

**PERSONNEL COMMITTEE WORKSHOP
COLLECTIVE BARGAINING AGREEMENT/
ACADEMIC PERSONNEL POLICY (RED BOOK)
RESOURCE GUIDE**

FACULTY ROLES AND RESPONSIBILITIES IN PERSONNEL MATTERS..... 2

- Primary role in area of personnel matters
- Weight given to department decisions
- Right to grieve

CONSTITUTION AND ROLE OF PERSONNEL COMMITTEE..... 2

- Who sits on them and how are they selected?
- DPC responsible for recommendations on appointments, reappointments, promotions and tenure, merit (pool A and B), PMYR processes and the annual evaluation of faculty

ANNUAL FACULTY REVIEWS..... 4

- Evaluation of Tenure Stream Faculty
- Evaluation of Non-Tenure Stream Faculty

MERIT 6

- Merit Process & Pools
- Non-Tenure Track Scholarship Fund

TENURE & PROMOTION (Tenure System Faculty)..... 8

- Redbook standards & FSU contract language
- What's in the file and how is it to be supplemented?
- Accessibility of file to candidate
- Requirement to provide copy of recommendation/decision to affected faculty member
- Outside letters
- How contrary recommendations are handled

LECTURER PROMOTIONS 15

PERIODIC MULTI-YEAR REVIEW 22

- DPC reviews, AFRs, curriculum vitae, teaching evaluations and the candidate's personal statement
- Recommendation to either accept or revise the statement
- Recommendation to provide requested resources or not
- Process if statement not accepted

FACULTY ROLES AND RESPONSIBILITIES IN PERSONNEL MATTERS

- 11.1 The faculty shall have primary responsibility in the area of personnel matters. This shall mean the capacity to initiate or review faculty personnel recommendations. Academic administrative officials may make a recommendation or decision counter to the original faculty recommendation only in exceptional circumstances and with compelling reasons in written detail which shall specifically address the content of that recommendation as well as the established standards and criteria.
- 11.2 The faculty shall have the right to grieve based on the terms and conditions of this Agreement any modification or reversal of such recommendations.

Section 3.3 of the Red Book:

In making personnel reviews and decisions, all academic administrative officials shall act according to approved policy and through established personnel procedures. No academic administrative official shall make a recommendation or decision which is counter to the original faculty recommendation without compelling reasons in written detail which shall specifically address the content of that recommendation as well as the established standards and criteria. In addition, the President, in making tenure decisions, should disagree with the campus recommendation only in rare instances.

CONSTITUTION AND ROLE OF PERSONNEL COMMITTEE

- 12.3 **All academic departments shall establish bylaws by a majority vote of all departmental faculty. Such bylaws must be consistent with University and Union guidelines and shall be reviewed by the University Administration and the Union in order to assure compliance with University policy, the collective bargaining agreement, and applicable laws.**
- 12.4 The faculty at the departmental level shall establish once each year, in timely fashion, a personnel committee to exercise the responsibilities described in Sections 11.1, 12.1, 12.2 and Articles XXI *{non-tenure track faculty}*, XXVI *{salaries}* and XXXIII *{annual evaluation of faculty members}*. In a department with fewer than three (3) faculty members which chooses to establish a personnel committee the faculty and dean shall agree upon the selection of a specific faculty member or members from outside the department who shall be asked to serve on the committee.
- 12.5 In each faculty, college or school, there shall be a personnel committee of the faculty to review departmental level recommendations. The committee shall be chosen by procedures established on each campus in a manner designed to represent the interests of the faculty of each faculty, college or school. Said committee shall forward its recommendation to the appropriate dean.
- 12.6 No faculty member on a personnel committee shall participate directly in any recommendation or decision relating to appointment, reappointment, promotion or tenure at the University of any parent, child, spouse, sibling, parent-in-law, sibling-in-

law, child-in-law or stepchild. A faculty member should withdraw from participation in any personnel recommendation or decision involving potential conflict of interest.

ANNUAL FACULTY REVIEWS

Evaluation of Faculty

- 33.1 Departmental personnel committees and academic administrative officials, as appropriate, shall evaluate full-time faculty members annually in accordance with the campus master calendar.
- 33.2 For the life of this Agreement and for the purposes of this Article, the forms currently in use on each campus entitled "Annual Faculty Report and Evaluation of Professional Activities" will serve as the evaluation form for full-time faculty members.
- 33.3 The evaluation of each bargaining-unit faculty member, regardless that person's full-time equivalency, shall address that person's performance of his/her assigned duties and responsibilities during the year under review. All recorded union activity in an AFR shall be credited as University service.
- 33.4 Each department, program or other analogous unit shall develop or adopt one or several forms appropriate to the evaluation of teaching in that unit, as well as procedures for the administration of student evaluations of teaching. **Over time, the annual evaluations of teaching should attempt to capture the total contribution of the candidate to the instructional mission, both inside and/or outside the classroom, through multiple modes of evaluation, not just student evaluations. For faculty involved in graduate education, the annual evaluation should address their effectiveness in advising and mentoring graduate students.**
- 33.5 During a faculty member's annual review, the departmental personnel committee shall present its findings at the appropriate place on the "Annual Faculty Report and Evaluation of Professional Activities" form.
- 33.6 Each faculty member retains the right to respond in writing to any written comments made by any individual or group of individuals on his/her evaluation and to have the response affixed to the evaluation.
- 33.7 For the purpose of discussing the faculty member's performance and/or the written comments already provided, each faculty member shall have the right, upon request, to meet once each academic year with each of the following:
 - (a) the chair of the departmental personnel committee and/or representatives of the departmental personnel committee;

