



Procedures for Reviewing Candidates for Tenure and/or Promotion: Tenure-Track and Tenured Faculty

Related Policies

*Reviewing Candidates for Tenure and/or Promotion:
Tenure-Track and Tenured Faculty*

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Preamble

These procedures provide information to assist in implementation of sections 5, 6, 7, 7a, 9, and 12 of the Board of Regents Policy *Faculty Tenure*. They are adopted in accordance with sections 7.4, 7.61, and 16.3 of that Policy and are approved by the Academic Freedom and Tenure Committee and the senior vice president for academic affairs and provost.

I. General provisions

I.A. Scope and application

This document contains procedural rules to implement the Board of Regents Policy: *Faculty Tenure* with respect to consideration of candidates for tenure and promotion, annual review of tenured faculty, and protection of the rights associated with faculty tenure. It is intended also to provide a convenient guide for unit heads, deans, chancellors, and central administrators, tenured faculty members, and candidates, to assist in understanding and organizing the tenure-granting and promotion process. Those faculty members who are governed by contracts with the University Education Association abide by some or all parts of these Procedures and not others, as specified in their individual contracts. These procedures do not apply to faculty who are not tenure-track or tenured. References in these procedures to “faculty members” or “all faculty members” are limited to faculty members covered by these procedures, as described in this paragraph.

Once approved by the Academic Freedom and Tenure Committee and the senior vice president for academic affairs and provost, these procedures apply to all faculty members, no matter when they were appointed.

The application of *Faculty Tenure* and its amendments is more complicated. Significant amendments to *Faculty Tenure* were adopted in 2007 and 2011. Some of those amendments are applicable to all faculty members, no matter when they were appointed or promoted. The application of other amendments, specifically those to subsections 7.11 Criteria for Tenure and 9.2 Criteria for Promotion to Professor, depends on a faculty member's date of appointment or date of promotion to a particular rank and the faculty member's choice between different versions of his or her departmental standards and indices, as provided in subsection 7.12 of *Faculty Tenure*. To assist candidates and those who prepare and review their files, an appendix to these procedures identifies the changes most relevant to the tenure and promotion process and explains applicability of the various versions.

The mandatory rules (those using "must" or "shall") established in this document are minimum requirements. Other procedures are simply recommendations or expressions of permission (those using "should" or "may"). Units, colleges, and campuses are encouraged to supplement them with additional rules that clarify the process for considering tenure and promotion while protecting the rights of candidates. Any supplemental rules must be consistent with these Procedures and with *Faculty Tenure*.

The procedural rules established by this document are intended to guide the orderly and fair administration of the tenure-and-promotion process. Candidates for tenure or promotion, units, review committees, unit heads, and other administrators should follow them carefully. But a decision may not be set aside merely because there have been minor or technical deviations from the rules. See *Faculty Tenure*, subsection 7.7(3), which gives the Senate Judicial Committee authority to take action if a decision was “based in significant degree upon . . . [s]ubstantial and prejudicial deviation” from the procedural rules promulgated pursuant to subsections 7.4 and 7.6. These procedural rules apply to individuals regardless of the date of their initial appointment.

I.B. Definitions

The term “candidates” includes: (1) probationary faculty members eligible for indefinite tenure and promotion to the next rank; (2) probationary faculty members eligible to receive tenure in rank; and (3) faculty members with tenure eligible for promotion in rank.

“Tenured faculty members” are those who have been granted indefinite tenure after the successful completion of a probationary period or who were hired from outside the University of Minnesota with indefinite tenure.

“Unit” means the academic unit that makes the initial recommendation on tenure and promotion. That may be a department, a college (in colleges not subdivided into departments), or a division (on a coordinate campus).

“Teaching,” “research,” and “service” are defined in *Faculty Tenure*, subsection 7.11, as approved by the Board of Regents in June 2007 and again in June 2011. Previous definitions of these terms will apply if the faculty member elects to be governed by an earlier version of the tenure policy. See section II.A.1 below.

“Senior academic administrator” refers to individuals at the level of dean, chancellor, and above, including the senior vice president for academic affairs and provost.

“Senior vice president for academic affairs and provost” refers to the chief academic officer of the university.

“Continuation year” refers to the next contract year of a faculty member (i.e., an academic year or twelve months) following the grant to that faculty member of an extension of the probationary period under subsection 5.5 of *Faculty Tenure*. See section II.E.3 of these *Procedures*.

“Memorandum of understanding” (MOU) in these *Procedures* refers to a signed, written agreement between two or more parties (e.g. the candidate, a unit head, and a dean).

I.C. Variances

If it is impossible or impracticable to implement these procedures, a unit may apply to the senior vice president for academic affairs and provost for a written variance. Variances will be given very sparingly, and will require that the unit take steps to ensure that the process conforms as far as possible to the principles set forth here. Applications for variance must be made in writing; approval must be given in writing by the senior vice president for academic affairs and provost, who will consult with the Faculty Senate Academic Freedom and Tenure Committee before acting on the request.

I.D. Confidentiality of review materials

All materials collected in the tenure and/or promotion file, including all written reports of the deliberations, and all written reviews by college, campus, and central administration, are private and must not be disclosed to anyone except the candidate and those participating in the tenure and/or promotion decision, or in the review of that decision (e.g. members of the Senate Judicial

Committee or the Office of the General Counsel addressing complaints regarding a promotion or tenure decision). The unit shall retain a copy of the complete tenure and/or promotion file. The unit report and any material added to the file after the unit recommendation is made, including materials added by the candidate, must be made available to faculty members participating in the tenure and/or promotion decision, but after their part of the promotion and/or tenure process is concluded, faculty members other than the candidate must destroy paper copies of materials provided to them for review.

I.E. Candidate review of the file and addition of materials

Candidates may review the materials in their file at any time and may add material to the file, including responses in writing to decisions made at each level of review. All material added by the candidate must indicate the date on which it is added to the file and be marked as coming from the candidate.

I.F. Candidate's withdrawal from consideration for tenure

At any time in the tenure review process before a decision is made by the senior vice president for academic affairs and provost, the candidate may withdraw his or her candidacy by making a request in writing to the unit head, the dean or chancellor (if applicable), and the senior vice president and provost. The candidate must also submit a letter of resignation, effective at the end of the faculty member's next academic year (i.e., academic year or twelve months). Upon receipt of such a request, the file will not be further reviewed.

II. Tenure Procedures

II.A. Unit statement of criteria (7.12 statement); effect of changes in unit 7.12 statement

Faculty Tenure requires every unit to have a document specifying the indices and criteria that will be used to evaluate candidates, and those criteria will apply to all candidates for tenure and/or promotion in the unit, except as modified for faculty appointed pursuant to a special contract (Board of Regents Policy: *Faculty Tenure*, subsections 7.12 and 3.6).

If a unit votes to change its 7.12 statement, such changes do not become effective until the revised 7.12 statement has been reviewed and approved by the dean, chancellor, and other appropriate academic administrators, including the senior vice president for academic affairs and provost, as specified in *Faculty Tenure* subsection 7.12.

When a unit changes its 7.12 statement, "current probationary faculty in the unit may elect to be evaluated on the criteria in the previous section 7.12 Statement or on the new criteria. This option is also available to current tenured faculty in their evaluation for promotion to the next level. Probationary or tenured faculty must make this decision within one year of the date of administrative approval of the new criteria" (*Faculty Tenure (2011)*, Interpretation 3). The senior vice president for academic affairs and provost shall be responsible for obtaining a memorandum of understanding from each affected faculty member and his/her unit head, dean or chancellor, and/or other appropriate academic administrator, specifying the faculty member's choice, within the one-year period specified in Interpretation 3 of *Faculty Tenure*.

If the date of hire for a probationary faculty member or the date of tenure for a tenured faculty member predates June 8, 2007 when new criteria for tenure and for promotion to professor were added to the policy *Faculty Tenure*, the faculty member may choose to be evaluated with the 2001 version of *Faculty Tenure* if he or she also chooses to be evaluated under the previous version of the unit 7.12 statement. The definitions of teaching, research, and service in the 2001 version of *Faculty Tenure* differ from those in the 2011 version of the document. The faculty member's choice regarding the applicable version of *Faculty Tenure* is also documented in the memorandum of understanding described above.

II.B. Application of unit 7.12 statement to candidates with dual appointments or doing interdisciplinary work

For a candidate who has an appointment in more than one unit, within the first year of the dual appointment, a memorandum of understanding shall be developed by the unit head, the dean or chancellor, and the senior vice president for academic affairs and provost, in consultation with the candidate, that specifies how the candidate will be evaluated annually and at the time of the tenure and/or promotion decision, including which tenured faculty from units other than the appointing unit may participate in the discussion and votes. For a candidate whose work is clearly interdisciplinary but who does not have appointments in more than one unit, such a memorandum of understanding should be developed no later than the fourth year of the probationary period. In either case, the memorandum may be modified as appropriate, in consultation with the candidate.

II.C. Regular voting rules

Tenure and promotion votes for probationary faculty are taken at meetings of the tenured faculty only. A tenure and promotion vote may be taken in any year of the probationary period, but must be taken in the last year of the probationary period. See section II.F.1.

