

1 UNIVERSITY OF OREGON COUNTERPROPOSAL (11/21/2024)
2 UNITED ACADEMICS COUNTERPROPOSAL (11/13/2024)
3 UNIVERSITY OF OREGON COUNTERPROPOSAL (10/17/2024)
4 UNITED ACADEMICS COUNTERPROPOSAL (9/26/2024)
5 UNIVERSITY OF OREGON COUNTERPROPOSAL (8/13/2024)
6 UNITED ACADEMICS COUNTERPROPOSAL (7/15/24)
7 UNIVERSITY OF OREGON PROPOSAL (4/18/2024)

8
9 **Document Key**

10 UA new | ~~UA deletion~~ | UO new | ~~UO deletion~~ | Accepted | Deleted | Status Quo | Restored

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12 [UO Trade: 10 vs. 14 days for a faculty member to provide a review response. UO can agree to
13 go from 10 days to 14 days in Section 15, 16, 24, 31, 35, & 36 in exchange for moving the
14 decision due date to June 15 from June 1 in Section 17 & 21. Current proposal reflects 10 days
15 and maintains June 1.]
16

17 **ARTICLE 20. TENURE REVIEW AND PROMOTION**

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19 **Section 1.** This Article applies only to bargaining unit faculty members in the Tenure-Track and
20 Tenured classification. Tenure is in the University, and not in a college, school, department,
21 program, or discipline. The award of tenure requires an express grant by the Provost
22 communicated in writing to the bargaining unit faculty member and signed by the Provost. There
23 is no de facto tenure. Tenure means that the bargaining unit faculty member's employment may
24 be terminated only for cause (Article 24), or in case of program eliminations or reductions
25 (Article 25).
26

27 **Section 2. Standards and Guidelines.** The University follows the same general timetable,
28 process, and standards of performance for evaluation and promotion as do many other public
29 research universities, particularly AAU institutions. The University also considers AAUP
30 guidelines for tenure review and promotion. All department or unit review guidelines shall be
31 established and revised by the processes set out in Article 4.
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34 **Reviews**

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36 **Section 3.** Reviews for bargaining unit faculty members in the Tenure-Track and Tenured
37 classification will consist of (1) annual reviews for faculty not holding tenure; (2) mid-term
38 reviews between appointment and tenure review for the faculty without tenure; (3) tenure and
39 promotion reviews; (4) third-year post-tenure reviews for tenured faculty in the third year
40 following: *[inserted list formatting for clarity]*

- 41 a. a tenure and/or promotion decision, or
- 42 b. a previous third-year review for associate professors (if a promotion to full professor
43 review is not taking place in the same year);, or
- 44 c. following a sixth-year post-tenure review for full professors;

45 (5) promotion-to-full-professor review for tenured faculty in their sixth year or later after
46 receiving tenure; and (6) sixth-year post-tenure reviews for full professors ~~tenured faculty~~ in
47 their sixth year following a ~~tenure and/or~~ promotion to full decision or following a previous

48 sixth-year review.

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51 **General Review Provisions**

52

53 **Section 4. Accelerated-Early Review.** An ~~accelerated-early~~ tenure review may occur in
54 particularly meritorious cases as determined by the Office of the Provost in consultation with the
55 appropriate dean, department, or unit head, and the bargaining unit faculty member.

56

57 **Section 5. Notice of Meetings.** A bargaining unit faculty member will receive at least three
58 days' notice of any meeting or hearing, which the member is invited or required to attend with a
59 dean or the Provost or designee regarding recommendations or decisions on promotion or tenure.
60 The bargaining unit faculty member may have a colleague or Union representative present at the
61 meeting as an observer.

62

63 **Section 6. Waiver of Access to Materials.** Bargaining unit members have the right whether to
64 waive in advance in writing their access to see any or all of the evaluative materials (see Article
65 8, Personnel Files). The choice by the bargaining unit faculty member to waive or not waive
66 access to evaluative materials shall not be considered during the evaluation process. Such
67 waivers, however, shall not preclude the use of redacted versions of these documents in an
68 appeal process (Article 21). The redacted versions are intended to protect the identity of
69 reviewers, who are informed about the faculty member's waiver choice.

70

71 **Section 7. Stopping of the "Tenure, Promotion, and Review Clock."** The "tenure, promotion,
72 and review clock" shall be stopped ~~for one year~~ in the following circumstances, unless the
73 bargaining unit faculty member specifies otherwise:

- 74 a. ~~for one year~~ upon the birth or adoption of a child;
- 75 b. due to a leave of absence or intermittent leave ~~with a duration of twelve weeks or longer~~
76 as a result of an ADA or FMLA qualifying event. ~~No more than two extensions may be~~
77 ~~granted under this subsection between any clocked review (i.e., between successive~~
78 ~~PTRs).~~

79

80 The review clock may also be stopped in other extraordinary circumstances, including up to two
81 years for approved leaves of absence without pay lasting two or more terms during each year of
82 the approved leave, as approved by the Office of the Provost.

