

Memo Regarding Promotion & Tenure

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Guidelines for the Evaluation of Faculty: Annual Evaluations, Promotion, and Tenure *

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I. INTRODUCTION

The ability of a university to function, progress, and develop excellence depends both on the individual performance of each faculty member and on the collective performance of the faculty as a whole. Thus, the success and reputation of a university are highly dependent upon the talents that exist among its faculty and how effectively those talents are marshaled to accomplish the mission of the academy. To achieve and maintain high quality, a faculty evaluation system is essential. Properly administered, an evaluation system will encourage professional growth of individual faculty members, assure retention of only those faculty members who demonstrate a high level of scholarship and academic performance, and permit appropriate recognition of achievement.

The work of faculty members as independent professionals is not easily categorized or measured. Because it is inherently judgmental, the evaluation of faculty must be constrained by principles and procedures designed to protect academic freedom and to ensure accuracy, fairness, and equity. The purpose of this document is to outline these broad principles and to establish the rigorous and common procedures necessary to maintain

these qualities in the faculty evaluation process. The Institute of Agriculture and Natural Resources (IANR), colleges, departments, and other administrative sub-units shall supplement these guidelines with more detailed descriptions and interpretations of the criteria and standards that, when approved, will apply to faculty members in the particular unit.

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II. FACULTY ROLE IN THE UNIVERSITY MISSION

The mission of the University of Nebraska-Lincoln has been defined by State statutes and Board of Regents policy. UNL is Nebraska's only comprehensive, doctoral degree granting university and is its land-grant institution. The Role and Mission statement approved by the Board of Regents adopts a functional tripartite approach to the university's mission: "These three parts of the University's educational mission-- instruction, research, and public service--are interdependent, and form the foundation of the University's contributions to the State."

Accomplishing the University's mission requires a creative, collective intermingling of individual faculty talents. Consequently, each individual faculty member likely will have a unique role in the institution and a special assignment in terms of the focus and distribution of effort among instructional, research, and service responsibilities. The evaluation criteria and processes must accommodate such differences.

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III. GENERAL PRINCIPLES OF FACULTY EVALUATION: PROCESS, CRITERIA AND STANDARDS

A. The Faculty Evaluation Process

The faculty evaluation process at the University of Nebraska-Lincoln is designed to assist the institution in attracting promising faculty members, helping them reach their potential, retaining only the outstanding, and rewarding their proficiency. The process has three distinct components:

1) Annual Evaluation

The annual evaluation provides, on a regular basis, an opportunity to judge the progress of a faculty member's performance during the past year and to develop goals and objectives of achievement for the future; it forms the basis for any annual merit salary raises and other rewards. Cumulatively, the annual evaluations establish a continuous written record of expectations and performance that will encourage professional growth and provide support for promotion, tenure and other recognition. The annual evaluation process helps develop the best match between the faculty member's expertise and the institutional mission. Guidelines for evaluation for continuous appointment may be found in Section VI below.

2) Promotion in Rank Evaluation

Promotion in rank is a visible way to recognize exemplary performance of a faculty member. The promotion in rank evaluation provides the opportunity to assess a faculty member's growth and performance since initial appointment or since the last promotion. The process is necessary to determine when promotion to a specific academic rank is warranted. Guidelines for evaluation for continuous appointment may be found in Section VI below.

3) Evaluation of Probationary Faculty

Prior to the award of a Continuous Appointment (tenure), probationary faculty undergo a particularly rigorous evaluation involving an assessment of accumulated accomplishments and a determination of whether the performance is likely to meet expectations for the indefinite future.

The faculty evaluation process entails shared responsibility exercised by different persons in the various administrative units of the University. Primary responsibility for the conduct, quality, and presentation of an individual's work lies with the particular faculty member. Evaluation of an individual's academic accomplishments begins with review by departmental or collegiate peers. Subsequent levels of independent review are used to assure fairness and integrity in the application of appropriate standards and procedures among departments and colleges, and to uphold institutional goals of academic excellence. Guidelines for evaluation for continuous appointment may be found in Section VI below.

4. Internal applicants for administrative positions. Evaluation of internal applicants for UNL administrative positions differs from those listed above and

are not covered in this material except to note that faculty who are candidates for such a position will be asked to waive their right of access to the files being used in the search process. This is done in order to create a level playing field with external candidates.

B. Criteria

Faculty members are hired to accomplish objectives of specific academic units and are to be judged accordingly. Consequently, the evaluation of faculty is to be carried out in the context of each faculty member's particular role in the institution with a clear understanding of what is expected of the individual. accomplishments of the faculty member are judged against these expectations.

Individuals will be evaluated according to norms established for them related to the faculty's collective responsibility to teach, to advise, to engage in research and creative activity, to make research findings and new knowledge known through publication or equivalent demonstration, and to provide public and institutional service. Particular faculty members will vary in the extent to which their responsibilities emphasize one or more parts of the University's mission. Criteria against which individual faculty members are judged must reflect these varying assignments.

Initially, the chair/head or other University official responsible for hiring shall, in the approved letter of appointment, spell out the general apportionment of the faculty members major responsibilities. The terms of this apportionment are to be reviewed periodically and may be changed by mutual consent (Regents Bylaws, 4.3). Within the terms of this general apportionment of responsibilities and subject to a faculty member's general area of competence, the details of a faculty member's specific assignments or job description should be subject to joint consultation but are to be determined by the department chair, unit administrator, or director concerned (Regents Bylaws, 3.4.4).

Each unit shall refine these broad criteria in areas of teaching, research, and service in ways that reflect the discipline and its mission. The refined criteria shall be applied to all faculty members in ways which equitably reflect each one's particular responsibilities and assignments. How the unit criteria apply to a faculty member's own set of duties should be made clear at the time of appointment and reviewed in the annual evaluation.

Adjustments in the expectations for faculty members may occur over time in keeping with changing institutional and personal priorities. Such adjustments shall occur in a timely fashion and with reasonable effort made to assure mutual understanding-- another aim of the annual evaluation process. It must be clear, however, that no special adjustments of norms for units or individuals shall alter the University's fundamental criterion: all faculty members must do scholarly or professional work that demonstrates creative achievement.

