

UNIVERSITY REVIEW COMMITTEE  
Thursday, February 5, 2015  
3 p.m., Hovey 209

MINUTES

Members present: Rick Boser, Phil Chidester, Angela Bonnell, Diane Dean, Joe Goodman, Doris Houston, Sheryl Jenkins, David Rubin, Sam Catanzaro (non-voting)

Members not present: Bill O'Donnell

Others present: Bruce Stoffel (recorder)

I. Call to order

Chairperson Sheryl Jenkins called the meeting to order at 3 p.m.

II. Approval of minutes from the December 4, 2014 meeting

David Rubin moved, Joe Goodman seconded approval of minutes from the December 4, 2014, meeting as distributed prior to the meeting. The motion carried.

III. Overview of spring 2015 committee work

Jenkins identified four primary tasks the committee will undertake during the spring 2015 term: reviewing CAST college standards, reviewing reports of ASPT activities from the colleges and the Faculty Review Committee, continuing review of ASPT policies, and reviewing the proposed suspension/dismissal policy.

IV. Subgroup reports

Jenkins asked each subgroup to briefly report findings of its review of the ASPT policies document.

Subgroup 1(Phil Chidester and Joe Goodman)

Goodman and Chidester reported on their review of the ASPT policies document overview, right of access to personnel documents (Section XIV), and appendices.

Goodman noted that the words "shall" and "must" are used throughout the document. He asked if one or the other should be used consistently. Angela Bonnell said there had been deliberate discussion regarding this issue when the current version of the ASPT policies document was compiled. Diane Dean said it would not hurt to revisit the question. Rick Boser suggested that "shall" has legal connotations such that if an action is not done, negative consequences could result, like a fine. Chidester said that usage needs to be consistent throughout the document. Catanzaro suggested using "shall" unless committee members think otherwise.

Goodman asked if use of the pronoun “them” in the second line of the last paragraph on page 2 (of the ASPT document) is appropriate.

Chidester reviewed issues identified by the subgroup with respect to Section XIV and the appendices. He said he sent his comments to Bruce Stoffel via email prior to the meeting (see the attached report for an itemization of issues raised by Chidester).

Subgroup 2 (Doris Houston and David Rubin)

Houston and Rubin reported on their review of the ASPT committee structure (Sections I, II, III, IV, and V). In her report to the committee, Houston identified issues she had summarized in a document sent to the committee on behalf of the subgroup prior to the meeting (see attached). Houston reviewed substantive issues with the committee, asking committee members to send her their comments regarding minor wording changes.

Regarding the subgroup suggestion that the second sentence of Section 1.A, be modified (from “The Board of Trustees has granted to the President final responsibility to formulate decisions based upon advice of the Provost and Faculty Review Committee ...” to “The Board of Trustees has granted to the President final responsibility to formulate *and implement policies* based upon the advice of the Provost and the Faculty Review Committee ...”), Diane Dean commented that existing wording is more accurate. Committee consensus was to not make the suggested change.

Rubin explained the suggestion to add the following sentence to the end of Section 1.B: *Additionally, no persons, at any level, may participate in deliberations regarding the evaluation of a spouse’s or relative’s senior administrator.* Rubin explained that the sentence refers to the five-year evaluation of chairpersons. Catanzaro noted that evaluation of chairpersons is not addressed in the ASPT document, because chairpersons are evaluated in accordance with processes external to the ASPT system; chairpersons are evaluated through the ASPT system only when they apply for tenure or promotion (in faculty rank). Catanzaro suggested that an alternative approach to addressing the concern regarding conflict of interest in chairperson evaluations might be to strengthen the conflict of interest passage in the ASPT document.

Houston explained the suggestion by the subgroup to modify the passage regarding a university-wide equity review. The subgroup suggests stipulating that such a review “will” be conducted by URC and providing direction as to the definition of equity review, its purpose and methodology, reporting of results, and enactment of recommendations. Houston reported that she has tried to find an explanation for context of the passage by outreaching to Jim Jawahar (Associate Provost), Susan Kalter (Academic Senate Chairperson), and Shane McCreery (Director of the Office of Equal Opportunity, Ethics, and Access). Houston said that there appears to be no institutional memory of the University having ever conducted an equity review pursuant to ASPT policies. She said that OEOEA has addressed salary equity in some of its analyses and reports but not equity in hiring, tenure, and promotion.

Boser asked what is meant by “equity review.” Houston responded that there are different definitions and that the subgroup has not yet offered one. Generally, the concept refers to reviewing the extent to which the University distributes its resources in an equitable manner, she said. Rubin said that salary comprehension could be an issue for review, noting that some departments at the University have a problem with that. Catanzaro reminded the committee that salary equity is addressed through salary incrementation policies set forth in the ASPT

document. One concern in conducting equity review might be potential contravening of the peer review process provided for in the document. Catanzaro also noted that reference to equity review in the ASPT document might be a holdover from a time when the University did not have a unit like OEOEA to conduct systematic analyses. But the OEOEA role in equity review has been limited to salary, Houston noted.

Houston said more information gathering is needed in this matter, including review of the American Association of University Professors position and identification of equity review policies and practices at other universities.

### Subgroup 3 (Angela Bonnell and Sheryl Jenkins)

Bonnell and Jenkins reported on their review of Sections VI, VII, VIII, IX, X, and XI of the ASPT document.

Bonnell circulated a copy of those sections annotated with her comments and suggestions (see attached). She and Jenkins reviewed the document with the committee.

Regarding the question whether reference in the ASPT document to the instructor rank is still needed, Catanzaro said that the instructor rank among tenure-line faculty might still be used when hiring a faculty member who has not yet completed a dissertation but will need to do so to qualify for tenure. Chidester concurred. Catanzaro said that the question will need to be investigated with Human Resources.

Bonnell explained that the committee may have already recommended changes to Section IX.B at prior meetings (e.g., passages related to the “stop-the-clock” provision). Rubin asked about the deadline for invoking the stop-the-clock mechanism. Catanzaro responded that a faculty member may invoke the provision at any time up to the date when the promotion/tenure application is due, although waiting that long is not recommended.

Regarding the question whether reference to certification in Section IX.B.6 is still relevant and needed, Jenkins said that certification is important to faculty in Mennonite College of Nursing.

Jenkins asked about the reference to “compensation equity adjustments” in Section X.A.5 (related to post-tenure review). Catanzaro explained that evaluation of faculty performance across multiple years, which is possible in post-tenure review, may suggest the need for compensation adjustments when the need for such adjustments might not have been apparent in annual performance evaluations. Rubin asked about the source of funds for such compensation. Catanzaro responded that such funds typically come from the ASPT-mandated reserve of 10% of the raise pool for the Provost (XII.A.1), although individual units may choose to allocate funds for such adjustments as well in “Departmental Equity” (XII.A.2.c).

### Subgroup 4 (Rick Boser and Diane Dean)

Dean reported on her subgroup review of Sections XII and XIII of the ASPT document. She circulated a version of the sections with notes from the subgroup (see attached).

Dean reported that the subgroup finds Section XII acceptable as it is. The subgroup suggests reorganizing Section XIII to make it easier to use and has suggested wording changes to bring uniformity across the text. All references to days need to be checked for accuracy and appropriateness. Clarification is needed whether a witness to a proceeding is allowed to attend

the proceeding and also whether an appellant may address the Faculty Review Committee in person.

[Catanzaro left the meeting at this point]

Houston asked how the committee should move forward with review and consideration of subgroup findings and recommendations. Jenkins responded that she will consult with Catanzaro and develop a plan for future discussions.

Stoffel asked subgroups to send him any additional subgroup reports, which he will then compile and circulate to all committee members.

V. Adjournment

Boser moved, Bonnell seconded that the meeting be adjourned. The meeting adjourned at 4:02 p.m.

Respectfully submitted,  
Diane Dean, Secretary

Bruce Stoffel, Recorder

Attachments:

- Report from ASPT Subgroup 1
- Report from ASPT Subgroup 2
- Report from ASPT Subgroup 3
- Report from ASPT Subgroup 4

University Review Committee  
ASPT Subgroup 1

Report Submitted by Phil Chidester  
February 5, 2015

## RIGHT OF ACCESS TO PERSONNEL DOCUMENTS

### XIV. Right of Access To Personnel Documents

#### A. General Policies:

1. Illinois State University shall provide access to personnel documents in accordance with applicable statutes. Official personnel files are kept by the Provost's Office, Human Resources, Departments/Schools, and/or Colleges. Anonymous communications other than student evaluations shall not be included in the official personnel file nor used as part of any ASPT evaluation or decision.
3. Faculty members shall have the right to respond to materials contained in their official personnel files in the Office of the Provost, Human Resources, or in their Department/School or College files.

**Comment [p1]:** Should we include "or solicited supervisor reviews" to cover situations similar to the one we discussed going on at the library? I'm wondering if we might even refer to "unsolicited anonymous communications" as a way of leaving room open for official university surveys that seek anonymous feedback on performance outside of the classroom.

**Comment [p2]:** And/or to be consistent with the rest of the points in XIV

**Comment [p3]:** Again, and/or

#### B. Faculty Access to Personnel Files:

3. The right of faculty members to examine written materials does not extend to letters of reference or to external peer review documents for that faculty member under 820 ILCS 40/10. However, an external reviewer or referee may provide a written and signed waiver of confidentiality permitting the faculty member to examine the peer review letter(s), letters of reference, and/or documents.

**Comment [p4]:** Add comma here

**Comment [p5]:** Is there a provision for asking for this waiver of confidentiality? I don't know what kind of document is used to solicit these materials from external reviewers. In other words, are we leaving it up to these reviewers to express the desire for such a waiver? Can faculty members request that such a waiver be offered to the reviewer?

- C. In the absence of a statutory restriction or judicial order, the University shall notify a faculty member upon receipt of a subpoena for the faculty member's personnel file.

**Comment [p6]:** I'd reverse this sentence – as is, it seems to be saying that it is the absence of the statutory restriction or judicial order that triggers the notification, rather than the receipt of the subpoena. I'd suggest, then, "The University shall notify a faculty member upon the receipt of a subpoena for the faculty member's personnel file unless such notification is prohibited by statutory restriction or judicial order."

### APPENDIX 1

(Pretty straightforward. My only observation is that there is inconsistency between the use of "must" and "shall" in the individual points. Is there any substantive difference between the two? In my mind, "must" seems to carry some sort of legal "or else," while "shall" is softer – it's just an expectation that such and such "shall be done." Most of the individual points use "must;" those that don't include: under B. Calendar for Promotion and Tenure, Nov. 1 and May 15; under D. Calendar for Cumulative Post-Tenure Review, March 8 and April 15; under E. Calendar for Reporting Requirements, May 1 (1<sup>st</sup> & 3<sup>rd</sup> paragraphs).

### APPENDIX 2

#### Factors Used For Evaluation of Teaching

12. Development of new teaching techniques (videotapes, independent study modules, computer activities, instructional technologies, etc.);

**Comment [p7]:** Perhaps change to "video recording" to be more contemporary, as well as to generically cover all visual recording technologies? Does anyone use videotape anymore?

## **Criteria for the Evaluation of Scholarly and Creative Productivity**

### **Definition of Research**

A large subset within the area of scholarly and creative productivity is commonly called research. The term “research” has been defined by the University Research Committee and the faculty evaluation system shall continue to recognize the University Research Committee’s definition of research and modes of documenting research. The University definition for research is given below:

**Comment [p8]:** Slipping a comma in after “Committee” will help – I had to read through this sentence 4 times to make sense of it!

### **Evaluation Guidelines and Criteria for Scholarly and Creative Productivity**

6. Performances, exhibitions, and other creative activities locally, regionally, nationally and internationally;

**Comment [p9]:** “...and other creative activities engaged in locally, regionally...”

University Review Committee  
ASPT Subgroup 2

Report Submitted by Doris Houston and David Rubin  
February 3, 2015



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## The ASPT Committee Structure

### I. Committees: Policies, Selection, Organization, and Responsibilities

A. It is understood that all committees act in an advisory capacity to the President. The Board of Trustees has granted to the President final responsibility to formulate **and implement policies decisions** based upon the advice of the Provost and the Faculty Review Committee, regarding appointment, salary, promotion, and tenure presented to the Board of Trustees (see XII.A).

**B.** Members of the University Review Committee, Faculty Review Committee, and College Faculty Status Committees will be elected by April 15 and members of the Department/School Faculty Status Committees will be elected by May 1 of each academic year. Their terms of office will normally commence with the start of the fall semester. No faculty member may serve for more than two consecutive terms on any one of these committees. No persons, at any level, may participate in deliberations regarding their own evaluations or those of spouses or other relatives by law or by consanguinity. **Additionally, nNo persons, at any level, may participate in deliberations regarding the evaluation of a their spouse's or relative's senior administrator.**

Comment [DR1]: I.B., page 7

Comment [DR2]: May need some wording changes. P.7

C. Elected members of the Academic Senate shall not be eligible for election to the University Review Committee or the Faculty Review Committee. Faculty members shall be eligible to serve on only one of the following elected bodies at a time: the University Review Committee, the Faculty Review Committee, a College Faculty Status Committee, or a Department/School Faculty Status Committee. College Council members shall not be eligible to serve on a College Faculty Status Committee. Those faculty members holding administrative **appointments** may not be elected to serve on ASPT committees (URC, FRC, CFSC, DFSC/SFSC). Vacancies on the University Review Committee, Faculty Review Committee, College Faculty Status Committee, or Department/School Faculty Status Committee shall be filled by established election procedures. No faculty member shall vote in the election of more than one department/school and one college.

