

October 2, 2014

MEMORANDUM

TO: University Senate Members

FROM: Donald Webster
Chair of the University Senate

SUBJECT: University Senate Meeting on Thursday, October 9, 2014

The next meeting of the University Senate will be held on Thursday, October 9, 2014. The meeting will convene at **3:15 p.m.**, in the **Atrium of the Stamp Student Union**. If you are unable to attend, please contact the Senate Office¹ by calling 301-405-5805 or sending an email to senate-admin@umd.edu for an excused absence. Your response will assure an accurate quorum count for the meeting.

The meeting materials can be accessed on the Senate Web site. Please go to <http://www.senate.umd.edu/meetings/materials/> and click on the date of the meeting.

Meeting Agenda

1. Call to Order
2. Approval of the September 17, 2014 Senate Minutes (Action)
3. Report of the Chair
4. Consideration of an Overall Title for Non-Tenure Track Faculty (Senate Doc. No. 12-13-56) (Action)
5. Clarification of University APT Policy Regarding Emeritus Status for Research Faculty (Senate Doc. No. 12-13-42) (Action)
6. New Business
7. Adjournment

¹ Any request for excused absence made after 1:00 p.m. will not be recorded as an excused absence.

University Senate

September 17, 2014

Members Present

Members present at the meeting: 119

Call to Order

Senate Chair Webster called the meeting to order at 3:16 p.m. and welcomed senators to the upcoming year.

Approval of the Minutes

Chair Webster asked for additions or corrections to the minutes of the May 7, 2014, meeting. Hearing none, he declared the minutes approved as distributed.

Report of the Chair

Chair Webster reminded senators that only senators and those introduced by senators could speak on the Senate floor. He also asked senators to state their name, constituency, and college before speaking so that these could be recorded for the record.

BOR Faculty & Staff Awards

Webster announced that the Board of Regents' Faculty and Staff Awards were developed by the Council of University System Faculty (CUSF) and the Council of University System Staff (CUSS) to recognize exceptional performance of faculty and staff members at USM institutions. Each year, faculty and staff are nominated by their colleagues in a number of areas and their names are sent forward to CUSF and CUSS by the institutions' presidents for consideration. Final recipients receive \$1,000 awards, and their achievements are announced to the USM community.

Last year, two University of Maryland faculty members were selected as award recipients in the areas of "Innovative Excellence" and "Research, Scholarship, & Creative Activity". These faculty members are Dr. Michael Ohadi and Dr. Jimmy Lin.

Webster asked the awardees to stand for recognition by the Senate.

2013-2014 Senate Legislation Log (Senate Doc. No. 14-15-01) (Information)

Webster explained that the log had been provided to the Senate as an informational item. It gives an overview of all of the work completed last year and the pending legislation that will continue this year.

Approval of the Standing Committee & Council Slates 2014-2015 (Senate Doc. No. 14-15-02) (Action)

Willie Brown, Chair of the Committee on Committees, provided background on the selection process and made a motion to approve the standing committee and council slates as presented. He also noted several replacements that had been made prior to the meeting. Webster asked whether there was discussion on the slates; hearing none, he called for a vote of the Senate. The result was 92 in favor, 1 opposed, and 2 abstentions. **The motion to approve the slates as presented passed.**

Review of the University of Maryland Guidelines for Appointment, Promotion, and Tenure (Senate Doc. No. 12-13-24) (Action)

Bradley Hatfield, Chair of the Joint Provost/Senate Appointments, Promotion, and Tenure (APT) Guidelines Task Force, presented the Review of the University of Maryland Guidelines for Appointment, Promotion, and Tenure and provided background information on the task force's review process.

Willie Brown, Chair-Elect, made a procedure motion on behalf of the Senate Executive Committee to limit discussion to three minutes per speaker for discussion on this agenda item. The motion was seconded. Chair Webster opened the floor to discussion on the motion; hearing none, he called for a vote on the motion. The result was 106 in favor, 7 opposed, and 2 abstentions. **The motion passed.**

Chair Webster explained that Chair-Elect Brown would monitor the timer for all speakers and gave a brief overview of the procedures for handling amendments. For each amendment, the senator who proposed it would be asked to present it and provide a brief rationale. Each amendment would then be discussed and voted on in the order in which it was received. When all pre-submitted amendments were considered, additional amendments would be considered. A final vote would be taken on the report as amended.

Chair Webster invited Senator Boyle to present the first amendment.

Senator Boyle, faculty, College of Computer, Mathematical, and Natural Sciences, presented his amendment and provided a rationale.

Guidelines Page 9 – Research, Scholarly or Creative Activities

~~Work that has been submitted Pieces in preparation that are not completed and but not yet accepted for publication should not appear on a CV.⁴~~

~~1. The one exception is working papers, customary in certain fields such as economics and mathematics. These should be listed under “Monographs, Reports and Extension Publications.”~~

The motion to amend the report was seconded.

Chair Webster opened the floor to discussion of the amendment.

Hatfield responded that the task force recognizes that the inclusion of submitted works speaks to trajectory. He also noted that the work on Lyterati, the University's new comprehensive faculty information system, was parallel to the task force's work. While the task force did not include submitted work in its recommendations, it does recognize the merits of including them.

Chair Webster called for a vote on the first amendment. The result was 72 in favor, 26 opposed, and 14 abstention(s). **The amendment passed.**

Chair Webster invited Senator Boyle to present the second amendment.

Senator Boyle presented his amendment as follows and provided a rationale.

Guidelines Page 9 & 10 – Research, Scholarly or Creative Activities

All authors should be listed in the order in which they appear on the publication. In exceptional cases, e.g., when the work is a product of a large group (more than 10 authors), not all authors need be listed. As an example, ~~you~~ **the candidate** may list the first three, the last three, and ~~yourself~~ **the candidate him or herself** (including ~~your~~ **placement** in the total author list). That is, if a candidate named "Candidate" is the 97th author, the citation may be listed as: *Smith, Jones, Curley...Candidate (97th)...Moe, Larry, Shemp* (total of 189 authors). Candidates ~~should~~ **may** designate the identity of the author with intellectual leadership on jointly authored papers (if this designation can be appropriately ascertained) by using * or placing that name in bold, and identifying which co-authors they mentored as undergraduate and graduate students, postdoctoral researchers, faculty research assistants, and junior faculty. **In some units, the designation with * and bold may be inappropriate for the culture of the area; a unit with the approval of its college may choose a policy of abstaining from these designations. Candidates should clearly characterize their contribution(s) to a collaborative activity, as practiced in the Department.**

The motion to amend the report was seconded.

Hatfield responded that this amendment is consistent with the task force's principle of deference to the local level. The identification of leadership is an important element of the APT review process.

Chair Webster opened the floor to discussion of the amendment.

Senator Davis, faculty, A. James Clark School of Engineering, stated that he was in favor of the amendment because there are differences in practice among disciplines.

Senator Alexander, Emeritus Faculty, questioned the use of the word "Department" at the end of that section.

Steven Marcus, member of the Task Force, stated that the Guidelines include a notation that the word Department should be interpreted as the first-level unit, which sometimes is a college.

Chair Webster called for a vote on the second amendment. The result was 85 in favor, 13 opposed, and 7 abstention(s). **The amendment passed.**

Chair Webster invited Senator Harris to present the third amendment.

Senator Harris, faculty, College of Computer, Mathematical, and Natural Sciences, presented his amendment as follows and provided a rationale.

Guidelines Page 20 – External Evaluators

...In some circumstances, a greater proportion of letters from collaborators may be needed in order to provide a complete, equitable, and thorough evaluation of the contributions of the candidate. Such letters may be allowed if justification is provided by the Unit undertaking the evaluation (e.g., in cases of very large collaborations where coauthors number in the tens to hundreds).*

The motion to amend the report was seconded.

Hatfield responded that this amendment reinforces our principle of deference to the first-level unit.

Chair Webster opened the floor to discussion of the amendment; hearing none, he called for a vote on the third amendment. The result was 94 in favor, 3 opposed, and 10 abstention(s). **The amendment passed.**

Chair Webster invited Senator Lindemann to present the next six amendments. He explained that each amendment would be presented and seconded individually, but that he would hold discussion on all six amendments together because they were interrelated. However, each amendment would be voted on individually.

Senator Lindemann, Faculty, College of Arts and Humanities, presented the fourth amendment as follows.

APT Policy Page 2 – Purpose of this Policy

The University of Maryland is dedicated to the discovery and the transmission of knowledge, to the achievement of excellence in **all its academic disciplines, and to the growth and development of our society. To achieve this, the University is committed to developing and sustaining an excellent and diverse faculty. A fair, unbiased, and impartial appointment, tenure, and promotion process is essential to this goal.** Each faculty member has a personal responsibility for contributing to the achievement of excellence in his or her own academic discipline and for exercising the best judgment in advancing the department, the college, and the University. Those faculty members holding the rank of professor have the greatest responsibility for establishing and maintaining the highest standards of academic performance within the University. This Policy on the Appointment, Promotion, and Tenure of Faculty exists to set the standards for appointment and promotion to the various faculty ranks and to recognize and to encourage the achievement of excellence on the part of the faculty members through the awarding of tenure and through promotion within the faculty ranks. ~~Through this process the University builds and enhances its educational programs and services and it advances the state of knowledge, which supports the growth and development of our society.~~

The motion to amend the report was seconded.

Senator Lindemann presented the fifth amendment.

APT Policy Page 11 – II. Criteria for Appointment and Promotion

The criteria for appointment, tenure and promotion shall reflect the educational mission of the University of Maryland at College Park to provide an undergraduate education ranked among the best in the nation; to provide a nationally and internationally renowned program of graduate education and research, making significant contributions to the arts, humanities, the professions, and the sciences; **to provide every student with an education that incorporates the values of diversity and inclusion;** and to provide public service to the state and the nation embodying the best tradition of outstanding land-grant colleges and universities.

The motion to amend the report was seconded.

Senator Lindemann presented the sixth amendment.

APT Policy Page 11 – II. Criteria for Appointment and Promotion

Each college, school, and department shall develop brief, general, written criteria for tenure and/or promotion. **The criteria should be reviewed periodically by the unit, as deemed necessary, but no less frequently than once every five (5) years. This review should include consideration of the unit's progress toward increasing the diversity of its tenured faculty.** The criteria to be considered in appointments and promotions fall into three general categories: (1) performance in teaching, advising, and mentoring of students; (2) performance in research, scholarship, and creative activity; (3) performance of professional service to the university, the profession, or the community.

The motion to amend the report was seconded.

Senator Lindemann presented the seventh amendment.

APT Policy Page 27 – C. Third-level Review

1. A third- or campus-level review committee shall be established in the following manner: The Provost shall appoint nine faculty members holding the rank of professor, one from each of the eight large colleges (colleges listed here) and one from among the four small colleges (colleges listed here). Since this committee shall make its recommendation on the basis of whether or not the University's high standards for tenure and/or promotion have been met, members of this committee shall have a track record of outstanding academic judgment along with sufficient intellectual breadth and depth to be capable of comparing and judging candidates from varied disciplinary, cross-disciplinary, and professional backgrounds. **The Provost should endeavor to ensure that the committee is diverse.** No small college shall be represented on the committee more frequently than once in every three years. Candidates for the committee shall be solicited from....

The motion to amend the report was seconded.

Senator Lindemann presented the eighth amendment.

Guidelines Page 10 & 11 – The Curriculum Vitae - Teaching, Mentoring and Advising

Teaching, Mentoring and Advising

1. Courses taught in the last five years. Indicate enrollment and unusual formats.
2. Course or Curriculum Development, **including the creation of courses that focus on underrepresented populations, the integration of diverse cultural perspectives into existing courses, and the use of varied pedagogical strategies to meet the learning styles of a diverse student body.**
3. Textbooks, Manuals, Notes, Software Web Pages and Other Contributions to Teaching.

4. Teaching Awards and Other Special Recognition.
5. Advising (Other than research direction): Indicate number of students per year
 1. Undergraduate
 2. Graduate
 3. Other advising and mentoring activities (advising student groups, **advising underrepresented students**, special assignments, recruiting, faculty **membership** mentorship, **recruiting/advising/mentoring activities that enhance diversity and inclusion**, etc.)
6. Advising: Research direction. This refers to students whose projects the candidate has directed or chaired. The name of the student and academic year(s) involved should be included, as well as placement of the student(s), if project is completed.
7. Contribution to learning outcomes assessment.
8. Extension, Entrepreneurship and Public Engagement Activities. Major programs established, workshops, presentations, media activities, awards, honors, etc.

The motion to amend the report was seconded.

Senator Lindemann presented the ninth amendment.

Guidelines Page 12 – Teaching Portfolio

In addition to **materials for the tenure and/or promotion** dossier, ~~you~~ **the candidate will prepare a teaching portfolio, according to Department guidelines, which could include the following types of items: course syllabi; a statement of teaching philosophy; a statement about how the candidate addresses diversity and inclusion in teaching; reflective assessments; learning outcomes assessment materials; and mentoring accomplishments, such as placement of advisees in academic and professional positions. Examples of teaching portfolio elements are included in the Appendix.**

The motion to amend the report was seconded.

Hatfield responded that the task force did not deliberate on these amendments but that they were consistent with the culture of the University and practice of the Office of Faculty Affairs.

Chair Webster opened the floor to discussion of all six amendments.

Senator Lindemann introduced Kumea Shorter-Gooden, Chief Diversity Officer and Assistant Vice President, who authored the amendments.

Shorter-Gooden stated that these amendments align with the principles in the Diversity Strategic Plan. The tenure plan calls for us to provide every student with an education that incorporates the values of diversity and inclusion to ensure that

undergraduates acquire the knowledge, experiences, and cultural competencies to succeed in a multicultural and globally connected world; to recruit, promote, and retain a diverse faculty and staff; develop inclusive learning environments; and ensure that policies and structures are in place to support our diversity goals and aspirations. The amendments help support those principles in our tenure and promotion process by making our commitment to diversity and inclusion explicit; reminding us of our goal for an excellent and diverse faculty; going beyond doing no harm but rather doing good; and recognizing the importance of diversity and inclusion in teaching, advising and mentoring. These amendments are particularly important given the continued disparities in faculty retention, promotion, and tenure based on race, ethnicity, and gender. She urged the Senate to support amendments 4-9 in order to better align our APT policies, procedures, and guidelines, with our University goals and aspirations.

Senator Moser Jones, faculty, School of Public Health, spoke in favor of amendment eight because faculty who create courses focused on underrepresented populations and integration of diverse cultural perspectives should be recognized for that work. Faculty within her unit have integrated cultural competence into their pedagogy because they are training students to work with the diverse population of Maryland, the nation, and the world.

Senator Bigio, faculty, A. James Clark School of Engineering, stated that he supported the amendments but would like clarification on how diversity is determined and whether it is different for each discipline.

Shorter-Gooden stated that diversity is broad and wide-ranging. Any areas where there are disparities in access and opportunities such as race, ethnicity, gender, sexual orientation, gender expression, religion, socio-economic background, first-generational status, and ability. Diversity is about teaching and educating our students to understand areas where people are underrepresented as well as privileged. We should also use pedagogical strategies to reach all of our students.