C. Standards

Qualitative evaluation of faculty, while highly subjective, is the essence of the faculty

evaluation process. The single common standard by which to judge the extent of achievement is that of excellence -- excellence in creativity and in significance of contribution. Although specifics as to what constitutes excellence in particular cases are necessarily a matter of judgment that varies from discipline to discipline, faculty members must be given reasonable assistance to understand the components of that judgment.

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IV. ANNUAL EVALUATIONS

A. General Description

Consistent with Regents Bylaws, 4.6, the performance of individual faculty members is evaluated annually throughout their career at the University of Nebraska-Lincoln. These evaluations provide faculty members with a written record of continuing expectations and accomplishments, an ongoing critique of strengths and weaknesses, and a set of base documents that support the annual distribution of performance-based salary adjustments and other rewards. The primary purpose of these annual evaluations is to assist individual faculty members in developing their talents and expertise to the maximum extent possible, consistent with the role and mission of the University. The specific nature and purpose of a faculty member's annual review will vary, however, in accord with that person's type of appointment, rank, and, where appropriate, tenure status.

B. Specific Applications

1) Probationary Faculty

Probationary faculty are those who are on tenure track but not yet tenured. For these persons, the annual evaluation develops information concerning the faculty member's progress toward promotion and tenure. The annual evaluation communicates areas of progress and strength, and alerts the faculty member to performance deficiencies at the earliest possible time. The official responsible for the evaluation must consult periodically with the appropriate body of tenured faculty during the process. Any concerns held by the responsible official or the participating faculty regarding the faculty member's performance should be clearly stated in the written evaluation. The review will make specific recommendations for self-improvement and professional development which will enhance the faculty member's chances of eventually achieving promotion and tenure.

While the absence of negative evaluations does not guarantee the granting of tenure, annual evaluations should apprise probationary faculty members of performance deficiencies in time for them to take corrective action.

Occasionally, these annual evaluations will result in termination and, where appropriate, terminal contracts; in these cases, notice shall be given in accord with Regents Bylaws 4.4.2. The annual evaluation also provides the opportunity to develop changes in responsibilities that reflect the strengths of the individual and the needs of the University. If the recommendation of the responsible official is for termination, and that recommendation is inconsistent with the candidate's previous annual evaluations, that official shall, as part of the recommendation, submit a written explanation of the inconsistency.

2) Tenured, Not Fully Promoted

Since a faculty member normally will be promoted from assistant to associate professor concurrent with or prior to an award of tenure, the annual evaluation of faculty who are tenured, but not fully promoted, will generally emphasize quantitative and qualitative progress toward the rank of professor. While not all faculty will attain the rank of professor, annual evaluations should aid faculty in achieving that distinction.

3) Tenured, Fully Promoted

Promotion to the rank of professor has required a consistent record of achievement at a level that indicates many strengths and few weaknesses. Consequently, the primary purpose of evaluating professors is to indicate how they are performing in relation to proper expectations, an important factor in performance-based salary adjustments. The annual evaluation process is also used to encourage faculty members to continue to perform at exemplary levels.

4) Not Tenurable, Not Fully Promoted

Evaluation of faculty who are not eligible for tenure but are promotable may emphasize different criteria from those applied to other faculty. This classification includes Cooperative Extension agents, Nebraska Forest Service staff, and other equivalent rank faculty. Annual evaluations will focus primarily on strengths and weaknesses, on the best use of a person's talents to meet the unit's needs, and on specific recommendations for improvement and professional development. Annual evaluations for these persons will generally emphasize quantitative and qualitative progress toward the rank equivalent to professor. While not all faculty will attain the rank equivalent to professor, annual evaluations should assist people toward that goal. These evaluations may lead to adjustment of duties and, occasionally, will lead to notice of termination. If the recommendation of the responsible official is for termination, and that recommendation is inconsistent with the candidate's previous annual evaluations, that official shall, as part of the recommendation, submit a written explanation of the inconsistency.

5) Not Tenurable, Fully Promoted

Promotion to Extension Home Economist, Extension Agriculturist, Forester and other ranks equivalent to that of professor has required a consistent record

of achievement at a level that indicates many strengths and few weaknesses. Consequently, the primary purpose of evaluating those who hold these ranks is to determine how well they are performing in relation to proper expectations, an important factor in performance-based salary adjustments. The annual evaluation process is also used to encourage fully promoted faculty members to continue to perform at exemplary levels. If the recommendation of the responsible official is for termination, and that recommendation is inconsistent with the candidate's previous annual evaluations, that official shall, as part of the recommendation, submit a written explanation of the inconsistency.

C. Post Tenure Review

Post Tenure Review Policy is taken from the *University of Nebraska Board of Regents Policies (RP-4.3.3)*

1. Purpose

The annual review process is intended to assist faculty on continuous appointment (tenured faculty) in achieving professional goals and maximizing contributions to the University throughout their professional careers. In cases where goals are not being met or contributions should be markedly improved, a post-tenure review under this policy will be conducted. This post-tenure review will emphasize the pattern of past performance, current interests of the faculty member, and the objectives for future contributions of the faculty member. The review will be based upon the principle of peer review and provide added assurance that faculty on continuous appointment are accountable for their performance.

2. Applicability of Review Process

All members of the faculty who have been on a continuous appointment pursuant to the Bylaws of the Board of Regents 4.4.3 for a period of three or more years may elect or be required to undergo post-tenure review. A faculty member shall not be subject to or eligible for review under this policy more frequently than once every four years. A faculty member shall undergo a post-tenure review in either of the following circumstances:

a. A faculty member receives (after the third year of a continuous appointment):

1. A written annual evaluation that identifies a substantial and continuing deficiency in the faculty member's performance which clearly states that, if substantial and acceptable progress toward removing the deficiency by the time of the next annual evaluation has not occurred, a periodic review will be initiated; and

2. Notification after the next annual review that the substantial and continuing deficiency in the previous evaluation has not been remedied and that a post-tenure review is

required.

b. A faculty member may request a review in accordance with the post-tenure peer review process. The purpose of such a review would be to provide helpful evaluation and assistance to the faculty member in planning a prospective program by which the faculty member can maximize his/her contributions to the University and more fully realize her/his professional goals.