II.C.1. Scheduling tenure and promotion meetings; who is eligible to participate and vote

Attendance and participation at tenure and promotion meetings are essential obligations of the members of the tenured faculty. The head of the unit must schedule the time and place of the formal meeting of the tenured faculty well in advance and must notify all tenured faculty members of the meeting. In ordinary circumstances, at least one month's notice of the meeting should be given. All faculty members eligible to vote are expected to review the candidate's file prior to the meeting and to attend the meeting unless unable to do so for compelling reasons.

Only members of the tenured faculty of the unit have the right to attend and participate in the meeting and to vote on granting tenure and/or promotion, except as specified in this section. Probationary faculty members from the unit shall not be permitted to listen to and/or participate in any discussions of other probationary faculty members or of themselves. Tenured faculty who cannot attend the meeting in person may attend using a phone or electronic connection.

It may be appropriate for small units that have few tenured faculty members to include, in annual review of probationary faculty and in the discussion and vote on tenure, a tenured faculty member or members from another unit or units in the college, campus, or University. Including additional tenured faculty members may also be warranted in consideration of a candidate whose work encompasses multiple disciplines. In order for tenured faculty members from outside the unit to participate, the head of the initiating unit and/or the dean or chancellor must submit a written

request to and obtain authorization in writing by the senior vice president for academic affairs and provost. The request must identify the candidate under consideration and give the name(s) and appointment homes of those faculty members who will be asked to vote on the candidate and the reasons for including them. A candidate may request that additional faculty member(s) be added for his or her annual review and tenure and/or promotion decision; this request must be approved by the unit head, dean or chancellor, and the senior vice president for academic affairs and provost.

As a member of the tenured faculty, the unit head participates and votes but has no additional tie-breaking vote.

II.C.2. Disqualifications

Persons who are or were closely related to a candidate, or who have or have had an intimate personal relationship with a candidate, must not attend or participate in the meeting where that candidate is being considered or in any discussion of the candidate's consideration for tenure and/or promotion. See Board of Regents Policy *Nepotism and Personal Relationships*. If the candidate or another member of the tenured faculty wishes to challenge the participation of any member of the tenured faculty, that challenge must be made in writing at least two weeks before the scheduled tenure meeting, stating the reasons for the challenge and setting forth the relevant evidence. A copy must be sent to the challenged faculty member and, except when the unit head brings the challenge, to the unit head. The fact that a member of the tenured faculty has formed a negative view of the candidate's teaching, scholarship, or service during the course of the candidate's career is not a basis for disqualification. In most cases, the unit head will decide whether the challenged faculty member may participate in the decision. In cases where the unit head is the challenged faculty member, the decision will be made by the dean, chancellor, or other administrator to whom the unit head reports. In doubtful cases, the Office of Equal Opportunity and Affirmative Action should be consulted in reaching a decision about disqualification, pursuant to its responsibilities under the policy *Nepotism and Personal Relationships*. The record of the challenge and its resolution will be included in the file forwarded for review. If the challenged faculty member is not permitted to participate in the discussion and vote, that person shall be considered ineligible to vote and therefore shall not count toward the quorum requirement established in these Procedures.

The same principles of disqualification apply to members of the review committees and to academic administrators who may be called upon to review the matter. See section II.F of these Procedures.

A member of the tenured faculty of a unit, who serves as a senior academic administrator and who, in that administrative role, will review a unit's tenure and/or promotion recommendation for a candidate, may not also participate in the unit's consideration of tenure and/or promotion for that candidate.

II.C.3. Voting procedures

The vote is taken by written, unsigned secret ballot. An effort must be made to provide a copy of the file to every tenured faculty member eligible to vote, including those who will be absent from the meeting. This can be accomplished by setting up a secure, password-protected web site with electronic files for all tenured faculty members to review. Absent faculty members must be given

an opportunity to vote by written absentee ballot, which should be sent in a sealed envelope to the unit head. Proxy votes, telephone votes, fax votes, and email votes are not permitted. It is permissible to set up a secure, password-protected voting site for all faculty members to use to cast ballots. A deadline date must be established for final casting of votes. The vote totals must remain secret until all ballots are counted.

II.C.4. Questions to be voted upon

During any annual-review meeting before the final probationary year, a unit may vote upon one or more of the following questions, presented as a motion for adoption by the faculty voting:

- Shall the candidate be recommended for tenure and promotion to the next rank? (For untenured assistant professors, or for untenured associate professors considered for tenure and promotion to full professor)
- Shall the candidate be recommended for tenure only? (For untenured associate professors and untenured professors)
- Shall the candidate be given notice of termination? (For probationary appointments)

Any consideration of termination must be pursuant to the standards specified in section II.D(2) of these Procedures.

If no vote is taken or if there is no majority for any motion, the appointment will be continued.

In the last year of the probationary period, the question(s) shall be:

- Shall the candidate be recommended for tenure and promotion to the rank of associate professor? (For assistant professors)
- Shall the candidate be recommended for tenure? (For probationary associate professors or professors)

If there is no majority for that motion, the recommendation is automatically for termination of the probationary appointment.

II.C.5. Required majority

A quorum must be present for discussion and vote on promotion and tenure. A quorum is defined as more than 50% of the faculty members eligible to vote on the matter. Unless the faculty of a unit adopts a rule requiring an exceptional majority, the action of the unit is based on the vote of the majority of those voting on the question, including absentee ballots cast as specified in section II.C(3). Abstentions are not counted in determining whether a majority of those voting cast votes in favor of tenure or promotion, as required to report an affirmative recommendation, but the number of abstentions is reported as part of the vote tally and, in the review process, they will be considered an indication of lack of support for the candidate by those abstaining. Abstentions are strongly discouraged. Tenured faculty members have an obligation to decide whether or not a candidate merits tenure or promotion and to vote for or against tenure or promotion. If tenured faculty members are eligible to vote and do not cast a vote, the number of such non-votes is reported but they are not counted as affirmative or negative votes, or as abstentions.

If there is a tie vote, the recommendation is in the negative. In the final year of the probationary period, a tie vote on the question of tenure automatically results in a recommendation for termination of the appointment.

In a unit that has a rule requiring an exceptional majority, if a recommendation to grant tenure receives an ordinary majority but not the required exceptional majority, the unit must prepare and send forward the file without a recommendation for tenure.

II.C.6. Candidate's withdrawal from consideration for tenure

The candidate may withdraw his or her candidacy, either prior to or after a vote on a motion to recommend tenure, by making a written request to the unit head, the dean or chancellor (if applicable), and to the senior vice president for academic affairs and provost. The candidate must also submit a letter of resignation, effective at the end of the candidate's next contract year (i.e., academic year or twelve months). Upon receipt of such a request, the file will not be further reviewed.

II.C.7. Report of the vote

In all cases, the actual vote is to be reported. The report should indicate the number of faculty members eligible to vote, the number present at the meeting, the number of affirmative and negative votes and abstentions, the number of absentee ballots cast, and the number of instances of ballots not cast. In the report of the vote, the unit head should explain if possible the number of eligible faculty members not voting (e.g., faculty members on leaves or sabbaticals, on phased retirements, or who will review the unit's recommendation as a senior academic administrator). The percent affirmative vote equals the number of affirmative votes divided by the number of affirmative plus negative votes (X 100). That is, abstentions are not included in the determination of the percentage of affirmative votes cast.

If there are any reconsideration votes after an initial vote of the tenured faculty of the unit, both the original and the reconsidered votes must be reported. A reconsideration vote may occur based on the procedures adopted by a particular unit, because there was a need to repeat the initial vote after the addition of new information about the case, or because of a procedural error with respect to a previous vote.

Although the unit's recommendation is based upon the required majority by the rules applicable to the particular unit, committees and senior academic administrators reviewing the file may legitimately take into consideration the relative size of the majority in the unit's recommendation.

II.C.8. Rules governing the use of an exceptional majority

If the unit does not specify otherwise, a majority of those voting on a personnel question will take action for the unit, if a quorum is present. A unit may, however, require an exceptional majority (for example, a 2/3 majority of those voting or an absolute majority of the tenured members of the unit) as a prerequisite for a recommendation for tenure (*Faculty Tenure*, subsection 7.4 (d)). If a unit chooses to do so, it must adopt that rule well in advance of the meeting in which the tenure decision will take place and no later than the end of the previous academic year. Any rule requiring an absolute majority must also make provision for excusing members who are unable to

participate in person. All rules requiring exceptional majorities must be reported to the dean or chancellor and to the senior vice president for academic affairs and provost and the Faculty Senate Academic Freedom and Tenure Committee. The exceptional majority rule must appear as part of the statement adopted under subsection 7.12 of *Faculty Tenure*.

II.D. Explaining the process to the candidate

In the first year of the probationary appointment, the unit head must review the terms of appointment with the probationary candidate. This includes:

- a. Making certain that credit for prior service has been granted and appropriately recorded, and that there is a common understanding about the maximum length of the probationary period (*Faculty Tenure*, subsection 5.4).
- b. Supplying the candidate with copies of *Faculty Tenure*, these Procedures, and the unit statement about tenure and promotion expectations (*Faculty Tenure*, subsection 7.12). The head should review the unit criteria with the candidate and seek to make the criteria and their application as clear as possible.
- c. Informing the candidate about the procedures used by the unit to review teaching, research, and service. The candidate must be informed about the annual-review process and made familiar with the annual Appraisal of Probationary Faculty (President's Form 12) that will be completed. The candidate must also be informed about his or her right to inspect the file and right of access to information and the right to withdraw from consideration for tenure and/or promotion at any point until the decision by the senior vice president for academic affairs and provost.

