/or tenure by following the procedures provided in Policy 6-002, Section 10 and upon the grounds enumerated in that section. The CHC is the hearing body for an appeal brought on any grounds, including academic freedom, but if the candidate alleges that the unfavorable recommendation violates academic freedom, then the CHC shall refer that part of the appeal to the Academic Freedom and Faculty Rights Committee for pre-hearing consideration and report, as per Policy 6-002, Sec. 10, III, F.1.a.ii..

2. Other appeals. Appeals of the vice president's recommendation on promotion and/or tenure may also be initiated by the department SAC, a majority of the departmental RPT advisory committee, the department chairperson, or the dean, when the vice president's recommendation opposes their own recommendation. The appeal is made to the Consolidated Hearing Committee and should follow the procedures provided in Policy 6-002, Section 10, and upon the grounds enumerated in that section. Authorized parties initiating an appeal may have access to the entire file except that the faculty member may not see external letters which he/she waived the right to read.

J. Final action by president

1. Action in absence of review proceedings. If no proceedings for review have been initiated under Policy 6-303-III-subsection I ~~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, or granting or denying promotion, and/or tenure, and shall advise the candidate, the cognizant vice president, the dean and the department chairperson of that decision, stating reasons therefore.

2. Action after conclusion of review proceedings. If proceedings for review have been timely initiated under subsection I of this ~~Policy~~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 J-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 J-1, above.

3. Notice of termination. When review proceedings have been timely initiated under subsection I of this ~~Policy~~section, the president, on recommendation of the cognizant vice president, may give a candidate advance written notice of termination pursuant to [Policy 6-311, Section 4]. 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.

K. New appointments with tenure—expedited procedures for granting tenure.

Tenure may be granted at the time of initial appointment of a faculty member (commonly known as 'hiring with tenure'). See Policy 6-311- ~~III~~-Section 3.B. When a decision regarding tenure is to be considered contemporaneously with a decision regarding initial appointment, the procedures for the appointment and initial rank decisions are governed by Policy 6-302, and the procedures for the tenure decision are as described here in this policy in Section III-K.

Section K allows the use of expedited procedures for tenure decisions arising in circumstances in which more complex and lengthy procedures are inappropriate.

1. For purposes of expedited decisions on granting of tenure at the time of initial appointment of a candidate, the voting membership of the department RPT advisory committee shall consist of all tenured faculty members of the department, regardless of rank (subject to the limitations of part ~~III~~-A-3-a-v, and part ~~III~~-E-5). If allowed by departmental ~~guidelines~~ rule described in the departmental RPT Statement, other faculty members may participate in consideration of the candidate, but shall not vote on the tenure decision.

2. The chairperson of the department shall provide interested persons with notice of scheduled meetings of the committee, and invite them to submit information for consideration by the committee. Notice may be given orally, or in writing as circumstances permit, and should be given as early as practicable under the

circumstances. Notice shall be given to the candidate, the department faculty and staff, and student representatives (including any members of the student advisory committee who are available, and/or other students determined by the department chairperson to adequately represent student interests). If it is contemplated that the candidate will also be appointed to an academic program separate from the tenure-granting department, notice shall also be provided to the chair/director of that academic program, who may in turn give notice to members of that program.

3. The candidate's file shall include information submitted by the candidate, faculty, staff, and student representatives of the department, and representatives of any related academic program, and other information determined by the department chairperson or department RPT chairperson to be relevant. It shall include a curriculum vitae, available evidence of research/creative activity, available evidence of teaching effectiveness, and a report from student representatives, and may include available evidence regarding faculty responsibility. The file shall include letters of evaluation from at least three outside evaluators. It shall be presumed that the candidate waives any right to see such external evaluation letters, unless the candidate submits to the RPT chairperson a written request for access to any letters prior to the time the letters are submitted.

4. The actions of the department RPT committee and the department chairperson shall proceed as described in parts III-E and F of this policy, except that i) the RPT committee chairperson may set a shortened period for inspection of the report of the RPT meeting, ii) the candidate need not be provided copies of either the committee report or the chairperson's recommendation, and iii) the candidate need not be given an opportunity to respond to either the committee report or the chairperson's recommendation.

5. The actions of the dean and college RPT advisory committee shall proceed as described in part III-G, except that the candidate need not be provided copies of the committee's or the dean's recommendations, and the candidate need not be given an opportunity to respond to either recommendation.

6. The actions of the vice president and UPTAC shall proceed as described in part III-H for a tenure decision, except as follows. UPTAC reviews all recommendations of tenure accompanying new appointments, regardless of college or of votes by prior levels. UPTAC may delegate its responsibilities to a subcommittee formed for purposes of such expedited proceedings, and its reports may be made in abbreviated form. The candidate need not be provided copies of either the committee's report or the vice president's recommendation. The student representatives need not be provided such copies, but when practical shall be informed of the recommendations of UPTAC and the vice president.

The vice president may submit the final recommendation to the president immediately (without awaiting notice from any person of an intent to appeal).

7. In expedited proceedings neither the candidate nor any other person has a right of appeal of either a favorable or unfavorable recommendation of the vice president. The final action of the president shall be taken as provided in III-J.

~~Footnote 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 non-tenured), and administrators.~~

{Drafting note: At the time this is published to the Regulations Library there will need to be some editorial correcting within the footnote, primarily updating some cross-references. }

~~Footnote 2~~ 1 The regulations stated here in Policy 6-303 are stated in terms appropriate for the most widely adopted form of organizational structure, in which a faculty appointment is made in a subdivision known as an "academic department," which is organized together with related subdivisions in a parent "college." In that structure, tenure is established in an academic department. There are several variations in organizational structure relevant to appointments and tenure of faculty, as explained in Policy 6-300.1 and 6-404.1.

These regulations in Policy 6-303 shall be interpreted for appropriate adaptation to accommodate such relevant variations in organizational structure, including the following.

Where necessary, the term "department" shall refer to an academic subdivision within a parent college, which operates as equivalent to a department but is known by another name, including any "free-standing division" or "school". See Policy 6-300.1.

Where necessary, the term "college" shall refer to an academic organization which operates as equivalent to a college, but is known by another name, including a "school." See Policy 6-300.1.

For colleges that have no formal internal academic subdivisions (known commonly as 'single-department colleges' or 'nondepartmentalized colleges'), appointments and tenure are established in the college. See Policy 6-311.1, 6-300.1, 6-404.1. Accordingly, the Procedures described here for development of criteria, and making and reviewing of retention, promotion and tenure decisions, shall be modified appropriately, including as follows:

Formulation of criteria or guidelines for retention, promotion, and tenure reviews, described here in 6-303, Section 2 and elsewhere, shall be conducted by the college.

The functions described here in 6-303.A and elsewhere as being performed by a department-level RPT advisory committee shall be performed by a college RPT committee. The description of the membership and leadership of the committee shall be interpreted to include appropriate modifications, including that the college dean is ineligible to serve as committee chair, and that committee members shall be drawn from the ranks of the college faculty.