3. Nature of the Review

For a review initiated under Section 2.a of this policy, a special peer review file shall be developed, containing a clear identification and description of the deficiency or deficiencies, copies of the faculty member's last three annual reviews, and such other materials as are relevant. This file may be supplemented by the faculty member by including information the faculty member believes to be relevant, including a proposed plan to remove the deficiency.

For a review under Section 2.b of this policy, a file containing copies of the faculty member's previous three annual reviews and such other material as may be relevant will be developed. One component of a post-tenure review under Section 2.a or 2.b shall be an evaluation by peers external to the campus when research productivity is an issue. Evaluation by peers external to the campus may be used when teaching and/or service/outreach productivity is in question.

4. Outcome of the Post-Tenure Review Process

A written appraisal with recommendations (as appropriate) will be developed, including a plan outlining the expectations as to how the faculty member can remedy any deficiency in performance or enhance the faculty member's professional goals and contribution to the University. Any sanction to be imposed on the faculty member related to his/her performance shall be governed by the Regents' Bylaws and must follow procedures prescribed in the Bylaws. All relevant University appeal mechanisms and procedures are available to faculty members being evaluated under this policy.

5. Each campus Chancellor shall insure that appropriate written procedures are developed to implement this policy.

Reference: BRUN, Minutes, 62, p. 15 (February 28, 1998)

D. Mandatory Procedures

All administrative units in implementing the annual evaluation process are required to follow these procedures.

- 1) Individual academic units shall maintain formal and informal mechanisms for communicating to faculty, particularly new faculty members, what constitutes creative, scholarly, or professional activity in their discipline.**

- 2)** At an appropriate time, the department chair/head will ask each faculty member to submit a written record of activities during the previous calendar year directly to the supervising administrator, usually a chair/head, unit administrator, or dean.
- 3)** In the case of probationary faculty, the supervising administrator must consult annually with the appropriate group of tenured faculty to discuss the performance of the faculty member being evaluated.
- 4)** The written evaluation of probationary faculty should clearly indicate any serious concern the evaluating administrator or faculty has regarding the faculty member's performance. Faculty members should be apprised, through the annual evaluations of performance, of deficiencies in time for them to take corrective action. The review will make recommendations for self-improvement and professional development which will enhance the probationary faculty member's chances of eventually achieving tenure.
- 5)** In the case of not fully promoted faculty, either tenured or non-tenured, the supervising administrator will meet periodically, but at least once every three years, with the appropriate group of faculty to discuss the performance of the faculty member being evaluated. If the appropriate faculty group votes on a recommendation on the faculty member's status, that vote may be a secret ballot.
- 6)** Prior to preparation of the final written evaluation, the affected faculty member will be given an opportunity to meet with the supervising administrator to discuss the faculty member's performance.
- 7)** A written evaluation of the faculty member's performance must be prepared by the supervising administrator. Where consultation with other faculty is required as part of the evaluation process, the written evaluation must incorporate these faculty views.
- 8)** The written evaluation must be shared with the faculty member and it shall be signed by the faculty member which indicates that the person has seen the document. The faculty member's signature does not imply concurrence with the contents.
- 9)** If the evaluation is disputed, and the dispute is not resolved, the affected faculty member has the right to submit a written statement of rebuttal that becomes part of the evaluation.
- 10)** Copies of the written evaluation must be provided to the faculty member, and to the appropriate dean and vice chancellor.
- 11)** As detailed in 2.9.8 of the UNL Bylaws, faculty shall have the right of access and response to all material, including recommendations, synopses of discussions and the outcome of any vote used in annual evaluation. The faculty member shall also have the right to know the identity of anyone who reviews

these materials.

12) Given an unfavorable review, a faculty member has the right to request and receive reconsideration at the departmental level and appeal to the college, in addition to any rights granted under ARRC.

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V. PROMOTION IN RANK

A. General Description

Promotions to higher rank are benchmarks in the process of faculty development and recognition. Initial decisions on recommendations for promotion are made by peers and administrators at the departmental level. Further reviews take place at the college and campus levels. The Board of Regents gives final approval to all promotions.

The processes leading to promotion and those leading to tenure are distinct and should not be confused. Promotion in rank primarily reflects a personal level of achievement. While the granting of tenure also reflects a personal level of achievement, it also involves an expectation and prediction as to future development and performance and a decision by the institution to make a long term commitment to the individual, subject to the Bylaws of the Board of Regents. Consequently, while a promotion can be viewed as positive evidence of progress toward tenure, it creates no guarantee of the ultimate granting of tenure.

While these campus guidelines provide basic direction for the promotion process, departments, colleges, and the IANR shall provide further definition and clarification of the criteria and procedures that reflect the unique missions of individual units. Once approved by college and campus officials, these additional guidelines will direct the promotion process within the unit.

The campus guidelines that follow contain general criteria and procedures for promotion to specific ranks. However, a candidate for promotion cannot assume that meeting minimal criteria is automatically sufficient for promotion. Promotion decisions will be based upon an evaluation of a candidate's entire record.

B. Criteria for Promotion to Specific Rank

1) Instructor

The use of the instructor rank has become largely a process for special hiring circumstances. Usually, this rank is used for persons who have not completed terminal degrees or who lack other specific qualifications. In these cases, the criteria for promotion from instructor are agreed upon at the time of hiring and are given in the letter of offer.

2) Assistant Professor

Appointment to the rank of assistant professor signifies that a faculty member is well qualified to launch upon a full fledged academic career. Qualifications include completion of a terminal degree or equivalent experience in the practice of the discipline. Unless the letter of appointment designates one as holding a Special Appointment pursuant to Regents Bylaws 4.4.1**, assistant professors will be on both promotion and tenure tracks. In the period between appointment as an assistant professor and promotion to associate professor, terms expressed in the letter of offer, in the position description, and in the annual evaluations provide guidance regarding professional development to the faculty member and to peers and administrators charged with judging progress toward promotion.

3) Associate Professor

To attain the rank of associate professor, the candidate should be an accomplished teacher, where teaching is an assigned responsibility, and have a significant record of scholarly and creative work in teaching, research, and service in keeping with the individual's job responsibilities. Time-in-rank as an assistant professor is ordinarily at least five years, and typically is six years. Earlier promotion is quite unusual and implies that a candidate has accomplished in the shorter time period what normally would be expected in the longer one.