Comment [HD3]: Need to clarify which kind of administrative appointments P.7

D. All deliberations and all results and reports of these deliberations by committees and officials within the faculty status system process shall be confidential, and files of committees and officials shall be managed in keeping with University policies regarding personnel files (see XIV).

Confidentiality regarding academic personnel processes is not only an academic tradition, but is also a necessity for broad and candid participation in the personnel process if it is to remain a

URC Subgroup 2: Doris Houston/David Rubin

shared governance process. While this necessary confidentiality may be breached by some legal inquiries, the confidentiality must, in the absence of any such inquiry, be respected and observed by all participants, committee members, officials, and applicants alike.

All deliberations ~~regarding of~~ committee decisions and officials within the faculty status system process shall be confidential (subject to Illinois and Federal laws) and files of committees and officials shall be managed in keeping with University policies regarding personnel files.

At the beginning of DFSC/SFSC deliberations, the chair/director should remind committee members (and at the beginning of CFSC deliberations, so should a dean remind committee members) that the committee's work may be communicated only to the next level of the faculty status process as defined in Faculty Appointment, Salary, Promotion and Tenure Policies and approved revisions, or in two other very specific instances:

First, if a DFSC/SFSC or CFSC committee member chooses to file a minority report, the text of such a report cannot reveal confidential aspects of a committee's or an official's deliberations. (A "minority report" is defined as a voluntary written statement submitted by a committee member(s) other than the Department/School Chairperson/Director indicating reasons for dissenting from an action or recommendation taken by the majority of the committee. Such a minority report may focus on the conclusions the author wishes to propose, and the evidence for such conclusions. Such an argument is understood to argue that the majority conclusions are flawed. The minority report must not breach the confidentiality of the faculty status process by reporting the deliberations of the committee, by reporting the views or statements of individual members of the committee during deliberations, or be communicated or transmitted to any member of the university other than the immediate next level of the faculty status process.)

**Comment [HD4]:** The definition of "Minority report" should be described here during its first use as opposed to later in the current document: CFSC Review of Departmental/School Recommendations (C.4) P.8

Second, should a member of a DFSC/SFSC or CFSC committee conclude that the committee or an official involved in the faculty status system process has violated the civil rights of an applicant, that member should immediately notify the University Office of Diversity and Affirmative Action, where a confidential inquiry will be initiated.

## II. University Review Committee (URC)

A. The URC shall be comprised of elected faculty members with tenure (as defined on p. 1) and the Provost or the Provost's designee, who is an ex officio non-voting member. Each college shall have a minimum of one member on the URC. Any College with more than one hundred faculty members shall have one additional member for every additional one hundred faculty members (or major fraction thereof). Members from each College shall be elected at large for staggered three-year terms by and from the faculty of each College. In addition, the URC shall include a faculty representative, subject to the qualifications, proportions, and term outlined for college representatives, elected by and from the faculty members of the Milner Library. Each College Dean and the University Libraries Dean shall inform the Provost of individuals elected to the URC.

B. The URC shall elect a Chairperson, a Vice-Chairperson, and a Secretary from among its membership.

C. A primary responsibility of the URC is to formulate, and at five-year intervals and on an as-needed basis, revise the Illinois State University ASPT document. If necessary, the URC will forward appropriate recommendations for revision of these policies and procedures to the Academic Senate. Unless otherwise provided, revisions of these policies shall be effective as of January 1 of the year following approval by the Faculty Caucus of the Academic Senate. The URC reviews and approves college standards at five-year intervals and on an as-needed basis. The URC considers Department/School policies and procedures only at the request of the appropriate Dean or DFSC/SFSC. It does not consider individual cases. In order to fulfill this primary function, the URC shall receive annual reports from each College Faculty Status Committee (see IV.D.) and from the Faculty Review Committee (see III.F.).

~~D. The URC may conduct a University wide equity review. In this case, the URC shall develop an appropriate equity distribution plan. This plan must be approved by the faculty members of the Academic Senate prior to its implementation. The Office for Diversity and Affirmative Action shall determine the criteria for affirmative action equity review in consultation with the URC.~~

Comment [DR5]: II.D., Page 9

~~"The URC will conduct a university-wide equity review every XXXX years. The URC shall develop written guidelines for these reviews and shall develop an appropriate equity distribution plan. This plan must be approved by the Faculty Caucus of the Academic Senate prior to its implementation. The Office of Equal Opportunity, Equity and Access shall assist the URC in determining criteria for the affirmative action portion of these equity reviews."~~

Comment [HD6]: Suggested Language change (ASPT policy II.D.) p.9

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1. Definition of Equity Review
2. Purpose and Method of equity review
  - a. Personnel to be reviewed for equity review
    - i. OEOEA affirmative action
    - b. Scope of equity review policy
3. Instrument to report results of equity review findings  
~~—Enactment of Equity Review and Appeal of Equity Review~~
4.

E. In consultation with the URC, as is deemed necessary, the Provost shall (1) ensure that University faculty status policies and procedures are available to all faculty members, (2) distribute the faculty status calendar indicating specific dates by which time the Departments/ Schools and Colleges are to perform their stated function, (3) receive an ~~aggregate~~ ~~general~~ report of faculty performance-evaluation appraisals made by each DFSC/SFSC and each CFSC, (4) provide interpretations of ASPT policies related to procedure and (5) submit a summary of faculty performance recommendations to the President. This summary shall also be made available to the Academic Senate in Executive Session.

Final reports prepared for the Board of Trustees shall be available for review by members of the Academic Senate at least forty-eight hours (2 business days) prior to the Executive Session. Faculty members of the Academic Senate may present suggestions or comments in writing to the President. During the Executive Session only written comments to the President, received prior to the Academic Senate meeting, can be discussed. There shall be no discussion of individual faculty members.

F. In consultation with the Provost, the URC shall (1) develop the faculty status calendar indicating specific dates by which time the Departments/Schools and Colleges are to perform their stated functions and (2) provide interpretations of ASPT policies and procedures as needed. Any faculty member or committee may request interpretation of ASPT policies. Such opinions are advisory; appeals of specific actions taken under the ASPT process must be directed to the appropriate appellate body. During an appeal, the appeal committee may consult with the URC regarding interpretations of ASPT policies only in the broad sense; however, the URC shall not provide specific interpretation of a particular case.

### III. Faculty Review Committee (FRC)

A. The FRC shall comprise elected faculty members with tenure (as defined on p. 1) who have served previously on a Department/School Faculty Status Committee or College Faculty Status Committee. Each college, including Milner Library, shall have a minimum of one member on the FRC. Any college with more than one hundred faculty members shall have one additional member for every additional one hundred faculty members (or major fraction thereof). Members from each College shall be elected at large for three-year staggered terms by the tenured and tenure-track faculty members from that College. Each College Dean, including Milner Library, shall inform the Provost of individuals elected to the FRC.

B. The FRC shall elect a Chairperson, a Vice-Chairperson, and a Secretary from among its membership.

C. The FRC as a whole shall consider appeals of promotion and tenure decisions only. An FRC member from an appellant's department/school will not take part in the appellant's appeal. Any member serving on a particular case shall continue on that case until the case is resolved, even if resolution occurs after the member's term would otherwise have ended. An appeal of a performance evaluation decision must be made to the CFSC (see XIII.F).

D. Section XIII of this document details appeals policies and procedures. Prior to hearing promotion or tenure appeals, the FRC operates under the following guidelines:

1. A faculty member may request a University-wide review of his/her credentials only if he/she has followed the procedures for resolving differences between individuals and the appropriate DFSC/SFSCs or CFSCs;
2. If the procedures mentioned in III.D.1 have failed to resolve a tenure or promotion disagreement, a request for University-wide review shall be submitted to the FRC no later than March 15.

**Comment [HD7]:** We should clarify the definition of "university wide review" and offer guidelines/procedures for such review. P.11

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E. The FRC will be the University committee to hear an appeal for dismissal of a tenured faculty member.

F. The FRC shall submit to the URC a final report summarizing the number of appeals by Department/School and College, the type of appeals, and the dispositions of these appeals.

#### IV. College Faculty Status Committee (CFSC)

##### A. Membership of the CFSC:

1. Each College shall have a CFSC that comprises three to six faculty members (as defined on p. 1) whose locus of tenure is within that college and the Dean, who is an ex officio voting member and Chairperson of the Committee. All members of the committee must hold tenure. Members shall be elected at-large by the faculty (as defined above) of the College for staggered two-year terms. In those Colleges having six or more departments/schools, no Department/School shall have more than one representative. In no event shall one Department/School have more than two representatives. CFSC Guidelines must specify whether CFSC members may participate in, be present at, or vote in ASPT deliberations (including appeals) involving individuals from their own departments/schools.

2. Milner Library shall have a CFSC that is comprised of two faculty members (as defined in the Overview) and the Dean, University Libraries, who is an ex officio voting member and Chairperson of the Committee. Elected members of the committee must hold tenure. Members shall be elected at-large by Milner Library Faculty for staggered two-year terms. Since Milner Library has no departments, Milner Library CFSC members may participate in all deliberations unless these deliberations involve them as individuals.

3. The following stipulations shall apply to the Mennonite College of Nursing until it has an appropriate number of tenured faculty members.

a. With no tenured faculty members, there shall be no CFSC; instead, the Dean shall be responsible for the implementation of faculty status policies.

b. With one tenured faculty member (excluding the Dean), the CFSC shall comprise the tenured faculty member and the Dean.

c. With two tenured faculty members (excluding the Dean) the CFSC shall comprise the two tenured faculty members and the Dean.

d. With three tenured faculty members (excluding the Dean), the CFSC shall comprise the three tenured faculty members and the Dean.

##### B. CFSC Review of Departmental/School Policies and Procedures:

**Comment [HD8]:** Does this language still apply?  
P.12

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1. The CFSC shall review Department/School policies and procedures for appointment, reappointment, performance-evaluation, promotion, tenure, and post-tenure reviews with authority to ensure conformity to College standards and University policies and procedures.
2. The CFSC shall review Department/School policies and procedures for the allocation monies devoted to performance-evaluated salary increments. These policies and procedures are left to the discretion of each Department/School, but the CFSC shall review them for clarity, and fairness, and internal consistency.
3. The URC shall ~~be notified in writing of decide in the event of a~~ disagreement between a DFSC/SFSC and a CFSC regarding the development of the policies and procedures. ~~In such case, URC will decide which proposed policy and/or procedure best represents the interests of the university.~~

C. CFSC Review of Departmental/School Recommendations:

1. In all situations involving tenure, the CFSC shall review the cases of the individuals involved and either endorse the DFSC/SFSC's recommendation or reach an alternate recommendation.
2. In all situations involving a positive DFSC/SFSC recommendation for promotion, the CFSC shall review the promotion application of the individual involved and either endorse the DFSC/SFSC's recommendation or reach an alternate recommendation. A faculty member may withdraw an application for promotion at any time during the review process prior to review by the President. Negative DFSC/SFSC recommendations for promotion shall not be forwarded beyond the Department/School to the CFSC unless the faculty member requests, in writing, to the Department/School Chairperson/Director, additional review.
3. The CFSC shall receive a report of the DFSC/SFSC recommendations for performance-evaluated salary increments. The CFSC shall approve the recommendations in the report for consistency and conformity to Department/School policies, College standards and University policies. Faculty members may appeal to the CFSC a DFSC/SFSC performance-evaluated review. The CFSC shall serve as the final appellate body for a performance evaluated review (see XIII.H.).
4. In cases of tenure and promotion, the DFSC/SFSC shall forward to the CFSC the candidate's evidence of accomplishment, together with its recommendation and rationale, all minority reports, and the chairperson's/director's recommendation (if required) and rationale. Chairpersons/directors are required to write a separate report when the chairperson's/director's recommendation differs from the DFSC/SFSC recommendation. ~~(A "minority report" is defined as a voluntary written statement submitted by a committee member(s) other than the Department/School Chairperson/Director indicating reasons for dissenting from an action or recommendation taken by the majority of the committee. Such a minority report may focus on the conclusions the author wishes to propose, and the evidence for such conclusions. Such an argument is understood to argue that the majority conclusions are flawed. The minority report must not breach the confidentiality of the faculty status process by reporting the deliberations of the committee, by reporting the views or statements of individual members of the committee during~~

Comment [HD9]: p.13

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Comment [HD10]: p.13

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~~deliberations, or be communicated or transmitted to any member of the university other than the immediate next level of the faculty status process.)~~ Materials may be requested by the CFSC to clarify, support or substantiate the faculty credentials. In those rare instances when an event occurs or information becomes available after the initial recommendation of the DFSC/SFSC and before deliberation of the CFSC, which event or information has direct bearing on the review, such event or information may be considered by the CFSC with full written disclosure to the candidate and the DFSC/SFSC. The CFSC shall notify the candidate in writing of its intended recommendation and rationale before submitting its recommendation to the Provost and shall provide opportunity for the candidate to meet with the CFSC to discuss the intended tenure and/or promotion recommendation. The candidate who believes that relevant factors or materials have been ignored or misinterpreted shall be entitled to present arguments and additional materials. This activity must be accomplished within the time period provided for CFSC review (see Appendix 1.B). The candidate must provide to the DFSC/SFSC any evidence provided to the CFSC that was not previously shared with the DFSC/SFSC.