The functions described here in 6-303.B.1 and elsewhere as being performed by a department chair shall be performed by the college dean (see Policy 2-005.5.F), including such activities as holding meetings with RPT candidates.

The functions described here in 6-303, Section C.3 and elsewhere as being performed by a department-level student advisory committee shall be performed by the college SAC.

The actions described here in 6-303, Sections F.4, and 9.5.2.G, and elsewhere as being performed by a college dean and college-level RPT committee shall be inapplicable. Instead, RPT actions from a single-department college shall be forwarded for review at the level of the cognizant vice president and appropriate committees as provided in Section H and elsewhere.

--end--

Proposal to revise U-Policy 6-002—III Section 4-A-10 to clarify membership of the University RPT Standards Committee. {As approved by Senate, 2009-3-2, and subsequently approved by the Board of Trustees.}

{It is proposed that Policy 6-002—III Section 4-A-10 be revised to make clear that the Associate Vice President for Faculty, or designee, is an ex officio member of the University Retention, Promotion, and Tenure Standards Committee. The purpose of the proposed change is to clarify policy by bringing the written policy into conformance with longstanding practice.

Policy 6-002 governs the membership of the RPT Standards committee. For many years, the committee has relied upon the Associate Vice President for Faculty to assist the committee in carrying out its important functions, including acting as a ‘permanent’ point of communication between the committee and the more than 50 academic departments that the committee must interact with (as the leadership and membership of the committee change annually). The current policy does not mention this ex officio role for the Associate VP—and it is recommended that the policy be changed to conform to the longstanding practice by listing the Associate VP as an ex officio to the committee.

To elaborate further: Currently the policy defining the membership of the RPT Standards Committee does not explicitly refer to any ex officio members. By longstanding practice (since approximately 2000) the Associate Vice President for Faculty has been participating in the Committee’s work in an ex officio capacity, and the cooperative efforts of the Committee and the Associate V.P.’s office have contributed much to the important work of the committee. By comparison, for other Senate-elected committees which do have involvement of ex officio members, the written policies typically do explicitly refer to the ex officio positions, particularly if the policy has been revised in the recent past. For example, for the University Diversity Committee, the inclusion of ex officio members is expressly provided for in policy--another section of the same policy that describes membership of the RPT Standards Committee (see Policy 6-002-III-Section 4-A-9, revised in 2007, listing eight ex officio members of the Diversity Committee, including two associate vice presidents.)

Similar clarification of an ex officio role will be helpful for the RPT Standards Committee and the academic departments which frequently interact with the Committee.

The proposed revisions also include other minor and mostly technical clarifications of the policy.

Note that because no changes are proposed for them, and for ease of reading, the portions of Policy 6-002 other than Section 4-A-10 are not reproduced here.}

Proposed revision:

Policy 6-002 Revision 24 25. Effective July 1, 2009.

III Section 4, A.10 University RPT Standards Committee

a. Membership. The University Retention, Promotion and Tenure Standards Committee voting membership shall consist of sixteen tenured faculty members, with one faculty representative ~~(from each Senate area of representation)~~ elected for three-year terms by the Academic Senate. The Associate Vice President for Faculty, or designee, shall be a non-voting ex officio member. Voting members shall be elected as follows:

i. Nominations will be proposed in advance by the Personnel and Elections Committee, and additional nominations of eligible faculty members who have agreed to serve may be made from the floor immediately prior to the election. Voting will be by preferential ballot.

ii. Members of the University RPT Standards Committee will not be eligible for nomination for another term until an interval of one year has passed following the completion of their term on the committee.

iii. In each successive year, the Personnel and Elections Committee shall include among its nominations for the University RPT Committee two or more candidates whose tenured faculty appointments are in colleges whose current member is rotating off the committee.

b. Vacancies. If vacancies occur in the University RPT Standards Committee, they shall be filled either by the runner-up from the original elections or, if that is not possible, by special elections conducted in the Academic Senate by the Personnel and Elections Committee.

c. Duties. See ~~(Faculty Regulations, Section 4.)~~ University Policy 6-305 (Duties of University Retention, Promotion and Tenure Standards Committee).

Proposed revisions to Policy 6-305 {as approved by Senate 2009-3-2, and subsequently approved by the Board of Trustees.}

(formerly PPM 9-5.3. formerly Faculty Regulations Chapter V Section 4)

{Policy 6-305 sets forth the duties of the RPT Standards Committee. The committee recommends two moderately important changes in keeping with the charge given to the committee by the Executive Committee. The first is to clarify that in carrying out its role of reviewing and approving departmental RPT Statements, the committee is to ensure that the criteria and standards adopted by each department are “consistent with the University’s commitment to academic excellence.” Second, in the current project, the committee was charged on a one-time basis with examining and proposing changes to RPT-related University policies. At the time the charge was formulated, there was some debate about whether this committee was appropriate to perform such work. Among all existing University committees, it is clear that this committee has particular expertise on RPT matters. It is recommended that the description of the committee’s duties be expanded to make explicit that the committee is “an appropriate forum for reviewing any proposed changes to university policy with respect to retention, promotion, or tenure.”

The proposal also recommends several very minor-technical-changes.}

Policy 6-305: Duties of University Retention, Promotion and Tenure Standards Committee.
Revision 17.

I. Purpose and Scope.

To describe the duties and authority of the University Retention, Promotion, and Standards Committee. Effective date July 1, 2009.

II. Definitions (Reserved)

III. Policy

A. Committee Membership.

See Policy 6-002, Section 4-A-~~6~~10. See also Policy 6-001-III Section 3.

B. Duties.

1. The University Retention, Promotion and Tenure RPT-Standards Committee shall develop and implement procedures with which it will review and approve department and/or college the statements of retention/promotion/tenure criteria, standards, and procedures applicable for the regular faculty of each department or college as required by University Policy 6-303. Such reviews should be conducted and the application of those criteria to RPT decisions

~~within a department or college~~ with due concern to the unique characteristics or requirements of the discipline and with the objective of improving the stature of the University by ensuring that such criteria and standards are consistent with the University's commitment to academic excellence. Such reviews ~~of RPT criteria~~ will be conducted in conjunction with the faculty and administrators of the department/college being reviewed. Any department or college may be reviewed at the initiative of the committee. Requests for review may be made ~~in the fall semester~~ to the committee by the cognizant senior vice president ~~for academic affairs or the senior vice president for health sciences, or~~ the University Promotion and Tenure Advisory Committee, or ~~by~~ the Graduate Council, as well as by deans, department chairpersons, or individual regular faculty members. The committee shall use its judgment and discretion in formulating responses to such requests. The committee shall annually report on its reviews to the Academic Senate and to the University Promotion and Tenure Advisory Committee.

2. The committee is also an appropriate forum for reviewing any proposed changes to university policy with respect to retention, promotion, or tenure.

