

**Approved – Proposal to Amend Faculty Senate Bylaws**  
**Article 3, Standing Committees of the Faculty Senate**  
**Article 8, The Academic Personnel Process**  
**Article 9, General Academic Personnel Procedures**

Over the past three years, various groups – comprised of both faculty and administration – have engaged in reviewing various aspects of the system of tenure and promotion here at NIU. Several areas for improvement were identified which reside within the Faculty Senate (FS) Bylaws. First, there are currently no articles in the FS Bylaws which govern the process for clinical or research faculty promotion. Second, the tenure and promotion system was not aligned with NIU’s mission, vision and values. Third, the language and examples in Article 8 needed updating to be inclusive of various forms of scholarship, research and artistry, teaching and librarianship, and service, as well as to be more equitable and inclusive for all faculty. Fourth, there was a need for college tenure and promotion policies to be kept current and resources made available to support this work.

This proposal is to amend our current FS Bylaws governing tenure and promotion in order to: a) modernize our tenure and promotion in step with the recommendations of multiple NIU stakeholders, as well as the Association of Public & Land-Grant Universities, disciplinary associations and accreditation bodies; b) to ensure alignment of our tenure and promotion system with NIU’s mission, vision and values, as well as University Goals; and c) to ensure an equitable, inclusive system that sees as valid, valued and valuable the broad range of high quality work of our faculty members.

The proposal includes the following changes:

- Includes promotion criteria, guidelines and processes for clinical and research faculty, ensuring they have representation in the promotion process at the Faculty Senate level.
- Includes updates to the FS Bylaws which expands what is named as valid and valued in the promotion and tenure process, including work that is transdisciplinary, interdisciplinary, and multidisciplinary and/or community engaged.
- Creates a requirement for colleges to review their promotion and tenure guidelines to ensure promotion and tenure guidelines at the college level are aligned with the mission, vision and values of the university.

Revisions to the proposal, made per Faculty Senate first reading discussion, are shown in yellow highlighting.

## **ARTICLE 3: STANDING COMMITTEES OF THE FACULTY SENATE**

### **3.3 Faculty Senate Personnel Committee**

#### **3.3.1 Composition**

All voting members of the Faculty Senate Personnel Committee shall be tenured members of the faculty, except for ad hoc clinical or research faculty who shall be included for cases involving promotion in rank for these faculty classifications, or examination of substantive policy and procedures change that may affect those in these classifications. The committee shall consist of members chosen as follows:

**3.3.1.1** Seven members of the Faculty Senate: one each from the faculty elected to represent the colleges of Business, Education, Engineering and Engineering Technology, Health and Human Sciences, Visual and Performing Arts, and two from among the faculty elected to represent the College of Liberal Arts and Sciences.

These members shall be appointed by the Faculty Senate prior to the selection of other members of the committee and shall serve staggered two-year terms during their membership on the Faculty Senate.

**3.3.1.2** One member from each of the following college councils chosen by members of that college council: Business, Education, Engineering and Engineering Technology, Health and Human Sciences, Liberal Arts and Sciences, and Visual and Performing Arts; such members shall not be chosen from the same academic departments as the members selected for the committee from these colleges by the Faculty Senate.

**3.3.1.3** One member each from the faculty of the College of Law and the University Libraries chosen by that faculty.

**3.3.1.4** Three ad hoc clinical or research faculty at the associate professor rank or higher. Such members shall serve only to consider and vote on cases involving clinical or research faculty promotion in rank or policy involving criteria and procedures substantively affecting clinical or research faculty promotion.

**3.3.1.45** The vice president for research and innovation partnerships, who shall serve ex officio, and who shall not vote;

**3.3.1.56** The vice provost for faculty affairs, who shall serve ex officio as chair, and who shall not vote;

**3.3.1.67** The executive vice president and provost who shall serve ex officio, and who shall not vote.

**3.3.2 Duties** – Except as covered by the faculty union Collective Bargaining Agreement, the Faculty Senate Personnel Committee will:

**3.3.2.1** Provide the colleges and the faculty with university criteria, current policies, and compliance dates for various personnel actions.

**3.3.2.2** Review and formulate recommendations regarding all proposed changes in university policy pertaining to tenure, promotion in rank (for both tenure and non-tenure faculty appointments), leaves-without-pay, and for sabbatical leaves for academic personnel. All such recommendations shall be reported to the Faculty Senate.

**3.3.2.3** Ensure that the personnel policies and procedures of the individual colleges and of the University Libraries are up-to-date, in compliance with university policies, adequate to the demands and expectations placed upon them, and properly enforced and implemented in all situations.

**3.3.2.4** Formulate recommendations regarding sabbatical leave applications in accordance with the provisions of Article 11 of these bylaws.

**3.3.2.5** Review and forward its recommendation to the president on each case involving promotion (including non-tenure faculty, if applicable), tenure, or sabbatical leave in which the executive vice president and provost disagrees with a unanimous recommendation made by the college and department concerned.

**3.3.2.6** Serve as an appeals board to hear and forward recommendations to the executive vice president and provost on individual cases involving:

- A. Allegations of procedural violations at the college level;
- B. Disagreements on a personnel decision/recommendation between a college and a department;
- C. Disagreements on a personnel decision/recommendation between a dean and a college council or college personnel committee;
- D. Concerns of the executive vice president and provost about a possible violation of personnel procedures or standards which was not resolved at the college level.

The definition of this review authority is further specified in Article 9.3.4 of these bylaws.