Senator Aparicio Blackwell, exempt staff, stated that she was in favor of amendment eight. It is important when dealing with our surrounding communities by having students engage in issues larger than their perspective.

Senator Hurtt, faculty, School of Architecture, Planning and Preservation, stated that he is generally in favor of these amendments. He raised concerns about how “a unit’s progress towards diversity” would be quantified in amendment six. In some instances, the financial situation can leave a unit with its hands tied. While there are other metrics for progress, they might not count. He also raised concerns about amendment nine putting candidates in a difficult situation to justify their work.

Steven Marcus, member of the Task Force, stated that the language that is proposed is listed as one example of the type of piece that could be included in the teaching portfolio. While the portfolio is mandatory, whether something like this is included is up to the candidate.

Senator Bengfort, graduate student, College of Computer, Mathematical, and Natural Sciences, stated that it is very important for Science, Technology, Engineering, and Mathematics (STEM) to incorporate diversity in their curricula, particularly for areas that do not have an opportunity to do that. We need to find a way to encourage people to join these professions. He encouraged senators to support amendment eight.

Senator Blair, part-time graduate student, expressed support for the amendments. She noted that amendment four includes language that has just been relocated from previous text. She also noted that a unit's five-year review is an appropriate time to consider the diversity of its faculty as noted in amendment six. Several of these amendments are just examples or clarifications.

Senator Davis, faculty, A. James Clark School of Engineering, stated that he would still like clarification on the definition of diversity including other forms such as political and dietary diversity. We have an overall commitment to diversity but he was concerned about incorporating diversity language in every aspect of our policies.

Senator White, faculty, College of Education, stated that she supported the amendments. She noted that we make assumptions about our commitment to diversity and that being a good person means that we are honoring that. She stated that diversity means being sensitive to perspectives that we do not have. As educators, we have an obligation to encourage or be sensitive to those perspectives. This can often translate into global competitiveness or achievement gap issues. We need to understand the perspectives of those we seek to serve. She stated that she was encouraged by this language.

Senator Alexander, emeritus faculty, raised concerns about the language of amendment six. He did not think that the proposed text was included in the appropriate place and could be more precise with its intention.

Webster asked whether the senator was proposing an amendment to the amendment. Alexander stated that he did not have amended text at this time.

Senator O'Meara, faculty, College of Education, stated that she supported amendment six and noted that the language is consistent with efforts currently underway in the Office of Faculty Affairs to provide a public report of the outcomes of the APT process, ADVANCE data collection efforts on the demographics of our faculty, and progress towards advancement for different stages and groups.

Senator Tune, exempt staff, stated that the language is referring to the unit not a particular candidate. He stated that he supported the amendment.

Steven Marcus, member of the Task Force, clarified that it is possible that a unit might discover that some people of color were not given tenure because the criteria were too narrow to allow those populations to succeed.

Chair Webster called for a vote on the fourth amendment. The result was 94 in favor, 6 opposed, and 3 abstentions. **The amendment passed.**

Chair Webster called for a vote on the fifth amendment. The result was 88 in favor, 13 opposed, and 3 abstentions. **The amendment passed.**

Chair Webster called for a vote on the sixth amendment. The result was 61 in favor, 34 opposed, and 6 abstentions. **The amendment passed.**

Chair Webster called for a vote on the seventh amendment. The result was 90 in favor, 7 opposed, and 5 abstentions. **The amendment passed.**

Chair Webster called for a vote on the eighth amendment. The result was 82 in favor, 23 opposed, and 4 abstentions. **The amendment passed.**

Chair Webster called for a vote on the ninth amendment. The result was 70 in favor, 31 opposed, and 2 abstentions. **The amendment passed.**

Chair Webster invited Senator Ontiveros and Senator Goodman to present amendments ten, eleven, and twelve. He noted that each amendment would be presented individually and would be discussed at once because the amendments were on opposite sides of the same issue. Then each amendment would be voted on individually.

Senator Ontiveros, faculty, College of Arts and Humanities, presented the tenth amendment and provided a rationale.

Guidelines Page 20 – External Evaluators

The Committee must include a list of all the evaluators to whom a formal request was sent, even if the evaluators do not reply or decline to write. Copies of the letters (or emails) of refusal must be included in the dossier. Verbal communications will not be accepted and ~~any prejudicial discussion regarding declines or non-answers is discouraged~~ **shall not be construed as positive or negative comment on the candidate's qualification for tenure**. In the log, the initial date that the evaluator was contacted should be included, when candidate materials were sent (if different from initial) and the date of response (either when the evaluation was received or the reviewer declined to review).

The motion to amend the report was seconded.

Senator Ontiveros presented the eleventh amendment and provided a rationale.

Guidelines Page 21 - External Evaluators

- All letters received in response to solicitation must be included in their entirety if the letters arrive in time for consideration by the Department APT Review Committee.
- Letters in a foreign language must be accompanied by an English translation.
- Each letter should clearly indicate whether the evaluator was **nominated** ~~selected~~ by the candidate, or by the committee.
- Dossier preparation and evaluation is facilitated if letters from external evaluators are sent as searchable electronic attachments.
- **At each stage of the review process, APT voters should be reminded that declines or non-answers to email solicitations shall not be construed as substantive comment on the candidate's tenure case. This guideline is especially important in cases involving research in new or interdisciplinary fields, or fields involving the study of underrepresented groups, as there are often a fewer number of full professors available to write.**

The motion to amend the report was seconded.

Senator Goodman, Faculty, College of Computer, Mathematical, and Natural Sciences, presented the twelfth amendment and a rationale.

Guidelines Page 20 - External Evaluators

The Committee must include a list of all the evaluators to whom a ~~formal~~ request was sent, even if the evaluators do not reply or decline to write. Copies of the letters (or emails) of refusal **to availability requests and official requests** must be included in the dossier. Verbal communications will not be accepted, and any prejudicial discussion regarding ~~declines or~~ non-answers is discouraged. **Evaluative information (negative or positive) provided with any written communication may be considered. However, information provided by evaluators who decline without access to the candidate's materials provided by the Department should be given lesser weight than written responses provided by official evaluators who have accepted the invitation and been provided access to the candidate's official materials for promotion and/or tenure.** In the log, the initial date that the evaluator was contacted should be included, when candidate materials were sent (if different from initial) and the date of response (either when the evaluation was received or the reviewer declined to review)....

The motion to amend the report was seconded.

Hatfield responded that the task force's recommendation was that declines to

formal requests could be interpreted but not declines to initial requests for availability.

Chair Webster opened the floor to discussion of the tenth, eleventh, and twelfth amendments; hearing none he called for a vote on the tenth amendment. The result was 46 in favor, 32 opposed, and 14 abstentions. **The amendment passed.**

Chair Webster called for a vote on the eleventh amendment. The result was 43 in favor, 37 opposed, and 16 abstentions. **The amendment passed.**

Chair Webster called for a vote on the twelfth amendment. The result was 52 in favor, 38 opposed, and 9 abstentions. **The amendment passed.**

Senator Goodman stated that senators could not pick both options. He stated that either we do not consider declines or each discipline decides whether or not to consider them.

Roberta Rudnick, member of the Task Force, clarified that all declines have to be included or not included but reviewers could not pick and choose.

Steven Marcus, member of the Task Force, stated that he supported Senator Goodman's amendment.

Senator Goodman clarified that senators could not vote in favor of all three amendments but rather one or the other.

Because all three amendments passed but conflicted, Chair Webster called for a motion to resolve the votes.

Senator Goodman, faculty, College of Computer, Mathematical, and Natural Sciences, made a motion to vote on all three amendments at the same time with the first option for amendments 10 & 11, the second option for 12, the third option for neither, and a fourth option of abstain.

The motion was seconded. Chair Webster opened the floor to discussion of the motion.

Senator O'Meara introduced Juan Uriagereka, Associate Provost for Faculty Affairs, who stated that we could vote on 10 & 11, 12, or neither.

Senator Delwiche, faculty, College of Computer, Mathematical, Natural Sciences, stated that he did not believe that the three amendments were incompatible. The examples provided by Senator Goodman were evaluative. He believes that voting concludes that those types of evaluative declines can be considered by

the committee but must be down-weighted. He does not think that any further action is required.

Senator Blair, part-time Graduate Student, suggested that if amendment 10 did not include “positive” the amendments could all work together.

Senator Davis, faculty, A. James Clark School of Engineering, stated that he did not believe that any further action was necessary. He did not believe that positive or negative declines should be included because the rationale is simply that an evaluator did not have enough time to submit a formal evaluation of the candidate.

Laura Rosenthal, member of the Task Force, stated that the Task Force recognized that including declines could be damaging when considering faculty in emerging fields.

Senator O’Meara, faculty, College of Education, stated that the Task Force’s recommendation was created to remove the noise of why someone declined. She stated that amendments ten and eleven strengthen the task force’s recommendations.

Webster reminded senators that there were additional amendments pending and the meeting was scheduled to end at 5:00 p.m.

Webster called for a vote on the motion. The result was 44 in favor of 10 & 11, 24 in favor of 12, 15 opposed, and 11 abstentions. **Amendments 10 & 11 passed.**

Chair Webster invited Senator Hurtt to present the thirteenth amendment.

Senator Hurtt, faculty, School of Architecture, Planning, and Preservation, presented his amendment and provided a rationale.

Research, Scholarship, Creative **and/or Professional** Activity.

The motion to amend the report was seconded.

Hatfield stated that the Task Force’s intention was to recognize professional activity but as a component of scholarship. The term might mean the translation of scholarship, but if professional activity met the benchmarks of peer review, significance, and impact, it could be included. There was also concern over the terminology being related to service in other sections of the document.

Chair Webster recognized Senator Owen, faculty, The Libraries, who made a motion to extend the meeting for 15 minutes in order to complete the discussion. The motion was seconded.

Chair Webster clarified that the motion required a 2/3-majority vote to pass. The result was 72 in favor, 17 opposed, 3 abstentions. **The motion to extend the meeting passed.**

Chair Webster opened the floor to discussion of amendment thirteen.

A senator made a motion to call the question on the amendment. The motion was seconded. Chair Webster opened the floor to discussion of the motion; hearing none, he called for a vote on the motion. The result was 65 in favor, 17 opposed, 8 abstentions. **The motion to call the question passed.**

Chair Webster called for a vote on the thirteenth amendment. The result was 44 in favor, 41 opposed, and 5 abstentions. **The amendment passed.**

Chair Webster invited Senator Belcher to present the fourteenth amendment.

Senator Belcher, undergraduate student, College of Behavioral and Social Sciences, presented his amendment and provided a rationale.

APT Policy Page 21 – A. First Level Review 1.

A. First level Review

1. Eligible Voters: At the first level unit of review, the review committee shall consist of all members of the faculty of that unit who are eligible to vote **and one undergraduate student or one graduate student.** To be eligible to vote within the first level unit, the faculty member must hold a tenured appointment in the university and must be at or above the rank to which the candidate seeks appointment or promotion. **To be eligible to vote within the first level unit, the undergraduate or graduate student must be in good academic, financial, and judicial standing with the University and must study within the College or similar institution of the candidate.** Tenured faculty voting on promotions cases at the first level of review may only do so in a single academic department or non-departmentalized school, and may only vote in units in which they have a regular appointment and where this is permitted by the unit's plan of organization. In those cases where a faculty member has the opportunity to vote in more than one department or non-departmentalized school, the faculty member votes in that department/school in which the faculty member holds tenure.

The motion to amend the report was seconded.

Hatfield responded that the USM APT Policy requires peer review by faculty at the same level or higher than the candidate is looking to achieve. He added that the Task Force does highly value inclusiveness and the consideration of students but believe it is crucial to have this experience to make these types of decisions.

Chair Webster opened the floor to discussion of the amendment.

Senator Fultz, faculty, College of Agriculture and Natural Resources, stated that in the University of Maryland Extension there are no undergraduate or graduate students to include in the first-level review.

Senator Baier, undergraduate student, College of Behavioral and Social Sciences, stated that he supported the amendment because it could have an immense benefit for the University. The primary job of the faculty is to teach and educate students, so this means that students have a vested interest in the promotion process and should therefore be included.

Senator Baier introduced Charmaine Wilson-Jones, Vice President of Academic Affairs for the Student Government Association (SGA). She stated that the amendment has the full support of the SGA. It is important for students to have a voice so they are a part of the process. It would be unfair to exclude students when a professor's main role is to teach students.

Senator Newburn, faculty, College of Agriculture and Natural Resources, stated that when you are being evaluated as an assistant professor, you want the person to have a long history of the profession you are in. Even assistant professors with a background in the field are not allowed to be on the committee. We are evaluated on more than just teaching. He raised concerns about a student's ability to evaluate a faculty member.

Senator O'Meara, faculty, College of Education, introduced Juan Uriagereka, Associate Provost for Faculty Affairs. He clarified that reviews are only conducted by those up to the level that you are reviewing. Therefore, assistant professors are not included in associate professor reviews. This process goes all the way up to Distinguished University Professor reviews. Voting in favor of this amendment would have consequences for all of those other bodies and is also against USM policy. He urged the Senate to consider those principles when voting on this amendment.

Patrick Ronk, SGA President, submitted the SGA's bill in support of the amendment for the record. He also addressed the concerns about the lack of experience by the students. He emphasized that the language included in the amendment notes that only the best undergraduates chosen by the Provost would be selected for these committees. He noted that not including students denies shared governance.

Senator Salamanca Riba, faculty, A. James School of Engineering, stated that students' input is considered in promotion cases through student evaluations of courses. Student input is considered at all levels but they are not included in the voting process.

Senator Bengfort, graduate student, College of Computer, Mathematical, and Natural Sciences, stated that graduate students would be skeptical of serving on these committees because they are often in a professional relationship with their faculty advisors. They would not want to jeopardize their professional careers by making this type of decision. He stated that he opposed the amendment.

Senator Chambers, graduate student, College of Agriculture and Natural Sciences, stated that he was opposed to the amendment. He believed that including students in a process where their own advisors would be up for promotion would introduce bias into the process. Even the highest-level undergraduate student does not have the capability to evaluate faculty at the first or third levels.

Chair Webster called for a vote on the fourteenth amendment. The result was 4 in favor, 82 opposed, and 2 abstentions. **The amendment failed.**

Chair Webster recognized Senator Owen, faculty, The Libraries, who made a motion to extend the meeting for 15 minutes in order to complete the discussion. The motion was seconded.

Chair Webster clarified that the motion required a 2/3-majority vote to pass. The result was 64 in favor, 19 opposed, 2 abstentions. **The motion to extend the meeting passed.**

Chair Webster invited Senator Belcher to present the fifteenth amendment. Senator Belcher withdrew the amendment.

Chair Webster opened the floor to any additional amendments.

Senator Belcher presented a sixteenth amendment to include one undergraduate or one graduate student as a non-voting member of the first-level and third-level APT committees.

The motion to amend the report was seconded.

Hatfield asked for clarification of the amendment.

Belcher responded that the amendment would allow student input and a holistic review but would not allow students to alter the vote on a technical level.

