

## **PROMOTION AND TENURE COMMITTEE**

### **Duties**

The committee establishes criteria for promotion and tenure and sets procedures for the implementation of promotion and tenure policies, subject to approval by the faculty and all appropriate administrative channels. The committee, in accordance with approved criteria and procedures, makes recommendations to the Executive Vice Chancellor for Academic Affairs and the Chancellor regarding the granting of promotion and tenure. The committee hears appeals of post-tenure reviews and makes recommendations to the Executive Vice Chancellor for Academic Affairs.

The Promotion and Tenure Committee publishes general guidelines for promotion and tenure criteria and publishes procedures for the operation of promotion and tenure policies; these criteria and procedures are approved by the faculty and the Chancellor. The tenured members of each voting unit formulate specific criteria for promotion and tenure; these criteria are approved by the Promotion and Tenure Committee. The Peer Review Committee includes in its recommendation an explicit statement as to the sufficiency of both service and scholarship and creativity for promotion to professor.

### **Questions and Concerns Regarding the Process of Promotion and Tenure**

Questions, concerns, or problems regarding the process of promotion and tenure from faculty members, Peer Review Committee members, and candidates for promotion or tenure should be addressed to the Chair of the Promotion and Tenure Committee, or to the Chair-elect of the committee.

### **Membership**

The Promotion and Tenure Committee consists of nine faculty members, seven elected, and two appointed. Terms are for three years. Only tenured associate professors/librarians and professors/librarians who have taught at USCS for one year or more are eligible to serve on the Promotion and Tenure Committee. Five members of the committee are from the College of Arts and Sciences (four elected and one appointed); four members are chosen from the Schools of Business, Education, and Nursing and the Library (three elected and one appointed). Elected positions are filled by vote of the general faculty. If the position is an appointed one, it is filled by appointment by the Chancellor. No voting unit can have more than one representative on the committee. Elections of members of the committee are held at the general faculty meeting in the spring, with nominations from the floor.

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Elected committee members who are not able to serve out their terms shall be replaced by the voting unit. The newly elected member serves until the next general faculty meeting, at which time the faculty elects a replacement. The newly elected member serves until the term is completed or until the originally elected faculty member returns to the committee. Appointed Committee members who find it necessary to resign are replaced by appointment by the Chancellor.

### **Descriptions of Classroom Faculty Activities**

**Teaching.** Teaching encompasses classroom instruction and a broad range of faculty-student relationships. Individual attributes may vary, and the extent to which individuals exhibit an attribute may differ, but the following traits are those which are commonly valued in a teacher: command of subject matter; familiarity with advances in one's field; organization and presentation of material in a forceful and logical manner through the use of a variety of methods; active involvement of students in the learning process; capacity to awaken in students an awareness of the general objectives of one's discipline; ability to make one's discipline relevant to the students' lives and values; ability to guide advanced students to creative work; maintenance of a high standard of achievement among students and fairness and good judgment in grading students' performance.

The extent and skill of a faculty member's participation in the general guidance and advising of students and his or her contributions to student welfare are of importance in appraising a teacher's value to the university. A teacher's ability to communicate effectively with students is valued.

Refer to the individual unit criteria for examples of specific performance indicators.

**Service.** Faculty members are responsible for contributing to the processes which enable the university to implement its mission. Since the faculty plays an important role in the formulation of university policies, recognition is given to faculty members who participate effectively in faculty governance and the development of institutional procedures, whether assigned or assumed voluntarily. Service by faculty to larger communities, local, state, national, and international, is valued. Public service which leads to the advancement of a profession is considered worthy of recognition. Distinctions must be made between routine performances and high-level contributions to collegial endeavors. Additional remuneration for this kind of service shall not lessen the worth of such contribution in evaluating a candidate's performance.

Refer to the individual unit criteria for examples of specific performance indicators.

**Scholarship and Creativity.** Demonstrated professional distinction is recognized as a criterion for promotion and tenure. Faculty members are expected to provide evidence of scholarly achievement. Such evidence varies depending upon the talents and interests of individuals and their particular fields of study. In any endeavor, the quality of the work is more important than the quantity. Each of the following is valued according to the contribution to the field: application of knowledge in one's academic field of interest to special projects, publication of scholarly

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books, textbooks, articles in scholarly referred journals, other publications, professional reports and reviews, and participation in projects of scholarly interest. Applied research and consultation for business, industry, government, education, and service agencies are recognized as avenues of professional development and creativity and are important aspects of scholarship in the university's service to the community. Additional remuneration for this kind of work shall not lessen the worth of such contribution in evaluating a candidate's performance.

In certain fields, such as art, music, and literature, distinguished creativity and performance receive consideration equivalent to distinction attained in research and other scholarly endeavors. Creative activities often receive public recognition as reflected in professional awards, the assignment of special tasks and commissions, the acceptance of the faculty member's work in permanent collections, publication in leading professional journals or multiple publications of a significant article, invitations to participate in juried exhibits, and any other public honor. Additional remuneration for this kind of work shall not lessen the worth of such contribution in evaluating a candidate's performance.

Refer to the individual unit criteria for examples of specific performance indicators.

### **Descriptions of Library Faculty Activities**

**Librarianship.** Librarians are involved in the educational mission of the university in a variety of ways, and manifestations of proficiency depend upon a librarian's specific responsibilities. The following traits are those commonly valued in a librarian: command of the principles of librarianship; familiarity with advances in librarianship and the ability to serve users by anticipating and contributing to their needs through collection development and by improving systems of organization or retrieval of information; the ability to communicate effectively with members of the academic community; the ability to develop cooperation between area libraries and to expand sources of available information; the ability to contribute to effective administrative coordination of library activities by developing library policies and procedures. Administrative evaluations, the opinions of library colleagues, and the opinions of library users may be used as evidence of proficiency as a librarian.