Information for legislative history of the spring 2009 approved revisions of U-Policy 6-303, 6-002, and 6-305, as approved by the Academic Senate on March 2, 2009, and subsequently approved by the Board of Trustees.

Contents (arranged in chronological order, earliest to latest):

- A. Memo from Chair of URPTS Committee (DeTar) to President of Academic Senate (Mogren) January 8, 2009.
- B. Memo from Associate Vice Presidents Olson & Sperry to Senior Vice Presidents Betz and Pershing, January 9, 2009, including signature of approval from President Young.
- C. Update memo from proposal drafting group (DeTar & Flores) to Senate, February 23, 2009.
- D. Update memo to file, from Senate Parliamentarian (Flores), March 2, 2009, describing amendments made on Senate floor at time of approval.
- E. Appendices included with the February 23 Update memo.

* * * * *

[*A. Memo from Chair of URPTS Committee (DeTar) to President of Academic Senate (Mogren) January 8, 2009.*]

To: Paul Mogren, Chair Academic Senate

From: Carleton DeTar, Chair, University RPT Standards Committee

Date: January 8, 2009

Re: Proposed Changes to University Policy

In October, 2007 the Academic Senate Executive Committee charged the University RPT Standards Committee to review and, if appropriate, propose changes to passages in University Policies concerning the committee's makeup and duties, and most importantly, the criteria and standards for retention, tenure, and promotion of faculty members. This project grew out of a concern raised by a panel of the Consolidated Hearing Committee, based on a case of denial of tenure, in which the CHC became concerned about the clarity of a departmental statement of RPT criteria and standards. The Executive Committee, in turn, saw a concern about the clarity of University Policies on RPT. Responding to that charge, this committee returned to the Executive Committee with an initial response, including draft recommendations, in the spring of 2008, and was asked to continue with the project and further refine its recommendations. After lengthy consideration within the committee, and extensive consultation with various constituency groups

(including department chairs and deans), the committee developed a set of proposed changes to University Policies 6-002, 6-303, and 6-305, which the committee presented to the Executive Committee on December 15. Based on feedback given at and subsequent to that meeting, the proposal has been further revised, and a full set of the proposed changes is attached here. Associate Vice President Susan Olson and Robert Flores have provided valuable assistance in obtaining broad consultation and in drawing up the proposed changes, General Counsel John Morris provided insights regarding legal concerns, and his specific suggestions have now been incorporated in the proposal.

The committee was asked to direct attention most fully to two issues, clarity of the central principle of “excellence” as a standard for tenure and promotion, and clarity of any departmental expectations regarding success in obtaining external funding for research. Our proposal directly addresses those by adding or strengthening language in Policy 6-303. To accomplish the desired clarity, we found it necessary to also reorganize some of the existing content in 6-303 (without substantially changing the meaning), and we believe the reorganization will make it easier for RPT candidates, departmental committees, and other users to comply with policy and carry out their responsibilities. We also took the opportunity to recommend a number of minor clarifying changes to this policy (marked on the enclosed proposal, but not worthy of highlighting here).

Our charge included examining the committee itself—how it performs its role in assuring ‘excellence’ in the RPT system. We have responded in two ways. The first was to review and improve certain internal procedures the committee uses in its role of approving departmental RPT Statements, which we can describe further on request. Second, we have examined and are now recommending some clarifying changes for the two policies in which the makeup and duties of the committee are specified— Policy 6-002 and 6-305. We think these are useful but relatively minor and non-controversial changes.

Highlights of the proposed changes.

U-Policy 6-303.

Excellence. The committee’s most important recommendations are for revision of University Policy 6-303 (formerly PPM 9-5.1). The most significant recommendation is for paragraph III-A-2-c, which the committee members have come to think of as “the standard of excellence paragraph” and which, if our recommendations are followed, will serve as the heart of the RPT system. It will guide departments in formulating standards for retention, tenure, and promotion, it is the yardstick the URPTSC will use in evaluating departmental RPT statements, and it will guide members of the central administration in their roles in RPT matters. Because of its importance, the committee has devoted much of its many months of work to consultation about and careful scrutiny of the precise phrasing for this ‘excellence paragraph.’ As revised, it would read:

“c. Standards. 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. **Departmental RPT Statements and the decisions based upon them shall emphasize the University's commitment to the achievement and maintenance of academic excellence.**

i. Teaching and research/other creative activity. For granting of tenure it is indispensable that there be a cumulative record demonstrating sustained achievement of effectiveness in each of the two areas of teaching and research/other creative activity, and, additionally, achievement of excellence in a combination of those areas. This set of requirements may be met through articulation and application of departmental standards that require either (i) achievement of effectiveness in one area and excellence in the other, or (ii) achievement of effectiveness in each area and combined achievements in the two areas that taken overall constitute excellence. Departments shall select, clearly articulate, and apply the selected standards in a manner that is appropriate to the characteristics and standards of the discipline and the intended roles of faculty members within the department. A department may select standards higher than these minimum requirements if clearly described in the departmental RPT Statement.

For retention during the probationary period, the record for the two areas must demonstrate reasonable potential for meeting the standards established for tenure.

For promotion in rank, the record for the two areas must demonstrate continuing professional growth at a level appropriate to the particular rank. Departmental RPT Statements shall clearly describe the standards applicable for each rank.”

External funding. Another change of some significance will clarify that any department which wishes to consider RPT candidates’ success in obtaining external funding for research as a criterion for tenure or promotion must give notice of that expectation in the departmental RPT Statement—and must provide a rationale for such a criterion. As part of the background for its charge on this project, the committee was informed that lack of clarity about the role of funding has contributed to difficulties in individual RPT decisions in some academic units. The Executive Committee also asked the Academic Freedom and Faculty Rights committee to explore the ‘academic freedom’ aspects of using funding as an RPT criterion. The AFFR committee produced a report on that topic, which the Executive Committee and Senate may wish to refer to again. For its part, the RPT Standards committee has focused on the need for candidates to receive adequate notice, and that should be accomplished by adoption of our recommendation to add the following language to paragraph III-A-2-b of Policy 6-303:

“Any departmental expectation of accomplishment of or potential for obtaining external funding support (and the rationale for imposing such expectation) shall be described with particularity in the departmental statement.”

Effective date of 6-303 revisions. The committee recommends that there be further discussion as to the date on which the revision of Policy 6-303 should take effect. It may be that some number of departments will need to revise their RPT Statements to comply with some of the newly clarified requirements of 6-303 (e.g., clear notice of treating external funding as a criterion), and the process of making such changes can be lengthy (including careful deliberations within a department, and then a series of required approvals, culminating with approval by the committee). It may be appropriate to set the effective date further out than would ordinarily be done (e.g., July 1, 2010, rather than July 2009).

U-Policy 6-305 and 6-002.