Hatfield stated that the task force decided to elevate the evaluation of instruction through the systematic peer reviews and mandatory inclusion of a teaching portfolio because of the impact on students. The principle of requisite experience for these types of reviews is still a major element of the APT process.

Senator Fultz, faculty, College Agriculture and Natural Sciences, reiterated that

UME did not have students to draw from and therefore opposed the amendment.

Chair Webster called for a vote on the sixteenth amendment. The result was 12 in favor, 64 opposed, and 5 abstentions. **The amendment failed.**

Webster opened the floor to discussion of the report as amended; hearing none, he called for a vote of the report as amended. The result was 69 in favor, 4 opposed, and 5 abstentions. **The motion to approve the report as amended passed.**

Chair Webster thanked the task force for its hard work.

New Business

There was no new business.

Adjournment

Senate Chair Webster adjourned the meeting at 5:21 p.m.



University Senate TRANSMITTAL FORM

Senate Document #:	12-13-56
Title:	Consideration of an Overall Title for Non-Tenure-Track Faculty
Presenter:	Devin Ellis, Chair, Senate Faculty Affairs Committee
Date of SEC Review:	August 28, 2014
Date of Senate Review:	October 9, 2014
Voting (highlight one):	1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	<p>In April 2013, the Non-Tenure-Track (NTT) Faculty Task Force presented a report to the University Senate noting several areas of concern related to NTT faculty, and recommended extensive changes to policies and procedures that affect NTT faculty at UMD (Senate Document #12-13-41). Among other issues, the report noted that the term “non-tenure track faculty” does not identify NTT faculty as a valuable asset to the institution, and suggested that the lack of a formal overall title impedes the creation of policies or procedures that explicitly apply to NTT faculty. The Senate approved the report, and in May 2013, the Senate Executive Committee voted to charge the Faculty Affairs Committee (FAC) with consideration of these issues and asked that the committee develop an overall title for NTT faculty that more accurately reflects their contribution to the institution.</p>
Relevant Policy # & URL:	II-1.00(A) University of Maryland, College Park Policy on Appointment, Promotion, and Tenure of Faculty http://www.president.umd.edu/policies/ii-100a.html
Recommendation:	The Faculty Affairs Committee recommends that the attached policy entitled “University of Maryland Policy on Professional Track Faculty” be adopted as official University of Maryland policy and be added to the Consolidated USM and UMD Policies and Procedures Manual.
Committee Work:	The Faculty Affairs Committee (FAC) considered its charge over the course of the 2013-2014 academic year, in tandem with its review of the framework for NTT faculty appointments. The committee worked very closely with the Associate Provost for Faculty Affairs and the Director of Faculty Initiatives throughout its review, and consulted with the Office of Legal Affairs on its proposed policy.

	<p>The FAC recognized at the beginning of its review that while the term “non-tenure track faculty” is correct, it does not accurately represent the substantial role these faculty play at the institution. The FAC focused on creating a title to identify these faculty in a positive manner. It reviewed the work of the NTT Task Force and considered titles used at peer institutions.</p> <p>After a thorough review of all options, the FAC discussed the term “professional track faculty,” which had been recommended by the NTT Task Force as a possible alternative to NTT faculty. The FAC noted that the term inherently indicates that all such faculty are valued at the institution for the professional experiences, endeavors, or other skills they contribute through their work with the University. The committee also noted that the inclusion of “track” indicates that these faculty have opportunities for career development despite the fact that they are not a part of the tenure system. The FAC agreed that this term is the most appropriate option for UMD’s NTT faculty, and voted unanimously to recommend adoption of the term.</p> <p>The FAC developed a proposed policy to institute the new overall title for NTT faculty, noting that the current lack of a policy definition for “non-tenure track faculty” has hindered the development of policies and procedures related to NTT faculty. In May 2014, the committee finalized its proposed policy and voted to forward its recommendation to the Senate for review.</p>
Alternatives:	The Senate could reject the proposed policy and the proposed overall title of “professional track faculty.” These faculty would continue to be referred to as “non-tenure track faculty,” and the University would lose the opportunity to appropriately recognize the roles and contributions of these faculty to the institution.
Risks:	There are no associated risks.
Financial Implications:	There are no financial implications.
Further Approvals Required:	Senate approval, Presidential approval.

Senate Faculty Affairs Committee

Senate Document #12-13-56

Consideration of an Overall Title for Non-Tenure-Track Faculty

August 2014

BACKGROUND

During the 2012-2013 academic year, the joint Provost/Senate Non-Tenure-Track (NTT) Faculty Task Force analyzed policies and procedures related to NTT faculty at the University of Maryland (UMD) and at peer institutions, and compiled data on the substantial contributions of NTT faculty to the research and teaching mission of the University. In the course of its review, the Task Force noted that the term “non-tenure track faculty” does not identify NTT faculty as a valuable asset to the institution, and suggested that the lack of a formal overall title for these faculty impedes the creation of policies or procedures that explicitly apply to NTT faculty. The Task Force presented a final report (Senate Document # 12-13-41) to the Senate in April of 2013, which recommended extensive changes to policies and procedures that impact NTT faculty and recommended that the University adopt a new overall title for these faculty. The Senate approved the report and directed the Senate Executive Committee (SEC) to charge the appropriate Senate committees with considering the specific recommendations within the Task Force’s report for further review. In May of 2013, the SEC voted to charge the Faculty Affairs Committee (FAC) with consideration of these concerns, and asked that the committee review the roles of NTT faculty at UMD and develop an overall title for NTT faculty that more accurately reflects their contribution to the institution (Appendix 2).

CURRENT PRACTICE

In current practice, the University of Maryland uses the term “non-tenure track faculty” to refer to full-time and part-time instructional and research faculty who are not eligible for tenure. The term is a part of the common vocabulary at the University, but the term is not widely used in University policy. For instance, the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00(A)) uses the term in passing to indicate that the “University of Maryland Professor” title does not and will not involve a tenure commitment, but the policy does not explicitly define the term, either in this instance or elsewhere in the document.

When “non-tenure track faculty” is used, there is no consistent policy definition of the term, and as such, it can be difficult to identify which faculty are being referenced in any given situation. It can also be difficult for the University to create official policies and procedures that apply to these faculty in particular. During its work, the NTT Task Force found that policies that apply to faculty in general are often not clear as to whether they apply to NTT faculty or only tenured or tenure track (T/TT) faculty. The Task Force noted that in its work and in previous work undertaken by the Faculty Affairs Committee (Senate Document #10-11-04), guidance from the Office of Legal Affairs was necessary to determine the applicability of various campus policies related to faculty appointments. The Task Force suggested that such guidance may be less necessary if policies were able to refer to particular subsets of faculty, whether they be T/TT faculty or NTT faculty.

COMMITTEE WORK

The Faculty Affairs Committee (FAC) considered its charge on an overall title for NTT faculty during the 2013-2014 academic year, in tandem with its related charge on creating a unified framework for NTT faculty appointments (Senate Document #12-13-55). The two charges complement each other, as the development of a unified framework made it clear that a new generic title was needed. The FAC worked very closely with the Associate Provost for Faculty Affairs and the Director of Faculty Initiatives from the Office of Faculty Affairs during its review, and consulted with the Office of Legal Affairs during the spring of 2014.

The unified framework for NTT faculty appointments was developed by the FAC as an attempt to foster the careers of NTT faculty. It was understood by the committee that the work of NTT faculty was valued. As it worked to develop this new framework, the FAC realized the extent to which the absence of a unified overall title would hinder attempts to improve policies and procedures related to the evaluation, promotion, and continued development of NTT faculty. The FAC also worked to more accurately identify the responsibilities of the faculty member by his or her title, and recognized that while the term “non-tenure track faculty” is correct, it does not accurately represent the substantial role these faculty play at the institution.

During its review, the FAC focused on creating a title to identify these faculty in a positive manner. It reviewed the work of the NTT Task Force and considered titles used at peer institutions. In looking at UMDs peers in the Big Ten, the FAC found that some institutions also use “non-tenure track faculty,” while others favor titles that define faculty by the terms of the contract, using “fixed-term faculty” or “contractual faculty” in policies and communications. These titles refer to the terms of appointment, not to the responsibilities of faculty members. Very few peer institutions currently use terminology that focuses on faculty responsibilities. As an example of one effort to rename NTT faculty in a more positive manner, the University of Illinois at Urbana-Champaign has recently begun using the term “specialized faculty” instead. The FAC found additional examples when looking beyond UMD’s peer institutions in the Big Ten, and noted that the University of North Carolina at Greensboro uses the term “academic professional” as a generic title for NTT faculty, while Oregon State, Texas A&M, and Virginia Tech all use either “professional faculty” or “professional track faculty.”

In considering options, the FAC reviewed the three main dimensions of faculty activity in the APT system. The committee suggested that NTT faculty often specialize within the three dimensions of teaching, research, and service. For this reason, the FAC considered adopting the term “academic specialists” for NTT faculty. However, the committee was concerned that the term would conflict with the newly-developed Faculty Specialist title track, and decided that the term “specialist” would not be ideal for the overall title as well as for a specific title series.

After much discussion, the FAC considered the term “professional track faculty,” which had been recommended by the NTT Task Force as a possible positive title for NTT faculty. The FAC noted that the term inherently indicates that all such faculty are professionals, and are valued at the institution for the professional experiences, endeavors, or other skills they contribute through their work with the University. The committee also noted that the title inclusion of “track” indicates that these faculty have opportunities for career development despite the fact that they are not a part of the tenure system. The FAC agreed that this term is the most appropriate option for UMD’s NTT faculty, and voted unanimously to recommend adoption of the term.

Having agreed upon an overall title, the FAC focused on which faculty should be referred to as professional track faculty. The committee agreed that faculty with a title of College Park Professor,

University of Maryland Professor, or Professor of the Practice should not be referred to as professional track faculty. These faculty are appointed at the highest level through a process that includes approval by the University President. As such, these faculty do not fit within any NTT title series, and are not subject to the same policies and procedures as NTT faculty. Instead, the overall title should apply to all instructional, research, and clinical faculty with titles in the new unified framework for NTT faculty appointments.

The FAC also considered how the University might adopt the proposed new overall title, and ultimately developed a policy to institute the new overall title for NTT faculty. The committee noted the current lack of a policy definition for “non-tenure track faculty,” and discussed the references in the NTT Task Force’s report related to the difficulties the institution faces in creating policies or procedures for a specific subset of faculty, which has hindered the development of policies and procedures related to NTT faculty. Therefore a precise definition of the groups of instructional and research faculty to whom the title referred would enable development of those policies and procedures of faculty.

RECOMMENDATIONS

The Faculty Affairs Committee recommends that the attached policy (appearing below and in Appendix 1) entitled “University of Maryland Policy on Professional Track Faculty” be adopted as official University of Maryland policy and be added to the Consolidated USM and UMD Policies and Procedures Manual.

RECOMMENDED UNIVERSITY OF MARYLAND POLICY ON PROFESSIONAL TRACK FACULTY

UNIVERSITY OF MARYLAND POLICY ON PROFESSIONAL TRACK FACULTY

I. Purpose and Scope

This policy establishes a generic title of Professional Track Faculty for faculty ranks that are not eligible for an award of tenure or permanent status. The new designation will facilitate the development and implementation of policies for Professional Track Faculty with respect to appointment, promotion, and representation in shared governance.

II. Applicability

A. The generic title of Professional Track Faculty applies to the specific faculty ranks in each faculty rank series as set forth below:

1. Instructional faculty series: Junior Lecturers, Lecturers, Senior Lecturers, and Principal Lecturers;
2. Artists-in-Residence series: Assistant Artists-in-Residence, Associate Artists-in-Residence, and Artists-in-Residence;
3. Clinical faculty series: Assistant Clinical Professors, Associate Clinical Professors, and Clinical Professors;
4. Research Professor series: Assistant Research Professors, Associate Research Professors, and Research Professors;
5. Research Scientist series: Assistant Research Scientists, Associate Research Scientists, and Research Scientists;
6. Research Scholar series: Assistant Research Scholars, Associate Research Scholars, and Research Scholars;
7. Research Engineer series: Assistant Research Engineers, Associate Research Engineers, and Research Engineers;

8. Faculty Specialist series: Faculty Specialists, Senior Faculty Specialists, and Principal Faculty Specialists;
9. Agent Associate series: Agent Associates, Senior Agent Associates, and Principal Agent Associates;
10. Faculty Assistants
11. Post-Doctoral Associates

B. Definitions of the faculty ranks listed above appear in II-1.00(A) University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty.

APPENDICES

Appendix 1 – Proposed University of Maryland Policy on Professional Track Faculty

Appendix 2 – Charge from the Senate Executive Committee on Consideration of an Overall Title for Non-Tenure-Track Faculty

APPENDIX 1 - PROPOSED UNIVERSITY OF MARYLAND POLICY ON PROFESSIONAL TRACK FACULTY

RECOMMENDED UNIVERSITY OF MARYLAND POLICY ON PROFESSIONAL TRACK FACULTY

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II. Applicability

A. The generic title of Professional Track Faculty applies to the specific faculty ranks in each faculty rank series as set forth below:

1. Instructional faculty series: Junior Lecturers, Lecturers, Senior Lecturers, and Principal Lecturers;
2. Artists-in-Residence series: Assistant Artists-in-Residence, Associate Artists-in-Residence, and Artists-in-Residence;
3. Clinical faculty series: Assistant Clinical Professors, Associate Clinical Professors, and Clinical Professors;
4. Research Professor series: Assistant Research Professors, Associate Research Professors, and Research Professors;
5. Research Scientist series: Assistant Research Scientists, Associate Research Scientists, and Research Scientists;
6. Research Scholar series: Assistant Research Scholars, Associate Research Scholars, and Research Scholars;
7. Research Engineer series: Assistant Research Engineers, Associate Research Engineers, and Research Engineers;
8. Faculty Specialist series: Faculty Specialists, Senior Faculty Specialists, and Principal Faculty Specialists;
9. Agent Associate series: Agent Associates, Senior Agent Associates, and Principal Agent Associates;
10. Faculty Assistants
11. Post-Doctoral Associates

B. Definitions of the faculty ranks listed above appear in II-1.00(A) University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty.

**APPENDIX 2 - CHARGE FROM THE SENATE EXECUTIVE COMMITTEE ON
CONSIDERATION OF AN OVERALL TITLE FOR NON-TENURE-TRACK FACULTY**



**University Senate
CHARGE**

Date:	May 6, 2013
To:	Ellin Scholnick Chair, Faculty Affairs Committee
From:	Martha Nell Smith Chair, University Senate 
Subject:	Consideration of an Overall Title for Non-Tenure-Track Faculty
Senate Document #:	12-13-56
Deadline:	December 15, 2013

The Senate Executive Committee (SEC) requests that the Faculty Affairs Committee (FAC) review the roles of Non-Tenure-Track (NTT) Faculty at the University and make recommendations on whether changes to existing policy are appropriate.