In all but unusual circumstances, promotion of tenure eligible faculty to the rank of associate professor takes place at the same time as or before the tenure decision. However, since the decision regarding tenure is based upon broader criteria, the two actions take place separately and require separate decisions. While it is assumed that a faculty member who has earned tenure should also have earned promotion to associate professor, promotion in rank carries no guarantee regarding granting of tenure.

4. Professor

The rank of professor is the highest academic rank in the University. The rank of professor is reserved for those faculty members whose achievements are sufficient to merit recognition as distinguished authorities in their field and who hold the professional respect of their colleagues. Usually, the candidates have been awarded tenure.

Although it is the objective of the University to have all faculty sufficiently qualified to eventually gain promotion to professor, no time limitations impel faculty to seek the highest academic rank in the University. Associate professors with tenure may stay in that rank for the duration of their careers. Ordinarily, in most units, it is highly unusual for faculty to move from associate professor to professor in less than seven years.

To attain the rank of professor, most phases of the candidate's work must be judged excellent, evidencing a level of sustained creativity in the salient areas of the candidate's work. Such creativity is of the sort that would merit national recognition in appropriate arenas. That does not mean that the subject of the work must be of national character or scope. The subject may well be regional or local, but the quality of the work should be sufficient to merit significant recognition.

Peers and administrators evaluating a candidate for professor should review documentation of the entire academic career to date. In many units, that record will include outside evaluations. The record of a successful candidate for professor must show evidence of sustained excellence over an extended period of time.

C. Criteria for Promotion to Equivalent Rank Positions

For those positions designed as equivalent rank, criteria for promotion shall be developed by the unit from which the promotion recommendation originates and approved by appropriate campus officials. These criteria would be expected to be consistent with the high quality and standards associated with the normal academic ranks.

D. Mandatory Procedures

Procedures for promotion are established by Board of Regents Bylaws and by academic tradition. All academic units are required to follow procedures outlined below in implementing the promotion process. Subject to approval by the appropriate college and campus officials, colleges and departments may adopt additional procedures which will accommodate needs appropriate to their specific missions and disciplines.

For faculty in the Institute of Agriculture and Natural Resources the term "college" will connote "Institute", since the IANR deans and directors as a group evaluate personnel recommendations.

- 1) Nominations for promotion may be made at the appropriate time by any member of the faculty, including the candidate. No person, however, may be nominated without his or her consent. Nominations are submitted to the department chair/head, or unit administrator, or to the college dean, depending on the unit involved.
- 2) Departmental promotion deadlines are adjusted annually, based upon the campus deadlines established by the appropriate vice chancellor. The department and college deadlines must provide adequate opportunity for due process in the consideration of an applicant's nomination, including time to initiate proper appeals of adverse decisions. Nomination to the rank of associate professor and consideration for tenure may take place in the same year, but they are separate processes with distinct deadlines and documentation requirements.

3) Candidates are responsible for preparing a documentation file to support their nominations. It is the obligation of department chairs/heads, unit administrators, and deans to advise candidates as to the form and substance of a documentation file. The only anonymous materials that can be included in the files are student evaluations. Normally these anonymous evaluations are those routinely solicited from all students enrolled in courses taught by the faculty member according to departmental or college procedures. If additional student evaluations are desirable, the process for gathering these evaluations must be described in writing and becomes part of the record. Documentation should be organized to comply with instructions from the vice chancellor responsible for the administrative unit. The recommendations from each review become a part of the file.

The content of a documentation file, and the emphasis to be given various components of the file, may vary from discipline to discipline. Except as provided in the following section, the candidate is entitled to access all materials in the file. The candidate is also entitled to know the identity of everyone who reviews the file. Anyone with relevant information for inclusion into the file may proffer that information at any level of consideration to the person responsible for conducting the review. That person shall determine, after consultation with the candidate, whether to include the material. The candidate must be informed of the content and source of any substantive new evidence to be added to the existing file. The candidate has a right to review, object to, and respond in writing to any such added material with the response becoming a part of the documentation file prior to any further consideration.

4) Any unit that intends to solicit outside reviews as part of its promotion review process shall develop rules for solicitation of such reviews that are consistent with this section. In situations where outside review is undertaken, the faculty member is entitled to know how, and by whom, the panel of potential reviewers is to be identified and selected. Every reasonable effort must be made to assure that the external reviewers represent an appropriate subset of peers; a candidate shall have the opportunity to propose names to the panel and to object to the inclusion of others, but the final identification of the reviewers remains the responsibility of the person charged with conducting the review. The faculty member also has the right, unless waived, to have a copy of any review received and to append a written response to each copy of the review that is to be used for evaluation purposes.

A candidate may waive the right to access outside reviews and/or the right to know the identity of outside reviewers. Such waivers shall not be assumed, implied or coerced, and must be executed in writing prior to solicitation of outside reviews. The scope of the waiver shall be clearly indicated in writing prior to solicitation of outside reviews. A copy of any waiver executed by a faculty member shall become a part of the file. Any letter soliciting an outside review shall inform the potential reviewer of the extent to which the contents of the review or the identity of the reviewer will be known to the candidate.

In soliciting outside reviews, the University expresses its confidence in the professionalism of those whose judgments are sought. Peers and administrators must assess and weigh the content of outside reviews within the context in which they were provided, a context that includes the extent to which those reviews are confidential. A review may not, however, be routinely or automatically discounted simply because a candidate chooses not to waive the right to access the reviews or the right to know the identity of the reviewers.

5) A candidate may request a colleague to assist in preparing appropriate documentation. Both the candidate and the adviser should be aware of the potential conflict of interest that may arise should the adviser be required to vote on the nomination later in the process. An agreement to provide counsel and advice to the candidate does not imply a commitment to support the candidate's nomination.

6) In most academic units, a nomination is first considered at the department level by a committee of colleagues. The committee normally is composed of the persons in the unit who hold the rank equal to or higher than that to which a candidate aspires, or an elected subset of this group. For appointments involving more than one academic unit, or where the responsibilities of the individual reside in several areas, the appropriate peer evaluation committee shall consist of colleagues who, by virtue of rank, credentials, and experience, are able to make informed judgments about the candidate. The representational composition of such a committee must be established at the time of the apportionment or reapportionment of responsibilities.

