RESOLUTION TO REVISE FACULTY HANDBOOK LANGUAGE REGARDING APPEAL OF PROBATIONARY NON-REAPPOINTMENT

Commission on Faculty Affairs

Resolution CFA 2021-22E

WHEREAS, Resolution CFA 2020-2021A, a substantial revision to chapter three of the Faculty Handbook is scheduled for implementation in 2022 – 2023; and

WHEREAS, language in subsection 3.4.5.1 of that revision does not include a process for resolving pre-tenure, probationary period, non-reappointment recommendations in which there is a difference of opinion between department heads/chairs and department personnel committee; now

THEREFORE BE IT RESOLVED, that the language in 3.4.5.1 in the 2022-2023 Faculty Handbook be revised as indicated below (in red):

3.4.5.1 Appeal of Probationary Non-Reappointment Decision

Faculty members on probationary term appointments should make no presumption of reappointment. The department head or chair with the advice of and the departmental personnel committee or the faculty development committee determines non-evaluate faculty for reappointment. Notice of non-reappointment is furnished according to the schedule in chapter two, “Retirement, Resignation, and Non-Reappointment.” The specific reasons for the decision are provided to the faculty member in writing, if requested.—(See chapter three, “Pre-Tenure Probationary Period and Reviews of Progress Toward Promotion and/or Tenure.”)

If the decision is based primarily on evaluation of the faculty member’s performance, including perceived lack of potential for further professional development, then the faculty member may appeal the decision to request a review of the decision by the dean of the college. If the dean sustains the departmental decision, the faculty member may request, through the dean, the further and independent review of the decision by the
properly constituted college committee on promotion and tenure.

The committee makes a recommendation on each candidate to the head or chair. If the head or chair does not concur with the committee’s recommendation, or if both the head or chair and the committee recommend non-reappointment, the specific reasons for the negative recommendation(s) are provided to the faculty member in writing by the department head or chair, and there is an automatic review of the candidate’s dossier by the college committee and the dean.

The faculty member presents the appeal in writing as specified in chapter three, “Appeals of Decisions on Reappointment, Tenure, or Promotion.” The faculty member has the right to appear before may elect to present oral arguments to the committee to present arguments. The college committee makes a recommendation to the dean, who informs the faculty member of the committee’s recommendation and the dean’s subsequent decision. The dean’s decision closes the appeal process, unless it is at varies from the college committee’s recommendation, in which case the faculty member may appeal to the provost for a final decision.

The dean notifies the faculty member in writing of the review, including the faculty member’s right to present oral arguments to the college committee. If the college committee and the dean recommend non-reappointment, the dean notifies the faculty member in writing of the specific reasons for the negative recommendations and no further appeal is provided. If the college committee’s recommendation varies from the dean’s, the case is automatically sent to the provost for review. The provost’s decision cannot be appealed. (Notice of non-reappointment is furnished according to the schedule in chapter two, “Retirement, Resignation, and Non-Reappointment.”)