Specifically, we ask that you:

1. Review the Non-Tenure-Track Faculty Policies & Procedures Report (Senate Doc. No. 12-13-41).
2. Review the University of Maryland Policy on Appointment, Promotion, and Tenure (APT) of Faculty (II-1.00(A)) as it pertains to NTT faculty.
3. Develop an overall title for NTT faculty that more accurately reflects their contribution as a group to the institution.
4. Review the titles used for NTT faculty at our peer universities.
5. Consult with a representative from the University's Office of Faculty Affairs on each of these initiatives.
6. Consult with the University's Office of Legal Affairs on each of these initiatives.
7. If appropriate, recommend whether the current APT policy should be revised.

We ask that you submit a report to the Senate Office no later than December 15, 2013. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.

Attachment

MNS/rm



University Senate TRANSMITTAL FORM

Senate Document #:	12-13-42
Title:	Clarification of University APT Policy Regarding Emeritus Status for Research Faculty
Presenter:	Devin Ellis, Chair, Senate Faculty Affairs Committee
Date of SEC Review:	September 22, 2014
Date of Senate Review:	October 9, 2014
Voting (highlight one):	1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	<p>In February 2013, a proposal was submitted to the Senate Executive Committee (SEC) to amend the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00 (A)) to expand the list of titles eligible for emeritus status in order to include all research faculty titles at the same rank level as those already included in the policy. In current policy, Research Associate Professors and Research Professors are the only non-tenure track faculty to whom the title may be granted, while the title may be granted to any tenured or tenure track (or equivalent) faculty at the associate level or above. In March 2013, the SEC charged the Senate Faculty Affairs Committee (FAC) with reviewing University policy and procedures related to the granting of emeritus status, and asked that the committee make recommendations on whether changes to the policy would be appropriate.</p>
Relevant Policy # & URL:	II-1.00(A) University of Maryland, College Park Policy on Appointment, Promotion, and Tenure of Faculty http://www.president.umd.edu/policies/ii-100a.html
Recommendation:	<p>The Faculty Affairs Committee recommends that University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00 (A)) be amended to reflect the attached proposed language to revise the titles eligible for emeritus status at the University.</p>
Committee Work:	<p>The Faculty Affairs Committee (FAC) began its review of emeritus status in March 2013. The FAC considered the broader question of whether emeritus status should be granted only as an honor for excellence and meritorious service at the end of a career, or whether all eligible faculty should be given the title automatically upon retirement. The FAC consulted with the Emeriti Council, and reviewed the policies and procedures at peer institutions in relation to the granting of emeritus status. The FAC reviewed the USM</p>

	<p>policy, which indicates that the title should be granted based in part on quality of service to the institution. In September 2013, the FAC agreed that emeritus status should be based upon significant accomplishment of the candidate.</p> <p>In fall 2013, the FAC postponed consideration of the emeritus status charge until it had completed its work on the unified appointment framework for NTT faculty. After returning to the charge in February 2014, the FAC determined that instructional, research, and clinical NTT faculty should have the same eligibility for emeritus status.</p> <p>The FAC considered whether eligibility for emeritus status among NTT faculty should only include faculty in the third level of a title series, or whether faculty at the second level should also be eligible for emeritus status. The FAC reviewed the current policy language, which includes ranks at the second and third level for T/TT faculty. The FAC also discussed the review processes for T/TT and NTT faculty. The FAC noted that most NTT faculty have not yet gone through a rigorous or well-defined review process. Since UMD is only now beginning to develop rigorous evaluations and consistent promotion guidelines for NTT faculty, the FAC suggested it may be more difficult to assess the excellence of NTT faculty at the second rank level in a review for emeritus status. After much discussion, in May 2014, the FAC voted unanimously in favor of extending eligibility only to NTT faculty in the top level of a title series.</p> <p>In September 2014, the FAC revisited the emeritus status charge to consider a comment received by the joint Senate/Provost APT Guidelines Task Force on the emeritus section of the APT policy. In September 2014, the FAC reviewed the comment and determined that it had already addressed the concerns raised in its previous work on the charge. The FAC voted unanimously to forward its recommendation to the Senate for review.</p>
Alternatives:	The Senate could reject the proposed amendments to the University APT policy. Emeritus status would continue to be available only to tenured or tenure track, field, and librarian faculty at the associate level and above, Research Associate Professors, and Research Professors. The University would lose the opportunity to appropriately recognize the meritorious service of retiring eligible NTT faculty in the top tier of NTT title series.
Risks:	There are no associated risks.
Financial Implications:	There may be minimal costs associated with providing the benefits and privileges of emeritus status.
Further Approvals Required:	Senate Approval, Presidential Approval

Senate Faculty Affairs Committee

Senate Document #12-13-42

Clarification of University APT Policy Regarding Emeritus Status for Research Faculty

September 2014

BACKGROUND

In February 2013, a proposal was submitted to the Senate Executive Committee (SEC) asking that the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00 (A)) be amended to clarify and expand the list of titles eligible for emeritus status in order to include all research faculty titles at the same rank as those already included in the policy. The proposal noted that while current policy includes Research Professors in the list of those faculty eligible for emeritus status, faculty with titles that are defined in the APT policy as equivalent to Research Professor, such as Senior Research Scientist, are not provided for. In March 2013, the SEC charged the Senate Faculty Affairs Committee (FAC) with reviewing University policy and procedures related to the granting of emeritus status, and asked that the committee make recommendations on whether changes to the policy would be appropriate (Appendix 2).

CURRENT PRACTICE

The University System of Maryland (USM) states in its policy on Appointment, Rank, and Tenure of Faculty (II-1.00) that each constituent institution may bestow emeritus status on retiring faculty based on qualifications related to the quality of service and length of service to the institution. The USM policy gives each institution the prerogative to establish its own procedures and criteria for granting the title.

The University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00 (A)) describes the title of emeritus as a designation given to retired faculty who have served the institution meritoriously in either teaching, research, or service. The designation is reserved for faculty who have served the institution for ten or more years. The list of titles to whom the status may be granted includes "Associate Professors, Professors, Distinguished University Professors, Research Associate Professors, Research Professors, Senior Agents, Principal Agents, Librarians III, and Librarians IV." No other non-tenure track (NTT) faculty titles are listed as eligible for emeritus status in the current policy, despite the fact that no distinction is drawn between the Research Professor title series and the other series (e.g. Research Scientist) which are grouped with it in the APT policy.

COMMITTEE WORK

The Faculty Affairs Committee (FAC) began its review of the issues related to emeritus status in March 2013. The FAC worked very closely with the Office of Faculty Affairs during its review, and consulted with the Office of Legal Affairs during the summer and fall of 2014.

The FAC considered the proposal and the relevant language in the APT policy, and immediately recognized broader concerns that were not specified in the proposal but needed to be addressed before determining which titles should be eligible for emeritus status. In addition to discussing how academic title factors in to decisions related to emeritus status, the committee focused its early review on whether

emeritus status should be granted only as an honor for excellence and meritorious service at the end of a career, or whether the status should be granted to all eligible retired faculty automatically.

In April 2013, the committee discussed these questions with a representative of the Emeriti Council, a body comprised of emeritus faculty members and convened by the Associate Provost for Faculty Affairs to advise the Office of Faculty Affairs on matters relating to emeritus faculty. The Council representative provided the committee with an overview of its concerns and advised that the FAC focus its consideration on the institutional impact any changes to current policy might have, and the benefits emeritus faculty return to the institution, in terms of support, mentorship, and continued engagement with faculty and students. The Emeriti Council strongly advocated that there should be standards and serious review given to emeritus appointments, and that the granting of emeritus status should not be automatic upon retirement. The review of candidates should not be overly onerous, but the Council noted that there should be some oversight guiding the granting of the title, and that the title should be granted to recognize excellence and meritorious contributions in teaching, research, or service.

The FAC considered the review process for emeritus status, and noted that faculty at the highest ranks who are eligible for emeritus status have been reviewed multiple times through the APT process. The FAC learned through discussion with the Emeriti Council representative and the Associate Provost for Faculty Affairs that a review process for emeritus status currently exists, which includes review at the department level before review by the Senior Vice President and Provost and the President of the University. The FAC considered the importance of this review process, particularly for faculty who were granted tenure early in their career and have not been reviewed in recent years.

When considering the proposal, the FAC also looked to the policies and procedures at peer institutions and institutions within the Big Ten. The FAC found that no consistent standard exists for whether the status is granted automatically to all retiring eligible faculty or only to meritorious faculty in recognition of their contributions to the institution. For example, the University of Iowa, the University of Minnesota, and Rutgers University grant emeritus status to eligible faculty automatically upon retirement, while University of Michigan, Northwestern University, and the University of Wisconsin have policies and procedures that make the status dependent upon a review process and meritorious service in some capacity. Likewise, peer institutions are not consistent in terms of whether the status may be granted only to T/TT faculty or whether policies allow for granting the status to NTT faculty as well.

The FAC discussed the benefits of emeritus status, both to the individual and to the institution. Emeritus faculty may serve on dissertation committees and on the University Senate as an emeritus faculty Senator, whereas retired faculty are not able to serve in these capacities. The Emeriti Council representative noted that the emeritus designation provides a formal connection to the University that invites and encourages continued engagement and participation in the UMD community.

The FAC reviewed the USM policy, and noted that it indicates that the status should be based on quality of service to the institution. The committee believed that the USM policy therefore envisioned that there should be a review process to ensure that emeritus faculty have contributed to the institution in a positive manner. After much deliberation, the committee voted to affirm that emeritus status should be based upon significant accomplishment of the candidate, instead of being granted automatically to all retiring faculty.

As it considered which research faculty titles should be eligible for emeritus status, the committee realized that this issue was connected to another ongoing charge that would develop new nomenclature and appointment frameworks for NTT faculty. This charge might result in new ranks that should be eligible for emeritus status. Therefore, in September 2013, in order to provide more context for its deliberation, the committee decided to postpone further consideration of the emeritus charge until it had a better understanding of research faculty titles and what titles might be included in a revised framework for NTT faculty.

The committee returned to its discussion of the charge in February of 2014, and considered which ranks and levels should be eligible for emeritus status. Although the original charge focused on research faculty, the FAC determined that instructional, research, and clinical NTT faculty should have the same eligibility for emeritus status because all provide important contributions to the University in different ways.

The FAC focused on the eligibility of faculty at the second and third rank levels. The current APT policy includes ranks at the second and third level for T/TT faculty, and includes the second level of the Research Professor title series as well. Having determined that NTT faculty should be eligible for emeritus status, the committee considered whether eligibility should be limited to only the third rank level, or whether the second rank level of NTT title series should be eligible for emeritus status as well.

In considering whether to expand eligibility to the second rank level of NTT faculty, the FAC again discussed the review processes for T/TT and NTT faculty. For T/TT faculty at the Associate Professor level, the excellence of the faculty member can be verified through APT process reviews. In cases where the faculty member did not move up to the highest level during their time at UMD, the review for emeritus status confirms the excellence found through the APT process at the end of the faculty member's career. Many NTT faculty, however, have not gone through as rigorous or well-defined a review process during their career, as no formal process currently exists at the University of Maryland. The FAC noted that the excellence and meritorious service of NTT faculty at the top tier of a title series could easily be measured by the reviews or circumstances that led to promotion to the top tier, but since the University is only now beginning a process to ensure regular and rigorous evaluations of NTT faculty and consistent promotion guidelines, it may be more difficult to assess the excellence of NTT faculty at the second rank level in a review for emeritus status.

After much discussion, in May 2014, the committee voted unanimously in favor of extending eligibility for emeritus status only to NTT faculty in the top level of a title series. The committee agreed that it may be more appropriate to consider whether to expand eligibility to faculty in the second level of an NTT title after a rigorous review system for evaluation and promotion of NTT faculty has been in operation for some time. Additionally, the FAC agreed to follow the guidelines given in the charge to the committee and focus its recommended changes on the ability of NTT faculty to be granted emeritus status. Thus, the committee decided not to recommend any changes to the eligibility of T/TT faculty.

After finalizing its work on the charge, in September 2014, the FAC revisited the issue to consider a comment received by the joint Senate/Provost APT Guidelines Task Force. During the summer of 2014, the Task Force solicited comments and concerns from deans on its work on the UMD APT Policy and Guidelines Manual. The Task Force received a comment related to the section of the policy on emeritus status, which expressed the view that eligibility for emeritus status should be extended to all research faculty at or above the associate level. As the Task Force did not consider emeritus status as part of its review, the comment was forwarded to the Faculty Affairs Committee for consideration. In September 2014, the FAC reviewed the comment and determined that it had already addressed the concerns raised in its previous work on the charge. After consideration, the FAC voted unanimously to forward its recommendations to the SEC and the Senate for consideration.

RECOMMENDATIONS

The Faculty Affairs Committee recommends that University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00 (A)) be amended to reflect the attached proposed language (as shown below and in Appendix 1) to revise the titles eligible for emeritus status at the University.

RECOMMENDED AMENDMENTS TO II-1.00(A) UNIVERSITY OF MARYLAND, COLLEGE PARK POLICY ON APPOINTMENT, PROMOTION, AND TENURE OF FACULTY

Proposed additions shown in **blue and bold**

Proposed deletions shown in ~~red and strikeout~~

Text that has been moved shown in ~~green and strikeout~~ and **green and bold**

I. MINIMUM QUALIFICATIONS FOR APPOINTMENT OR PROMOTION TO THE ACADEMIC AND ACADEMIC ADMINISTRATIVE RANKS

F. Additional Faculty Ranks

7. Emerita, Emeritus

The word emerita or emeritus after an academic title shall designate a faculty member who has retired from full-time employment in the University of Maryland at College Park after meritorious service to the University in the areas of teaching, research, or service. Emerita or emeritus status may be conferred on Associate Professors, Professors, Distinguished University Professors, ~~Research Associate Professors,~~ ~~Research Professors,~~ Senior Agents, Principal Agents, Librarians III, ~~and~~ Librarians IV, **Professors of the Practice, Research Professors, Research Scientists, Research Scholars, Research Engineers, Artists-in-Residence, Principal Agent Associates, Clinical Professors, Principal Lecturers, and Principal Faculty Specialists.**

IV. PROMOTION, TENURE, AND EMERITUS REVIEW

G. Procedures Governing the Granting of Emerita/Emeritus Status

1. Associate Professors, Professors, Distinguished University Professors, ~~Research Associate Professors,~~ ~~Research Professors,~~ Senior Agents, Principal Agents, Librarians III, ~~and~~ Librarians IV, **Professors of the Practice, Research Professors, Research Scientists, Research Scholars, Research Engineers, Artists-in-Residence, Principal Agent Associates, Clinical Professors, Principal Lecturers, and Principal Faculty Specialists** who have been members of the faculty of the University of Maryland at College Park for **the equivalent of** ten or more years **of full-time service**, and who give to their chair or dean proper written notice of their intention to retire, are eligible for nomination to emerita/emmeritus status (see I.E.7 Emerita, Emeritus). Only in exceptional circumstances may ~~Professors~~ **faculty** with fewer than **the equivalent of** ten years of **full-time** service to the institution be recommended for emerita/emmeritus status.
2. The decision whether or not to award emeritus standing shall be based primarily on the candidate's record of significant accomplishment in any of the three areas of (1) teaching and advisement, (2) research, scholarship, and creative activity, and (3) service.
3. If a faculty member gives notice of intention to retire before March 15, the first-level tenured faculty shall vote on emeritus standing within 45 days of the notice. If notice is given after March 15, the vote shall be taken no later than the 45th day of the following semester. The result of the vote shall be transmitted in writing to the candidate and to the administrator of the unit no later than ten days

after the vote is taken. A faculty member who has not been informed of the decision concerning his or her emeritus standing within the time limits specified, shall be entitled to appeal the action as a negative decision in accordance with V.B.2.