The unit head must make a written summary of this meeting, including the time and date it took place, and include it in the candidate's personnel record. The probationary faculty member must sign and date this summary. The unit head must forward a copy of this signed summary to the dean or chancellor and to the senior vice president for academic affairs and provost.

II.E. Annual review during the probationary period

II.E.1. Elements of the annual review process

The process of reviewing a candidate's progress is continuous. It is intended to be encouraging and nurturing, although it is necessarily evaluative. Especially in the early years of the probationary period, the annual review of progress towards tenure is intended to point out to the candidate his or her strengths and weaknesses, so that the strengths can be built upon and the weaknesses remedied. Three elements are essential to this process: information gathering, deliberation, and consultation with the candidate. The review is always to be conducted in accordance with the unit statement required by subsection 7.12 of *Faculty Tenure*.

The procedures set forth in these paragraphs are minimum requirements. Some units may prefer to conduct a more formal annual review, comparable to the one that must take place in the decision year when a formal recommendation will be made regarding the candidate.

II.E.2. Collecting information on the candidate's performance

The unit head has the responsibility to ensure that the unit gathers data annually about the candidate's performance on all relevant criteria and must make the assembled file available to the candidate for his or her review. These functions must be performed by the unit head or by a designated member or committee of the tenured faculty and may not be delegated to staff or students, although they may play appropriate supporting roles. The unit head and the candidate must work together to ensure the accuracy and completeness of the assembled file.

The annual review file should include as appropriate:

- i. The candidate's current curriculum vitae and annual activity reports;
- ii. Summaries of the candidate's teaching assignments, and student and peer evaluations, using the methods of evaluation that have been adopted for the unit or college, including student comments, if the college or campus assembly has determined they should be included (see the administrative policy *Evaluation of Teaching: Twin Cities, Crookston, Morris, and Rochester*; for the definition of teaching, see *Faculty Tenure (2011)*, footnote 3; if the probationary faculty member is governed by subsection 7.11 of *Faculty Tenure (2001)*, then see footnote 6 of that policy; see also the administrative policy entitled *Evaluation of Teaching: Twin Cities, Crookston, Morris, and Rochester*);
- iii. Copies (electronic or paper) of the candidate's research or other scholarly contributions and copies, descriptions, or representations of the candidate's creative work (for the definition of scholarly research and other creative work, see *Faculty Tenure (2011)*, footnote 3; if the probationary faculty member is governed by subsection 7.11 of *Faculty Tenure (2001)*, then see footnote 7 of that policy);
- iv. Summaries of the candidate's service activities (for the definition of service, see *Faculty Tenure (2011)*, footnote 3; if the probationary faculty member is governed by subsection 7.11 of *Faculty Tenure (2001)*, then see footnote 8 of that policy);
- v. Copies of the Appraisal of Probationary Faculty forms for the current and previous years; and
- vi. Any other relevant material.

The file may also include evaluations of the candidate's scholarly research or other creative work by persons inside and outside the University.

The probationary faculty member has the right and responsibility to inspect the annual-review file annually and may submit written comments or add relevant materials to the file. Material provided by a candidate must indicate the date on which it is added to the file and be marked as coming from the candidate.

The annual-review file is only one part of the candidate's personnel file in the unit and contains only those materials that are relevant to an eventual tenure decision. It is accessible to the candidate and to all of the tenured faculty members in the unit, while other portions of the

candidate's personnel file are accessible only to the candidate and to those who have reason to have access to particular information contained in it.

Tenured faculty eligible to vote at the unit level may identify additional relevant materials not already included in the candidate's file and request that they be added. The unit head shall notify the candidate of the addition. The candidate must have the opportunity to respond to any new material before the unit vote.

II.E.3. Annual review by the tenured faculty; effect of extension of the probationary period under subsection 5.5 of *Faculty Tenure*

The tenured faculty members of the unit must review the progress of each probationary faculty member towards tenure annually, either at the annual meeting to vote on tenure and/or promotion or at a separate meeting of only the tenured faculty. An annual review is required every year even if the probationary faculty member has extended the probationary period pursuant to subsection 5.5 of *Faculty Tenure*.

If a faculty member has extended his or her probationary period under subsection 5.5 of *Faculty Tenure* for the birth or adoption/foster care of a child, for major caregiver responsibilities, or for personal illness/injury, this must be noted at the time of the discussion by tenured faculty as well as on the Appraisal of Probationary Faculty report (President's Form 12) during the annual review. The year following the confirmation of an extension of the probationary period is considered a "continuation year." For example, if a faculty member received an extension of the probationary period during year 3 of the appointment, the following year of the probationary period is considered to be year 3 again. During the continuation year, the faculty member continues with regular teaching, research, and service activities as determined by established workload policies for the unit, and the tenured faculty conducts an annual review, but there are no expectations for additional progress towards tenure during that continuation year.

If a probationary faculty member is granted a leave without pay for all or part of his or her contract year (i.e., an academic year or twelve months) and the appointment is for less than 67% of that contract year, then the probationary period is extended. The unit must complete the Appraisal of Probationary Faculty report (President's Form 12) for that probationary faculty member but no annual review is conducted that contract year.

The annual review must be based on the criteria for tenure in the applicable version of subsection 7.11 of *Faculty Tenure* and the applicable version of the unit's 7.12 statement. (Which version is applicable depends on the probationary faculty member's date of appointment, the date of the approval of a unit's new 7.12 statement relative to the appointment date, and any applicable memorandum of understanding. See section II.A.)

The files for the probationary faculty members must be made available to the tenured faculty a reasonable time in advance of the meeting. The annual review does not require a formal ballot or recommendation of the faculty, but units may take a vote as specified in section II.C(4). If there is balloting, the procedures must be specified in the unit 7.12 statement. (Note that under *Faculty Tenure*, an appointment will automatically be renewed annually until the end of the probationary period is reached, unless there is an earlier recommendation for granting tenure or terminating the appointment.)

II.E.4. Annual conference with the candidate

Following the annual review of the probationary faculty member by the tenured faculty of the unit, the unit head must discuss with the candidate his or her progress toward achieving tenure. The unit head also reports to the candidate the sense of the meeting of the tenured faculty, and any recommendations made by it. It is important that this conversation be candid and that the candidate be clearly told if there are areas in which performance needs to be improved. The candidate must be given a copy of the annual Appraisal of Probationary Faculty report (President's Form 12), which must reflect the major elements of this conversation, as well as a written summary of any additional matters discussed.

The annual Appraisal of Probationary Faculty report must state clearly the concerns of the tenured faculty regarding the candidate's progress toward tenure and must provide guidance for addressing any weaknesses that have been noted. The review of the probationary faculty member by the tenured faculty, the conference with the probationary faculty member, and the final written report must reflect the criteria and indices of performance in the unit's 7.12 statement. If the candidate has questions about the application of the criteria or about what he or she is expected to do, the unit head must explain the criteria. If the candidate has extended the probationary period according to subsection 5.5 of *Faculty Tenure*, the annual report must clearly report that fact.

The head of the unit must place in the candidate's file each year the Appraisal of Probationary Faculty report (President's Form 12) and a written summary—with date and time specified—of any additional matters discussed. This report is signed by the candidate and the unit head, and evaluated and signed by the dean of the candidate's college or by the chancellor of the coordinate campus, and by the senior vice president for academic affairs and provost. The signature of the candidate indicates that she or he has seen the review and does not signify agreement.

II.F. Unit consideration of the candidate for tenure or for termination of appointment

II.F.1. Tenure decision may be made at any time.

A decision on tenure may be made in any year of the probationary period, including the continuation year following receipt of an extension of the probationary period according to subsection 5.5 of *Faculty Tenure*.

A candidate must be considered in a formal tenure review no later than in the last year of the probationary period; that is,

- i. in the sixth year of a typical probationary period, or
- ii. at the designated time in a shorter or longer probationary period; or
- iii. at the end of the extended probationary period for a candidate who has extended the period according to subsection 5.5 of *Faculty Tenure*; or
- iv. at the time required by special contract.

A formal review may be initiated at any earlier time by the unit head or by vote of the tenured faculty of the unit.

A probationary faculty member may request an early tenure review; the unit will decide whether to conduct it.

Because the process of conducting a formal review involves a number of steps, including external evaluations, and because there is a fixed time schedule for review of unit recommendations, a decision to conduct a formal tenure review must be made well in advance of the date on which a vote will be taken.

Candidates must be told that the outcome of an early tenure evaluation may be a recommendation for (1) promotion and tenure; (2) continuation of the probationary appointment without tenure and promotion at this time; or (3) termination. If the early tenure evaluation takes place during a continuation year of the probationary period (see subsection 5.5 of *Faculty Tenure*), then the faculty may not recommend termination as part of the annual review, but termination may occur in cases of fiscal emergency or disciplinary action as specified in *Faculty Tenure*.

II.F.2. A decision to terminate an appointment may be made at any time.

Except as specified in this section, a decision by the unit to recommend termination may be made in any year of the probationary period, including at the time of an early tenure review. A decision to recommend termination may not be made during the continuation year if the candidate has extended the probationary period according to subsection 5.5 of *Faculty Tenure*, but termination may nonetheless occur in cases of fiscal emergency or disciplinary action as specified in *Faculty Tenure*.

