

Spring 4-21-2021

## **DOC 2021-05 Revisions to DOC 2006-10 University Promotion and Tenure Policy**

University of Dayton. Academic Senate

PROPOSAL TO THE ACADEMIC SENATE

TITLE: Revisions to DOC 2006-10 University Promotion and Tenure Policy

SUBMITTED BY: Faculty Affairs Committee

DATE: April 21, 2021

ACTION: Legislative Authority

REFERENCE: II. B. 1. C. Will require faculty vote as specified in this section of the Constitution of the Academic Senate.

## **Introduction**

Promotion and tenure decisions are among the most important made at the university and as such should be made with great care. Indeed, the quality and nature of faculty accomplishments in scholarship, teaching, and service largely determines the quality and reputation of the institution as a whole and its ability to further its mission. Promotion and tenure decisions are extremely important to the life of the institution as they not only recognize the faculty member's existing body of work, but also make judgements about the future contributions by the faculty member to the university. As such, promotion and the awarding of tenure are mechanisms by which the University retains its most valuable scholars, sustains excellence in its instructional program, and promotes its mission for service.

Promotion and tenure decisions are among the most important events in a faculty member's professional life. Accordingly, it is essential that all faculty members be treated fairly and granted due process in the deliberations that determine promotion and tenure.

As a Catholic and Marianist institution, the university is committed to the diversity of its faculty and their full and equitable inclusion in all facets of university life. Building a diverse, equitable, and inclusive community across the university enriches and expands our institutional ability, intelligence, and creativity, and is fully aligned with our Marianist charism. Accordingly, the university recognizes that diversity, equity, and inclusion are inextricably linked with excellence. In order to realize this commitment, promotion and tenure of faculty will value the practical and educational benefits of faculty activities which contribute to diversity, equity, and inclusion.

This University Promotion and Tenure policy establishes general guidelines that govern University-wide procedures for promotion and tenure review. These guidelines and procedures are designed to ensure communication, fairness, and due process throughout the review process. This policy includes opportunities to respond in the event of disagreements over promotion and tenure recommendations and provides an appeals procedure.

In addition, this policy provides a process for initial and periodic review of promotion and tenure documents for procedural consistency and clarity of substantive criteria both at the unit and department level.

### **I. Establishment, Review, and Approval of Promotion and Tenure Criteria and Procedures**

#### **A. Definitions**

1. Tenure is a status of employment wherein a ranked faculty member's relationship with the university can be terminated only by voluntary separation through resignation or retirement, for adequate cause or under extraordinary circumstances such as financial exigency or discontinuance of a program or a department of instruction, or medical reasons.<sup>1</sup>
2. Tenure is granted based on demonstrated potential for effective, sustained, long-term contributions to the University and its mission. Tenure is granted to demonstrate the

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<sup>1</sup> Defined in the Faculty Handbook under general faculty policies and procedures as outlined in the section titled, "University Regulations on Academic Freedom and Tenure" and "2020-05 Bylaws for Faculty Hearing Committee on Academic Freedom and Tenure".

reciprocal long-term commitment of the University to tenured faculty and provides stability to the academic and research mission of the University.

3. As defined by the American Association of University Professors (AAUP): “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 [individuals] 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.”<sup>2</sup>
4. Promotion is the advancement in rank, e.g. assistant professor to associate professor based on achievement in, teaching effectiveness and/or librarianship, scholarship and/or artistic accomplishment, and service.

#### B. General University-wide Criteria and Eligibility for Promotion and Tenure Evaluations

1. Criteria for promotion and tenure focus on the academic credentials and the academic performance of the applicant. The faculty member's performance will be evaluated as appropriate to the profession in the areas of:
  - a. Teaching effectiveness and/or librarianship,
  - b. Scholarship and/or artistic accomplishment, and
  - c. Service.
2. Candidates for tenure and promotion must meet the following criteria:
  - a. For tenure and promotion to associate professor:<sup>3</sup>
    - i. Demonstrate effectiveness in teaching/librarianship and efforts to improve teaching/librarianship quality, and
    - ii. Provide evidence of the establishment of a record of scholarship and/ or artistic accomplishment consistent with the expectations detailed in the letter of hire, or an addendum to the letter of hire, and
    - iii. Provide evidence of a developing practice of service, in multiple internal and external contexts, that advances the operation, mission, or reputation of the University.
  - b. For promotion to professor:<sup>4</sup>
    - i. Demonstrate a sustained/consistent record of high-quality teaching/librarianship and a commitment to further enhance teaching/librarianship quality, and
    - ii. Provide evidence of an ongoing/consistent record of scholarship and/or artistic accomplishments that demonstrates excellence and is recognized and evaluated positively by the scholarly/artistic community, and
    - iii. Provide evidence of an ongoing/consistent established record of service and leadership, in multiple internal and external contexts, that advances the operation, mission, or reputation of the University.