- 33.8 Student evaluations shall be kept on file in the department or program office for a period of six years or, **in the case of faculty who have not yet been promoted to the rank of Professor, for eight years.**
- 33.10 **The University Administration may return an AFR to a faculty member, personnel committee, chair/head, dean, or other contributor to that AFR for revision if the Administration has evidence that such contributor has provided erroneous, misleading, or grossly inappropriate information in the AFR. In such cases, the Administration shall simultaneously notify the Union of the AFR's remanding.**

Evaluation of Non-Tenure Stream Faculty

- 21.5 **Evaluation of Non-Tenure Track Faculty: The annual evaluation of all non-tenure-track faculty shall be conducted under the terms of Article 33.**
- 33.2 **Bargaining-unit faculty members whose appointments are less than 50% FTE shall also be evaluated annually using evaluation instruments designated or devised by their department chairs/heads in consultation with the relevant departmental personnel committees. Should any evaluation instrument other than the AFR be devised for such use, the Administration shall provide a copy of the proposed instrument to the Union at least 60 days before its implementation. If the Union does not raise objections to the content of the instrument within 30 days of receiving the instrument, the Administration may implement it. If the union raises objections within 30 days of receiving the instrument, the Administration will either negotiate the instrument's content or will revert to using a previously approved instrument.**
- 33.9 **At the time of annual evaluation, each non-tenure track faculty member who has received a continuing appointment and his/her department chair/head shall meet to discuss whether the current job description accurately reflects the individual's assigned duties and responsibilities and to make any necessary revisions. This review is for the sole purpose of updating job descriptions and shall not be used in any evaluative process.**

MERIT

MERIT POOLS & PROCESS

- 26.2.8 **General criteria for the award of merit:** Merit awards shall not be distributed across-the-board and shall not be limited to a pre-determined percentage or category of bargaining-unit members eligible. Bargaining-unit members shall be evaluated for merit only on the basis on their assigned duties. Those on joint appointment shall be considered for merit within each respective department based on their job responsibilities within that department. As part of the annual merit-award process, the Provost will remind personnel committees and administrators involved in the merit

process of the eligibility requirements and of these general criteria.

26.2.9 Specific principles for the award of merit: No later than October 1 of each year, the personnel committee of each department-level unit and the dean/director of each college-level unit shall disseminate to the bargaining-unit members within their respective units the principles upon which merit awards will be decided for Pools A and B, respectively. Such principles shall not be subject to grievance.

26.2.10 Merit review process.

- **Information Provided to Departments:** The Administration shall provide departmental and library personnel committees with a merit spreadsheet that lists all eligible bargaining unit members and the total funds available in Pools A and B.
- **For Pool A:** The personnel committee of each department-level unit shall consider each eligible bargaining-unit member's performance based on the applicable annual review conducted under Article 20 (for librarians) or Article 33 (for faculty) of this Agreement and shall determine the amount (if any) of a merit award he/she should receive from Pool A. **Such determinations shall be final except that they may be remanded by the Administration to the department for good reason explained in writing by the Administration.** The Administration shall simultaneously provide the Union with a copy of any such remanded determinations.
- **For Pool B:** The Administration shall invite from department-level personnel committees and chairs/heads recommendations for merit awards for the bargaining-unit members within that unit. The Administration shall consider such recommendations and shall consider each eligible bargaining-unit member's performance based on the applicable annual review conducted under Article 20 (for librarians) or Article 33 (for faculty) of this Agreement and shall determine the amount (if any) of a merit award he/she should receive from Pool B. Such determinations shall be final and shall not be subject to grievance.
- **Notifications:** The Administration shall notify each eligible bargaining-unit member of the amount of his/her award and how much of the award comes from Pool A and from Pool B. Notification under this provision shall be provided within 30 days after the scheduled effective date of the increase. The Administration will provide to the Union one or more spreadsheets listing all merit awards in each department, and the Union may inform its members of the various departments' median and range of merit distribution.

26.2.11 Merit review committee: The Union and the Administration will jointly convene a committee each year to assess compliance with the requirements of this Agreement for award of merit increases to non-tenure-track faculty members in the bargaining unit. The committee will have the authority to ask for additional information and reconsideration in cases where such compliance appears not to have been observed.

TENURE & PROMOTION (Tenure System Faculty)

RedBook Standards

ARTICLE IV. STANDARDS AND CRITERIA FOR PERSONNEL REVIEWS, RECOMMENDATIONS AND DECISIONS

Section 4.1. High professional standards must be the basis for all personnel decisions. Personnel recommendations and decisions shall be made only after a review of all of the qualifications and all the contributions of the individual in the areas of teaching; of research; creative or professional activity; and of service. All three areas must be considered, but the relative weight to be given to each may be determined in the light of the duties of the faculty member.

Section 4.2. For personnel recommendations and decisions, consideration must also be given to the relationship of the recommended personnel action to the following:

- a) program plans at the department, college, campus, and University level;
- b) flexibility as affected by rank and tenure distributions and anticipated retirement dates;
- c) departmental affirmative action goals, considering the nature of the positive contribution that affirmative action is able to make to the diversity of perspective that is essential to the well-being of the department and the University community.

For new appointments, reappointments through the tenure decision year, and for the award of tenure, these considerations must be given in writing as established in Section 6.4 (e).

Section 4.3. The standards and criteria described in this document and any standards and criteria established in Trustee-approved campus personnel policies shall be the only standards and criteria used in making and reviewing personnel recommendations.