83

84 If the faculty member opts to restore the period when the clock was stopped, they may apply for
85 review at the time they would have become eligible without the stopping of the clock. Leaves not
86 resulting in a clock stoppage will be considered as a part of review periods. This Section applies
87 to mid-term, tenure, and promotion reviews, as well as third-year and sixth-year post-tenure
88 reviews. ~~No more than two one-year clock extensions may be granted between reviews for~~
89 ~~reasons a. and b. above (i.e., up to two one-year clock extensions may be granted between~~
90 ~~successive third-year reviews, with the second third-year review taking place in the fifth year).~~

91

92 **Section 8. Relevant Information.** Only significant information relevant to the review shall be
93 included in a review file. Relevant information is information that relates to the review criteria as
94 defined in this Agreement. Relevant information may include disciplinary action taken against

95 the bargaining unit faculty member, if the underlying acts relate to or affect the faculty member's
96 ability to meet the review criteria. Information not relevant to the review or information that
97 contains allegations that have not been fully reviewed by the appropriate office (research
98 misconduct, office of investigations and civil rights compliance, employee and labor relations,
99 etc.) shall not be included in the file initially, although allegations that relate to relevant
100 information may be included if they are sustained after an appropriate review.

101
102 ~~[deletion moved to next section]Reviews shall consider any lack of resources necessary to the~~
103 ~~performance of professional responsibilities that were identified in previous workload~~
104 ~~discussions.~~

105
106 **Section 9. Review Evaluations and Considerations Recommendations.** Reviews should
107 provide justifications for their conclusion based on the file, previous levels of review, and the
108 unit-level policy. Reviews shall consider any lack of resources necessary to the performance of
109 professional responsibilities that were identified in previous workload discussions (Article 17,
110 Section 3). ~~–If, at any level of review, the evaluation or recommendation regarding the faculty~~
111 ~~member's progress toward tenure and promotion differs materially from any previous level of~~
112 ~~review, such evaluation must clearly justify each material difference and cite specific evidence~~
113 ~~from the file to support the differing evaluation.~~

114
115
116 ~~**Section 10. Request for Clarification.** If, within periods to provide responsive material or~~
117 ~~information for the evaluation file, the bargaining unit faculty member makes a good faith~~
118 ~~request for clarification or additional detail regarding the reasoning or evidentiary basis for the~~
119 ~~differing assessment of the faculty member's file, the evaluator will make a good faith effort to~~
120 ~~provide such additional detail or clarification within 14 days from the date of receiving such~~
121 ~~request. The bargaining unit faculty member will then have an additional 14 days from receipt of~~
122 ~~the response to provide supplemental responsive material or information for the evaluation file.~~

123 124 125 **Pre-Tenure Reviews**

126
127 **Section 10. Annual Pre-Tenure Reviews.** Each tenure-track bargaining unit faculty member
128 who has not received tenure and is not in the process of a tenure review will have an annual
129 review conducted by the department or unit head or designee. These annual reviews provide an
130 opportunity to evaluate the tenure-track bargaining unit faculty member's performance and offer
131 an opportunity to address problems and to support faculty members in their progress toward the
132 mid-term and tenure reviews.

133 134 135 **Mid-Term Reviews**

136
137 **Section 11. Purpose, Outcomes and Appeals.** Mid-term reviews shall be an assessment of the
138 bargaining unit faculty member's progress toward tenure and should assist the faculty member's
139 development. The outcome of a mid-term review shall be either: *[inserted list formatting for*
140 *clarity]*

- 141 a. ~~(1)~~ a contract until the end of the faculty member’s tenure and promotion review year,
 142 which allows for the possibility of identifying any concerns that should be addressed
 143 prior to consideration for promotion and tenure, as well as providing constructive
 144 feedback and appropriate support identified in the review; or, ~~;~~ ~~(2)~~ a one or two year
 145 contract specifying an additional mid-term review; or ~~(3)~~
- 146 b. a one-year, terminal contract in rare cases where the review determines the faculty
 147 member will be unable to meet the unit-level criteria for tenure and promotion by the
 148 time that the tenure decision would otherwise be expected is made and when there is
 149 consensus across all levels of review. Only a review decision resulting in a terminal
 150 contract may be appealed through the process specified in Article 21. ~~If a two-year~~
 151 ~~contract is issued under (2) and the subsequent mid-term review is not successful, the~~
 152 ~~bargaining unit faculty member’s employment will end with the expiration of the~~
 153 ~~contract.~~

154
 155 **Section 12. Timing.** Each tenure-track bargaining unit faculty member who has not received
 156 tenure will have a mid-term review approximately halfway between appointment and eligibility
 157 for tenure, ~~except those appointed with a tenure review date three years or less from the time of~~
 158 ~~their initial appointment (Article 16, Section 6).~~ The timing of this review generally will be
 159 established at the time of appointment, in that this review will usually take place during the last
 160 year of the bargaining unit faculty member’s initial contract. A successful review is one
 161 prerequisite for contract renewal.