**3.3.2.7** Perform such other functions as may be assigned to it by these bylaws.

## ARTICLE 8: THE ACADEMIC PERSONNEL PROCESS

Northern Illinois University strives for excellence in all academic matters. The academic personnel process is designed to facilitate the evaluation of faculty, in the light of this quest for excellence, in a fair and professional manner. To do so requires the exercise of informed, professional judgment as well as respect for the rights and responsibilities of all persons involved in the process. The university is best served when personnel matters can be decided, and disagreements resolved, in an environment of informal cooperation and full discussion, based upon clearly stated criteria for evaluation.

Faculty play an essential role in supporting Northern Illinois University's vision to transform the world through research, artistry, teaching, and outreach. The academic personnel process is designed to reward the excellence of faculty in fostering students' professional and intellectual growth, producing research and artistry that advances their field and serves the public good, and engaging in service that benefits the institution, region, state, nation, and world. The process is guided by Northern Illinois University's values and centers equity and inclusion and ethics and integrity. As such, it is recognized that what constitutes excellence can vary among faculty based on discipline, responsibilities, and commitments. The process utilizes a human-centered approach by respecting the rights and responsibilities of all persons involved in the process. The university is best served when personnel matters can be decided, and disagreements resolved, in an environment of informal cooperation and full discussion, based upon clearly stated criteria for evaluation.

### 8.1 Principles Regarding Personnel Matters

**8.1.1** The faculty personnel process at Northern Illinois University is a dual track system with faculty and administrators comprising the two distinct tracks and each track composing distinct evaluations. This system originates at the department level. The review process starts in the academic unit(s) in which the faculty member is appointed and progresses through the colleges and university levels to final on-campus recommendation by the president.

**8.1.2** Each department and college academic unit at each level of the university must maintain written policies and procedures for carrying out their roles and responsibilities in the personnel process indicated in these bylaws. Those documents are to be made available to the affected faculty.

**8.1.3** If departmental academic unit personnel policies and procedures do not contain provisions for their amendment, they may be amended in accordance with the principles of Article 17 of these bylaws. In that case, those eligible to vote on the amendment are the regular, full-time faculty members of appointed to the department academic unit. If college personnel policies and procedures do not contain provisions for their amendment, they may be amended in accordance with the principles of Article 17 of these bylaws. In that case, those eligible to vote on the amendment are the members of the college council, or in colleges without a council, the regular, full-time faculty as a whole.

**8.1.4** All personnel policies and procedures related to promotion and/or tenure shall undergo review in all years which are multiples of five to ensure their alignment with university goals and university mission, vision and values.

**8.1.45** All ~~departmental~~ academic unit personnel policies and procedures must be approved by the appropriate college faculty personnel bodies, and the college personnel procedures by the Faculty Senate Personnel Committee prior to their implementation.

**8.1.56** The affected candidate faculty member has the right to know of the disposition of a personnel recommendation in process within 30 working days after its receipt at the next higher level of decision making, unless an appeal is filed within those 30 days.

**8.1.67** A written report on a recommendation concerning promotion, tenure, or sabbatical leave will be sent to the faculty member affected by each of the following levels of decision-making after that level has acted on the recommendation: ~~department, college, university~~. A written notice of merit ratings for pay increment purposes shall be sent to the affected candidate faculty member from the ~~department~~ academic unit. All such notices shall contain pertinent information regarding the opportunities for and regulations governing requests for reconsideration or appeal.

**8.1.78** Non-tenured faculty in tenure-track positions ~~shall be~~ are entitled to receive annually a written evaluation of their progress toward the achievement of tenure. Non-tenured clinical and research faculty are entitled to receive annually a written evaluation of their progress toward the achievement of promotion, where applicable. A copy of each such annual report shall be forwarded to the appropriate college dean(s).

**8.1.89** Appeals of personnel recommendations and alleged violations of policy or procedure shall be restricted to the level above the level at which the appealed recommendation was made. All appeals shall be filed ~~by 14~~ within 10 working days from the date of notification of the affected candidate faculty member.

## **8.2 University Criteria for Arriving at Personnel Decisions**

### **8.2.1 General Criteria for Arriving at Personnel Decisions**

**8.2.1.1** The foundational principles of the university are embedded in its mission, vision and values, and realized through the university's planning framework and goals. This framework defines the criteria that are emphasized and rewarded as part of faculty promotion, tenure, retention and salary determination.

**8.2.1.12** Within the context of Article 8.2.1.1, including the university's commitments to innovation, equity and inclusion, public service, and community engagement, recommendations concerning promotion, tenure, retention, and salary should reflect careful evaluation of: (1) effectiveness in teaching or, for library faculty, in librarianship, (2) scholarly contribution, including research, artistry, and any external peer evaluation of research and artistry, and (3) service

to the university community and profession. Recommendations concerning promotion of clinical and research faculty should be comparable to those for tenured and tenure-track faculty appointments in the discipline, with the understanding that clinical faculty must have clinical duties in addition to the above components and, for research faculty, the scholarly activity expectations are to be magnified in relation to other components. The recommendation should reflect careful evaluation of the components of the position as stipulated by the academic unit (s) at the time of hire. Recommendations should be based only upon the professional performance of the faculty member. Utmost care must be exercised by all individuals and bodies making personnel recommendations to exclude possible prejudice concerning such matters as age, ancestry, color, disability status, gender, gender expression or identity, marital status, national origin, political views or affiliation, pregnancy, race or ethnicity, religious views or affiliation, sex, race, national origin, marital status, age, color, political views or affiliation, religious views or affiliation, sexual orientation, handicapped status, or other such factors unrelated to professional performance. Only content pertaining to promotion in rank applies to clinical and research faculty appointments.

