

TAUP – Temple Collective Bargaining Agreement 2012 - 2014

ARTICLE 11

PROMOTION AND TENURE STANDARDS AND PROCEDURES FOR TENURE-TRACK FACULTY

A. The following standards shall apply to applications for promotion and tenure by members of the faculty.

1. Tenure-track faculty members are eligible to apply for promotion and/or tenure at any time.

B. Promotion Standards

1. Consideration for promotion shall be based primarily on outstanding performance and continuing promise of outstanding performance as a faculty member. Teaching/instruction and research/scholarship/creative activity shall be primary in this evaluation. University service, service to the profession/discipline, and discipline-based community service shall be secondary. The standard of outstanding performance shall be informed by standards for promotion to the same rank at other national research universities appropriate to the discipline under consideration. Promotion to any rank, thus, is a recognition of past performance and an assessment that the faculty member is capable of greater responsibilities and accomplishments. Personal and professional integrity are assumed. The ultimate goal of all promotions is to build the best possible faculty for the University.

C. Promotion Procedures

1. Levels of review for promotion shall include in consecutive order: a departmental committee; the Department Chair; a College or School committee; the Dean; the Council of Deans and/or the University Tenure and Promotion Advisory Committee; and the Provost. Recommendations for promotion are made to the President, who has the authority to promote faculty.

2. The University Tenure and Promotion Advisory Committee shall report to the Provost or other designated University officer, and shall be composed of at least sixteen (16) members, as follows: At least seven (7) shall be faculty members from the TAUP bargaining unit selected by the Faculty Senate; at least seven (7) shall be faculty members from the TAUP bargaining unit selected by the Provost, except that in the Provost's discretion up to two may be administrators with faculty rank in the schools and colleges eligible to participate in the University Tenure and Promotion Advisory Committee. The Faculty Senate and the Provost shall each select one appointee with faculty rank from the Law School.

a. Committee votes will be conducted by secret ballot. Individuals serving on the University Tenure and Promotion Advisory Committee shall serve two (2) year terms, with a staggered rotation to assure that half of such members continue on the Advisory Committee each year. No more than two (2) faculty members from any one department, college or school may serve at any one time.

b. Committee membership shall be increased by an additional two (2) members if one additional non-bargaining unit college or school comes within the jurisdiction of the Committee. One of these faculty members will be selected by the Faculty Senate, the other will be selected by the Provost. No further members shall be added, however, if more than one additional college or school comes within the jurisdiction of the Committee. Committee membership shall be limited to no more than eighteen (18) members.

c. The Provost or his/her designee will serve only in an administrative capacity for both the Council of Deans and the University Tenure and Promotion Advisory Committee, as the Provost's surrogate. In his/her administrative role for the University Tenure and Promotion Advisory Committee, the Senior Vice Provost for Faculty or his/her designee shall post all memoranda of transmittal or of referral if applicable, schedule all meetings, choose the Provost's appointees to the committee, and provide relevant information to the University Tenure and Promotion Advisory Committee on procedural issues and applicable standards as set forth in this agreement, the Presidential guidelines on Tenure and Promotion, and any College, School or departmental guidelines as applicable. The Senior Vice Provost for Faculty will not vote, nor will s/he provide any substantive review of the candidate at the Council of Deans and University Tenure and Promotion Advisory Committee levels. The Senior Vice Provost for Faculty shall advise the Council of Deans and the University Tenure and Promotion Advisory Committee that

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s/he is not permitted by contract to provide to the Council of Deans and the University Tenure and Promotion Advisory Committee substantive evaluation of any candidate. Nothing in this provision prohibits the Senior Vice Provost for Faculty's advising the Provost or otherwise performing duties as requested by the Provost.