Policy 6-002 governs the membership of the RPT Standards committee. For many years, the committee has relied upon the Associate Vice President for Faculty to assist the committee in carrying out its important functions, including acting as a ‘permanent’ point of communication between the committee and the more than 50 academic departments that the committee must interact with (as the leadership and membership of the committee change annually). The current policy does not mention this ex officio role for the Associate VP—and it is recommended that the policy be changed to conform to the longstanding practice by listing the Associate VP as an ex officio to the committee. The committee has also taken the opportunity to recommend other very minor clarifications to this policy.

Policy 6-305 sets forth the duties of the RPT Standards Committee. The committee recommends two changes in keeping with the charge by the Executive Committee. The first is to clarify that in carrying out its role of reviewing and approving departmental RPT Statements, **the committee is to ensure that the criteria and standards adopted by each department are “consistent with the University’s commitment to academic excellence.”** The second is to clarify that, similar to the work it has done for this current project by special charge, for the future the committee should be considered “an appropriate forum for reviewing any proposed changes to university policy with respect to retention, promotion, or tenure.” Several very minor technical changes are also recommended.

Enclosures: Proposed revisions of University Policy 6-303, 6-002, and 6-305.

[B. Memo from Associate Vice Presidents Olson & Sperry to Senior Vice Presidents Betz and Pershing, January 9, 2009, including signature of approval from President Young.]



Please forward
Michele Young
1/20/09

Please forward
David W. Pershing

Associate Vice President for Faculty

201 South Presidents Circle, Room 205 Salt Lake City, Utah 84112-9007 (801) 581-8763 FAX (801) 585-6812

To: Senior Vice Presidents David W. Pershing and A. Lorris Betz
From: Associate Vice President Susan Olson, Associate Vice President Richard Sperry
Re: Proposed changes to policies on retention, promotion and tenure (U-Policies 6-303, 6-305, 6-002).
Date: January 9, 2009

Susan M. Olson

We are pleased to convey for your consideration and recommendation to President Young a proposal for revising three parts of University Policies related to retention, promotion, and tenure of regular faculty. The proposal has been developed primarily by the University RPT Standards Committee, at the request of the Academic Senate Executive Committee. Others who have had input into its development are the Academic Freedom and Faculty Rights Committee and the Counsel of Academic Deans in spring 2008, and recently department chairs and General Counsel John Morris.

The attached memorandum from the current chair of the RPT Standards Committee describes the background of the revisions and the proposed changes in some detail, so this cover memo provides a briefer summary and highlights a few additional points.

Policy 6-303:

Effectiveness and excellence as minimum requirements for tenure:

The primary objective for this project has been to ensure that University Policy clearly sets forth certain minimum standards that all departments must adopt and apply in RPT cases, particularly in the granting of tenure. In the course of developing appropriate language, it became clear that existing policy would benefit from reorganization into clearer categories with the headings of *purpose*, *criteria*, and *standards*. Thus, while the number of highlighted sections in the attached proposal may suggest extensive changes, only those formatted in oversized bold font represent changes of substance.

As proposed, the central statement of the changes appears in section III.A.2.c., which would set in place minimum requirements for tenure. First, a candidate must be shown to be at least "effective" in each of the three areas of research, teaching, and service. Second, for research or teaching (or those in combination) the candidate's record must demonstrate "excellence." Those will be the minimum requirements, which all departments must incorporate into their

written statements of RPT standards. Departments will be free to adopt even higher standards for their candidates, so long as they do so with sufficient clarity.

These are clarifications of current University policy, and in most instances the standards being used by departments should satisfy the newly clarified minimum requirements. For example, one fairly common current practice is to require candidates for tenure to demonstrate excellence in *either* research or teaching. That practice clearly already complies with the proposed clarification of policy. Another example is that some departments currently require excellence in *both* teaching and research. That is more than will be compelled under the clarified policy, but departments will be free to continue such practices. As some have phrased this in discussions—the University policy sets an institution-wide ‘floor’—and departments must at least come up to that level, but remain free to set higher standards.

It is noteworthy that in the many months of this project, with wide consultation undertaken, every commenter has agreed that the University should have a clearly stated standard of excellence on RPT matters, and that it is appropriate to ensure that the standard of excellence is reflected both in institution-wide policy and in the individual RPT statements and practices of every academic department. The proposed language on minimum requirements of effectiveness and excellence should be seen largely as a codification of existing practices, with the long term benefit of having applicable standards stated with greater clarity so as to minimize opportunities for misunderstanding and dispute. This proposed new language is not anticipated to require departments to make immediate changes to their practices or department RPT statements. Instead, the benefits of this clarification of University policy will come over the long term, guiding departments as they revise their RPT standards statements from time to time in the ordinary course of business.

Research funding expectations, and an appropriate effective date for the revised policy:

One component of the proposed policy revision (section III.A.2.b.) may require some departments to initiate changes to their departmental statements. Departments that treat an RPT candidate’s success in obtaining funding for research as a substantial part of assessing the candidate’s performance must include a description of that funding criterion in their written statements of RPT standards. To allow sufficient time for any departments where such expectations are now largely implicit to make their RPT statements more explicit, the drafters have suggested that the effective date for the revised policy might best be set one year further than would otherwise apply--- most likely July 1, 2010. That would allow time for departments to more clearly articulate statements of funding expectations and for deans and the URPT Standards Committee to review and approve those changes.

2. Policy 6-305 and 6-002

The proposed revision to Policy 6-305 reinforces the revisions above by charging the University RPT Standards Committee to ensure that departments conform to the proposed new standards.

The proposed revision to Policy 6-002 is to clarify the role of the Associate V.P. as ex officio to University RPT Standards Committee. In recent years, Associate V.P. Susan Olson has worked very closely with the Committee, and in the past year has assigned special assistant Bob

Flores to work with the committee. We recommend that this de facto relationship be codified by establishment of the ex officio role.

* * * * *

[C. Update memo from proposal drafting group (DeTar & Flores) to Senate, February 23, 2009.]

Update on proposed revisions of RPT policies. February 23, 2009

To: Academic Senate. From: RPT Policy drafting group.

A. INTRODUCTION

At the February 2 Senate meeting and subsequently we sought comments from you and your constituents. A small number of comments have come in since then. Thank you to those who took time to make or forward comments. Such preparation should allow for a focused and efficient discussion on March 2, and a better quality final product.

We judged some comments to be particularly important and useful and have responded by some combination of incorporating “friendly amendments” of specific changes, offering the explanations below, or adding materials to the proposal packet. A very few comments didn’t strike us as needing such responses or requiring your attention and time— so we are not mentioning them here---but of course commentators can always choose to raise any such comments for your attention.

