

## FACULTY REGULATIONS - CHAPTER V - SECTION I

### SUBJECT: APPOINTMENTS, RETENTION, PROMOTION, AND TENURE

#### SECTION 1. APPOINTMENTS

##### A. GENERAL POLICIES

- (1) THE PRESIDENT OF THE UNIVERSITY, WITH THE APPROVAL OF THE BOARD OF TRUSTEES, SHALL APPOINT THE ADMINISTRATIVE OFFICERS AND FACULTY. (UTAH CODE ANN. 53-48-15(1) (1970).
- (2) CRITERIA FOR APPOINTMENT TO FACULTY POSITIONS SHALL BE DETERMINED BY DEPARTMENT FACULTIES, NOT INCONSISTENT WITH THE APPROVED CRITERIA FORMULATED FOR USE IN RETENTION, PROMOTION, AND TENURE REVIEWS. SEE FACULTY REGULATIONS, CHAPTER V, SECTION 2A(2). THE CRITERIA MAY TAKE INTO ACCOUNT AND ACCORD APPROPRIATE WEIGHT TO THE OBJECTIVE OF DEVELOPING A FACULTY WITH DIVERSE EDUCATIONAL BACKGROUNDS, VARYING INTELLECTUAL EXPERIENCES, AND BROADLY RANGING ACADEMIC INTERESTS. HOWEVER, THE FACT THAT AN OTHERWISE QUALIFIED CANDIDATE FOR APPOINTMENT RECEIVED ONE OR MORE DEGREES FROM THE UNIVERSITY OF UTAH DOES NOT, BY ITSELF, DISQUALIFY THAT CANDIDATE FROM APPOINTMENT TO A FACULTY POSITION. NOR DOES PRIOR SERVICE AS AN AUXILIARY FACULTY MEMBER IN ANY WAY DISQUALIFY A CANDIDATE FOR APPOINTMENT TO THE REGULAR FACULTY.
- (3) EACH REGULAR FACULTY APPOINTMENT TO ANY RANK, AND/OR THE GRANTING OF TENURE, SHALL BE DEPENDENT UPON THE AVAILABILITY OF RELIABLE FUNDING AS DETERMINED BY THE PRESIDENT.

##### B. DEPARTMENT APPOINTMENTS ADVISORY COMMITTEE

- (1) IN EACH DEPARTMENT, THE PROFESSORS, ASSOCIATE PROFESSORS AND ASSISTANT PROFESSORS SHALL BE MEMBERS OF A DEPARTMENT APPOINTMENTS ADVISORY COMMITTEE.
- (2) A QUORUM OF THE DEPARTMENT APPOINTMENTS ADVISORY COMMITTEE SHALL CONSIST OF TWO-THIRDS OF THE MEMBERS ENTITLED TO VOTE (SEE PARAGRAPH C(2) INFRA), 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.
- (3) WHENEVER PRACTICABLE, THE DEPARTMENT CHAIRPERSON SHALL ADVISE EACH MEMBER ON LEAVE OR OTHERWISE ABSENT OF THE PROPOSED ACTION AND SHALL REQUEST HIS/HER WRITTEN OPINION AND VOTE. ABSENT MEMBERS' WRITTEN OPINIONS SHALL BE DISCLOSED AT THE MEETING, AND THEIR WRITTEN VOTE SHALL BE RECORDED SEPARATELY IN THE REPORT OF THE MEETING.

##### C. ACTION BY THE DEPARTMENT APPOINTMENTS ADVISORY COMMITTEE

- (1) THE DEPARTMENT CHAIRPERSON SHALL CONVENE AND CHAIR THE DEPARTMENT APPOINTMENTS ADVISORY COMMITTEE AT APPROPRIATE TIMES TO CONSIDER APPOINTMENTS, INCLUDING ANNUAL APPOINTMENTS AFTER RETIREMENT.
- (2) AFTER FULL CONSIDERATION AND DISCUSSION, A VOTE OF THE COMMITTEE MEMBERS HOLDING A

RANK EQUAL TO OR HIGHER THAN THAT PROPOSED FOR THE CANDIDATE FOR APPOINTMENT SHALL BE TAKEN ON EACH CANDIDATE WHO IS NOMINATED FOR APPOINTMENT.

D. ACTION BY DEPARTMENT CHAIRPERSON

(1) THE DEPARTMENT CHAIRPERSON SHALL PREPARE A WRITTEN RECOMMENDATION ON THE APPOINTMENT OF EACH CANDIDATE, STATING SPECIFICALLY THE REASONS FOR A RECOMMENDATION CONTRARY TO THE VOTE OF THE DEPARTMENT APPOINTMENTS ADVISORY COMMITTEE.

(2) THE DEPARTMENT CHAIRPERSON SHALL THEN TRANSMIT A WRITTEN REPORT OF THE ACTION OF THE DEPARTMENT APPOINTMENTS ADVISORY COMMITTEE TOGETHER WITH HIS/HER RECOMMENDATIONS TO THE DEAN OF THE COLLEGE.