4. The review committee of the first-level unit shall consist of all eligible members of the faculty. Eligible members of the faculty are all full-time tenured associate and full professors, as appropriate, excluding the chair or dean. The vote of the entire eligible faculty shall be considered the recommendation of the faculty. The chair or dean shall submit a recommendation separately; the recommendation of the chair or dean shall be considered together with all relevant materials by administrators at higher levels.
5. An emeritus case shall go forward to the next level of review if the department chair's recommendation is positive or the faculty vote is at least fifty percent favorable.
6. The chair of the first-level committee shall prepare a written report, stating the committee's vote and recommendation on whether or not to award emeritus standing and explaining the basis for the faculty's recommendation insofar as that basis has been made known in the discussions taken place among the members of the committee. This letter will be forwarded to the chair or dean for his or her information and for forwarding to higher levels of review. Faculty participating in the unit's deliberations who wish to express a dissenting view are free to do so, and any such written statement shall be included in the materials sent forward to the next level of review.
7. The recommendation of the first-level administrator shall also be in writing. The administrator's recommendation shall be transmitted to the second-level of review and a copy shall be made available for review by any member of the faculty participating in the unit's review deliberations.
8. Second-level review of recommendations of emeritus standing shall be conducted by the appropriate dean. Second-level reviews of recommendations from non-departmentalized schools and colleges shall be conducted by the Provost. The second-level recommendation of the dean or the Provost, together with all other relevant materials, shall be transmitted to the President.
9. The President shall make the final decision on the award of emeritus standing.
10. Faculty members with ten or more years of service to the University who retired prior to the effective date of this policy and who have not been granted emeritus standing may apply to their departments for consideration as in Section IV.G.1.

APPENDICES

Appendix 1 – Proposed Revised University of Maryland Policy on Appointment, Promotion, and Tenure Of Faculty

Appendix 2 – Charge from the Senate Executive Committee on Clarification of University APT Policy Regarding Emeritus Status for Research Faculty

APPENDIX 1 - PROPOSED REVISED UNIVERSITY OF MARYLAND POLICY ON APPOINTMENT, PROMOTION, AND TENURE OF FACULTY

Proposed additions shown in **blue and bold**

Proposed deletions shown in ~~red and strikeout~~

Text that has been moved shown in ~~green and strikeout~~ and **green and bold**

II-1.00(A) UNIVERSITY OF MARYLAND POLICY ON APPOINTMENT, PROMOTION, AND TENURE OF FACULTY

(Approved by the President, February 16, 1993; approved by the Chancellor, March 26, 1993; text on Distinguished University Professor approved by the Chancellor on April 15, 1994; text on Emeritus Status added 1995; text on mandatory retirement at age 70 removed March, 1996; text on term of service for APT committee members amended February 1998; text on Professor of Practice amended 1998; text on Senior Lecturer added November 2002; text on appeals process amended August 2003; text on Field Faculty added October 2003; text on Librarians added April, 2004; approved by the President and the Chancellor, December 2004, effective August 23, 2005; text on College Park Professor added June 2005, continuing through May 2012; text on Librarian Emerita /Emeritus status added April 2006; text on faculty with split appointments on APT committees added April 2006; text on Faculty Extension Agent and Associate Agent amended December 15, 2006; text on composition of third or campus-level review committee amended November 23, 2010; text on Clinical Faculty titles added March 13, 2012; text on Clinical Faculty titles amended May 9, 2012; technical changes September 17, 2012; text on University of Maryland Professor added November 15, 2012.)

This policy complements the University of Maryland System Policy on Appointment, Rank, and Tenure of Faculty, adapting that policy in accordance with the institutional mission of the University of Maryland at College Park. Within the framework of the System Policy, it specifies the criteria and procedures related to faculty personnel actions which shall apply to the University of Maryland at College Park.

Subject to the provisions of paragraphs I.C.15 and I.C.17 of the University of Maryland System Policy on Appointment, Rank and Tenure of Faculty (1989), the provisions of paragraph III.C of this University of Maryland at College Park Policy on Appointment, Promotion and Tenure of Faculty shall be published in the Faculty Handbook and shall constitute part of the contractually binding agreement between the university and the faculty member. Any proposed changes to this University of Maryland at College Park Policy on Appointment, Promotion and Tenure of Faculty shall be submitted for initial review and endorsement by the College Park Campus Senate.

Terminological Note

The procedures spelled out in this document for tenure and promotion review specify three levels of review below the President's office. For most faculty members these are the department, the college, and the campus levels. However, some faculty members are appointed in colleges and schools that are not departmentalized and that conduct the initial review at the college or school level. For uniform terminology the initial review, whether conducted by a department or a non-departmentalized school or college, is referred to as a “first-level review,” and “department” is usually replaced by “first-level unit.” First-level units thus comprise departments, non-departmentalized schools, and non-departmentalized colleges. Higher levels of review are referred to as “second-level” and “third-level.”

For the purpose of this policy, the term "university" and the term "institution" shall be synonymous and shall mean the University of Maryland at College Park. For the purpose of this policy, the word "days" shall refer to calendar days.

Purpose of this Policy

The University of Maryland is dedicated to the discovery and the transmission of knowledge and to the achievement of excellence in its academic disciplines. Each faculty member has a personal responsibility for contributing to the achievement of excellence in his or her own academic discipline and for exercising the best judgment in advancing the department, the college, and the University. Those faculty members holding the rank of Professor have the greatest responsibility for establishing and maintaining the highest standards of academic performance within the University. This Policy on the Appointment, Promotion, and Tenure of Faculty exists to set the standards for appointment and promotion to the various faculty ranks and to recognize and to encourage the achievement of excellence on the part of the faculty members through the awarding of tenure and through promotion within the faculty ranks. Through this process the University builds and enhances its educational programs and services and it advances the state of knowledge which supports the growth and development of our society.

I. MINIMUM QUALIFICATIONS FOR APPOINTMENT OR PROMOTION TO THE ACADEMIC AND ACADEMIC ADMINISTRATIVE RANKS

The only faculty ranks which may involve a tenure commitment are: Professor, Associate Professor, Assistant Professor, Principal Agent, Senior Agent, and Agent, and such other ranks as the Board of Regents may approve. Effective April 5, 1989, appointments to all other ranks, including any qualified rank, other than an honorific qualification, in which an additional adjective is introduced, are for a definite term and do not involve a tenure commitment. Those granted tenure in such a rank before April 5, 1989, shall continue to hold tenure in that rank.

The following shall be the minimum qualifications for appointment or promotion to the academic ranks in use by the University of Maryland at College Park.

A. Faculty with Duties in Teaching and Research

1. Instructor^a

An appointee to the rank of Instructor ordinarily shall hold the highest earned degree in his or her field of specialization. There shall be evidence also of potential for excellence in teaching and for a successful academic career. The rank does not carry tenure.

^a As of November 14, 1995, this title may NOT be used for new appointments.

2. Assistant Professor

The appointee shall have qualities suggesting a high level of teaching ability in the relevant academic field, and shall provide evidence of potential for superior research, scholarship, or artistic creativity in the field. Because this is a tenure-track position, the appointee shall at the time of appointment show promise of having, at such time as he or she is to be reviewed for tenure and promotion in accordance with paragraph I.C.4 of the University of Maryland System Policy and paragraph III.C.3 of this policy, the qualities described under "Associate Professor" below. In most fields the doctorate shall be a requirement for appointment to an assistant professorship. Although the rank normally leads to review for tenure and promotion, persons appointed to the rank of Assistant Professor after the effective date of this policy shall not be granted tenure in this rank.

3. Associate Professor

In addition to having the qualifications of an Assistant Professor, the appointee shall have a high level of competence in teaching and advisement in the relevant academic field, shall have demonstrated significant research, scholarship, or artistic creativity in the field and shall have shown promise of continued productivity, shall be competent to direct work of major subdivisions of the primary academic unit and to offer graduate instruction and direct graduate research, and shall have served the campus, the profession, or the community in some useful way in addition to teaching and research. Promotion to the rank from within confers tenure; appointment to the rank from without may confer tenure.

4. Professor

In addition to having the qualifications of an Associate Professor, the appointee shall have established a national and, where appropriate, international reputation for outstanding research, scholarship or artistic creativity, and a distinguished record of teaching. There also must be a record of continuing evidence of relevant and effective professional service. The rank carries tenure.

B. Faculty with Duties Primarily in Research, Scholarship, or Artistic Creativity

All appointments in the following titles are renewable. Appointments with these faculty titles do not carry tenure.

1. Faculty Research Assistant

The appointee shall be capable of assisting in research under the direction of the

head of a research project and shall have ability and training adequate to the carrying out of the particular techniques required, the assembling of data, and the use and care of any specialized apparatus. A baccalaureate degree shall be the minimum requirement.

2. Research Associate

The appointee shall be trained in research procedures, shall be capable of carrying out individual research or collaborating in group research at the advanced level, and shall have had the experience and specialized training necessary for success in such research projects as may be undertaken. An earned doctorate shall normally be a minimum requirement.

3. Research Assistant Professor; Assistant Research Scientist; Assistant Research Scholar; Assistant Research Engineer

These ranks are generally parallel to Assistant Professor. In addition to the qualifications of a Research Associate, appointees to these ranks shall have demonstrated superior research ability. Appointees should be qualified and competent to direct the work of others (such as technicians, graduate students, other senior research personnel). The doctoral degree will be a normal requirement for appointment at these ranks. Appointment to these ranks may be made for a period of up to three years.

4. Research Associate Professor; Associate Research Scientist; Associate Research Scholar; Associate Research Engineer

These ranks are generally parallel to Associate Professor. In addition to the qualifications required of the assistant ranks, appointees to these ranks should have extensive successful experience in scholarly or creative endeavors, and the ability to propose, develop, and manage major research projects. Appointment to these ranks may be made for a period of up to three years.

5. Research Professor; Senior Research Scientist; Senior Research Scholar; Senior Research Engineer

These ranks are generally parallel to Professor. In addition to the qualifications required of the associate ranks, appointees to these ranks should have demonstrated a degree of proficiency sufficient to establish an excellent reputation among regional and national colleagues. Appointees should provide tangible evidence of sound scholarly production in research, publications, professional achievements or other distinguished and creative activity. Appointment to these ranks may be made for a period of up to five years.

6. Assistant Artist-in-Residence; Associate Artist-in-Residence; Senior Artist-in-Residence

These titles, parallel to Assistant Professor, Associate Professor, and Professor, respectively, are intended for those persons whose professional activities are of a creative or performance nature, including but not limited to theatre, dance, music, and art. In each case, the qualifications shall reflect demonstrated superior proficiency and excellence and progressively higher national and international reputation, as appropriate to the ranks involved. Appointment to the rank of Senior Artist-in-Residence may be made for a period of up to five years; appointment to the ranks of Assistant Artist-in-Residence and Associate Artist-in-Residence may be made for a period of up to three years.

C. Field Faculty

1. Associate Agent

The appointee shall hold at least a bachelor's degree and shall show evidence of ability to work with people. The appointee shall have an educational background related to the specific position and should demonstrate evidence of creative ability to plan and implement Cooperative Extension Service programs. This is a term appointment and may be renewed annually.

2. Faculty Extension Assistant

The appointee shall be capable of assisting in Extension under the direction of the head of an Extension project and have the specialized expertise, training and ability to perform the duties required. An earned bachelor's degree and experience in the specialized field is required.

3. Faculty Extension Associate

The appointee shall be capable of carrying out individual instruction or collaborating in group discussions at the advanced level, should be trained in Extension procedures, and should have had the experience and specialized training necessary to develop and interpret data required for success in such Extension projects as may be undertaken. An earned doctorate shall be the minimum requirement.

4. Agent (parallel to the rank of Assistant Professor)

The appointee must hold a master's degree in an appropriate discipline and show evidence of academic ability and leadership skills. The appointee shall have an educational background related to the specific position.

5. Senior Agent (parallel to the rank of Associate Professor)

In addition to the qualifications of an Agent, the appointee must have demonstrated achievement in program development and must have shown originality and creative ability in designing new programs, teaching effectiveness, and evidence of service to the community, institution, and profession. Appointment to this rank may carry tenure.

6. Principal Agent (parallel to the rank of Professor)

In addition to the qualifications of a Senior Agent, the appointee must have demonstrated leadership ability and evidence of service to the community, institution, and profession. The appointee must also have received recognition for contributions to the Cooperative Extension Service sufficient to establish a reputation among State, regional and/or national colleagues, and should have demonstrated evidence of distinguished achievement in creative program development. Appointment to this rank carried tenure.

D. Faculty Engaged Exclusively or Primarily in Clinical Teaching

All appointments in the following titles are renewable. Appointments with these faculty titles do not carry tenure.

1. Clinical Assistant Professor

The appointee shall hold, as a minimum, the terminal professional degree in the field, with training and experience in an area of specialization. There must be clear evidence of a high level of ability in clinical practice and teaching in the departmental field, and the potential for clinical and teaching excellence in a subdivision of this field. The appointee should also have demonstrated scholarly and/or administrative ability.

2. Clinical Associate Professor

In addition to the qualifications required of a Clinical Assistant Professor, the appointee should ordinarily have had extensive successful experience in clinical or professional practice in a field of specialization, or in a subdivision of the departmental field, and in working with and/or directing others (such as professionals, faculty members, graduate students, fellows, and residents or interns) in clinical activities in the field. The appointee must also have demonstrated superior teaching ability and scholarly or administrative accomplishments.

3. Clinical Professor

In addition to the qualifications required of a Clinical Associate Professor, the appointee shall have demonstrated a degree of excellence in clinical practice and teaching sufficient to establish an outstanding regional and national reputation among colleagues. The appointee shall also have demonstrated extraordinary scholarly competence and leadership in the profession.

E. Faculty Engaged Exclusively or Primarily in Library Services

Library faculty hold the ranks of Librarian I-IV. Each rank requires a master's degree from an American Library Association accredited program or a graduate degree in another field where appropriate. The master's degree is considered the terminal degree. Appointments to these ranks are for 12 months with leave and other benefits provided to twelve-month tenured/tenure track faculty members with the exception of terminal leave, sabbatical leave, and non-creditable sick leave (collegially supported).

Permanent status is an institutional commitment to permanent and continuous employment to be terminated only for adequate cause (for example, professional or scholarly misconduct; incompetence; moral turpitude; or willful neglect of duty) and only after due process in accordance with relevant USM and campus policies. Librarians at the rank of Librarian I and Librarian II are not eligible for permanent status. Permanent status is available for library faculty holding the rank of Librarian III and Librarian IV. Those candidates without permanent status applying for the rank of Librarian III and Librarian IV shall be considered concurrently for permanent status.