B. UPDATED CONTENTS.

The updated agenda packet includes a few new pieces (including this cover note), and a few changes in the proposal for Policy 6-303. To assist you in efficiently digesting the new information and integrating it with what you already learned from the February 2 version, here is a list of the packet contents with changed parts noted. Contents:

1. This ‘cover note’ explaining developments subsequent to the Feb. meeting. (**NEW**)
2. Cover memo from Assoc. V.P.’s to V.P.’s—with approvals (*no change since Feb. 2*)
3. Cover memo from RPT Standards Chair to Senate President (*no change since Feb. 2*)
4. **Policy 6-303 proposal (CHANGED)**—a very small number of specific changes as ‘friendly amendments’ responding to your comments, explained here & very clearly marked on the draft)
5. Policy 6-002 proposal (*no change since Feb. 2*)
6. Policy 6-305 proposal (*no change since Feb. 2*).
7. **Appendices (NEW)**— as requested). Documents that guided the Executive Committee and drafting group in developing the proposal, including (a) original “charge” from Executive Committee to RPT Standards Committee to begin project, and (b) guidance on topics of research funding and academic freedom, including reports from AFFRC and UPTAC committees. Unfortunately, adding these increases the reading burden—but hopefully you’ll find them

worthwhile in understanding the project context, without allowing them to distract too much from the task at hand for the March 2 meeting.

C. EXPLANATION OF CHANGES MADE OR OTHER RESPONSES TO RECEIVED COMMENTS.

1. Policy 6-303, changes & other responses to comments. We've tried to sensibly organize responses for comments made on February 2 or later, first by putting in categories of (a) Major Topics—likely to require your careful attention and possibly needing significant time for discussion, (b) Concerns about the administrative difficulties of implementing the revised Policy, and (c) other topics—likely to not require much time at the meeting.

a. “Major Topics” for 6-303—primarily involving particularly important passages that establish a new requirement of disclosing expectations about research funding, and more clearly describe existing practice of setting minimum standards of effectiveness/ excellence for teaching, research, and service.

i. Research funding—and related concerns about academic freedom, and fairness to candidates--adequacy of notice.

Comments: Were the academic freedom aspects of research funding expectations adequately considered in the drafting? They should be better described in the proposal materials and discussion.

Response: No change is proposed from the February 2 version of 6-303, but further explanation may be helpful. The RPT appeal incident that led the Executive Committee to initiate this policy revision project involved not only a concern about inadequate clarity of the standard of excellence, but also two concerns about departmental expectations of RPT candidates with regard to seeking and obtaining external funding for research. At the same time it charged the RPT Standards Committee to study and propose changes to policy, the Executive Committee also called separately for an examination of the academic freedom implications of such funding expectations---which then came in the form of reports from both the Academic Freedom and Faculty Rights Committee, and the University Promotion and Tenure Advisory Committee. Those materials are newly added as appendices to this agenda packet.

Those reports describe some of the competing values involved in setting expectations about external funding. It's clear that among disciplines, and therefore among various academic departments, there is wide variation in existing practices. It would be exceedingly difficult to frame a University-wide policy setting detailed substantive parameters on funding as a criterion for RPT. The weighing of values necessary for setting such substantive expectations is best done primarily at the local level—by department faculty drafting their RPT Statements. However, requiring departments to clearly articulate any such funding expectations, and their rationale, is a procedural requirement that can be imposed institution-wide, and should have significant benefits. It should ensure fairness to candidates—giving them fair notice of what criteria they are to be measured by for RPT. And it should cause departmental faculty to carefully consider various values, including academic freedom implications, as they draft and approve their statement of expectations and rationale. And, it can be expected that the RPT Standards

Committee will be sensitive to academic freedom issues, as well as adequacy of notice issues, when it reviews the funding-related portions of departmental RPT Statements. Similarly, as UPTAC considers RPT cases, sensitivity to academic freedom concerns will be served by the required disclosures regarding funding.

The drafters' view, after lengthy deliberation, is that the originally proposed requirement of disclosure appropriately balances competing concerns, and that going further to impose institution-wide one-size-fits-all substantive restrictions is not appropriate under the present circumstances. Perhaps after a few years of experience with the new disclosure requirement, with more information in hand, it may become clear that something more should be done—or not.

ii. Combination of teaching and research excellence.

In the February discussion concerns were raised about the proposal to allow departments to choose among two slightly different ways of setting a standard of excellence in the areas of teaching and research. The original proposal was to require “*excellence in a combination of those areas*” and allow that overriding standard to be met “*through articulation and application of departmental standards that require either (i) achievement of effectiveness in one area and excellence in the other, or (ii) achievement of effectiveness in each area and combined achievements in the two areas that taken overall constitute excellence.*”

Comments: If we correctly heard the concern raised by a few comments, it was that, as phrased, this second alternative could be interpreted to allow tenure for a candidate who was ‘barely above effective’/ ‘far from excellent’ in each area—teaching and research. We, and we think all, would agree that such a depressingly mediocre outcome is not acceptable.

Response: Frankly, we initially thought that any such ‘mediocre’ interpretation was clearly precluded by the phrasing that immediately precedes and follows that second alternative-- requiring nothing less than ‘overall excellence’ in whichever form of combination the department chooses to adopt. However, to further assure that no such mediocre interpretation could prevail, we have now incorporated as a ‘friendly amendment’ a change of phrasing which may adequately alleviate concerns that somehow the repeatedly stated requirement of overall excellence could be ignored. See that new phrasing in the complete passage shown below--- requiring “*near excellence*” in both areas, and continuing to require “*overall excellence*” in the two areas combined.

Also, there is a point that we think is adequately clear in the passage as drafted, but perhaps should have been given greater emphasis during the February discussion. It should be understood that this policy only sets out the minimum, *i.e.*, the ‘floor,’ that every department across the University must adhere to, and that it is meant to allow for some variation among departments, based on the norms of their discipline and other circumstance, in the ‘space above that floor.’ It is entirely allowable for any department to make a thoughtful choice of alternative #1 (full excellence in at least one area) as the only acceptable approach for its faculty---*i.e.*, to not adopt the second alternative. And of course, any department may go even further and require full excellence in both areas (if that is thought to be realistic for the circumstances of that department). The revised draft reflects the view that some departments may thoughtfully choose the second alternative combination approach—“near excellence” in both areas with the overall

result of ‘full excellence,’ and that they should not as a matter of institution-wide policy be entirely prohibited from making that choice for their department.

iii. Use of excessive ‘qualifier’ words in the passage describing the minimum permissible standards for tenure.

Comments: At the February meeting, and repeated in a subsequently submitted comment, a concern was raised that too many qualifier words were employed, making the passage less concise and elegant than is desirable. *“There are a lot of unnecessary words in the proposal. ‘Indispensable, cumulative, demonstrated, sustained, achievement of effectiveness’ is not really different than plain old ‘effectiveness.’”* *“‘Sustained achievement of effectiveness,’ strikes me as awkward, wordy, and either redundant or confusing. Why not just ‘sustained effectiveness.’”*

Response: In general, it was thought that elegance of prose, while desirable, should give way when greater clarity, through adding words of emphasis, is desired, as it is in circumstances in which the chosen language frequently ends up being the focus of litigation. Also, the drafting group was strongly of the opinion that certain of the words, especially *“indispensable,” “cumulative,”* and *“sustained,”* are not mere surplusage--- they do provide significant emphasis on points for which emphasis is appropriate, and thus add significantly to the overall meaning of the passage. Responding to the recent comments, the drafters urge keeping those words. However, upon further review, the recommendation to delete the word *“achievement”* did seem well-taken. Accordingly, the updated draft treats that as a ‘friendly amendment’—thus eliminating some of the annoying wordiness, but retaining those emphatic words that do add significant meaning. See the complete passage below, at # “v”.

iv. Defining excellence, and recognizing differences among disciplines in what constitutes excellence.