Normally it is expected that the chair/head or unit administrator will participate in the deliberations at the departmental level. However, each department shall, by its rules, determine the role of the chair/head or unit administrator, but that person shall not vote. Under all circumstances, the chair/head or unit administrator shall have the opportunity to meet with the committee to discuss its recommendation.

The discussion at all meetings should be free and candid, and shall be based on material in the file. New material of such a substantive nature as to adversely affect the decision shall not be introduced at any meeting unless the candidate is to be given an opportunity to respond. It is the responsibility of the individual conducting the meeting to make the necessary judgments concerning the substantive nature of any new material, to convey new information to the person being evaluated and, if necessary, to delay the vote or decision until the person has had the opportunity to respond. The recommendation, including a synopsis of the discussion, and the vote of the committee, which may be done by secret ballot, are transmitted in writing to the department chair/head or unit administrator and to the candidate.

7) If at any point in the process, the candidate is not recommended for promotion by either the appropriate faculty committee or the responsible

administrator, the candidate may request reasons for the adverse recommendation, in writing if desired. A candidate also may request reconsideration of the decision by the group or individual not recommending promotion. If the candidate requests a statement of reasons or requests reconsideration of the decision, such request shall be granted as expeditiously as possible. The reconsideration process must be completed so as to comply with submission deadlines to the next level of consideration. The purpose of a statement of reasons is to give an unsuccessful candidate an opportunity to prepare a rebuttal argument. No negative recommendation shall be forwarded until the-reconsideration is complete.

8) Following the completion of deliberations by the faculty committee, including any reconsideration of an initial decision, the department chair/head or unit administrator reviews the entire record and makes an independent recommendation that is transmitted in writing to the candidate and notifies the committee of that decision. If the chair/head or unit administrator recommends against promotion, the candidate must be informed of the ability to obtain reasons and request reconsideration as described in Section V.D.(7) If the recommendation against promotion is inconsistent with previous annual evaluations, the administrator must, as part of the recommendation, submit a written explanation of the inconsistency.

9) At the college level, a committee of faculty reviews the documentation file and makes a recommendation to the dean. Usually, chairs/heads or unit administrators will not be members of the college committee. For the Institute of Agriculture and Natural Resources, the IANR deans and directors will constitute this review committee.

Normally, it is expected that the dean will participate in the deliberations at the college level. However, each college shall, by its rules, determine the role of the dean, but that person may not vote as a part of the committee action. Under all circumstances, the dean shall have the opportunity to meet with the committee to discuss its recommendation. The discussion at all meetings should be free and candid, and shall be based on material in the file. New material of such a substantive nature as to adversely affect the decision shall not be introduced at any meeting unless the candidate is to be given an opportunity to respond. It is the responsibility of the individual conducting the meeting to make the necessary judgments concerning the substantive nature of any new material, to convey new information to the person being evaluated and, if necessary, to delay the vote or decisions until the person has had the opportunity to respond. The recommendation, including a synopsis of the discussion, and the vote of the committee, which may be by secret ballot, are transmitted in writing to the dean, department chair/head or unit administrator and to the candidate.

The purpose of the review committee at the college level is to ensure that proper standards are being applied by the department and that the standards have been appropriately applied to the candidate. If the college faculty

committee recommends against promotion, the candidate must be informed of the ability to obtain reasons and request reconsideration as described in Section V.D.(7).

10) Following the completion of deliberations by the college faculty committee, including any reconsideration of its initial decision, the dean reviews the entire record to ensure that proper standards are being applied by the college and that they have been appropriately applied to the candidate. Based on this review, the dean makes an independent recommendation that is transmitted in writing to the appropriate vice chancellor, to the candidate, and to the department chair/head or unit administrator. If the dean recommends against promotion, the candidate must be informed of the ability to obtain reasons and request reconsideration as described in Section V.D.(7). If either the decision of the college committee or the decision of the dean is to recommend promotion, the documentation file must be transmitted to the appropriate vice chancellor for consideration. If, however, the college committee and the dean concur in a recommendation against promotion, the promotion process terminates and the candidate and the department each have a right to appeal the decision of the college to the vice chancellor.

11) The vice chancellor reviews the documentation file and makes an independent recommendation to the chancellor. The purpose of review at the vice chancellor level is to ensure that appropriate promotion standards are being enforced across all colleges of the University and that they have been appropriately applied to the candidate. As part of the review process, the vice chancellor is encouraged to discuss problematic cases with the appropriate administrator or faculty committee before making a recommendation. If the vice chancellor recommends against promotion, the candidate must be informed of the ability to obtain reasons and request reconsideration as described in Section V.D.(7). If, in the evaluation process, a negative recommendation has been made by one of the reviewing parties and the vice chancellor also makes a negative evaluation, the process terminates, although the candidate, department, and dean each have the right to appeal the decision to the chancellor.

If the chancellor decides against promotion, the vice chancellor shall transmit the decision in writing to the dean, the department, and the candidate. The candidate must be informed of the ability to obtain reasons and request reconsideration as given in section V.D.(7). If the chancellor recommends in favor of promotion, the nomination is forwarded to the Board of Regents for information purposes.

12) At any level of the consideration process, a candidate may request that the nomination be withdrawn from further consideration and such request shall be honored without prejudice to future attempts to secure promotion.

13) If a candidate at any point in the proceedings feels that these procedures are not being followed, several avenues are available to the candidate for redress

through the governance system. The first recommended course of action is to discuss the situation with the responsible administrators. If the issue is not resolved to the satisfaction of the candidate, the an appropriate panel of the Academic Rights and Responsibilities Committee is available to offer counsel and assistance in informal attempts to resolve differences. On procedural issues or grounds of insufficient consideration, a formal grievance may be filed through the ARRC with an appropriate panel. If the issue involves an alleged violation of an individual's academic freedom, the ARRC shall call an AFT Panel ~~the Academic Freedom and Tenure Committee is empowered to~~ investigate the allegations.

