

## **The University Senate of Michigan Technological University**

### **Proposal 9-17**

(Voting Units: Academic)

### **Proposed Revisions to Board of Trustees Policy 6.4**

Proposed by: Provost's Office and Committee on Academic Tenure, Promotion, and Reappointment

#### **Proposal:**

Current Board of Trustees Policy 6.4 requires Board of Trustees approval of any changes to either the University policy or to the University procedures related to tenure and promotion. This requirement limits the ability of the administration and University Senate to update procedures as needed to ensure smooth operation with adherence to policy.

Currently Michigan Tech finds itself in a situation in which the Committee on Academic Tenure, Promotion, and Reappointment (CATPR) has recommended to the University Senate and Provost that some changes be made to the procedures related to tenure and promotion. Unfortunately, neither the University Senate nor the administration are able to act on these recommendations because current Board of Trustees policy does not allow for changes to be made to the procedures without Board approval. When Board Policy 6.4 was adopted in 1957, that policy included language stating that: "The procedures for implementation of this Tenure and Promotion Policy are the Tenure, Promotion and Reappointment Procedures. No other procedures shall exist to implement this Policy."

This proposal is intended to request that the Board of Trustees update its policy to allow for the University Senate and administration to collaboratively update procedures in the future. The proposal also includes minor editorial changes and adds phrases intended to make the meanings of the relevant sections of the Board of Trustees Policy clear.

#### **Relevant Policy Documents:**

Board of Trustees Policy 6.4 (<http://www.mtu.edu/bot/governance/policies/chapter6/sections/6.01-6.05.html>). Note that Board of Trustees Policy 6.4 is reproduced as Section 2.2 of the Tenured and Tenure-Track Faculty Handbook (<http://www.mtu.edu/faculty-handbook/faculty/chapter2/s2-2/>). Both Board of Trustees Policy 6.4 and Section 2.2 of the Tenured and Tenure-Track Faculty Handbook will be updated should this proposal be approved.

#### **Relevant Procedure Documents:**

Appendix I: Tenure, Promotion and Reappointment Procedures (<http://www.mtu.edu/faculty-handbook/faculty/appendices/i/>).

## Proposed Revisions to Board of Trustees Policy 6.4 (Shown as tracked changes to current version; paragraphs containing changes are highlighted in yellow)

### 6.4 Academic Tenure And Promotion

#### Academic Tenure

##### Statement of Intent

It is the intention of the Board of Trustees to adhere to these policies and procedures insofar as they are not inconsistent with law. Under its legal obligations as the responsible governing board of the University, the Board reserves the right to suspend these policies or implementing procedures or parts thereof, to request the faculty to review or reconsider them, or to deviate from them if conditions beyond its control, such as abrupt declines in enrollment, serious loss of income, or conditions that result in curtailment or abandonment of programs or activities, make it necessary to do so. Only the Board of Trustees has the authority to grant tenure at Michigan Technological University or to modify Board of Trustees Policy.

#### Preamble

Tenure is signified by an appointment for an indefinite continuing period subject to the rules set forth in this tenure policy. Tenure entails explicit responsibilities for the administrative officers and for the academic faculty. The administrative officers assure security of appointment to tenured faculty members; tenured faculty members assure competent service, loyalty to and cooperation with the University. Tenure shall not protect a person from loss of faculty appointment for causes such as incompetence, negligence, serious misuse of academic prerogatives, persistent and willful failure to follow established institutional procedures, gross personal misconduct or conscious participation in conspiracy against the Government.

#### Introduction

For the purposes of the Michigan Technological University Policy on Academic Tenure and Promotion, the academic faculty is comprised ~~comprised~~ **composed** of those individuals holding one of the ranks of assistant professor, associate professor or professor; and who also hold appointments in the University units having a reporting relationship to the Provost (including the Provost); and also whose appointments in the University are three quarters time or more of full-time provided the applicable letter of appointment specifies the position as tenure track.

The ranks of professor, associate professor and assistant professor are the regular tenure-accumulating faculty ranks; service in these ranks is counted towards the acquisition of tenure, except as specifically noted herein.

The ranks of lecturer and instructor, as well as all positions denominated as adjunct, visiting, research, or part-time, are non-tenured positions; such non-tenured appointments are normally considered annual appointments and viewed as exceptional, being made in accordance with established procedures prepared by the faculty of the school or college concerned, the special condition of which must be explicitly stated in advance of each appointment. Neither time of service in any of these ranks, nor time of service in any rank at another institution, counts toward the acquisition of tenure at Michigan Technological University.