5. The CFSC recommendation and rationale, any minority reports, and the Dean's recommendation (if required) and rationale shall be forwarded in writing to the candidate, the DFSC/SFSC, and the Provost. Any member of the CFSC may submit a minority report as defined in I.D. (pp----) of this document. ~~(A "minority report" is defined as a voluntary written statement submitted by a committee member(s) other than the Dean indicating reasons for dissenting from an action or recommendation taken by the majority of the committee. Such a minority report may focus on the conclusions the author wishes to propose, and the evidence for such conclusions. Such an argument is understood to argue that the majority conclusions are flawed. The minority report must not breach the confidentiality of the faculty status process by reporting the deliberations of the committee, by reporting the views or statements of individual members of the committee during deliberations, or be communicated or transmitted to any member of the university other than the immediate next level of the faculty status process.)~~ Deans are required to write a separate report when their recommendation differs from the CFSC recommendation.

6. The candidate's application, DFSC/SFSC and CFSC reports, all minority reports from those committees, together with the chairperson's/director's and dean's reports (if required) shall be used by the Provost in formulating a recommendation. The Provost may request further information about any of the recommendations or from the candidate before making a recommendation to the President. In those rare instances when an event occurs or information becomes available after the recommendation of the CFSC and before deliberation of the Provost, which event or information has direct bearing on the review, such event or information may be considered by the Provost with full written disclosure to the candidate, the DFSC/SFSC and the CFSC.

D. CFSC Reporting Requirements:

**Comment [HD11]:** This language was moved up to section I.D. **Committees: Policies, Selection, Organization, and Responsibilities P.14**

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1. The CFSC shall inform the appropriate DFSC/SFSC and the faculty member in writing of all its actions and recommendations regarding faculty members (see IV.C. 1-6). In reporting all formal CFSC actions and recommendations to the Provost a record of the numeric vote shall be included.

2. All DFSC/SFSC and CFSC reports with all materials and documents used in making the recommendation shall be forwarded to the Provost for review. After receiving and considering these reports, the Provost shall make recommendations to the President.

3. Each CFSC shall submit by May 1 an annual report to its College Council and to the URC. This report should include, for Departments/Schools and for the College as a whole, the following information:

- a. the number of eligible faculty recommended and not recommended for tenure;
- b. the number of eligible faculty recommended for promotion to each rank;
- c. the number of times the CFSC concurred with DFSC/SFSC recommendations for promotion and for tenure;
- d. the number of promotion and tenure cases in which the CFSC reached alternate recommendations to those made by DFSC/SFSCs;
- e. the number of promotion and tenure cases in which each Department/School Chairperson/Director made alternate recommendations to those reached by the DFSC/SFSC;
- f. the number of promotion and tenure cases in which the Dean made alternate recommendations to those reached by CFSCs.
- g. the number and disposition of appeals;
- h. the number of faculty members recommended for performance-evaluated salary increments.
- i. by department, the number of non-reappointed tenure track faculty members with the number of years served at Illinois State and the number of years attributed to the faculty member before hire.

E. CFSC College Standards:

1. With appropriate faculty input, each CFSC shall develop brief College Standards that identify requirements unique and special to the mission of the College and its faculty. College Standards shall be limited to qualitative statements linked to the guidelines for teaching, scholarly and creative productivity, and service (see Appendix 2). College Standards shall not contain numeric thresholds or ranking of criteria for measuring performance of faculty. College Standards are appended to the ASPT document and are subject to review by the University Review Committee every fifth year. The College Standards shall be approved by a majority vote of the departments/schools within each College. Each department/school shall have one vote,

**Comment [HD12]:** This might be a logical place to add language regarding departmental data to be collected and reported as it relates to URC pending equity review policies. P.16

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representing the majority vote of the department/school faculty eligible to vote according to ASPT policy. Colleges through their CFSCs may propose reasonable and modest revisions to their Standards during the interim. These Standards or recommended revisions to them shall be submitted to the URC by May 1.

#### V. Department/School Faculty Status Committee (DFSC/SFSC)

##### A. Membership of the DFSC/SFSC:

1. Except as noted in V.A.4., each Department/School shall have a DFSC/SFSC that comprises at least three faculty members (as defined on p. 1) whose locus of tenure is within that Department/School and the Chairperson/Director of the Department/School, who is an ex officio voting member and Chairperson of the Committee. The majority of the elected committee members must be tenured, except as noted in V.A.4. Department/School policies shall not preclude the election of probationary faculty members to the DFSC/SFSC. Faculty members of the DFSC/SFSC shall be elected by Department/ School faculty members (as defined above) for two-year staggered terms. Election procedures shall be submitted by each Department/School to the CFSC for approval. For ASPT purposes, the faculty members of the Milner Library and the Mennonite College of Nursing subject to the ASPT system shall each elect a DFSC/SFSC.

2. An untenured faculty member shall not be elected to a term that coincides with the year in which the DFSC/SFSC is considering the individual for tenure. A tenured faculty member shall not be elected to a term that coincides with the year in which they will be a member of the DFSC/SFSC in considering themselves for promotion.

3. The Department/School shall develop written procedures, subject to review by the CFSC, for electing one of its number to complete an unexpired term.

4. The following stipulations shall apply to Departments/Schools with few or no tenured faculty members:

a. In a Department/School with no tenured faculty members, there shall be no DFSC/SFSC; instead the Department/School Chairperson/Director shall be responsible for the implementation of faculty status policies.

b. In a Department/School with one tenured faculty member (excluding the Chairperson/Director), the DFSC/SFSC shall comprise the tenured faculty member, an elected faculty member and the Chairperson/Director.

c. In a Department/School with two tenured faculty members (excluding the Chairperson/Director), the DFSC/SFSC shall comprise two elected faculty members, at least one of whom holds tenure, and the Chairperson/Director.

Comment [DR13]: V.A.2., page 18

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5. Each Department/School shall develop policies and procedures for use when DFSC/SFSC members are evaluated. These policies and procedures must be approved by the majority vote of the Department/School faculty.

B. DFSC/SFSC Development of Departmental/School Policies and Procedures:

1. Following appropriate faculty input, each DFSC/SFSC shall develop Department/School policies and procedures for appointment, reappointment, performance-evaluation, promotion, tenure, and post-tenure reviews. These policies and procedures shall be approved by the majority vote of the eligible Department/School faculty prior to January 1 of the year in which the policies and procedures take effect. Copies of these policies and procedures shall be distributed to each Department/School faculty member. These policies and procedures are left to the discretion of each Department/School but they shall be submitted to the appropriate CFSC, which will approve them for their conformity to College standards and University policies and procedures (see IV.B.1).

2. Following appropriate faculty input, each DFSC/SFSC shall develop Department/School policies and procedures for the allocation of monies devoted to performance-evaluated salary increments and salary equity adjustments. These policies and procedures must be approved by the majority vote of the Department/School faculty prior to January 1 of the year in which the policies and procedures take effect. Copies of these policies and procedures shall be distributed to each Department/ School faculty member. These policies and procedures are left to the discretion of each Department/School, but they shall be submitted to the appropriate CFSC, which will approve them for their clarity, fairness, and conformity to College standards and University policies and procedures (see IV.B.2).

C. DFSC/SFSC Responsibility for Review of Departmental/School Faculty:

1. The DFSC/SFSC shall be responsible for conducting pre-tenure reappointment reviews. A pre-tenure reappointment review is an evaluation of a probationary faculty member's professional activities and performance that culminates in a recommendation with regard to whether or not the probationary faculty member shall be reappointed for the coming year. Pre-tenure reappointment reviews shall be conducted annually until such time as the faculty member has been recommended for tenure in the University or has been given a notice of nonreappointment.

2. The DFSC/SFSC shall be responsible for conducting summative reviews of evaluations of a faculty member's professional activities and performance for purposes of determining performance-evaluated salary increments, formulating recommendations for promotion and tenure, for completion of post-tenure review and for dismissal.

a. A performance evaluation review shall be conducted every year to determine the size of performance-evaluated salary increment to be awarded for the coming year (see XII.).

b. A promotion or tenure review shall be conducted as a necessary step in the formulation of a written recommendation concerning promotion and tenure. This review shall support a Departmental/School recommendation concerning promotion or tenure and be completed, with the

approval of the DFSC/SFSC, only at the time an individual is considered for promotion or tenure. A faculty member's academic department/ school may initiate recommendations with respect to promotion in rank, regardless of the allotment of a faculty member's time. After serving the minimum period of time at a particular rank, a faculty member may also request consideration for promotion and provide the documentation supporting the request (see IV.C.2.). A faculty member's academic department/ school initiates review for tenure (see IX.B.4.). Departments/schools are encouraged to recommend early tenure only in unusual circumstances.

c. In compliance with Board of Trustees Policies, a post-tenure review shall be conducted for each tenured faculty member after the date of the faculty member's achievement of tenured status. Cumulative post-tenure performance evaluation policies, procedures, and criteria shall be part of DFSC/SFSC policies. Cumulative post-tenure review responses written by the DFSC/SFSC should reflect annual evaluations of the faculty member during the review period. The Provost's Office shall have access to cumulative post-tenure evaluation policies, procedures, and criteria and to the results of cumulative post-tenure evaluations on a yearly basis (see X.).

d. In support of any of these evaluative activities, the DFSC/SFSC shall collect information from each faculty member that includes, but shall not be limited to, systematically gathered student reactions to teaching performance in addition to supplemental measures of faculty teaching performance (e.g. ctlt observations, tenured faculty observations, faculty assessment tools etc. The anonymity of students shall be preserved as far as possible. Anonymous communications (other than officially collected student reactions to teaching performance) shall not be considered in any evaluative activities.

3. The DFSC/SFSC shall be responsible for making recommendations regarding faculty contracts and appointments, for reappointment and non-reappointment, for performance evaluation, for salary adjustments and for promotion, tenure, and dismissal.

4. In cases of tenure and promotion the DFSC/SFSC shall notify the candidate of its intended recommendation and rationale before submitting its recommendation to the CFSC and shall provide opportunity for the candidate to meet with the DFSC/SFSC to discuss the intended tenure and promotion recommendation. The candidate who believes that relevant factors or materials have been ignored or misinterpreted shall be entitled to present arguments and supplement his or her materials before final recommendation by the DFSC/SFSC. This activity must be accomplished within the time period provided for DFSC/SFSC review (see Appendix 1.B). The candidate's evidence of accomplishment together with the DFSC/SFSC recommendation and rationale, the Chairperson/Director's report, if required (see IV.C.4), and all minority reports shall be forwarded in writing to the candidate, the CFSC, DFSC/SFSC and the Provost. Any member of the DFSC/SFSC may submit a minority report (see IV.C.4). If additional materials are used by the DFSC/SFSC to reach a recommendation the DFSC/SFSC must inform the candidate in writing about their use and the materials must be made available to the candidate. All materials used in arriving at a recommendation must be forwarded on to the CFSC.

**Comment [HD14]:** Should this section be more broad to include evaluative activities in scholarship and service as well? P.21

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D. DFSC/SFSC Reporting Requirements:

1. The DFSC/SFSC shall inform each departmental/school faculty member in writing of DFSC/SFSC recommendations and the Chairperson's/Director's recommendations (if required in IV.C.4) pertaining to his or her rank, tenure status, and salary increments according to the annual faculty status calendar given in this document (see Appendix 1). The DFSC/SFSC shall also report its recommendations regarding performance evaluations, promotions, and tenure to the CFSC and to the faculty member affected by these actions. Any DFSC/SFSC member may submit a minority report (see IV.C.4). In reporting DFSC/SFSC actions and recommendations to the CFSC and to the faculty member affected by these actions and recommendations, the DFSC/SFSC shall include a record of its numeric vote and forward all material used in arriving at the recommendation. The DFSC/SFSC shall observe strict confidentiality regarding its recommendation and its deliberations.

