

Department and Executive Committee Chairs

Navigating Contract Renewal, Tenure and Promotion, and Post-Tenure Review

John Reisel

Secretary of the University

reisel@uwm.edu

414-229-4671

Department and EC Roles

- Department Functions (P&P 4.03)
 - Basically responsible for all non-personnel issues, such as curriculum, awards, etc.
- Executive Committee Functions (P&P 4.05)
 - Recommendations on personnel matters
 - Review of non-tenured and tenured faculty
 - Many budgetary matters

Untenured Faculty Development

- Executive Committee provides an annual review of untenured faculty.
 - This needs to have substance.
 - It should inform the faculty member what they are doing well, and what needs to be improved in order to eventually earn tenure.
 - The candidate should not be surprised when they go up for tenure.
- EC informs probationary faculty of changes that may impact their path towards tenure.
- EC has written procedures for how cases are handled, including voting rules.

Contract Renewal

- Faculty contract renewal process needs to be completed 12 months before the contract expires.
 - Keep in mind the time that is needed for an appeal of a negative decision when setting the original consideration meeting date.
- A notice of at least 30 days needs to be given to the candidate about the meeting.
 - Candidate can give a presentation, review materials, etc.
- If the vote is for non-retention, you must formulate reasons at the meeting before adjourning.
 - This then starts a well-defined timeline of activities, including the possibility of a reconsideration hearing. If this situation arises and you are unclear on what to do – **ASK ME.**

Tenure Consideration

- The later stages are similar to a contract renewal in terms of deadlines, meeting notifications, reasons, reconsideration, appeal, etc. But there is more to it.
- If the faculty member is on a normal schedule (i.e., no prior service and no tenure clock extensions), a faculty member is entitled to a tenure consideration vote in Year 6.
- To not be considered in Year 6, a faculty member must formally waive their right to a consideration.
- Faculty can ASK to go up for tenure early, but the EC must vote positively to take up the case.
- Faculty can ASK to be considered in Year 7 (presumably their terminal year), but the Year 7 EC has to vote to take up the case in Year 7.

Tenure Consideration

- You need to determine at the beginning of the process whether the candidate wishes an open or closed meeting.
 - Necessary to inform the external reviewers whether their letter will be confidential or not. Letters that have been submitted as confidential can't be used in an open meeting.
 - This can be done when you ask the candidate to submit their materials.
- You need to give 30 days notice of the meeting.
- Keep track of everyone whom you ask to be an external reviewer, and their response.
- Follow the divisional requirements on external review letters.
- Give the reviewers enough time for a good, thorough review.

Tenure Consideration

- If the tenure vote is positive, the recommendation is sent to the Dean. The Dean then asks for the Divisional Committee's advice on tenure.
 - You will need to prepare the materials, but the dean submits the case.
- If the tenure vote is negative, the EC must formulate reasons for the vote before adjourning.
 - The EC is voting on the reason(s) why people voted against the case – not whether they individually agree with the reason(s).
- The candidate is informed of the reasons, may request them in writing, and may request a reconsideration.

Reconsideration Hearing

- May be requested within 5 days of receiving reasons orally, or 2 days of receiving reasons in writing.
- Must be scheduled within 15 working days of the request (typically).
- Closed meeting unless candidate requests an open meeting.
- Candidate may make a presentation, have counsel present, have witnesses, and receive an audio recording of the evidentiary and deliberation phases of the hearing.
- Non-adversarial in nature.
- Purpose is to allow candidate to show how the reasons for a negative vote were wrong.
- If the reconsideration vote is negative, reasons for the negative vote must be formulated.
 - Should not create new reasons for a negative vote.

Divisional Committee

- DC is only providing a recommendation.
- The DC should base its decision on the department's criteria – which should conform with the divisional criteria.
- If the DC vote is positive, then it goes back to the dean.
- If the DC vote is negative, the EC can request a reconsideration by the DC. The candidate can request that the EC request a reconsideration.
- If there is no request for reconsideration, or if the DC continues with a negative recommendation, they forward their recommendation with reasons to the dean.

Dean Action

- If the EC recommendation is negative, the dean is informed and the case ends (barring appeal).
- If the EC recommendation is positive, the dean asks for DC advice. If the dean disagrees with the DC, the DC, EC, and faculty member are informed.
- The candidate can request written reasons from the dean (if the dean is not in favor of tenure), and a reconsideration process can be initiated.
- The dean forwards any positive EC recommendation to the Provost/Chancellor with the dean's and DC's recommendations.

Appeals

- The candidate can file an appeal of the EC's decision with the University Committee for consideration by the FAGC.
 - As chair, you can choose whether or not to help with this. I would recommend that you direct the candidate elsewhere (such as to the Secretary of the University) for guidance.
- A DC recommendation cannot be appealed, but if the candidate or EC feels that the DC was having improper considerations, they can file a complaint with the University Committee.

Full Professor Promotions

- Very similar to tenure processes, although not as time-sensitive because we aren't dealing with an employment termination issue.
- An EC can vote to have full professor cases heard by a subcommittee of full professors, or can choose to have the whole EC hear the case. (This should be done annually, before any cases are heard.)
- There are new rules governing the process. The major change is that if a hearing body chooses to not consider the case, they must provide reasons and those reasons can be challenged and appealed.

Post-Tenure Review

- After receiving tenure, faculty must be thoroughly reviewed at least every five years. This is in addition to the less-thorough annual review.
- The Post-Tenure Review document (FD 3083R2) includes a table of the timeline to be followed during a review. Notification and response times should be adhered to.
- Process is supposed to be collegial professional development. It presents an opportunity to best tailor a faculty member's role in the department to their interests and skills.
- Consideration for promotion to full professor can reset the 5-year timeline.
- There should be no surprise “does not meet expectations” decisions.

Post-Tenure Review

- Be sure your EC has written criteria and processes in place for PTR.
- Executive Committees should proactively work with faculty who might be in danger of a DNME decision.
- Executive Committees can also look holistically at the entire faculty and see if workload adjustments can be made to the benefit of many faculty and to the program.

Emerit Status

- SAAP 7-5 covers the Emerit Process for retirees.
- The EC needs to recommend retired Faculty for emerit status.
- The EC can recommend an Academic Staff or University Staff retiree if it served as the supervisor.

Questions

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