

# A&S GAZETTE

*School of Arts and Sciences*

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Each year the first issue of the A&S Gazette reprints some basic documents relating to governance within Arts and Sciences and to some of the grievance procedures available to faculty members beyond the departmental level.

## *Table of Contents*

### **Bylaws of the School of Arts and Sciences . . . . . 1**

- I. Jurisdiction . . . . . 1
- II. Membership and Meetings . . . . . 1
- III. Permanent Councils . . . . . 2
- IV. Communication . . . . . 3
- V. Amendment of Bylaws . . . . . 4
- VI. Parliamentary Authority . . . . . 4

### **School of Arts and Sciences Statement on Departmental Governance . . . . . 4**

### **Criteria and Procedures for Appointment, Reappointment, Promotion, and Conferral of Tenure . . . . . 5**

- A. On Criteria for Promotion or Appointment to Tenured Rank . . . . . 5
- B. Departmental Procedures Concerning First Appointment, Third-Year Review, and Promotion to Associate Professor with Tenure . . . . . 5
- C. Review by the Dean of Departmental Recommendations for Appointment or Promotion to Tenured Rank . . . . . 7
- D. Review by the Dean of Departmental Recommendations for Promotion to Professor . . . . . 9
- E. Procedures for Appealing Denials of Reappointment or Promotion . . . . . 9
- F. Interpretations . . . . . 11

## BYLAWS

### OF THE SCHOOL OF ARTS AND SCIENCES

as codified October 22, 1969;  
amended on October 11, 1975 and December 15, 1983;  
edited on July 1, 1985;  
amended on October 24, 1985, September 20, 1990,  
April 1, 1998, April 19, 2002, and April 16, 2003

#### I. JURISDICTION

1. The School of Arts and Sciences (Arts and Sciences; A&S; formerly the Faculty of Arts and Sciences) of the University of Pittsburgh shall have jurisdiction over curricula and instructional programs, degree requirements, admissions, grading regulations, and other related academic matters pertaining to its constituent departments and schools.

#### II. MEMBERSHIP AND MEETINGS

2. **Persons included.** All persons who hold full-time tenure stream academic appointments in the University of Pittsburgh with the titles Instructor, Assistant Professor, Associate Professor, and Professor, and with a primary appointment in the School of Arts and Sciences; those Research Assistant Professors, Research Associate Professors, Research Professors, and part-time faculty, who are in the tenure stream; the Chancellor; the Provost; the Dean of the School of Arts and Sciences (hereafter referred to as the Dean), the Associate Deans of the School of Arts and Sciences, and the Dean of the College of General Studies are members of the School of Arts and Sciences. The student members of the Arts and Sciences Council (A&S Council), the Arts and Sciences Undergraduate Council (A&S-UC), the Arts and Sciences Graduate Council (A&S-GC), the six student members of the College of General Studies Council, the President of the Student Government Board, the President of the General Studies Student Government, and the President or Head of the Graduate Student Organization shall be allowed full voting participation in meetings and will participate in ballots by mail. Two student members of the Black Action Society who are enrolled in A&S shall have full voting participation in the meetings of A&S and in voting by mail.

3. **Persons excluded.** Adjunct Professors, Research Professors, Visiting Professors, Lecturers, Research Associates, Teaching Associates, Assistant Instructors, Acting Instructors, Instructors not in the tenure stream, Teaching Fellows and Teaching Assistants are not members of the School of Arts and Sciences.
4. **Meeting of full faculty.** The School shall hold general meetings in early October and late February, at times and places to be determined by A&S Council. The Dean shall preside, or in the Dean's absence, the Vice Chairperson of A&S Council. Additional meetings may be called by the Dean, at the request of any of the permanent Councils, or on petition of 40 members of the School presented to the Dean. Meetings of the School of Arts and Sciences and of its Councils shall be open to the University community as observers, except that any Council may, by a two-thirds vote, specify certain of its meetings as closed meetings. Decisions of the full faculty, whether made in meeting or by referendum, shall override decisions of the Councils. The School of Arts and Sciences and the Councils shall take due cognizance of the principle of the autonomy of the constituent departments and schools. Prior to any general meetings, a faculty member may present to the Dean a personally written letter declaring inability to attend, stating the reason for said inability, and requesting an absentee ballot. Immediately after the meeting, the faculty member will receive a ballot providing for a vote on all motions that have come before the meeting, with the exception of motions to amend a motion, motions to substitute a motion, and matters strictly related to parliamentary procedure such as a motion to limit debate, or to adjourn. On matters regarded by A&S Council as complex and controversial, A&S Council may receive or call for position papers to be developed by departments or groups of interested faculty; these shall be circulated to the faculty by the Dean, and a spokesperson for each group which has developed a position paper shall have precedence in debate if a full meeting is held.
5. **Quorum.** A quorum shall consist of 100 members of the School of Arts and Sciences. If a vote on an announced agenda item cannot be taken at a meeting because of the lack of a quorum, a majority of those present may refer the matter to a mail ballot circulated to all eligible voters defined in Section II.2.
6. **Agenda.** The agenda for each full meeting shall be prepared by A&S Council, and distributed to the entire faculty 10 days in advance of any meeting. Items may be placed upon the agenda of regular meetings by petition of 40 members of the faculty presented to A&S Council no less than 14 days in advance of such meeting. In the case of called meet-

ings, the meeting call shall indicate the agenda. Decision, but not discussion, shall be limited to agenda items.