University Review Committee  
ASPT Subgroup 3

Report Submitted by Angela Bonnell  
February 5, 2015

## Policies and Procedures for Appointment, Reappointment, Promotion, Tenure, Post-Tenure Review, and Dismissal

### VI. Appointment Policies

- A. Department/school search committees, in accordance with established department/school policy, are responsible for the recruitment of potential faculty members. Search committees should be appointed pursuant to department/school, college, and University policies. Recommendations for appointment of new faculty members originate with the department/school search committee according to established department/school policy.
- B. All tenured and tenure-track faculty members shall be given an opportunity to review candidates' credentials. All tenured faculty members shall be given an opportunity to respond to the proposed appointment on the Recommendation for Academic Appointment form. Initial appointments of probationary or tenured faculty members shall ordinarily have the approval of the majority of all DFSC/SFSC members and the majority of the tenured faculty members of the Department/School. Ordinarily, faculty are appointed on a probationary basis (see IX.) but on occasion can be appointed with tenure.
- C. The Department/School Chairperson/Director shall forward to the College Dean recommendations for appointment on the Personnel Action Form provided for that purpose. The appointment form shall designate whether the appointment is probationary or non-tenure-track, specify the rank, salary, and, for a probationary appointment, the probationary period after which the person who is being appointed must be considered for tenure (see IX.).
- D. The Dean shall review the Recommendation for Academic Appointment form and request additional signatures if the Dean considers them necessary. The Dean may, with the approval of the Provost, reduce the number of signature requirements as necessary to expedite specific decisions. Such action shall be reported to the DFSC/SFSC.
- E. The Dean shall have the responsibility of recommendations to the Provost for appointments of personnel within the College.

- G. The Department/School Chairperson/Director or a designee shall personally interview all candidates for tenure-eligible positions, and all candidates for appointments with tenure shall visit the campus so that they may interact personally with Department/School faculty members.
- H. The Department/School search committee is responsible for checking relevant references prior to making a recommendation. The Chairperson/Director and Dean, in consultation with the DFSC/SFSC, will recommend salary and rank. The Provost must approve appointments, salary, and rank for all faculty members.
- I. If a position involves duties in more than one Department/School or area, the recommendation and appointment shall originate in the major Department/School, only after consultation among the supervisors of all Departments/Schools or areas in which the person appointed shall serve. Cooperative interviews are encouraged. The written appointment form shall include the signature of the administrative officer of the minor Department/School or area and shall be accompanied by a written agreement stating the terms of employment signed by both the administrative officers of the major and minor Departments/Schools or areas. Copies of these written agreements shall be kept in the Department/School office and in the Office of the Dean.
- J. A letter of intent shall issue from the Department/School upon final approval setting forth all of the essential terms of employment for the prospective faculty member and providing the candidate with information regarding department/school, college, and university policies. The letter of intent should be approved by the relevant college dean and the Provost. Employment will not begin until an appointment contract is issued by the University.

**Comment [alb1]:** I think an onsite visit is ideal, but wonder about ruling out virtual options such as Skype or Facetime.

**VII. Faculty Assignments and Faculty Evaluation**

A. Faculty assignments are integral to the mission of a department/school and thus of the University. Each faculty assignment represents the part that the faculty member will play during the coming academic year in carrying out that mission. Faculty assignments shall embody the principles of consistency and flexibility. Because the University expects from all faculty consistent high-quality performance in the mutually supportive areas of teaching, scholarly and creative productivity, and service, faculty assignments shall be designed not to inhibit faculty members from contributing in all three areas over their term of

employment. Appropriate effort shall be made to achieve flexibility in faculty assignments so that the changing needs of the University are recognized and so that, by giving faculty members the latitude to explore academic and professional opportunities as they arise, faculty contributions to the University can be maximized. Faculty assignments may differ from person to person in a given year, and an individual faculty member may complete several types of assignments during the course of several years.

B. The Chairperson/Director shall communicate to all faculty members in writing and in a timely manner courses they are expected to teach and whether the Department/School will allocate to them reassigned time for the completion of activities that do not involve direct classroom instruction.

C. Faculty assignments within a department/school shall be defined in writing so that faculty members understand the nature of their assignments for the coming year. In the performance evaluation of faculty members, the DFSC/SFSC shall recognize that individual efforts and activities elicit different types of productivity and that the quality and thoroughness of work done by a faculty member in completing an individual assignment constitute the criteria on which performance evaluation decisions and summative reviews may be based.

Comment [alb2]: Specify academic year?

D. Prior to Departmental/School performance evaluations, faculty members shall provide to the DFSC/SFSC activities reports specific to their assignments. Department/School ASPT Guidelines should provide guidance regarding the format and content of activities reports. Electronic submission of activities reports is encouraged and may be required by DFSC/SFSC Guidelines. Items that are difficult or impossible to document electronically may be submitted directly. Reports are due by January 5 of each year.

E. Departments/schools must develop guidelines for what constitutes overall "satisfactory" and "unsatisfactory" performance. The term "satisfactory" is defined as meeting or exceeding minimum expectations as defined within Department/School Guidelines. The annual performance evaluation process shall include (1) an annual assessment of a faculty member's performance in teaching, scholarly and creative productivity, and service; (2) a separate interim appraisal of the faculty member's progress toward tenure and/or promotion, if applicable; and (3) an overall evaluation of the faculty member's performance in the



evaluation period as either "satisfactory" or "unsatisfactory." Departments/Schools may choose to provide separate assessments of faculty performance in each evaluation category (teaching, scholarly and creative productivity, and service) as either "satisfactory" or "unsatisfactory," but must provide an overall assessment as well.

F. Departments/Schools shall provide a detailed letter including intended recommendations and overall assessment to each faculty member at least 10 working days before submitting these recommendations to the CFSC and provide opportunity, if requested, for the faculty member to meet informally with the DFSC/SFSC or for a formal meeting. Formal meetings with the DFSC/SFSC are required prior to an appeal to the CFSC. Requirements for formal meetings and appeals are found in Section XIII. Intended recommendations will become the final recommendation at the end of ten working days unless additional information is discovered or unless the Department/School changes its recommendation following an informal or formal meeting with the faculty member.

Comment [alb3]: ten for consistency (see below)

Comment [alb4]: ten

### VIII. Promotion Policies

- A. The attainment of successively higher academic ranks at Illinois State University marks professional growth and the achievement of status within a discipline. Further, such status is generally expected to be demonstrated by a sustained record of professional competence. Hence, promotions are neither automatic nor the product of any set formula based on yearly performance-evaluation ratings.
- B. Promotions are initially recommended and justified by the DFSC/SFSC. It is the responsibility of Departments/Schools to ensure that faculty members understand their individual assignments of efforts and activities. Interim appraisals must be made in writing by the DFSC/SFSC. Faculty may request a summative review for promotion in any year of eligibility.
- C. Department/School, College, and University criteria for promotion shall be provided to faculty. Under no circumstances should a candidate be promised or in any way assured of promotion.
- D. A Department/School may require that peer evaluators, external to Illinois State University, review the credentials of each faculty member

who is a candidate for promotion. If peer evaluation is part of a Department/School's promotion review process, this fact must be stated in the Departmental/School policies and procedures document. Department/School guidelines must expressly state whether or under what conditions written evaluations will be considered without a waiver of confidentiality by the evaluator. Departments/Schools using external evaluators shall provide to the evaluators Department/School, College, and University mission statements and a written description of the candidate's assignment of efforts and activities for the entire timespan being evaluated. The written evaluations of external evaluators shall be available to the DFSC/SFSC, CFSC, FRC, Provost and President as part of their deliberations on promotion. Written evaluations shall not be made available to the candidate for promotion unless the evaluator has given prior written permission pursuant to 820 ILCS 40/10.

E. So that the University adheres to common standards, the following minimal requirements in teaching, scholarly and creative productivity, and service for promotion are set forth. Criteria for meeting these requirements are suggested but not limited to the criteria found in Appendix 2. Only under unusual and justifiable circumstances will variations from these requirements be approved.

1. For possible promotion from Instructor to Assistant Professor:

- a. The candidate shall possess the appropriate terminal degree or its equivalent in the discipline, as determined by the Department/School and the College, together with other professional qualifications and accomplishments, including demonstrated teaching competence in the candidate's field of academic concentration.
- b. The candidate's continuing professional growth and professional activities should be of sufficient quality to warrant promotion to Assistant Professor.

Comment [alb5]: Do we still hire in as Instructor?

2. For possible promotion from Assistant Professor to Associate Professor:

- a. The candidate shall possess the appropriate terminal degree in the discipline, as determined by the Department/School and the College, or sufficient stature

in their field and profession, as attested to by regionally and nationally recognized accomplishments (publications, external grant awards, art shows, performances, honors, etc.) to justify waiving the requirement of an appropriate terminal degree.

**Comment [alb6]:** Best language? Not used in Appendix 2

- b. A candidate may bring in up to two years of full-time service at the rank of assistant professor at the college or university level in consideration for promotion to Associate Professor. An Assistant Professor is eligible for review for promotion in the fourth year of service. Promotion to Associate Professor may take effect in the fifth year. Faculty members who hold rank in an academic department/school but who are assigned to laboratory schools are considered for these purposes as teaching at the college or university level. (Ordinarily, promotion to Associate Professor shall not occur prior to recommendation for tenure, see IX.C.5).
- c. The candidate's continuing professional growth and professional activities should be of sufficient quality to warrant promotion to Associate Professor.

3. For possible promotion from Associate Professor to Professor:

- a. The candidate shall possess the appropriate terminal degree in the discipline, as determined by the Department/School and the College, and/or highly recognized stature in their field and profession, as attested to by regionally and nationally recognized accomplishments (publications, external grant awards, art shows, performances, honors, etc.) to justify waiving the requirement of an appropriate terminal degree.
- b. Ordinarily an Associate Professor must have served full time for at least four years as associate professor at Illinois State and have completed at least ten full-time years as a faculty member at the college or university level. Review for promotion to Professor may occur in the tenth year of service. Promotion to Professor may take effect in the eleventh year. Review for promotion to Professor would normally occur in the fourth year of

**Comment [alb7]:** Best language? Not used in Appendix 2

service as Associate Professor at Illinois State University. Promotion to Professor may take effect the following year. Faculty who hold rank in an academic department/school but who are assigned to laboratory schools are considered for these purposes as teaching at the college or university level.

c. The candidate's professional activities shall demonstrate an excellence of quality that reflects sustained past performance and is indicative of meritorious future performance.

F. All DFSC/SFSC recommendations regarding promotion shall be based on criteria set forth in the faculty status policies and procedures that have been developed for Departmental/School use (see V.C.2.b). These criteria shall be consistent with the University Guidelines and Criteria for Performance Evaluation that are found in Appendix 2 of this document.

G. Time spent on unpaid leaves of absence shall not be counted as progress toward promotion. Time spent on sabbatical leaves shall be counted as progress toward promotion unless the faculty member and the Provost agree in advance that it shall not be so counted.

## IX. Tenure Policies

### A. Nature of Tenure

1. The 1940 Statement of Principles of Academic Freedom and Tenure states, "After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their services should be terminated only for adequate cause" such as "extraordinary circumstances because of financial exigencies." The 1940 Statement also provides a rationale for tenure:

Tenure is a means to certain ends; specifically: (1) Freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence tenure, are

indispensable to the success of an institution in fulfilling its obligations to its students and to society.

2. Recognition of the tenure concept and its rationale is provided in the Board of Trustees Governing Policy for Illinois State University and in the Illinois State University Constitution. Briefly summarized, academic tenure is an arrangement under which faculty appointments, after successful completion of a probationary period, are continued, subject to dismissal only for adequate cause, unavoidable termination on account of genuine and demonstrable exigency or elimination or reduction of an institutional program, until retirement. Termination due to financial exigency or to program elimination or reduction must be in accordance with University and Board of Trustees policies. The probationary period is that period of professional service during which a faculty member does not hold tenure and is carefully and systematically observed by colleagues for the purpose of evaluation of professional qualifications. At the end of this period, the faculty member either receives tenure or is not reappointed.

B. General Tenure Policies: To be recommended for tenure, faculty members must serve a probationary period, as stated in their initial appointment contracts. A tenure decision will be initiated by the DFSC/SFSC or, in Departments/Schools that have no DFSC/SFSC, by the Department/School Chairperson/Director, in a timely enough manner to allow final determination to occur at least one year before the end of the probationary period. An award of tenure requires the approval of the President.

1. Time spent on unpaid leaves of absence generally shall not be counted as progress toward tenure; exceptions may be granted by the Provost, in consultation with the Dean and Department/School Chairperson/Director. Time spent on sabbatical leaves shall be counted as progress toward tenure unless the faculty member and the Provost agree in advance that it shall not be counted. A copy of that agreement shall be retained in the faculty member's personnel file. Ordinarily, a leave of absence to pursue political activity shall not be counted toward fulfillment of the probationary period of service. The faculty evaluation process also provides for a pre-tenure stop-

Comment [alb8]: fulfillment

the-clock mechanism for exceptional circumstances outlined elsewhere (see IX.B.3).

2. [The probationary period at Illinois State University may not exceed seven years. [This period may be reduced by full-time service as a faculty member at other institutions of higher learning. A newly-appointed faculty member with prior full-time service may be credited with up to three years of service and shall be notified in writing how many years of probationary service credit is being given and how long, therefore, the reduced probationary period of service shall be. A faculty member whose probationary period of service has been thus reduced may be considered for tenure according to the reduced period of service or request that the years of service already credited be added back to the reduced probationary period, thereby lengthening the probationary period and deferring the tenure decision. In those situations in which a faculty member chooses to extend a shortened probationary period, notification to add the credited years or a portion of the credited years to the probationary period shall be made to the Department/School Chairperson/Director prior to November 1 of the year previously scheduled for the summative review for tenure. Once the process of summative review for tenure has begun, the faculty member shall not be allowed to add years to the probationary period (see Appendix 1.B).
3. Exceptional circumstances may on occasion disrupt normal progress toward tenure. Upon request by a faculty member, a one-year stop-the-clock extension of the probationary period with compensation may be granted by the Provost in consultation with the Dean and the Department/School Chairperson/Director. Exceptional circumstances may include, but are not limited to, pregnancy and/or childbirth, extended illness or injury, severe domestic issues, disruption of research facilities, or [foreign teaching assignments. Because extension of the probationary period is intended to address unforeseen circumstances, such an extension should not be granted merely because a faculty member has failed to meet performance expectations. A stop-the-clock period will not count toward tenure.