**Service.** The definition of service used for teaching faculty is also applicable to librarians.

**Scholarship and Creativity.** Demonstrated professional distinction is recognized as a criterion for promotion and tenure. Librarians are responsible for facilitating the work of others, and for this reason, significant contributions to the research or scholarly work of others is valued. Participation in scholarly projects that result in better organization of information or access to information is equally important. Expanding the organization of information on a national, state, or local level is one significant method of contribution, as is helping individual scholars by providing bibliographic knowledge. Publication of scholarly books or journal articles, presentations at professional meetings or workshops, applications for grants to further scholarly activity, and service as a consultant are also valued.

Librarians may also demonstrate librarianship by taking courses outside their discipline or by taking advanced courses in librarianship as well as by participating in creative activities such as preparation of exhibits.

### **Definitions of Evaluative Terms**

**Excellent.** Persons considered to be excellent significantly exceed the normal requirements of their position; the quality of their performance is such to make it worthy of special note. Their level of performance indicates extra thought, time, effort, and imagination; they make important contributions to the University and its mission. Refer to the individual unit criteria for examples of specific performance indicators.

**Highly Effective.** The category of highly effective is reserved for persons whose performance exceeds the normal requirements of their position. The quality of their performance makes significant contributions to the University and its mission. Refer to the individual unit criteria for examples of specific performance indicators.

**Effective.** The category of effective is reserved for persons whose performance clearly meets the requirements of their position. Their accomplishments support the mission of the University. Refer to the individual unit criteria for examples of specific performance indicators.

**Less than Satisfactory.** Less than satisfactory is applied to those persons whose performance fails to meet the requirements of their position. Continued performance at this level would clearly impede the mission of the university. Refer to the individual unit criteria for examples of specific performance indicators.

### **PROMOTION AND TENURE CRITERIA**

Faculty members are responsible for ensuring that their files are current with respect to evidence needed to support promotion and tenure recommendations.

Faculty members hired into the tenure track after July 1, 1996 are responsible within their probationary period for meeting the unit tenure and promotion criteria and University standards in effect at the time of their hiring.

For all subsequent promotions the faculty member is responsible for meeting either (1) the current voting unit criteria and university standards or (2) unit criteria and university standards in effect at the time of his or her previous promotion or those in effect five years before the current application, whichever of these latter two is more recent. It is incumbent upon faculty members to identify the preferred criteria and standards in their application for promotion and/or tenure.

### **Criteria for Promotion and Appointment of Teaching Faculty**

**To be eligible for the rank of professor**, faculty members must have a record of excellence in teaching and must also have made highly effective contributions to service or scholarship and

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creativity and effective contributions to the other category. Faculty members are expected to hold the earned doctor's degree and to have a minimum of nine years of relevant experience.

**To be eligible for the rank of associate professor**, faculty members must have a record of highly effective performance in teaching and effective contributions in service and scholarship and creativity. Faculty members are normally expected to hold the earned doctor's degree and to have a minimum of five years of relevant experience.

**To be eligible for the rank of assistant professor**, faculty members must possess strong potential for academic development. Normally, faculty members are expected to hold an earned doctor's degree or other appropriate degree (as in certain of the performing or creative arts).

The normal educational requirements for each rank may be waived in cases where individuals have (a) made extraordinary contributions in teaching, service, or scholarship and creativity or (b) in disciplines where the earned doctorate is not commonly required for undergraduate teaching.

### **Criteria for Promotion and Appointment of Library Faculty**

**To be eligible for the rank of librarian**, faculty members must have a record of excellence in librarianship and must also have made highly effective contributions to service or scholarship and creativity and effective contributions to the other category. Faculty members are expected to hold a master's degree from a program accredited by the American Library Association and have a minimum of nine years of library experience comparable to the assistant librarian level or above at USCS. Refer to the individual unit criteria for examples of specific performance indicators.

**To be eligible for the rank of associate librarian**, faculty members must have a record of highly effective performance as a librarian and must have effective contributions in service and scholarship and creativity. Faculty members are expected to hold an earned master's degree from a program accredited by the American Library Association and have a minimum of five years of library experience comparable to the assistant librarian level at USCS. Refer to the individual unit criteria for examples of specific performance indicators.

**To be eligible for the rank of assistant librarian**, a faculty member must have a minimum of two years of relevant experience equivalent to that of a library faculty member and must possess strong potential for development. Faculty members are expected to have an earned master's degree from a program accredited by the American Library Association. Refer to the individual unit criteria for examples of specific performance indicators.

Library faculty members not meeting these criteria are eligible for the rank of instructor. Additional advanced degrees will be looked on favorably for promotion consideration.

The normal educational requirements for each rank may be waived in cases where a person has made an extraordinary contribution as a librarian.

## TENURE REGULATIONS

### Standards

USCS generally adheres to the standards of the American Association of University Professors regarding the rights, privileges, and benefits accorded faculty members; where university policies differ from those standards, the regulations stated herein, or as subsequently modified by the university, apply.

No change shall be made in the university wide tenure and promotion regulations except by vote of the full voting membership of the university faculty or by direction of the Board of Trustees. In no event shall any change in tenure and promotion regulations be made retroactive for faculty hired before July 1, 1996, unless the faculty member chooses otherwise.

### Regulations

To promote its welfare, the university in general extends the opportunity for full-time tenure-track faculty members to become tenured. To offer the opportunity to become tenured, the university adheres to the following regulations:

**New Faculty.** Faculty members are notified of their tenure status in their letter of appointment. New members of the faculty are informed of the tenure regulations applicable on the effective date of their appointments. Changes in tenure regulations are not applied retroactively if disadvantageous to the faculty member. Faculty members who acquire tenure are notified in writing at the time.