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<sup>2</sup> From AAUP “1940 Statement of Principles on Academic Freedom and Tenure”.

<sup>3</sup> For the School of Law the criteria outlined in I.B.2.a. only apply to promotion to associate professor without tenure.

<sup>4</sup> For the School of Law the criteria outlined in I.B.2.b. apply to promotion to professor with tenure.

Recognizing that faculty may engage in a wide range of activities, which further the mission of the university, units, departments, or institutes have the responsibility to determine the weight given to each category of evaluation. Specific criteria that value a variety of pathways for promotion to professor must be clearly defined in unit, department and institute criteria (see section I.C.1-7 below).

3. Tenure-track faculty with no prior service credit will be considered for tenure no later than their sixth year of active, full-time service. Time devoted to leaves of absence, sabbaticals, or other interruptions in the annual performance of teaching, research, and service may affect the total period of evaluation and the timing of departmental reviews. The effects of such interruptions on the period of evaluation and timing of reviews must be agreed to in writing by the faculty member, chairperson, dean, and Provost at the time that the interruption takes place or within six months of the initiation of the interruption.
4. Tenure will not be granted to a faculty member whose rank is below the level of associate professor. For an assistant professor, awarding of tenure is coupled to promotion to associate professor (except in the School of Law). In the School of Law, candidates cannot request to be promoted to professor without consideration of tenure. Faculty members who have already been granted tenure at the assistant professor level, or have been granted promotion to associate professor without tenure, prior to implementation of this policy will retain their tenure and rank.
5. A candidate may request to be considered for early promotion and tenure. A candidate who wishes to have an early decision must request an accelerated tenure clock by (no later than) the start of their fourth year of service and, once granted, the decision for early consideration is irrevocable. The details of the accelerated tenure clock must be put in writing and agreed to by the candidate, the department chair, the dean and the Provost. A candidate can only be considered for tenure once.
6. A candidate who successfully completes the promotion and/or tenure process will be granted promotion and/or tenure with their next contract.

#### C. Unit, Departmental, and Institute Authority and Responsibilities

1. Each unit, academic department and/or institute will adopt clear criteria and procedures for promotion and tenure. The criteria for promotion and tenure must address:
  - a. Teaching effectiveness and/or librarianship,
  - b. Scholarship and/or artistic accomplishment, and
  - c. Service.
2. An applicant for promotion and tenure must be considered on the strength of the complete application as well as the achievements and contributions that have been made in each of the three evaluation dimensions. Each unit, academic department, and institute will clearly describe their expectations for promotion and tenure. A successful applicant must meet those expectations as defined by each unit and department.
3. The university recognizes that faculty may engage in a wide range of activities – outside of “traditional” disciplinary efforts – that further the mission of the university. Achievements in teaching and/or librarianship, scholarship and/or artistic

accomplishment, and/or service that include community engagement, incorporate multidisciplinary, foster innovation, venture creation, and/or other defined academic or professional activities consistent with the positional role and responsibilities of the faculty, and that further the mission and reputation of the University are encouraged and should be given due recognition during the faculty tenure and promotion process and evaluated and credited in the same way as other faculty achievements. Each unit, academic department and/or institute must adopt clear criteria for evaluating these contributions where relevant.

4. Given that diversity, equity, and inclusion are fundamental to academic and institutional excellence, the University expects an applicant for promotion and tenure to demonstrate a commitment to inclusive excellence<sup>5</sup> in at least one of the dimensions of evaluation (in teaching and/or librarianship, scholarship and/or artistic accomplishment, and service). Each academic unit, department, and/or institute will adopt criteria for evaluating contributions and achievements in promoting inclusive excellence.
5. Each unit, academic department and institute will clearly describe their criteria for promotion and tenure separately for:
  - a. Tenure and Promotion to associate professor,<sup>6</sup>
  - b. Promotion to professor.<sup>7</sup>
  - c. Tenure for those who were hired at the rank of associate professor or professor.

These criteria must at a minimum meet the university's and the unit's policies.