**Comment [alb9]:** IX.B.2: "The probationary period at Illinois State may not exceed ~~seven~~ six years." IX.B.3: "A stop-the-clock period will not count toward tenure or against the length of the probationary period."

**Comment [BA10]:** international?

4. The decision concerning tenure must be made at least twelve months before the expiration of the probationary period. The DFSC/SFSC shall, for every faculty member whose tenure date occurs in the following year, submit its recommendation to the CFSC, which in turn will recommend to the Provost, who will recommend to the President. Departments/Schools are encouraged to recommend early tenure only in unusual circumstances, and when candidates are recommended for tenure before the last year of the probationary period, should the recommendation not be accepted, the candidate may finish the probationary period and may reapply for tenure.

5. Department/School and University criteria for tenure shall be provided to faculty members. Under no circumstances should a candidate be promised or in any way assured of tenure.

6. It shall be the faculty member's responsibility to provide appropriate certification of the completion of degrees or credit hours before November 1 if these are to be considered in a tenure recommendation intended to become effective during the following academic year. The Provost, however, may use discretion in interpreting what constitutes "appropriate certification."

Comment [alb11]: When does this apply?

C. Criteria for Tenure: The granting of tenure is a major decision and should not be considered automatic once a faculty member enters the probationary period. Tenure is neither automatic nor the product of any set formula based solely on yearly performance-evaluation ratings. The following statements list the primary criteria on which tenure recommendations at Illinois State University are based. Exceptions to these criteria, while possible, shall be rare.

1. Consideration for tenure is predicated upon receipt of a terminal degree or its equivalent in the discipline, as determined by the Department/School and the College, together with other professional qualifications and accomplishments, including demonstrated teaching competence in the candidate's field of academic concentration.
2. There must be evidence of continuing high quality professional performance during the probationary period with an emphasis on the mutually supportive activities of teaching, scholarly and

creative productivity, and service (see Appendix 2). It is also understood that the awarding of tenure carries with it the expectation for continued high-quality performance.

3. The candidate's competencies must be in keeping with the long- range goals of the Department/School and the University if tenure is to be recommended.
4. The candidate must have demonstrated the capability to work responsibly and knowledgeably toward the goals of the Department/School and the University.
5. To be eligible for tenure, a faculty member should hold the rank of Associate Professor or Professor or be recommended for promotion to the rank of Associate Professor when tenure is recommended. An individual who cannot qualify for promotion to Associate Professor at the time of tenure shall ordinarily not be considered for tenure.

D. Procedural Considerations Related to Tenure:

1. Evaluation of the performance of a faculty member during the probationary period is ongoing. The decision to award or deny tenure shall take into account the faculty member's performance during the entirety of the probationary period. Annual letters from the DFSC/SFSC shall address the candidate's strengths and weaknesses that pertain to future tenure recommendations (see IX).
2. To this end, a written appraisal of performance, including a statement of the faculty member's potential contribution to the long-range goals of the Department/School, will be provided every year by the DFSC/SFSC (see V.C) to each full-time, probationary faculty member.
3. A department/school may require that peer evaluators external to Illinois State University review the credentials for each faculty member who is a candidate for tenure. If peer evaluation is part of a department/school's tenure review process, this fact must be stated in the departmental/school policies and procedures document. Department/School guidelines must expressly state whether or under what conditions written evaluations will be



considered without a waiver of confidentiality by the evaluator. Departments/Schools using external evaluators shall provide to the evaluators Department/School, College, and University mission statements and a written description of the candidate's assignment of efforts and activities for the entire timespan being evaluated. The written evaluations of external evaluators shall be available to the DFSC/SFSC, CFSC, FRC, Provost, and President as part of their deliberations on tenure. However, those written evaluations shall not be made available to the candidate for tenure unless the evaluator has given prior written permission, pursuant to 820 ILCS 40/10.

4. A summative review of a faculty member's professional activities shall be completed at the time a tenure recommendation is made.

#### **X. Post-Tenure Reviews Including Cumulative Post-tenure Reviews**

Post-tenure review can occur in one of several ways at Illinois State University. First, tenured faculty are evaluated annually (as are all faculty at Illinois State) for the purpose of yearly accountability and for assessment of merit relative to salary incrementation programs. Second, faculty members who receive an unsatisfactory performance rating, as defined by the ASPT guidelines during this annual process for any two years of a three-year period are required to undergo a cumulative post-tenure review. Third, individual academic departments may require, as a feature of their internal ASPT guidelines, a cumulative review of all tenured faculty on a recommended three-to five-year cycle. Finally, tenured faculty members may wish to voluntarily submit their dossiers for a cumulative post-tenure review at certain junctures of their careers.

A. Cumulative reviews are meant to assess and evaluate the performance of the Department/School's tenured faculty relative to the mission and goals of the Department/School and University while at the same time to support and develop the faculty. The reviews have several purposes, including:

1. The cumulative post-tenure review allows tenured faculty members to evaluate their own work and their own short- and long-range professional goals in a multi-year context.

2. The cumulative post-tenure review allows tenured faculty members to evaluate, plan, and implement their career goals in relation to changing departmental needs. The faculty member must be supported and protected during periods of changing departmental mission by allowing each faculty member a reasonable amount of time to adjust to these changes, and by clear, written guidance and approval of plans and adjustments that may be needed.
3. The cumulative post-tenure review encourages Departments/Schools to assist faculty members in fulfilling faculty and department/school goals that pertain to teaching, scholarly and creative activity, and service.
4. The cumulative post-tenure review provides a measure of accountability to the University, its stakeholders and the State of Illinois.
5. The cumulative post-tenure review offers benefits to individual faculty members, as well. Individual faculty may wish to present their materials for a number of reasons, including obtaining "feedback" regarding teaching or research plans, obtaining access to faculty development funds or research seed money to support a developmental goal, on assessing readiness for promotion or other changes such as sabbaticals or leaves of absence; making sure that the changing interests of mid- or late-career faculty can be productively and positively tied to departmental needs and departmental roles. Some key research or publication projects or proposals for teaching innovation may require prior agreement regarding evaluation criteria in the interim. Some, if not all, cases for compensation equity adjustments require the evaluation of a multi-year period, and a faculty member may wish to make a holistic case for equity on merit over a three- to five-year period. Modifications or flexibility in workload to allow deeper engagement in scholarship or teaching, over a multi-year period, may best be requested in the context of a post-tenure review. Finally, peer recognition of individual career development is positive, and many-faceted; linking the "sphere of the individual" to the departmental collective is especially important when the individual is considering redirecting or rechanneling professional efforts, and highly functioning

Comment [alb12]: ?

Comment [alb13]: ?

Additional language from earlier URC meeting:  
Consider adding new language as

X.B. (and re-number subsequent subsections as necessary): **Cumulative post-tenure reviews which are required as a result of receiving unsatisfactory performance ratings for any two years of a three-year period of annual ASPT evaluations will occur in the annual evaluation review cycle immediately following the unsatisfactory annual evaluation that precipitates the required cumulative post-tenure review.**

departments must be kept aware of these changes to better meet student needs. Institutional vitality depends upon individual faculty vitality, and a supportive environment will connect the individual's goals, motivations, and interests to the organization's goals, culture and policy.

All varieties of post-tenure review are carried out in a context of formative evaluation, of respect for academic freedom, and of respect for planned career development on the part of faculty. Illinois State University acknowledges that tenured faculty, especially full professors, may exercise a great deal of latitude in choosing directions for research and teaching, for example, as well as in choosing relative emphasis for the teaching, research, and service roles in an individual's career and at various times in that career. While curricular coverage, departmental teaching loads and the like must be maintained, the vitality of faculty careers and interests must be respected. Informed and specific conversations about possible changes or tensions among all these facets of careers are imperative, if Departments/Schools are to understand and fully engage the resources of their members, and if individual faculty are to understand, over the course of long careers, how their changing talents relate to the needs of Illinois State University.

It is expected that the cumulative post-tenure review shall not be inconsistent with, but rather, will incorporate, reflect and build on the annual reviews of the previous years. Emphasis should be placed on the positive role played by the cumulative post-tenure review in enabling faculty members to shape their continuing careers and for their Departments/Schools and Colleges to grow and change along with the constituent faculty.

B. At the time of cumulative post-tenure review a faculty member shall submit to the DFSC/SFSC materials for performance-evaluation review and a narrative. It is not the intent of this cumulative post-tenure review policy to increase unnecessarily the paperwork for individual faculty members. Ideally, for example, a dossier for a cumulative post-tenure review would consist of clearly-labeled copies of the documentation submitted for each of the previous three to five years, along with copies of the summative evaluation for each of those years as received from the DFSC/SFSC. The narrative may be relatively short, referring to the materials for preceding years, but it also offers the opportunity for the faculty member to provide a more holistic sense of the faculty member's work than is possible in a narrative that covers a one-year review.

1. Through the narrative the faculty member should:
  - a. Address what the faculty member considers significant accomplishments and provide assessment and evaluation of work over the previous three to five years.
  - b. Formulate and describe individual goals and plans for teaching, for scholarly and creative productivity, service, and project other relevant professional activity for the coming three to five years.
2. The faculty member may identify specific needs, opportunities to teach or develop courses in new areas, and plans for pedagogical or scholarly work that may involve a request for new equipment or facilities. The faculty member may request a change in assignment to allow for innovative or varied activities.

C. Cumulative post-tenure review documents shall be submitted to the DFSC/SFSC, which in turn will respond in writing to the faculty member under review. If a DFSC/SFSC recognizes, after having received a cumulative post-tenure review document, that serious unresolved deficiencies exist, the DFSC/SFSC, in consultation with the faculty member, shall develop a plan for remediation of these deficiencies. This plan must accompany the final recommendation to the faculty member. In the future, annual summative reviews of performance by the DFSC/SFSC shall assess and evaluate the extent to which the plan has been acted upon until the deficiencies are eliminated.

**Comment [alb14]:** Plan for remediation not included in DFSC responsibilities in V.C.2.c. Should it?

Plans for remediation of deficiencies, especially those that require faculty development activities which require the commitment of resources (for example, for travel to conferences for new teaching equipment or materials, or for release, or reassigned time, or other workload changes) must be written, and communicated to, and signed by the relevant parties, including the dean, if the resource needs exceed those available to the department/school. Plans developed by faculty who are not addressing deficiencies, but rather are delineating new directions or emphases, should, if these plans involve resources or workload shifts, be similarly recorded.

D. Having received the DFSC/SFSC response by February 15, the faculty member then has the right to respond, in writing or in person, to the

DFSC/SFSC should the faculty member believe that there has been a misrepresentation, misjudgment, or procedural error relating to the review or remediation plan. This response, explaining the misrepresentation, misjudgment, or procedural error, must occur by February 25. The DFSC/SFSC must reply to the faculty member's response by March 8 with the final outcome of review and/or mediation plan. Copies of all materials generated by the faculty member and by the DFSC/SFSC will be supplied to the Dean.

## XI. Termination of Appointment of Probationary and Tenured Faculty

### A. Probationary Faculty:

1. A recommendation for the nonreappointment of a faculty member during the probationary period must follow the regulations of the Board of Trustees. Recommendations for nonreappointment prior to a tenure decision shall be made by the DFSC/SFSC in consultation with the Dean and the Provost. The Chairperson/Director of the DFSC/SFSC shall communicate the recommendation of nonreappointment in writing to the faculty member, the Dean, and the Provost. Nonreappointment can also be the result of a negative tenure recommendation. Official notices of nonreappointment, whether issued prior to a tenure decision or as a result of a negative tenure decision, are issued from the Office of the Provost.
2. Notice of termination shall be given not later than March 1 of the first academic year of service; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination; not later than February 1 of the second academic year of service; or, if the appointment terminates during an academic year, at least six months in advance of its termination; at least twelve months before the termination of an appointment after two or more years of service.

### B. Tenured Faculty:

1. Dismissal of a tenured faculty member may be effected by the University for such adequate causes as lack of fitness to continue to perform in the faculty member's professional capacity as a teacher or researcher; failure to perform assigned duties in a manner consonant with professional standards; malfeasance; or demonstrable University financial exigency or program termination.
2. Procedures and standards for dismissal shall be according to University policies approved by the Academic Senate which should adhere to the principles set forth in the American Association of University Professors' documents (as of January 1, 1999) regarding principles of academic freedom and tenure and procedural standards in dismissal proceedings.
3. The standard for dismissal of a tenured faculty member is that of adequate cause. The burden of proof shall be upon the institution. Negative performance-evaluation ratings shall not shift the burden of proof to the faculty member (to show cause why the faculty member should be retained). Evaluation records may be admissible but may be rebutted as to accuracy.

