

CHAPTER 107 PROMOTION TO INDEFINITE APPOINTMENT

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(AS Doc 86, 7/2014)

107.01 Promotion to Indefinite Appointment

A decision on indefinite appointment will normally be made no later than the end of the sixth year of probationary service. A probationary appointment cannot exceed seven years of service except in those circumstances described in Chapter 104.03. In the event that an Academic Staff member requires an extension of the probationary period, the policy specified in Chapter 104.03 shall be followed.

A. Notice of Consideration and Review Conference

- 1) The supervisor shall notify a probationary Academic Staff member in writing at least 20 working days prior to a review conference at which promotion to indefinite appointment will be considered.
- 2) Prior to the review conference, the Academic Staff member shall submit their review file materials to their supervisor.
- 3) An Academic Staff member with an executive committee as the supervisor may make a presentation at the meeting at which their promotion to indefinite status is being considered. The meeting at which the presentation is made shall be closed unless an open meeting is requested by the Academic Staff member.

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- #### **B. Notice regarding seventh year of probationary service.** If indefinite status has not been granted by the start of the seventh year, terminal notice must be provided to the academic staff member per Chapter 108. In exceptional circumstances, reviews may take place in the seventh year, however the notice period must be honored. If proper notice is not provided, the contract must be extended so that at least the required notice period is provided.

107.02 Supervisor/Executive Committee Recommendation for Indefinite Appointment

- A. Positive Recommendation.** The supervisor's recommendation shall be forwarded to the Dean/Division Head with copy to the Academic Staff member within ten working days of the review conference, as specified in Chapter 107.01.
- B. Negative Recommendation.** If the recommendation forwarded will result in non-renewal, the Dean/Division Head must follow the procedures outlined in Chapter 106.03.

107.03 Dean/Division Head's Action on Recommendation for Indefinite Appointment

- A.** The Dean/Division Head shall seek the advice of the appropriate Academic Staff Review Committee within five working days of the receipt of a positive recommendation from the supervisor/Executive Committee.
- B.** The Review Committee shall review the supervisor/Executive Committee's recommendation based on its established criteria and provide a written recommendation to the Dean/Division Head and the Academic Staff member within 30 working days of the receipt of the file. This recommendation shall be included in the materials sent to the Chancellor by the Dean/Division Head.

107.04 Positive Recommendation from the Review Committee

- A.** If the Dean/Division Head accepts the positive recommendation of the Review Committee, s/he shall forward a positive recommendation to the Chancellor, the Academic Staff member, and the Review Committee within ten working days of receipt of the Committee's recommendation.
- B.** If the Dean/Division Head decides not to forward the positive recommendation of the Review Committee, s/he shall notify the Academic Staff member and the chairperson of the Review Committee within ten working days of receipt of the Committee's recommendation.
 - 1. The Academic Staff member may, in writing, request written reasons for the decision within five working days of receipt of such notification. The Dean/Division Head shall respond within five working days of receipt of the request.
 - 2. If the Dean/Division Head's decision results in non-renewal, he/she shall inform the Academic Staff member in writing of the effective date of the non-renewal and of the Academic Staff member's rights to written reasons under Chapter 106.03 and/or appeal under procedures outlined in UWS 10.04 and Chapter 106.04.

107.05 Negative Recommendation from the Review Committee and Reconsideration

- A.** If the Review Committee gives a negative recommendation, the Review Committee, before forwarding its recommendation to the Dean/Division Head, must:
1. Notify the supervisor and the Academic Staff member of its intention to provide a negative recommendation.
 2. Notify the supervisor of their right to request reconsideration within ten working days of the receipt of the notice.
 - a. If the supervisor requests reconsideration, the Review Committee must meet within ten working days of the receipt of the request.
 - b. If no request for reconsideration is received within ten working days, the Review Committee shall forward its recommendation immediately to the Dean/Division Head.
 - c. The time limits of this section may be extended by mutual consent of the supervisor/Executive Committee and the Review Committee.

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107.06 Subsequent Considerations for Indefinite Appointment

- A.** If the action of the Dean/Division Head does not result in promotion to indefinite appointment or non-renewal, the Academic Staff member may be reviewed at a later date under the following conditions:
1. If prior consideration occurred **before** the Academic Staff member's sixth year of probationary service, all steps in the review process must be repeated.
 2. If the prior consideration occurred **during** the Academic Staff member's sixth year of probationary service, only the part of the review process that was not completed must be performed.
 - a. If the action of the Dean/Division Head results in non-renewal, the Academic Staff member may request to be reviewed again for indefinite appointment prior to the end of their probationary period. The request shall be made to the Dean/Division Head. If the request is granted, all steps in the review process must be repeated.

107.07 Chancellor's Action on Recommendation for Indefinite Appointment

Upon receipt of the recommendation from the Dean/Division Head, the Chancellor shall inform the Academic Staff member and the Review Committee of their decision regarding promotion to indefinite status.

A. Positive Action by the Chancellor.

The Chancellor shall notify the Academic Staff member of a positive decision on promotion to indefinite status within 10 working days of the receipt of the recommendation from the Dean/Division Head.

B. Negative Action by the Chancellor.

1. If the Chancellor's decision results in non-renewal, the Academic Staff member shall be notified in writing within 10 days. The notice shall include reference to Academic Staff rights to written reasons under UWS 10.04 and Chapter 106.03 and 106.04.
2. The Academic Staff member may request reasons for the non-renewal within five working days of notification.
3. The Chancellor shall respond to the request following the procedures outlined in Chapter 106.03.
4. The decision of the Chancellor regarding promotion to indefinite status is final however, and not subject to further appeal.

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