1. Librarian I

This is an entry-level rank, assigned to librarians with little or no professional library experience. This rank does not carry permanent status.

2. Librarian II

Librarians at this rank have demonstrated professional development evidenced by achievement of a specialization in a subject, service, technical, administrative, or other area of value to the library. This rank does not carry permanent status.

3. Librarian III

Librarians at this rank have a high level of competence in performing professional duties requiring specialized knowledge or experience. They shall have served the Libraries, the campus, or the community in some significant way; have shown

evidence of creative or scholarly contribution; and have been involved in mentoring and providing developmental opportunities for their colleagues. They shall have shown promise of continued productivity in librarianship, service, and scholarship or creativity. Promotion to this rank from within the Libraries confers permanent status; appointment to this rank from outside the Libraries may confer permanent status.

4. Librarian IV

Librarians at this rank show evidence of superior performance at the highest levels of specialized work and professional responsibility. They have shown evidence of and demonstrate promise for continued contribution in valuable service and significant creative or scholarly contribution. Such achievement must include leadership roles and have resulted in the attainment of Libraries, campus, state, regional, national, or international recognition. This rank carries permanent status.

F. Additional Faculty Ranks

1. Assistant Instructor

The appointee shall be competent to fill a specific position in an acceptable manner, but he or she is not required to meet all the requirements for an Instructor. He or she shall hold the appropriate baccalaureate degree or possess equivalent experience.

2. Lecturer

The title Lecturer will ordinarily be used to designate appointments, at any salary and experience level, of persons who are serving in a teaching capacity for a limited time or part-time. This rank does not carry tenure.

3. Senior Lecturer

In addition to having the qualifications of a lecturer, the appointee normally shall have established over the course of six years a record of teaching excellence and service. Appointment to this rank requires the approval of the departmental faculty. The appointment is made for a term not to exceed five years and is renewable. This rank does not carry tenure.

4. Adjunct Assistant Professor, Adjunct Associate Professor, Adjunct Professor

The appointee shall be associated with the faculty of a department or non-departmentalized school or college, but shall not be essential to the

development of that unit's program. The titles do not carry tenure. The appointee may be paid or unpaid. The appointee may be employed outside the University, but shall not hold another paid appointment at the University of Maryland at College Park. The appointee shall have such expertise in his or her discipline and be so well regarded that his or her appointment will have the endorsement of the majority of the members of the professorial faculty of the academic unit. Any academic unit may recommend to the administration persons of these ranks; normally, the number of adjunct appointments shall comprise no more than a small percentage of the faculty in an academic unit. Appointments to these ranks shall not extend beyond the end of the fiscal year during which the appointment becomes effective and may be renewed.

5. Affiliate Assistant Professor, Affiliate Associate Professor, Affiliate Professor, Affiliate Librarian II, Affiliate Librarian III, and Affiliate Librarian IV

These titles shall be used to recognize the affiliation of a faculty member or other university employee with an academic unit other than that to which his or her appointment and salary are formally linked. The nature of the affiliation shall be specified in writing, and the appointment shall be made upon the recommendation of the faculty of the department with which the appointee is to be affiliated and with the consent of the faculty of his or her primary department. The rank of affiliation shall be commensurate with the appointee's qualifications.

6. Visiting Appointments

The prefix Visiting before an academic title, e.g., Visiting Professor, shall be used to designate a short-term professorial appointment without tenure.

7. Emerita, Emeritus

The word emerita or emeritus after an academic title shall designate a faculty member who has retired from full-time employment in the University of Maryland at College Park after meritorious service to the University in the areas of teaching, research, or service. Emerita or emeritus status may be conferred on Associate Professors, Professors, Distinguished University Professors, ~~Research Associate Professors, Research Professors,~~ Senior Agents, Principal Agents, Librarians III, ~~and~~ Librarians IV, **Professors of the Practice, Research Professors, Research Scientists, Research Scholars, Research Engineers, Artists-in-Residence, Principal Agent Associates, Clinical Professors, Principal Lecturers, and Principal Faculty Specialists.**

8. Distinguished University Professor

The title Distinguished University Professor will be conferred by the President

upon a limited number of members of the faculty of the University of Maryland at College Park in recognition of distinguished achievement in teaching; research or creative activities; and service to the University, the profession, and the community. College Park faculty who, at the time of approval of this title, carry the title of Distinguished Professor, will be permitted to retain their present title or to change to the title of Distinguished University Professor. Designation as Distinguished University Professor shall include an annual allocation of funds to support his or her professional activities, to be expended in accordance with applicable University policies.

9. Professor of the Practice

This title may be used to appoint individuals who have demonstrated excellence in the practice as well as leadership in specific fields. The appointee shall have attained regional and national prominence and, when appropriate, international recognition of outstanding achievement. Additionally, the appointee shall have demonstrated superior teaching ability appropriate to assigned responsibilities. As a minimum, the appointee shall hold the terminal professional degree in the field or equivalent stature by virtue of experience. Appointees will hold the rank of Professor but, while having the stature, will not have rights that are limited to tenured faculty. Initial appointment is for periods up to five years, and reappointment is possible. This title does not carry tenure, nor does time served as a Professor of the Practice count toward achieving tenure in another title.

10. College Park Professor

This title may be used for nationally distinguished scholars, creative or performing artists, or researchers who would qualify for appointment at the University of Maryland at College Park at the level of professor but who normally hold full-time positions outside the University. Holders of this title may provide graduate student supervision, serve as principal investigators, and participate in departmental and college shared governance. Initial appointment is for three years and is renewable annually upon recommendation to the Provost by the unit head and dean. Appointment as a College Park Professor does not carry tenure or expectation of salary.

11. University of Maryland Professor

This title may be used for nationally distinguished scholars, creative or performing artists, or researchers who have qualified for full-time appointments at the University of Maryland, Baltimore at the level of professor, who are active in MPowering the State programs, and who also qualify for full-time appointment at the University of Maryland, College Park at the level of professor. Holders of this title may provide graduate student supervision, serve as principal investigators,

and participate in departmental and shared governance. Initial appointments are for three years and are renewable annually upon recommendation to the Provost by the unit head and dean. This is a non-paid, non-tenure track title but initial appointments must follow the procedures for appointment as a new tenured Professor.

12. Other Titles

No new faculty titles or designations shall be created by the University of Maryland at College Park for appointees to faculty status without approval by the Campus Senate and the President.

II. CRITERIA FOR APPOINTMENT AND PROMOTION

The criteria for appointment, tenure, and promotion shall reflect the educational mission of the University of Maryland at College Park: to provide an undergraduate education ranked among the best in the nation; to provide a nationally and internationally renowned program of graduate education and research, making significant contributions to the arts, the humanities, the professions, and the sciences; and to provide public service to the state and the nation embodying the best tradition of outstanding land-grant colleges and universities.

In the case of both appointments and promotions every effort shall be made to fill positions with persons of the highest qualifications. Search, appointment, and promotion procedures shall comply with institutional policies, including affirmative action guidelines, and be widely publicized and published in the Faculty Handbook.

It is the special responsibility of those in charge of recommending appointments to make a thorough search of available talent before recommending appointees. At a minimum, the search for full-time tenure-track or tenured faculty and academic administrators shall include the advertisement of available positions in the appropriate media.

Decisions on tenure-track appointments must also take account of the academic needs of the department, school, college, and institution at the time of appointment and the projected needs at the time of consideration for tenure. This is both an element of sound academic planning and an essential element of fairness to candidates for tenure-track positions. Academic units shall select for initial appointment those candidates who, at the time of consideration for tenure, are most likely to merit tenure and also whose areas of expertise are most likely to be compatible with the unit's projected programmatic needs. The same concern shall be shown in the renewal of tenure-track appointments.

Each college, school, and department shall develop brief, general, written Criteria for Tenure and/or Promotion. The criteria to be considered in appointments and promotions fall into three general categories: (1) performance in teaching, advising, and mentoring of

students; (2) performance in research, scholarship, and creative activity; (3) performance of professional service to the university, the profession, or the community. The relative importance of these criteria may vary among different academic units, but each of the categories shall be considered in every decision. The criteria for appointment to a faculty rank or tenure shall be the same as for promotion to that rank (or for tenuring at the rank of associate professor), whether or not the individual is being considered for an administrative appointment. An academic unit's general Criteria for Tenure and/or Promotion must receive the approval of the next level administrator. Any exceptional or unusual arrangements relating to criteria for tenure and/or promotion shall be specified in writing at the time of appointment and shall be approved by the faculty and administrator of the first-level unit, by the dean of the school or college, and by the Provost.

Upon appointment, each new faculty member shall be given by his or her chair or dean a copy of the unit's Criteria for Tenure and/or Promotion and the chair or dean shall discuss the Criteria with the faculty member. Each faculty member shall be notified promptly in writing by his or her chair or dean of any changes in the unit's Criteria for Tenure and/or Promotion.

Decisions on promotion of tenured faculty members shall be based on the academic merit of the candidate as evaluated using the relevant Criteria. Decisions on the renewal of untenured appointments and on promotion decisions involving the granting of tenure shall be based on the academic merit of the candidate as evaluated using the relevant Criteria and on the academic needs of the department, school, college, and institution. Considerations relating to the present or future programmatic value of the candidate's particular field of expertise, or other larger institutional objectives, may be legitimately considered in the context of a tenure decision. In no case, however, may programmatic considerations affecting a particular candidate be changed following the first renewal of the faculty contract of that candidate. It is essential that academic units develop long-range projections of programmatic needs in order that decisions on tenure and tenure-track appointments and promotions to tenure ranks be made on a rational basis.

A. Teaching and Advisement

Superior teaching and academic advisement at all instructional levels (or reasonable promise thereof in the case of initial appointments) are essential criteria in appointment and promotion. Every effort shall be made to recognize and emphasize excellence in teaching and advisement. The general test to be applied is that the faculty member be engaged regularly and effectively in teaching and advisement activities of high quality and significance.

The responsibility for the evaluation of teaching performance rests on the academic unit of the faculty member. Each academic unit shall develop and disseminate the criteria to be used in the evaluation of the teaching performance of its members. The evaluation should normally include opinions of students and

colleagues.

B. Research, Scholarship, and Artistic Creativity

Research, scholarship and artistic creativity are among the primary functions of the university. A faculty member's contributions will vary from one academic or professional field to another, but the general test to be applied is that the faculty member be engaged continually and effectively in creative activities of distinction. Each academic unit shall develop and disseminate the criteria for evaluating scholarly and creative activity in that unit.

Research or other activity of a classified or proprietary nature shall not be considered in weighing an individual's case for appointment or promotion.

C. Service

In addition to a demonstrated excellence in teaching and in research, scholarship and artistic creativity, a candidate for promotion should have established a commitment to the University and the profession through participation in service activities. Such participation may take several different forms: service to the university; to the profession and higher education; and to the community, school systems, and governmental agencies. Service activity is expected of the faculty member, but service shall not substitute for teaching and advisement or for achievement in research, scholarship, or artistic creativity. Service activity shall not be expected or required of junior faculty to the point that it interferes with the development of their teaching and research.

III. APPOINTMENT OF FACULTY

A. Search Process

1. Recruitment of faculty shall be governed by written search procedures, which shall anticipate and describe the manner in which new professorial faculty members will be recruited, including arrangements for interinstitutional appointments, interdepartmental appointments, and appointments in new academic units.
2. Search procedures shall reflect the commitment of the University to equal opportunity and affirmative action. Campus procedures shall be widely disseminated and published in the Faculty Handbook.
3. Faculty review committees are an essential part of the review and recommendation process for new full-time faculty appointments. The procedures which lead to new faculty appointments should hold to

standards at least as rigorous as those that pertain to promotions to the same rank.

B. Offers of Appointment

1. An offer of appointment can be made only with the approval of the President or his or her designee. Full-time appointments to the rank of Associate Professor or Professor require the written approval of the President.
2. All faculty appointments are made to a designated rank effective on a specific date. A standard letter of appointment shall be developed for each rank and tenure status and shall be approved by the Office of the Attorney General for form and legal sufficiency. The University shall publish in a designated section of the Faculty Handbook all duly approved System and University policies and procedures which set forth faculty rights and responsibilities. Subject to the provisions of paragraphs I.C.15 and I.C.17 of the System Policy on Appointment, Rank, and Tenure of Faculty and paragraph III.C of this document, the terms described in the letter of appointment, together with the policies reproduced in the designated portions of the Faculty Handbook, shall constitute a contractually binding agreement between the University and the appointee.

C. Provisions Related to Appointments, Promotion, and Tenure

The following provisions are adapted from the System Policy on Appointments, Rank, and Tenure to reflect the mission of the University of Maryland at College Park and are to be furnished to all new faculty at the time of initial appointment.

1. Adjustments in salary or advancement in rank may be made under these policies, and, except where a definite termination date is a condition of appointment, the conditions pertaining to the rank as modified shall become effective as of the date of the modification.
2. Subject to any special conditions specified in the letter of appointment, full-time appointments to the rank of Assistant Professor shall be for an initial term of one to three years. The first year of the initial appointment shall be a probationary year, and the appointment may be terminated at the end of that fiscal year if the appointee is so notified by March 1. In the event that the initial appointment is for two years, the appointment may be terminated if the appointee is so notified by December 15 of the second year. After the second year of the initial appointment, the appointee shall be given one full year's notice if it is the intention of the University not to renew the appointment. If the appointee does not receive timely

notification of nonrenewal, the initial appointment shall be extended for one additional year. An initial appointment may be renewed for an additional one, two, or three years. Except as set forth in paragraph III.C.3 below, an appointment to any term beyond the initial appointment shall terminate at the conclusion of that additional term unless the appointee is notified in writing that it is to be renewed for another term allowable under University System policies or the appointee is granted tenure. Such appointments may be terminated at any time in accordance with paragraphs III.C.5-11.

3. An Assistant Professor whose appointment is extended to a full six years shall receive a formal review for tenure in the sixth year. (An assistant professor may receive a formal review for tenure and be granted tenure earlier (cf. IV.A.4.)). The appointee shall be notified in writing, by the end of the appointment year in which the review was conducted, of the decision to grant or deny tenure. Notwithstanding anything in paragraph III.C.2 to the contrary, a full-time appointee who has completed six consecutive years of service at the University as an Assistant Professor, and who has been notified that tenure has been denied, shall be granted an additional and terminal one year appointment in that rank, but, barring exceptional circumstances, shall receive no further consideration for tenure. In the event that an Assistant Professor in his or her sixth year of service is not affirmatively awarded tenure by the President or otherwise notified of a tenure decision, then he or she shall be granted a one-year terminal appointment.
4. Full-time appointments or promotions to the rank of Associate Professor or Professor require the written approval of the President. Promotions to the rank of Associate Professor or Professor carry immediate tenure. New full-time appointments to the rank of Professor carry immediate tenure. New full-time appointments to the rank of Associate Professor may carry tenure. If immediate tenure is not offered, such appointments shall be for an initial period of up to four years and shall terminate at the end of that period unless the appointee is notified in writing that he or she has been granted tenure. An Associate Professor who is appointed without tenure shall receive a formal review for tenure. No later than one year prior to the expiration of the appointment, the formal review must be completed, and written notice must be given that tenure has been granted or denied. Appointments carrying tenure may be terminated at any time as described under paragraphs III.C.5-11.
5. A term of service may be terminated by the appointee by resignation, but it is expressly agreed that no resignation shall become effective until the termination of the appointment period in which the resignation is

offered except by mutual agreement between the appointee and the President or designee.