162
 163 **Section 13. Mid-Term Review Period.** The review will include all research, teaching, and
 164 service accomplished since the beginning of the faculty member’s employment in the current
 165 position in addition to other materials specified by the faculty member’s hiring agreement
 166 (Article 16). Leaves are considered consistent with Section 7.

167
 168 **Section 14. Initiating the Mid-Term Review.** To initiate the mid-term review process, the
 169 department or unit head or designee will contact the bargaining unit faculty member during the
 170 fall term of the year in which the review will take place and request the following:

- 171
 172 1. **Election of Criteria:** The bargaining unit faculty member will be reviewed relative to the
 173 criteria in effect when their employment began. If the criteria have changed since the
 174 beginning of employment, the faculty member must choose either the earlier or current
 175 set of criteria.
- 176
 177 2. **Curriculum vitae:** A comprehensive and current curriculum vitae that includes the
 178 faculty member’s current research, scholarly and creative activities and accomplishments,
 179 including publications, appointments, presentations, and similar activities.
- 180
 181 3. **Scholarship portfolio:** A comprehensive portfolio of scholarship, research, and creative
 182 activity during the review period; and appropriate evidence of national or international
 183 recognition or impact.
- 184
 185 4. **Personal statement:** A 3–6-page personal statement developed by the bargaining unit
 186 faculty member ~~explaining how their provided material relates to demonstrates they are~~
 187 ~~on track to meet meeting evaluating their performance measured against~~ the applicable

188 **unit-level** criteria for tenure and promotion. The personal statement should expressly
189 address the subjects of teaching; scholarship, research, and creative activity; service
190 contributions to the academic department, center or institute, school or college,
191 university, profession, and the community; and contributions to diversity, equity, and
192 inclusion.

- 193
- 194 5. **Teaching portfolio:** Representative examples of course syllabi or equivalent descriptions
195 of course content and instructional expectations for courses taught by the bargaining unit
196 faculty member, examples of class assignments and exams, information from student
197 experience surveys, which will be considered in light of the response rate, and similar
198 material.
- 199
- 200 6. **Service portfolio:** As **applicable available**, evidence of the bargaining unit faculty
201 member's service contributions to their academic department, center or institute, school
202 or college, university, profession, and the community. Such evidence could include white
203 papers authored or co-authored by the faculty member, commendations, awards, op-ed
204 pieces, and/or letters of appreciation. The portfolio may also include a short statement on
205 the faculty member's unique service experiences or obligations.

206

207 **Section 15. Department or Unit Head's Role.** The department or unit head will obtain and
208 place in the evaluation file copies of summary reports from the **teaching student**-evaluation
209 process, including Student Experience Surveys. The file must also include recent peer
210 evaluations of the bargaining unit faculty member's teaching that is aligned with the university-
211 wide teaching standards established by the University Senate.

212

213 Once the department or unit head has obtained all of the appropriate documents and information,
214 they will establish a committee of tenured faculty and provide the committee with access to the
215 documents and information. The department or unit head will then:

- 216
- 217 1. Obtain a report from the faculty committee including an assessment of the bargaining
218 unit faculty member's progress toward tenure and promotion; and
- 219
- 220 2. Prepare their own **independent** evaluation of the bargaining unit member's progress
221 toward tenure and promotion ~~that considers the entire file along with previous levels of~~
222 ~~review, takes into account the committee report and departmental discussion, and is~~
223 ~~consistent with Section 9~~; and
- 224
- 225 3. Provide the department or unit head's written report to the bargaining unit faculty
226 member and allow the faculty member 10 days from the date of the receipt of the report
227 to provide responsive material or information, which shall be included in the evaluation
228 file; and
- 229
- 230 4. Submit the evaluation file to the appropriate dean.

231

232 If a department or unit has or develops a policy or practice of providing the report of the faculty
233 committee to the bargaining unit faculty member, the department or unit head shall do so.

235 **Section 16. Dean’s Role.** The dean will review the file and may consult with appropriate persons
236 and may obtain and document additional relevant information. Once the dean deems the file
237 complete, they will prepare a separate report and recommendation. The dean will share their
238 written report and recommendation with the bargaining unit faculty member and allow the
239 faculty member 10 ~~14~~ days from the date of receipt of the report to provide responsive material
240 or information, which shall be included in the evaluation file. The dean then will submit a
241 summary report including dean’s recommendation, department head’s recommendation, faculty
242 committee report, and faculty member’s curriculum vitae, statement, and responsive material or
243 information to the Provost or designee.

244
245 **Section 17. Provost’s Role.** The Provost or designee will consider the cumulative
246 recommendations received from department faculty, the department or unit head, and the dean,
247 and then will decide the terms and duration of any subsequent appointment of the bargaining unit
248 faculty member. Upon Provost review, the summary report will be placed in the faculty
249 member’s departmental or college personnel file and a decision conveyed in writing to the
250 faculty member no later than June 1.