3. Eligibility to Serve on Promotion Committees

a. Only individuals holding tenure at Temple are eligible to serve on promotion committees. Only individuals holding the rank of Professor at Temple may serve as Faculty Senate representatives on the University Tenure and Promotion Advisory Committee or participate in committee deliberations regarding the promotion of a faculty member to the rank of Professor. A faculty member is only eligible to be present, participate in deliberations or vote at one (1) of the following levels of the promotion process: as a member of a departmental committee; as a Department Chair, as a member of the College or School committee; or as a member of the University Tenure and Promotion Advisory Committee. Individuals being considered for promotion are ineligible to participate in deliberations regarding promotions in the year in which their candidacy is being considered. This restriction does not preclude the Chair from introducing the candidate's dossier to the department committee, the school or college committee, or to the University Tenure and Promotion Advisory Committee and/or asking or answering questions about the candidate for promotion or tenure and/or discussing the selection of the candidate's outside evaluators. Except for these purposes the Chair may not be present or otherwise participate in deliberations or voting. The chair cannot make or announce his/her recommendation with respect to tenure and/or promotion for a candidate until after receiving the department committee's memorandum of transmittal.

b. A Chair may sit on a department committee only for the purposes given above. When a Chair sits on a school or college promotion and tenure committee or on the University Tenure and Promotion Advisory Committee and a candidate from the Chair's department for tenure or promotion is to be evaluated by that committee, the Chair must recuse him/herself for that case, i.e., may not act in an official role, be present when the committee(s) discusses the candidate's qualifications for tenure or promotion, except to answer questions as above, or otherwise vote on the committee's recommendation regarding the candidate from the Chair's department.

c. At the departmental committee level, in addition to student feedback forms, each department will solicit student input in tenure and promotion decisions.

4. Selection of Departmental and College Promotion Committees

a. All departmental and College or School promotion committees must be comprised of at least three (3) faculty members. If a department or College or School has fewer than three (3) faculty members eligible to serve on the department or College or School committee, the Dean may appoint additional persons to serve following consultation with the executive committee, dean's advisory committee, or equivalent body in the College or School. Administrators are not eligible to serve on these committees. Should the Dean appoint additional persons from outside the Department or School or College, he/she shall notify the candidates and the school or college committee in writing as to who has been appointed. Such notice will take place prior to any review, deliberation or action by the promotion committee with respect to that individual or individuals.

b. Only individuals who hold tenure-track appointments or who are tenured may participate in the selection of the faculty members of departmental and College or School promotion committees or nominees for the University Tenure and Promotion Advisory Committee.

c. A department or College or School shall not be precluded from providing in its bylaws that the same committee shall serve as the promotion committee and the tenure committee.

5. Independent External Evaluations of Candidates for Promotion

a. Assessment of the credentials of the candidate shall include written letters of evaluation from individuals from outside the University who are qualified to assess the credentials of the candidate for promotion. A preponderance of these letters shall be obtained from persons who have not worked or collaborated with the

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candidate. A candidate for promotion and the departmental promotion committee shall each separately submit lists to the Dean that contain the names and professional affiliations of persons whom they recommend to be external evaluators. After review of these recommendations, the Dean may, in his/her discretion, add additional evaluators to the lists. All external evaluation letters received shall be part of the individual's dossier.

6. Documentation of Recommendations Related to Promotion and Tenure

a. At each level of review, recommendations for promotion and tenure are to be made separately. Each recommendation shall provide an evaluation for teaching/instruction, for research/scholarship/creative activity and for service. These evaluations, along with the votes and reports of the department, College or School, and the Council of Deans and/or the University Promotion and Tenure Advisory committees, and the recommendations of the Department Chair, the Dean and the Provost or other designated University officer, shall be recorded on a memorandum of transmittal. At each step during consideration for promotion, candidates shall receive copies of the memoranda of transmittal when they are forwarded by the Department Committee, Chair, College or School Committee, Dean, the Council of Deans and/or the University Tenure and Promotion Advisory Committee and the Provost or other designated University officer.