II.F.3. Schedule for unit action

The senior vice president for academic affairs and provost (and the dean or chancellor) annually establishes schedules for formal action by units and the subsequent review of those recommendations by the colleges, campuses, and central administration. It is important that the units, colleges, and campuses comply with these schedules, so that appropriate and unhurried review of decisions may take place and required notice be given in a timely manner.

II.F.4. Preparation of the file for tenure decisions

The head of the unit has the responsibility of seeing that a file is prepared for each candidate, with the help and advice of at least one senior faculty member. The unit head and the candidate must work together to ensure the accuracy and completeness of the assembled file.

The file must contain relevant information on the candidate's teaching, scholarly research and other creative work, and service, and on other factors relevant to the decision. In gathering outside evaluations of the candidate's contributions to scholarly research and other creative work, the unit should seek appraisals both from persons suggested by the candidate and from other recognized scholars in the field. Units may determine a minimum number of external appraisals that they require, but at least half, and no fewer than four, of the external reviews must be obtained from individuals with no direct professional or personal interest in the advancement of the candidate's career (for example, they should not be former advisors, mentors, co-authors, or co-investigators on previous work). The file must specify clearly the relationship of each external reviewer to the candidate and should contain a description of each external reviewer and his or

her credentials to enable collegiate/campus review committees and collegiate and central administrators to interpret reviews more fully.

External reviewers must be told that their evaluations will not be held confidential, because state law permits the candidate to inspect them. They must be told if and when a candidate has extended the probationary period and for how long. They are not told the reason that the probationary period was extended but should be advised that the candidate is expected to meet the same standard as though the probationary period had not been extended. That is, the candidate should not be expected to show greater productivity because his or her time of appointment as a faculty member is longer than a typical probationary period. If a candidate has an appointment in any probationary year(s) that reduces his or her effort to two-thirds time or more during the faculty member's contract year (i.e. the academic year or twelve months), the candidate has completed a full appointment year (subsection 5.3 *Faculty Tenure*). The candidate with this reduced appointment is expected to meet all of the criteria for tenure and/or promotion that are provided in subsection 7.11 of *Faculty Tenure* and the unit's 7.12 statement.

The weight to be given to the views of any particular external reviewer, internal evaluator, or student is a matter to be considered by the decision-making bodies. Anonymous statements (except for comments on student rating forms) must not be included in the file and cannot be considered. Unsolicited signed comments will be included in the file if they are relevant and material to the decision. Candidates are encouraged to suggest names of external reviewers but may not solicit comments or evaluations independently. Candidates may not seek to influence external reviewers either before or during the review process by discussing specific aspects of their tenure and promotion candidacy.

This file is similar to that prepared for the annual review, but it should encompass the entire probationary period. It includes:

- i. The candidate's current curriculum vitae and a summary of his or her accomplishments during the probationary period.
- ii. A summary of the candidate's teaching assignments; student and peer evaluations, using the methods of evaluation that have been adopted for the unit or college; and a statement by the candidate on his/her teaching, including, for example, a discussion of teaching philosophy, learning outcomes, and the like. Whether student comments on evaluations are used for annual reviews and decisions on tenure and promotion is determined by college and campus assemblies (see the administrative policy *Evaluation of Teaching: Twin Cities, Crookston, Morris, and Rochester*). Copies of student ratings of teaching for individual courses, and student comments (if the college or campus assembly has chosen to use them) are to be made available for tenured faculty of the unit but are made part of a supplementary file that is not automatically forwarded for subsequent review at the college, campus, and central levels but is available if the information is requested or if the college or campus process specifies they be included at that level.
- iii. A research statement by the candidate describing his or her scholarly research or creative work completed to date and plans for future work.

iv. Copies (electronic or paper) of the candidate's research or other scholarly contributions and copies, descriptions, or representations of the candidate's creative work; outside evaluations of the candidate's contributions to scholarly research or other creative work. The unit determines the size of the sample of scholarly or creative works for review (e.g. all work, a select sample of work, etc.) The selected sample of scholarly or creative work is to be available for review by the tenured faculty of the unit but is made part of a supplementary file that is not automatically forwarded for subsequent review at the college, campus, and central levels but is available if the information is requested or if the college or campus process specifies it be included at that level.

iv. A summary and narrative of the candidate's service activities.

v. A copy of the Appraisal of Probationary Faculty report (President's Form 12) for each of the probationary years as well as of other evaluations by the unit or unit head.

vi. Any other relevant material relating to the candidate's satisfaction of the requirements for tenure, including evaluations of the candidate's scholarly research or other creative work, teaching, and service, by persons inside or outside of the University, as appropriate.

The unit head must make the assembled file available to the candidate for his or her review. The candidate has the right and responsibility to inspect the file and the right to submit written comments and add relevant materials to the file. Material provided by a candidate must indicate the date on which it is added to the file and be marked as coming from the candidate. If the candidate submits an updated curriculum vitae, the new items must be identified with highlighting, underlining, or some other indication that the material has been added to the curriculum vitae and the date on which it was added noted.

Faculty eligible to vote at the unit level may identify additional relevant materials not already included in the candidate's file and request that they be added. The unit head shall notify the candidate of the addition. The candidate must have the opportunity to respond to any new material before the unit vote.

II.F.5. Vote and report of action

The unit takes a vote and reports it according to section II.C. All reports must be dated.

The unit head (or the designated tenured faculty member or committee) prepares a draft report that states the faculty's recommendation, specifies the results of all votes taken, summarizes the candidate's file, and gives the reasons for the actions taken at the meeting of the tenured faculty, including any minority views expressed at the meeting that had substantial support.

Serving in the capacity of the initiating academic administrator, the unit head also prepares an additional statement of his or her agreement or disagreement with the unit's recommendation, including the reasons for any disagreement.

The draft unit report is made available to tenured faculty members, who may comment and suggest changes, and may file separate reports if they believe that their views are not adequately reflected in the unit's report. Copies of such separate reports must be given to the unit head. The

submission of such reports is the only appropriate way for faculty members to present their individual views to those reviewing the unit recommendation. The unit head gives the candidate copies of the unit's recommendation, his or her own recommendation, and any separate reports. The unit head's report is also made available to the tenured faculty. The candidate has the right to submit a supplementary statement for inclusion in the file. Copies of the statement must be given to the head of the unit and distributed to the tenured faculty.

For review at the college or campus level, the unit forwards: (1) the file with all the parts indicated in section II.D above (2) the unit recommendation, (3) the unit head's recommendation, (4) the unit report, (5) any separate statements by members of the tenured faculty, and (6) any statement by the candidate. As noted in section II.D, copies of teaching data (e.g. student ratings and comments) and the selected sample of scholarly or creative work become part of a supplementary file that may be forwarded to the college or campus level depending upon the process agreed upon for each college or campus. Collegiate or campus review committees and/or deans may request these materials for any case, even if the collegiate or campus practice is not to forward these materials automatically. The unit will keep a copy of the supplementary file with its own copy of the file that was forwarded for review.

II.F.6. Recommendation for early termination of the probationary period

In any year of the probationary period, except a continuation year pursuant to subsection 5.5 of *Faculty Tenure*, a unit may recommend termination of a candidate's appointment if (1) his or her overall performance is so clearly below the standards required by the unit's 7.12 statement that this course of action is necessary, or (2) performance on any of the primary criteria is so deficient that positive evaluation of the other criteria would not warrant continuation of appointment. The reasons for this action must be clearly documented in a written evaluation.

In order to terminate an appointment during the probationary period, the tenured faculty must take a vote as part of the annual review. The unit must follow its voting rules – a simple majority vote for termination or an exceptional majority vote for termination if required by the unit's 7.12 statement. The unit head must write a report that is recorded on Appraisal of Probationary Faculty report (President's Form 12) that reflects the discussion and vote of the tenured faculty. In addition, the unit head must write a second report that reflects his or her own recommendation for or against termination of the probationary appointment. If the vote of the tenured faculty supports termination of the appointment, the file must be forwarded for second-level review. As provided in section II.G, a dean or chancellor providing a second-level review must receive an advisory recommendation from the collegiate or campus review committee. The dean or chancellor then must make a recommendation to the senior vice president for academic affairs and provost, who will make the final decision about the termination. For Twin Cities colleges that are not subdivided into departments, the dean reviews the faculty vote, report, and recommendation, and makes his or her own recommendation regarding termination. The file, including the dean's recommendation, is reviewed by the All-University Promotion and Tenure Committee (see section II.G.3), which makes its own recommendation to the senior vice president for academic affairs and provost, who will make the final decision about termination.

II.G. Review of the unit recommendation

II.G.1. Nature of second-level review

Each unit recommendation is subject to a second-level review, as described in this section, and then review by the senior vice president for academic affairs and provost (see section II.H). For Twin Cities colleges that are subdivided into departments, the second-level review is by the dean of the college, who receives a recommendation from a collegiate review committee. For the Morris and Crookston campuses, the second-level review is by the chancellor, who receives a recommendation from a campus-wide review committee. For Twin Cities colleges that are not subdivided into departments, the second-level review is by the All-University Promotion and Tenure Committee. For faculty on the Crookston campus, the All-University Promotion and Tenure Committee will provide the second level of review for those seeking promotion to the rank of professor only. For faculty on the Rochester campus, the All-University Promotion and Tenure Committee will provide the second level of review for all faculty tenure and promotion decisions.