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252

253 **Tenure Review Process**

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255 **Section 18. Eligibility for tenure review.** Except as authorized in writing by the Provost or
256 designee, a bargaining unit faculty member is entitled to a decision on tenure only after six
257 consecutive academic or fiscal years of employment at ~~or above the FTE at which they were~~
258 ~~hired. 1.0 FTE per year or the equivalent of consecutive part time employment at or above 0.5~~
259 ~~FTE per year.~~ An appointment is considered consecutive even if interrupted by one or more
260 approved leaves of absence. Leaves are considered consistent with Section 7.

261

262 **Section 19. Tenure Review period.** The tenure review will include all research, teaching, and
263 service accomplished since the beginning of the faculty member’s employment in the current
264 position in addition to other materials specified by the faculty member’s hiring agreement
265 (Article 16). Leaves of absence not resulting in a clock stoppage will be considered as part of the
266 review period.

267

268 **Section 20. Initiating the Tenure Review Process.** To initiate the tenure review process, the
269 department or unit head will contact the bargaining unit faculty member no later than winter term
270 of the year preceding the year in which a tenure decision is required and request the following:

271

- 272 1. **Election of Criteria:** The bargaining unit faculty member will be reviewed relative to the
273 criteria in effect during their last mid-term review. If the criteria have changed since the
274 last mid-term review, the faculty member must choose either the earlier or current set of
275 criteria.
- 276
277 2. **Curriculum vitae:** A comprehensive and current curriculum vitae that includes the
278 faculty member’s current research, scholarly, and creative activities and
279 accomplishments, including publications, appointments, presentations, and similar
280 activities and accomplishments. This document should clearly differentiate between
281 accomplishments that occurred during the review period and those that did not.

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3. **Scholarship portfolio:** A comprehensive portfolio of scholarship, research and creative activity during the review period; and appropriate evidence of national or international recognition or impact.
 4. **Personal statement:** A 3-6 page personal statement developed by the bargaining unit faculty member explaining how their provided material relates to ~~demonstrates meeting evaluating their performance measured against~~ the applicable unit-level criteria for tenure and promotion. The personal statement should expressly address the subjects of teaching; scholarship, research, and creative activity; service contributions to the academic department, center or institute, school or college, university, profession, and the community; and contributions to diversity, equity, and inclusion.
 5. **Teaching portfolio:** Representative examples of course syllabi or equivalent descriptions of course content and instructional expectations for courses taught by the bargaining unit faculty member, examples of class assignments and exams, information from student experience surveys, which will be considered in light of the response rate, and similar material.
 6. **Service portfolio:** As available, evidence of the bargaining unit faculty member's service contributions to their academic department, center or institute, school or college, university, profession, and the community. Such evidence could include white papers authored or co-authored by the faculty member, commendations, awards, op-ed pieces, and/or letters of appreciation. The portfolio may also include a short narrative elaborating on the faculty member's unique service experiences or obligations.
 7. **External reviewers:** ~~At the option of the bargaining unit faculty member, A~~ a list of qualified outside reviewers ~~provided by the bargaining unit faculty member.~~

311 All material in this Section, along with the following items, will be included in the Tenure
312 Review File:

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8. **Additional Information.** Faculty members and/or the University may submit relevant information during a review from the date information is initially submitted to their department head through the date the Provost issues the final decision. Late submissions of information may result in additional questions to the faculty member or to reviewers at the previous levels. Additional information may include work completed during the review year, if such information or material is included, it may not be included in the review period of subsequent reviews. If detrimental information is added to their file, the bargaining unit faculty member will be notified and may add a response or request the file go back to their department or unit faculty personnel committee for review, which may result in a decision delay. The additional faculty personnel committee report must be submitted along with the new information for inclusion in the Tenure Review File.
 9. **Mid-Term Review(s).** The dean's summary report and the Provost's final decision from any mid-term reviews conducted will be included.

329 **Section 21. Schedule for Review of Tenure and Promotion Files.** The Office of the Provost
330 will establish a schedule for the compilation and review of tenure and promotion files. If the
331 bargaining unit faculty member fails to comply with the timeline established by the Provost for
332 submission of materials, the department or unit head will notify the faculty member of the
333 missed deadline by university email and the primary phone on record in the Banner system. If
334 the faculty member does not respond within 14 days, tenure may be denied. If the faculty
335 member responds within 14 days, the department or unit head will establish a new deadline for
336 submission of all materials.

337
338 The new deadline must allow the University adequate time to complete the tenure review process
339 by June 1. If the faculty member misses the new deadline, tenure will be denied.

340
341 **Section 22. External reviews.** The department or unit head will prepare a list of qualified
342 external reviewers, with input from the department or unit faculty eligible to vote on a tenure and
343 promotion case. The department or unit head will select a majority of the external reviewers from
344 this independently prepared list, but the department or unit head's primary responsibility is to
345 obtain the best judgments from the most highly qualified experts in the appropriate areas. Most,
346 if not all, of the external reviewers should be at the rank for which the candidate is being
347 considered or above (i.e., associate professor or professor for tenure and promotion to associate
348 professor; professor for promotion to professor). Reviewers generally should come from
349 comparable AAU and research intensive institutions or programs. The suggestions regarding
350 affiliations apply to the majority of external reviewers and are not strict prohibitions. A
351 minimum of five substantive external evaluations is required for a tenure case to move forward.