6. a. The President may terminate the appointment of a tenured or tenure-track appointee for moral turpitude, professional or scholarly misconduct, incompetence, or willful neglect of duty, provided that the charges be stated in writing, that the appointee be furnished a copy thereof, and that the appointee be given an opportunity prior to such termination to request a hearing by an impartial hearing officer appointed by the President or a duly appointed faculty board of review. With the consent of the President, the appointee may elect a hearing by the President rather than by a hearing officer or a faculty board of review. Upon receipt of notice of termination, the appointee shall have thirty (30) calendar days to request a hearing. The hearing shall be held no sooner than thirty (30) calendar days after receipt of such a request. The date of the hearing shall be set by mutual agreement of the appointee and the hearing officer or faculty board of review. If a hearing officer or a faculty board of review is appointed, the hearing officer or board shall make a recommendation to the President for action to be taken. The recommendation shall be based only on the evidence of record in the proceeding. Either party to the hearing may request an opportunity for oral argument before the President prior to action on the recommendation. If the President does not accept the recommendation of the hearing officer or board of review, the reasons shall be communicated promptly in writing to the appointee and the hearing officer or board. In the event that the President elects to terminate the appointment, the appointee may appeal to the Board of Regents, which shall render a final decision.
 - b. Under exceptional circumstances and following consultation with the chair of the faculty board of review or appropriate faculty committee, the President may direct that the appointee be relieved of some or all of his or her University duties, without loss of compensation and without prejudice, pending a final decision in the termination proceedings. (In case of emergency involving threat to life, the President may act to suspend temporarily prior to consultation.)
 - c. The appointee may elect to be represented by counsel of his or her choice throughout the termination proceedings.
7. If an appointment is terminated in the manner prescribed in paragraph

III.C.6, the President may, at his or her discretion, relieve the appointee of assigned duties immediately or allow the appointee to continue in the position for a specified period of time. The appointee's compensation shall continue for a period of one year commencing on the date on which the appointee receives notice of termination. A faculty member whose appointment is terminated for cause involving moral turpitude or professional or scholarly misconduct shall receive no notice or further compensation beyond the date of final action by the President or Board of Regents.

8. The University may terminate any appointment because of the discontinuance of the department, program, school or unit in which the appointment was made; or because of the lack of appropriations or other funds with which to support the appointment. Such decisions must be made in accordance with written University policies. The President shall give a full-time appointee holding tenure notice of such termination at least one year before the date on which the appointment is terminated.
9. Notwithstanding any provisions to the contrary, the appointment of any untenured faculty member, fifty percent or more of whose compensation is derived from research contracts, service contracts, gifts or grants, shall be subject to termination upon expiration of the research funds, service contract income, gifts or grants from which the compensation is payable.
10. Appointments shall terminate upon the death of the appointee. Upon termination for this cause, the University shall pay to the estate of the appointee all of the accumulated and unpaid earnings of the appointee plus compensation for accumulated unused annual leave.
11. If, in the judgment of the appointee's department chair or supervisor, a deficiency in the appointee's professional conduct or performance exists that does not warrant dismissal or suspension, a moderate sanction such as a formal warning or censure may be imposed, provided that the appointee is first afforded an opportunity to contest the action through the established faculty grievance procedure.
12. Unless the appointee agrees otherwise, any changes that are hereafter made in paragraphs III.C.1-12 will be applied only to subsequent appointments.
13. Compensation for appointments under these policies is subject to modification in the event of reduction in State appropriations or in other income from which compensation may be paid.

14. The appointee shall be subject to all applicable policies and procedures duly adopted or amended from time to time by the University or the University System, including, but not limited to, policies and procedures regarding annual leave; sick leave; sabbatical leave; leave of absence; outside employment; patents and copyrights; scholarly and professional misconduct; retirement; reduction, consolidation or discontinuation of programs; and criteria on teaching, scholarship, and service.

D. Provisions Relating to Formal Promotion and Tenure Reviews

1. Reviews for promotion and tenure shall be conducted according to the duly adopted written policies and procedures of the University. These procedures shall be published in the Faculty Handbook.
2. Faculty review committees are a part of the review process at each level.
3. Each review by a faculty committee and each review by the administrator of an academic unit (chair or dean) shall be focused on the evaluation of the candidate using the Criteria for Tenure and/or Promotion of that unit. Each review shall be based on materials that must include the candidate's *c.v.*, the candidate's Personal Statement, the Summary Statement of Professional Achievements, the Candidate's Response to the Summary Statement of Professional Achievements (if one is written), the letters from external evaluators, and the other prescribed elements in the University Appointment, Promotion and Tenure Procedures Manual. At the second and third levels of review, these promotion materials include the promotion committee reports and the letters from academic unit administrators.
4. A faculty member eligible to vote on the promotion recommendation on a candidate of an academic unit may not participate in a review of that candidate or vote on that candidate at a higher level of review. Because they provide an independent evaluation, department chairs, academic deans, and the Provost are ineligible to vote at any level.
5. Candidates shall have the right to appeal negative promotion and tenure decisions on grounds specified in the policies and procedures of paragraph V.B.

IV. PROMOTION, TENURE, AND EMERITUS REVIEW

The Provost shall develop detailed written procedures, implementing the University and the System policies on appointment, promotion, and tenure. This set of procedures shall

be known as the University's Implementation of the University Appointment, Promotion and Tenure Policy and these procedures shall govern the University's decision-making. The procedures developed shall be subject to review and approval by the University Senate. The Provost shall also develop useful guidelines, suggestions, and advice for candidates for tenure and/or promotion and for academic units responsible for carrying out reviews of candidates. Each year the Provost shall publish the University Appointment, Promotion and Tenure Procedures Manual. This manual shall contain the entire text of the University's Appointment, Promotion and Tenure Policy, the University's implementation of this policy, and the guidelines, suggestions, and advice for candidates and for academic units. The University's Implementation should contain the University's required procedures clearly identified as such. All guidelines, suggestions, and advice in the Manual must be so labeled and distinguished from the required procedures.

Each college, school, and department shall develop detailed written procedures implementing the University and System policies on appointment, promotion, and tenure and the University's implementation of the University's Policy. The procedures of each academic unit shall be subject to review and approval by the policy-setting faculty body of the college or school for an academic unit in a departmentalized college or school, as established in its plan of organization, by the dean, and by the University Senate.

The University's required procedures and the required procedures of each academic unit to which a candidate belongs shall apply to promotion and tenure decisions for all full-time faculty and for academic administrators who hold faculty rank, or who would hold faculty rank if appointed.

The Provost has the responsibility for systematically monitoring the fair and timely compliance of all academic units with the approved procedures of this Appointment, Tenure and Promotion Policy and for the prompt remedying of any failure to fulfill a Provision of this Policy that occurs prior to the institution of a formal tenure and/or promotion review. A violation of procedural due process during a formal review for tenure and/or promotion is subject to the provisions of Section V, The Appeals Process.

At the time of appointment, each new faculty member shall be provided by the chair or dean of the first-level unit with a copy of the University's Appointment, Promotion and Tenure Procedures Manual and the procedures for the lower-level academic units to which he or she belongs and the chair or dean shall discuss the procedures with the faculty member. Faculty members should stay up to date on these procedures and academic units should keep their faculty members informed of any changes.

Faculty review committees shall be an essential part of the review and recommendation process for all full-time faculty. Review committees and administrators at all levels shall impose the highest standards of quality, shall ensure that all candidates receive fair and impartial treatment, and shall be responsible for maintaining the integrity and the

confidentiality of the review and recommendation process.

Candidates for tenure and/or promotion are responsible for providing their academic unit with an accurate *curriculum vitae* detailing their academic and professional achievements. Candidates holding faculty rank at the University shall also make a written Personal Statement advocating their case for tenure and/or promotion based on the facts in their *c.v.*, on the applicable Criteria for Tenure and/or Promotion, and on their perspective of those achievements in the context of their discipline. Both the *c.v.* and the Personal Statement shall be presented in the form required by the University Appointment, Promotion and Tenure Procedures Manual at the beginning of the academic year in which a formal review for tenure and/or promotion will occur. These two documents shall be included with each request for external evaluation and shall be included in the promotion dossier reviewed at each level within the University. Within the University review system, units and administrators may express their judgments on the contents and on the significance of elements in either of the candidate's documents. Units may only ask in neutral language for external evaluators to comment on elements of these documents as part of their review but not suggest conclusions.

The burden of evaluating the qualifications and suitability of the candidate for tenure and promotion is greatest at the first level of review. Great weight shall be given at the higher levels of review to the judgments and recommendations of lower-level review committees and to the principle of peer review.

The decision whether or not to award tenure or promotion shall be based primarily on the candidate's record of accomplishment in each of the three areas of teaching and advisement, research, and service, and the anticipated level of future achievements as indicated by accomplishments to date. Considerations relating to the present or future programmatic value of the candidate's particular field of expertise, or other larger institutional objectives, may legitimately be considered in the context of a tenure decision; but in no case shall the year of the tenure review be the first occasion on which these considerations are raised. The faculty and the unit chair or dean are responsible for advising untenured faculty on any and all programmatic considerations relative to the tenure decision, conveying such information to the candidate at the earliest opportunity during annual assessments of progress towards tenure.

When the President has completed his or her review of the tenure or promotion case and informed the candidate of the decision, the list of members of the unit, college, and campus committees shall be made public.

A. First-level Review

1. Eligible Voters: At the first-level unit of review, the review committee shall consist of all members of the faculty of that unit who are eligible to vote. To be eligible to vote within the first-level unit, the faculty member

must hold a tenured appointment in the university and must be at or above the rank to which the candidate seeks appointment or promotion. Tenured faculty voting on promotions cases at the first-level of review may only do so in a single academic department or non-departmentalized school, and may only vote in units in which they have a regular appointment and where this is permitted by the unit's plan of organization. In those cases where a faculty member has the opportunity to vote in more than one department or non-departmentalized school, the faculty member votes in that department/school in which the faculty member holds tenure.

In those cases where a faculty member has the opportunity to vote at more than one level of review, the faculty member votes at the first level of review at which the faculty member has the opportunity to vote. There are two exceptions: (a) chairs or deans are excluded from voting as faculty in their first level unit; (b) if there are fewer than three (3) eligible faculty members in the first-level unit, the dean at his/her discretion shall appoint one or more eligible faculty members from related units as voting members of the first-level review committee, to ensure that the review committee shall contain at least three (3) persons. Consequently, in promotion and tenure cases of faculty with joint appointments, faculty appointed by the dean to the first-level review committee of the primary unit, who are also members of a secondary unit providing input on a candidate, are permitted to vote on the candidate only in the primary unit where they have been appointed as member of the review committee by the Dean.

Although they do not have voting privileges, other faculty and the head of the first-level unit may be invited to participate in discussion about the candidate if the plan of organization and the bylaws of the unit permit.

Advisory Subcommittee: The first-level unit review committee may establish an advisory subcommittee to gather material and make recommendations, but the vote of the entire eligible faculty of the first-level unit shall be considered the faculty recommendation of the first-level unit.

Conduct of the Review: The first-level review committee shall appoint an eligible member of the faculty from the first-level unit to serve as chair and spokesperson for the candidate's review committee. The chair of the review committee is responsible for writing the recommendation on the candidate and recording the transactions at the review meeting. Under no circumstances may the chair of the unit or dean serve as spokesperson for the first-level unit review committee or write its report.

As the first-level administrator, the chair or dean shall submit a recommendation separately; the recommendation of the chair or dean shall be considered together with all other relevant materials by any reviewing committee at a higher level. Requests for information from higher level review units shall be transmitted to both the chair of the first-level unit review committee and the first-level unit administrator.

Joint Appointments: Faculty members with joint appointments hold both a primary appointment (in their tenure home) and one or more secondary appointments (in the unit or units that are not their tenure home). When a joint appointment candidate is reviewed for appointment, promotion and/or tenure, the primary appointment unit is responsible for making the recommendation after first obtaining advisory input from the (one or more) secondary units, as appropriate. The advisory input from secondary unit(s) will be as follows:

- If the candidate holds a temporary appointment in the secondary unit, then the secondary unit's advice to the primary unit shall consist solely of a written recommendation by the chair or director of the secondary unit.
- If the candidate holds a permanent appointment in a secondary unit that is neither an academic department nor a non-departmentalized school, then the director's recommendation will be informed by advice from the faculty in the unit who are at or above the rank to which the candidate aspires. That advice shall be in a format consistent with the unit's plan of organization. If the plan of organization includes a vote, the vote may not include those eligible to vote elsewhere on the candidate.
- If the candidate holds a permanent appointment in a secondary unit that is either an academic department or a non-departmentalized school, then there shall be both a vote of the faculty in the unit who are at or above the rank to which the candidate aspires and a written recommendation by the head of that unit. The restriction on multiple faculty votes continues to apply in this instance.

The secondary unit's review of the candidate shall be provided to the first-level unit review committee and the first-level administrator. If the chair/director of the secondary unit is also a member of the candidate's primary unit, the chair/director may participate in the deliberations of the primary unit, but may not vote on the candidate's promotion in that unit.

2. The committee shall solicit letters of evaluation from six or more widely recognized authorities in the field, chosen from a list that shall include

individuals nominated by the candidate. At least three letters and at most one-half of the requested letters shall be from persons nominated by the candidate.

3. Each first-level unit shall provide for the mentoring of each assistant professor and of each untenured associate professor by one or more members of the senior faculty other than the chair or dean of the unit. Mentors should encourage, support, and assist these faculty members and be available for consultation on matters of professional development. Mentors also need to be frank and honest about the progress toward fulfilling the criteria for tenure and/or promotion. Following appropriate consultations with members of the unit's faculty, the chair or dean of the unit shall independently provide each assistant professor and each untenured associate professor annually with an informal assessment of his or her progress. Favorable informal assessments and positive comments by mentors are purely advisory to the faculty member and do not guarantee a favorable tenure and/or promotion decision.

The first-level academic unit shall perform a formal intermediate review of the progress towards meeting the criteria for tenure and promotion in the third year of an assistant professor's appointment. The first-level academic unit shall perform a formal intermediate review of the progress towards meeting the criteria for promotion to the rank of professor in the fifth year of a tenured associate professor's appointment and every five years thereafter. An associate professor may request an intermediate review earlier than the five years specified. The purposes of these intermediate reviews are to assess the candidate's progress toward promotion, to inform the reviewed faculty member of that assessment, to inform the faculty members more senior to that faculty member who will eventually consider him or her for promotion of that assessment, and to advise the candidate and the first-level administrator of steps that should be taken to improve prospects for promotion. These intermediate reviews shall be structured in a similar fashion to reviews for tenure and/or promotion according to the unit's plan of governance but normally will not involve external evaluations of the faculty member. If it is deemed necessary to obtain informal external evaluations, the academic unit must adopt written procedures applying this requirement to all intermediate reviews and these procedures must be approved by the academic administrator (dean or provost) at the next level of review.