### III. PERMANENT COUNCILS

7. **Arts and Sciences Council (A&S Council).** This Council shall consist of the Dean (who shall preside); the Associate Dean for Faculty Affairs; nine elected faculty members, who shall not be Department Chairpersons; one representative of each of the Councils of the Department Chairpersons; two undergraduate students appointed by the Student Government Board; and two graduate students appointed by the Graduate Student Organization. The Council shall elect one of its members each year to be Vice Chairperson, who shall preside at the meetings of A&S Council and of the faculty in the absence of the Dean. The A&S Council shall act for the School of Arts and Sciences in intervals between meetings of the full faculty. A&S Council actions shall take effect 30 days (excluding regularly scheduled vacations) after gazetting as prescribed in paragraph 13, unless a petition of 40 members of the faculty is received by the Dean in the interim calling for a full A&S meeting to vote on the issue in question. It may request a report from either of the Councils of initial jurisdiction on any matter, and may overrule such Council. A&S Council shall elect the Faculty Grants Committee and other committees whose work relates to the full School.
8. **Arts and Sciences Undergraduate Council (A&S-UC).** This Council shall consist of the Associate Dean for Undergraduate Studies (who shall preside), nine elected faculty, with three members elected from each division and no more than one member from any one department, and five students appointed by the Student Government Board. The Council shall deal with matters of curricula and instructional programs, degree requirements, admissions, grading regulations, and other related academic matters in the Arts and Sciences Undergraduate programs as the Council of initial jurisdiction. The A&S-UC shall report its actions to A&S Council, and may refer any matter to A&S Council for decision. Actions of the A&S-UC shall take effect 30 days (excluding regularly scheduled vacations) after gazetting as prescribed in paragraph 13, unless (a) it is overridden by the Arts and Sciences Council within 20 days after gazetting, or (b) a petition of 40 members of the faculty is received by the Dean in the interim calling for a full faculty meeting to vote on the issue in question.
9. **Arts and Sciences Graduate Council (A&S-GC).** This Council shall consist of the Associate Dean for Graduate Studies and Research (who shall preside),

six elected faculty, and five students elected by the Graduate Student Organization. The Council shall deal, in accordance with the regulations of the University Council on Graduate Study, with the matters noted in paragraph 8 above for which it is the Council of initial jurisdiction. The Graduate Council shall report its activities to A&S Council, and may refer any matter to A&S Council for decision. Actions of the A&S-GC shall take effect 30 days (excluding regularly scheduled vacations) after gazetting as prescribed in paragraph 13, unless (a) it is overridden by the Arts and Sciences Council within 20 days after gazetting, or (b) a petition of 40 members of the faculty is received by the Dean in the interim calling for a full Arts and Sciences meeting to vote on the issue in question.

10. **Arts and Sciences Planning and Budgeting Committee (A&S-PBC).** This Committee shall consist of the Dean (who shall preside); the Associate Dean for Faculty Affairs, the Associate Dean for Graduate Studies and Research, and the Associate Dean for Undergraduate Studies; three faculty members (one from each division) appointed by the A&S Council from among its elected members; three faculty members elected directly by division; three Staff members elected by division; and three Graduate Student members (one from each division) appointed by the A&S Graduate Student Organization. The A&S-PBC members will serve for staggered three-year terms and meet as necessary during the year. The A&S-PBC shall work with and advise the Dean regarding budgetary matters and planning in the framework of the University's Planning and Budgeting System (PBS) as adopted originally in 1992 and modified from time to time.
11. **College of General Studies Representation.** While the Council of the College of General Studies is independent of A&S Council and its actions cannot be overruled by A&S Council, the College of General Studies shall have representation in the School of Arts and Sciences as provided in paragraph 2.
12. **Meetings of Councils.** Each Council shall determine the frequency and time of its meetings. A quorum shall be half of the membership of the Council.
13. **Nominations and Elections.** No later than one month prior to the October meeting of the School of Arts and Sciences each year, A&S Council shall prepare a slate of at least six candidates for membership on the Arts and Sciences Nominating Committee. The slate shall include at least two candidates from each of the three divisions, and each candidate shall have given prior indication of willingness to serve. The slate shall be advertised in the A&S Gazette at

least 10 days prior to the October meeting. The slate shall be presented at that meeting; additional candidates, who have indicated their willingness to serve either by statement at the meeting or by prior consent in writing, may be nominated from the floor. The School of Arts and Sciences shall then elect the Nominating Committee of six members, including two members from each of the three divisions, for a term of one year. This committee shall nominate at least two faculty members to stand for election for each vacancy on the A&S Council, A&S-UC, A&S-GC, and A&S-PBC, and obtain the agreement of these candidates. The list of nominees shall be circulated to the members of the School not later than the end of January. Additional nominations may be made in any division by petition of 20 faculty members in that division, which petition must be in the hands of the Dean of the School of Arts and Sciences no later than the end of February. The Dean will then conduct a mail ballot of all members of the School of Arts and Sciences during March; members will vote for candidates in their own division; the candidates in each division with the highest number of votes shall be declared elected, and take office September 1. Terms of service for A&S Council, A&S-UC, and A&S-PBC shall be for three years; for the other Councils, terms shall be for two years. In case of vacancies in any Council, that Council shall make interim appointments effective until the next election. Councilors shall not serve consecutive terms, but may be reelected after an absence of one year. When elections to a Dean's Search Committee are necessary, the nominating committee provided for in this paragraph shall be convened, and shall choose a slate of eight Arts and Sciences members; from this slate, four members of the Search Committee shall be elected by mail ballot of the eligible voters. Appointments shall be made with the consent of the committee obtained in a closed meeting.