6. Each unit, academic department and institute will adopt clear processes and procedures to ensure the fair and equitable evaluation of promotion and tenure.
7. All faculty who participate in promotion and tenure review at any level (unit, department, or institute) are required to participate in professional development in diversity, equity and inclusion to mitigate bias in faculty evaluation, prior to participating in the work of the committee. The Provost Office in consultation with the Office of Diversity and Inclusion and Academic Senate will oversee faculty professional development.

#### D. University Academic Senate Authority and Responsibilities

1. The Academic Senate will establish the University Committee and provide oversight of the elections of faculty members to the University Committee.
2. The Academic Senate will determine all University-wide procedural policies on Promotion and Tenure and explicate such policies in the Faculty Handbook. If the University Committee notes inconsistencies between documents not covered by University-wide procedural policies on promotion and tenure, those procedural inconsistencies will be submitted to the Academic Senate for resolution.

#### E. The University Committee

1. The University Committee will

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<sup>5</sup> University of Dayton Diversity and Inclusion Assessment Task Force Report, September 27, 2019.

<sup>6</sup> For the School of Law, promotion to the rank of associate professor.

<sup>7</sup> For the School of Law, tenure with promotion to the rank of professor.

- a. review and approve the promotion and tenure policies of all units for consistency with University policies and procedures
  - b. annually review the promotion and tenure process for adherence to appropriate procedures and present a report to the Chairperson of the Academic Affairs Committee of the Board of Trustees and the President of the Academic Senate. The President of the Academic Senate will annually present this report to the Executive Committee of the Academic Senate.
2. The University Committee will consist of fifteen tenured faculty members: seven from the College of Arts and Sciences (two from the Humanities, one from the Visual and Performing Arts, two from the Natural Sciences, two from the Social Sciences); two respectively from the School of Business Administration, the School of Education and Health Sciences, and the School of Engineering; and one each from the School of Law and the University Libraries.
- a. The University Committee members will be elected by tenure and tenure-track members of their respective constituencies.
  - b. Members of the University Committee will serve three-year terms (maximum of two consecutive terms, with staggered terms within and across units); all members will be tenured with rank of associate professor or professor and cannot hold an administrative appointment (including departmental chairpersons, assistant and associate deans, deans, and other full or part-time administrators with line authority). The University Committee will elect a chairperson from those duly elected. The chairperson shall serve for one year, and may serve consecutive terms. Terms will begin effective June 1 of the year elected.
  - c. Any individual who cannot complete their term of office will be replaced from the list of candidates in the year in which the member was elected. Candidates not elected to the University Committee will be listed by area in the order of votes received, beginning with the highest, and will, in that order, be asked to fill vacated positions.
  - d. The Associate Provost for Faculty Affairs, in consultation with ECAS, Academic Deans, and the VP for Diversity Equity and Inclusion, may appoint two *ad-hoc* tenured faculty members to this committee to ensure that the committee has diverse representation. This diversity includes, but is not limited to gender diversity, racial and ethnic diversity, and professional path diversity.
  - e. All members of the University Promotion and Tenure Committee are expected to engage in professional development in diversity, equity and inclusion to mitigate bias in faculty evaluation, prior to participating in the work of the committee. The Provost Office in consultation with the Office of Diversity and Inclusion and Academic Senate will oversee faculty professional development.
3. The University Committee will approve those unit documents that define clear substantive criteria and procedures consistent with University policies, including mechanisms for communicating throughout the entire promotion and tenure process.

4. After the initial approval has been received by a unit, the University Committee will review that unit's policies every three years. Whenever substantive changes are proposed, the unit promotion and tenure documents must be approved by the University Committee for consistency with University policies and procedures.
5. In the event the University Committee does not approve unit documents or proposed changes to them, and if the dean of that unit disagrees with the decision of the University Committee, the matter will be resolved by the President in consultation with the Provost.
6. The Provost's office will be responsible for providing administrative support for the work of this committee and assuring that all documents are distributed in a timely and appropriate manner.