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VI. EVALUATION FOR CONTINUOUS APPOINTMENT (TENURE)

A. General Description

The award of a Continuous Appointment (tenure) is a long term commitment by the institution to the individual faculty member, subject to the Bylaws of the Board of Regents, and therefore, requires a rigorous, in-depth assessment of the faculty member's accumulated accomplishments and a determination of whether the performance is likely to meet expectations for the indefinite future. The award of tenure requires the candidate to demonstrate that such a commitment by the University is justified. The tenure decision ultimately is based on an evaluation of the quality and quantity of work accomplished during the probationary period and is an expectation and prediction of the quality and quantity of a faculty member's future performance.

In some instances, deficiencies may not be fully apparent until near the end of the probationary period, especially in the area of scholarly activity. In situations where there has been a mutually agreed upon change in responsibilities, the quality of performance in the new area of focus may not be capable of full judgment until that time. Changes in University priorities may dictate a higher minimum standard of performance than existed when the faculty member was hired initially. Adjustments in standards or responsibilities, however, must not dramatically change in ways that make it impossible for the able and responsible candidate to meet them.

Tenure recommendations should not be confused with annual evaluations nor with promotion considerations. Annual evaluations for probationary faculty prior to the tenure consideration focus primarily on suitability for reappointment, and an assessment of promise for tenure. Consequently, it should be clear that positive annual evaluations which are satisfactory for annual reappointment may not be cumulatively sufficient for tenure. Similarly, promotion primarily reflects a level of personal achievement; although it is to be regarded as positive recognition of one's work, it cannot be taken as a guarantee of tenure.

B. Eligibility

Only faculty designated as a Specific Term Appointment, pursuant to Regents Bylaws, 4.3 and 4.4.2, are eligible for consideration for a Continuous Appointment (tenure). The foregoing shall not be construed to limit the authority of the Board of Regents to grant Continuous Appointment to a faculty member at the time of employment.

C. Length of Probationary Period

Regents Bylaws, 4.10 specifies the total period of service allowable before consideration for tenure. This Section states in part:

"The total period of full-time service on a faculty Appointment for a Specific Term prior to acquisition of a Continuous Appointment shall not exceed seven years, including all previous tenure-related full-time service with the rank of instructor or higher in all accredited institutions of higher education, unless a contrary agreement is specified in writing at the time the appointee is initially appointed by the University to an Appointment for a Specific Term. For faculty members with three or more years of previous tenure-related full-time service with the rank of instructor or higher at accredited institutions of higher education, such agreement will not normally extend the period of service on a faculty Appointment for a Specific Term at the University beyond four years before a Continuous Appointment is acquired, and in no case shall such agreement extend the period of service on a faculty Appointment for a Specific Term at the University beyond seven years before a Continuous Appointment is acquired."

D. Mandatory Procedures

Procedures for tenure are established by Board of Regents Bylaws and by academic tradition. All academic units are required to follow procedures outlined below in implementing the tenure process. Subject to approval by the appropriate college and campus officials, colleges and departments may adopt additional procedures which will accommodate needs appropriate to their specific missions and disciplines.

For faculty in the Institute of Agriculture and Natural Resources the term "college" will connote "Institute", since the IANR deans and directors as a group evaluate personnel recommendations.

1) At the time the faculty member is proposed for initial appointment to a Specific Term position, the tenure notification date is established using the form, Memorandum of Understanding Regarding Tenure Decision Dates. This form specifies any credit given the person as a result of previous experience. The form must be completed prior to submission of the appointment for Board of Regents approval.

A faculty member with extensive academic experience may be offered a Continuous Appointment at the time of hiring, if the department and the college decide to do so. However, approval must be obtained from the appropriate vice chancellor, chancellor, and from the president, prior to the extension of an offer

involving a Continuous Appointment. Final approval of all Continuous Appointments must be given by the Board of Regents.

2) The tenure evaluation process must be initiated in time to be concluded prior to the tenure notification date specified in the Memorandum of Understanding Regarding Tenure Decision Dates. For a new faculty member without credit for prior experience, the tenure review process would normally begin in the fall term of the sixth year of appointment, with a decision made by the following May of that academic year. Notice of award of tenure or termination shall be in accord with Regents Bylaws, 4.2.2.

For the truly exceptional person, award of tenure may be considered prior to the mandatory time. Early tenure implies that a candidate has exceeded in the shorter time period the type of sustained high level performance that would be expected over the normal probationary period. Notwithstanding any contrary provision of these mandatory procedures for the tenure evaluation process, any person who is being considered for award of early tenure may, at his or her discretion, elect to withdraw from the tenure evaluation process without prejudice to later evaluation and consideration for award of tenure. Failure to be awarded tenure after early nomination shall not prejudice later consideration.

No person may be considered for tenure without his or her consent. Refusal to be considered at the mandatory time, however, is equivalent to resignation no later than at the end of the probationary period.

3) Departmental and college deadlines for the tenure evaluation process must be adjusted annually, based upon the campus deadlines established by the appropriate vice chancellor. The department and college deadlines must provide adequate opportunity for due process in the consideration of an applicant's nomination, for candidate response, and time for reconsideration of adverse decisions

4) Candidates are responsible for preparing a documentation file to support their nominations. It is the obligation of department chairs/heads, unit administrators, and deans to advise candidates as to the form and substance of a documentation file. The only anonymous materials that can be included in the files are student evaluations. Normally these anonymous evaluations are those routinely solicited from all students enrolled in courses taught by the faculty member according to departmental or college procedures. If additional student evaluations are desirable, the process for gathering these evaluations must be described in writing and become part of the record. Documentation should be organized to comply with instructions from the vice chancellor responsible for the administrative unit. The recommendations from each review become a part of the file.

The content of a documentation file, and the emphasis to be given various components of the file, may vary from discipline to discipline. Except as

provided in the following section, the candidate is entitled to access all materials in the file. The candidate is also entitled to know the identity of everyone who reviews the file. Anyone with relevant information for inclusion into the file may proffer that information at any level of consideration to the person responsible for conducting the review. That person shall determine, after consultation with the candidate, whether to include the material. The candidate must be informed of the content and source of any substantive new evidence to be added to the existing file. The candidate has a right to review, object to, and respond in writing to any such added material with the response becoming a part of the documentation file.