Section 4.4. Regular academic appointments at the University are made for full-time service at the ranks of Instructor, Assistant Professor, Associate Professor, and Professor. The following general criteria shall apply to all candidates for such appointments:

- a) For an appointment as an Instructor a candidate must, " have made substantial progress toward the, completion of all requirements for the terminal degree in his or her field of, academic specialization, or possess equivalent professional experience that is appropriate to the position to be filled. The candidate must also give promise of academic or professional development and achievement.
- b) For an appointment as an Assistant Professor, a candidate must possess the appropriate terminal degree, or equivalent professional experience. If the candidate has held a faculty appointment at another college or university, he or she must also have a record of

achievement in the field of academic specialization. In addition, the candidate must show promise of continuing professional development and achievement.

c) For an appointment as an Associate Professor, a candidate must possess the appropriate terminal degree, or equivalent professional experience, and must have had considerable academic or professional experience beyond the level which would warrant an appointment as Assistant Professor; must have a record of achievement sufficient to have gained recognition on and off campus from scholars or professionals in his or her field; and must show promise of continuing professional development and achievement.

d) For an appointment as a Professor, a candidate must possess the appropriate terminal degree, or equivalent professional experience; and must have a record of achievement sufficient to have gained substantial recognition on and off campus from scholars or professionals in his or her field; and must show significant potential for continuing professional achievement.

Section 4.5. The general criteria for reappointment at regular academic ranks shall be the following:

- a) Evidence of continuing achievement and growth since initial appointment
- b) Reasonable assurance of continuing professional development consistent with the ability to reach the level for eventual promotion to the next higher rank.
- c) Consideration of the relationships as stated in Section 4.2.

Section 4.6. Recommendations for promotion shall be based on qualifications and contributions in the areas of teaching; of research, creative, or professional activity; and of service; and on the following considerations:

- a) For promotion to Assistant Professor, the faculty member must possess the appropriate terminal degree, or equivalent professional experience, and have a record of achievement in the field of academic specialization. In addition, the candidate must show promise of continuing professional development and achievement.
- b) For promotion to Associate Professor, the faculty member must have a record of achievement sufficient to have gained recognition on and off campus among scholars or professionals in his or her field; and must show promise of continuing professional development and achievement.
- c) For promotion to Professor, the faculty member must have a record of achievement sufficient to have gained substantial recognition on and off campus from scholars or professionals in his or her field; and must show significant potential for continuing professional achievement.

Section 4.7. All appointments and reappointments to regular academic positions without the award of tenure are probationary. The probationary period is an opportunity for the faculty member to demonstrate the qualifications for reappointment, promotion, and the award of tenure. During the probationary period, the faculty member should have access to information on the substantive and procedural standards generally employed in decisions affecting reappointment, promotion, and the award of tenure.

Section 4.8. No regular academic appointment without tenure shall carry with it any assurance, explicit or implicit, of a reappointment, a promotion, or the eventual award of tenure. Such actions must be based on a positive recommendation in accordance with procedures and standards established in Articles II, III, IV, and VI.

Section 4.9. The award of tenure can be made only by the president with the concurrence of the Board of Trustees. Consideration of a candidate for tenure shall be based on the following:

- a) Convincing evidence of excellence in at least two, and strength in the third, of the areas of teaching; of research; creative or professional activity; and of service, such as to demonstrate the possession of qualities appropriate to a member of the faculty occupying a permanent position.
- b) Reasonable assurance of continuing development and achievement leading to further contributions to the university.
- c) The relationships as stated in Section 4.2.

Recommendations for the granting of tenure without promotion to Associate Professor must be accompanied by compelling reasons stated in detail.

Section 4.10. The criteria for an initial appointment with tenure shall be those established for the rank involved and those for the award of tenure.

Section 4.11. Special academic appointments include appointments, with the titles of lecturer, adjunct (all ranks), clinical (all ranks), and visiting (all ranks). Each campus may develop definitions, criteria, and procedures for making special academic appointments subject to the concurrence of the Board of Trustees and within the following University wide guidelines: 1

- a) Special academic appointments are not considered probationary and holders cannot be awarded tenure.
- b) The responsibilities of a faculty member on a special academic appointment need not include the three functions of teaching; of research; creative or professional activity; and of service; but may be limited to any one of these areas as determined by mutual agreement between the faculty member, the Department Chairperson/Head and the Dean.
- c) In most cases, the term of a special academic appointment does not exceed one year, and in no case shall it exceed five years.

d) Full-time, salaried, special academic appointments cannot usually extend beyond a total of six years.

e) In the event that the holder of a special academic appointment shall apply for a regular academic appointment, the criteria for initial appointment to that rank shall apply. In that case, full-time and/or part-time service, subsequent to the award of the terminal degree, or equivalent professional experience may count toward the tenure decision year.

Until the Trustees adopt a specific policy on part-time status, all part-time appointments shall be governed by the provisions of 4.11.

f) The prerogatives of holders of special academic appointments shall be determined on each campus.

ARTICLE V. RIGHTS OF MEMBERS OF THE FACULTY IN ACADEMIC PERSONNEL MATTERS AND RESPONSIBILITIES AS CONDITIONS OF EMPLOYMENT

Section 5.1. Policies, criteria, and procedural standards established herein and additional policies, criteria, or procedures established on the campuses shall not infringe upon the following rights of faculty members in personnel matters:

- a) For personnel, reviews, recommendations and decisions, the right and the responsibility to present all materials which he or she believes will be essential to an adequate consideration of the case, and the opportunity to supplement the original presentation with additional relevant information in the event that a review indicates shortcomings in the presentation.
- b) The right to have access to information on the current needs and long-range plans of the department, college or school, campus and University.
- c) The right to have extra-departmental service contributions considered at the department level as well as at other levels of review, recommendation and decision.
- d) The right to be considered for tenure if given an appointment or a reappointment through the end of the probationary period.
- e) The right to equitable treatment in personnel matters so as to ensure generally consistent recognition to departmental faculty members whose chosen field, overall professional development, period of service on the campus, and quality of contributions, all taken as a whole, are judged to be approximately equal.
- f) The right to discuss his or her professional progress and any personnel matter of concern with his or her Department Chairperson/Head; and, if such discussions prove unsatisfactory, with the Dean; and, if still unsatisfied, with the Provost.
- g) The right to be informed of the personnel recommendation made at the department, college or school, and campus level.
- h) The right to notification of non-reappointment as specified in Section 6.7.
- i) The right to discuss reasons for a negative personnel decision at all appropriate administrative levels as specified in Section 6.10.
- j) The right to invoke the grievance procedures, under the conditions specified in Trustee grievance policy.