E. ACTION BY DEAN AND COLLEGE ADVISORY COMMITTEE

(1) THE DEAN OF THE COLLEGE SHALL CONSIDER THE RECOMMENDATIONS OF THE DEPARTMENT APPOINTMENTS ADVISORY COMMITTEE AND THE DEPARTMENT CHAIRPERSON, AND MAY, AT HIS/HER DISCRETION, ASK AN APPROPRIATE COLLEGE COMMITTEE OR AN AD HOC COMMITTEE TO STUDY FURTHER ANY INDIVIDUAL CANDIDATE FOR APPOINTMENT.

(2) THE DEAN SHALL THEN PREPARE HIS/HER WRITTEN RECOMMENDATIONS, TOGETHER WITH REASONS THEREFOR, AND FORWARD THE ENTIRE FILE TO THE VICE PRESIDENT FOR ACADEMIC AFFAIRS.

F. ACTION BY VICE PRESIDENT FOR ACADEMIC AFFAIRS

(1) THE VICE PRESIDENT FOR ACADEMIC AFFAIRS SHALL REVIEW THE PREVIOUS ACTION ON CANDIDATES FOR APPOINTMENT AND MAY, AT THE VICE PRESIDENT'S DISCRETION, REQUIRE FURTHER CLARIFICATION OF INDIVIDUAL CASES.

(2) THE VICE PRESIDENT FOR ACADEMIC AFFAIRS SHALL THEN FORWARD THE ENTIRE FILE WITH A RECOMMENDATION, WHERE APPROPRIATE, TO THE PRESIDENT.

(3) THE PRESIDENT SHALL THEN INFORM THE ACADEMIC SENATE OF PROPOSED APPOINTMENTS TO THE FACULTY.

(4) THE PRESIDENT SHALL THEN SUBMIT SUCH CANDIDATES AS THE PRESIDENT SHALL DETERMINE FOR APPOINTMENT TO THE BOARD OF TRUSTEES FOR APPROVAL AT ITS NEXT MEETING UNLESS THERE IS OBJECTION TO ANY OF THESE RECOMMENDATIONS BY A MAJORITY OF THE SENATE.

(5) OBJECTIONS SHALL BE REFERRED TO THE EXECUTIVE COMMITTEE OF THE SENATE FOR INVESTIGATION AND REVIEW, AND THE REPORT OF THE EXECUTIVE COMMITTEE SHALL BE TRANSMITTED BY THE PRESIDENT TO THE BOARD OF TRUSTEES.

G. PROVISIONAL APPOINTMENTS OF VISITING FACULTY

(1) PROVISIONAL NONTENURED APPOINTMENTS OF VISITING FACULTY FOR A DURATION UP TO ONE YEAR MAY BE MADE BY THE PROCEDURES OUTLINED IN THIS SECTION, EXCEPT THAT FOR SUCH APPOINTMENTS THE RECOMMENDATIONS OF THE DEPARTMENT APPOINTMENTS ADVISORY COMMITTEE AND THE COLLEGE ADVISORY COMMITTEE ARE NOT NECESSARY IN ADVANCE.

(2) HOWEVER, THESE COMMITTEES SHALL BE NOTIFIED, AND THE CONTINUATION OF SUCH AN

APPOINTMENT BEYOND ONE YEAR SHALL NOT BE PERMITTED UNTIL THE FULL PROCEDURES OUTLINED HEREIN SHALL HAVE BEEN CARRIED OUT.

H. APPOINTMENTS INITIATED BY DEAN OR PRESIDENT'S OFFICE

(1) THE DELEGATION OF AUTHORITY FOR INITIATION OF APPOINTMENTS TO THE FACULTY SHALL NOT PREVENT ANY DEAN OR THE VICE PRESIDENT FOR ACADEMIC AFFAIRS OR THE PRESIDENT FROM INITIATING APPOINTMENTS WHEN, IN THEIR JUDGMENT, THE BEST INTEREST OF THE UNIVERSITY WILL BE SERVED BY DOING SO.

(2) IN THE EVENT THE PRESIDENT, VICE PRESIDENT FOR ACADEMIC AFFAIRS, OR A DEAN INITIATES AN APPOINTMENT, THE PROPOSED ACTION SHALL FIRST BE REFERRED TO THE APPROPRIATE DEPARTMENT ADVISORY COMMITTEE WHERE THE PROCEDURE DESCRIBED ABOVE SHALL BE THEN FOLLOWED IN CONSIDERING THE PROPOSED APPOINTMENT, INCLUDING WRITTEN REPORTS WITH STATED FINDINGS AND REASONS WHERE FEASIBLE AND APPROPRIATE, SUBMITTED THROUGH THE STATED CHANNELS TO THE PRESIDENT.

APPROVED: UNIVERSITY SENATE 2/1/99

THIS POLICY REFLECTS CHANGES MADE TO COMPLY WITH [PPM 9-2](#) AS APPROVED BY THE BOARD OF TRUSTEES ON 3/8/99

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