5) Any unit that intends to solicit outside reviews as a part of its tenure review process shall develop rules for solicitation of such reviews that are consistent with this section. In situations where outside review is undertaken, the faculty member is entitled to know how, and by whom, the panel of potential reviewers is to be identified and selected. Every reasonable effort must be made to assure that the external reviewers represent an appropriate subset of peers; a candidate shall have the opportunity to propose names to the panel and to object to the inclusion of others, but the final identification of the reviewers remains the responsibility of the person charged with conducting the review. The faculty member also has the right, unless waived, to have a copy of any review received and to append a written response to each copy of the review that is to be used for evaluation purposes.

A candidate may waive the right to access outside reviews and/or the right to know the identity of outside reviewers. Such waivers shall not be assumed, implied or coerced, and must be executed in writing prior to solicitation of outside reviews. The scope of the waiver shall be clearly indicated in writing. A copy of any waiver executed by a faculty member shall become a part of the file. Any letter soliciting an outside review shall inform the potential reviewer of the extent to which the contents of the review or the identity of the reviewer will be known to the candidate. In soliciting outside reviews, the University expresses its confidence in the professionalism of those whose judgment is sought. Peers and administrators must assess and weigh the content of outside reviews within the context in which they were provided, a context that includes the extent to which those reviews are confidential. A review may not, however, be routinely or automatically discounted simply because a candidate chooses not to waive the right to access the reviews or the right to know the identity of the reviewers.

6) A candidate may request a colleague to assist in preparing appropriate documentation. Both the candidate and the adviser should be aware of the potential conflict of interest that may arise should the adviser be required to vote on the nomination later in the process. An agreement to provide counsel and advice to a candidate does not imply a commitment to support the candidate's nomination.

7) In most academic units, a candidate is first considered at the department

level by a committee of colleagues. The committee shall be composed of the persons in the unit who are tenured, or an elected subset of this group. For appointments involving more than one academic unit, or where the responsibilities of the individual reside in several areas, the appropriate peer evaluation committee shall consist of colleagues who by virtue of rank, credentials, and experience are able to make informed judgments about the candidate. The representational composition of such a committee must be established at the time of the apportionment or reapportionment of responsibilities.

Normally it is expected that the chair/head or unit administrator will participate in the deliberations at the department level. However, each department shall, by its rules, determine the role of the chair/head or unit administrator, but that person shall not vote. Under all circumstances, the chair/head or unit administrator shall have the opportunity to meet with the committee to discuss its recommendations.

The discussion at all meetings should be free and candid, and shall be based on material in the file. New material of such a substantive nature as to adversely affect the decision shall not be introduced at any meeting unless the candidate is to be given an opportunity to respond. It is the responsibility of the individual conducting the meeting to make the necessary judgments concerning the substantive nature of any new material, to convey new information to the person being evaluated and, if necessary, to delay the vote or decision until the person has had the opportunity to respond. However, the process must be completed so as to comply with submission deadlines to the next level of consideration. The recommendation, including a synopsis of the discussion, and the vote of the committee, which may be by secret ballot, are transmitted in writing to the department chair/head or unit administrator and to the candidate.

8) If at any point in the process, the candidate is not recommended for tenure by either the appropriate faculty committee or responsible administrator, the candidate may request reasons for the adverse recommendation, in writing if desired. The candidate also must be informed of the right to request reconsideration of the decision as provided in Regents Bylaws, 4.8(a). No negative recommendation shall be forwarded until the reconsideration is complete. The department or college shall establish time lines for the candidate to request either a statement of reasons or reconsideration of a decision. If the candidate requests a statement of reasons or requests reconsideration of a decision within these time lines, such request shall be granted as expeditiously as possible. Departments and colleges must schedule the review process so that any reconsideration shall be completed in time to meet established submission deadlines to the next level of consideration. The purpose of the statement of reasons is to give an unsuccessful candidate an opportunity to prepare a rebuttal argument. In order to allow the opportunity to respond, the candidate must be given the opportunity to review the file.

9) Following completion of deliberations by the faculty committee, including

any reconsideration of an initial decision, the department chair/head or unit administrator reviews the entire record and makes an independent recommendation that is transmitted in writing to the dean, to the candidate, and to the committee. If the chair/head or unit administrator recommends against tenure, the candidate must be informed of the right to request reasons for the adverse recommendation, and request reconsideration as described in Section VI.D.(8). If the recommendation against tenure is inconsistent with previous annual evaluations, the administrator shall, as part of the recommendation, submit a written explanation of the inconsistency, recognizing that positive annual evaluations which are satisfactory for annual reappointment may not be cumulatively sufficient for tenure (Guidelines VI, A, para.3).

10) At the college level, a committee of faculty reviews the documentation file and makes a recommendation to the dean. Usually the chairs/heads or unit administrators will not be members of the college committees. For the Institute of Agriculture and Natural Resources, the IANR deans and directors will constitute the committee to evaluate personnel recommendations. Normally it is expected that the dean will participate in the deliberations at the college level.

However, each college shall, by its rules, determine the role of the dean, but that person shall not vote. Under all circumstances the dean shall have the opportunity to meet with the committee to discuss its recommendation. The discussion at all meetings should be free and candid, and shall be based on material in the file. New material of such a substantive nature as to adversely affect the decision shall not be introduced at any meeting unless the candidate is to be given an opportunity to respond. It is the responsibility of the individual conducting the meeting to make the necessary judgments concerning the substantive nature of any new material, to convey new information to the person being evaluated and, if necessary, to delay the vote or decisions until the person has had the opportunity to respond. The recommendation, including a synopsis of the discussion, and the vote of the committee are transmitted in writing to the dean, department chair/head or unit administrator and to the candidate.

The purpose of the review committee at the college level is to ensure that proper standards are being appropriately applied by the department and that the standards have been applied to the candidate. If the college faculty committee recommends against tenure, the candidate must be informed of a right to request reasons for the adverse recommendation and request reconsideration of the decision as described in Section VI.D.(8).