Section 5.2. Satisfactory fulfillment of the following responsibilities is expected of all members of the faculty as a condition of employment in all parts of the University:

- a) Performance of assigned teaching duties and other instructional activities including counseling and appropriate evaluation of student work.

b) Scholarly, creative and professional activity adequate, as a minimum, for continuing updating of course content and other instructional and professional activities so as to reflect current developments in the faculty member's academic field.

c) Participation in the operation and governance of the department, college or school, campus or University to the extent normally expected of all faculty members.

d) Participation in extension work, continuing education, and other professional outreach service when such service is usually expected of all faculty members of the unit in which the faculty member holds an appointment.

Positive personnel recommendations and decisions must be based on the achievement of appropriate standards as stated in Article IV.

ARTICLE VI. PROCEDURAL STANDARDS IN PERSONNEL MATTERS

Section 6.1. The length of initial appointments to regular academic positions and subsequent reappointments must conform to the following guidelines:

a) Initial appointments and subsequent reappointments at the rank of Instructor shall be for one year. In no case shall service at this rank exceed three years.

b) Initial appointments and subsequent reappointments at other ranks may vary in length depending upon the qualifications of the individual and the needs of the department, provided that the review described in Section 6.4 (e) shall be made at the time of a reappointment decision which will carry the candidate through the end of the probationary period.

c) No probationary appointment shall exceed a term of four years; no reappointment shall exceed a term of three years. (This amendment was approved by the BoT 10/1/86, Doc. T86-076).

FSU Contract Language

12.1 High professional standards must be the basis for all personnel decisions. Personnel recommendations and decisions shall be made only after a review of all the qualifications and all the contributions of the individual in the areas of teaching; of research, creative or professional activity; and of service. All three areas must be considered but the relative weight to be given each may be determined in the light of the duties of the faculty member. Final decisions are made only after giving serious consideration to all the materials in the basic file as well as to the professional judgments of the departmental personnel committee, which are and ought to be given great weight.

12.2 In order to maintain the academic excellence of the University, current academic standards and criteria for faculty personnel actions, except as modified in this Agreement, shall remain in effect for the duration of this Agreement.

- 12.3 All academic departments shall establish bylaws by a majority vote of all departmental faculty. Such bylaws must be consistent with University and Union guidelines and shall be reviewed by the University Administration and the Union in order to assure compliance with University policy, the collective bargaining agreement, and applicable laws. (Pending final language approval)**
- 12.7 In reviews for major personnel actions for faculty--reappointments through the tenure decision year, promotion to the ranks of associate professor and professor and the award of tenure--the procedures listed below shall be followed:
- (a) Notice of a personnel review for reappointment or tenure shall be sent to the faculty member no later than the end of the third calendar week of the semester in which the review is to be initiated.
 - (b) As provided in Sections 24.4 and 24.5, a basic file shall be created for each major personnel action. This file shall be supplemented and reviewed at the departmental level and supplemented and reviewed at each successive level of recommendation or decision. The file shall contain the materials listed in Subsection 12.6(f).
 - (c) The faculty member shall submit to the department/program chairperson/head any and all materials for inclusion in the basic file that he/she believes will be essential to an adequate consideration of the case.
 - (d) For appointment at or promotion to the rank of associate professor and professor and for all tenure recommendations, the chairperson/head shall solicit outside letters of reference drawn from a list of scholars and/or professionals. The solicited referees shall include scholars and professionals from among those suggested by the faculty member (if he/she wishes to do so), but the list is not limited to those the faculty member suggests.
 - (e) The materials in the basic file shall be accessible to the faculty member, with the exception of letters of recommendation to which he/she has voluntarily waived access.
 - (f) The basic file shall contain the following materials:
 - (1) When the basic file is forwarded from the departmental level it shall contain:
 - (a) a table of contents;
 - (b) a current curriculum vitae (including a bibliography and/or comparable list of professional accomplishments);
 - (c) copies and reviews of published works and/or evidence of other professional accomplishments;
 - (d) evaluations of teaching effectiveness, including but not limited to those of students;

- (e) letters of reference solicited by the chairperson/head and a description of the professional standing of the writers of letters of reference from outside the University and a statement of any relationship the writer may have had to the faculty member;
 - (f) evaluations of service;
 - (g) any and all materials submitted by the faculty member;
 - (h) the recommendation and the numerical vote at the departmental level;
 - (i) the recommendation of the chairperson/head.
- (2) At subsequent levels there shall be added the following:
- (a) the recommendation and numerical vote of the faculty, school or college personnel committee;
 - (b) the recommendation(s) and decision of academic administrative officials;
 - (c) other materials solicited, submitted or received during the review process, including, by way of example, additional materials submitted by the faculty member, additional letters of reference and/or additional information received in response to the invitations issued under Subsections 12.6 (m-p). When material is added to the basic file beyond the departmental level, the departmental personnel committee (or other appropriate mechanism) and the chairperson/head shall have the opportunity to respond as to its substance and appropriateness; unless it is protected by waiver, the faculty member shall also have this opportunity.
 - (g) A copy of the table of contents and the two recommendations from the departmental level shall be sent to the faculty member when the basic file is forwarded from the department.
 - (h) A copy of the updated table of contents and the recommendation of the faculty, school or college personnel committee shall be sent to the faculty member and to the department when the basic file is forwarded to the dean.
 - (i) A copy of the updated table of contents and the recommendation of the dean shall be sent to the faculty member, the chair of the faculty, school or college personnel committee and the department when the basic file is forwarded to the provost or the chancellor.
 - (j) A copy of the updated table of contents and the decision of the chancellor and/or the provost shall be sent to the faculty

member, the dean, the chair of the faculty, school or college personnel committee and the department at the time the decision is made.