7. Sequence for Promotion Evaluation Process

a. At each level of review, the candidate shall have the opportunity to communicate in writing to the individual or committee receiving the letter of transmittal from the previous level, to provide his/her perspective on the previous level's review and recommendation. Except in cases in which good cause is shown, the candidate must provide any such communication to the individual or committee within ten (10) days of the date of the relevant transmittal.

b. Initial consideration of promotion cases shall be at the departmental level through a departmental committee. The departmental committee shall report its recommendations to the Department Chair.

c. Following action by the departmental committee, the Department Chair shall:

i. Make an independent recommendation on each promotion case and communicate this recommendation to the departmental committee.

ii. Inform the individual faculty member of the Department Chair's and departmental recommendation.

iii. Transmit all recommendations of the departmental committee and the Department Chair to the College or School level for consideration.

d. Promotion decisions are next considered by an appropriate College or School committee having responsibility for promotion matters and by the Dean.

e. Following consideration at the College or School level, the Dean shall:

i. Make an independent recommendation on each promotion case and communicate this recommendation to the appropriate committee of the College or School.

ii. Inform the individual faculty member of the Dean's and the college's recommendation.

iii. Transmit all recommendations to the Provost or other designated University officer.

f. On receipt of the recommendations on promotion from the Deans, the Office of the Provost shall submit all materials relating to promotion in which all recommending agencies and individuals at prior levels have made a positive recommendation to the Council of Deans for review and recommendation. In its discretion, the Council of Deans may refer any such cases to the University Tenure and Promotion Advisory Committee for its

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review and recommendation. In cases in which any of the committees or individuals below have not made a positive recommendation, the Provost will refer the case directly to the University Tenure and Promotion Advisory Committee for review and recommendation. The Council of Deans will issue a memorandum of referral each time it refers a case to the University Tenure and Promotion Advisory Committee. In this memorandum, the Council of Deans will set forth what documents were reviewed and the basis for the decision. It will also state whether the referral was based on a formal vote (and if so the number of votes for, against and abstaining or absent) or consensus. The candidate will then have 10 days to respond to the memorandum of referral. Following recommendations by the University Tenure and Promotion Advisory Committee or the Council of Deans in cases which are not referred to the University Tenure and Promotion Advisory Committee, the Provost or other designated University officer shall separately make a recommendation.

g. All such recommendations on promotion shall be forwarded by the Provost to the President for his/her review and action.

h. All those who have been formally considered shall be informed by the President whether they have been granted promotion.

i. Any faculty member who believes that his/her procedural rights pertaining to the promotion evaluation process have been denied may present a complaint to the Faculty Senate Personnel Committee. In the event promotion is denied, both parties will endeavor to have any appeals processed in an expeditious manner. The Faculty Senate Personnel Committee shall, within ninety (90) days of the filing of an appeal, forward its recommendations to the candidate and to the President or his/her designee.

j. Should the Faculty Senate Personnel Committee fail to act within ninety (90) days, the President may, at his/her discretion, appoint a fact-finder who shall, within forty-five (45) days, forward his/her recommendations to the candidate and the President or his/her designee.

k. The President will reconsider the decision in light of the report of the Faculty Senate Personnel Committee or the fact-finder and make a final decision in the case. The President shall inform the candidate of his/her decision.

D. Tenure Standards

1. Unless a shorter period has been agreed upon in the letter of appointment, a faculty member on the tenure-track will have up to seven (7) years to earn tenure.

2. A faculty member on the tenure-track is required to be reviewed for tenure no later than the sixth year of his/her tenure-track probationary period, unless a shorter period is stated otherwise in the appointment letter. If rejected for tenure at that time, the faculty member shall receive a one-year terminal appointment that will end at the end of the seventh year. A faculty member who is reviewed and rejected for tenure in the sixth (6th) year may choose to be reviewed again in the seventh (7th) year, but will waive the right to appeal a negative decision to the Faculty Senate Personnel Committee, but may appeal on the grounds that proper procedures had not been followed, or that the non-discrimination provisions of this Agreement had not been followed, through an expedited grievance and arbitration procedure. Subject to the provisions of Section E.2.a below or Article 22, Section G7 and Article 22, Section W3, in no case shall a tenure-track faculty member who has not been granted tenure serve for more than seven (7) years.