**Probationary Period.** The maximum probationary period for all full-time faculty members appointed at the rank of professor is continuous service at the rank for six years at USCS. The maximum probationary period for all full-time faculty members appointed at the rank of associate professor is continuous service at the rank for six years at USCS. The maximum probationary period for all full-time faculty members with the rank of assistant professor is continuous service in the rank for seven years at USCS. The maximum probationary period at any combination of ranks is the probationary period of the faculty member's first tenure track appointment at USCS.

For the purposes of consideration for promotion and/or tenure, each year of a first semester appointment is taken to begin with the scheduled fall term, and each year of a second semester appointment is taken to begin with the previous fall term. A summer appointment is taken to begin with the subsequent fall term.

A decision is made as to the status of any tenure-eligible faculty member by the following times:

Rank	Probationary Period	Decision Date
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Professor/librarian	6 years	end of 5 <sup>th</sup> year
Associate professor/librarian	6 years	end of 5 <sup>th</sup> year
Assistant professor/librarian	7 years	end of 6 <sup>th</sup> year

**Extension of Tenure Time Line.** For documented reasons of a serious health condition (of a faculty member and/or the faculty member's spouse, child, or parent), and for requirements of childbirth, adoption or placement of a foster child, faculty members holding a probationary term of appointment may request in writing that the maximum probationary period be extended, with no resulting change in employment obligations, in order to provide them additional time to demonstrate fully their professional qualifications for tenure. Documentation may include, for example, a letter from a physician or other healthcare professionals that includes the period of time and a description of the degree of incapacity, in the case of a serious health condition. An extension of the probationary period may also be requested for extended periods of paid or unpaid leave for reasons other than health conditions, childbirth, adoption or placement of a foster child, such as active military duty.

Requests from faculty members to extend their probationary period for tenure are submitted to the faculty member's unit supervisor. Requests must be made as soon as practicable, but no later than the first day of classes of the decision year. Faculty are reminded that requests for extension may be denied, in which case promotion and tenure files are required to meet all announced deadlines.

Requests to extend the probationary period require the recommendation of the unit supervisor (if applicable), the dean, and the Executive Vice Chancellor for Academic Affairs. Each administrator has five working days in which to make a recommendation. If the five day limit is not met, the faculty member may send the request to extend the probationary period to the next level with no penalty. The decision of the Executive Vice Chancellor is final. If an extension is granted within the first three years of tenure-track status, the mandatory third year peer review is also delayed. The request may be initiated simultaneously with a request for leave, however it is not necessary to take leave to be eligible for an extension of the probationary period for reasons of serious health condition, childbirth, adoption or placement of a foster child.

An extension request for reasons of childbirth, adoption or placement of a foster child must be completed within twelve months of the birth or placement of the child. Faculty may receive no more than two one-year extensions of the probationary period prior to evaluation for tenure.

In cases where faculty members have been in probationary status for more than the typical years for their rank due to extension of the probationary period, they shall be evaluated as if they had been in probationary status for the normal probationary period, not longer. Faculty members within the probationary period who have not been reappointed for the following year are not eligible to extend the probationary period under this policy.

**Award of Tenure at Time of Appointment.** It is contrary to university policy to award tenure at the time of appointment unless such an award can be demonstrated to be in the universi-

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ty's interest. Permission to negotiate with respect to the award of tenure to associate or full professors must be secured in advance through appropriate channels from the Chancellor's Office to the President. When permission has been granted to consider the award of tenure to a specific person, the Promotion and Tenure Committee votes on the award of tenure by secret ballot. The tally of the votes, as well as any written comments by members of the committee are forwarded as part of the recommendation of the Executive Vice Chancellor for Academic Affairs concerning the appointment.

Final action in any award of tenure requires approval of the Board of Trustees.

**Not Eligible for Tenure.** Only full-time faculty members holding the rank of assistant professor/librarian, associate professor/librarian, and professor/librarian are eligible for tenure. Appointments to all other faculty ranks are on an annual basis, and service under such appointments is not considered part of a probationary period for tenure consideration.

**Non-renewal.** If, during the first year of a probationary appointment, it is deemed in the best interest of the university not to renew the appointment, notice of such non-renewal is given in writing by March 1 (July 1 for a second semester appointment).

If, during the second year of a probationary appointment, it is deemed in the best interest of the university not to renew the appointment at the end of the second year, notice of such non-renewal is given in writing by December 15 (April 15 for a second semester appointment).

Thereafter, notice in writing of the non-renewal of any appointment to which the provisions of this section apply is given at least twelve months prior to the date of non-renewal.

**Regulations for Library Faculty.** The tenure regulations established for other faculty members also apply to library faculty members. The maximum probationary period for a library faculty member is seven years of service at the rank of assistant librarian or six years of service in the case of any rank above assistant librarian.

**Regulations for Administrators.** No administrator acquires a permanent appointment in an administrative office. Relinquishing administrative office does not affect faculty rank or tenure. The tenure status of a member of the faculty appointed to an administrative position is not affected adversely by such an appointment.

The period of time spent in an administrative position by a tenure track person teaching one-quarter or less of the course load of full-time faculty is not counted as service in the probationary period. A non-tenured individual holding an administrative position may acquire tenure only in exceptional circumstances and only upon recommendation through the appropriate channels.

**Withdrawal of Files.** Only candidates can withdraw their files from review for promotion and tenure. Files can be withdrawn at any time in the review process. Candidates must send written notice of their desire to have their file withdrawn from consideration to the Chair of the Promotion and Tenure Committee. Failure to submit a file may result in non-reappointment.

**Automatic Tenure.** Under no circumstances will untenured faculty receive tenure automatically without following the established procedures for tenure decisions. Tenure must result from a positive action of the University, according to its prescribed procedures.

### **STATEMENT OF ETHICAL RESPONSIBILITY**

All promotion and tenure proceedings are confidential. Except where noted, once the files for promotion and/or tenure have been submitted, candidates for either promotion or tenure, all other faculty, and all administrators are not permitted at any time to discuss any aspect of the promotion and tenure proceedings with other candidates, faculty, or administrators involved in the review process before, during, or following the process of promotion and tenure deliberations.