352
353 The department or unit head will recruit external reviewers from the list prepared by the
354 department or unit head and the separate list provided by the bargaining unit faculty member. A
355 ~~absolute~~ majority of external reviews included in the file must be ~~provided by reviewers~~ selected
356 by the department or unit and not included on the list of reviewers provided by the faculty
357 member under review. If there is overlap between the independently prepared lists, the external
358 reviewer counts as a unit selection. The department or unit head will provide each external
359 reviewer with the candidate's signed and dated curriculum vitae, signed and dated personal
360 statement, the candidate's scholarship portfolio, and the department's or unit's written criteria for
361 promotion and tenure. External reviewers may not be asked to evaluate the candidate against the
362 standards of their own institution.

363
364 **Section 23. Faculty Review.** The eligible faculty in the candidate's department or unit, or a
365 personnel committee comprised of a subset of the eligible faculty (if the department's or unit's
366 internal policy specifies the creation of such a committee), will review the file and the external
367 reviews, prepare a report, and vote. In cases where there are too few eligible faculty members to
368 form a personnel committee within the candidate's department or unit, the department or unit
369 head will work with the appropriate dean to establish a committee including appropriate faculty
370 members from outside the department. A final vote will be conducted by signed ballot, ~~which~~
371 ~~may happen electronically~~, and the ballots will remain confidential to the extent permitted by
372 law. ~~The department or unit head will inform the faculty member whether the vote was positive~~
373 ~~or not.~~ A de-identified vote tally, however, will be provided to the faculty member by the
374 department or unit head ~~in the event of an appeal.~~

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376 **Section 24. Review by Department or Unit Head, College or School Personnel Committee,**
377 **and Dean.** The department or unit head will prepare ~~their own an independent~~ report and
378 recommendation ~~that considers the entire file along with previous levels of review takes into~~
379 ~~account the committee report and departmental discussion consistent with Section 9~~ based on
380 ~~their own judgment of~~ the file, and then forward the entire file to the appropriate dean. The file
381 then will be reviewed by a school- or college-level personnel committee appointed by a process
382 determined by the dean. The committee will prepare ~~their own an independent~~ report ~~consistent~~
383 ~~with Section 9,~~ and vote, and will forward the entire file to the dean. This step may be bypassed
384 in schools or colleges whose deans choose not to convene a personnel committee. The dean will
385 then prepare ~~their own an independent~~ report and recommendation based on ~~their own judgment~~
386 ~~of the file and consistent with Section 9, and~~ then meet with the candidate to discuss the case,
387 review the recommendations made by the department committee, department or unit head, and
388 the school or college-level personnel committee (if applicable), and the dean's own
389 recommendation. The candidate will be provided with a copy of the dean's report that has been
390 redacted in accordance with the waiver status to protect personally identifiable information. The
391 candidate may provide responsive material for the file within 10 ~~14~~ days of the meeting with the
392 dean or the receipt of the redacted report, whichever is later. The dean will then forward the
393 entire file to the Office of the Provost.

394
395 **Section 25. Provost's Review of File.** The Provost or designee will review the promotion and
396 tenure file for completeness, ~~and~~ general presentation, and may request additional information
397 from the dean. The file forwarded to the Provost or designee should include the contents listed in
398 Appendix 3: Tenure Review File Checklist.

399
400 **Section 26. University Faculty Personnel Committee Review.** After the Provost or designee
401 has reviewed the file and deemed it complete, the file is sent to the University Faculty Personnel
402 Committee (FPC). The committee will review the file, request additional information from the
403 Office of the Provost, or previous levels of review, if necessary, and then discuss and record a
404 vote to recommend that tenure and promotion is either granted or denied. The committee will
405 prepare a written summary of its discussion, which will include the outcome of the vote.

406
407 **Section 27. Provost's Decision.** The Provost has plenary authority to award or deny tenure. The
408 candidate will be notified in writing of the Provost's decision. The letter accompanying the
409 decision will contain an explanation of the reasons underlying the Provost's decision, if the
410 decision is to deny tenure or promotion. A tenured appointment may not be less than 0.50 FTE.
411 If tenure is granted, the letter will include a statement indicating the FTE of the tenured
412 appointment. The letter will be placed in the candidate's personnel file. The foregoing does not
413 preclude a subsequent written agreement between the Provost or designee and the candidate
414 adjusting the FTE of the appointment, so long as the appointment is at least 0.50 FTE.

415
416 Successful candidates are granted tenure and assume their new classification and rank at the start
417 of the next academic year, or sooner at the discretion of the Provost. Candidates who are denied
418 tenure will receive a notice of appointment, which expires at the end of the academic or fiscal
419 year following the one in which the application for tenure was submitted.