#### IV. COMMUNICATION

14. All formal actions of the School of Arts and Sciences and its various Councils will be reported in a Gazette. The Gazette will be published at least twice each month (excluding regularly scheduled vacations) and immediately after a meeting of the A&S-UC, A&S-GC, A&S Council, or the full School of Arts and Sciences. It will report all actions referred to in paragraphs 7, 8, and 9 above as well as the formal actions of the School of Arts and Sciences general meetings. In the event no action occurs, the Gazette will announce lack of activity. A copy of the Gazette will be distributed to each department and it will be posted on a bulletin board outside of the School of Arts and Sciences offices. The Gazette will also be used to announce A&S faculty appointments, promotions, resignations, deaths, etc.

V. AMENDMENT OF BYLAWS

15. **Amendments.** Amendments may be proposed by A&S Council, or by petition of 25 members presented to the Dean. To take effect, an amendment must be moved, seconded and debated in a meeting of the full School, and voted on by mail ballot.

VI. PARLIAMENTARY AUTHORITY

16. In the absence of any bylaw or standing rule to the contrary, *Robert's Rules of Order Newly Revised* shall govern transactions of this organization.

**SCHOOL OF ARTS AND SCIENCES**  
**STATEMENT ON**  
**DEPARTMENTAL GOVERNANCE**

(originally printed in the FAS GAZETTE, Vol. 5, No. 7, December 14, 1973, edited on July 1, 1985; edited on September 15, 2003; amended on March 29, 2005)

The following principles and procedures shall be observed by all departments within the School of Arts and Sciences. They are to be considered minimal guidelines; particular departments may elect to adopt more detailed statements of governance.

**General.** Chairpersons shall act in concert with their respective Faculties. They shall seek the opinion and advice of their colleagues. Chairpersons may make determinations contrary to such counsel; but, if they do so, there arises a duty to account for their reasons—both to the department and to administrative superiors. Chairpersons shall fully disclose the nature and extent of their disagreement with faculty opinion.

Chairpersons serve as representatives of their respective departmental Faculties to the administration and therefore their authority should be perceived as primarily derived from the faculty. To be effective a Chairperson must exhibit qualities of intellectual leadership, devotion to scholarship, and academic excellence and concern for growth and development of the department. Chairpersons should be ever mindful that they earn the respect of their colleagues by demonstrating these qualities of leadership and not by instilling fear or by setting department members against one another. A productive academic environment requires a Chairperson who is consistently self-controlled and who has a considerable capacity for tolerance and empathy.

**Departmental Bylaws.** It is essential that faculty understand how their departments operate, particularly at a University where faculty reflect varied origins, back-

grounds, and educational experiences, and effective and open departmental governance structures allow faculty (and students, where appropriate) to participate fully in the decision-making process in their teaching units.

Departments are therefore required to maintain, distribute to faculty members annually, and translate into practice a set of Bylaws consistent with A&S Bylaws, University Bylaws, and University Policies and Procedures that, at a minimum, address the functions listed below:

- Recommendations to the Dean regarding Chair appointments
- Conduct of Departmental business
- Determination and staffing of undergraduate and graduate curricula and requirements
- Departmental planning and its budgetary impacts
- Departmental procedures appropriate for faculty processes and actions

**Consultation on major issues.** Faculty members and, when appropriate, graduate students and undergraduate majors shall be consulted on all academic issues involving the department, such as appointments, promotions, curriculum, program requirements, academic priorities, general policies concerning course and committee structures and responsibilities, and budget policy.

**Faculty appointments and promotions.** The University Bylaws state that the Dean “shall take into account the recommendations of the Chairmen of the Departments and the faculties concerned.” In recommending faculty appointments and promotions the Chairperson shall furnish the Dean with evidence concerning the extent to which members of the department favor or oppose the prospective appointee.

**Accountability and term of office.** Since the faculty is accountable to the Chairperson and the Dean, in turn the Chairperson shall be accountable to the Dean and to the faculty of that department. Chairpersons shall be appointed on the recommendation of the Dean for a specified maximum period of time not to exceed five years following consultation with the faculty. They are eligible for reappointment following an appropriate review. A secret ballot shall be used to determine faculty judgment in matters of appointment and reappointment of Chairpersons.

The Dean shall be instrumental in arranging for this and other expressions of opinion and shall take these expressions under advisement.

**Meetings.** In each Fall and Spring Term the Chairperson shall call at least one meeting for which any member of the faculty may place an item on the agenda.

**INTERPRETATIVE NOTE**  
**BY EX-DEAN J. L. ROSENBERG**

The [original of the] above document was approved by FAS Council at its meeting of December 6, 1973. The first sentence of the second paragraph under the heading General may be subject to a misleading reading. Traditionally, and by specific delegation from the Trustees and the Chancellor, departmental Faculties have a number of areas of primary responsibility, including curriculum design, instructional practice, grading and initial consideration of faculty appointments. In such matters the Chairperson is charged with representing the positions of the faculty to the administration. In other areas, including budget, personnel management, and salary practice, authority is specifically delegated from the Trustees to the Chairperson through an administrative chain including the Chancellor, Provost, and Dean. The Bylaws of the University, for example, particularly charge the Chairperson with making a recommendation on faculty personnel matters separate from the recommendation of the departmental faculty. In short, the concept of authority in the University structure is a complex one, involving different roles for various components in the institution with the ultimate legal locus in the Board of Trustees.