Unless extended according to the provisions stated in this policy, the tenure probationary period for faculty initially appointed at the rank of assistant professor is six years; for faculty initially appointed at the rank of associate professor it is four years; and for faculty initially appointed at the rank of professor it is two years. Unless notice that tenure will not be granted is given prior May 31, of the final year of the tenure probationary period, tenure at Michigan Technological University is acquired automatically when full time paid regular faculty service at one of these ranks extends beyond the tenure probationary period for that rank. When a faculty member is notified, prior to May 31, of the final year of the tenure

probationary period, that tenure will not be granted, the faculty member shall receive a one-year terminal appointment.

For the purposes of Tenure, Promotion, and Reappointment, periods of continuous appointment as a tenure-track faculty member are included in the total period of service for the tenure probationary period. This will generally include unpaid periods such as summer semester and certain leaves of absence within otherwise continuous employment and service. The tenure probationary period for faculty whose initial appointment commences on or after November 1 is considered to have begun service with the start of the subsequent academic year, unless it is specified otherwise in the applicable letter of appointment. A tenure-track faculty member joining the University prior to November 1 is deemed to have begun service at the beginning of the same academic year. In no case will the probationary period start later than the beginning of the subsequent academic year.

Exceptional circumstances may sometimes effect a prolonged disruption of professional responsibilities during the tenure probationary period, requiring extensive sick leave, unpaid leave, or a substantial formal reduction of professional responsibilities. A faculty member encountering such circumstances may make written request to the Provost for a one year extension of the tenure probationary period. This written request should be made during or immediately following the period of exceptional circumstances, and in no case after November 15 of the final year of the tenure probationary period.

It should be accompanied by recommendations from the appropriate department chair and the dean of the college, or from the dean of the school. The request should clearly demonstrate that both of the following conditions are satisfied:

1. The exceptional circumstances requiring the extension were such that normal conduct of professional responsibilities could not reasonably be expected.
2. Exclusive of the period of exceptional circumstances, the faculty member had made good progress toward achieving tenure.

Under this policy, an individual's tenure probationary period at Michigan Technological University may be extended by one year, or in the case of requests based on the birth or legal adoption of a child, not more than two years, total, for each child. Approval for such extensions will be at the sole discretion of the Provost.

These standard tenure policies are designed to allow untenured faculty sufficient time to develop eligibility for tenure, but granting of tenure after shorter periods of service at this University is not precluded.

#### **Tenure Appointments** Assistant Professor

The initial appointment to the rank of assistant professor shall be for a term of two years. Thereafter, term appointments shall be for not more than two years each. If reappointed after six years of service, an assistant professor shall have tenure unless specifically notified by the department chair (or dean where there is no department chair) prior to May 31 at the end of the sixth year that the seventh year is to be the terminal year. Granting of tenure to a faculty member with the rank of Assistant Professor level carries with it promotion to the rank of Associate Professor.

#### **Associate Professor**

An assistant professor at Michigan Technological University who is promoted to the rank of associate professor may be granted tenure at the time of promotion. If reappointed after six years of service at this University an associate professor shall have tenure unless specifically notified by the department chair (or dean where there is no department chair) prior to May 31 at the end of the sixth year that the seventh year is to be the terminal year.

The initial appointment to the rank of associate professor for a person who has not served previously at Michigan Technological University shall be for two years. Thereafter, term appointments shall be for not more than two years each. If reappointed after four years of service, persons initially appointed as associate professors shall have tenure unless specifically notified by the department chair (or dean where there is no department chair) prior to May 31 at the end of the fourth year that the fifth year is to be the terminal year.

#### Professor

An associate professor at Michigan Technological University who is promoted to the rank of professor shall have tenure from the date of that promotion. The initial appointment to the rank of professor of a person who has not served previously at Michigan Technological University shall be for two years. Upon reappointment, persons holding the rank of professor shall have tenure unless specifically notified by the department chair (or dean where there is no department chair) prior to May 31 at the end of the second year that the third year shall be the terminal year. Granting of tenure by the Board of Trustees at the time of initial appointment is not precluded.

#### Administrative Officers

Appointments to administrative positions do not carry tenure and administrative officers continue in their posts as determined by the President and the Board of Trustees. Those administrative officers holding an academic rank are subject to the provisions applicable to that rank only insofar as their non-administrative faculty status is concerned. Their appointment to academic rank and their faculty tenure are subject to the same rules as those for all other faculty members.

#### Academic Promotion

Academic promotion refers to an elevation in academic rank, either from Assistant Professor to Associate Professor, or from Associate Professor to Professor. Academic promotion may be conferred only by the Board of Trustees. Academic promotion may or may not be simultaneous with the granting of tenure.