**8.2.1.23** The reason the university exists is to serve society by encouraging learning. ~~In order to~~ To do this most effectively, it must focus its activities on all of learning – the ~~discovery, transmission, and application~~ creation, dissemination, and integration of knowledge.

**8.2.1.34** Effectiveness in teaching is a significant aspect of a faculty member's professional performance. For library faculty, effective librarianship is the criterion equivalent to effective teaching for other faculty members. Where a library faculty member's assignment involves teaching regularly scheduled classes, that teaching shall be evaluated.

**8.2.1.45** Scholarly inquiry and research and artistic production are an integral component of the university and are indispensable in insuring the vitality of the entire instructional, research, and artistic programs of the university. ~~To be an effective teacher~~ align with the university's mission, a faculty member needs to engage in ~~related~~ scholarly (research and artistic) activities designed to ensure continued currency and familiarity with the ~~academic discipline and field of specialization in which the teaching occurs~~ faculty member's academic field and which contribute to the scholarly body of knowledge in that field. The university recognizes that the creation, dissemination, and integration of knowledge are all important aspects of the scholarly enterprise. For clinical faculty, effective clinical practice respective to their field is the criterion equivalent to effective research and artistry. Where a clinical faculty member's assignment involves research, that research and/or artistry shall be evaluated. For research faculty, scholarly inquiry and research and artistic production may be emphasized or replace teaching and/or professionally oriented public service, depending on the nature of their role.

**8.2.1.56** Professionally oriented public service, outreach and engagement activities are an important part of the university's obligations, particularly as they relate to its central mission: the service of society through the promotion of learning. Such activities enable scholars to test new insights. They expand the experiences, knowledge, and professional competence of faculty. Public service\* and community engagement, thus, has have a potential parallel to research in its capacity to enrich teaching or librarianship and as such should be given adequate recognition in the evaluation of faculty.

~~\*The term, public service, does not exclude professionally oriented activities in the private sector of society. It refers, rather, to scholarly activities other than those of an instructional or research nature in which the academics are invited to participate because of their scholarly expertise which involve, directly and explicitly, their professional competencies, which are not related to their personal membership in religious, civic or community organizations, and which do contribute directly to growth in their scholarly competencies. Colleges and departments academic units should define public service activities which are appropriate for their particular scholarly competencies and which align with the public mission of the institution.~~

**8.2.1.67** Criteria upon which personnel decisions are appropriately based may include, but are not limited to:

**(A) Effectiveness in Teaching or Librarianship:**

**1. Teaching**

- (a) Command of subject matter.
- (b) Skill in presenting material and facilitating engaging classroom environments.
- (c) Respect for the student as a co-learner and fostering inclusive learning environments.
- (d) Effectiveness in creating an atmosphere that will encourage and facilitate students' efforts to learn and strengthen their capacities for valid reasoning and independent thought.
- (e) Openness in the examination of a variety of views and tolerance for the expression of different views.
- (f) Fairness and skill in evaluating student performance.
- (g) Acceptance of responsibility for assessing and improving effectiveness as a teacher.
- (h) Acceptance of responsibility for continually updating and improving courses taught.
- (i) In units with graduate programs, effective mentorship and advising of graduate students.

(k) The (co-)development and (co-)delivery of courses outside of faculty's home academic unit(s) and/or discipline.

(l) Collaboration with other faculty members from different disciplines to improve the academic offerings and experiences of students.

(m) Using engaged teaching and pedagogical practices, including but not limited to service-learning, study abroad, engaged research projects, immersive activities for learning about community experiences and practices, program or product development to contribute to social change, improved communication or translation of materials for use by community partners, and other activities which apply disciplinary knowledge to understanding and/or addressing needs and challenges.

## **2. Librarianship**

(a) Command of subject matter.

(b) Skill in presenting material in the context of reference service, instruction, bibliographic control, or collection development.

(c) Respect for users of library resources.

(d) Effectiveness in creating an atmosphere that will encourage and facilitate the library clientele's efforts to learn and strengthen their capacities for valid reasoning and independent thought.

(e) Openness in the examination of a variety of views and tolerance for the expression of different views.

(f) Fairness and skill in evaluating the needs of library users.

(g) Acceptance of responsibility for assessing and improving effectiveness as a librarian.

(h) Acceptance of responsibility for continually updating and improving the library's collection, access to information, and the services extended to its clientele.

### **(B) Scholarly Performance and Achievement:**

1. Success in keeping up to date in the field(s) of scholarly competence.

2. Quality of scholarly or creative productivity in the faculty member's chosen field(s) of study that may include work which spans at least two traditional disciplines.

3. Contributions to the creation, integration, and dissemination of knowledge. Notably, research impact should be measured not only based on quality of publication outlets, citations, and other common research metrics, but also based on impact on practice



and reach of intended audience. Examples include, but are not limited to:

- (a) peer-reviewed publications,
- (b) exhibitions and performances,
- (c) architectural design,
- (d) engineering technology,
- (e) development of intellectual property such as patents and licenses,
- (f) external competitive research funding,
- (g) community-based participatory research.

4. Engaged research and creative activities in collaboration with community partners.

### **(C) Service to the University Community and Profession:**

1. Service to the ~~department~~ academic unit, college, and university through the competent performance of committee and other assignments or activities, including academic ~~advisement~~ advising, mentoring, faculty ~~advisement to~~ advising of student organizations, and other student-oriented service.

2. Performance in facilitating the work and advancing the mission of the ~~department~~ academic unit(s), college(s), and university.