- (k) A copy of the updated table of contents and the recommendation of the chancellor and/or the provost shall be sent to the faculty member, the dean, the chair of the faculty, school or college personnel committee and the department when the chancellor or the provost forwards a recommendation for tenure to the President.
- (l) A copy of the updated table of contents and the decision of the President shall be sent to the chancellor and/or the provost, the dean, the chair of the faculty, school or college personnel committee, the department and the faculty member when the President has made a decision in the case of a recommendation for tenure forwarded by the campus.
- (m) Prior to making a recommendation that may be contrary to either of the recommendations forwarded from the departmental level, the faculty, school or college personnel committee shall consult with the department.
- (n) Prior to making a recommendation that may be contrary to either of the recommendations forwarded from the departmental level, the dean shall invite the department to provide additional information for the basic file or clarification of the recommendation.
- (o) Prior to making a recommendation or decision that may be contrary to either of the recommendations forwarded from the faculty, school or college level, the chancellor or provost shall invite the dean to provide additional information for the basic file or clarification of the recommendation.
- (p) Prior to reversing the recommendation of the chancellor and/or the provost for tenure, the President shall invite the chancellor and/or provost to provide additional information for the basic file or clarification of the recommendation.
- (q) A campus academic administrative official shall make his/her recommendation or decision within forty-five (45) calendar days of receipt or the deadline for receipt (whichever is later) of both the basic file, including all relevant personnel committee recommendations, and all additional information or clarifications subsequently requested by the academic administrative official

from the department or college; except that, in tenure and reappointment cases, the Provost shall notify the faculty member of his/her recommendation or decision no later than the applicable notice deadline specified in T76-081 (not later than March 1 of the first academic year of service if the appointment expires at the end of that year, or at least three months in advance of its termination if an initial one-year appointment terminates during an academic year; not later than December 15 of the second academic year of service if the appointment expires at the end of that year, or at least six months in advance of its termination if an initial two-year appointment terminates during an academic year; and not later than August 15 prior to the year of the last academic appointment after more than two academic years of service, or at least twelve months in advance of its termination if an appointment terminates during an academic year), even if that deadline does not allow the full forty-five-day period for review.

- 12.8 A copy of any recommendation or decision made by a personnel committee or academic administrator with respect to a faculty member's sabbatical leave application and Periodic Multi-Year Review shall be sent to the faculty member at the time the recommendation is forwarded to the next level of review or the decision is made.

LECTURER PROMOTIONS

21.10 Provisions Specific to Lecturer Titles.

21.10.1 Progressive Lecturer Titles. The progressive ranks of non-tenure track faculty shall be: Lecturer, Senior Lecturer, and Senior Lecturer 2.

21.10.2 Progression in ranks.

- 1. Lecturers who have completed six years of full time equivalent service are eligible for promotion to Senior Lecturer.**
- 2. Senior Lecturers who have completed six years of full time equivalent service in that title are eligible for promotion to Senior Lecturer 2.**

21.10.3 Boston Only: Associate Lecturer. Additionally, the Boston campus may use the title Associate Lecturer, which shall not be a rank among the progressive ranks of other Lecturer titles. In addition, Articles 21.3; 21.8.1 (except for those Associate Lecturers who earned just-cause protection under the predecessor contract before July 1, 2014 - see 21.8.2); and, 21.9 (except for notice provision in 21.9.1(3) through (6) are not applicable to this title.

- 1. The Boston campus may hire an Associate Lecturer at less than 50% FTE on an as-needed basis to temporarily replace**

faculty who are on leave or who have temporary or indefinite release from some teaching duties; to fulfill instructional needs where the scope and duration of those needs are uncertain or are known to be of limited duration; to fulfill highly specialized and occasional instructional needs.

2. If an Associate Lecturer expresses an interest in additional work, the chair/head shall consider that person for such work. If the chair/head determines that an Associate Lecturer is the most qualified candidate, then the Associate Lecturer's FTE may be temporarily increased to 50% or greater to fulfill instructional needs. This temporary increase in FTE will not result in a change in title or rate of pay.
3. If an Associate Lecturer has served at 50% FTE or higher for six consecutive semesters, his/her title shall be converted to Lecturer, and he/she shall receive a salary increase to the applicable salary floor for Lecturers unless his/her salary already exceeds that floor. An Associate Lecturer shall not be eligible for the title of Senior Lecturer without at least three years of full-time equivalent service in the rank of Lecturer.

21.10.4 Boston Only: Title Conversions. The conversion of titles for Boston faculty with Lecturer titles is intended to achieve common titles for both campuses and shall not be used for any other purpose (such as reducing any individual faculty member's typical workload).

1. Effective July 1, 2014, any faculty member on the Boston campus with the title Lecturer and paid on a per-course basis under the predecessor contract shall have the title Associate Lecturer;
2. Effective July 1, 2014, any faculty member on the Boston campus with the title Lecturer I shall have the title Lecturer;
3. Effective July 1, 2014, any faculty member on the Boston campus with the title Lecturer II shall have the title Senior Lecturer. NTT's auto-converted from Lecturer II to Senior Lecturer shall be grandfathered with regard to eligibility criteria for promotion to Senior Lecturer II: i.e., they shall become eligible for that promotion after completing ten calendar years of service, per the previous Boston contract, rather than after 6 FTE years of service (per the new contract)
4. Effective July 1, 2014, any faculty member on the Boston campus with the title Senior Lecturer shall have the title Senior Lecturer 2.

