Article 12. Faculty Personnel Standards and Procedures

12.1 High professional standards must be the basis for all personnel decisions. Personnel recommendations and decisions shall be made only after a review of all the qualifications and all the contributions of the individual in the areas of teaching; of research, creative or professional activity; and of service. Where applicable (see Articles 26.2.8 and 33.3) all three areas must be considered but the relative weight to be given each may be determined in the light of the duties of the faculty member. With regard to promotion to full, relative weight will be given to each area may also be determined in light of the duties of the faculty member when considering if the following criteria have been met:

a) The faculty member has achieved substantial recognition on and off campus from scholars or professionals in the faculty member's field and

b) the candidate has shown significant potential for continued professional achievement.

Final decisions are made only after giving serious consideration to all the materials in the basic file as well as to the professional judgments of the Departmental Personnel Committee, which are and ought to be given great weight.

12.2 In order to maintain the academic excellence of the University, current academic standards and criteria for faculty personnel actions (i.e. The Academic Personnel Policy Doc. T76-081 "Redbook"), except as modified in this Agreement, shall remain in effect for the duration of this Agreement.

12.3 Procedural Standards in Personnel Matters

12.3.1 All academic departments shall establish bylaws by a majority vote of all departmental faculty. Such bylaws must comply with applicable laws, University policies, and this Agreement and shall be reviewed by the University Administration and the Union in order to ensure such compliance.

12.3.2 The faculty at the departmental level shall establish once each year, in timely fashion, a Personnel Committee to exercise the responsibilities described in this Agreement. All members of the Department Personnel Committee must be members of the Bargaining Unit. A member of a Department Personnel Committee may also serve as a member of a College/School Personnel Committee. However they may not vote on candidates from their own department at the college/school level. A Department Personnel Committee may not delegate its responsibilities to non-committee members; however, a department's bylaws may define the membership of the Department Personnel Committee as expanding and contracting for the purpose of discharging particular responsibilities of the committee.

12.3.3 A Department Personnel Committee must have a minimum of three (3) faculty members. In a department with fewer than four (4) faculty

members, the chair of the Department Personnel Committee and Dean shall agree upon the selection of a specific faculty member or members from outside the department who shall be asked to serve on the committee.

12.3.4 Some departments' bylaws constrain voting rights in personnel actions (such as only tenured faculty being eligible to vote on tenure cases). If such constraints result in the Personnel Committee's having fewer than three faculty members with voting rights on a particular personnel action, the department should employ the provision of 12.3.3 above to temporarily expand the Personnel Committee for that personnel action.

12.3.5 In each college or school there shall be a Personnel Committee of the faculty to review departmental level recommendations. The committee shall be chosen by procedures established in a manner designed to represent the interests of the faculty of each college or school. Such procedures shall be sent to the MSP and the administration to assure compliance with applicable laws, University policies and this Agreement. Said committee shall forward its recommendation to the appropriate Dean. All members of the College Personnel Committee must be members of the bargaining unit.

12.3.6 No faculty member on a Personnel Committee shall participate directly in any recommendation or decision relating to appointment, reappointment, promotion or tenure at the University of any parent, child, spouse, sibling, parent-in-law, sibling-in-law, child-in-law or stepchild. A faculty member should withdraw from participation in any personnel recommendation or decision involving potential conflict of interest. This provision shall not be subject to Article 25, Grievance Procedure.

12.3.7 Each Personnel Committees shall choose its own chair, convene itself, deliberate without participation of the administration (i.e., department chair/head or dean), and formulate its own recommendations independently.

12.4 In reviews for major personnel actions for faculty--reappointments through the tenure decision year, promotion to the ranks of associate professor and professor and the award of tenure--the procedures listed below shall be followed:

12.4.1 Notice of a personnel review for reappointment or tenure shall be sent to the faculty member no later than the end of the third calendar week of the semester before the review is to be initiated.

12.4.2 As provided in Articles 24.4 and 24.5, a basic file shall be created for each major personnel action. This file shall be supplemented and reviewed at the departmental level and supplemented and reviewed at each successive level of recommendation or decision. The file shall contain the materials listed in Article 12.5.

12.4.3 No later than May 1st of the semester before a tenure review is to begin, the faculty member shall submit to the Department/Program Chair/Head

any and all materials for inclusion in the basic file that the faculty member believes will be essential for external referees to review for adequate consideration of the case. Departments may establish a later date with the approval of their Dean. No later than the first week of the semester in which the review is to begin, the faculty member shall submit to the Department/Program Chair/Head any remaining materials for inclusion in the basic file that they believe will be essential for adequate consideration of the case. Failure to submit the basic tenure file by September 15th of the tenure review year without good cause shall, in cases involving review for tenure, result in issuance of a notice of non-reappointment and no review will be conducted.