**CRITERIA AND PROCEDURES**  
**FOR APPOINTMENT, REAPPOINTMENT,**  
**PROMOTION, AND CONFERRAL OF TENURE**

adopted by the Faculty of Arts and Sciences  
on October 28, 1976;  
amended by FASC on March 21, 1978;  
amended by FAS on October 28, 1980, March 24, 1981,  
February 25, 1982, and October 23, 1984;  
amended by FASC on January 23, 1985;  
edited on July 1, 1985;  
amended by FAS on February 8, 1996, April 1, 1998,  
April 24, 2001, and April 16, 2003

**A. ON CRITERIA FOR PROMOTION OR APPOINTMENT TO TENURED RANK**

Criteria for promotion or appointment to tenured rank have been published in the Faculty Handbook. These criteria are formulated in rather general terms to cover all divisions of the University so that relative importance within the triune of research, teaching and other professional activities cannot be specified. Even within the School of Arts and Sciences, the variety of individual and departmental goals, some of which are specified in departmental statements, presents obstacles to the formulation of specific and detailed guides that would have general applicability. Individuals and departments are concerned with teaching and research or other creative activities, but the emphasis within this broad area of scholarly concern is necessarily and desirably variable.

Within the School of Arts and Sciences, tenure is awarded for demonstrated excellence together with the promise of continued excellence in scholarship, in whatever form that scholarship takes. Teaching and research (or creative activity), the two principal functions of the University, are also the two principal forms of scholarship. The relationship between the two is complex, and no single formula could serve as an adequate guide in every tenure case. All departments in a University School of Arts and Sciences should be concerned with advancing knowledge as well as teaching students, but the balance between research and teaching need not be the same for every department, nor for every faculty member. Although the balance may be shaped over time by the faculty member and the department, it must be justified to the University when the faculty member stands for tenure. Excellence in research should not excuse incompetence in teaching, and teaching that is not founded in scholarship can make no claim to excellence.

In judging excellence, the indispensable ingredient for promotion to tenured rank should be creative or intellectual vitality as reflected in the candidate's teaching, and in the candidate's contribution to the advancement of knowledge or in his or her artistic activity. Vitality is best revealed through the candidate's activities—classroom performance, research, writings, artistic creations. These should be assessed for the evidence they reveal of intellectual power and originality. Quantitative measures of productivity and popularity, however useful, are no substitutes for qualitative judgments. Evaluations of the candidate's record of achievement will be used primarily to judge future promise. Elements of this evaluation shall include the quality and originality of the candidate's contributions to the advancement of knowledge, the candidate's status with respect to the standards of excellence in the discipline, and performance as a teacher. Tenure is not a reward for past services, but a kind of contract, a lifetime of security in exchange for a lifetime of continued creative scholarship.

The determination of excellence is basically a peer judgment, the responsibility of the faculty. The procedures set forth in this document provide a framework wherein all aspects of creative scholarship are to be evaluated, both by the tenured members of the department concerned and by the faculty at large through the Tenure Council.

**B. DEPARTMENTAL PROCEDURES CONCERNING FIRST APPOINTMENT, THIRD-YEAR REVIEW, AND PROMOTION TO ASSOCIATE PROFESSOR WITH TENURE**

**1. First Appointment**

The appointment of new faculty members is a matter in which the departments should exercise great care and diligence. Every member of the department should partici-

pate in the appointive process, and should have a voice in any decision. The following considerations apply particularly to the appointment of Instructors and Assistant Professors.

Candidates should be solicited by advertisement in appropriate journals, by extensive canvassing, and by other suitable means, in a manner consonant with applicable standards of affirmative action. The credentials of candidates thus solicited should be closely scrutinized. Candidates' potential as scholars or artists and teachers should be evaluated rigorously. The most promising candidates should be invited to meet personally with all members of the department, and to submit for examination examples of their scholarly or creative work. A seminar presentation, lecture-discussion session, or other kind of performance should be required of each such candidate, to assist department members in judging the quality of the candidate's training and potentialities as teacher and scholar.

When all candidates for a position have been fully evaluated, the Chairperson shall canvass the views of all members of the department to determine whether a consensus exists favoring the appointment of one of the candidates. The results of that canvass, together with the Chairperson's recommendation and all other relevant materials, shall be forwarded to the Dean for the Dean's action. The Chairperson's recommendation should provide a detailed rationale for the proposed appointment, including the anticipated contribution of the prospective appointee to the short- and long-term plans of the department.

## **2. Faculty Dossier**

From the time of first appointment, the department shall maintain a dossier on each faculty member, for the purpose of assisting the Chairperson in advising the faculty member on his or her progress, and to provide evidence which the tenured faculty may use in deciding questions of renewal or promotion. The dossier shall include material bearing on the faculty member's teaching and research or creative activity, and service to the department, the University, and the community.

Materials on teaching should be collected continually for inclusion in the dossier, so that the faculty member's colleagues will have sufficient information to make sound evaluations of teaching effectiveness. These materials may include course materials (such as syllabi, course descriptions, reading lists, etc.), student evaluations, peer evaluations, and self-evaluations by the faculty member.