21.10.5 Eligibility for promotion: All Lecturers with at least six years of full-time-equivalent service as a Lecturer, Lecturer II, Clinical Assistant

Professor, Clinical Associate Professor, Clinical Professor, Instructors, or in a position on the Amherst or Boston campuses, excluding student employment, with duties and responsibilities substantially the same as Lecturer, will be eligible for consideration for promotion to the rank of Senior Lecturer. All Senior Lecturers with at least six years of full-time-equivalent service as a Senior Lecturer or in a position on the Amherst or Boston campuses, excluding student employment, with duties and responsibilities substantially the same as Senior Lecturers, will be eligible for consideration for promotion to the rank of Senior Lecturer 2. As specified in 21.10.3.3, an Associate Lecturer shall not be eligible for the title of Senior Lecturer without at least three years of full-time equivalent service in the rank of Lecturer.

- 21.10.6 Promotion Standards and Criteria: In addition to having accrued the necessary service credit, a candidate for promotion to Senior Lecturer or Senior Lecturer 2 must demonstrate evidence of:**
- Meritorious performance in the area(s) of the candidate's responsibility**
 - Promise of continuing professional development and achievement**

- 21.10.7 Review Process: Candidates for promotion to the rank of Senior Lecturer or Senior Lecturer 2 shall follow this review process:**

- 1. Candidates who believe they are eligible to apply for promotion consult with the department chair/head to confirm eligibility.**
- 2. The candidate assembles a portfolio of accomplishments in his/her area(s) of responsibility, including a personal statement, a current curriculum vitae, and all other materials that he or she believes will be essential to an adequate consideration of the case and submits the portfolio to his/her department head/chair.**
- 3. If the candidate wishes to include in the portfolio letters of evaluation from scholars or professionals in other University departments or from outside the University, he/she supplies a list of such evaluators to the department head/chair with the portfolio. The head/chair solicits evaluations from the individuals suggested by the candidate and may solicit evaluations from other relevant scholars and professionals.**
- 4. The department head/chair adds to the file all available evaluations of teaching effectiveness.**
- 5. The department personnel committee reviews the portfolio and forwards its vote and recommendation to the department head/chair, simultaneously sending a copy to the candidate.**

6. The department head/chair reviews the portfolio and forwards his/her recommendation to the relevant college review committee (as described in paragraph 7 below), simultaneously sending a copy to the candidate.
7. College review committees shall be constituted as follows: In Amherst, from three to five lecturers, elected by the lecturers in the respective schools and colleges; in Boston, the relevant standing College Personnel Committee, expanded by one or two senior lecturers, selected in accordance with the normal process for populating the CPC. These committees review the portfolio and forward their votes and recommendations to the dean, simultaneously sending a copy to the candidate.
8. The dean reviews the portfolio and forwards his/her recommendation to the provost, simultaneously sending a copy to the candidate.
9. The provost reviews the portfolio and informs the candidate and all previous levels of review of his/her decision.

21.10.8 Timing: The candidate may submit his/her portfolio no later than the first day of the spring semester of the academic year in which he or she will accrue the equivalent of six years of full-time service in his/her current rank. The review process will be conducted during the spring semester of that academic year. The candidate will be notified of the provost's decision no later than August 15 of the summer after the academic year in which the review takes place.

21.10.9 Effective Date of Promotion: The promotion of a successful candidate will take effect on September 1 of the academic year following the provost's decision.

- 21.11** Continuity of Service and Seniority. Continuity of service and accrual of seniority shall not be deemed broken by:
1. Periods of authorized leave.
 2. For faculty without benefits, absences of four or fewer consecutive semesters for reasons that would meet the qualifications for family leave under the Family Medical Leave Act.
 3. Periods of fewer than three consecutive semesters without appointments due to unavailability of work as determined by the Administration.
 4. Absence of four or fewer consecutive semesters for the purpose of professional development as recommended by the department chair/head and approved by the dean.
 5. Periods of layoff, but additional seniority shall not accrue during such periods of layoff.

Service that is followed by a break in service of more than five years shall not be included in the calculation of seniority, and service that is followed by a

break in service of two or more semesters shall not be included in the calculation of eligibility for continuing appointment.

PERIODIC MULTI-YEAR REVIEW

In order to establish schedules for PMYRs (i.e., to determine in which year each individual faculty member will have her or his first PMYR), the administration and the union agreed to the following guidelines:

- * A faculty member will normally have a PMYR in the academic year two years preceding his or her next scheduled sabbatical. A faculty member who takes half-sabbaticals will normally have a PMYR in the academic year two years preceding his or her second half-sabbatical in a seven year sabbatical cycle.
- * A faculty member will not normally have his or her PMYR within six years of a successful promotion or tenure review.
- * Departments normally should not have a clustering of PMYRs in any individual year.

On the basis of these guidelines, each department chair or center head, in consultation with the affected members of the department or center, will develop a schedule for PMYR for all tenured members of the department or center. This schedule will be submitted to the dean for approval.

[After a faculty member has had her or his first PMYR, subsequent PMYR's for that faculty member would take place every seven years -- unless she/he had a successful promotion review, in which case a new PMYR schedule would be established for the individual.]

Policy on Periodic Multi-Year Review of Faculty (PMYR)

The practice of regular annual review of faculty performance based upon an annual faculty report (AFR) and involving peer review by departmental personnel committees and administrative review by chairs and deans is well established on the Boston campus. The AFR serves as the primary basis for the award of merit monies when they are available and is intended to be a mandatory yearly review of faculty performance even in the absence of merit monies. Because faculty members continue to review their professional activity every year of their careers at the University, including after tenure and promotion, the AFR must be a principal ingredient of any process of post-tenure review.