Candidates may consult colleagues not involved in the review process for advice on promotion and tenure. The Chairs of all Peer Review Committees may consult or be consulted by the Chair of the Promotion and Tenure Committee.

All Peer Review Committee members and the members of the Promotion and Tenure Committee adhere to the following ethical guidelines:

1. The proceedings of the committee are confidential with respect to all materials, all discussions, and all votes of the committee relative to applications by candidates for promotion and/or tenure.
2. There shall be no discussion of files among individual committee members except during formal committee meetings
3. The committee shall discuss only written material contained in the files of the candidates under consideration.
4. Committee members shall not enter into communication with other faculty concerning candidates being considered by the committee.
5. Confidential information about candidates, candidate's files, committee deliberations, or committee actions will not be conveyed using email or the Internet.
6. Committee members shall abstain from participation in cases in which their personal prejudices or personal self-interest may unduly affect their judgment. No committee member may participate in the deliberations or vote on the candidacy of a spouse or other relative.
7. The members of the Peer Review Committees and the Promotion and Tenure Committees must meet formally to deliberate candidate's files, write summary recommendations, and ballot. Committee members' votes shall reflect their best judgment of a candidate's qualifications as presented in the file in meeting the stated criteria.
8. Complaints about possible violations of this code should be made to the Chair of the Faculty Welfare Committee, who is responsible for reporting such violations to the Chair of the candidate's Peer Review Committee and the Chair or Chair-elect of the Promotion and Tenure Committee.

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## **ELIGIBILITY FOR PROMOTION AND/OR TENURE**

Each year all tenure track faculty may be considered for tenure, and all tenure, and all tenure track faculty members below the rank of professor may be considered for promotion.

## **FILE PREPARATION PROCEDURES**

### **Notification**

**All Faculty.** By April 15, the Chair of the Promotion and Tenure Committee informs all faculty of the dates for submitting files. Faculty considering request for promotion and or tenure are asked to notify the Chair of the Promotion and Tenure Committee by April 30 of the academic year preceding review.

**Candidates in Penultimate Year.** At the end of the spring term of each year, the Executive Vice Chancellor for Academic Affairs notifies in writing faculty members entering their penultimate year.

### **Files**

Faculty members in their penultimate year of a probationary appointment must submit a file to be considered for tenure. Faculty members wishing to be considered for promotion and/or tenure must submit a file.

The candidate bears ultimate responsibility for preparation of the file on which the decision is based. Copies of the current USCS format for promotion and tenure files and the current promotion tenure calendar are available in the office of the Executive Vice Chancellor for Academic Affairs and on the USCS Website.

The promotion and tenure file is limited to a maximum of five notebooks. The first notebook, the summary file, is a three-ring, one-inch binder.

Electronic media may be submitted as part of the file. Candidates are responsible for ensuring that electronic media may be easily reviewed.

Each candidate's file must be complete before the Peer Review Committee reviews the file and votes on the candidate. Each candidate must include the following items in his/her file:

1. The candidate's letter of appointment was salary information blacked out.
2. A letter from the Office of the Executive Vice Chancellor for Academic Affairs that clearly indicates the penultimate year for candidate's consideration for tenure.
3. A one-page curriculum vita.
4. At least three letters of evaluation for the application for promotion and/or tenure from USCS faculty who are members neither of Peer Review Committees in the candidate's voting unit,

nor members of the Promotion and Tenure Committee. Letters of evaluation may not be requested from any person in evaluation process.

5. Student opinion poll evaluations for the last five years of teaching. Opinion polls must be grouped by course. Forms with comments must be grouped first, followed by forms without written comments. Completely blank forms (i.e., those with no written comments and with no multiple-choice questions answered) should not be included.
6. Numeric summaries of all student opinion polls for all classes taught in the last five years.
7. At least one evaluation external to USCS of the candidate's scholarly or creative achievements and other professional activities. The letter must be written within the year of application for promotion and/or tenure. It is addressed to the Chair of the Peer Review Committee. (All external evaluators will be selected by the candidate with the approval of the candidate's immediate supervisor.)
8. An evaluative summary of teaching effectiveness by the candidate's supervisor. The supervisor must provide an evaluative summary of student opinion polls of all courses and previous five years for which such polls exist, and in the case of library faculty, an evaluative summary of effectiveness as a librarian by the dean.
9. Letters of evaluation for promotion and/or tenure must be written within the year of review and addressed to the Chair of the appropriate Peer Review Committee with copies to the Chair of the Promotion and Tenure Committee. (**Note: letters should be submitted to the Chair of the Peer Review Committee by the date the file is due to the Peer Review Committee.**)
10. The Chair of the Peer Review Committee lists in the candidate's summary file all letters sent directly to the Peer Review Committee. The chair inserts the letters in the summary file after the listing page.

### Access to Files

Files shall not be removed from the administrative offices of the voting unit reviewing the file.

At any time prior to the file vote of the Peer Review Committee, candidates may review and revise their files, except for letters solicited by the candidate and those sent directly to the Chair of the Peer Review Committee. After the final vote of the Peer Review Committee, neither the candidate nor any other person may add or remove from the file any document or information other than the following, which must be added:

1. The *Peer Review Committee Form for Candidates Requesting Promotion* [and/or *Tenure*].
2. Recommendations and justifications of the immediate supervisor, dean, Executive Vice Chancellor for Academic Affairs, and Chancellor.
3. The *Promotion and Tenure Committee Form for Candidates Requesting Promotion* [and/or *Tenure*].

4. The candidate's responses relating to the application for promotion and/or tenure and to any of the above recommendations or votes.

### **PROCEDURES OF THE PEER REVIEW COMMITTEE**

Faculty members applying for promotion and/or tenure are evaluated by a Peer Review Committee during the fall semester of the year of application. The peer review, done on the *Peer Review* form, must be accompanied by a specific recommendation on promotion and/or tenure on the *Peer Review Form for Candidates Requesting Promotion [and/or Tenure]*. These forms must be completed by the deadline specified in the calendar established by the Promotion and Tenure Committee.

