

Suggested Changes to Tenure Approval and Appeals Processes

ISU Faculty Handbook

5.2.4. Procedures for Promotion and Tenure Review

The following three sections describe the general expectations for promotion and tenure review processes as well as the notification procedures to be followed by departments, colleges, the provost, and the president.

The procedure for mandatory and non-mandatory cases vary slightly. Mandatory cases are those which involve review for tenure in the penultimate year of the appointment. In these cases, the final administrative recommendation is made by the President. Mandatory cases are always sent through the administrative chain to the President to determine whether a positive recommendation for tenure and promotion will be made to the Board of Regents. In non-mandatory cases, the department, the dean or the provost may make a decision not to forward a positive recommendation, and that action is the final administrative action. Reviews which occur in the final year (after denial in the mandatory year) are non-mandatory cases.

5.2.4.1. Department Review.

Review for promotion and/or tenure begins at the department level.

5.2.4.1.1. Promotion and Tenure Document.

Each department must have a document that sets forth the standards and procedures governing promotion and tenure of faculty within that department. The department document may specify standards that exceed those of the university or college, provided that they do not conflict with the standards of either, and provided the procedures are consistent with those described in the *Faculty Handbook*.

The department's promotion and tenure document must, at a minimum, specify the following with respect to the department's review procedures:

- how faculty members are selected for departmental review for promotion and/or tenure
- the composition and means of selection of the department promotion and tenure committee and of any other department committees that may be involved in the review process
- the definition of conflict of interest operative in departmental review
- the procedures to be followed by the department promotion and tenure committee and related committees in conducting the reviews
- the role of the chair in the department promotion and tenure review process
- the process and circumstances under which a review may be postponed

- the types and sources of information that the department review committee will consider in conducting its review
- the means by which persons being considered submit information and documentation for the review process
- the procedures for obtaining any external evaluations used by the department in evaluating the performance of candidates
- the definition of the factual information in the dossier subject to review by the faculty member before it is advanced from the department
- the procedures for the notification of the results of the reviews

The document must be approved by the tenured and tenure-eligible faculty of the department, by the dean, and by the provost.

5.2.4.1.2. Joint Appointment Procedures.

Evaluation of a person holding rank in more than one department should be initiated and conducted by the primary department, with advice from the secondary department. The individual's Letter of Intent (for new appointments) and the position responsibility statement will specify the primary department. Prior to the review, the two chairs, in consultation with department promotion and tenure committees, should decide on the role to be played by the secondary department, including the preparation of the documentation from the secondary department and the process for including that documentation in the review. In cases with an equal division of responsibilities, the departments may agree to conduct separate reviews and forward separate recommendations to the dean(s). A coordinated recommendation will be made at the dean's level with a single recommendation forwarded to the provost.

5.2.4.1.3. Promotion and Tenure Committee.

Each candidate must be reviewed by a promotion and tenure review committee, which will examine information relevant to the evaluation of the candidate for promotion and/or tenure. An individual promotion and tenure review committee may include faculty who are not members of the candidate's department. Any member of the promotion and tenure review committee who has a conflict of interest with respect to a candidate shall not participate in the consideration of that individual or have access to review materials. The chair must inform the candidates in writing of the identity of the members of the department review committee and any other departmental committees that will be involved in the evaluation.

The promotion and tenure review committee reports in writing to the chair the results of its review, including all formal votes.

5.2.4.1.4. Department Chair.

The department chair prepares a Recommendation for Promotion and Tenure form for each person who is recommended by the review committee for promotion and/or tenure. The chair also may prepare a Recommendation for Promotion and Tenure form for a candidate who is not recommended for promotion and/or tenure by the review committee. The form includes the

chair's evaluation of the candidate; the votes and reports of all departmental reviews; and the chair's recommendation.

The chair forwards recommendation forms to the college dean and informs the promotion and tenure review committee of his or her recommendations. In addition, the chair must prepare and forward to the college dean negative departmental recommendations for persons for whom tenure decisions are mandatory.

5.2.4.1.5. Notification Procedure.

The chair will inform each candidate in writing before the department's recommendations are submitted to the college, whether a recommendation will be forwarded and, if so, the nature of the recommendation or recommendations. Persons who are not being recommended by either the promotion and tenure review committee or the chair, or both, will be informed by the chair in writing of the reasons. This information should be presented in a constructive manner and, where appropriate, should include guidance for improving performance in terms of the department's criteria for promotion and tenure.

5.2.4.1.6. Right to Review Factual Information.

Each person for whom a recommendation is being forwarded to the college will be given the opportunity to review the factual information therein, and to inform the chair of any ways in which he or she believes this information to be incomplete or inaccurate.

5.2.4.1.7 Treatment of Late-Developed Information

Late-Developed Information is information that becomes available after the departmental P&T recommendation has been sent to the College and that either the candidate or the department chair considers to be of potential relevance (whether favorable or unfavorable) to the case. Such information shall be forwarded by the department chair to the next level in the administrative chain that has not yet made its decision. In the case of unfavorable information, the candidate shall also be notified of its nature and the evidence on which it is based. Transmittal of late-developed information shall include an indication of when the information became available and which evaluators have had access to it. It is the responsibility of recipients of late-developed information to consider it, determine the degree of its relevance and decide upon what weight it ought to have in making their decision.

5.2.4.2. College Review.

Review for promotion and/or tenure continues at the college level.

5.2.4.2.1. Promotion and Tenure Document.

Each college must have a document that sets forth the standards and procedures governing promotion and tenure of faculty within that college. The college document may specify standards that exceed those of the university, provided that they do not conflict with the standards of the

university, and provided the procedures are consistent with those described in the *Faculty Handbook*. The document must be approved by the tenured and tenure-eligible faculty of the college, by the dean, and by the provost.