3. Service to professional societies and groups.

4. Quality of professionally oriented public service activities, including engaged scholarship and learning and community partnerships.

5. Service to ~~department~~ the appropriate academic unit(s), college(s), and university is an integral and expected part of university membership. Hence, it should be accorded appropriate credit in annual merit evaluations, ~~especially when it is of an extraordinary nature. However, for purposes of tenure, promotion, or sabbatical leave, it should be accorded significantly less importance than effectiveness in teaching and scholarly achievement~~ rewarding quantity and quality of service involvement. Annual merit evaluations should, in particular, recognize when individuals engage in heavier service loads than others in their academic unit(s) or college and consider service workloads when evaluating other areas of the annual review process.

6. Engaged service which uses faculty or disciplinary expertise to address issues identified by communities.

**(D) Clinical Responsibility:\***

1. Provide leadership and coordination of clinical services,
2. Provide direct clinical care,
3. Engage in the provision of services to clients or patients.

\*Pertains to clinical faculty appointments only.

## 8.3 University Criteria for Promotion

**8.3.1** Beyond the Board of Trustees' minimum requirements for the various academic ranks, individuals being recommended for promotion should meet the following criteria:

### 8.3.1.1 Teaching ~~or Librarianship~~ or Librarianship Effectiveness

**(A) Teaching:** Individuals teaching regularly scheduled classes being recommended for promotion must have demonstrated successful teaching and show continuing concern for critical assessment and improvement of their teaching. Evidence of effective teaching may include participation in ongoing professional development, adoption and use of innovative pedagogies, and mentorship of colleagues. Where appropriate, individuals can demonstrate teaching effectiveness through success in mentoring and advising graduate students.

Individuals being recommended for promotion to the rank of professor should present a continued record of successful teaching.

**(B) Librarianship:** Library faculty being recommended for promotion must have demonstrated successful librarianship and show continuing concern for critical assessment and improvement of their librarianship. ~~In considering individuals for promotion to associate professor, which recommendation normally will be accompanied by a recommendation for tenure, particular care should be given to assessing effectiveness of teaching or librarianship.~~ Individuals being recommended for promotion to the rank of professor should present a continued record of successful ~~teaching or librarianship.~~

### 8.3.1.2 ~~Department, College, and University~~ Service to the University Community and Profession

Individuals being recommended for promotion must have given evidence of an ability and willingness to work cooperatively with colleagues in efforts to support and improve the programs of the ~~department~~ academic unit(s), college, and university, or academic/professional field(s).

### 8.3.1.3 Scholarly and Professional Achievement\*

**(A) Promotion to rank of assistant professor:** Promise, as demonstrated by an earned doctorate or similar educational or professional accomplishment, of an ability for leadership in the faculty member's scholarly or creative field.

**(B) Promotion to rank of associate professor:** Ordinarily, evidence that the faculty member is in the process of achieving professional recognition among leaders in the individual's discipline field through scholarly publications, papers presented at professional meetings, artistic achievements, securing of patents, research grants, collaboration across disciplines, the creation of artifacts of intellectual value, demonstration of public impact or other forms of scholarly activity, including those listed in Article 8.2.1.7. Professional public service may be judged as contributing to professional recognition, but it does not substitute for evidence of scholarly achievement in research or artistry.

**(C) Promotion to rank of professor:** Evidence that the faculty member has achieved significant professional recognition among other leaders in the individual's discipline field through publications, papers presented at professional meetings, artistic achievements, patents, research grants, collaborative work across disciplines, public service related to the discipline field, or other forms of scholarly activity, including those listed in Article 8.2.1.7. Professional public service\* may be judged as contributing to professional recognition, but it does not substitute for evidence of scholarly achievement in research or artistry.

\*Clinical faculty are subject to the guidelines for clinical responsibilities described in Article 8.3.1.4, rather than the guidelines described in Article 8.3.1.3.

### 8.3.1.4 Clinical Responsibility\*

Individuals being recommended for promotion within clinical faculty appointments must have demonstrated successful provision of services to patients or clients and/or provided successful leadership and coordination of clinical services. Further, individuals being recommended for promotion must have shown continuing concern for critical assessment and improvement of their clinical services.

**(A) Promotion to rank of assistant clinical professor:** Promise, as demonstrated by an earned doctorate or similar educational or professional accomplishment, of an ability for engagement in the provision of clinical or client service.

**(B) Promotion to rank of associate clinical professor:** In considering individuals for promotion to associate professor, particular care should be given to assessing effectiveness of clinical care or client services.

**(C) Promotion to rank of clinical professor:** Individuals being recommended for promotion to the rank of professor should demonstrate a continued record of exemplary clinical or client services.

\*Applicable to clinical faculty appointments only.