## XI. Termination of Appointment of Probationary and Tenured Faculty

### A. Probationary Faculty

University Review Committee  
ASPT Subgroup 4

Report Submitted by Diane Dean  
February 5, 2015

**ORIGINAL**

**NO REVISIONS SUGGESTED**

**NO DISCUSSION POINTS**

## XII. Performance Evaluation Policies and Salary Incrementation Procedures

### A. General Procedures:

1. Each year, after consultation with the President, the Provost shall make known to the faculty the amount of funds available to the ASPT system. All salary increase funds shall be distributed through the ASPT system. The Department/School's ASPT funds shall never be less than 90 percent of the tenured and probationary faculty members' proportionate share of any salary increase. The Provost determines the distribution of the remaining personal service funds to raise-eligible faculty.
2. The Provost shall allocate at a minimum 90 percent of the salary funds directly to Departments/Schools for salary increments through the ASPT system. The equivalent allocation to each Department/School shall be proportional as a percentage of base salary for each raise-eligible faculty member within the Department/School. These salary increments shall take the form of (1) standard increments payable to all raise-eligible faculty members who receive overall satisfactory performance ratings and (2) performance-evaluated increments that recognize contributions made by particular faculty members.
  - a. Faculty members with overall unsatisfactory performance shall receive no incremental raise.
  - b. Twenty percent of each Department/School's allocation shall be distributed as a standard increment. Standard increments shall be payable as an equal percentage of base salary to all raise-eligible faculty who receive at least minimum overall satisfactory performance ratings.
  - c. Eighty percent of each Department/School's allocation shall be distributed as performance-evaluated increments to faculty members based on established
3. Department/School policies for salary adjustments. Performance-evaluated increments shall recognize equity, and short-term and long-term contributions made by particular faculty members and shall be payable to raise-eligible faculty members. 3. Following completion of the performance evaluation process under Section VII, and all appeals resulting from it, each CFSC shall deliver to the Provost its recommendations for



performance evaluation of faculty members. The CFSC shall include a copy of the DFSC/SFSC's original recommendations.

4. The Provost shall receive and approve recommendations from the DFSC/SFSC and CFSC, with consideration of the reports regarding performance-evaluation appraisals and salary increments based on the requirements. A summary of these recommendations shall be submitted by the Provost to the President and the Academic Senate. The University Review Committee shall receive a general report of recommendations made by DFSC/SFSCs and CFSCs (see II.E.).
5. Salary increments shall be paid to individuals promoted from Assistant Professor to Associate Professor (\$3000/yr minimum) and from Associate Professor to Professor (\$5000/yr minimum) with the effective date of the promotion. The Provost may increase the minimum amount.
6. The Provost shall notify faculty members of their new salaries (subject to necessary approval of the University's appropriation request by the General Assembly and the Governor).

#### B. Department/School Procedures:

1. Departments/Schools are encouraged to recognize in their summative reviews for performance evaluation the variety of activities of individual faculty members. These activities are illustrated generally in Appendix 2: University Guidelines and Criteria for Faculty Evaluation. Following appropriate faculty input, each DFSC/SFSC shall develop two sets of Department/School policies and procedures: (1) for appointment, reappointment, performance-evaluation, promotion, tenure, and post-tenure reviews, and (2) for the allocation of monies devoted to salary equity adjustments and performance-evaluated salary increments. Both sets of policies and procedures shall be submitted for approval to the appropriate CFSC (see V.B.1-2.), but only after they have been approved by a majority vote of the Department/School faculty. After they have received CFSC approval, the Department/ School Chairperson/Director shall distribute them to each faculty member in the department/school.
2. The materials upon which faculty members are evaluated shall include student reactions to teaching performance.
3. Each DFSC/SFSC shall conduct annual performance evaluations of each faculty member subject to the ASPT system under Section VII.
  - a. During the annual performance review, the DFSC/SFSC shall consider activities performed (or reaching completion) during the calendar year being evaluated but give due attention to long-term contributions made by particular faculty.

- b. Each faculty member shall be assigned a performance evaluated increment based upon activities completed during the evaluation year but also on long-term faculty contributions.
  - c. The Department/School policies and procedures for appointment, reappointment, performance-evaluation, promotion, tenure, and post-tenure reviews shall explain clearly the procedure for electing DFSC/SFSC members.
4. If a faculty member has formal assignments in two or more Departments/Schools or areas, each Department/School or area shall assume responsibility for performance evaluations and salary recommendations reflecting the extent of participation in the Department/School or area. The Department/School in which the faculty member holds rank shall be responsible for the final evaluation of the faculty member with regard to promotion and tenure with consideration of the other Department/School or area's evaluation of the faculty member. Each year, the Provost shall specify the percentage distribution for salary recommendation for individuals having split assignments and shall notify the individuals and administrative units concerned. Salary increment funds shall then be distributed in accordance with these determinations.
5. Each DFSC/SFSC shall notify each faculty member annually in writing of the faculty member's performance evaluation and of any recommended change in rank and/or tenure status. This letter shall provide an assessment of the faculty member's strengths and weaknesses and, when applicable, progress toward achievement of promotion and/or tenure.
6. Persons evaluated as having overall "unsatisfactory performance" shall be informed in writing of the reasons that these ratings were given.
7. Following completion of appeal hearings held by the CFSC, each DFSC/SFSC shall submit to the Dean a final list of faculty evaluations.
8. Each year, after the salary increment process is complete, the Department/School Chairperson/Director shall provide to each faculty member the components of the salary increment process (standard increment, performance-evaluated increment, equity adjustment, promotion increment, other adjustments) and the number of salary increment dollars awarded to each component for the respective faculty member.
9. Each year, after the salary increment process is complete, the Department/School Chairperson/Director shall provide to each faculty member the Department's/School's aggregate number of salary increment dollars awarded to each salary increment component including standard increment, performanceevaluated increment, equity adjustment, promotion increment, and any other adjustment.

ORIGINAL

### XIII. Appeals Policies and Procedures

A. Illinois State University encourages the fair and equitable resolution of appeals. Informal resolution of issues is encouraged at the DFSC/SFSC and CFSC levels prior to formal meetings and/or appeals. Time requirements and deadlines for filing appeals and for other processes are found in Appendix 1 to these Policies.

B. The Nature of Formal Meetings with DFSCs/SFSCs and CFSCs

1. A formal meeting with a DFSC/SFSC or CFSC is a preliminary step in all appeals. A formal meeting must be requested by a faculty member following a negative recommendation by the DFSC/SFSC or CFSC for promotion and/or tenure prior to appeal to the Faculty Review Committee (FRC). A formal meeting with a DFSC/SFSC must also be requested by a faculty member prior to an appeal of a recommendation for performance evaluation or post-tenure review to the CFSC.
2. Formal meetings must be requested by the faculty member in writing within 5 business days of receipt of the recommendation. Faculty members must state clearly in the written request their reasons for the meeting.
3. All formal meetings with a DFSC/SFSC or CFSC will be conducted in accordance with XIII.D.

C. Definition of Appeals:

An appeal is here defined as a written statement by a faculty member that explains why a faculty member believes that there has been a misinterpretation, misjudgment, or procedural error relating to a promotion, tenure, or performance evaluation recommendation concerning that faculty member.

D. Procedures Common to Formal Meetings and all Appeals before the CFSC:

1. Faculty members must be afforded a reasonable time to present arguments. The faculty member who believes that relevant factors or materials have been ignored or misinterpreted shall be entitled to present arguments and supplement his or her materials before final recommendation by the DFSC/SFSC or CFSC. Information not originally presented in applications for tenure/promotion or annual evaluation materials may be considered at the discretion of the DFSC/SFSC or CFSC.

2. Faculty members may be accompanied by a faculty advocate. The advocate may be present to advise the faculty member only and not to address the committee. Although witnesses to specific facts or occurrences or to provide perspective regarding teaching, scholarly or creative productivity or service will not ordinarily be necessary, faculty members will be allowed a reasonable number of witnesses. The DFSC/SFSC or CFSC shall have the discretion to limit the number of witnesses at a formal meeting or appeal hearing.
  3. Formal meetings or appeals hearings with the CFSC will be closed to all but the DFSC/SFSC and CFSC, the faculty member, and the faculty advocate. The faculty member shall be provided, if requested by the faculty member, a meeting with the CFSC without members of the DFSC/SFSC present. Subsequent to that meeting the CFSC shall meet with the DFSC/SFSC. Students shall be called as witnesses only in extraordinary circumstances.
  4. Formal rules of evidence as required in a court of law will not be followed. Reasonable time should be allowed for formal meetings or appeals hearings.
  5. Following the formal meeting or appeal hearing, the DFSC/SFSC or CFSC will meet to reconsider the earlier decision and will promptly issue a communication either (a) affirming the prior recommendation or (b) changing the prior recommendation. If changes to the prior recommendation are made, no reference will be made to the nature of the prior recommendation. The faculty member will be notified in writing of the decision promptly and informed of any further rights of appeal.
- E. The Appeals Process: *(reflects revisions effective January 1, 2012)*
1. Any negative promotion and/or tenure recommendation by a DFSC/SFSC or CFSC may be appealed. Appeals from the DFSC/SFSC to the FRC may take place only after the decision by the CFSC is made final, and then on the same appeals schedule as appeals from the CFSC. The appeal procedure is outlined in XIII.D.
  2. Performance evaluations conducted by a DFSC/SFSC may be appealed to the CFSC only. Performance evaluations conducted by a CFSC, in the absence of a DFSC, may be appealed to the FRC. (See XIII.H).
  3. Separate Dean or Chair/Director reports may be appealed to the FRC on the same appeals schedule as appeals from the CFSC.
  4. Minority reports, unless the appellant alleges that violations of ethics or academic freedom have occurred, are not subject to appeal.
- F. The Nature of Promotion or Tenure Appeals:

1. The system that governs the appeal process in cases involving promotion and tenure recommendations is based on the following points:
    - a. The DFSC/SFSC, CFSC, Provost, and Faculty Review Committee (FRC) may each formulate recommendations regarding promotion and tenure. Only the President, as designated by the Board of Trustees, has the authority to render a University decision.
    - b. A faculty member may request that the FRC formulate its additional recommendation if a negative recommendation has been forwarded by the DFSC/SFSC or CFSC.
    - c. All recommendations (DFSC/SFSC, CFSC, Provost, and FRC) are forwarded to the President for consideration.
  2. If a faculty member wishes to request an appeal of a negative recommendation by the DFSC/SFSC or CFSC with respect to promotion or tenure, he/she may direct the request to the FRC. The faculty member should refer to the Academic Freedom, Ethics and Grievance Committee (AFEGC) any allegations of violation that fall within that committee's jurisdiction.
  3. If the FRC believes that the basis of the appeal is an academic freedom or ethics violation question, the FRC may suspend its proceedings until it receives the report from the AFEGC. However, if the FRC does not receive a report from the AFEGC in time to fulfill the reporting obligation according to the calendar (see Appendix I.B.) the FRC shall forward an interim report. Likewise it may address itself to other issues raised in its own review and issue an interim report.
  4. Upon completion of AFEGC hearings, if any, reports of the AFEGC, in addition to being processed as outlined in the procedures of the AFEGC, shall also immediately be forwarded to the FRC and shall become a permanent part of the FRC report. If, in the judgment of the AFEGC, a violation of academic freedom has occurred, the FRC must decide whether the violation significantly contributed to the decision to deny promotion or tenure. The FRC shall then complete its deliberations and forward its complete report and recommendation.
- G. Initiation of a Promotion or Tenure Appeal:
1. In the case of promotion or tenure recommendations, the faculty member shall notify the Chairperson of the FRC in writing of an intention to appeal. This notification must be given within five (5) business days (days when University offices are open to the public) of the date that the faculty member received official notification of the CFSC recommendation. The Chairperson of the FRC shall respond to the faculty member within five (5) business days following the receipt of a written intent to request additional review.

2. The Chairperson of the FRC shall notify the appropriate college and department/school faculty status committees and the Provost of a faculty member's request for an appeal. The FRC shall initiate consideration of an appeal as expeditiously as possible. 49
3. The FRC in promotion and tenure cases must receive from the faculty member written information supporting the request for an appeal. This information shall also be made available to the DFSC/SFSC and CFSC. The faculty member may request appropriate information regarding the case. This information shall include any official document used to support a decision regarding a faculty member.
4. In order to effect a just and efficient appeal, the FRC shall be provided any documents used by the DFSC/SFSC or CFSC in the process of making recommendations. The FRC may request the parties to the review to appear in person. The FRC may deny an appeal where there is no evidence that a substantial basis for an appeal exists.
5. An FRC recommendation shall be based on a majority vote of the members of the committee. The FRC shall report the recommendation to the faculty member, the appropriate DFSC/SFSC, CFSC, the Provost, and the President (see XIII.F.3). The Provost and President shall consider this recommendation in making a decision.