3. With due consideration to the academic needs of the department and/or College or School, consideration for tenure shall be based primarily on outstanding performance and continuing promise of outstanding performance as a faculty member. Teaching/instruction and research/scholarship/ creative activity shall be primary in this evaluation. University service, service to the profession/ discipline, and discipline-based community service shall be secondary. The standard of outstanding performance in research/scholarship/creative activity for tenure shall be informed by standards for tenure at other national research universities appropriate to the discipline under consideration. The award of tenure, thus, is a recognition of past performance and an assessment that the faculty

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member is capable of greater responsibilities and accomplishments throughout the period of his/her service as a member of the University faculty. Personal and professional integrity are assumed. The ultimate goal of all tenured appointments is to build the best possible faculty for the University.

E. Tenure Eligibility

1. All individuals who are appointed to a tenure-track faculty position are eligible to apply for tenure at any time, regardless of rank.

2. Rules Applicable to All Eligible Faculty

a. If an individual has not been formally informed of being considered for tenure during the sixth year, when such consideration is mandatory, it shall be the responsibility of the individual to inform, in writing, and by December 1st of that academic year, the Department Chair, Dean, and Provost or other designated University officer, that such tenure consideration is necessary. If both the University and the individual miscount the individual's mandatory (sixth) year of eligibility for tenure consideration as set forth above, then the individual shall be considered for tenure as soon as possible following the discovery of such circumstance; and in the event of a negative decision, the individual shall be given a one year terminal contract. The faculty member shall not be eligible to apply for tenure during the period of the one-year terminal contract.

b. Only individuals with probationary tenure-track appointments made by the President are eligible to be considered for tenure. Excluded, in addition to part-time personnel, are all individuals on an agreed-upon limited period of service, such as Visiting Faculty, Instructors, Clinical Faculty, Research Faculty, Practice Faculty, and Teaching/Instruction Faculty.

c. The only full-time faculty ranks eligible for tenure consideration shall be: Professors, Associate Professors, and Assistant Professors.

F. Review of Progress toward Tenure

1. In addition to any evaluation that may occur when appointments are renewed, faculty on the tenure-track shall be evaluated during their third probationary year with respect to their progress towards tenure. The evaluations shall be provided in writing to the tenure-track faculty member by the Dean of the School/College after consultation with the appropriate faculty committee(s) in the department and/or school/college. When improvement in performance is necessary the written evaluation should identify those specific areas that need to be remediated. The President will consider this evaluation when determining the term of subsequent appointments during the probationary period.

G. Tenure Procedures

1. Levels of review for tenure shall include in consecutive order: a departmental committee; the Department Chair; a College or School committee; the Dean; the Council of Deans and/or the University Tenure and Promotion Advisory Committee; the Provost; and the President. Recommendations for tenure are made by the President to the Board of Trustees, which has sole authority to grant tenure.

2. Eligibility to Serve on Tenure Committees

a. Only individuals holding tenure at Temple are eligible to serve on tenure committees. Only individuals holding the rank of Professor at Temple may serve as Faculty Senate representatives on the University Tenure and Promotion Advisory Committee or participate in committee deliberations regarding the tenure of a faculty member at the rank of Professor. Faculty members are only eligible to be present, participate in deliberations or vote at one of the following levels of the tenure process: as a member of the departmental committee; as a Department Chair; as a member of the College or School committee; or, as a member of the University Tenure and Promotion Advisory Committee. This restriction does not preclude the Chair from introducing the candidate's dossier to the department committee, the school or college committee, or to the University Tenure and Promotion Advisory Committee and/or asking or answering questions about the candidate for