Each Peer Review Committee consists of no fewer than five tenured members elected by the voting unit. For post tenure review, one member of the Peer Review Committee must be external to the voting unit. If a unit has an insufficient number of tenured members available for service on the committee, the faculty substitutes tenured members from other voting units. Faculty members who are seeking promotion and/or tenure, serving on the Promotion and Tenure Committee, subject to post tenure review, or serving as an administrator with responsibility for conducting reviews within a unit are not eligible to serve on the Peer Review Committee. Committee members are to be elected no later than the last unit meeting in the spring. To ensure continuity, at least one committee member should have served on the prior year's committee. The chair is elected by the committee.

The Chairs of the Peer Review Committees and the candidates have joint responsibility for ensuring that candidates' files are in the required format for promotion and/or tenure review.

The committee discusses only written material contained in the candidate's file. Any member of the committee may introduce in writing any matter into the candidate's file for the purpose of consideration, provided the material introduced is provided to the candidate and the candidate is allowed to respond in writing at least five days before the committee's formal vote on promotion and/or tenure. The Chair of the Promotion and Tenure Committee is responsible for notifying the candidate and the committee that additional material has been introduced into the file.

All members of Peer Review Committee must meet formally to discuss the files of each candidate. The committee members complete promotion and or tenure ballots for each candidate. These separate ballots are unsigned.

For each candidate, the Chair of the Peer Review Committee provides a *Peer Review* form and a *Peer Review Committee Form for Candidates Requesting Promotion [and/or Tenure]* including a summary of the committee's justification and vote tallies. Each member of the committee must sign and date the *Peer Review Committee Form for Candidates Requesting Promotion [and/or Tenure]*.

Within five working days, a candidate may respond in writing to the committee's recommendation. The response is sent to the Chair of the Peer Review Committee. Candidates may also copy responses to the Chair of the Promotion and Tenure Committee.

The Chair of the Peer Review Committee inserts the candidate's written response in the candidate's summary file.

The Chair of the Peer Review Committee is responsible for sending a copy of the *Peer Review* form and the *Peer Review Committee Form for Candidates Requesting Promotion* [and/or *Tenure*] to each candidate being reviewed and the candidate's immediate supervisor.

The Chair of the Peer Review Committee is responsible for inserting a copy of the *Peer Review* form and the *Peer Review Committee Form for Candidates Requesting Promotion* [and/or *Tenure*] in the candidate's summary notebook.

Finally, both the individual ballots and a copy of the *Peer Review* form and the *Peer Review Committee Form for Candidates Requesting Promotion* [and/or *Tenure*] are sent in a sealed envelope to the office of the Executive Vice Chancellor for Academic Affairs and addressed to the attention of the Chair of the Promotion and Tenure Committee. The envelope must be labeled with:

1. the candidate's name;
2. the candidate's voting unit;
3. the candidate's requested action (i.e., "promotion" or "tenure," in separate envelopes);
4. the date.

The ballots, the *Peer Review* form, and the *Peer Review Committee Form for Candidates Requesting Promotion* [and/or *Tenure*] are confidential. The documents are archived.

### **PROCEDURES FOR UNIT ADMINISTRATOR REVIEW**

After the Peer Review Committee completes its recommendation, the candidate's immediate supervisor reviews the candidate's file, writes a letter assessing the candidate's qualifications, and makes a recommendation on promotion and/or tenure to be included in the candidate's summary file. The candidate has five working days to respond in writing to the recommendation of the immediate supervisor. The immediate supervisor adds the response to the file. (Candidates may also forward a copy of the response to the Chair of the Promotion and Tenure Committee.)

The file, including the immediate supervisor's letter of recommendation is forwarded to the dean of the school or college. The dean reviews the file and adds a letter of recommendation. The candidate has five working days to respond in writing to the dean's recommendation. The dean inserts the candidate's response in the file. (Candidates may also forward a copy of the response to the Chair of the Promotion and Tenure Committee.)

The file is next forwarded to the Promotion and Tenure Committee for its recommendation.

## **PROCEDURES FOR THE PROMOTION AND TENURE COMMITTEE**

### **Calendar**

By April 15, the committee publishes a calendar for promotion and tenure that includes deadlines for file submission to peer review, and for recommendations from Peer Review Committees, immediate supervisors, deans, the Promotion and Tenure Committee, the Executive Vice Chancellor for Academic Affairs, and the Chancellor. Each candidate is responsible for submitting a file to the appropriate Peer Review Committee by the published deadline.

### **Confidentiality**

Once submitted to the Promotion and Tenure Committee, files are kept in locked cabinets under the general supervision of the assigned staff secretary of the committee. Committee members review the files only in an area designated by the Chair of the Promotion and Tenure Committee.

### **Committee Review Procedures**

The Chair of the Promotion and Tenure Committee organizes the files of candidates and the following categories for consideration by the committee:

1. assistant professors seeking promotion to the rank of associate professor and/or tenure;
2. associate professors seeking promotion to the rank of professor and/or tenure;
3. professors seeking tenure.

Each file is assigned to committee member from a different voting unit other than the candidate's voting unit. The committee member has the responsibility for presenting the assigned candidate's file to the committee. However, all members must read and make written comments on the files of every candidate.

The committee discusses only material contained in the candidate's file. Any member of the committee may introduce in writing any matter into the candidate's file for the purpose of consideration, provided the material introduced is provided to the candidate and the candidate is allowed to respond in writing at least five days before the committee's formal vote on promotion and/or tenure. The Chair of the Promotion and Tenure Committee is responsible for notifying the candidate and the committee that additional material has been introduced into the file.