Some suggestions were received to the effect that there should be an attempt to further define the term ‘excellent’ as used in Policy 6-303. Relatedly it was suggested that there should be a clearer statement of recognition that what constitutes excellence can only be determined within the culture of a scholarly/professional discipline, and so the meaning of excellence varies among the academic departments coinciding with the various disciplines.

Response: The drafters have quite intentionally avoided any effort to include in the Policy any precise definition of the term and underlying concept of excellence. In our view, that defining is best done within the context of a discipline—and it would be exceedingly difficult to frame a definition on an institution-wide basis, for an institution of this size and diversity. Inevitably, the result would be to force onto some departments an ill-fitting definition crafted for other disciplines. It is our judgment that the current proposed phrasing adequately conveys the notion that the defining of excellence (and also the defining of ‘effectiveness’) is in the hands of the individual academic departments—guided by the accepted principles of their individual disciplines as they craft the departmental RPT Statements. This notion that the detailed defining of excellence is to be done by departments and is to be discipline-specific, rather than campus-wide, is stated most prominently in the sentence which includes this phrasing--- *“Departments shall select... standards in a manner that is appropriate to the characteristics and standards of the discipline and the intended roles of faculty members within the department. A department may select standards higher than these minimum requirements...”*

If the Senate majority concludes that these points are not made sufficiently clear—then of course more words can be added to repeat and further emphasize the points—but at the cost of adding greater length to a passage some see as already too lengthy and repetitive. We propose the original phrasing as appropriately balanced.

Relatedly, it bears emphasis here that the drafters do not view the word “excellent” as a singular term which has no synonyms. In the drafting discussions, various synonyms were considered. In the end it was thought best to use the term “excellent,” and better not to include in the Policy a ‘thesaurus’ passage listing the various terms equivalent to excellence that a department might choose to use in articulating its standard. The Policy should not be read to compel any department to use the particular *word* “excellent” (or the particular word “effective”), if that department for good reason prefers to use some synonymous term or phrase, perhaps in keeping with terminology commonly used in the discipline. Other words can be used so long as the underlying *concepts* of effectiveness/ excellence are communicated with sufficient clarity in the department’s RPT Statement.

v. The updated version of the important passage—teaching and research standards, especially for tenure. Related to points # ii-iv above, here is the new version proposed. See it in full context in the 6-303 proposal.

[[For granting of tenure it is indispensable that there be a cumulative record demonstrating sustained ~~achievement~~ of effectiveness in each of the two areas of teaching and research/other creative activity, and, additionally, ~~achievement~~ of excellence in a combination of those areas. This set of requirements may be met through articulation and application of departmental standards that require either (i) ~~achievement~~ of effectiveness in one area and excellence in the other, or (ii) ~~achievement~~ of effectiveness near excellence in each area and combined achievements in the two areas that taken overall constitute excellence. Departments shall select, clearly articulate, and apply the selected standards in a manner that is appropriate to the characteristics and standards of the discipline and the intended roles of faculty members within the department. A department may select standards higher than these minimum requirements if clearly described in the departmental RPT Statement.

For retention during the probationary period, the record for the two areas must demonstrate reasonable potential for meeting the standards established for tenure. For promotion in rank, the record for the two areas must demonstrate continuing professional growth at a level appropriate to the particular rank. Departmental RPT Statements shall clearly describe the standards applicable for each rank.]]

vi. Effectiveness standard for service.

Comment: A comment raised two concerns about the standard stated for service. First-- that the original phrasing seemed to apply precisely the same standard for every stage in a candidate’s career, which could be technically interpreted to require that a candidate at a very early career stage (formal retention early in the probationary period) be held to exactly the same standard as a candidate for tenure or late-career promotion. Second—that some departments

based on norms of the discipline should be able to impose service standards higher than effectiveness, and it was inadequately clear that they should have that choice.

Response: Both critiques seem valid, and the drafters agree on the desired messages this passage should impart, and so the ‘friendly amendment’ revision is proposed as follows. It recognizes that the level varies by career stage, and makes more clear that the Policy sets a floor and allows for higher standards to be set by the department. Granted, these points could be elaborated on much more fully, with an even lengthier passage---but this should be adequate, given the lack of disputes typically arising around issues of service in RPT. See it in full context in the 6-303 proposal.

“Demonstration of effective service at a level appropriate to rank is essential for retention, promotion, and tenure. A department may select higher standards if clearly described in the departmental RPT Statement.”

b. Administrative challenges of revising departmental documents to satisfy the new version of 6-303.

In the February discussion it was suggested that implementing the revised version of 6-303 might impose unmanageable administrative burdens on either/both departments or the RPT Standards Committee. We have not received further comments on this point after February 2, which could mean that the explanation we gave at that meeting might have adequately satisfied those concerns. In case there are lingering concerns, we repeat and elaborate further why the drafting group does not foresee this to be a problem of such dimensions that it should inhibit approval of the revised policy.

First it’s important to separate the issues of (i) required disclosure regarding research funding, and (ii) required setting of standards of effectiveness and excellence in the areas of teaching, research, and service. It’s also useful to understand that there are two major phases in revision of department documents—first the drafting & approval internally within a department & college, and then review and approval centrally by the RPT Standards Committee. The overall process is described in 6-303 itself (with no change from long-established existing policy).

i. Research funding. As stated in the earlier cover memoranda, the drafters have carefully considered the likely administrative impact of imposing an entirely new explicit requirement for disclosing any expectations regarding research funding. We contemplate that a small number of departments will need to make very limited, focused revisions of their RPT Statements to achieve compliance with that particular section of the proposed policy. That will produce an internal administrative burden, but one of limited proportion. In anticipation of that, it is recommended that the effective date for implementing the revised policy 6-303 be set later than would ordinarily apply (likely at July 2010). Also, centrally, the RPT Standards Committee has recently adopted a change in its operating procedures which was adopted for other purposes, but will likely turn out to be of great utility on this matter. The Committee has been developing a “fast-track” approval process which will allow it to expeditiously process requests for approval of small, discrete changes in departmental RPT Statements. Committee members should also be

able to devote more time to the work of processing such approvals, once finished with the very substantial work of developing this proposal for revising policies, which has taken up much of the Committee's attention since the charge for this project came from the Executive Committee nearly two years ago. In sum, a few departments will need to make narrow-discrete changes to their Statements, there will be an extended period in which to make those changes---and the RPT Standards Committee will be prepared to fast-track the review and approval of those discrete changes.