In the promotion review process to Full Professor, the Department shall set the deadline for submission of all materials essential for external referees to allow for adequate consideration of the case. Because a 4.2 (mini-tenure) review does not require external letters, the Department shall set an appropriate deadline for submission of the file.

12.4.4 For appointment at or promotion to the rank of associate professor and professor and for all tenure recommendations, the Chair/Head shall solicit outside letters of reference drawn from a list of scholars and/or professionals. If appropriate, the Chair/Head may also solicit internal (on-campus) letters from faculty colleagues. The lists of both external and internal letter writers shall include those suggested by the faculty member but the list is not limited to those the faculty member suggests. The candidate has the right to waive access to internal and/or external letters. The confidentiality of such letters shall be governed by the University's Fair Information Practices Regulations, Trustee document T77-059 (see Appendix B). Prior to any solicitation of letters, the candidate shall be provided with a copy of the solicitation letter and the list(s) of proposed referees and shall be given an opportunity to comment on the appropriateness of both. External referees shall be provided with the candidate's CV, personal statement(s), and any other materials that the candidate wishes to include.

12.4.5 At any time subsequent to the recommendation of the Department Personnel Committee, the materials in the basic file, with the exception of letters of recommendation to which the faculty member has voluntarily waived access, shall be accessible to the faculty member upon request.

12.5 The basic file shall contain the following materials:

(a) When the basic file is forwarded from the departmental level it shall contain:

(1) a table of contents;
(2) a current curriculum vitae (including a bibliography and/or comparable list of professional accomplishments);
(3) copies and reviews of published works and/or evidence of other

professional accomplishments;

(4) evidence of teaching effectiveness per Article 33,;

(5) letters of reference solicited by the Chairperson/Head and a description of the professional standing of the writers of letters of reference from outside the University and a statement of any relationship the writer may have had to the faculty member;

(6) evaluations of service;

(7) the candidate's five most recent Annual Faculty Report and Evaluation (AFR) forms, including any contemporaneous comments by Personnel Committees, academic administrators and any responses from the candidate; if the candidate has been employed too recently to have undergone five annual reviews, the file should contain the number of AFRs that have been prepared, if any. AFR's will be added to the file by the Department Chair.

(8) any and all materials submitted by the candidate;

(9) the recommendation and the numerical vote at the departmental level; the recommendation of the Chairperson/Head.

(b) At subsequent levels there shall be added the following:

(1) the recommendation and numerical vote of the Faculty, School or College Personnel Committee;

(2) the recommendation(s) and decision of academic administrative officials;

(3) other materials solicited, submitted or received during the review process, including, by way of example, additional materials submitted by the faculty member, additional letters of reference, responses to recommendations and/or additional information received in response to the invitations issued under Articles 12.12-12.15. When material is added to the basic file, the Departmental Personnel Committee (or other appropriate mechanism) and the Chair/Head shall have opportunity to respond as to its substance and appropriateness; unless it is protected by waiver, the faculty member shall also have this opportunity. If a faculty member has responded to a recommendation added to the file by the DPC, Chair, CPC, etc., no rejoinder to that response shall be permitted unless requested by a subsequent review step.

12.6 A copy of the table of contents and the recommendation from the Personnel Committee shall be available to the faculty member when the basic file is forwarded to the Department Chair/Head.

12.7 A copy of the updated table of contents and the recommendation from the Department Chair/Head shall be available to the faculty member when the basic file is forwarded to the School or College Personnel Committee.

12.8 A copy of the updated table of contents and the recommendation of the School or College Personnel Committee shall be available to the faculty member and to the department when the basic file is forwarded to the Dean.

12.9 A copy of the updated table of contents and the recommendation of the Dean shall be available to the faculty member, the Chair of the School or College Personnel Committee and the department when the basic file is forwarded to the Provost or the Chancellor.

12.10 A copy of the updated table of contents and the decision of the Chancellor and/or the Provost shall be available to the faculty member, the Dean, the Chair of the School or College Personnel Committee and the department at the time the decision is made.

12.11 A copy of the updated table of contents and the recommendation of the Chancellor and/or the Provost shall be available to the faculty member, the Dean, the Chair of the School or College Personnel Committee and the department when the Chancellor or the Provost forwards a recommendation for tenure to the President.

12.12 A copy of the updated table of contents and the decision of the President shall be available to the Chancellor and/or the Provost, the Dean, the Chair of the School or College Personnel Committee, the department and the faculty member when the President has made a decision in the case of a recommendation for tenure forwarded by the campus.

12.13 Prior to making a recommendation that may be contrary to either of the recommendations forwarded from the departmental level, the School or College Personnel Committee shall consult in writing with the department, and they may also ask the candidate to clarify an issue if necessary. Any response to such consultation must be in writing and must be added to the file.

12.14 Prior to making a recommendation that may be contrary to either of the recommendations forwarded from the departmental level, the Dean shall in writing invite the department to provide additional information for the basic file or clarification of the recommendation, and they may also ask the candidate to clarify an issue if necessary. Any response to such invitation must be in writing and must be added to the file.