~~8.3.2 Realistically, it is not expected that, to be eligible for promotion, a faculty member will have demonstrated does not need to demonstrate outstanding achievement in all of these areas. In all cases, h However, a recommendation for promotion will require a demonstrated ability in teaching or, for library faculty, librarianship plus clear evidence of continued professional growth and activity in scholarship and/or clinical practice and service. Those making recommendations for promotions in rank should bear in mind that maintenance of the integrity of the academic ranks at Northern Illinois University requires that the standards for promotion be comparable to those institutions to which Northern Illinois University wishes to be compared.~~

~~8.3.3 A faculty member on joint appointment will have the teaching and/or librarianship, scholarship, and service expectations specified in the Memorandum of Understanding provided at the time of the initial appointment. These expectations must not exceed the overall requirements for faculty members not on joint appointment. Those making recommendations for promotions in rank should bear in mind that maintaining the integrity of the academic ranks and sustaining excellence in all aspects of Northern Illinois University's mission requires that the standards for promotion be comparable to those at institutions with similar missions and core values that have been recognized for their innovation and excellence.~~

#### ~~8.3.4 Time in Rank for Promotion to the Ranks of Associate Professor and Professor~~

~~Promotion from assistant to associate professor will not be recommended until an individual has served at the lower rank, at this and other institutions of higher education, for a total of six years, except in the instance of extraordinary circumstances or an extraordinary record of achievement. Likewise, promotion from associate professor to professor will not be recommended until the individual has served at the rank of associate professor, at this and other institutions of higher education, for a total of six years, except in the instance of extraordinary circumstances or an extraordinary record of achievement. Each college shall establish criteria to be used in identifying those circumstances and records of achievement deemed "extraordinary."~~

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#### **8.4 University Criteria for Tenure**

The decision to recommend a faculty member for a tenure appointment is the most critical decision made by an academic department, a college, and at the university. Each department academic unit (departments, schools, centers, institutes) and college has the responsibility of building the most capable faculty possible within its means. The process of building a strong faculty involves not only the recruitment of the most promising candidates available, but also the critical evaluation of their teaching or librarianship, scholarship and service to the university community and to their profession during their probationary period.

Decisions on tenure substantially determine the quality of teaching, librarianship, scholarship, academic counseling, and creative planning available to the department academic unit, college, and university. Accordingly, a recommendation for tenure is justified only for those faculty members who have demonstrated to the satisfaction of appropriate faculty bodies and administrative officers that they are fully qualified to discharge their responsibilities in advancing the mission of the department academic unit, college, and university on a long-term basis as a teacher-scholar. Clinical and research faculty are not tenure eligible, and the content in Articles 8.4, 8.5, and 8.6 do not apply.

Ordinarily, the criteria for tenure are similar to those for promotion to the rank of associate professor. Only in unusual exceptional circumstances should tenure be recommended for assistant professors without the concurrent recommendation for promotion to associate professor. A faculty member on joint appointment will have the tenure criteria and procedures specified in the Memorandum of Understanding provided at the time of the initial appointment. These expectations must not exceed the overall requirements for faculty members not on joint appointment.

Engaged and multi-disciplinary scholars often have appointments across multiple academic units. Such faculty will undergo one review process for tenure and promotion and will include representatives of each relevant academic unit. Appointment details and expectations for each relevant academic unit should be documented at the point of hiring and codeveloped with the candidate.

The tenure procedures must specify how recommendations at the academic unit and college levels will be made and how “agreement at the department and college level” (in the sense of Article 10.3.4.1) is to be defined.

Faculty members on non-tenure appointment must recognize that their appointments are probationary. During this probationary period, it is their obligation to establish that they are qualified for a tenure appointment.

Each faculty personnel committee and chair shall have procedures for the annual evaluation of the cumulative progress toward tenure of all probationary faculty members and for communicating the results of such evaluations to them. The criteria to be used for the evaluation shall be those guidelines for tenure most recently published by the academic unit in which the applicant holds a tenure-track appointment or, for faculty with joint appointments, the appointment details and expectations codeveloped at the point of hiring. The results of the annual evaluation shall be shared with the faculty member in writing as well as in personal consultation with the academic unit's chief administrative officer. The written evaluation may be composed by either the personnel committee or the chief administrative officer or both working together. If the personnel committee and the chief administrative officer agree on the report, both shall sign it. If they disagree, two written reports shall be shared with the faculty member and placed in the faculty member's file.

This procedure shall be followed in all required evaluation reports: ordinary annual reviews done at the time of recruitment of faculty for whom tenure may be awarded in fewer than five years, and the formal and particularly thorough evaluation done once for each faculty member on a five-, six-, or seven-year tenure track.

In the case of a faculty member on a seven-year tenure track, the evaluation in the third year shall be a formal and particularly thorough cumulative review which shall be conducted in the spring of that year by the personnel committee and chief academic officer of the academic unit in which the person being evaluated holds an academic appointment. A statement shall be appended to this evaluation which specifies the academic unit's anticipated long-term need for the position held by the probationary faculty member. This evaluation shall be shared with the concerned probationary faculty member and, where the academic unit involved is an academic department, with the appropriate college dean.

For faculty members on a four-year tenure track, it is expected that, at the time of recruitment, their previous professional performance shall be subject to an evaluation by the faculty personnel committee and the chair using the same criteria and expected level of performance as applied to those in the third year of a seven-year tenure track.

For faculty members on a five- or six-year tenure track, it is expected that at least one year before their evaluation for tenure, at a time agreed upon at the time of recruitment, a particularly thorough and formal cumulative evaluation of the progress toward tenure shall be conducted. It is further expected that, at the time of recruitment, their previous professional performance shall be subject to an evaluation by the faculty personnel committee and the chair using the same criteria and expected level of performance as applied to those in the third year of a seven-year tenure track.

A probationary faculty member who feels that an annual evaluation is unfair, inadequate, or otherwise inconsistent with the relevant published guidelines for achieving tenure may place a

written response to the evaluation in the personnel files maintained on that faculty member by appropriate university offices. However, the annual evaluation of progress toward tenure of a probationary faculty member shall not itself be subject to the personnel appeal process.