ii. Clarified standards of effectiveness & excellence. Because the RPT Standards Committee has long had the responsibility of reviewing and centrally approving all departmental RPT Statements—its faculty members and ex officio administrator have developed substantial familiarity with existing departmental Statements. Having reviewed all such Statements at one time or another—and many of them recently, allows for a well-founded judgment that most departments will not need to rush to revise their Statements to comply with the newly clarified requirements of 6-303 regarding effectiveness/ excellence in the areas of teaching, research, and service. Revised 6-303 will for the most part do a better job of expressing in University Policy, with greater clarity, a set of standards that most departments have already developed and expressed in their RPT Statements. The crucial concept of excellence is already found within existing Policy (though not with the desired degree of clarity—in the judgment of those who have worked on this proposal and many of those consulted during the project). Perhaps more importantly, the concept of excellence has long been integrated in the culture of most departments—as evidenced primarily by their RPT Statements. For a few departments, the existing RPT Statements are not appropriately clear on this important point. That lack of clarity sets up situations that can be perceived as unfair to RPT candidates, fosters disputes surrounding individual RPT decisions, and adds to the prospects of internal appeals and litigation. Those few departments with insufficiently clear Statements should move with some dispatch to upgrade their Statements, and one of the benefits of implementing the revised Policy is to spur those few to take this needed step soon.

For processing changes, the history has been that many departments tend to revise their Statements every several years, for various reasons, including keeping up to date with developments in their disciplines and incorporating the views of new members as faculty membership turns over. Those updates then come to the RPT Standards Committee for central approval—in the ordinary course of business. It is the drafters' judgment that for most departments the appropriate course of action will not be to rush to revise documents immediately after adoption of 6-303, but rather to take up revisions in the ordinary course of business. When a department does turn to revising its Statement for other reasons, it will likely also want to make some changes to more precisely comport with newly clarified requirements of 6-303 regarding excellence. That's when the most important function of the revised 6-303 will come to pass--- not just in short order, but over the long run, leading at length to better-crafted departmental RPT statements which include clearer implementations of the excellence standard.

This assessment of the likely course of action for most departments rests in part on the experience following other revisions of University Policy. Policy 6-303 has been revised a few times in recent history—including a change of voting membership of departmental RPT Committees (Revision 19--2007), and multiple changes for RPT procedures (Revision 18-2005). In each such instance, after the Policy revision took effect there was a surge in the number of

departments revising their Statements and submitting them for central approval—but that surge was within manageable proportions.

c. Topics not likely to generate much discussion (involving 6-303).

i. SAC guidelines

A concern was expressed about the passage in 6-303 which gives guidance for the contents of reports produced by Student Advisory Committees. The drafters found the critique valid and have incorporated in the proposal a friendly amendment.

The concern was that the original phrasing appeared to put the authority to develop guidelines for SACs solely into the hands of an administrative office--- whereas that responsibility should lie with faculty.

The general principles appropriate for SAC's to follow are largely not department-specific—they are the same across the University. A set of SAC guidelines for RPT participation was developed some years ago, and has been added to the form provided for preparing SAC reports. The Associate V.P. for faculty has long been disseminating that to departments for annual training of SAC's. See it at <http://www.admin.utah.edu/facdev/forms/studentadv.pdf>.

The RPT Standards Committee members had reviewed those guidelines while formulating the original proposed phrasing of the 6-303 passage, and found them very useful, and the intent was to make clear that those guidelines should continue to be used by SACs (but of course to allow for revising the guidelines from time to time as needed). The Associate V.P. later proposed and the Standards Committee Chair agreed that any future revision of those guidelines should be done with input and approval of the Standards Committee.

The proposed new phrasing of this passage should better convey the important principle that the contents of the guidelines in use University-wide are developed with faculty input—through review by the RPT Standards Committee (a senate-elected body). The proposed new phrasing also intentionally leaves open the possibility that an individual department or college might invest the time to develop a set of specific local guidelines to supplement those general University-wide guidelines, and may then use those as supplements if approved by the RPT Standards Committee (just as departmental RPT Statements are approved). Such a departmental supplement could most easily be processed by including it with an approved departmental RPT Statement.

The newly revised passage is as follows. See it in context in the 6-303 proposal.

“The SAC evaluation and report should be based on guiding principles approved by the University RPT Standards Committee and provided to the SAC by the department chairperson provided by the cognizant vice president’s office .

ii. Other comments.

Other comments were received but not judged by the drafting group to be best handled by making friendly amendments or explaining further here. Of course those comments, as well as any new comments, may be raised on the floor during the Senate discussion if any discussants judge them to be of sufficient importance.

2. Policies 6-002 and 6-305--- the membership and functions of the RPT Standards Committee.

No changes to the proposal have been made since February 2. Because these two policies seem to be largely non-controversial, and are separable from the ‘major topics’ of the main RPT Policy 6-303, it may be best to have the discussion and voting for these policies conducted separately from 6-303.

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[D. Update memo to file, from Senate Parliamentarian (Flores), March 2, 2009, describing amendments made on Senate floor at time of approval.]

Memorandum to file.

From: Bob Flores, Parliamentarian of the Senate, and member of the drafting group.

At the March 2, 2009 meeting of the Academic Senate, the proposal for revision of U-Policies 6-303, 6-002, and 6-305 was approved by the Senate, with the following two amendments made (as compared to the version proposed to the Senate in the agenda for the March 2 meeting). The results of the amendments are included in the version of the proposal dated March 2, 2009.

Policy 6-303. Part III-A- 2-c-i. The Senate first voted to amend the proposal such that this passage would be phrased as follows, and then voted to approve the entire proposal with the amendment incorporated:

“For granting of tenure, it is indispensable that there be a cumulative record demonstrating sustained effectiveness in each of the two areas of teaching and research/other creative activity, and additionally, excellence in a combination of those areas. This set of requirements may be met through articulation and application of departmental standards that require either (i) effectiveness in one area and excellence in the other, or (ii) effectiveness in each area and combined achievements in the two areas that taken overall constitute excellence. Departments shall select, clearly articulate, and apply the selected standards in a manner that is appropriate to the characteristics and standards of the discipline and the intended roles of faculty members within the department. A department may select standards higher than these minimum requirements if clearly described in the departmental RPT Statement.

For retention during the probationary period, the record for the two areas must demonstrate reasonable potential for meeting the standards established for tenure. For

promotion in rank, the record for the two areas must demonstrate continuing professional growth at a level appropriate to the particular rank. Departmental RPT Statements shall clearly describe the standards applicable for each rank.”

Part III-D-12 (Table of Minimum University Requirements for Reviews). The Senate first voted to amend the proposal as follows, and then voted to approve the entire proposal with the amendment incorporated.

In the cell of the table for “Tenure—When.” Amended to state “*End of Probation, or see U-Policy 6-311.*”

[E. Appendices included with the February 23 Update memo.]

Appendices to the Proposal to Revise University Policies on RPT--- for March 2, 2009 Senate Meeting.