## II. Common Processes for Promotion and Tenure Evaluations

### A. Common process for pre-tenure review

1. The approved University, unit, departmental, and institute criteria and procedures will be shared with the candidate at the time of hire by the Office of the Provost. These will be the basis of the pre-tenure, final tenure, and promotion reviews.
2. Each unit dean will establish a timetable regarding the submission and review of pre-tenure materials.
3. During the pre-tenure period, every candidate will receive a minimum of two reviews of their teaching and/or librarianship, scholarship and/or artistic accomplishment, and service by their department and the appropriate dean, with the final review conducted the year prior to the final departmental tenure recommendation. The School of Law and University Libraries will have only a unit review.
4. Credit toward tenure granted for prior service
  - a. A candidate who is given two or fewer years credit toward tenure will receive two comprehensive reviews (as described in II.A.5 below).
  - b. A candidate receiving three or more years credit toward tenure will receive a minimum of one review of their teaching effectiveness and/or librarianship, scholarship and/or artistic accomplishment, and service by their department and the appropriate dean, with the final review conducted the year prior to the final departmental tenure recommendation. The number of and timing of the review(s) will be explicated in the candidate's first letter of hire. The School of Law and University Libraries will have only a unit review.
  - c. Any changes in the tenure clock after this first letter of hire may require a change in the review cycle. Such changes must be agreed to in writing by the faculty member, chairperson, dean, and Provost.
5. Pre-tenure review process
  - a. A candidate will submit their review materials and supporting documentation for review to the responsible persons (i.e., departmental chairperson, departmental

promotion and tenure committee) at the departmental level. (The School of Law and University Libraries will have only a unit review. Materials will be submitted directly to the unit dean.)

- b. After giving adequate consideration to the materials, each department/unit will provide written feedback to the candidate in a timely fashion as designated by the departmental (unit in the case of the School of Law or University Libraries) promotion and tenure document. In addition to a statement regarding progress toward tenure, feedback will include comments of a developmental nature, in line with the criteria for tenure, indicating areas of concern and suggestions for improvement.
- c. The candidate's review materials, supporting documentation, and the written feedback will be forwarded to the appropriate unit dean. The dean will then review the materials and provide written feedback to the candidate in a timely fashion.

#### B. Common application and final review process for tenure and/or promotion

1. Each unit dean will establish a timetable regarding the submission and review of promotion and tenure materials.
2. The review materials for promotion and tenure will be cumulative. Materials generated as a result of review at the departmental level (unit in the case of the School of Law or Libraries), including letters from chairperson, departmental promotion and tenure committee, and response, will become part of the application package and will be forwarded to the unit for review. Likewise, materials generated in the unit review, including letters from dean, unit promotion and tenure committee, and responses, will be forwarded to the Provost for review.
3. Materials of a substantive nature which update the submitted application (e.g., acceptance or publication of a manuscript) can be added to the application by the candidate at any point in the tenure review process until the Provost's recommendation is made. It is expected that appropriate consultation will take place if materials are added that will affect the recommendation.
4. Each academic department or institute (unit in the case of the School of Law or University Libraries) will develop a "Procedural Form" that itemizes the promotion and tenure steps that are to be followed in the department and unit. As steps are completed, each of the responsible persons (e.g., departmental chairperson, departmental promotion and tenure committee, chairperson of the unit promotion and tenure committee, and dean) in the unit will provide their signature, acknowledging that steps were completed in accordance with the departmental and unit procedural policies and indicating the date in which steps were completed. Each candidate will be provided an opportunity to sign, acknowledging receipt of written documentation and the date it was received. A candidate's signature will not indicate agreement with the feedback or recommendations at any given point.
5. Departmental Application and Review Process (does not apply to School of Law or University Libraries)

- a. A candidate will submit their application and supporting documentation or promotion and/or tenure to the departmental chairperson by the date specified by the departmental promotion and tenure documents.
- b. After giving adequate consideration to each application, each department, in accordance with its unit promotion and tenure procedures, will make a promotion and tenure recommendation in writing to the appropriate unit promotion and tenure committee regarding each candidate. A letter from both the departmental chairperson and departmental promotion and tenure committee will go forward to the unit promotion and tenure committee. These letters will specify the reasons for the departmental recommendations and will be copied to the respective candidate.
- c. If the candidate chooses, he or she can respond in writing. This response will be forwarded with all related materials to the unit promotion and tenure committee.