### **8.5 Non-reappointment of University Probationary Faculty**

A decision not to renew an appointment of a probationary faculty member may be made at any time during the probationary period. Adequate notice, as required by the Board of Trustees governance documents, must be given in the case of a decision not to reappoint. If requested, reasons, in writing, for non-reappointment should be given; ~~however, it is clearly understood that this is a courtesy to the faculty member and that the department is not obligated to prefer charges nor to provide evidence of a juridical nature except when the reason(s) for non-reappointment entails allegations of unprofessional or unethical behavior.~~

### **8.6 Faculty and University Discretion**

Nothing in this article or in these bylaws, including the results of periodic reviews of tenure status as reported to probationary faculty in accordance with the provisions of this article, should be construed to create any contractual entitlement to tenure.

### **8.7 Ongoing Supports to Enact Fair, Equitable, and Aligned Personnel Processes**

Faculty personnel processes are high stakes, significantly impact faculty careers, and play an important role in achieving the mission and vision of the university. Recognizing the high-stakes nature of faculty personnel process for the individual faculty involved, for attracting and retaining high-quality faculty, and for the university reaching its goals, the Faculty Senate and its committees will collaborate with relevant campus bodies and leadership to provide ongoing support to ensure the successful implementation of promotion and tenure processes that center equity and inclusion, ethics and integrity, and align with the university's mission and vision.

## **ARTICLE 9: GENERAL ACADEMIC PERSONNEL PROCEDURES**

The procedures described below provide a mechanism whereby the objectives of the personnel process can be met. They do not ensure those objectives, since any set of procedures must be effectively administered in order to produce the desired results. Furthermore, they do not, and cannot, foresee all possible circumstances that may arise in the evaluation of faculty members for personnel decisions. Hence, these procedures must be supplemented by the detailed procedural and policy statements of departments, colleges, and the Faculty Senate Personnel Committee. The following statement sets forth the principles and procedures to be followed in the future development of the academic personnel process. Only the aspects of this bylaw pertaining to promotion in rank apply to clinical or research faculty.

### **9.1 General Academic Personnel Procedures**

In addition to the personnel procedures stipulated in the personnel principles set forth in Article 8.1 of these bylaws, the following procedures shall also be faithfully followed:

**9.1.1** On-campus recommendations regarding promotion in rank, tenure status, and sabbatical leave shall be completed during the fall semester of each academic year for the following academic year. Exceptions shall be permitted only for recommendations on which an appeal or request for reconsideration has been filed.

**9.1.2** Annual faculty merit ratings and recommendations regarding salary increments for the following academic year shall be started and completed during the spring semester of each academic year for faculty service and accomplishments during the previous calendar year of service. Departments, at their option, may choose to base such evaluations upon a “rolling average” of the two or three previous calendar years of service. Each department shall inform its faculty about which method of calculation is to be used prior to the start of the period to be evaluated.

**9.1.3** All faculty salary adjustments require faculty involvement in decision making. The ordinary salary increment process depends on faculty merit ratings and recommendations (Bylaws 9.1.2) under policies created in accordance with Bylaws 3.3.2.2.

**9.1.4** The selection process for the chair of each personnel committee at the department, college, or university level shall be specified in the appropriate policies or bylaws of the academic unit involved. When such committees are formulating recommendations regarding merit evaluation, salary increments, promotion, tenure, or sabbatical leaves, the academic unit's administrative officer (chair, dean, executive vice president and provost) shall be a nonvoting, ex officio member of the committee.

**9.1.5** When both the department personnel committee and the department chair agree not to recommend a faculty member for promotion, tenure status, or sabbatical leave, no further consideration is necessary unless the faculty member wishes to file a formal appeal to the college. However, all tenure recommendations in the penultimate year,



whether positive or negative, must be forwarded to the college even though no further action is required at that level.

**9.1.6** In any case involving an appeal of a personnel decision (e.g., regarding annual evaluation, tenure, promotion, or sabbatical leave), the members of the body which made the decision being appealed shall be obliged to abstain from voting on the appeal.

**9.1.7** Persons in the terminal year (e.g., denied tenure, resigning, or dismissed for cause) may participate in discussion of personnel matters to be effectuated after their departure from the university but shall not vote on such matters, unless either general policy or a specific motion inviting them to vote shall have been approved by the department faculty. This policy does not apply to retiring faculty.

**9.1.8** It is preferable that all members of the departmental personnel committee or the appropriate college faculty committee in colleges without academic departments be tenured. If there be non-tenured members, they shall not be a majority and they shall neither participate nor vote on evaluations for, or recommendations regarding, tenure. In decisions involving promotion of clinical or research faculty, it is preferable that some clinical or research faculty representation be achieved, if possible; and they shall participate and vote on evaluations for promotion of clinical or research faculty only.

**9.1.9** Under the Board of Trustees Regulations, time on total or partial leave does not count toward tenure unless it is agreed before the leave begins that it will count. When continuing but not yet tenured faculty go on total or partial leaves of absence, whether or not the time on leave is to count in the years-to-tenure, such total or partial leave may not continue for more than one year without the approval of both the department personnel committee and department chair, or in colleges without departments, the college personnel committee and dean. Ordinarily, the maximum extension of the tenure track achieved by total or partial leaves of absence shall not exceed two years.

## **9.2 Personnel Procedures at the Department Level**

Academic departments bear the principal responsibility for evaluating the professional competence and achievements of their faculty members.

**9.2.1** Departments shall provide faculty members with statements of criteria and policies for various personnel actions, the types of evidence to be evaluated, the procedures to be followed in making personnel recommendations-including provisions for student participation in the personnel process-and dates for compliance. Each departmental statement shall be submitted to the appropriate college where it must be reviewed and approved before it is disseminated or implemented. Each new faculty member, appointed on a regular faculty contract, shall be given a copy of these and all other pertinent college and university personnel policies when employed.