Contents:

- a. Charge from Executive Committee to University RPT Standards Committee—assigning the committee to develop this proposal
- b. Background materials on external funding and academic freedom—guidance for the drafters in drafting a particular section of Policy 6-303 regarding external funding.
 - i. Charge from Executive Committee regarding external funding and academic freedom.
 - ii. Report of the Academic Freedom and Faculty Rights Committee
 - iii. Summary of the University Promotion and Tenure Advisory Committee discussion of role of research funding in tenure and promotion cases

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Charge from Executive Committee to University RPT Standards Committee—subsequently leading to development of this proposal

From: Senate President Penny Brooke, to University RPT Standards Committee October 2007.

[The Committee] is charged to explore the issue regarding the inclusion of a standard of “excellence” (or similar standard) in setting the standards for RPT procedures throughout the University. [The Committee] should examine existing University policies, and also call upon the committee’s extensive experience in reviewing various departments’ RPT statements. It should consider whether there is a need to propose any changes to University policies to more clearly require that all departments include a standard of excellence within their RPT statements, or whether existing University policies are adequate as currently written. It should consider whether the committee could and should, in its role of reviewing/approving departmental RPT statements, adapt its practices so that it more closely scrutinizes those statements to ensure that the reviewed departments do adequately impose a standard of excellence (or similar standard) that comports with the University’s overall commitment to academic excellence. The Executive Committee requests a report with results of this charge be submitted before March 17, 2008, and earlier if feasible.

b. **Background materials on external funding and academic freedom—guidance for the drafters in drafting a particular section of Policy 6-303 regarding external funding.**

(i) **Charge from Executive Committee regarding external funding and academic freedom.**

From: Senate President Penny Brooke, to Academic Freedom and Faculty Rights Committee
November 2007.

The Academic Freedom and Faculty Rights Committee is charged to explore the issue regarding the place that an RPT candidate's success in securing external research funding may have in assessing the candidate's qualifications for retention, promotion, or tenure. The Committee should consider how the inclusion of success at obtaining research funding as an RPT criterion affects academic freedom. This should be a broad inquiry, not limited to the RPT practices of any particular academic department or the experience of any particular RPT candidate. If AFFR finds it useful to broaden the scope of its exploration, it may choose to look beyond the realm of RPT practices, and consider how concerns about success in obtaining research funding affect other aspects of University operations and how principles of academic freedom are currently being (or in the future might be) affected by the emphases on success at fundraising. Given that this task grows out of concerns brought to the Executive Committee by a panel of the Consolidated Hearing Committee, AFFR should consider having a representative of that CHC panel meet with the committee (or perhaps some representative of the committee) to explain those concerns, as that explanation might help the committee determine how best to carry out its charge. The Executive Committee requests a report with results of this charge be submitted before March 17, 2008, and earlier if feasible.

(ii) **Report of the Academic Freedom and Faculty Rights Committee**

From: Paul Mogren, Chair, Academic Freedom and Faculty Rights

To: Senate Executive Committee March 06, 2008

Upon recommendation of the Executive Committee of the Academic Senate, the Academic Freedom and Faculty Rights Committee has examined the issue of extramural funding as a criteria for tenure decisions.

The Committee received the issue based upon a case which the Consolidated Hearing Committee heard last year. That case was decided on a series of issues, including that of extramural funding. Insufficient extramural was specifically cited in arguments made against awarding tenure to this candidate. The receipt of the extramural funding was one of an array of criteria in the section on Research and Scholarship in the Department's criteria.

The AFFR Committee, whose members are drawn from a large spectrum of the University faculty community, looked at the question not in terms of this case or in terms of the

individual Department's criteria, but as a University-wide issue involving faculty rights. We examined the issue in a broad context.

First of all, research in different disciplines takes on many different complexions. Some areas have no or little opportunity for extramural funding, others have highly competitive grant applications resulting in a small number of successful receipts, still others have the main source of research stemming from extramural funding, and all iterations in between. The Committee, therefore, concluded that University-wide policy should not include outside funding as a requirement in addition to the established Research, Teaching and Service items. This is likely not an issue since RPT criteria are very decentralized at this institution.

Second, the Committee concluded that the scholarly output of the faculty member is what is to be considered, separate from whether the research is funded or not, or how the research is funded. In some cases, research at the cusp of scholarship may be engaged in with no outside funding at all. On the other hand, the committee recognized that in certain circumstances and disciplines, success of a faculty member's research agenda will be dependent on obtaining that extramural funding; and failure to obtain that funding could mean failure to produce sufficient or significant scholarship.

Departments may, the Committee asserted, include extramural funding as one of an array of criteria in determining successful scholarship, but this criterion should be applied in the context of evaluating the candidate's research activities and the need for extramural funding to carry out that research, as opposed to a more general interest in increasing the funding levels of the Department, College or University.

There is no question that the University relies heavily on extramural funding, and our success in achieving such is certainly commendable.

There can be no reduction in the faculty's seeking and receiving grants--the University depends upon that.

A position, however, of requiring grants for the most basic faculty right, that of tenure, cannot, in the AFFR's consideration, be required.

For the Committee, Paul Mogren, Chair

(iii) Summary of UPTAC discussion of role of research funding in tenure and promotion cases.

Discussion April 15, 2008. Summary approved by UPTAC April 29, 2008

The Academic Senate Executive Committee invited the University Promotion and Tenure Advisory Committee (UPTAC) to comment on the March 6, 2008, statement of the Academic Freedom and Faculty Rights Committee (AFFRC) and to state its own views on “whether any implicit criterion of research funding might be affecting results in promotion and tenure decisions.”

UPTAC agreed that research funding is an important issue in many cases that it sees. On the other hand, it does not see cases where it feels the real issue is “Are you making money for the university?” Questions about research funding are appropriately tied to questions about producing published research and supporting graduate students.

Expectations to obtain external research funding obviously vary dramatically across colleges. The written guidelines in those colleges where research funding is expected could often benefit from being more explicit. Although one does not now see this expectation left totally “implicit,” it often is included in an “unweighted laundry list” of various aspects of research to be considered. UPTAC recommends that guidelines should clearly indicate the relative value or importance of research funding, various types of publications, various conference venues, etc. Without this, grant funding may be the “elephant in the room.” One member suggested that sometimes there seem to be implicit expectations about the time by which research funds need to be received. Any such expectations should be made explicit.

UPTAC felt that the AFFRC statement was somewhat ambiguous. Two members expressly disagreed with the statement that “scholarly output of the faculty member is what is to be considered, separate from whether the research is funded or not,” if that means that departments and colleges should be precluded from including research funding as a distinct item, separate from publications. In some departments research funds are a necessity. Competitive grants won are also a valid independent measure of research quality. No UPTAC members voiced disagreement with this opinion. One member voiced the further opinion that expectations to fund a portion of one’s salary with external funding should be spelled out in offer letters, a point that goes beyond the inquiry of the Executive Committee.