6. Unit Application and Final Review Process (applies to all units)

- a. The specific administrative process for submitting material, including to whom, must be specified in each unit's promotion and tenure policies.
- b. After giving adequate consideration to each application, each unit promotion and tenure committee will make promotion and tenure recommendations regarding each candidate in writing to the appropriate dean by the date specified in the unit promotion and tenure documents.
- c. After giving adequate consideration to the application, the unit dean will inform each candidate, in writing, of the recommendation and the reasons for it no later than the first business day following December 14. In units that conduct departmental reviews, this letter will be copied to the departmental chairperson. After ensuring the candidate has received notification, the departmental chairperson will share the recommendation with the departmental promotion and tenure committee. The dean will also inform the unit promotion and tenure committee of the recommendation.
- d. Candidates or concerned individuals (e.g. departmental chairpersons, or promotion and tenure committee members) who wish to submit a written response to the dean have until the first business day following December 21 to do so.
- e. The dean will then consider any additional evidence and responses and send a recommendation in writing to the Provost, along with the completed "Procedural Form," cumulative file, and the response(s) of any candidate or concerned individuals no later than the first business day after January 1. In units that conduct departmental reviews, this letter will be copied to the departmental chairperson, no later than the first business day following January 1. After ensuring the candidate has received notification, the departmental chairperson will share the recommendation with the departmental promotion and tenure committee. The dean will also inform the unit promotion and tenure committee of the recommendation.

## 7. Provost Recommendation Process

- a. Candidates or any other concerned individuals (e.g. departmental chairpersons, or promotion and tenure committee members) have until the first business day following January 15 to file a written response to the dean's recommendation with the Provost.
- b. The Provost will review all materials and make recommendations to the President no later than the first business day following January 30. Each candidate will be informed in writing of the Provost's recommendation. Candidates or any other concerned individuals (e.g. departmental chairpersons, or promotion and tenure committee members) who wish to submit a written response to the Provost will have until the first business day following February 15 to do so.

## 8. Final Administrative Authority

- a. Final administrative authority rests with the President. Each candidate will be informed in writing of the President's decision. This decision will also be copied to the Provost, the appropriate dean, and the appropriate departmental chairperson.

## 9. Mediation and Appeals

- a. If the candidate chooses to appeal the President's decision, he or she may begin the mediation process in accord with the Faculty Handbook, Section IV.E. If mediation does not resolve the complaint, the candidate may make use of the appeal processes set out in the Faculty Handbook (Sections IV.C.1, IV.E, and XIII.E.). The Board of Trustees will serve as the court of last resort in the appeals process.

## 10. Report to the Board of Trustees

- a. The President will provide the Board of Trustees with a report of promotion and tenure actions at the spring meeting. The summary report will minimally include statistics regarding the gender and minority status of candidates.
- b. The University Committee will receive a copy of the President's summary report on promotion and tenure no later than two weeks prior to the spring Board meeting.
- c. The University Committee will review the promotion and tenure process for adherence to appropriate procedures and will examine the President's summary report before compiling a report of its own to present to the Academic Affairs Committee of the Board of Trustees at the Board's spring meeting. This report will also be provided to the President of the Academic Senate who will present it to the Executive Committee of the Academic Senate.

## III. Implementation of the University application and review process for promotion and tenure.

- A. Following passage of this policy by the faculty members, the Provost will send a letter to each tenure-track faculty member who has received three or more probationary contracts prior to May 15, 2023.<sup>b</sup> The letter will inform these tenure-track faculty members that they have the choice to be evaluated relative to the procedure and criteria for promotion and tenure which were in place at the time of their most recently affected probationary contract or relative to the resolutions presented here. Each affected tenure-track faculty member will submit their choice to the Provost's office within six months of the passage of this policy. Tenure-track faculty members who have received two or fewer probationary contracts prior to May 15, 2023 will be evaluated relative to the resolutions presented here.
  
- B. Faculty members who have been granted the rank of associate professor prior to May 15, 2023 will have the option to be evaluated under the Unit/Department/Institute policy that existed at the time they were promoted to associate professor, or can elect to be evaluated under the policies that exist at the time they submit their candidacy for promotion to professor. The candidate must indicate their choice at the time they declare their intention to be considered for promotion using the timeline outlined in Unit/Department/Institute policies. This option will be in effect through May 15, 2026. Following that date, all candidates for professor will be evaluated under the policies that exist at the time they submit their candidacy for promotion to professor.
  
- C. Work of the University Promotion and Tenure Committee
  - 1. Each Unit will submit its policies for promotion and tenure to the Provost's office. Those materials should be submitted as early as January 1, and no later than April 1, 2023.<sup>b</sup>
  
  - 2. The University Promotion and Tenure Committee will review all unit promotion and tenure policies for consistency within the University Promotion and Tenure Policy by May 15, 2023.<sup>b</sup>

<sup>a</sup> School of Law includes the School of Law faculty and Law Library faculty.

<sup>b</sup> Dates assume final approval of the above resolutions by the Board of Trustees by Spring 2022 and are subject to change, pending final approval date.