The Chair of the Promotion and Tenure Committee provides members a list of candidates to be reviewed, assigns the files, and designates the order in which the files will be reviewed. When the committee is ready to review the candidate's application, the appropriate member presents the candidate's file, giving the candidate's name, a summary of the file contents in relation to the criteria for promotion and/or tenure, and the recommendations of the Peer Review Committee, the immediate supervisor, and the dean. The member summarizes the favorable and unfavorable positions. The floor is then open for discussion.

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In order to vote, eight committee members must be present. A recommendation in favor of promotion and/or tenure requires six affirmative votes if all nine members are present, or five affirmative votes if eight members are present. All committee votes are confidential.

After the presentation of the candidate's file and discussion, each committee member votes and writes a justification for his/her vote. Each vote is taken in the presence of the full committee. The ballots are placed in an envelope and handed to the chair for tabulation.

Any committee member may request reconsideration of any candidate's application once.

The chair prepares a *Promotion and Tenure Committee Form for Candidates Requesting Promotion* [and/or *Tenure*]. The ballots are placed in a sealed envelope and archived. The *Promotion and Tenure Committee Form for Candidates Requesting Promotion* [and/or *Tenure*] is made available for committee members' inspection in the Executive Vice Chancellor's conference room. Each committee member verifies the compiled justifications and signs the *Promotion and Tenure Committee Form for Candidates Requesting Promotion* [and/or *Tenure*]. The chair inserts the form in the candidate's summary notebook.

At the conclusion of the promotion and tenure process, each committee member destroys all personal votes concerning candidate's files.

## **Notifications**

The Chair of the Promotion and Tenure Committee notifies each candidate in writing of the committee's recommendation and justifications for the recommendation, summarizing the justification recorded on the *Promotion and Tenure Committee Form for Candidates Requesting Promotion* [and/or *Tenure*]. A candidate does not receive the numerical vote.

A candidate may request reconsideration of the committee's recommendation. The request must be made in writing to the Chair of the Promotion and Tenure Committee within three working days after receiving notification of the committee's recommendation. A candidate may respond in writing to committee's recommendation, make an appearance before the committee, or both write and appear before the committee. In the event of an appearance before the committee, there is no debate or discussion between the candidate and committee members. Reconsideration of files must be completed five working days prior to the time the files are due to the Executive Vice Chancellor for Academic Affairs.

After evaluating any request for reconsideration, the Promotion and Tenure Committee adds its final recommendation to the file on the *Promotion and Tenure Committee Reconsideration Form for Candidates Requesting Promotion* [and/or *Tenure*]. The Chair of the Promotion and Tenure Committee notifies the candidate, the immediate supervisor, the dean, and forwards the committee's recommendation to the Executive Vice Chancellor for Academic Affairs. Within three working days, the candidate may send a written response to the committee to be added to the candidate's file.

The Chair of the Promotion and Tenure Committee inserts into the file the candidate's request to appear before the committee and all written responses made by the candidate.

The Chair of the Promotion and Tenure Committee announces the positive recommendations of the committee to the faculty in the committee's annual report.

## **PROCEDURES FOR THE EXECUTIVE VICE CHANCELLOR AND CHANCELLOR**

### **Executive Vice Chancellor**

The Executive Vice Chancellor for Academic Affairs reviews the file and makes a recommendation regarding promotion and/or tenure. The recommendation is added to the candidate's file, and the candidate is notified in writing with a justification for the recommendation.

The candidate may write a response to be included in the file within three working days of notification of the Executive Vice Chancellor's recommendation. The candidate has the option of a personal meeting with the Executive Vice Chancellor.

Copies of the Executive Vice Chancellor's final recommendation are sent to the candidate, the candidate's immediate supervisor, and/or dean, and the Chair of the Promotion and Tenure Committee.

After making a recommendation, the Executive Vice Chancellor forwards the file to the Chancellor.

### **Chancellor**

The Chancellor reviews the file and makes a recommendation regarding promotion and/or tenure. The recommendation is added to the candidate's file, and the candidate is notified in writing with a justification for the recommendation.

The candidate may write a response to be included in the file within three working days of notification of the Chancellor's recommendation. The candidate has the option of a personal meeting with Chancellor.

Copies of the Chancellor's final recommendation are sent to the candidate's immediate supervisor, and/or dean, Chair of the Promotion and Tenure Committee, and the Executive Vice Chancellor for Academic Affairs.

If there are differences between the recommendations of the Promotion and Tenure Committee and those of the Chancellor, the Chancellor meets with the Promotion and Tenure Committee to discuss the differences prior to sending his/her recommendations forward to the President.

If the recommendations of the Chancellor vary from those of the Promotion and Tenure Committee, the committee may add to each of the respective candidates' files a written response addressing the Chancellor's justification.

No later than March 1, the files, including all recommendations and responses, are sent to the President of the University who sends his/her recommendation to the Board of Trustees. The President informs the Chancellor of his/her recommendation to the Board of Trustees. The President notifies, in writing, candidates who have not been recommended. In the event of a negative recommendation by the President, the candidate may appeal the recommendation to the USCS Grievance Committee. Such appeal shall follow the published grievance procedures. In the event the USCS Grievance Committee supports the candidate's case, the file is forwarded to the President for a second review.

The ultimate decision regarding all faculty requests for promotion and/or tenure is made by the President of University of South Carolina.

## VII. **Post Tenure Review Policy**

A. *The Vice Chancellor for Academic Affairs will compile a list of faculty members that must be considered for post tenure review. The Dean of the faculty member under review and the faculty member under review will be notified of the review by the Vice Chancellor for Academic Affairs during the year prior to the post tenure review.*

B. ANNUAL REVIEWS OF TENURED FACULTY WILL CONTINUE TO BE CONDUCTED BY DIVISION CHAIRS AND DEANS AS OUTLINED IN THE FACULTY MANUAL.