II.G.2. Second-level review by senior academic administrator

Except for Twin Cities colleges that are not subdivided into departments, the unit recommendation is reviewed by the senior academic administrator to whom the unit head reports. For units on the Twin Cities campus, the review is by the dean of the college, who receives a recommendation from a collegiate review committee. For the Morris and Crookston campuses, the review is by the chancellor, who receives a recommendation from a campus-wide review committee.

The review is conducted as specified in sections II.G(4) through II.G(6).

A dean, chancellor, or other reviewing officer may not participate in circumstances in which the officer would be disqualified from participating in the initial decision. See section II.C.2.

II.G.3. Composition of second-level review committees

The collegiate or campus review committee advising the dean or chancellor (see section II.G.2) is composed of members of the tenured faculty of the college or campus, selected as specified in the college or campus procedures.

For Twin-Cities-campus colleges that are not subdivided into departments and for the Crookston and Rochester campuses in circumstances described above in section II.G(1), the second-level review committee is the All-University Promotion and Tenure Committee, which is composed of tenured full professors from each such college or campus. Members are nominated by the deans of the colleges or chancellors of the campuses and approved by the senior vice president for academic affairs and provost. If a particular college or campus does not have faculty at the rank of professor, additional faculty from other colleges or campuses may be added at the discretion of the senior vice president for academic affairs and provost. The committee makes a recommendation to the senior vice president for academic affairs and provost. [At the present time (2011), the Humphrey School of Public Affairs, the Carlson School of Management, the Law School, the School of Nursing, the Center for Allied Health, and the School of Public Health use this process. For faculty on the Rochester campus, the All-University P & T Committee will provide the second level of review for tenure and/or promotion decisions after the review by the Vice Chancellor and Chancellor.]

The membership of all review committees is public information.

Each faculty member has an obligation to participate in the unit recommendation of candidates for tenure and/or promotion. A faculty member who serves on a collegiate or campus review committee may not participate in the discussion of or vote on a candidate from his or her own unit because of his or her participation in the unit consideration of the case. A review committee member also may not participate in a review in circumstances in which he or she would have been disqualified under section II.C of these Procedures (because of a relationship with the candidate).

II.G.4. Criteria, standards, and process for second-level review of the unit recommendation

The review committees and the senior academic administrators conducting the second-level review must use the indices and criteria for tenure applicable to the unit and position involved. These are the criteria set forth in subsection 7.11 of *Faculty Tenure*, in the unit statement required under subsection 7.12 of *Faculty Tenure*, and in any special contract under subsection 3.6 of *Faculty Tenure*. Subject to that limitation, the review committee and senior academic administrator should examine the merits of the decision, not merely its procedural regularity.

The review committee must review the matter on the basis of the file and other documents that are forwarded to the dean or chancellor or directly to the committee (in the case of Twin Cities-campus colleges not subdivided into departments). It may not seek additional information either from members of the unit or from others. If the collegiate or campus review committee needs additional information or clarification, it must request that information from the dean or chancellor. The dean or chancellor will obtain the requested information from the unit and pass it on to the committee. Similarly, if the All-University Promotion and Tenure Committee needs additional information or clarification, it must seek that information from the senior vice president and provost.

The review committee must make a written recommendation to the dean, chancellor, or senior vice president for academic affairs and provost. If it differs from the unit in its recommendation, the committee must state the reasons for such difference. A copy of the recommendation must be supplied to the candidate. The recommendation becomes part of the candidate's file.

The candidate has the right to respond to the recommendation from the collegiate, campus, or all-university review committee.

The senior academic administrator reviewing a tenure and/or promotion recommendation may consult with persons other than the review committee advising him or her, but each such consultation must be recorded in the candidate's file. Any relevant material added to the file by senior academic administrators during the review shall be copied to the candidate and the unit head at the time it is added to the file. The unit head shall make all such material available to the unit faculty who are eligible to vote.

II.G.5. Criteria, standards, and process for review of the unit recommendation by the dean or chancellor

The dean or chancellor reviewing the unit recommendation must use the indices and criteria for tenure applicable to the unit and position involved. These are the criteria set forth in subsection 7.11 of *Faculty Tenure*, in the unit statement required under subsection 7.12 of *Faculty Tenure*,

and in any special contract under subsection 3.6 of *Faculty Tenure*. Subject to that limitation, the dean or chancellor should examine the merits of the decision, not merely its procedural regularity.

The dean or chancellor makes the recommendation to the senior vice president for academic affairs and provost. Copies of the recommendation must be sent to the unit head and made available to the tenured members of the unit faculty, and to the candidate.

The candidate has the right to respond to the recommendation of the dean or chancellor.

Every file must be forwarded to the senior vice president for academic affairs and provost for review and final recommendation. The forwarded file must include (a) the unit recommendation, together with the unit report and letters from external reviewers upon which it relies; (b) the unit head's report; (c) the review committee's report; (d) the report of the senior academic administrators who reviewed the unit recommendation; and (e) any other information in the file requested by the senior vice president for academic affairs and provost. Other parts of the file, e.g., samples of scholarly or creative work or teaching evaluations, must be retained by the college or campus and should be forwarded only if requested.

The dean or chancellor must add to the file any communication that has been received concerning the candidate and memoranda summarizing conversations he or she has had concerning the candidate that have been taken into consideration

The final file also contains all responses made by the candidate to the reports from the unit, unit head, collegiate or campus committee, and dean or chancellor.

Chancellors of coordinate campuses forward their recommendations both to the senior vice president for academic affairs and provost for decision and to the senior vice president for system academic administration for information.

II.G.6. Requests for reconsideration or for more information

The senior academic administrator reviewing the unit recommendation may ask the unit to reconsider the matter on the basis of specific concerns, which must be specified in writing. In such case, the tenured faculty must meet again to discuss the question in light of the specific comments or questions. The procedures are the same as those for initial consideration by the unit. The vote is again by secret ballot. A supplemental report is prepared and transmitted in the same manner as the original recommendation.

Before making a decision on review, a senior academic administrator, either on his or her own motion or at the request of the review committee, may ask the unit or the candidate to provide additional information. Providing such additional information does not require full unit consideration, but the candidate should be informed of the request and given an opportunity to participate in the reply to it.

II.H. Central review and action

II.H.1. Central review

The senior vice president for academic affairs and provost has the final authority to make recommendations on tenure and promotion to the Board of Regents for all faculty members covered by these procedures (see section I.A). The senior vice president for academic affairs and provost may consult with other persons before making a decision, but each such consultation or review shall be recorded in the candidate's file.

The senior vice president for academic affairs and provost may constitute an additional committee to review one or more candidates. Any such committee is subject to restrictions and procedures parallel to those governing the collegiate review committees.

II.H.2. Standards for review and action

The central reviews and action must be based upon the standards for tenure and/or promotion applicable to the unit and position involved.

II.H.3. Action by the senior vice president for academic affairs and provost; explanations to dean/chancellor, other academic administrators, and unit

The senior vice president for academic affairs and provost takes action on the recommendation from the deans or chancellors or the All-University Promotion & Tenure Committee. If his or her action differs from the recommendation of the unit, he or she must send to the tenured faculty members of the unit and to the candidate a written statement of the substantive reasons for differing with the judgment of the tenured faculty of the unit (*Faculty Tenure*, subsection 7.63). That statement must be an evaluation of the candidate's substantive qualifications and include an explanation of the reasons for which the senior vice president for academic affairs and provost believes it appropriate to substitute his or her judgment for that of the unit with regard to those qualifications. It may not be a mere recitation of the evaluations in the file with a different conclusion. If the senior vice president for academic affairs and provost's action differs from the recommendation of the dean or chancellor, a similar written statement must be sent to the dean or chancellor and to the candidate.

The senior vice president for academic affairs and provost presents his or her final recommendations to the Board of Regents for its decision whether to confer indefinite tenure and/or to approve promotion.

III. Promotion Procedures

III.A. General

The procedures for considering promotions from assistant to associate professor or associate professor to professor must parallel those for considering candidates for tenure, including preparation of an appropriate file and second-level and central review. Promotion from instructor to assistant professor occurs upon notice that the instructor has obtained his or her terminal degree not yet earned at the time of appointment as instructor and does not require review as described in this section.

No less frequently than every four years, the unit's tenured faculty at the rank of professor shall review the progress toward promotion of each associate professor with tenure. This review will

provide the associate professor with feedback about his or her progress towards meeting the criteria in subsection 9.2 of *Faculty Tenure* and in the unit 7.12 statement. The four-year review of tenured associate professors must be reported in writing by the unit head. The associate professor meets with the unit head to discuss the review and signs the report of the review to acknowledge that the review took place. The report is forwarded to the dean or chancellor and to the senior vice president for academic affairs and provost.

Consideration for promotion from associate professor to the rank of professor is initiated by the unit head or by the professors in the unit with the concurrence of the candidate and may occur at any time after appointment as, or promotion to the rank of, associate professor. An associate professor may at any time request that a promotion review take place, but the professors in the unit will decide whether to conduct it. If an associate professor believes that a decision not to conduct a promotion review was made unfairly, he or she may raise his or her concerns with the unit head, the dean or chancellor, or the senior vice president for academic affairs and provost.

Unit criteria for promotion to the rank of professor as written in the unit 7.12 statement must be consistent with those stated in subsection 9.2 of *Faculty Tenure*, Criteria for Promotion to Professor.

