

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

WHEREAS, the Board of Visitors approved language for inclusion in chapter three of the Faculty Handbook scheduled for implementation in 2022 – 2023; and

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

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

3.4.5.1 Appeal of Probationary Non-Reappointment Decision

Faculty members on probationary term appointments should make no presumption of reappointment. The department head or chair and the departmental personnel committee or the faculty development committee evaluate faculty for reappointment. (See chapter three, ~~“Pre-Tenure Probationary Period and Progress Reviews.”~~ Pre-Tenure Probationary Period and Reviews of Progress Toward Promotion and/or Tenure.”)

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

~~The faculty member may then request, through the dean, that the college committee on promotion and tenure independently review the decision. The faculty member presents the appeal in writing as specified in chapter three (above) “Appeals of Decisions on Reappointment, Tenure, or Promotion.” The faculty member may elect to present oral arguments to the committee. If the committee concurs with the dean’s decision, the decision is final. The dean notifies the faculty member in writing of the reasons for the committee’s decision and no further appeal is provided.~~

~~If the committee’s recommendation varies from the dean’s, the case is automatically sent to the provost for review. The provost’s decision is final.~~

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

RECOMMENDATION:

That the resolution be approved to revise the language in the Faculty Handbook regarding appeal of probationary non-reappointment.

June 7, 2022