12.15 Prior to making a recommendation or decision that may be contrary to either of the recommendations forwarded from the school or college level, the Chancellor or Provost shall in writing invite the Dean to provide additional information for the basic file or clarification of the recommendation, and they may also ask the candidate to clarify an issue if necessary. Any response to such invitation must be in writing and must be added to the file.

12.16 Prior to reversing the recommendation of the Chancellor and/or the Provost for tenure, the President shall in writing invite the Chancellor and/or Provost to provide additional information for the basic file or clarification of the recommendation. Any response to such invitation must be in writing and must be added to the file.

12.17 A campus academic administrative official shall make their recommendation or decision within forty-five (45) calendar days of receipt or the deadline for receipt (whichever is later) of both the basic file, including all relevant Personnel Committee recommendations, and all additional information or clarifications

subsequently requested by the academic administrative official from the department or college; except that, in tenure and reappointment cases, the Provost shall notify the faculty member of their recommendation or decision no later than the applicable notice deadline specified in the Academic Personnel Policy of the University of Massachusetts Amherst (T76-081) (not later than March 1 of the first academic year of service if the appointment expires at the end of that year, or at least three months in advance of its termination if an initial one-year appointment terminates during an academic year; not later than December 15 of the second academic year of service if the appointment expires at the end of that year, or at least six months in advance of its termination if an initial two-year appointment terminates during an academic year; and not later than August 15 prior to the year of the last academic appointment after more than two academic years of service, or at least twelve months in advance of its termination if an appointment terminates during an academic year), even if that deadline does not allow the full forty-five-day period for review. Failure to send timeline notice of non-reappointment shall entitle the faculty member to a terminal reappointment of one academic year except as otherwise provided in this agreement.

12.18 A copy of any recommendation or decision made by a Personnel Committee or academic administrator with respect to a faculty member's sabbatical leave application and Periodic Multi-Year Review shall be made available to the faculty member at the time the recommendation is forwarded to the next level of review or the decision is made.

12.19 The Administration shall not establish a tenure quota. However, the Administration reserves the right in making personnel decisions (1) to consider institutional need and flexibility, as well as departmental affirmative action goals (considering the nature of the positive contribution that affirmative action is able to make to the diversity of perspective that is essential to the well-being of the department and the University community) and (2) to establish long-range plans to ensure that institutional flexibility is preserved; provided, however, that:

12.19.1 the faculty shall be given the opportunity to contribute to the development of such plans;

12.19.2 all officially adopted (i.e., by the Board of Trustees) long-range plans from departments/programs, colleges, campuses, and University shall be made available on request to individual faculty members, governance bodies, and the Union; and

12.19.3 when such plans are used in conjunction with a tenure recommendation or decision, the basic relevance of the plan is to demonstrate that the personnel action is not inconsistent with the long-range interests of the University.

12.20 **January Hires:** Tenure-track faculty whose appointments start in January will have their reviews for major personnel actions – reappointments through the tenure decision year, promotion to the ranks of associate professor and professor and the award of tenure – commence during the following September in accordance with the aforementioned procedures. The promotion salary increase shall be retroactive

to the anniversary of the January start date.

12.21 Hire with Tenure Process

When a newly hired faculty member previously has earned tenure at a peer institution, they shall be permitted to undergo an expedited tenure review upon hire at UMass. Fewer letters are required in an expedited tenure file than would typically be required for a traditional tenure case. During the search/hiring process, the search committee should require at least three (3) letters of recommendation for the candidate. As soon as the offer is accepted, the Department Personnel Committee in the hiring department shall be informed that the individual is being hired with the expectation of tenure and shall also be provided with a copy of this contract provision so they understand the process. The expedited tenure review shall commence immediately after the offer is accepted and shall follow the same process as regular tenure decisions as explained above, with these exceptions:

- Instead of soliciting new external and internal letters, the personnel committee may substitute the letters written as part of the search and hiring process.

- Instead of a personal statement, the personnel committee may review the candidate's statement of research, teaching, and service from their application for the position.

- Teaching reviews from the faculty member's prior institution(s) may be submitted as evidence of excellence in teaching.

The expedited review shall use the materials the candidate submits in the search process, as listed above, including teaching materials, research, CV, etc. These materials are considered sufficient in the expedited tenure process; because the candidate was hired with the expectation that they will be tenured at UMass, the process is intended to be easier and less burdensome than a typical tenure process.

For spring hires with expedited tenure, every effort will be made to conclude the process by the end of May. DPCs and CPCs should be prepared to write their memo for tenure immediately after the hire is finalized. Tenure must be approved at the Board of Trustees meeting; the campus will endeavor to prepare expedited tenure cases for the spring Trustees meeting or no later than September after the person has arrived at UMass.