420
421 **Section 28. Withdrawal of Application.** A bargaining unit faculty member may withdraw an
422 application for tenure in writing to the Provost and the dean at any time before the Provost's

423 decision. Upon withdrawal, a bargaining unit faculty member will receive a notice of
424 appointment which expires at the end of the academic or fiscal year following the one in which
425 the application for tenure was submitted.

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428 **Promotion to Full Professor Review**

429

430 **Section 29. Promotion from Associate Professor to Professor.** The criteria for promotion to
431 full professor are those outlined in the bargaining unit faculty member's unit-level policy. The
432 process and timelines for review and evaluation for promotion from associate professor to
433 professor are the same as those for promotion to associate professor and tenure, except:

434

- 435 1. There is no requirement to initiate the promotion process to professor.
- 436
- 437 2. Bargaining unit faculty members with tenure who are denied promotion from associate
438 professor to professor will remain employed at the associate professor rank.
- 439
- 440 3. If the review criteria have changed during the six years prior to the review, the faculty
441 member may elect either the earlier or current set of criteria.
- 442
- 443 4. The results of post-tenure reviews during the review period will be included in the
444 promotion file.
- 445
- 446 5. The review period for promotion reviews shall include all work accomplished since being
447 awarded tenure.

448

449 **Post-Tenure Reviews**

450

451 **Section 30.** Tenured bargaining unit faculty members at the rank of associate professor will have
452 a third-year review in the third year following promotion and every three years thereafter ~~until~~
453 ~~promotion to full professor~~. Tenured associate professors will not be required to complete a
454 third-year review in a year when they are seeking a promotion to full professor. Following
455 promotion, full professors will have alternating third-year reviews and major sixth-year post-
456 tenure reviews. The primary function of post-tenure reviews ~~is are~~ to foster continued faculty
457 professional growth and ~~is are~~ not a process to reevaluate the award of tenure. If a review is not
458 successful, then a development plan may be established (Section ~~38~~ ~~37~~). The post-tenure review
459 process may not be used to shift the university's burden of proof in a proceeding to terminate a
460 tenured faculty member for cause.

461

462 **Section 31. Third-Year Post-Tenure Reviews.** Third-year post-tenure reviews will be ~~informal~~
463 ~~reviews unless a department head and dean agree, or the Office of the Provost determines, that a~~
464 ~~formal review is necessary for the faculty member to meet expectations for a subsequent review.~~
465 **a. Informal Third-Year Reviews.** The informal third-year post-tenure review is conducted by
466 the appropriate department or unit head with the bargaining unit faculty member. Review
467 ~~Informal review~~ materials will typically consist of a curriculum vitae, a brief personal statement
468 ~~(up to 3 pages) accounting for and explaining anything not clear from their CV,~~ materials for the
469 evaluation of teaching (where applicable), and a sabbatical report (where applicable) (Section

470 33). ~~As a result of the review,~~ †The department or unit head will prepare a concise statement that
471 includes an evaluation of whether the faculty member is ~~exceeding, meeting,~~ or not meeting
472 expectations under their unit level policy (or Section 39 ~~38~~, as appropriate). The department head
473 will ~~and share their statement~~ †with the bargaining unit faculty member, who will have 10 ~~14~~
474 ~~business~~ days to respond in writing. The review materials, head’s statement, and faculty
475 member’s response are then sent to the dean and then to the Office of the Provost for approval.
476 The head’s statement and any response ~~from the bargaining unit faculty member, dean, and~~
477 ~~Office of the Provost will be placed in the bargaining unit faculty member’s personnel file. If in~~
478 ~~the process of the informal review, the department or unit head and dean agree, or the Office of~~
479 ~~the Provost determines, that a formal review is necessary to meet expectations on a subsequent~~
480 ~~review, they will initiate the Formal Review process below and notify the faculty member. If a~~
481 ~~formal review is initiated, the statement and response will become part of the formal review~~
482 ~~dossier.~~ **b. Formal Third-Year Reviews.** This process applies to associate and full professors
483 who undergo a formal third-year post-tenure review. The department or unit head will convene a
484 faculty personnel committee (if one does not already exist in the department or unit) that will
485 review a faculty member’s work in relation to the unit-level post-tenure review criteria, or the
486 criteria in Section 38. If unit-level policies require a vote, the tenured department faculty with the
487 same or higher rank, not including the candidate, will vote to endorse the committee’s report and
488 recommendation. The department or unit head will write a separate report in light of the
489 materials gathered and the faculty committee’s report and, if required, the faculty vote. The
490 department or unit head will meet with the faculty member and will provide a copy of the head’s
491 report and the redacted faculty committee’s report. The faculty member will have 10 business
492 days from the date of the receipt of the report to provide responsive material or information,
493 which shall be included in the evaluation file. These will be reviewed by the dean and the Office
494 of the Provost. If the unit-level review criteria (or Section 39, as appropriate) were not met by the
495 faculty member and the recommendation is ~~re is consensus between the head, dean, or and~~
496 ~~Office of the Provost result of the review is to recommends~~ to implement a development plan,
497 then the head and faculty member will develop one in consultation with the dean to be approved
498 by the Office of the Provost (Section ~~38~~ 37).
499