#### H. Initiation of a Performance-Evaluation Appeal:

1. A summative recommendation for a performance-evaluation review of a faculty member conducted by the DFSC/SFSC may be appealed to the CFSC regarding interpretations of faculty performance and/or adherence to ASPT policies. In a performance-evaluation appeal, the CFSC is the sole and final appellate body. It may support or reverse a recommendation made by the DFSC/SFSC. If the CFSC believes that the basis of the appeal is an academic freedom or ethics violation question, the CFSC may suspend its proceedings until it receives the report from the Academic Freedom, Ethics and Grievance Committee.
2. Before filing a written intent to appeal a performance evaluation with the appropriate CFSC, a faculty member who believes that relevant factors or materials have been ignored or misinterpreted by the DFSC/SFSC is encouraged to seek an informal resolution of the issues with the DFSC/SFSC. If such informal resolution is unsuccessful, the faculty member shall be required to have a formal meeting with that committee to present arguments and additional materials for reconsideration of the decision prior to filing the written appeal. If the attempt of resolution after a formal meeting is unsuccessful, the appeal process shall proceed if the appellant so desires.
3. The appellant shall notify the appropriate CFSC Chairperson in writing of the intention to appeal the performance evaluation within ten (10) business days (days when University

offices are open to the public) of the date on which the appellant received official notification of the department/school action giving rise to the appeal. The Chairperson of the appropriate CFSC in the case of a performance evaluation appeal shall respond to the appellant within five (5) business days following the receipt of a written intent to appeal.

4. The Chairperson of the appropriate CFSC shall inform the Chairperson/Director of the DFSC/SFSC of an appellant's performance evaluation appeal. The appropriate CFSC shall initiate consideration of a performance evaluation appeal (see Appendix 1.C.).
  5. The CFSC in performance evaluation cases must receive from the appellant written information supporting the appeal. The appellant may request appropriate information regarding the case. This information shall include any official document used to support a decision regarding a faculty member. The appellant has the right to address the CFSC in person, and either the appellant or the CFSC can request the DFSC/SFSC to appear in person before the CFSC.
  6. The CFSC shall have access to any materials used by the DFSC/SFSC to make a decision. The CFSC may request from the appropriate faculty status committee written information supporting the original decision, which the DFSC/SFSC shall supply. In those rare instances when an event occurs or information becomes available after the initial decision of the DFSC/SFSC and before deliberation of the CFSC, which event or information has direct bearing on the materials under review, such event or information may be considered by the CFSC with full written disclosure to the faculty member and the DFSC/SFSC. The CFSC may deny a hearing on an appeal where there is no showing that a substantial basis for appeal exists.
  7. If a hearing is permitted by the CFSC, it will be conducted in accordance with XIII.D.
  8. The CFSC is the sole appeal in the case of performance evaluations. If a CFSC decision results in a change to a DFSC/SFSC recommendation, the DFSC/SFSC recommendation letter shall be revised in accordance with the CFSC decision, and all prior DFSC/SFSC communications shall be purged from the faculty member's record.
  9. A majority vote of the CFSC is necessary to sustain or reverse the DFSC/SFSC recommendation.
  10. Each CFSC shall submit an annual written report to the URK and to the Provost that enumerates all performance-evaluation appeals and describes their disposition.
- I. Initiation of a Cumulative Post-Tenure Review Appeal (*The reader should consult the current ASPT calendar for cumulative post-tenure review appeal dates.*)

1. A summative recommendation from a cumulative post-tenure review of a faculty member conducted by the DFSC/SFSC may be appealed to the CFSC regarding interpretations of

faculty performance, and/or goals for extending teaching, scholarly and creative productivity and service initiatives over the coming three to five years. Failure to adhere to ASPT policies may also be appealed. In a cumulative post-tenure review appeal, the CFSC is the sole and final appellate body. It may support or modify a recommendation made by the DFSC/SFSC. If the CFSC believes that the basis of the appeal is an academic freedom or ethics violation question, the CFSC may suspend its proceedings until it receives the report from the Academic Freedom, Ethics and Grievance Committee.

2. A faculty member who believes that relevant factors or materials have been ignored or misinterpreted by the DFSC/SFSC is encouraged to seek an informal resolution of the issues with the DFSC/SFSC. If such informal resolution is unsuccessful, the faculty member shall be required to have a formal meeting with the DFSC/SFSC to present arguments and additional materials for reconsideration of the decision (see Section X.D.) If the formal meeting is unsuccessful then the appeal process shall proceed if the appellant so desires.
3. By March 22 a faculty member must file to the CFSC chairperson a written appeal to the cumulative post-tenure review evaluation and/or plan for remediation. The Chairperson of the appropriate CFSC shall acknowledge receipt of the appeal to the appellant and the DFSC/SFSC within five (5) business days and shall refer the faculty member to the appropriate section of the ASPT policy.
4. The appellant may request appropriate information regarding the case. This information shall include any document used to support a decision regarding a faculty member. The appellant has the right to address the CFSC in person, and either the appellant or the CFSC can request the DFSC/SFSC to appear in person before the CFSC.
5. The CFSC shall have access to any materials the DFSC/SFSC used to make its decision. The CFSC may request from the appropriate faculty status committee written information supporting the original decision, which the DFSC/SFSC shall supply. In those rare instances when an event occurs or information becomes available after the initial decision of the DFSC/SFSC and before deliberation of the CFSC, which event or information has direct bearing on the materials under review, such event or information may be considered by the CFSC with full written disclosure to the faculty member and the DFSC/SFSC. The CFSC may deny a hearing on an appeal where a substantial basis for an appeal has not been demonstrated.
6. If a hearing is permitted by the CFSC, it will be conducted in accordance with XIII.D. In no event shall written notification of the CFSC's decision occur later than April 15.
7. The CFSC is the sole appeal in post-tenure reviews. If a CFSC decision results in a change to a DFSC/SFSC recommendation, the DFSC/SFSC recommendation letter shall

be revised in accordance with the CFSC decision, and all prior DFSC/SFSC communications shall be purged from the faculty member's record.

8. A majority vote of the CFSC is necessary to sustain or modify the DFSC/SFSC recommendation.

9. By May 1 each CFSC shall submit an annual written report to the URC and to the Provost that enumerates all cumulative post-tenure review appeals and describes their disposition.

**I. Recommendations for Non-reappointment:** *(reflecting revisions effective January 1, 2012)*

1. A recommendation for non-reappointment of a probationary faculty member may be appealed to the CFSC to consider whether the DFSC / SFSC provided adequate due process to the non-reappointment decision. In instances when a non-reappointment recommendation is made by a CFSC because of the absence of a DFSC / SFSC, the probationary faculty member may appeal to the FRC.

2. In determining whether adequate due process was provided, the CFSC shall restrict its inquiry to procedural issues related to the manner in which the review was conducted. The CFSC shall not substitute its judgment for that of the DFSC/SFSC on the merits of whether a candidate should be reappointed.

3. If, using the preponderance of the evidence (more likely than not) test as the standard of review, the CFSC determines due process errors that substantially affected the non-reappointment decision, the CFSC shall refer the recommendation back to the DFSC / SFSC to reassess the merits, remedying any inadequacies of the prior process.

4. If a faculty member believes that the basis for non-reappointment was an academic freedom or ethics violation, the faculty member may request a review by the Academic Freedom, Ethics and Grievance Committee. In order to allow a final decision prior to the end of the faculty member's appointment, the faculty member must file a complaint as required by the Academic Freedom, Ethics and Grievance Committee within five (5) business days (days when the University offices are open to the public) of the date that the faculty member received the official notification of non-reappointment from the Provost. The Academic Freedom, Ethics, and Grievance Committee must submit its report by May 1 of the academic year in which the appointment terminates.

5. If a faculty member believes that the basis for non-reappointment was a violation of the University's Policy on Harassment and Discrimination, he/she may seek relief through the Office of Equal Opportunity, Ethics and Access.

**Key**

- Green Font = suggested revisions
- Red Font = questioned wording
- Yellow = need to check all dates, confirm consistency
- ...?... = point of question

**Focus of Revisions**

- Editing for consistency in language and terminology
- Consolidating closely similar sections for greater readability and clarity
  - Consolidated prior XIII.B “Nature of formal meetings...” and XIII.D “Procedures common to formal meetings...”
  - Consolidated prior XIII.F. “Nature of promotion/tenure appeals...” and XIII.G “Initiation of a promotion/tenure appeal”

**XIII. Appeals Policies and Procedures**

A. Illinois State University encourages the fair and equitable resolution of appeals. Informal resolution of issues is encouraged at the DFSC/SFSC and CFSC levels prior to formal meetings and/or appeals. Time requirements and deadlines for filing appeals and for other processes are found in Appendix 1 to these Policies.

**B. Definition and Types of Appeals**

1. An appeal is here defined as a written statement by a faculty member that explains why a faculty member believes that there has been a misinterpretation, misjudgment, or procedural error relating to a promotion, tenure, performance evaluation, or non-reappointment recommendation concerning that faculty member.
2. Types of appeals:
  - a. A promotion and/or tenure recommendation by a DFSC/SFSC may be appealed to the FRC. Such appeals may take place only after the decision by the CFSC is made final, and then on the same schedule as appeals from the CFSC. The appeal procedure is outlined in XIII.D.
    - i. A promotion and/or tenure recommendation by a CFSC may be appealed to the FRC.
    - ii. A promotion and/or tenure report issued by a Dean or Chair/Director may be appealed to the FRC on the same schedule as appeals from the CFSC.
    - iii. A promotion and/or tenure minority report issued by a DFSC/SFSC or CFSC committee member(s) is not subject to appeal, unless the appellant alleges that violations of ethics or academic freedom have occurred. In such instances, the faculty member should refer to the Academic Freedom, Ethics and Grievance Committee (AFEGC).

- b. Performance evaluations conducted by a DFSC/SFSC may be appealed to the CFSC only. Performance evaluations conducted by a CFSC, in the absence of a DFSC, may be appealed to the FRC. The appeal procedure is outlined in XIII.E.
- c. Cumulative post-tenure reviews may be appealed to the CFSC only. Cumulative post-tenure reviews conducted by a CFSC, in the absence of a DFSC, may be appealed to the FRC. The appeal procedure is outlined in XIII.F.
- d. Recommendations for non-reappointment of a probationary faculty member may be appealed to the CFSC only. Recommendations for non-reappointment conducted by a CFSC, in the absence of a DFSC, may be appealed to the FRC. The appeal procedure is outlined in XIII.F.

C. Procedures Common to Formal Meetings and Appeals with a DFSC/SFSC or CFSC

1. A formal meeting with a DFSC/SFSC or CFSC is a preliminary step in all appeals.
  - a. A formal meeting with the DFSC/SFSC or CFSC must be requested by a faculty member prior to an appeal of a negative recommendation for promotion and/or tenure to the Faculty Review Committee (FRC).
  - b. A formal meeting with a DFSC/SFSC must be requested by a faculty member prior to an appeal of a recommendation for performance evaluation or post-tenure review to the CFSC.
  - c. A formal meeting with a DFSC/SFSC must be requested by a probationary faculty member prior to an appeal of a recommendation for non-reappointment to the CFSC.
2. Formal meetings must be requested by the faculty member in writing **within 5** business days of receipt of the recommendation. Faculty members must state clearly in the written request their reasons for the meeting.
3. All formal meetings with a DFSC/SFSC or CFSC will be conducted in accordance with the following guidelines:
  - a. Faculty members must be afforded a reasonable time to present arguments. The faculty member who believes that relevant factors or materials have been ignored or misinterpreted shall be entitled to present arguments and supplement his or her materials before final recommendation by the DFSC/SFSC or CFSC. Information not originally presented in applications for tenure/promotion or annual evaluation materials may be considered at the discretion of the DFSC/SFSC or CFSC. The faculty member has may request appropriate information regarding the case, including any official document used to support a decision.
  - b. Faculty members may be accompanied by a faculty advocate. The advocate may be present to advise the faculty member only and not to address the committee. Although witnesses to specific facts or occurrences or to provide perspective regarding teaching, scholarly or creative productivity or service **will not ordinarily be necessary**, faculty members will be allowed a reasonable number of witnesses. The

**Comment [DD1]:** In original, appears to vary in different types.



DFSC/SFSC or CFSC shall have the discretion to limit the number of witnesses at a formal meeting or appeal hearing.

- c. Formal meetings or appeals hearings with the CFSC will be closed to all but the DFSC/SFSC and CFSC, the faculty member, and the faculty advocate. The faculty member shall be provided, if requested by the faculty member, a meeting with the CFSC without members of the DFSC/SFSC present. Subsequent to that meeting the CFSC shall meet with the DFSC/SFSC. Students shall be called as witnesses only in extraordinary circumstances. . . .

**Comment [DD2]:** Are the appellant's witnesses permitted to attend the meeting?

**Comment [DD3]:** In all cases, or just P&T?

**Comment [DD4]:** Does this mean brought by faculty, or called in by the committee?

4. Formal rules of evidence as required in a court of law will not be followed.
5. Following the formal meeting or appeal hearing, the DFSC/SFSC or CFSC will meet to reconsider the earlier decision and will promptly issue a communication either (a) affirming the prior recommendation or (b) changing the prior recommendation. If changes to the prior recommendation are made, no reference will be made to the nature of the prior recommendation. The faculty member will be notified in writing of the decision promptly and informed of any further rights of appeal.