11) Following the completion of deliberations by the college faculty committee, including any reconsideration of its initial decision, the dean reviews the entire record to ensure that proper standards are being applied by the college and that they have been appropriately applied to the candidate. Based on this review, the dean makes an independent recommendation that is transmitted in writing to the appropriate vice chancellor, to the candidate, and to the department chair/head or unit administrator. If the dean recommends

against tenure, the candidate must be informed of a right to request reasons for the adverse recommendation and a right to request reconsideration of the decision as described in section VI.D.(8). All nominations are forwarded to the vice chancellor, regardless of the decision at the college level.

12) The vice chancellor reviews the documentation file, including the recommendations from the college and department, and makes an independent recommendation to the chancellor. The purpose of review at the vice chancellor level is to ensure that appropriate tenure standards are being enforced across all colleges of the University and that they have been applied to the candidate. As part of the review process, the vice chancellor is encouraged to discuss problematic cases with the appropriate administrator or faculty committee before making a recommendation. If the vice chancellor recommends against tenure, the candidate must be informed of a right to request a written statement of reasons for the denial, and to request reconsideration of the decision as described in Section VI.D.(8), a right to pursue an appeal of the decision to the chancellor. All nominations are forwarded to the chancellor, regardless of the decision at the college or vice chancellor levels.

If the chancellor decides against tenure, the vice chancellor shall transmit the decision in writing to the dean, the department, and the candidate. The candidate must be informed of a right to request a written statement of reasons for the denial, and to request reconsideration of the decision as described in section VI.D.(8). If the chancellor recommends in favor of tenure, the nomination is forwarded to the Board of Regents for information purposes.

13) If a candidate at any point in the proceedings feels that these procedures are not being followed, several avenues are available to the candidate for redress through the governance system. The first recommended course of action is to discuss the situation with the responsible administrator. If the issue is not resolved to the satisfaction of the candidate, an appropriate panel of the Academic Rights and Responsibilities Committee is available to offer counsel and assistance in informal attempts to resolve differences. On procedural issues or on grounds of insufficient consideration, a formal grievance may be filed through the ARRC with an appropriate panel. If the issue involves an alleged violation of an individual's academic freedom, the ARRC shall call an AFT Panel to investigate the allegations.

No procedural delays shall prevent a tenure recommendation involving notice of non-renewal from being submitted to the Board of Regents in time for its action by the appropriate deadline for notice of non-renewal. However, timely notice of non-renewal by the Board in such circumstances shall not preclude either the completion of the appropriate review process or the later submission of a different recommendation to the Board, if the review results so warrant.

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VII. APPLICABILITY AND EFFECTIVE DATE OF GUIDELINES

A. Scope of Applicability

Upon adoption, the Guidelines shall be applicable to all faculty who hold appointments under Regents Bylaws, 3.1.1.1 "Academic and Administrative Staff," and every academic unit of the University of Nebraska-Lincoln. For faculty members hired after the effective date of the Guidelines, the Guidelines shall define the reasonable expectations of the University community relative to evaluation of faculty members. For faculty members hired prior to the effective date of the Guidelines, the Guidelines shall define the reasonable expectations relative to evaluation of faculty members, except to the extent that a faculty member or an academic unit can show that any provision of the Guidelines significantly departs from the reasonable expectations of the faculty member or the academic unit which were formed prior to the effective date of the Guidelines.

B. Relations to Other Bylaws, Policies and Regulations

This document explains, supplements, and further implements the provisions of the Bylaws of the Board of Regents of the University of Nebraska and the Bylaws of the University of Nebraska-Lincoln concerning promotion and tenure.

Upon adoption and promulgation of this document by the chancellor of the University of Nebraska-Lincoln, the sole and exclusive statement of the University of Nebraska-Lincoln rules governing promotion and tenure practice shall be the following:

- 1) the Regents Bylaws;
- 2) the UNL Bylaws;
- 3) this document;
- 4) college and IANR rules and regulations;
- 5) departmental promotion and tenure standards and criteria.

Any college and IANR rules and regulations or departmental promotion and tenure standards and criteria not consistent with this document shall be deemed repealed, and all other statements purporting to declare or explain or implement rules governing promotion and tenure practice in the University of Nebraska-Lincoln shall be deemed repealed.

Nothing in this document is intended to impair any right or expectation enjoyed by any employee of the University of Nebraska-Lincoln by virtue of any specific contract between the employee and the University or by virtue of the protections of any state or federal constitutional or statutory provision.

C. Modifications of Provisions

If any academic unit believes that a provision of these Guidelines departs significantly

from the tradition of its academic discipline or may seriously interfere with the unit's ability to compete for quality faculty, that unit may request the chancellor to modify that provision as applied to that unit. Any such requests shall involve a recommendation from the faculty of the academic unit involved. Proposed modifications shall be submitted in writing to the chancellor through the appropriate dean and vice chancellor for their recommendation. The request shall provide:

- 1) the specific provision sought to be modified;
- 2) a proposed modification of the provision;
- 3) justification of the proposed modification.

The chancellor, after discussion with the Executive Committee of the Academic Senate, may grant a modification of any provision of these Guidelines if there are reasonable grounds to believe that the proposed modification represents a fair and effective process of evaluation of faculty and complies with the traditions of that unit's academic discipline or may be necessary to permit the unit to compete effectively with its peers for quality faculty.

D. Revisions This document represents a consensus of UNL's faculty, the chancellor, and other academic officers. In an effort to maintain this consensus, the chancellor shall, prior to issuance of any revisions to this document, consider the views of the Council of Academic Deans, the Faculty Senate, and the appropriate vice chancellors.

E. Effective Date

This document, Guidelines for the Evaluation of Faculty: Annual Evaluations, Promotion, and Tenure became effective on December 5, 2001 when it was adopted and signed by the chancellor of the University of Nebraska-Lincoln.

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* These Guidelines supplement the Bylaws of the Board of Regents of the University of Nebraska (1984), Sections 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, and 4.10, and the Bylaws of the University of Nebraska-Lincoln (1976), Sections 2.1, 2.3, and 2.5.

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** Special Appointments are non-tenure track appointments and include temporary appointments, part-time appointments, visiting appointments, and appointments supported by "soft dollars", that is, funds over which the University does not have control indefinitely, or which the University cannot reasonably expect to continue.

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