500 **Section 32. Sixth-Year Review.** Only full professors will have sixth-year post-tenure reviews,
501 which will be ~~. Tenured bargaining unit faculty members will have a review~~ in the sixth year
502 following promotion to full professor or ~~six years~~ after their previous ~~a~~ sixth-year post-tenure
503 review.
504

505 **Section 33. Sixth-Year Review Period.** The review period will include all work accomplished
506 during the previous six years, taking into account any leaves and resulting clock stoppages
507 (Section 7).
508

509 **Section 34. Initiating the Sixth-Year Review.** To initiate the review process, the department or
510 unit head or designee will contact the bargaining unit faculty member during the fall term of the
511 year in which the review will take place and request the following:
512

- 513 1. **Criteria:** Criteria for sixth-year post-tenure reviews will be as specified in Section ~~39~~ 38
514 below unless the department or unit has approved post-tenure review criteria. If the
515 review criteria have changed during the six years prior to the review, the faculty member
516 may elect either the earlier or current set of criteria.

- 517
518 2. **Curriculum vitae:** A comprehensive and current curriculum vitae that includes the
519 faculty member’s current research, scholarly, and creative activities and
520 accomplishments, including publications, appointments, presentations and similar
521 activities. This document should clearly differentiate between accomplishments that
522 occurred during the review period and those that did not.
523
524 3. **Personal statement:** A 3-6 page personal statement developed by the bargaining unit
525 faculty member ~~explaining how their provided material relates to demonstrates meeting~~
526 ~~or exceeding evaluating their performance measured against~~ the applicable unit-level
527 criteria for post-tenure review. The personal statement should expressly address the
528 subjects of teaching; scholarship, research, and creative activity; service contributions to
529 the academic department, center or institute, school or college, university, profession, and
530 the community; and contributions to diversity, equity and inclusion.
531
532 4. **Sabbatical report:** A report of the accomplishments and benefits resulting from
533 sabbatical, if applicable.
534

535 **Section 35. Department or Unit Head’s Role.** The department or unit head or designee will
536 obtain and place in the evaluation file copies of summary reports drawn, as appropriate, from the
537 system of ~~teaching student~~ evaluation ~~of teaching evaluation~~ that was in effect prior to Fall 2019
538 and the Student Experience Surveys that were effective as of Fall 2019. The file must also
539 include a recent peer evaluation of the bargaining unit faculty member’s teaching. Peer teaching
540 reviews should be aligned with the university-wide teaching standards as established by the
541 University Senate.
542

543 Once the department or unit head has obtained all of the appropriate documents and information,
544 they will establish a committee of full professors and provide the committee with access to the
545 documents and information. The faculty committee will prepare a report and a recommendation
546 regarding the outcome of the review. The report and recommendation will be reviewed by the
547 committee who will vote on the recommendation. The department or unit head or designee will
548 then:
549

- 550 1. Obtain a report from the faculty committee including an assessment of the bargaining
551 unit faculty member’s performance, a recommendation regarding the outcome of the
552 review, and the results of the faculty vote; and
553
554 2. Prepare their own ~~independent an~~ evaluation ~~based on their own judgment~~ of the
555 bargaining unit faculty member’s performance ~~that considers the entire file along with~~
556 ~~previous levels of review takes into account the committee report and departmental~~
557 ~~discussion consistent with Section 9~~; and
558
559 3. Provide the department or unit head’s report to the bargaining unit faculty member and
560 allow them 10 days from the date of the receipt of the report to provide responsive
561 material or information, which shall be included in the evaluation file; and
562
563 4. Submit the evaluation file to the appropriate dean.

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If a department or unit has or develops a policy or practice of providing the report of the faculty committee to the bargaining unit faculty member, the department or unit head shall do so.

Section 36. Dean’s Role. The dean will review the file and may consult with appropriate persons and may obtain and document additional relevant information. Once the dean deems the file complete, they will prepare a separate report and independent recommendation. The dean will share their written report and recommendation with the bargaining unit faculty member, redacted as appropriate, and allow them 10 ~~14~~ days from the date of receipt of the report to provide responsive material and information, which shall be included in the evaluation file. The dean will then submit the complete evaluation file to the Office of the Provost.

Section 37. Provost’s Role. The Provost or designee will consider the cumulative evaluations received from the faculty committee, the department or unit head, and the dean.

[We are postponing discussion on this provision until we come to an agreement regarding merit review provision]

If the Provost or designee concludes that the bargaining unit faculty member’s performance meets ~~or exceeds~~ expectations in all areas of a sixth-year review, the bargaining unit faculty member will receive an increase in their base salary per Article 26.

Section 38. Development Plans. If the Provost concludes that the bargaining unit faculty member’s performance does not meet expectations in one or more areas, the dean and the department or unit head shall consult with the bargaining unit faculty member and shall recommend to the Provost a development plan for demonstrable improvement in the area(s) at issue. The goal of the plan is to put the faculty member on track to meet expectations in that area or areas at their subsequent review. The development plan should be implemented no later than the first term of the academic year following the review. Development plans may require adjustment of professional responsibilities (e.g., reduced service or teaching in order to support more research) and must specify a follow-up review timeline.