**9.2.2** A faculty member on a joint appointment between units will receive, at the time of appointment, a Memorandum of Understanding, prepared by the units and endorsed by the dean(s) to whom they report, specifying the conditions of the appointment, including

the responsibilities to and support from each unit and the teaching, scholarship, and service expectations of the individual. This Memorandum of Understanding may be amended at any time by agreement of all concerned parties. A person on joint appointment shall not be disenfranchised from the university governance system because of that appointment. Similarly, a clinical or research faculty member will receive, at the time of appointment, a Memorandum of Understanding, prepared by the department specifying the conditions of the appointment, including the teaching, scholarship, clinical and service expectations of the individual. This Memorandum of Understanding may be amended at any time by agreement of all concerned parties.

**9.2.3** Departments shall make personnel recommendations on the basis of department, college and university guidelines and policies.

**9.2.4** As a part of its regular personnel procedure, each department shall notify faculty members of recommendations affecting them. All faculty members shall be given an opportunity to have each recommendation affecting them reconsidered within the department, prior to its being submitted to the college. Procedures for reconsideration shall be established by each department and approved by the appropriate college. In accordance with college time schedules, departments shall submit recommendations for tenure, promotion, or sabbatical leaves to the deans for review at the college level, making clear any discrepancy that may exist between the recommendations of the department chair and the personnel committee.

**9.2.4.1** When the department personnel committee and the department chair agree to recommend a faculty member for tenure, promotion, or sabbatical leave, written comments in support of that recommendation shall be prepared and discussed by the committee and the chair and the recommendation and commentary shall be submitted to the college for review.

**9.2.4.2** When the department personnel committee and the department chair agree not to recommend a faculty member for tenure, promotion, or sabbatical leave, written comments in support of that decision shall be prepared and discussed by the committee and the chair and concurrently submitted to the college, and the faculty member shall be entitled to appeal that decision to the college in accordance with the provisions set forth in Article 10 of these bylaws. That appeal shall constitute the faculty member's right to appeal to the "level above the level at which the appealed recommendation was made" under Article 8.1.6 of these bylaws.

**9.2.4.3** When the department personnel committee and the department chair disagree on a recommendation of a faculty member for tenure, promotion, or sabbatical leave, the committee and the chair shall each prepare a separate written statement supporting their respective recommendations and shall share and discuss those statements with each other before submitting them to the college for review.

## **9.2.5 Merit Ratings of Persons Who Have Been on Leave**

### **9.2.5.1 Sabbatical Leaves**

Within 30 days after return to regular duties, each person who has been on leave shall present to the department chair, department personnel committee, and the executive vice president and provost's office a report of personal professional activities during the leave. The report shall describe the activities undertaken during the leave and the scholarly or other creative results of those activities. If this report reflects significant professional activity, the department personnel committee will award a merit rating which will be at least an average of that person's merit rating for the previous three years. If the report reflects inadequate professional activity, the merit rating may be lower.

When a faculty member is on leave for less than the whole evaluation period, the regular merit evaluation process will be used for that portion of the evaluation period during which the faculty member was not on leave. When the sabbatical leave occurs late in the evaluation period, care shall be taken to obtain the faculty member's service report before the leave begins. If a faculty member's leave begins in one evaluation period and continues into another, so that a merit rating must be given before the sabbatical report is due, the faculty member's rating for the first portion of the time on leave shall be either the average of that person's merit rating for the previous three years or that person's merit rating for the portion of the evaluation period for which the faculty member was not on leave, whichever is higher. The merit rating for the evaluation period during which the second portion of the leave occurs shall be determined in accordance with the first paragraph of this Bylaw.

### **9.2.5.2 Leaves Without Pay**

When a faculty member returns from leave without pay, the sabbatical rules shall apply if the individual has been engaged in professional activities. In other instances, the individual shall be assured at least the lowest merit rating earned by that individual in the preceding three years unless the dean of the college, at the time the leave was approved, specified that there would be no increment for the leave year.

### **9.2.5.3 Sick Leaves**

When a faculty member returns from extended sick leave or disability leave, the dean and the department chair, in consultation with the department personnel committee, shall make a recommendation to the executive vice president and provost as to an appropriate salary adjustment.

## **9.2.6 Merit Ratings for Persons with Multiple Appointments**

An individual with an appointment in more than one campus unit which involves some salary payment from the budget of each such unit shall be evaluated separately for each appointment by each unit in which a salaried appointment is held.

The evaluators in each unit shall take into consideration the proportional amount of time allocated by the individual's official notification. An overall merit rating, which shall be assigned by the lowest level academic administrator with supervisory responsibility for all of the academic units participating in the multiple assignment, shall be a composite of the individual ratings for each assigned role and shall reflect the proportional amount of time allocated to each unit by the individual's official notification. An individual's annual incremental dollars shall reflect the person's merit rating and shall be commensurate to the incremental dollars assigned to the same rating in the unit of origin.

### **9.3 Personnel Procedures at the College Level**

The college has two types of responsibilities in the personnel process. It establishes academic standards and procedures for the college as a whole, and it ensures that departments conform to them as well as to their own established standards and procedures. While each department bears the principal responsibility for evaluating the professional competence of its own faculty members, the college must be satisfied that such evaluations are in accordance with high academic standards in each discipline and with college policies. The college retains the authority to reject a department recommendation if the college is not persuaded of its validity.