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promotion or tenure and/or discussing the selection of the candidate's outside evaluators. Except for these purposes, the Chair may not be present or otherwise participate in deliberations or voting. The chair cannot make or announce his/her recommendation with respect to tenure and/or promotion for a candidate until after receiving the department committee's memorandum of transmittal.

b. A Chair may sit on a department committee only for the purposes given above. When a Chair sits on a school or college promotion and tenure committee or on the University Tenure and Promotion Advisory Committee and a candidate from the Chair's department for tenure or promotion is to be evaluated by that committee, the Chair must recuse him/herself for that case, i.e., may not act in an official role, be present when the committee(s) discusses the candidate's qualifications for tenure or promotion, except to answer questions as above, or otherwise vote on the committee's recommendation regarding the candidate from the Chair's department.

c. At the departmental committee level, in addition to student feedback forms, each department will solicit student input in tenure and promotion decisions.

3. Selection of Departmental and College or School Tenure Committees

a. All departmental and College or School tenure committees must be comprised of at least three (3) members. If a department or College or School has fewer than three (3) individuals eligible to serve on the departmental or College or School committee, the Dean may appoint additional persons to serve following consultation with the executive committee, dean's advisory committee or equivalent body in the College or School. Administrators are not eligible to serve on these committees. Should the Dean appoint additional persons from outside the Department or School or College, he/she shall notify the candidates and the school or college committee in writing as to who has been appointed. Such notice shall take place prior to any review, deliberation or action by the promotion committee with respect to that individual or individuals.

b. Only faculty who hold tenure-track appointments or who are tenured may participate in the selection of members of departmental and College or School tenure committees or nominees for the University Tenure and Promotion Advisory Committee.

c. A department or College or School shall not be precluded from providing in its bylaws that the same committee shall serve as the promotion committee and the tenure committee.

4. Independent External Evaluators of Candidates for Tenure

a. Assessment of the credentials of the candidate shall include written letters of evaluation from individuals from outside the University who are qualified to assess the credentials of the candidate for tenure. A preponderance of these letters shall be obtained from persons who have not worked or collaborated with the candidate. A candidate for tenure and the departmental tenure committee shall each separately submit lists to the Dean that contain the names and professional affiliations of persons whom they recommend to be external evaluators. After review of these recommendations, the Dean may, in his/her discretion, add additional evaluators to the lists. All external evaluation letters received shall be part of the individual's dossier.

5. Documentation of Recommendations Related to Tenure

a. At each level of review, recommendations for promotion and tenure are to be made separately. Each recommendation shall provide an evaluation for teaching/instruction, research/scholarship/creative activity and for service. These ratings, along with the votes and reports of the department, College or School, the Council of Deans and/or University Promotion and Tenure Advisory committees, and the recommendations of the Department Chair, the Dean and the Provost or other designated University officer, shall be recorded on a memorandum of transmittal. At each step during consideration for tenure, candidates shall receive copies of the memoranda of transmittal when they are forwarded by the Department Committee, Chair, College or School Committee, Dean, the Council of Deans and/or the University Tenure and Promotion Advisory Committee and the Provost or other designated University officer.

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6. Sequence for Tenure Evaluation Process

a. At each level of review, the candidate shall have the opportunity to communicate in writing to the individual or committee receiving the letter of transmittal from the previous level, to provide his/her perspective on the previous level's review and recommendation. Except in cases in which good cause is shown, the candidate must provide any such communication to the individual or committee within ten (10) days of the date of the relevant transmittal.

b. Initial consideration of tenure cases shall be at the departmental level through a departmental committee. The departmental committee shall report its recommendations to the Department Chair.

c. Following action by the departmental committee, the Department Chair shall:

i. Make an independent recommendation on each tenure case and communicate this recommendation to the departmental committee;

ii. Inform the individual faculty member of the departmental and Chair's recommendations;

iii. Transmit all recommendations of the departmental committee and the Department Chair to the College or School level for consideration.

d. Tenure decisions are next considered by an appropriate College or School committee having responsibility for tenure matters and by the Dean.