It shall be every faculty member's continuing responsibility to keep the dossier up to date in regard to research activities. The faculty member should provide the Department Chairperson with copies of published work and, at the faculty member's discretion, copies of samples of work in progress. The dossier should contain a record of publi-

cations or other public demonstrations of achievement (such as films, recitals, plays directed, etc.), a record of research grants and other awards received by the faculty member, and reviews of published work and comments by others in the faculty member's special field.

The dossier should include a summary of the faculty member's professional activities apart from research and publication, including attendance at conferences, presentation of papers, participation in cooperative projects, etc. The dossier should also include any evidence of professional recognition, such as election to office in professional associations. Similarly, the dossier should contain a current record of the faculty member's extra-scholarly contributions to the department, the University, and the community. This record may include a summary of committee memberships, elective posts held, community activities, etc.

The Department Chairperson shall inform every faculty member of his or her obligations in regard to keeping the dossier current and complete.

## **3. Annual Evaluation**

Each year, the Department Chairperson shall write a letter of evaluation for each Instructor and Assistant Professor in the tenure stream, and for Associate Professors who do not hold tenure. This letter shall be separate from the annual salary letter. This annual letter of evaluation should be specific and detailed in communicating departmental and University expectations for tenure, the faculty member's progress toward tenure, and suggestions for improvement in areas where performance is not satisfactory.

## **4. Third-Year Review**

Every Instructor and Assistant Professor shall be formally reviewed by the entire tenured faculty of the department in the third year of service. This review should coincide with a decision whether to renew the candidate's contract, and periods of appointment should be designed with this in mind. The Chairperson of the department shall be responsible for initiating the review.

The third-year review need not be conducted for Instructors and Assistant Professors who have been notified that the third year of service will be a terminal year of appointment, so long as the timing of the notification has been in accordance with the University Policy on Appointments and Tenure.

When a decision to recommend renewal is made, the Chairperson shall inform the candidate in detail of the judgments and comments of the tenured faculty, as an aid to the candidate's efforts to develop as a teacher and scholar, and to assist the candidate in evaluating and improving his or her prospects for eventual promotion to

tenured rank. In case a decision not to recommend renewal is made at the third-year review, the candidate shall be offered a terminal appointment of one additional year; and again the Chairperson shall inform the candidate of the judgments of the tenured faculty.

In preparation for a third-year review the Chairperson or a committee designed by the Chairperson shall assemble all relevant materials bearing on the candidate's development as a teacher and scholar, or creative artist. The candidate shall be given an opportunity in good time to present a written statement setting forth the candidate's achievements, progress, and goals, and to offer any other evidence that the candidate may wish. After an adequate period of discussion the Chairperson shall canvass the tenured faculty, and convey their recommendation to the Dean.

### 5. Promotion to Associate Professor with Tenure

Every senior member of a department must acquaint himself or herself as fully as possible with materials on teaching, research and service contained in the dossier of a colleague standing for tenure. The dossier should be supplemented by at least six letters from specialists of stature in the candidate's field. These evaluations shall be solicited by the Department Chairperson or by faculty member(s) whom the Chairperson designates in a non-biased fashion and with the assurance of confidentiality. These letters shall normally be available during the department's deliberations on the candidate's promotion. All letters received, whether congruent or not to the departmental judgment, must be forwarded to the Dean. No more than half of the names chosen by the department as external referees may be taken from the list suggested by the candidate. The referees should receive examples of the candidate's work, a curriculum vitae prepared by the candidate, and any other materials that might assist them in evaluating that candidate's scholarship. They should be asked to compare the candidate's potential for future research or other creative activity with that of others at a similar stage of professional development. The Chairperson should solicit the advice of faculty from other departments who have been associated with the candidate in academic activities. A candidate for promotion or tenure shall submit a written statement, outlining research and teaching accomplishments and goals, to be forwarded to the Dean as part of the dossier.

Well before the tenured faculty meets to discuss the candidate's promotion, the Chairperson shall invite the candidate to provide materials bearing on his or her performance, including, if the candidate wishes, a statement outlining accomplishments and goals. All materials, including the candidate's statement and the letters of evaluation, shall be studied and discussed by the department's tenured faculty. After their meeting the Chairperson shall obtain a signed ballot from each of them. (If at the time of the meeting one or more years remain before University rules would require the department to recommend either that a faculty member be promoted or that the faculty

member's contract be terminated, the department may elect to defer action. In this case the Chairperson shall inform the candidate of the reasons for the decision, but need not inform the Dean.)

At least five tenured faculty shall have participated in the department's discussions and balloting before the department makes its recommendation to the Dean. If a department has fewer than five tenured faculty members, the tenured members of the department, together with the Dean, shall invite a sufficient number of senior faculty from other departments within the University to participate in the departmental discussions and balloting. Those so invited should have academic interests that would especially equip them to assist the department in its deliberations on the particular candidate.

A departmental recommendation in favor of promotion to tenured rank should normally reflect a consensus of the department's faculty. At a minimum, such a recommendation must be supported by a majority of the votes of those who have participated in departmental deliberations.

The departmental decision on whether to recommend a promotion to tenured rank will be conveyed to the Dean as a recommended personnel action, accompanied by the signed ballots of the senior faculty, a Chairperson's cover letter, and the supporting materials described in the Provost's guidelines. The cover letter should summarize and interpret the evidence bearing on the candidate's real and potential achievements and role in the department. In the event of a significant difference of opinion at the meeting, the Chairperson shall ask one or more persons whose views are not fully expressed in the cover letter to write to the Dean.