External reviewers for those being considered for promotion to the rank of professor must themselves hold the rank of professor or its equivalent if they are academics, but a reviewer at the rank of tenured associate professor may be used if the reviewer's qualifications are exceptional and use of the reviewer is justified by the unit. If the external reviewer comes from outside the academy, she or he must be a leader in her or his discipline or creative area with a national or international reputation or both.

III.B. Regular voting rules; report and review of the unit recommendation

Only tenured professors senior in rank to the candidate for promotion are eligible to attend and to participate in the promotion meeting and to vote on granting promotion, except as noted in this paragraph. In particular, tenured associate professors from the unit are not permitted to listen to or participate in any discussions of other tenured associate professors or of themselves. However, a unit head who is an associate professor is required to attend the promotion review meeting for other tenured associate professors and to write a recommendation as the unit head as part of the promotion file, but may not participate in the discussion or vote on the promotion.

Tenured professors who cannot attend the meeting in person may attend using a phone or electronic connection.

If a unit has very few faculty members at the rank of professor, or if an associate professor is head of the unit, the unit may include in the discussion and vote on promotion additional faculty members at the rank of professor in another unit or units in the college, campus, or University. Similarly, additional faculty members at the rank of professor may be included if the candidate's work encompasses multiple disciplines. In order for faculty members from outside the unit to participate, the initiating unit and/or the dean or chancellor must submit a written request to and obtain authorization in writing by the senior vice president for academic affairs and provost. The request must identify the faculty member under consideration and give the name(s) and appointment homes of those faculty members who will be asked to vote on the candidate and the reasons for including them.

When an associate professor who is the head of a unit is being considered for promotion to professor, a tenured full professor in the unit may act as the unit head for the purposes of considering that promotion. Alternatively, with the concurrence of the faculty in the unit, this role may be assumed by a tenured full professor from another unit who has been approved by the senior vice president for academic affairs and provost (see preceding paragraph). The tenured full professor acting as unit head will write a letter summarizing his or her own evaluation of the candidate in lieu of the letter from the unit head that is ordinarily part of a promotion dossier.

A report of the unit consideration and recommendation should be prepared, similar to the report prepared for a tenure recommendation (see section II.F.5). The unit report must be written by a professor who attended the meeting.

The promotion recommendations of the unit and unit head are reviewed in the same manner as recommendations for tenure. The senior vice president for academic affairs and provost presents his or her final recommendations on promotion to the Board of Regents for its approval or disapproval.

IV. Extension of the Probationary Period

Except as otherwise specified in subsection 5.5 of *Faculty Tenure*, an extension of the probationary period may be granted only upon approval of the senior vice president for academic affairs and provost.

Under subsection 5.5 of *Faculty Tenure*, a probationary faculty member may extend his or her probationary period for one year at a time for: 1) the birth, adoption, or foster placement of a child, 2) for caregiver responsibilities, or 3) for personal illness or injury.

If the reason for the extension of the probationary period is the birth, adoption, or foster placement of a child, the extension of the probationary period for one year is automatic. The probationary faculty member must notify his or her unit head, the collegiate dean or campus chancellor, and the senior vice president for academic affairs and provost using a form designated by the senior vice president for academic affairs and provost. The signatures on the form acknowledge that the unit, college or campus, and central administration are aware that the probationary faculty member has extended the probationary period.

If the reason for the extension of the probationary period is because the faculty member is a major caregiver for a family member with an extended serious illness, injury, or debilitating condition or because the faculty member has an extended serious illness, injury, or debilitating condition, the faculty member must request permission to extend the probationary period on a form designated by the senior vice president for academic affairs and provost. The request for extension must be signed by the faculty member, the unit head, the collegiate dean or campus chancellor, and the senior vice president for academic affairs and provost. The signatures from the unit head and collegiate dean or chancellor acknowledge that they are aware that the probationary faculty member has requested an extension.

After a request for extension is made based on being a major caregiver or suffering from an extended medical condition, an administrator designated by the senior vice president for academic affairs and provost will consult with the faculty member making the request and

determine whether the circumstances have had or are likely to have a substantial negative impact on the faculty member's ability to work over an extended period of time, in accordance with the standard articulated in subsection 5.5 of *Faculty Tenure*. The designated administrator may request supporting documentation before making a decision and may, at his or her discretion and with the concurrence of the applicant, share with the applicant's unit head or dean information about the nature of the request. The designated administrator will document the decision in response to the request and, if the decision is to deny the request for the extension, will write a report explaining the basis for the decision. The faculty member who requested the extension will sign the report, which indicates that she or he has read the report but does not indicate agreement with the decision. A claim that a request for an extension under these two conditions was denied improperly may be considered in any subsequent review by the Senate Judicial Committee of a termination under subsection 7.7 of *Faculty Tenure*.

An extension of the probationary period is not a leave; during the extended period, the faculty member continues his or her teaching, research, and service responsibilities in the unit.

The probationary period may be extended for no more than three years total for any combination of the three conditions above. For instructors with a probationary appointment of no more than two years under subsection 6.22 of *Faculty Tenure* or for associate professors with a three-year probationary appointment under subsection 6.21 of *Faculty Tenure*, the probationary period may be extended for only one year total.

Probationary faculty members who extend the probationary period for the conditions listed in *Faculty Tenure* (subsection 5.5) must be allowed to do so without fear of prejudice on the part of the unit head or of the tenured faculty members of the unit. Probationary faculty members may not be given notice of termination of their appointment during an extension year except as otherwise specified in *Faculty Tenure* (e.g. fiscal emergency, disciplinary action, etc.).

V. Appointment of new faculty members with tenure

Faculty hired from outside the University (external hires) may be appointed with tenure at the ranks of associate professor or professor. External hires of faculty with tenure often require that units be able to make offers quickly outside of the regular timelines for tenure and/or promotion reviews. The unit conducts the initial review of the outside hire based on a dossier that its head assembles. This dossier contains at minimum: 1) a current and complete curriculum vitae; 2) a letter or statement by the potential faculty member about research, teaching, and service; 3) copies of some or all of the scholarly or creative works of the potential faculty member; 4) a minimum of three letters from external reviewers that address the faculty member's academic credentials if the faculty member has tenure at another academic institution; a minimum of four letters from external reviewers are required if the potential faculty member has not yet received tenure at another academic institution. Teaching evaluations from another academic institution should be included if available as well as any other supporting documents. These dossiers may be abbreviated in length in comparison to the typical dossier of a faculty member who is considered for tenure and/or promotion through internal processes.

The unit takes (1) a vote regarding whether to hire the faculty member, in which all tenured or tenure-track faculty in the unit may participate; and, as appropriate, (2) a vote to recommend tenure, in which all tenured members of the faculty are eligible to vote, and (3) a vote to

recommend the rank of professor, in which only full professors may vote. Following the unit votes, the unit head or designated faculty member writes a report of the votes and the recommendation for tenure and rank. The unit head writes a separate recommendation.

The dossier, unit votes and report, and the unit head's report are forwarded to the dean (for Twin Cities colleges divided into departments) or chancellor (if applicable) for review. The dean or chancellor may request an advisory review from the collegiate or campus promotion and tenure committee; this is not required because of time constraints in these hires and because this review may take place outside of the regular academic year. The dean or chancellor writes a separate recommendation to the senior vice president for academic affairs and provost. (The external-hire dossier and unit reports from Twin Cities colleges not divided into departments do not receive a second-level review but are sent directly to the senior vice president for academic affairs and provost.)

The files of all external hires of faculty with tenure must be reviewed by the senior vice president for academic affairs and provost, who will make the final recommendation for tenure and rank to the Board of Regents. The college or campus must send at least the following information to the senior vice president for academic affairs and provost for consideration: 1) a cover letter from the dean or chancellor expressing his or her support for the candidate; 2) a report from the hiring unit that details the vote of the tenured faculty for tenure consideration as well as a vote of associate professors and/or professors for the appropriate rank; 3) a recommendation from the unit head; and 4) the dossier described above. It is preferable to have as well records of teaching evaluations. Any other supporting documents may be included.

The college or campus writes an offer letter that specifies the rank of the position and the hiring details. The following suggested language should be used regarding tenure:

"You will have an appointment as [a(n) associate professor/professor] in the (unit). The conferral of tenure is contingent on the approval and recommendation of the senior vice president for academic affairs and provost and final decision by the Board of Regents."

If a college or campus hires a faculty member who has a current academic appointment at another university or institution, whether as a tenured or untenured faculty member or in a research/administrative appointment, it is a condition of the tenured appointment at the University of Minnesota that the hiring dean or chancellor receive a copy of the candidate's letter of resignation from that university or institution, effective prior to the effective date of the tenured appointment at the University of Minnesota. This precondition of a resignation letter must be stated in the appointment letter to the potential faculty member. The dean or chancellor must approve the appointment letter before it is finalized and effective. These conditions do not apply to junior faculty candidates who are coming to the University of Minnesota from graduate programs or postdoctoral programs at another institution.

Colleges and campuses must use the following language in their appointment letters regarding the receipt of a resignation letter from the home university or institution:

"If you hold an academic, research, or administrative position at another university or institution, your tenured appointment at the University of Minnesota is subject to receipt by the University of a copy of your resignation letter to your home institution. The effective date of your resignation from your home university or institution must be prior to

the first date of employment at the University of Minnesota. The receipt of this resignation letter is a precondition of tenured appointment at the University of Minnesota.”