In addition, significant multi-year reviews of faculty performance are conducted at the time of major personnel actions: appointment through the tenure decision year, tenure, and promotion to full professor. These reviews evaluate the performance of the faculty member in the three mandatory categories of teaching, research, creative or professional activity, and service in regard to established standards for the personnel actions, including the expectation of continued professional development and performance.

A multi-year review of all faculty, which is distinct from the annual and major personnel action reviews, serves a number of internal purposes. First, such a review expands the narrow time window of the annual reviews into an overview of a faculty member's interests, capabilities, and performance that will both inform evaluations and rewards and aid academic planning. Second, such periodic overviews make possible timely consultation, intervention, and assistance that will stimulate and encourage professional development. The multi-year review will also effectively account for faculty members' professional activity to external constituencies. In adopting a PMYR policy, the university and the tenured faculty, represented by the Faculty Staff Union MTA/NEA, address the external concern for accountability, while upholding the integrity of tenure and academic freedom. PMYR addresses accountability by fostering continued professional development.

PURPOSE

The primary purpose of Periodic Multi-Year Review (PMYR) is to assist tenured faculty in their continuing professional development. A faculty member who has been awarded tenure has demonstrated excellent performance and represents a large investment on the part of the University. Tenure is awarded on the basis of an expectation that the faculty member will continue to develop professionally and demonstrate a continued high level of performance. PMYR evaluates performance over a number of years and assures that the talents of faculty members and their contributions to the University are maximized throughout their careers.

PRINCIPLES

1. Our present review procedures encourage short-term assessment of individual accomplishment. PMYR should foster a longer term view of an individual's performance and contributions to the University.
2. PMYR must assure the protection of the faculty member's academic freedom, and right to full and free inquiry, as prescribed in the contract.
3. PMYR is neither retenuing nor a major personnel action as defined in the collective bargaining agreement and would not alter or affect in any way Article X of the contract or any aspects of the contract dealing with termination or discipline.
4. PMYR should be appropriately linked to the annual faculty reviews (AFRs) and should not involve the creation of additional unnecessary bureaucracy.
5. PMYR should include both self-assessment and internal peer review, as well as assessment by the department chair and dean, and should be fully consistent with provisions of Articles XI, XII, and XIII of the contract regarding faculty roles, responsibilities, standards, and procedures.
6. Standards of evaluation in each department will be fair and consistent with departmental, college, and campus practice.
7. PMYR is intended to recognize that individual interests and abilities of faculty members (and interests and needs of departments) may change over time, and that, if a faculty member so chooses, she/he might be able to meet her/his professional responsibilities to the university in varied and changing ways.

TIMING OF PROCESS

1. PMYR is to be conducted every seven years for all tenured faculty members. Persons who have indicated, in writing, their intention to retire within a three-year period will not have a PMYR.
2. The first formal consideration of an associate professor for promotion to full professor may be substituted for the initial PMYR unless such promotion consideration is delayed beyond seven years past the promotion to associate professor.
3. The time of the PMYR may be altered, upon written agreement between the individual and the department chair, in the following circumstances:
 - a. When the faculty member is named to a full-time administrative appointment, the faculty member will have the option of delaying the review for up to three years following the return to normal faculty assignments.
 - b. When the faculty member is granted a leave without pay for an academic year. A leave of less than one academic year in duration shall not affect the time of the PMYR.
 - c. When the faculty member expresses in writing his or her intention to retire within three years of the time of the scheduled review, the review shall be canceled. If the intention to retire is rescinded, the faculty member shall have PMYR in the next annual cycle or during the annual cycle in which the faculty member had originally been scheduled to undergo PMYR, whichever is later.
 - d. Upon request initiated by the faculty member and approved by the department chair and the dean.

REVIEW MATERIALS

The foundation of the review will include a brief statement, not to exceed 2,000 words, submitted by the faculty member that summarizes and assesses her/his principal activities during the period since the last review and states her/his intentions for achieving her/his goals in the areas of teaching, research and scholarship, creative and/or professional activity, and service in the coming years. The statement should mention, as appropriate, such matters as her/his contributions to: the mission of the department, college or university; the advancement of the profession; and the development of the community.

If the individual's statement calls for a major new initiative or change in the direction of her/his work, the statement will include any requests for additional developmental support needed for that initiative or change in direction.

The faculty member will also submit a current curriculum vitae, and the department chair will provide copies of the faculty member's annual faculty evaluations (AFRs) for the prior six years

and the current year, including any supplemental materials that have accompanied those AFRs. The department chair will have available all evaluations of the faculty member's teaching performance carried out during the previous six years.

REVIEW PROCESS

The Departmental Personnel Committee or other elected committee (hereafter referred to as DPC) and the Department Chair will review the individual's AFRs, curriculum vitae, teaching evaluations, and the submitted statement. After consideration of the materials, the DPC and the Chair will each recommend that the review be classified as: Category I or Category II.

A Category I recommendation will be made when the faculty member's performance, as documented in the materials submitted, indicates that she/he is making professional progress and effectively contributing to the university.