The Chairperson shall inform the candidate of the substance and rationale of the departmental recommendation in as much detail as is possible without infringing on the privacy of communications from referees or ascribing views expressed at the departmental meeting to individual faculty members.

### C. REVIEW BY THE DEAN OF DEPARTMENTAL RECOMMENDATIONS FOR APPOINTMENT OR PROMOTION TO TENURED RANK

1. The tenure-stream faculty of each department with fewer than 20 faculty members in the tenure stream shall elect a tenured member to serve as a representative to the Arts and Sciences Tenure Council. The tenure-stream faculty of each department with 20 or more faculty members in the tenure stream shall elect two tenured members to the Arts and Sciences Tenure Council.
2. Members of the Tenure Council shall serve for two years, with half the members elected each year.

3. The Tenure Council shall elect a Secretary.
4. The Tenure Council shall each year elect from among its members a Selection Committee, composed of six members, including two each from the natural sciences, social sciences, and humanities. The purpose of the Selection Committee shall be to choose faculty members from among the members of the Tenure Council to serve on Review Committees in cases of appointment or promotion to tenured rank.
5. Members of the Selection Committee shall serve for one year and may be re-elected once.
6. Whenever a recommendation for appointment or promotion to tenured rank is submitted by a department to the Dean, the Dean shall seek the advice of a Review Committee composed in the following manner:
  - a. The Dean shall meet with the Selection Committee of the Arts and Sciences Tenure Council, to choose members of the Review Committee.
  - b. Each Review Committee shall consist of six members, including three members named by the Selection Committee from among the members of the Arts and Sciences Tenure Council, and three members named by the Dean.
  - c. One or more of the faculty members named by the Dean may be from schools or faculties of the University other than Arts and Sciences or from other academic institutions.
  - d. No one whose primary appointment is in the candidate's department may serve on a Review Committee for that candidate.
  - e. The Review Committee shall elect a Chairperson whose duty it shall be to Chair meetings and to prepare the report of the Committee.
  - f. The report of each Review Committee shall be distributed to the Chairperson of the recommending department, with deletion of attributions of views to individual members of the Review Committee. A numerical vote of the Review Committee shall be included in the report that is sent to the Chairperson.
7. The Dean shall review every department's recommendation against the granting of tenure, for evidence of any substantive or procedural inadequacy or impropriety. The Dean, at his or her discretion, may ask the department to review a negative recommendation or may choose to seek the advice of a Review Committee.
8. The Dean may seek the advice of a Review Committee when a department recommends a first appointment, without tenure, at the rank of Associate Professor or Professor.
9. The Chairperson of the Review Committee shall invite the Dean, the Associate Dean for Faculty Affairs, the Associate Dean for Graduate Studies and Research, and the Associate Dean for Undergraduate Studies to attend all meetings as non-voting participants.
10. The Chairperson of the candidate's department or the Chairperson's representative shall appear before the Committee, to discuss in detail the candidate's dossier and the department's recommendation, and to answer any questions from Committee members.
11. In reviewing a recommendation for appointment or promotion to tenured rank, the Review Committee shall seek, on the basis of the materials provided by the Dean, the department, and the candidate, and such other evidence as the Committee finds necessary, to assess the candidate's level of achievement and promise of growth both as a teacher and as a scholar. In arriving at a recommendation the Review Committee shall be governed so far as possible by uniform standards of excellence as established from time to time by the University as a whole and by the School of Arts and Sciences. Application of these standards shall take account of the special characteristics of the several academic disciplines, and the peculiar needs of the individual departments.
12. If the materials that have been provided to the Review Committee suffer from lacunae or other deficiencies such that the Committee cannot proceed in a reasonable way, the Committee shall return these materials to the Dean and postpone further discussion on the case until the deficiencies in the candidate's dossier have been remedied.
13. The Chairperson of the Review Committee shall report in writing the results of the Committee's deliberations to the Dean. The report shall include the results of a vote on the question of whether to recommend appointment or promotion to tenured rank.
14. The Dean shall report on his or her action in each case to the Review Committee, the Chairperson of the candidate's department, and the candidate. The Dean shall at that time also inform the candidate at the candidate's request of the names of the members of the Review Committee.
15. The Secretary of the Tenure Council shall report annually to the School of Arts and Sciences. The report shall include a statistical summary and analysis of the year's tenure cases and their disposition.



**D. REVIEW BY THE DEAN OF DEPARTMENTAL RECOMMENDATIONS FOR PROMOTION TO PROFESSOR**

1. Before acting on a recommendation for promotion to Professor, the Dean shall seek the advice of a Review Committee composed in the following manner:
  - a. The Dean shall meet with the Selection Committee of the Arts and Sciences Tenure Council, to choose members of the Review Committee. (See Section C points 1-5 for description of Arts and Sciences Tenure Council.)
  - b. Each Review Committee shall consist of five members, all of whom must hold the rank of Professor, including two members named by the Selection Committee from among the members of the Arts and Sciences Tenure Council, and three members named by the Dean.
  - c. One or two of the faculty members named by the Dean may be from schools or faculties of the University other than Arts and Sciences or from other academic institutions.
  - d. The Review Committee shall elect a Chairperson whose duty it shall be to Chair meetings and to prepare the report of the Committee.
  - e. The report of each Review Committee shall be distributed to a representative of the department's Professors, with deletion of attributions to individual members of the Review Committee. A numerical vote of the Review Committee shall be included in the report.
2. The Chairperson of the Review Committee shall invite the Dean, and, where appropriate, the Associate Dean for Faculty Affairs, the Associate Dean for Graduate Studies and Research, and the Associate Dean for Undergraduate Studies, to attend all meetings as non-voting participants.
3. When the Chairperson is not of full rank, a representative of the Professors AND the Chairperson should be invited to appear before the Review Committee. The representative of the Professors should take the lead. When the Chairperson is not of full rank, he/she should not have primary responsibility for presenting the case.
4. In reviewing a recommendation for promotion, the Review Committee shall seek, on the basis of the materials provided by the Dean, the department, and the candidate, and such other evidence as the Committee finds necessary, to assess the candidate's level of achievement both as a teacher and as a scholar. The