In the rare instances when the faculty member being offered a position at the University of Minnesota has requested a leave of absence from his or her home university or institution rather than resigning, a letter must be on file that sets forth all the terms of the leave, approved by the provosts or senior administrators at both universities or institutions. The faculty member who is being hired with the expectation of tenure will be reviewed for tenure and a decision made prior to the appointment as described above, but tenure at the University of Minnesota will not be conferred until the faculty member resigns his or her position at the previous university or institution. While the faculty member is on leave from his or her prior university or institution, the faculty member will have a visiting appointment at the rank specified in the offer letter.

Pursuant to the policy *Conflict of Commitment*, faculty members at the University of Minnesota may not hold two tenured positions at the same time. Consequently, before a faculty member begins a tenured position at the University of Minnesota, she or he must resign a tenured position held at another academic institution. Conversely, a tenured faculty member on leave from the University of Minnesota may not retain the tenured position at the University of Minnesota after accepting a tenured position at another academic institution.

VI. Annual Review of Tenured Faculty (Post-Tenure Review)

This section of the Procedures relates to both regular annual review of tenured faculty and special review of tenured faculty, both of which are established in section 7a of the policy *Faculty Tenure*. The annual review of probationary faculty is described in subsections 7.2 through 7.63 of *Faculty Tenure* and earlier in this *Procedures* document.

VI.A. Goals and expectations.

Subsection 7a.1 of *Faculty Tenure* requires that the faculty of each academic unit establish goals and expectations for performance in all three areas of faculty responsibilities (teaching, research and/or creative activity, and service). These goals and expectations are unit-wide; they are distinct from the individual goals that a faculty member may establish each year as a personal work plan for the upcoming academic year. These unit goals and expectations serve as the basis for the annual review of tenured faculty members. Effective June 10, 2011, subsection 7.12 of *Faculty Tenure* requires that the statement of goals and expectations for the annual review of faculty be included in the unit's 7.12 statement.

The goals and expectations reflect the criteria for tenure for the unit in the three areas of teaching, research and/or other creative activity, and service but cannot be a mere restatement of those criteria. Rather, the goals and expectations detail the performance levels that the faculty of that academic unit determines are necessary to maintain faculty members' positions as tenured faculty members. They define the minimum performance expected of those who have achieved tenure.

The goals and expectations of a unit should include reasonable indices of acceptable performance in each of the three areas of teaching, research and/or creative activity, and service. They must be sufficiently specific so that those who evaluate performance (e.g. chairs and heads, other faculty, senior administrators) may reach a reasonable judgment about whether

performance exceeds, meets, or falls below these goals and expectations. Units may include goals and expectations for faculty governance (e.g. attendance and participation at faculty meetings, holding unit administrative positions) and service at the unit, college, and/or university level as well as faculty service to professional organizations or community.

The faculty of the unit may establish that the goals and expectations be met over a time period (one or more years) deemed most appropriate by the faculty of the unit. A unit reviews performance annually but may evaluate the performance relative to the goals and expectations over the designated time period (e.g. a two- or three-year rolling window).

The policy *Faculty Tenure* provides for flexibility in meeting goals and expectations for performance based upon the different stages of faculty development over the course of an academic career. That is, the balance of activity across the three areas of teaching, research and/creative activity, and service may change at different times in a faculty career; a faculty member may contribute more heavily to one mission of the unit while other faculty members contribute more heavily to other missions of the unit. For example, if a particular faculty member's work has a reduced emphasis on research and an increased emphasis in teaching and service, the goals and expectations for teaching, service, and research may be adjusted to reflect the changed emphases. The faculty member's work should reflect the increased expectations in some areas to counteract the reduced expectations in another area.

Such a change in the expectations for a particular faculty member must be documented in a memorandum of understanding (MOU) that requires the agreement of the faculty member, the head of the unit, the dean or chancellor, and the senior vice president for academic affairs and provost. The MOU must specify the goals and expectations of the unit for teaching, research and/or other creative activity; how the faculty member's workload expectations will depart from the unit goals and expectations; and the time period over which the MOU extends. This MOU must be taken into consideration each year during the annual review of performance for the faculty member under subsection 7a.2.

VI.B. Annual review.

Subsection 7a.2 of *Faculty Tenure* describes the annual review of all faculty members as part of the annual merit review process. In some units, merit review is conducted by both the unit head and a merit review committee of elected faculty members; in other units, merit review is done by the unit head alone. As a result of the annual review, faculty members receive feedback about their performance relative to the goals and expectations of the unit. This review is used for assigning merit increases for faculty compensation and for faculty development. More detail about faculty compensation reviews is provided in the *Faculty Compensation Policy*.

If a unit head concludes that a faculty member's performance falls substantially below the goals and expectations of the unit, she or he informs the faculty member of this judgment.

- i. In units with elected merit review committees, only the tenured members of the committee may review tenured faculty relative to the goals and expectations of the unit. This committee of tenured faculty must examine the case to determine if it also concludes that the faculty member falls substantially below the goals and expectations.

- ii. In units in which merit review is conducted by the unit head alone, the unit must have a provision for a standing or ad hoc committee of elected, tenured faculty to whom the unit head refers the case. This committee of tenured faculty examines the case to determine if it also concludes that the faculty member falls substantially below the goals and expectations.

In either of the cases i. or ii. above, if the unit head and the elected committee of tenured faculty agree that the faculty member in question has fallen substantially below the goals and expectations of the unit, they must put this judgment in writing for the faculty member. The letter must include suggestions for improvement to meet the goals and expectations and establish a time period for improvement of at least one year from the date of letter. The time period for improvement cannot end at the next annual review if that review is less than one year from the date of the letter. The letter from the unit head and the elected committee must identify the ending date for the period of performance improvement and must request that the faculty member provide a report at that time describing his or her progress towards meeting the goals and expectations of the unit.

The unit head and the committee chair should make reasonable efforts to meet with the faculty member to discuss the plan for meeting the goals and expectations of the unit. The faculty member may request modification of the plan from the unit head and the committee but may not at this stage file a complaint with the Senate Judicial Committee.

At the end of the time period specified for performance improvement, the faculty member under review must provide a report describing his or her progress toward meeting the goals and expectations of the unit. The unit head and the elected committee of tenured faculty will then review the progress that the faculty member has made regarding the recommendations as specified in the report from the faculty member.

If the unit head and the elected committee of tenured faculty agree that the faculty member now meets the goals and expectations of the unit, the faculty member returns to the usual process for annual review. If the unit head and the elected committee of tenured faculty agree that the faculty member still falls substantially below the goals and expectations of the unit after the time period specified for performance improvement, then the faculty member may be referred for special peer review (see section VI.C below). If the unit head and the elected committee do not agree, the faculty member returns to the usual process for annual review.

The provisions of subsection 7a.2 of *Faculty Tenure* and this section apply to all units. For colleges or campuses that are single academic units with a single 7.12 statement (e.g. the Law School, the Humphrey School for Public Affairs, the School of Nursing, the School of Public Health, and the Carlson School of Management, and University of Minnesota Rochester), the unit head who conducts the annual review is the dean or chancellor and the committee described in this section consists of tenured faculty from the college or campus. The dean or chancellor and the elected committee of tenured faculty from that college or campus must follow the procedure for annual review specified in this section.

VI.C. Special peer review in cases of alleged substandard performance by tenured faculty.

Subsection 7a.3 of *Faculty Tenure* describes the process of special peer review that may follow the unit review process described above.

For colleges and campuses that are subdivided into departments or independent divisions, the unit head and the elected committee of tenured faculty may jointly request the dean or chancellor to initiate a special peer review of that faculty member pursuant to subsection 7a.3 of *Faculty Tenure*. For colleges or campuses that are single academic units with a single 7.12 statement, the request by the unit head (dean or chancellor) and the elected committee of tenured faculty to initiate a special peer review is made to the senior vice president for academic affairs and provost.

The administrator considering the special peer review (dean or senior vice president for academic affairs and provost) reviews the entire file of the tenured faculty member independently, including: the goals and expectations of the unit; the faculty activity report(s) for the time period during which the faculty member fell below the goals and expectations of the unit; the letter from the unit head and the elected committee to the faculty member, detailing how he or she fell below the unit goals and the proposed plan for reaching the goals and expectations; and the report from the faculty member at the end of the time period specified for improvement. If the administrator concurs that the faculty member has not made sufficient progress in the specified time period according to his or her report, then the administrator can begin the special peer review process.

As described in subsection 7a.3 of *Faculty Tenure*, the special review is conducted by a panel of five tenured faculty of equal or higher rank to the person being reviewed. The faculty member under review shall be given 15 working days to exercise his or her option to appoint one member of the panel as provided in *Faculty Tenure*. The tenured faculty of the academic unit will elect four members of the panel in a secret ballot. If the faculty member under review fails to appoint a member of the panel within the specified time period, the tenured faculty of the academic unit will elect a fifth panel member by secret ballot. The members of the panel need not be members of the original academic unit. That is, either the faculty member under review or the tenured faculty of the unit may select from another unit a tenured faculty member of equal or higher rank to the faculty member under review.

The special review panel shall elect a chair whose responsibilities include facilitating meetings of the panel, writing reports from the panel, considering any requests for extension of time limits, and communicating with the faculty member under review, the dean or senior vice president and provost, and any witnesses that the panel may wish to hear.