C. Each tenured faculty member will receive post tenure reviews after the completion of six years of service since the last review for promotion or tenure or post tenure review. During the initial six years in which post tenure review is implemented, the number of faculty members reviewed in any particular year may be adjusted for the purpose of equalizing the number of faculty members being reviewed each year.

D. The post tenure review file will consist of no more than a one-inch three-ring binder with additional binders for student opinion polls for teaching faculty and other supporting material for library faculty appropriate to their assignment. The following items are pertinent to post tenure review and may be included in the post tenure review file. All materials in-

tended for submission must be included in the post tenure review file prior to submission to peer review.

1. A curriculum vita
  1. Lists of scholarly and creative activities, professional service, service to the university and service to the community completed during the period under review
  2. Copies of each annual review completed during the period under review
  3. A detailed outline of sabbatical projects completed during the period under review
  
  4. A statement of teaching which includes new course development and/or innovations in teaching for teaching faculty, or a statement of librarianship that includes innovations in librarianship for library faculty
  5. Future goals and plans relating to teaching or librarianship improvement, service and scholarly and creative activities
  6. A letter from the faculty member's Dean that evaluates the contributions of the faculty member during the period under review
  7. Student opinion polls and the corresponding written comments for all courses evaluated during the period under review for teaching faculty, or evaluation/ assessment information on effectiveness as a librarian for library faculty
- E. The post tenure review file will be reviewed by the Peer Review Committee, which will contain one member external to the unit (school or college), the Division Chair, the Dean and the Vice Chancellor for Academic Affairs, after the sixth year. In the event that the Division Chair is due for post tenure review, the Dean will assume the responsibility for assessing the file of the Division Chair and will exercise the same responsibilities that the Division Chair would assume in assessing other files of faculty members under review. Those faculty persons holding administrative positions will not be reviewed until after they have moved back into the teaching ranks for the required six year period required for post tenure review.
- F. Each faculty member under review has the option to respond to the recommendation made at each level of the review before the recommendation passes to the next level.
- G. The post tenure review file will be reviewed at the following levels and in the following sequence:
- Peer Review Committee
  - Division Chair
  - Dean
  - Vice Chancellor for Academic Affairs

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Each reviewing entity will assess the file under review as either "maintaining professional performance at rank" or "not maintaining professional performance at rank."

- H. The faculty member under review may appeal to the USCS Promotion and Tenure Committee within seven working days after receipt of the final post tenure review recommendation. The Promotion and Tenure Committee will review materials and make a recommendation to the Vice Chancellor for Academic Affairs within ten working days.
- I. If the faculty member under review is recommended as "maintaining professional performance at rank," then the appropriate Dean will determine the level of merit based on the annual review.
- J. In the event that the faculty member under review is assessed as "not maintaining professional performance at rank" at all levels of the post tenure review process, the appropriate Dean will devise a remediation plan in consultation with the Peer Review Committee and the faculty member under review. This plan will include a reasonable timetable, normally not less than one year nor more than three, for the completion of the remediation process. "Not maintaining professional performance at rank" is defined as habitual neglect of duty under the terms of the USCS faculty manual. A faculty member who wishes to grieve a remediation plan can file a grievance through the regular university grievance process.
- K. In any post tenure review consideration in which the remediation process has been judged unsuccessful by the appropriate Dean and the Peer Review Committee, the case will be referred to the Vice Chancellor for Academic Affairs, who can recommend termination of tenure through appropriate channels.
- L. If a decision is made to terminate the employment of a faculty member under review, the faculty member under review can file a grievance through the regular university grievance process.

## VIII. Termination of Tenured Faculty

ADMINISTRATIVE DECISIONS FOR TERMINATION OR DISMISSAL OF TENURED FACULTY SHALL BE ONLY FOR CAUSE. CAUSE SHALL MEAN ONE OR MORE OF THE FOLLOWING:

- failure to perform adequately the duties of the position so as to constitute incompetence and/or habitual neglect of duty; including, but not limited to, failure to satisfy the conditions of the remediation process established as the result of a negative post tenure review;

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- misconduct related directly and substantially to the fitness of the faculty member in his or her professional capacity as a teacher, researcher, or librarian;
- conduct or action which is not protected by the Constitution or laws and which is a clear interference with the academic functions of the university;
- prolonged inability for medical reasons to perform the duties required for the position; termination of a tenured member of the faculty for medical reasons will be based upon clear and convincing medical evidence that the faculty member cannot continue to fulfill the terms and conditions of appointment;
- lapse or withdrawal of licensure to practice in the State of South Carolina; the loss of licensure in any professional area may also be considered as a cause for termination if the license is necessary for the performance of one's academic duties;
- bona fide reduction in staff, which may be caused by financial exigency or by discontinuance or reduction in size of a program or instructional unit for reasons not related to financial exigency.

**A. Termination for Failure to Perform Duties Due to Incompetence and/or Habitual Neglect of Duty; Termination for Misconduct or Conduct Interfering with the Academic Functions of the University; for Medical Reasons; for Lapse or Withdrawal of License. Failure to remedy an unsuccessful post tenure review.**

1. AFTER IT BECOMES EVIDENT TO THE CHANCELLOR THAT TERMINATION MAY BE DESIRABLE, THERE MUST BE DISCUSSIONS BETWEEN THE FACULTY MEMBER AND THE CHANCELLOR WITH THE INTENT OF ARRIVING AT A MUTUALLY AGREED UPON RESOLUTION.
2. The Chancellor may assign the faculty member to new duties if the faculty member's continuance in normal duties threatens immediate harm to the faculty member or to others.
3. If the Chancellor and the faculty member are unable to reach a resolution, the Chancellor informs the Chair of the Faculty Welfare Committee of his or her intention to terminate a tenured member of the faculty. The Chancellor gives this Committee Chair and the faculty member a statement of charges, framed with reasonable particularity, and the basis for these charges, also stated with reasonable particularity.
4. The chair of the Faculty Welfare Committee draws by lot the names of three members from the grievance pool, excluding the faculty in the faculty member's voting unit, to serve as a Grievance Panel. The Panel chooses its own chair. The function of the Grievance Panel

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is to determine whether the facts alleged, if true, establish the charge and whether the charge is of such a nature as to warrant termination. The discussions, records, and recommendations of the Grievance Panel remain confidential.