rank of Professor recognizes the attainment of authoritative knowledge and reputation in a recognized field of learning and the achievement of effective teaching skill. In arriving at a recommendation the Review Committee shall be governed so far as possible by uniform standards of excellence as established from time to time by the University as a whole and by the School of Arts and Sciences. Applications of these standards shall take account of the special characteristics of the several academic disciplines and the peculiar needs of the individual departments.

5. If the materials that have been provided to the Review Committee suffer from lacunae or other deficiencies such that the Committee cannot proceed in a reasonable way, the Committee shall return these materials to the Dean and postpone further discussion in the case until the deficiencies in the candidate's dossier have been remedied. In cases where there are few Professors in the department, the Review Committee may be asked by the Dean to assemble the dossier of the candidate.
6. As soon as possible, the Chairperson of the Review Committee shall report in writing the results of the Committee's deliberations to the Dean. The report shall include the results of a vote on the question of whether to recommend promotion.
7. The Dean shall report on his or her action in each case to the Review Committee, the representative of the Professors of the department, and the candidate. The Dean at that time shall also inform the candidate at the candidate's request of the names of the members of the Review Committee. Normally, the Dean shall make a decision within six months after receiving the departmental recommendation.
8. The Secretary of the Tenure Council shall report annually to the School of Arts and Sciences. The report shall include a statistical summary and analysis of the year's cases and their disposition.

**E. PROCEDURES FOR APPEALING DENIALS OF REAPPOINTMENT OR PROMOTION**

**1. Calling the Hearing**

- a. When a faculty member has received written notice of non-renewal or non-promotion, and wishes to appeal that decision, the faculty member may elect either of two courses of action:

- (1) The faculty member may ask for a reconsideration of the case by the Dean. Such a request must be made within 30 days of receipt of the notice of non-renewal or non-

promotion; the faculty member may accompany this request with any additional materials in support of his or her case which the faculty member may wish to submit. This reconsideration must be completed within 90 days of its request. If, upon reconsideration of the faculty member's case, the Dean reaffirms the original decision, the Dean shall so notify the faculty member and, on the request of the faculty member, the Dean shall furnish the faculty member with a written statement of reasons for non-renewal or non-promotion within 90 days of the original request for reconsideration. If the faculty member has reason to believe he or she has been treated unjustly, the faculty member may request a formal hearing by an Appeals Panel.

- (2) The faculty member may elect not to ask for reconsideration but may, instead, immediately request that the Dean provide the faculty member with a written statement of reasons for non-renewal or non-promotion. Such a request must be made within 21 days of receipt of the notice of non-renewal or non-promotion; and the written statement of reasons for non-renewal or non-promotion must be furnished to the faculty member within 14 days of the request. If the statement is not provided within 14 days, the faculty member may then request a formal hearing by an Appeals Panel.
- b. Upon receiving a written statement of reasons for non-renewal or non-promotion, the faculty member has 30 days in which to submit a request to the Dean for a hearing.
- c. The Dean shall inform the Secretary of the Tenure Council that a hearing has been requested. The Secretary of the Tenure Council, in the presence of the aggrieved faculty member and the Dean, shall choose by lot 11 members of the Tenure Council to serve as an Appeals Panel in the case. No member of the aggrieved faculty member's department, nor of any Review Committee that has previously considered the faculty member's case, shall serve on the Appeals Panel. A member of the Tenure Council who has served on an Appeals Panel in a given year may not normally serve again in the same year until all other members have served. At the time of the drawing the aggrieved faculty member and the Dean each may choose to challenge up to two names so drawn. The Secretary of the Tenure Council will then draw seven names from the names remaining, and the first five will consti-

tute the Appeals Panel and the remaining two will serve as alternates.

This Appeals Panel shall normally be convened within 30 days of the faculty member's request, and in no case later than 60 days, excluding the month of August, following such request.

- d. These hearing procedures shall not be used to handle grievances concerning salary, teaching assignments, or other aspects of work load.
- e. These hearing procedures may be used to review an actual decision not to promote a tenured Associate Professor but may not be invoked if there had not been a prior evaluation at the departmental level.