The faculty member under review should be invited to supply a curriculum vitae and any other relevant information at the beginning of the process and to suggest the names of persons who can comment on his or her performance. The faculty member shall be given 15 working days to submit this information to the special peer review panel. The dean (or senior vice president for academic affairs and provost) and head of the academic unit shall provide the panel with information they have that reflects on the faculty member's performance. The panel may review the scholarly work of the faculty member, teaching evaluations, and other evidence of performance. It may seek internal and external reviews. Any documents received should be placed in the file; a record should be made of any oral comments received and should also be placed in the file.

When all of the information has been assembled, the faculty member shall be given 15 working days to review it and an opportunity to make a statement to the review panel. The statement can be oral or written, as the faculty member chooses. After reviewing the collected information and any statement the faculty member has chosen to make, the panel will then prepare its report and recommendations.

A special review panel should be thorough but expeditious in its work. It should normally be possible to reach a conclusion within three to four months after the panel is selected. This schedule allows for the time periods specified above, a month for the committee to gather and complete a file, and an additional month for the panel to deliberate and prepare the report. Any requests for extension of the deadlines specified in this section will be considered by the chair of the special review panel. The chair will make a recommendation to the administrator who initiated the special review, who will determine whether to grant the extension. Requests should be granted only if based on circumstances impeding the ability of the faculty member to provide the necessary information within the specified period.

The faculty member may have the assistance of a faculty adviser or advocate throughout the review process. The faculty member should be encouraged to have the assistance of a trusted colleague to help navigate the process and provide counsel on the issues. Because special review is a performance review process, not an adversarial judicial proceeding, a faculty colleague may be the most effective adviser. The adviser need not be a faculty member at the University.

If the faculty member chooses not to participate in the special review process, the panel may reach a conclusion based on the information otherwise obtained. The failure to participate may be taken into account in reaching its conclusions.

The members of the review panel and all others involved should be reminded that information collected in the special review process is primarily "private data" under the Minnesota Data Practices Act. The information should be made freely available to the faculty member under review but may not be revealed to others (even to other members of the academic unit) except as required for the conduct of official business.

The panel report must be written and signed by the special review panel. The chair of the panel will send the report to the faculty member, to the head of the academic unit, and to the administrator who initiated the review (the dean or senior vice president for academic affairs and provost). The report will identify any supporting service or accommodation that the University should provide to enable the faculty member to improve performance.

As specified in subsection 7a.3 of *Faculty Tenure*, the following conclusions are possible outcomes:

- i. that performance is adequate to meet the goals and expectations of the unit and that the review is concluded;
- ii. that the allocation of the faculty member's expected effort among teaching, research and/or creative effort, service and governance functions of the unit be altered in light of the faculty member's strengths and interests so as to maximize the faculty member's contribution to the mission of the University; implementation of this recommendation

- should be recorded in a memorandum of understanding (see section VI.A.4 of these procedures);
- iii. that the faculty member undertake specified steps to improve performance, subject only to future regular annual reviews as provided in subsection 7a.2 of *Faculty Tenure*;
 - iv. that the faculty member undertake specified steps to improve performance subject to a subsequent special review under subsection 7a.3 of *Faculty Tenure*, to be conducted at a specified future time;
 - v. that the faculty member's performance is so inadequate as to justify limited reductions of salary, as provided in subsection 7a.4 of *Faculty Tenure*;
 - vi. that the faculty member's performance is so inadequate that the administrator who initiated the review (the dean or senior vice president for academic affairs and provost) should commence formal proceedings for termination or involuntary leave of absence as provided in sections 10 and 14 of *Faculty Tenure*;
 - vii. some combination of these measures.

Within 30 work days of receiving the report, the faculty member may appeal to the Senate Judicial Committee, which shall review the report in a manner analogous to the review of tenure decisions (see subsection 7.7 of *Faculty Tenure*).

VI.D. Salary reductions.

As specified in subsection 7a.4 of *Faculty Tenure*, if the special peer review panel recommends a limited reduction of salary for the faculty member reviewed, the head of the unit, with the approval of the administrator initiating the review (dean, chancellor, or senior vice president for academic affairs and provost), may reduce the recurring salary of the faculty member with at least six months' notice of a decrease:

1. No more than 10% of the base salary on the basis of any one special review;
2. No more than 25% of the base salary from the highest level of recurring pay every held by the faculty member;

Any decrease in recurring salary may be restored by the annual review process described in subsection 7a.2 of *Faculty Tenure* and section VI(B) of these Procedures.

Within 30 work days of receiving notice of the decrease, the faculty member may appeal that action to the Senate Judicial Committee, which shall review the decrease and the recommendation leading to it in a manner analogous to the review of tenure decisions (see subsection 7.7 of *Faculty Tenure*). This review may not reconsider matters already decided by the Senate Judicial Committee under subsection 7a.3 of *Faculty Tenure*. Any decrease in recurring pay beyond the limits specified in this section can only be imposed pursuant to sections 4.5, 10, 11, and 14 of *Faculty Tenure*.

VI.E. Peer Review Option.

Subsection 7a.5 of *Faculty Tenure* provides that a collegiate unit may apply to the Faculty Senate to adopt a system of peer review of performance of faculty of that unit different from the system set forth in subsections 7a.1 through 7a.4 of *Faculty Tenure*. Any such application must be approved by the dean and the faculty (or the elected faculty assembly) of the collegiate unit. The Faculty Senate may approve the application if in its judgment so proceeding is in the University's interest.

Appendix

Amendments to the *Faculty Tenure* policy in 2007 (adoption date: June 8, 2007) and 2011 (adoption date: June 10, 2011) changed aspects of the tenure and promotion principles, standards, and processes. This Appendix identifies the changes most relevant to the tenure and promotion process and explains applicability of the various versions.

The *Faculty Tenure* policy is applicable as follows:

- Except as indicated below, the current version of *Faculty Tenure*, reflecting the most recent revision in 2011, defines the employment conditions for faculty and governs decisions about tenure and promotion, regular and contract faculty appointments, disciplinary proceedings, and faculty rights at the University of Minnesota.
- *Faculty Tenure* subsection 7.11 **Criteria for Tenure** describes the university criteria for tenure. Changes were made in the policy in 2007 and units were required to adopt revised "7.12 statements" to reflect the new university-wide criteria. Subsection 7.11 did not change in 2011.
 - Probationary faculty members appointed after the adoption of the 2007 changes are evaluated according to the current 2011 subsection 7.11 Criteria for Tenure, which is the same as the 2007 standard.
 - Probationary faculty members appointed before adoption of the 2007 amendments to subsection 7.11 may choose to be evaluated with the old version of the unit's 7.12 statement. In that case, they are also evaluated with the 2001 subsection 7.11 Criteria for Tenure. The faculty member's election will be documented in a memorandum of understanding. See section II.A of these procedures.
- *Faculty Tenure* subsection 9.2 **Criteria for Promotion to Professor** was adopted in 2007; before that time, *Faculty Tenure* did not contain any criteria for promotion.
- *Faculty Tenure* subsection 7.12 was amended in 2007 to require unit 7.12 statements to include indices and standards for promotion to professor. Section 9.2 is applicable to promotions of all associate professors to the rank of professor.
- The 2011 amendments to *Faculty Tenure* included: updating definitions of academic freedom and responsibility; specification that one vote rather than two separate votes be taken on tenure and promotion of assistant professors; expansion of the reasons for granting extension of the probationary period; and clarification of the circumstances when instructors may be appointed on the probationary track. All such changes are applicable to all probationary faculty.

The table below summarizes the most relevant changes to sections of the tenure regulations from 2001 to 2011. Readers are referred to *Faculty Tenure* for the complete text of the appropriate sections.

Section of Tenure Regulations	2001 version	2007 version	2011 version
7.11 Criteria for Tenure	Candidate must demonstrate “potential to contribute to missions of teaching, research, and service”	“Has established . . . a distinguished record of academic achievement”; “demonstrated scholarly or other creative achievement and teaching effectiveness must be given primary emphasis”;	No change from 2007
7.12 Departmental Statement	Requires each unit have a document (the “7.12 statement”) that contains indices and standards to judge whether candidates meet the criteria for tenure in 7.11.	Requires the unit 7.12 statement to include the indices and standards for promotion to professor in addition to criteria for tenure; must be approved by tenured and tenure-track faculty.	Requires the unit 7.12 statement also include goals and expectations for each unit for the annual review of tenured faculty.
9.2 Criteria for Promotion to Professor	Did not exist	Added; Candidate “added substantially to a distinguished record of academic achievement” and “established the national or international reputation (or both) ordinarily resulting from such distinction and achievement”.	No change from 2007
5.5 Extension of the Probationary Period	Faculty member may request permission for an extension for two conditions: parental or caregiver demands.	Added a third reason for extension – personal illness or injury of the faculty member.	Faculty member provides notification to extend the probationary period for parental reasons; faculty member requests permission for caregiver demands or personal illness or injury; a total of three years of extensions is allowed.
6.3 Relation between Tenure and Promotion of Assistant Professors	Two votes taken by unit – one on the question of tenure and one on the question of promotion.	No change from 2001	Single vote taken by unit on tenure and promotion for assistant professors on probationary appointment
6.22	Permits probationary appointment of instructors	No change from 2001	Specifies that instructors may be appointed for up to

			two years if they have not completed their terminal degrees; this period counts as part of the probationary period.
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