It is the promotion policy of Michigan Technological University to maintain uniformity in promotion criteria and consistency in their application to all members of the instructional faculty. However, differences in needs and objectives of the various departments/schools may necessitate variations in promotion criteria among the instructional units. Promotion of faculty will be based on individual merit.

The procedures for Academic Promotion are defined in the Tenure, Promotion, and Reappointment Procedures.

#### Procedures for Tenure, Promotion, and Reappointment Recommendations

The procedures for implementation of this Tenure and Promotion Policy are the Tenure, Promotion, and Reappointment Procedures. These procedures may be amended by concurrence of the University Senate, the Provost, and the University President. No other procedures shall exist to implement this policy. Only the Board of Trustees has the authority to grant tenure at Michigan Technological University or to change or modify Board of Trustees Policy.

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#### Right to Appeal

A faculty member may appeal negative decisions regarding tenure, promotion, and reappointment. The only grounds for such appeals are the failure of a recommending party or parties to follow the Tenure and Promotion Policy, the Faculty Staffing Policy and/or the Tenure, Promotion, and Reappointment Procedures. Procedures for filing an appeal are defined in the Tenure, Promotion, and Reappointment Procedures. Appeals must be filed with the Committee on Academic Tenure, Promotion, and

Reappointment within 30 calendar days after notification by the Provost of a negative recommendation to the President. No other route of appeal is permitted.

#### Dismissal for Cause

Any faculty member may be dismissed at any time for cause, as stated in the Preamble. Either the President or the faculty member concerned has the option of submitting a written request to the Committee on Academic Tenure, Promotion, and Reappointment to conduct a hearing of the case and make suitable recommendations.

#### Dismissal for Reasons other than Cause

Dismissal or other removal of tenured faculty for reasons other than cause shall be in accord with Board of Trustees Policy 11.17.

#### Committee on Academic Tenure, Promotion, and Reappointment

There shall be a standing joint committee of the academic faculty and administration, known as the Committee on Academic Tenure, Promotion, and Reappointment. This Committee functions independent of the University Senate and the administration of the University. Appeals of negative recommendations on tenure, promotion, or reappointment of tenure-track faculty, and negative recommendations on promotion of tenured faculty, are under the jurisdiction of the Committee. The composition and responsibilities of the Committee are defined in the Tenure, Promotion, and Reappointment Procedures.

#### Interpretation

In case of any question in the interpretation of this tenure and promotion policy or in the solution of any tenure problem arising from a situation not specifically covered herein or in the Tenure, Promotion, and Reappointment Procedures, the matter shall be referred to the Committee on Academic Tenure, Promotion, and Reappointment. This Committee, after a thorough study, shall transmit its recommendation to the President of the University through the Provost. **The final decision regarding any interpretation of Board of Trustees Policy rests with the Board of Trustees. In every case, final decision rests with the Board of Trustees.**

#### Amendments

Amendments to the Tenure and Promotion Policy may be initiated by any member of the faculty, including administrators holding faculty appointments. All **such** proposed amendments shall be submitted in writing to the President of the University Senate. The proposed amendment(s) will be forwarded to the **Academic Policy Committee Academic and Instructional Policy Committee** of the University Senate for review and/or revision. The **Academic Policy Committee Academic and Instructional Policy Committee** will provide a copy of the proposed amendments to the Committee on Academic Tenure, Promotion, and Reappointment. The **Academic Policy Committee Academic and Instructional Policy Committee** will submit its recommendations to the University Senate.

**Proposed** Revisions to the Tenure, Promotion, and Reappointment Policy must be in the form of a Senate proposal: **if originating from any group or individual other than the Board of Trustees, which includes the University President.** Adoption of any revision **proposed to the Senate** shall require approval by the University Senate, approval by a majority of the tenured and tenure-track faculty voting in a university-wide referendum, such vote to be conducted by the University Senate, followed by the approval of the Provost and **University** President. The President will then forward the recommendation to the Board of Trustees for final approval. **In every case, the final decision rests with the Board of Trustees.**

## History

06/12/57

05/20/77

06/07/68 Interpretation: appointment includes initial and reappointment

01/28/82

11/19/82

07/19/91 Added exceptional circumstances provision

05/07/2004 Rescinded 16.3. Academic Promotion and amended 16.4 Academic Tenure to include promotion

12/12/2008 Revised extension of the probation period for an additional year as a result of child being born or legally adopted during the probation period.

07/15/2010 Was previously Policy 16.4. Renumbered and internal reference to prior Policy changes to 11.7.