#### D. Initiation of a Promotion or Tenure Appeal:

1. The system that governs the appeal process in cases involving promotion and tenure recommendations is based on the following points:
  - a. The DFSC/SFSC, CFSC, Provost, and Faculty Review Committee (FRC) may each formulate recommendations regarding promotion and tenure. Only the President, as designated by the Board of Trustees, has the authority to render a University decision.
  - b. A faculty member may request that the FRC formulate its additional recommendation if a negative recommendation has been forwarded by the DFSC/SFSC or CFSC, or a negative report has been received from the Chair/Director or Dean.
  - c. All recommendations (DFSC/SFSC, CFSC, Provost, and FRC) are forwarded to the President for consideration, along with any report(s) from the Chair/Director and/or Dean, and any minority report(s) from member(s) of the DFSC/SFSC and/or CFSC.
2. If a faculty member wishes to request an appeal of a negative recommendation by the DFSC/SFSC or CFSC with respect to promotion or tenure, he/she may direct the request to the FRC. The faculty member should refer to the Academic Freedom, Ethics and Grievance Committee (AFEGC) any allegations of violation that fall within that committee's jurisdiction.
3. The faculty member shall notify the FRC Chairperson in writing of an intention to appeal any promotion or tenure recommendation, **within five (5) business days** (days when University offices are open to the public) of the date that the faculty member received official notification of the CFSC recommendation. An appeal of a DFSC/SFSC recommendation cannot be made until after the CFSC has completed its recommendation. The FRC Chairperson shall respond to the appellant **within five (5) business days** following the receipt of a written intent to **request additional review**.

**Comment [DD5]:** It's 10 on the current ASPT calendar

**Comment [DD6]:** Not shown in ASPT calendar. Does it need to be?

**Comment [DD7]:** Is this language intentional? In other types of appeals it says "written intent to appeal"

4. The FRC Chairperson shall notify the CFSC Chairperson, the DFSC/SFSC Chairperson/Director, and the Provost of the faculty member's request for a tenure recommendation appeal. The FRC shall initiate consideration of an appeal as expeditiously as possible.
5. The FRC in promotion and tenure cases must receive from the appellant written information supporting the request for an appeal. This information shall also be made available to the DFSC/SFSC and CFSC. The appellant may request appropriate information regarding the case. This information shall include any official document used to support a decision regarding a faculty member. ...?...
6. The FRC shall have access to any materials that were used by the DFSC/SFSC or CFSC in the process of making their recommendations. The FRC may request the parties to the review to appear in person. The FRC may deny a request for an appeal where a substantial basis for an appeal has not been demonstrated.
7. If the FRC believes that the basis of the appeal is an academic freedom or ethics violation question, the FRC may suspend its proceedings until it receives the report from the AFEGC. However, if the FRC does not receive a report from the AFEGC in time to fulfill the reporting obligation according to the calendar (see Appendix 1.B.) the FRC shall forward an interim report. Likewise it may address itself to other issues raised in its own review and issue an interim report.
8. Upon completion of AFEGC hearings, if any, reports of the AFEGC, in addition to being processed as outlined in the procedures of the AFEGC, shall also immediately be forwarded to the FRC and shall become a permanent part of the FRC report. If, in the judgment of the AFEGC, a violation of academic freedom has occurred, the FRC must decide whether the violation significantly contributed to the decision to deny promotion or tenure. The FRC shall then complete its deliberations and forward its complete report and recommendation.
9. An FRC recommendation shall be based on a majority vote of the members of the committee. The FRC shall report the recommendation to the faculty member, the DFSC/SFSC Chairperson/Director, the CFSC Chairperson, the Provost, and the President by the date specified in the current year University ASPT calendar. The President shall consider this recommendation in making a decision.
10. See Appendix 1.B. for the standard University ASPT calendar for promotion/tenure reviews, and consult the current ASPT calendar for all relevant current-year dates.

**Comment [DD8]:** *Does the appellant have the right to address the FRC?*

#### E. Initiation of a Performance-Evaluation Appeal:

1. A summative recommendation for a performance-evaluation review of a faculty member conducted by the DFSC/SFSC may be appealed to the CFSC regarding interpretations of faculty performance and/or adherence to ASPT policies. In a performance-evaluation appeal, the CFSC is the sole and final appellate body. It may support or modify a recommendation made by the DFSC/SFSC. If the CFSC believes that the basis of the appeal is an academic freedom or ethics violation question, the CFSC may suspend its proceedings until it receives the report from the Academic Freedom, Ethics and Grievance Committee. ...?...

**Comment [DD9]:** *Can the faculty also refer to AFEGC, as is permitted in tenure/promotion and non-reappointment appeals?*

2. Before filing a written intent to appeal a performance evaluation with the CFSC, a faculty member who believes that relevant factors or materials have been ignored or misinterpreted by the DFSC/SFSC is encouraged to seek an informal resolution of the issues with the DFSC/SFSC. If such informal resolution is unsuccessful, the faculty member shall be required to have a formal meeting with the DFSC/SFSC to present arguments and additional materials for reconsideration of the decision prior to filing the written appeal (see Section XIII.C.). If the attempt of resolution after a formal meeting is unsuccessful, then the appeal process shall proceed if the appellant so desires.
3. The appellant shall notify the CFSC Chairperson in writing of the intention to appeal the performance evaluation **within ten (10) business days** (days when University offices are open to the public) of the date on which the appellant received official notification of the department/school action giving rise to the appeal. The CFSC Chairperson shall respond to the appellant **within five (5) business days** following the receipt of a written intent to appeal.
4. The CFSC Chairperson shall notify the DFSC/SFSC Chairperson/Director of the faculty member's request for a performance evaluation appeal. The CFSC shall initiate consideration of a performance evaluation appeal.
5. The CFSC in performance evaluation cases must receive from the appellant written information supporting the appeal. The appellant may request appropriate information regarding the case. This information shall include any official document used to support a decision regarding the appellant's case. The appellant has the right to address the CFSC in person, and either the appellant or the CFSC can request the DFSC/SFSC to appear in person before the CFSC.
6. The CFSC shall have access to any materials that were used by the DFSC/SFSC to make its decision. The CFSC may request from the appropriate faculty status committee written information supporting the original decision, which the DFSC/SFSC shall supply. In those rare instances when an event occurs or information becomes available after the initial decision of the DFSC/SFSC and before deliberation of the CFSC, which event or information has direct bearing on the materials under review, such event or information may be considered by the CFSC with full written disclosure to the faculty member and the DFSC/SFSC. The CFSC may deny a hearing on an appeal where a substantial basis for appeal has not been demonstrated.
7. If a hearing is permitted by the CFSC, it will be conducted in accordance with section XIII.C.
8. The CFSC is the sole appeal in the case of performance evaluations. If a CFSC decision results in a change to a DFSC/SFSC recommendation, the DFSC/SFSC recommendation letter shall be revised in accordance with the CFSC decision, and all prior DFSC/SFSC communications shall be purged from the faculty member's record.
9. A majority vote of the CFSC is necessary to sustain or modify the DFSC/SFSC recommendation.
10. Each CFSC shall submit an annual written report to the URC and to the Provost that enumerates all performance-evaluation appeals and describes their disposition, by the date specified in the current year University ASPT calendar.

**Comment [DD10]:** Is the timeline a matter of specific days (10), or a specific date? ASPT calendar says Feb 2 is date for receipt of dept letter, and March 2 as the date for filing appeals of performance evals with CFSC. That's 20 days not 10.

**Comment [DD11]:** Not in ASPT calendar. Does it need to be?

11. See Appendix 1.C. for the standard University ASPT calendar for performance evaluations, and consult the current ASPT calendar for all relevant current-year dates.

F. Initiation of a Cumulative Post-Tenure Review Appeal:

1. A summative recommendation from a cumulative post-tenure review of a faculty member conducted by the DFSC/SFSC may be appealed to the CFSC regarding interpretations of faculty performance, and/or goals for extending teaching, scholarly and creative productivity and service initiatives over the coming three to five years, and/or adherence to ASPT policies. In a cumulative post-tenure review appeal, the CFSC is the sole and final appellate body. It may support or modify a recommendation made by the DFSC/SFSC. If the CFSC believes that the basis of the appeal is an academic freedom or ethics violation question, the CFSC may suspend its proceedings until it receives the report from the Academic Freedom, Ethics and Grievance Committee. ?
2. Before filing a written intent to appeal a post-tenure review with the CFSC, a faculty member who believes that relevant factors or materials have been ignored or misinterpreted by the DFSC/SFSC is encouraged to seek an informal resolution of the issues with the DFSC/SFSC. If such informal resolution is unsuccessful, the faculty member shall be required to have a formal meeting with the DFSC/SFSC to present arguments and additional materials for reconsideration of the decision prior to filing the written appeal (see Section XIII.C.). If the attempt of resolution after a formal meeting is unsuccessful, then the appeal process shall proceed if the appellant so desires.
3. The appellant shall notify the CFSC Chairperson in writing of the intention to appeal to the cumulative post-tenure review evaluation and/or plan for remediation by March 22. The CFSC Chairperson shall respond to the appellant and the DFSC/SFSC within five (5) business days following the receipt of a written intent to appeal and shall refer the faculty member to the appropriate section of the ASPT policy. ?
4. The CFSC in cumulative post-tenure review cases must receive from the appellant written information supporting the appeal. The appellant may request appropriate information regarding the case. This information shall include any document used to support a decision regarding the appellant's case. The appellant has the right to address the CFSC in person, and either the appellant or the CFSC can request the DFSC/SFSC to appear in person before the CFSC.
5. The CFSC shall have access to any materials that were used by the DFSC/SFSC used to make its decision. The CFSC may request from the appropriate faculty status committee written information supporting the original decision, which the DFSC/SFSC shall supply. In those rare instances when an event occurs or information becomes available after the initial decision of the DFSC/SFSC and before deliberation of the CFSC, which event or information has direct bearing on the materials under review, such event or information may be considered by the CFSC with full written disclosure to the faculty member and the DFSC/SFSC. The CFSC may deny a hearing on an appeal where a substantial basis for an appeal has not been demonstrated.

**Comment [DD12]:** (Can the faculty also refer to AFEGC, as is permitted in tenure/promotion and non-reappointment appeals?)

**Comment [DD13]:** Keep date, or use timeline?  
...within X business days of the date on which the appellant received official notification of the department/school action giving rise to the appeal.

**Comment [DD14]:** Not in ASPT calendar. Does it need to be?

**Comment [DD15]:** (Does the CFSC Chairperson need to inform the DFSC, as with performance appraisal appeals?)

**Comment [DD16]:** Which is..... ?

6. If a hearing is permitted by the CFSC, it will be conducted in accordance with section XIII.C. In no event shall written notification of the CFSC's decision occur later than April 15.
7. The CFSC is the sole appeal in post-tenure reviews. If a CFSC decision results in a change to a DFSC/SFSC recommendation, the DFSC/SFSC recommendation letter shall be revised in accordance with the CFSC decision, and all prior DFSC/SFSC communications shall be purged from the faculty member's record.
8. A majority vote of the CFSC is necessary to sustain or modify the DFSC/SFSC recommendation.
9. Each CFSC shall submit an annual written report to the URC and to the Provost that enumerates all cumulative post-tenure review appeals and describes their disposition, by the date specified in the current year University ASPT calendar.
10. See Appendix 1.D. for the standard University ASPT calendar for cumulative post-tenure review, and consult the current ASPT calendar for all relevant current-year dates.

**Comment [DD17]:** Section should be consistent. Calendar dates, specified time duration (e.g. 10 days)

G. Initiation of a Recommendation for Non-reappointment Appeal:

1. A recommendation for non-reappointment of a probationary faculty member may be appealed to the CFSC to consider whether the DFSC / SFSC provided adequate due process to the non-reappointment decision. In instances when a non-reappointment recommendation is made by a CFSC because of the absence of a DDFSC / SFSC, the probationary faculty member may appeal to the FRC.
2. In determining whether adequate due process was provided, the CFSC shall restrict its inquiry to procedural issues related to the manner in which the review was conducted. The CFSC shall not substitute its judgment for that of the DFSC/SFSC on the merits of whether a candidate should be reappointed.
3. If, using the preponderance of the evidence (more likely than not) test as the standard of review, the CFSC determines due process errors that substantially affected the non-reappointment decision, the CFSC shall refer the recommendation back to the DFSC / SFSC to reassess the merits, remedying any inadequacies of the prior process.
4. If a faculty member believes that the basis for non-reappointment was an academic freedom or ethics violation, the faculty member may request a review by the Academic Freedom, Ethics and Grievance Committee. In order to allow a final decision prior to the end of the faculty member's appointment, the faculty member must file a complaint as required by the Academic Freedom, Ethics and Grievance Committee within five (5) business days (days when the University offices are open to the public) of the date that the faculty member received the official notification of non-reappointment from the Provost. The Academic Freedom, Ethics, and Grievance Committee must submit its report by May 1 of the academic year in which the appointment terminates.

5. If a faculty member believes that the basis for non-reappointment was a violation of the University's Policy on Harassment and Discrimination, he/she may seek relief through the Office of Equal Opportunity, Ethics and Access.
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