e. Following consideration at the College or School level, the Dean has these responsibilities:

i. To make an independent recommendation on each tenure case and to communicate this recommendation to the appropriate committee of the College or School;

ii. To inform the individual faculty member of the college and the Dean's recommendations;

iii. To transmit all recommendations to the Provost or other designated University officer.

f. On receipt of the recommendations on tenure from the Deans, the Office of the Provost shall submit all materials relating to tenure in which all recommending agencies and individuals at prior levels have made a positive recommendation to the Council of Deans for review and recommendation. In its discretion, the Council of Deans may refer any such cases to the University Tenure and Promotion Advisory Committee for its review and recommendation. The Council of Deans will issue a memorandum of referral each time it refers a case to the University Tenure and Promotion Advisory Committee. In this memorandum, the Council of Deans will set forth what documents were reviewed and the basis for the decision. It will also state whether the referral was based on a formal vote (and if so the number of votes for, against and abstaining or absent) or consensus. The candidate will then have 10 days to respond to the memorandum of referral. In cases in which any of the committees or individuals below have not made a positive recommendation, the Provost will refer the case directly to the University Tenure and Promotion Advisory Committee for review and recommendation. Following recommendations by the University Tenure and Promotion Advisory Committee or the Council of Deans in cases which are not referred to the University Tenure and Promotion Advisory Committee, the Provost or other designated University officer shall separately make a recommendation.

g. All such recommendations on tenure shall be forwarded by the Provost to the President for his/her review and recommendation to the Board of Trustees for their review and action.

h. All those who have been formally considered shall be informed by the President whether they have been granted tenure.

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i. Where all committees and administrators who have considered a tenure application, as provided above, have recommended the award of tenure to a member of the faculty, and the President and/or the Board of Trustees shall reject such recommendations, they should do so only for compelling reasons, stated in detail to those committees and administrators who made the recommendations.

j. If recommendation for tenure is denied, an appeal on either substantive or procedural grounds may be presented by the faculty member to the Faculty Senate Personnel Committee. The Faculty Senate Personnel Committee shall forward its recommendations to the candidate and to the President or his/her designee within 120 days.

k. Should the Faculty Senate Personnel Committee fail to act within 120 days, the President may, at his/her discretion, appoint a fact-finder who shall, within forty-five (45) days, forward his/her recommendations to the candidate and the President or his/her designee.

l. The President shall reconsider the decision in light of the report of the Personnel Committee or the fact-finder. If the President then concludes to recommend tenure, he/she shall submit his/her recommendation for tenure to the Board of Trustees.

m. After a decision rejecting an application for tenure has been made, a candidate may utilize the grievance and arbitration provisions of this Agreement only on the grounds that proper procedures had not been followed or that the nondiscrimination provisions of this Agreement had been violated. If the arbitrator finds such violations, the matter will be referred back to the University Tenure and Promotion Advisory Committee, which will review the entire record in the case and make a recommendation to the President. If the President rejects the application for tenure, his/her decision is final and he/she shall give a statement of reasons for the decision. If the President concludes to recommend tenure, the President shall submit his/her recommendation to the Board of Trustees for its consideration. If the Board of Trustees rejects an application for tenure that has been recommended by the University Tenure and Promotion Advisory Committee on appeal, the Board's decision is final and it shall give a statement of reasons for the decision.

H. Expedited Procedure for Tenure on Hire

1. With the approval of the Provost, individual cases of tenure on hire may be handled by an expedited procedure while still adhering to the same standards required for tenure. The expedited procedure shall be used only when it is logistically necessary.

2. In expedited cases, the hiring packet may be used for tenure consideration as well as hiring.

3. The requisite departmental and collegial review committees and individuals may operate out of the normal sequences, but shall make recommendations prior to the Deans, Provost and President. If there are not positive recommendations at each of the four levels, the expedited process will not be used.

All expedited tenure on hire cases will proceed sequentially thereafter to the Council of Deans, the Provost, and the President for their review and recommendations.