A Category II recommendation will be made when the faculty member's performance, as documented in the materials submitted, indicate that she/he needs to make significant changes in her/his work in order to promote professional progress and contribute effectively to the university. When the recommendations is Category II, the DPC (or its representatives) and the Chair will meet with the individual to discuss ways in which she/he can alter his work and develop effectively and to prepare a Development Plan (see "Development Plan" below). In this discussion, the individual will have the opportunity to initiate the formulation of her/his Development Plan. Either a Category I or a Category II recommendation may include a recommendation that resources for development support be provided by the university. This recommendation for resources to be provided would be made when:

- i. the individual's performance and future plans indicate that she/he is likely to be successful in achieving those plans if the support is provided;
- ii. the individual's plans involve a substantial change in the nature of her/his work; and
- iii. the directions of change are consistent with the needs of the university-campus-college-department as expressed in institutional plans.
- iv. If development support is recommended, the recommendation will be submitted to the dean who will consider the award of funds from a College Development Fund established by a faculty-count-pro-rate distribution of such funds from the provost. The dean will be advised in this activity by a faculty committee. The College Development Fund will be new funds, an addition to and not a replacement or renaming of development funds that have been distributed in the past.
- v. After the DPC and chair have made their recommendations, the case will be passed to the dean.

If the DPC and chair have recommended "Category I" and the dean concurs, the review is concluded (except for the allocation of development support as specified above).

If the dean does not concur, the case will be returned to the department for reconsideration. In returning a case to the department, the dean will explain her/his reasons for nonconcurrency in written detail and will also specify in detail the steps that she/he believes are necessary to formulate a successful development plan (see "Development Plan" below).

If the DPC or the chair recommends Category II or if the dean indicates nonconcurrency with their Category I recommendation, the DPC and the chair will meet with the faculty member to formulate a Development Plan.

DEVELOPMENT PLAN

The purpose of a Development Plan is to provide guidance to the faculty member in promoting her/his professional progress and making it possible for her/him to contribute more effectively to the university. Aspects of the Development Plan may include, but are not limited to: consultation with colleagues to assist in problem areas; the offer of change of assignments within the department to facilitate improvement in teaching, research, or service; a mutually agreed upon re-allocation of efforts to enhance the faculty member's contribution to accomplishing department/college/institutional plans; the design of a sabbatical leave that would be crafted to address the identified needs; and referral to the Center for the Improvement of Teaching, if appropriate.

In cases where the Chair and the DPC have recommended Category I but a Development Plan is being developed because of the dean's nonconcurrency, the dean will provide detailed and specific suggestions for the formulation of the Development Plan.

The Development Plan will address specific problem areas and will provide a timetable and criteria for a follow-up review to take place in three years. If the Development Plan includes a reallocation of the faculty member's efforts, such reallocation will itself not diminish the faculty member's entitlement to merit funds for the period during which all parties have agreed to the reallocation. The Development Plan will also indicate what resources or other support will be provided to the faculty member in her/his efforts to fulfill the Plan.

During the three year period before the follow-up review, the DPC and the chair will consult as needed with the faculty member and, at least annually, will comment in writing on the faculty member's progress in fulfilling the Development Plan. The dean will review these comments and may comment as well. In addition, the faculty member may make her/his own comments, including responses to the comments of DPC, chair and dean. All of these comments (those of the DPC, the chair, the dean, and the faculty member) will be considered part of the PMYR.

At the end of this three year period, the DPC, the chair, and the dean will each evaluate in writing the extent to which the Development Plan has been achieved. If the parties concur that the goals have been achieved, a subsequent PMYR will take place in four years, restoring the seven-year cycle. If they do not concur, other possibilities for monitored development may be proposed and a new PMYR cycle arranged.

If at any stage, the faculty member refuses to accept the proposed Development Plan or refuses to cooperate in the implementation of the Plan, this PMYR process will end for that individual.

After the conclusion of a PMYR, the administration, using its existing authority, may decide whether or not any further action of the sort dealt with in the following section is appropriate.

CONNECTION TO DISCIPLINE AND REWARDS

PMYR is not a disciplinary procedure, and it is not a part of existing disciplinary procedures. The parties recognize, however, that PMYR by providing a long term overview of the work of individual faculty members could bring new attention to any serious problems that might exist. PMYR does not alter the right of the administration to act by using its existing disciplinary authority if it believes that in the case of a particular faculty member problems identified by the PMYR are sufficiently serious to warrant consideration of discipline. Such action may be initiated at any time, including during or after the PMYR.

In any disciplinary action, the administration could not use as evidence materials generated by the PMYR process, recognizing that to do so would undermine the viability of PMYR as a developmental tool. ("Materials generated by the PMYR process" includes but is not limited to statements provided by the faculty member, recommendations prepared by DPCs and department chairpersons, any Developmental Plans, and any comments regarding the operation of a Development Plan, but does not include AFRs, comments on AFRs, and other pre-existing materials normally available for and used in the preparation of AFRs.) Also, no PMYR action could be considered as a step in any disciplinary action, and a faculty member's rejection of or refusal to cooperate with a Development Plan could not be a basis for discipline.

If the administration, under its existing authority, were to initiate disciplinary action against a unit member, it is not prohibited from including the terms of the Development Plan, in whole or in part, in that action; but in doing so, the administration could not make reference to the Development Plan. This acknowledgment that the administration is not prohibited from including the terms of the Development Plan, however, is not intended to endorse the use of such authority and does not limit any existing right of a unit member to challenge any disciplinary action in ways consistent with the contract.

Similarly, while PMYR is not a procedure to provide rewards to faculty members, its operation may identify cases where a faculty member's long term performance is deserving of recognition that has not been provided by the otherwise existing processes of merit pay and special awards. In such cases, the administration may use the information generated by the PMYR as the basis for granting special recognition, either by allocations from pool "B" of merit pools or by other existing special award procedures.

ASSESSMENT

Each dean will prepare an annual report to the Provost on the PMYR process in his or her college. This report, which will be reviewed by the Provost to ensure that the PMYR process is being appropriately and consistently carried out across the campus, will include a summary of

the number of PMYRs conducted and their results and relevant details about all instances in which a Development Plan was formulated, including the results of any monitoring process.

Periodically after implementation of PMYR, the parties will jointly evaluate and report to the campus on how the policy is working.