## 2. Procedures

- a. Each Appeals Panel shall elect a Chairperson and keep an account of its proceedings. This shall be stored in the Office of the Provost for as long a period of time as the University Counsel may specify.
- b. The Appeals Panel may request the Department Chairperson concerned and the Dean to give testimony. If the case has been previously considered by a Review Committee, a copy of the Review Committee's report shall be furnished to the Appeals Panel, and the Appeals Panel may ask the Chairperson of the Review Committee to give testimony.
- c. At or prior to the first session of the Appeals Panel called to hear the case, the aggrieved faculty member shall furnish the Panel with a written statement of the grounds for appeal. The Appeals Panel need not confine itself to the issues that the aggrieved faculty member may have raised in this written statement. The aggrieved party has the right to present any documents, evidence, supporting testimony, and advocates in his or her behalf. The aggrieved party shall also have the right to receive a summary of the substance of other materials presented as evidence or testimony in the case, but the sources of such materials shall remain confidential.
- d. Appeals proceedings shall be conducted in closed sessions, with witnesses appearing one at a time. Each Appeals Panel should feel free to limit the number of witnesses and to limit the allocated time for presentation of testimony by each witness, keeping in mind the written guidelines for all Panels, considerations of fair-

ness to the appellant, the need to preserve the confidentiality of the proceedings, and the practical need to bring the hearings to a timely conclusion.

### 3. Purpose of the Hearing

The Appeals Panel shall decide on the basis of the evidence put before it whether the decisions by the department, the Review Committee, and the Dean were ones that reasonable men and women acting disinterestedly might have reached. The Appeals Panel shall also seek to determine whether there were inadequacies or improprieties in the treatment of the aggrieved faculty member's case, and, if there were such inadequacies or improprieties, whether these were of such moment as to have prejudiced the outcome of the case.

It is not appropriate to challenge the participation of a faculty member in a review process on the grounds that that person had some familiarity with the candidate's work or had expressed professionally based opinions about some of the work.

If a Review Committee member is accused of personal bias in an appeal proceeding, there shall be a requirement that evidence be presented to substantiate the allegation and, if the Appeals Panel does not itself reject the allegation, the person against whom the allegation is made shall be given an opportunity to appear before the Appeals Panel to learn of the allegation and to respond to it.

### 4. Action

- a. The Chairperson of the Appeals Panel shall submit the findings of the Appeals Panel in writing to the Provost, together with the written record of the Panel's proceedings. The findings shall be in the form of a summary determination of the facts, accompanied by one of the following recommendations:
  - (1) that the Dean's decision be allowed to stand;
  - (2) that the case be reconsidered at the departmental level;
  - (3) that the case be referred to a Review Committee;
  - (4) that the Provost ask the Dean to reconsider the Dean's action;
  - (5) that the Provost reconsider the Dean's decision.

A copy of the findings shall be provided by the Chairperson of the Appeals Panel to the Dean, the Chairperson of the Department concerned, and the aggrieved faculty member.

- b. The timeliness of notification of non-renewal shall be considered to be adequate if the original notification was sent within the required period even if requests for reconsideration, for written reasons, or for a hearing are made after the required period for notification.

### F. INTERPRETATIONS

The following interpretations are not part of the resolution adopted by the faculty, but they may be taken as statements of current practice:

1. Interpretations provided to the faculty by the special committee that drafted the above resolution, during the debate at the FAS meeting of October 28, 1976.
  - a. The proposal does not preclude the submission by a Chairperson of his or her own recommendation, along with that of the tenured faculty, in matters of reappointment, promotion, or conferral of tenure.
  - b. In the report by a Chairperson to a faculty member about the results of the third-year review within the department, the Chairperson should convey as much detail as possible subject to the maintenance of confidentiality of individual views.
  - c. A Review Committee is not precluded from inviting persons in addition to the Chairperson to appear before it.
  - d. The Dean and the Associate Deans are not precluded from adding items to a faculty member's dossier.
  - e. A Review Committee is not precluded from requesting additional material to supplement the record given to it.
  - f. Appointment of an Instructor to a terminal one-year appointment or to a terminal second year is not precluded. Termination of an Instructor at the end of a third year is not precluded so long as notification is given prior to the beginning of the third year.
2. Additional interpretation of Dean J. L. Rosenberg, first appearing in Volume 9, #1, 1977 Gazette.

If the Dean has sought the advice of a Review Committee when a department recommends a first appointment, without tenure, at the rank of Associate Professor or Professor, the Dean need not consult a Review Committee again if tenure is recommended within one year of the initial appointment.

3. Interpretation of the last paragraph of E.2.c, made by the Tenure Council on December 17, 1980.

The Dean's written statement of reasons shall include the summary of such material presented up to the time of the Dean's decision.

The Chairperson of the Appeals Panel shall supply the summary of new materials presented subsequent to the Dean's decision, in written form. The aggrieved party shall have the right to present evidence in response to that material.

4. Interpretation of D.1.b, made by FASC on March 25, 1982.

For purposes of selecting Tenure Council members for Review Committees to advise the Dean on proposed promotions to the rank of full Professor, both regularly designated members of the Tenure Council as well as alternates may be considered as members of the Tenure Council pool so long as they hold the rank of full Professor.

5. Interpretation of C.6.a. and D.1.a, made by FASC on March 25, 1983.

When the members of the Selection Committee are

elected by the Tenure Council for a given year, one alternate should also be elected for each division. In the discussion by the Selection Committee leading to the selection of a Review Committee for a person in whose Departmental consideration a Selection Committee member has previously participated, that Selection Committee member should be replaced by an alternate from the same division.

**REVIEW AND APPEAL PROCEDURES**  
**AT THE UNIVERSITY LEVEL**

Attention of the faculty is called to a document, "Faculty Reviews and Appeals Principles and Procedures," dated May 16, 1978, and amended on May 13, 1981 and February 13, 1985, which describes review and appeal procedures for the University as a whole, including a description of the role of the University Senate Committee on Tenure and Academic Freedom.



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