If a faculty member has a development plan, the criteria in the area(s) specified in the development plan will be in effect for those areas of the subsequent review. If the faculty member does not meet expectations in the specified area(s), the Provost may ~~reduce~~ or **reassign** the faculty member’s FTE associated with the specified area(s) or may establish a new development plan or both. If the faculty member’s FTE is adjusted, future reviews will reflect the adjustment of duties.

[We are postponing discussion on this provision until we come to an agreement regarding merit review provision]

A bargaining unit faculty member who has had their FTE or duties adjusted as the result of an unsuccessful development plan may elect to have their standard workload restored if, on a subsequent post-tenure review, they meet ~~or exceed~~ expectations in the areas in which the faculty

611 member had previously been determined not to have met expectations. If the faculty member
612 meets ~~or exceeds~~ expectations as outlined in the unit policies, they may, if they so choose,
613 resume their standard workload the Fall following the year the post-tenure review was initiated.
614

615 **Section 39. Post-Tenure Review Criteria.** Review criteria for third- and sixth-year post-tenure
616 review are as follows, unless a department or unit has an approved unit-level policy establishing
617 their own post-tenure review criteria through the process specified in Article 4.
618

619 In cases where a tenured faculty member has a workload other than the standard tenure-track
620 workload in the department or unit (e.g., with larger teaching and smaller research FTE, or vice
621 versa) or is working under a development plan, the standard for meeting expectations in a third-
622 or sixth-year review will be established by these alternate arrangements and informed by the
623 unit-level policy and the guidelines below. *[moved up from below]* Each of the three areas below
624 should include contributions in teaching, research, and service that demonstrably promote
625 diversity, equity, and inclusion.
626

- 627 1. **Teaching:** Teaching standards as established by the University Senate.
628
- 629 2. **Research, scholarship, creative, and artistic achievement:** In general, research,
630 scholarship, and creative achievement is demonstrated in the following categories. Each
631 category applies in a given case only if that category is specified in the unit promotion
632 and tenure policy. The standards of evaluation, unless otherwise specified by the unit
633 policy, will be the standards established for promotion to full professor. Some categories
634 to be considered include:
 - 635 a. publications and/or creative activities of significance and;
 - 636 b. externally funded research;
 - 637 c. patents, intellectual property developed; technologies licensed, companies spun-
638 off;
 - 639 d. adoptions of research innovations by other researchers, organizations, or the
640 public;
 - 641 e. research awards and prizes;
 - 642 f. membership in the national academies or other selective research societies;
 - 643 g. research in progress and substantially planned work (including grant proposals);
 - 644 h. translational research or scholarship that influences public policy or contributes to
645 societal benefits;
 - 646 i. participation in conferences, conventions, seminars, and professional meetings;
 - 647 j. professional peer review, holding office in academic and professional
648 organizations, serving on committees and/or on editorial boards;
 - 649 k. association with organizations and groups that will result in professional
650 improvement of the faculty member and bring recognition to the university;
 - 651 l. research or professional consultation for federal agencies, foundations, or other
652 research sponsors;
 - 653 m. recognized evidence of scholarly and professional visibility, such as special
654 awards, scholarly citations, and the republication of work;
 - 655 n. scope and depth of scholarship as revealed in public lectures, book reviews, and,
656 in special circumstances, discussions;
 - 657 o. works of art, such as painting, sculpture, design, planning, musical composition,

- 658 poetry, fiction, drama, dance, photography, and film disseminated or exhibited in
659 recognized venues of quality and distinction;
- 660 p. public performances: musical recitals, concerts, conducting, theater performance
661 and production, dance performance and production, radio or television production
662 disseminated/exhibited in recognized venues of quality and distinction;
- 663 q. public recognition: exhibitions, commissions, acceptance of work for permanent
664 collections, awards.
665
- 666 3. **Service:** Consistent with promotion to full professor as specified in the collective
667 bargaining agreement, senior faculty are expected to engage in significant service
668 demonstrating leadership and commitment both within and outside the candidate's
669 department or unit. Service must include some of the following:
- 670 a. leadership in academic and administrative roles:
- 671 i. academic program area or departmental administration and curriculum;
672 ii. personnel and policy committees or activities;
673 iii. college or school administration and committees or activities;
674 iv. university or state system administration and committees or activities.
- 675 b. service and activities on behalf of the larger community (local, state, national, and
676 international governmental bodies, NGOs, etc.);
- 677 c. academic contributions to community activities, either as an individual or as a
678 representative of the university;
- 679 d. service to professional and disciplinary organizations;
- 680 e. academic service on behalf of the public interest.

681
682 *[moved up for clarity]* ~~4. Contributions in teaching, research, and service that demonstrably~~
683 ~~promote diversity, equity, and inclusion.~~