5. The Chair of the Grievance Panel informs in writing within 20 days<sup>1</sup> after its formation both the Chancellor and the faculty member of its recommendations and its reasons for those recommendations. Should the Chancellor then wish to pursue termination proceedings, the Chancellor informs in writing the faculty member of his or her intention to terminate, including a precise statement of specific charges. The letter shall also inform the faculty member of his or her right to request a hearing by the Promotion and Tenure Committee.
6. If a faculty member does not request a hearing by the Promotion and Tenure Committee within ten days of receipt of notification by the Chancellor, the Chancellor, without recourse to further proceedings, may send a written letter of termination.
7. If a faculty member desires a hearing by the Promotion and Tenure Committee, he or she must inform the Committee and the Chancellor in writing within ten days of the receipt of notification by the Chancellor of the proposed termination.
8. Upon receipt of a written request for a hearing, the Chair of the Promotion and Tenure Committee schedules a hearing no sooner than 20 days and no later than 60 days from the date of receipt. All parties must be given written notice as to the time, date, and place.
9. The following standards and procedures apply in the conduct of the hearing:
  - a. The hearing is closed.
  - b. A verbatim record of the hearing or hearings is taken and a copy made available to the faculty member, without cost, at his or her request.
  - c. The burden of proof that adequate cause exists rests with the Chancellor and is satisfied only by clear and convincing evidence in the record as established at the hearing, considered as a whole.
  - d. Faculty members and the Chancellor are permitted to have an academic advisor and/or counsel of their choice present during the proceedings.

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<sup>1</sup> All days referred to in the procedure are calendar days. When the last day of the time period falls on a weekend or university holiday, the effective date is the next regular business day. The day following the actual day of notification is counted as the first day.

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- e. Faculty members are afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The Chancellor cooperates with the Committee in making available documentary and other evidence.
  - f. Faculty members and their advisors or counsel and the Chancellor or his or her representative have the right to confront and to cross-examine all witnesses. Where the witness cannot or will not appear but the Committee determines that the interest of justice require admission of witnesses' statements, the Committee identifies the witnesses and discloses statements.
  - g. The Committee is not bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort is made to obtain the most reliable evidence available.
  - h. The findings of fact and the decision of the Committee are based solely on the hearing record.
10. If the Promotion and Tenure Committee concludes that adequate cause for termination has been established, it informs the Chancellor and faculty member in question.
  11. If the Committee concludes that action short of termination would be more appropriate, it informs the Chancellor and the faculty member together with supporting reasons, and the termination proceedings shall stop at this point.
  12. If the Committee concludes that adequate cause for termination has not been established, it informs the Chancellor and the faculty member, together with supporting reasons, and the termination proceedings shall stop at this point.
  13. Within ten days of receipt of the Committee's report, the Chancellor informs in writing the faculty member and the Committee of his or her decision together with supporting reasons. The Chancellor informs the faculty member of his or her right to appeal an adverse decision to the Academic Affairs Committee of the Board of Trustees. If the faculty member takes no action within ten days of receipt of notification by the Chancellor, the Chancellor may send a letter of termination.
  14. The decision by the Academic Affairs Committee of the Board of Trustees is final within the university. If the Committee's decision is to support the intention of the Chancellor, the Chancellor may then send formal notification of termination.

**B. Termination Because of Bona Fide Reduction in Staff**

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1. **Termination Because of Financial Exigency.** Financial exigency means an imminent financial crisis which threatens the survival of the university as a whole and which cannot be alleviated by less drastic measures than termination of tenured faculty.

A committee of the faculty must participate with the administration in the decision that condition of financial exigency exists or is imminent and that all feasible alternatives to termination of tenured appointments have been pursued. This committee shall consist of eight members of the faculty, no more than two from the same school, appointed by the Faculty Chair with the concurrence of the Faculty Advisory Committee. The committee must participate in the formulation of criteria for determining termination. Length of service may be appropriately included among the criteria. The committee itself or through appointing persons and/or groups as agents must participate in the decision as to which appointments are to be terminated.

Faculty members receiving notification of an intention to terminate because of financial exigency are entitled to a hearing before the Promotion and Tenure Committee as specified above.

The issues in this hearing may include:

- the existence and extent of the condition of financial exigency. The burden rests upon the Chancellor to prove the existence and extent of the condition;
- the validity of the educational judgments and criteria for determining termination;
- whether the criteria are being properly applied in the individual cases.

2. **Termination Because of Reduction in Program or Instructional Unit.** The decision to discontinue or reduce a program or instructional unit is based upon long-range judgments that the educational mission of the university as a whole is enhanced by the discontinuance in contrast to considerations which reflect cyclical or temporary conditions.

The decision to discontinue or reduce a program or instructional unit must be arrived at jointly by the Chancellor and the faculty committee as described above under "Termination Because of Financial Exigency."

Every effort must be made to place faculty members affected by discontinuance in another suitable position within the institution. If placement in another position would be facilitated by a reasonable period of training, financial and other support for such training is

offered. Only if no position is available may a tenured member of the faculty be terminated for reasons of discontinuance.

A faculty member receiving notification of an intention to terminate because of discontinuance is entitled to a hearing before the Promotion and Tenure Committee in accord with the procedures described above. A faculty member receiving notification of an intention to terminate because of discontinuance or reduction in program or instructional unit is given twelve month's notice.

In all cases of termination of appointment, the place of the faculty member concerned is not to be filled by a replacement within a period of three years, unless the released faculty member is offered reinstatement and ten working days in which to accept or decline the position.