5.2.4.2.2. Promotion and Tenure Committee.

A college promotion and tenure advisory committee, composed of faculty members from the college, shall review all positive departmental and/or chair recommendations for promotion and/or tenure. In addition, the committee will review negative recommendations for persons for whom a tenure decision is mandatory. The votes and recommendations of this committee are forwarded to the dean of the college. Selection procedures for committee membership are defined in the college promotion and tenure document. Selection procedures will incorporate input from the faculty or their elected representatives.

5.2.4.2.3. Dean.

Each dean reviews the promotion and tenure recommendations from the departments and from the college committee and presents his/her recommendations to the provost, along with the recommendations and votes of the college and department committees, the chair reports, and supporting material and documentation.

The dean will inform in writing each candidate and the respective chair and the college committee whether a recommendation will be forwarded to the provost and, if so, the nature of the recommendation or recommendations. If the recommendation is contrary to the departmental, chair, and/or college committee recommendations, the dean will summarize in writing the reasons as part of his/her recommendation. The chair will forward the dean's recommendation and summary to the department promotion and tenure committee.

5.2.4.3. University Review.

Review for promotion and/or tenure concludes at the university level.

5.2.4.3.1. Provost.

The provost makes his/her recommendations to the president of the university. The provost will inform in writing each candidate and the respective chair and dean whether a recommendation will be forwarded to the president and, if so, the nature of the recommendation or recommendations. If the provost's recommendation is contrary to the dean's recommendation, the provost will summarize in writing the reasons as part of his/her recommendation. The chair will forward the provost's recommendation and summary to the departmental promotion and tenure committee.

5.2.4.3.2. President.

The president makes his/her recommendations for the university to the Board of Regents. Only positive recommendations will be sent to the Board for action. The president will inform in

writing each candidate, the respective chair and dean, and the provost of the whether a positive recommendation is being sent to the Board of Regents. If the presidential recommendation is contrary to the provost's recommendation, the president will summarize the reasons for his/her recommendation in writing. The chair and dean will forward the president's recommendation and summary to the respective promotion and tenure committees.

5.2.4.3.3. Final Notification.

Following the Regents' action, the provost provides official notification to the candidates and their chairs and deans.

5.2.4.3.4. Effective Dates for Promotions.

Promotions in rank for B-base faculty ordinarily take effect at the beginning of the next academic year. Promotions for A-base faculty ordinarily take effect at the beginning of the next fiscal year; exceptions to these dates may be granted by the provost.

5.2.4.3.5. Appeals.

In a mandatory case, following the president's decision not to forward a recommendation to the Board of Regents, a faculty member has the right to appeal through administrative channels or through the Faculty Senate Committee on Appeals. An appeal through administrative channels should be made to the president in the form of a request for reconsideration of his/her decision.

In non-mandatory cases, a decision not to forward a positive recommendation for promotion and tenure may be appealed through administrative channels or through the Faculty Senate Appeals Committee when the chair, dean, provost or president decides not to forward the recommendation. An administrative appeal should be filed with the next person in the administrative chain, except in the case of an appeal of the president's decision, in which case the appeal should be made to the president in the form of a request for reconsideration of his/her decision.

9.1. Who May File Appeals

Faculty members who believe they have been treated unfairly with respect to salary, promotion, tenure, academic concerns, reduction in force, or other matters related to employment may have their cases reviewed formally through the procedures which have been developed by the Faculty Senate and approved by the administration. For purposes of definition, such a call for a review shall hereafter be called an appeal. It is brought by an appellant and is directed at the appellee. Appeals of administrative actions or actions to deny reappointment, promotion or tenure, should be based on grounds that improper procedures were followed, academic freedoms or constitutional rights were violated, policy was interpreted improperly, or arbitrary and capricious criteria were employed in recommending the action being appealed. Section 5.2.4.3.5 determines

when an appeal of a promotion or tenure decision may occur, and the information to be considered in such an appeal.

All faculty are eligible to appeal. See section 3.3, Types of Appointments, for further information on types of faculty appointments. Appeals must be initiated no more than 45 B-base faculty working days following the occurrence of the last event or events that are being appealed. The filing of an appeal should not alter any schedule, time limitation, or deadline to which the parties to the appeal would otherwise have been subject in the absence of the filing (e.g., date of termination or date for which tenure is obtained). However, changes in schedules or deadlines may be among the remedies sought by the appellant.

There are two independent channels for the consideration of appeals:

- administrative
- Faculty Senate Committee on Appeals

Faculty members may use either channel or both consecutively, but not simultaneously.

9.2. Appeal through Administrative Channels

An appeal through administrative channels is initiated when a written appeal, stating the case, naming the appellee(s), and requesting specific remedies is presented to the administrator or administrative body whose sphere of responsibility includes the events grieved: e.g., a departmental chair, a dean, the provost, the president, or the Board of Regents. Appeals presented initially to the provost or president may be referred to the Faculty Senate Committee on Appeals, where they will be treated as described below.

The administrator or administrative body that receives the appeal shall investigate it and present the appellant(s) and the appellee(s) with a written response within 20 administrative working days from the date the appeal was received. Working days here are defined as days that the university is officially open for business. The written response shall describe the evidence considered, state the decisions made, and review the reasoning that led to the decisions.

The response time for appeals filed near extended periods when classes are not in session or summer session may be modified accordingly to accommodate the availability of the principals and witnesses appropriate to the appeal. Other adjustments may be made in the appeal procedure's time schedule, provided the appellant(s), appellee(s), and the party investigating the appeal agree to them, or, failing that, the approval of the provost is obtained. An appeal through administrative channels may be withdrawn by the appellant(s) any time before the response is received.