**9.3.1** The college personnel committee shall provide departments and faculty members with college criteria and current policies for various personnel actions, the types of evidence to be evaluated, and the dates for compliance. College statements shall be submitted to the Faculty Senate Personnel Committee where each must be reviewed and approved before it is implemented.

**9.3.2** The college personnel committee shall review all department personnel recommendations to ensure (1) that appropriate professional standards of evaluation have been applied; and (2) that college guidelines, policies, and appropriate procedures have been followed.

If, on the basis of the evidence submitted by a department, the college is not persuaded that an individual recommendation should be approved, the college shall return the recommendation to the department for reassessment, with a statement of reasons in writing. A copy of the statement shall be made available to the individual involved. In consultation with the individual, the department may respond to the college statement and resubmit its recommendation if it wishes to do so. Where a decision involves the professional competence or achievements of an individual faculty member, the department's judgment shall be overridden only on the basis of substantial evidence that inadequate professional standards of evaluation were applied by the department. The college shall determine how such evidence is to be obtained and evaluated.

**9.3.3** Where noncompliance with college policies and standards persists after reassessment by the department, the college council shall deny the recommendation and take steps to bring the department into conformance with college policies and standards.

**9.3.4** The college shall forward its recommendations for tenure, promotion, or sabbatical leave to the executive vice president and provost for review at the university level, along

with supporting evidence and appropriate aggregate data, making clear any disagreements that may exist between the recommendations of the dean and the college council.

**9.3.4.1** Decisions not to recommend tenure, promotion in rank, or sabbatical leave shall be forwarded by the executive vice president and provost to the Faculty Senate Personnel Committee for review and action on the university level only if there has not been agreement on the decision at the department and college levels. Agreement at the department and college level shall be considered to exist when the college personnel committee, the college dean, and either the department personnel committee or the department chair are in agreement. When there has been such agreement, those decisions shall be forwarded by the executive vice president and provost to the Faculty Senate Personnel Committee only for information purposes. For recommendations to grant early tenure or early promotion in rank, the executive vice president and provost may seek the advice, but not formal action, of the Faculty Senate Personnel Committee concerning the required justification of extraordinary circumstances or an extraordinary record of achievement.

**9.3.4.2** When the college council and dean agree to recommend a faculty member for tenure, promotion, or sabbatical leave, written comments in support of that recommendation shall be prepared and discussed by the council and the dean, the recommendation and commentary shall be submitted to the executive vice president and provost, and that officer shall forward it to the Faculty Senate Personnel Committee only for information purposes.

**9.3.4.3** When the college council and the dean agree not to recommend a faculty member for tenure, promotion, or sabbatical leave, and when that faculty member had been recommended for the tenure, promotion, or sabbatical leave by the department personnel committee, the department chair, or both, the council and dean shall prepare and discuss written comments in support of their decision, and, the faculty member shall be entitled to appeal that decision to the university in accordance with the provisions set forth in Article 10 of these bylaws.

**9.3.4.4** When the college council and the dean disagree on a recommendation of a faculty member for tenure, promotion, or sabbatical leave, the council and the dean shall each prepare a separate written statement supporting their respective recommendations and shall share and discuss those statements with each other before submitting them to the executive vice president and provost for review at the university level.

#### **9.4 Personnel Procedures at the University Level**

Like the colleges, the university, through its Faculty Senate Personnel Committee, has two types of personnel responsibilities. The Faculty Senate Personnel Committee establishes, in conjunction with the Faculty Senate, personnel policies, standards, and criteria affecting the entire faculty; it ensures that colleges carry out their responsibilities effectively and equitably. A

major part of its effort should be directed toward studying major personnel issues of general importance to the university, and proposing policy initiatives and changes to the Faculty Senate. Normally, the committee is not involved in the professional evaluation of individual faculty members, nor in assessing the procedures and standards used by departments in personnel decisions. However, it retains responsibility for ensuring that the colleges conduct the personnel process with a high degree of professionalism and equity. As part of this responsibility, the Faculty Senate Personnel Committee has the authority to overrule a college personnel recommendation when the committee concludes that such an action is necessary to maintain high standards of academic excellence.

**9.4.1** The Faculty Senate Personnel Committee shall provide colleges and the faculty with university criteria, current policies, and compliance dates for various personnel actions, and shall approve statements of college criteria, policies, and procedures.

**9.4.2** The executive vice president and provost shall give to the Faculty Senate Personnel Committee for review, and the Faculty Senate Personnel Committee shall review, only those personnel recommendations specified in Articles 3.3.2.5, 3.3.2.6, and 9.3.4 of these bylaws. The executive vice president and provost shall submit a summary report on all other college personnel recommendations to the Faculty Senate Personnel Committee for the committee's information.

**9.4.3** Where the Faculty Senate Personnel Committee reviews a college recommendation and concludes that it does not conform to university standards, policies, or criteria, the recommendation shall be returned to the college for reassessment with an explanation in writing. The college may consult with any department or individual involved, and may alter its recommendation or resubmit it with additional explanation or evidence, if it wishes to do so.

**9.4.4** Where noncompliance with university standards, policies, or criteria persists after reassessment by a college, the Faculty Senate Personnel Committee shall deny the recommendation, and take steps to bring the college into conformance with university standards.

**9.4.5** The executive vice president and provost shall submit to the president the personnel recommendations of the Faculty Senate Personnel Committee on cases which it heard pursuant to Article 9.4.2 above, the executive vice president and provost's own recommendation on such cases, and all other personnel recommendations submitted by the colleges.

**9.4.6** The Faculty Senate Personnel Committee shall submit an annual personnel report to the Faculty Senate.