Any change in the nature of the institution's or the unit's programmatic needs which may have a bearing on the candidate's prospects for tenure should be brought to the attention of the candidate at the earliest possible time. In addition, first-level units shall make the best possible effort to

advise tenure-track faculty of the prevailing standards of quality and of the most effective ways to demonstrate that they meet the standards. The advice and assessments provided to untenured candidates should avoid simplistic quantitative guidelines and should not suggest or imply that tenure decisions will be based on the quantity of effort or scholarly activity, independently of its intellectual quality.

4. A tenure-track or tenured faculty member may request a formal review for tenure or promotion.
5. The tenure or promotion case shall go forward to the next level of review if fifty percent of the faculty vote cast is favorable (or such higher percentage as may be established by procedures or guidelines of the first-level unit) or if the recommendation of the administrator of the first-level unit is favorable. If both faculty and unit administrator recommendations are negative, the case shall be reviewed at the next level only by the dean (or, in the case of a non-departmentalized school or college, the Provost). The dean (or Provost) shall review the case to ensure that the candidate has received procedural and substantive due process, as defined in Section V.B.1.b. If the dean (or Provost) believes that the candidate has not received due process, he or she shall direct the unit to reconsider. The candidate may withdraw from his or her review at any time prior to the President's decision.
6. The first-level review committee shall prepare a concise Summary Statement of Professional Achievements on each candidate for tenure and/or promotion. The Summary Statement shall place the professional achievements of the candidate in scholarship, research, artistic performance, and/or Extension in the context of the broader discipline. It shall place the candidate's professional achievements in teaching and in service in the context of the responsibilities of the unit, the college or school, the University, and the greater community. The Summary Statement shall be factual and objective, not evaluative. The Summary Statement shall be reviewed by the candidate at least two weeks before the meeting at which the academic unit begins consideration of its recommendation on tenure and/or promotion. If the candidate and the committee cannot agree on the Summary Statement, the candidate has the right and the responsibility to submit a Response to the Summary Statement of Professional Achievements for the consideration of the voting members of the review committee and the academic unit must note the existence of the Response in the unit's Summary Statement. The purpose of the Summary Statement is to set the candidate's work in the context of the field for each level of review within the University and it is not to be sent to external evaluators or others outside the University.

7. The chair of the first-level review committee shall prepare a written report stating the committee's vote and recommendation on whether or not to grant tenure or promotion, and explaining the basis for the faculty's recommendation insofar as that basis has been made known in the discussions taking place among the members of the committee. This letter will be provided to the chair or dean for his or her information and for forwarding to higher levels of review. Faculty participating in the unit's deliberation who wish to express a dissenting view are free to do so, and any such written statement shall be included in the materials sent forward to the next level of review.
8. The recommendation of the first-level administrator shall likewise be in writing. The administrator's recommendation shall be transmitted to the second-level review and shall be made available to all eligible members of the first-level faculty.
9. If a faculty member must be given a formal review for tenure in accordance with paragraph I.C.4 of the University of Maryland System Policy and paragraph III.C.3 of this policy, and the chair or dean of the first-level academic unit of which the appointee is a member fails to transmit, by the date specified in paragraph IV.F.2 of this policy, a tenure recommendation for the appointee, the Provost shall extend the deadline for the transmittal of such recommendations and instruct the first-level unit to forward recommendations and all supporting documents as expeditiously as possible.

B. Second-level Review

1. Second-level review of recommendations for promotion and tenure from departments shall be conducted within the appropriate college. The second-level review committees shall be established in conformity with the approved bylaws of the college. The dean may be a non-voting ex-officio member but not a voting member of the committee. Each second-level committee shall elect its own chair and an alternate chair; the latter shall serve as chair when a candidate from the chair's own unit is under discussion. A committee member who is entitled to vote in a lower-level review of a candidate may be present for the discussion of that candidate but shall not participate in the discussion in any way and shall not vote on that candidate. The committee members must maintain absolute confidentiality in their consideration of cases. Outside of the committee meetings, members of the second-level review committee shall not discuss specific cases with anyone who is not a member of the second-level review committee. The membership of the committee shall be made

public at the time of the committee's appointment. Every member of the campus community must respect the integrity of the appointment, tenure and promotion process and must refrain from attempting to discuss cases with committee members or to lobby them in any way.

2. Review of recommendations for promotion and tenure from non-departmentalized schools and colleges shall be conducted by the third-level review (see Section IV.C.1) committee.
3. Both the recommendation of the second-level committee and the recommendation of the second-level administrator shall go forward to be considered, together with all other relevant materials, at higher levels of review.
4. When significant questions arise regarding the recommendations from the first-level review or the contents of the dossier, the second-level review committee shall provide an opportunity for the chair of the first-level academic unit and the designated spokesperson of the first-level unit review committee to meet with the second-level committee to discuss their recommendations; the committee shall provide them with a written list of the committee's general concerns about the candidate's case prior to the meeting. The second-level review committee may also request additional information from the first level of review by following the procedures described in Section F1 below.
5. Whether its recommendation is favorable or unfavorable, the committee shall, as soon as possible and no later than thirty (30) days after the decision, transmit through the dean its decision, its vote, and a written justification to the Provost. The dean of the college shall also promptly transmit his or her recommendation with a written justification to the Provost.

C. Third-level Review

1. A third- or campus-level review committee shall be established in the following manner: The Provost shall appoint nine faculty members holding the rank of Professor, one from each of the eight large colleges (Agriculture and Natural Resources; Arts and Humanities; Behavioral and Social Sciences; Business; Computer, Mathematical, and Natural Sciences; Education; Engineering; School of Public Health) and one from among the four small colleges (Architecture, Planning, and Preservation; Information Studies; Journalism; Public Policy). Since this committee shall make its recommendations on the basis of whether or not the University's high standards for tenure and/or promotion have been met,

members of this committee shall have a track record of outstanding academic judgment along with sufficient intellectual breadth and depth to be capable of comparing and judging candidates from varied disciplinary, cross-disciplinary, and professional backgrounds. No small college shall be represented on the committee more frequently than once in every three terms. Candidates for the committee shall be solicited from the Deans of the Colleges and Schools, from the Senate Executive Committee, and from the faculty at large. No one serving in a full-time administrative position may serve as a voting member of the committee. The Provost shall be a non-voting ex-officio member. A committee member who is entitled to vote in a lower-level review of a candidate shall not be present for the discussion of that candidate and shall not vote on that candidate.

Appointments to the third-level review committee from the eight large colleges shall be for three years while the appointment from one of the four small colleges shall be for two years, with the terms staggered so that approximately one-third of the committee is replaced each year. No one may serve two consecutive terms. The third-level review committee shall elect its own chair and alternate chair. The committee members must maintain absolute confidentiality in their consideration of cases. Outside of the committee meetings, members of the third-level review committee shall not discuss specific cases with anyone who is not a member of the third-level review committee. The membership of the committee shall be made public at the time of the committee's appointment. Every member of the campus community must respect the integrity of the appointment, tenure and promotion process and must refrain from attempting to discuss cases with committee members or to lobby them in any way.

2. When questions arise regarding the recommendations from either the first- or second-level reviews or the contents of the dossier, the third-level committee shall provide the opportunity for the first-level unit administrator, the spokesperson for the first-level faculty review committee, the dean of the college, and the chair of the second-level review committee to meet with the third-level committee to discuss their recommendations; the committee shall provide them with a written list of the committee's general concerns about the candidate's case prior to the meeting. The third-level review committee may also request additional information from the first and second levels of review by following the procedures prescribed in Section F1 below.
3. The committee shall promptly transmit its recommendation and a written justification through the Provost to the President, along with all materials provided from the lower levels of review. The Provost and the President shall confer about the case, and the Provost shall transmit his or her recommendation and a written justification to the President. If the

Provost's recommendation differs from that of the third-level committee or from that of the Dean, the Provost will meet with the committee and/or the dean to discuss the review. After the President has made a decision, a report on the decisions reached at the third level of review shall be provided to the second-level administrator and faculty committee chair, the first-level administrator and faculty chair, and to the candidate.

4. The Third-level Review Committee and the Provost shall conduct an end-of-the-year review of appointment, promotion, and tenure. The Committee shall write a public Annual report, the purpose of which includes improving the understanding of faculty members and of academic units about appointments, promotion, and tenure. The report should include any recommendations for improvements in policy, procedures, or the carrying out of reviews of candidates. The Provost shall write a public report annually giving statistical information on the appointment, promotion, and tenure cases considered during the academic year.

D. Notification to Candidates for Tenure and/or Promotion

Upon completion of the first-level review, the unit administrator at the first level shall within two weeks of the date of the decision: (1) inform the candidate whether the recommendations made by the faculty committee and the unit administrator were positive or negative (including specific information on the number of faculty who voted for tenure and/or promotion, the number who voted against, and the number of abstentions), and (2) prepare for the candidate a letter summarizing in general terms the nature of the considerations on which those decisions were based. At higher levels of review, summaries shall be provided to the candidate whenever either or both faculty and administrator recommendations are negative. The chair of the faculty committee shall review the summary letter prepared by the unit administrator in order to ensure that it accurately summarizes the considerations regarded as relevant by the faculty committee at that level. The chair of the faculty committee at each level shall be provided access to the unit administrator's letters to the candidate and to the next level of review in order to ensure that the summary accurately reflects the recommendation and rationale provided to higher levels of review. In addition, both letters shall be made available for review in the office of the chair (dean or Provost) by any member of the faculty committee at that level. In the event that the chair of the faculty committee and the unit administrator are unable to agree on the appropriate language and contents of the summary letter, each shall write a summary letter to the candidate. A copy of all materials provided to the candidate shall be added to the tenure or promotion file as the case proceeds through higher levels of review.

E. Presidential Review

Full-time appointments or promotions to the ranks of Associate Professor or Professor require the written approval of the President, in whom resides final authority for promotion and granting of tenure to faculty. Final authority for any appointment or promotion to the rank of Associate Professor or Professor cannot be delegated by the President.

F. General Procedures Governing Promotion and Tenure

1. With the exception of the third-level review committee, in their reviews of tenure and promotion recommendations from lower levels, upper-level administrators or review committees may not seek or use additional information from outside sources concerning a candidate's merits unless: (1) the materials forwarded from lower levels indicate the presence of a significant dissenting vote or divided recommendations from a lower level; (2) representatives from the first-level unit participate in the selection of additional persons to be consulted; and (3) the assessments received from these external sources are shared with and considered by the first-level review committee and by the unit's chair or dean; and (4) the review committee and the unit's academic administrator have the opportunity to reconsider their recommendations in the light of the augmented promotion dossier. The third-level review committee may seek additional information on any candidate as it chooses, although it must follow (2), (3) and (4) as described above. In doing so, the committee should ask the Provost to obtain the additional information from the Dean, who would then consult with the Department Chair to obtain faculty input. The evidential basis for upper-level committees and administrators should be restricted to the materials as assembled and evaluated by the first-level unit, with the exception of information obtained in compliance with the procedures just described. Candidates for tenure or promotion, however, are permitted to bring to the attention of the university administration any changes in their circumstances which might have a significant bearing on the tenure or promotion question. In the event that candidates for tenure or promotion bring information of this sort to the attention of upper-level committees or administrators after the first-level review has been concluded, these committees or administrators may take these changes into account in reaching their decisions and may elect to send the case back to the first-level for reconsideration.
2. The candidate's application and supporting materials, and the reports and recommendations of the first-level committee and administrator, shall be transmitted to the appropriate levels of secondary review no later than a date set annually by the Provost.

3. If an untenured faculty member requests leave without pay for a year or more, the dean of the college in which the faculty member will be considered for tenure shall recommend whether or not the faculty member's mandatory tenure review will be delayed. A positive recommendation from the dean to stop the tenure clock shall require evidence: (1) that the leave of absence will be in the interest of the University, and (2) that the faculty member's capacity to engage in continued professional activity will not be significantly impaired during the period of the leave. The dean's recommendation shall be included in the proposal for leave submitted to the Provost. Delay of the mandatory tenure review requires the written approval of the Provost.
4. A faculty member who would otherwise receive a formal review for tenure may waive the review by requesting in writing that he or she not be considered for tenure. A faculty member who has waived a tenure review shall receive whatever terminal appointments he or she would have received if tenure had been denied. A faculty member at any rank who has been denied tenure and who is ineligible for further consideration shall receive an additional and terminal one-year appointment in that rank.
5. All recommendations for the appointment of faculty below the rank of Associate Professor shall be transmitted for approval through the various levels of review to the President or designee. Final authority for any appointment that confers tenure or for any appointment or promotion to the rank of Associate Professor or Professor cannot be delegated by the President.
6. After a negative decision by the President, candidates for promotion or tenure shall be notified by certified mail. Determination of the time limits for the period during which an appeal may be made shall be based on the date of the candidate's receipt of the President's letter.

G. Procedures Governing the Granting of Emerita/Emeritus Status

1. Associate Professors, Professors, Distinguished University Professors, ~~Research Associate Professors~~, ~~Research Professors~~, Senior Agents, Principal Agents, Librarians III, ~~and~~ Librarians IV, **Professors of the Practice, Research Professors, Research Scientists, Research Scholars, Research Engineers, Artists-in-Residence, Principal Agent Associates, Clinical Professors, Principal Lecturers, and Principal Faculty Specialists** who have been members of the faculty of the University of Maryland at College Park for **the equivalent of** ten or more years **of full-time service**, and who give to their chair or dean proper written notice of their intention to retire, are eligible for nomination to emerita/emertus

status (see I.E.7 Emerita, Emeritus). Only in exceptional circumstances may ~~Professors~~ **faculty** with fewer than **the equivalent of** ten years of **full-time** service to the institution be recommended for emerita/emergitus status.

2. The decision whether or not to award emeritus standing shall be based primarily on the candidate's record of significant accomplishment in any of the three areas of (1) teaching and advisement, (2) research, scholarship, and creative activity, and (3) service.
3. If a faculty member gives notice of intention to retire before March 15, the first-level tenured faculty shall vote on emeritus standing within 45 days of the notice. If notice is given after March 15, the vote shall be taken no later than the 45th day of the following semester. The result of the vote shall be transmitted in writing to the candidate and to the administrator of the unit no later than ten days after the vote is taken. A faculty member who has not been informed of the decision concerning his or her emeritus standing within the time limits specified, shall be entitled to appeal the action as a negative decision in accordance with V.B.2.
4. The review committee of the first-level unit shall consist of all eligible members of the faculty. Eligible members of the faculty are all full-time tenured associate and full professors, as appropriate, excluding the chair or dean. The vote of the entire eligible faculty shall be considered the recommendation of the faculty. The chair or dean shall submit a recommendation separately; the recommendation of the chair or dean shall be considered together with all relevant materials by administrators at higher levels.
5. An emeritus case shall go forward to the next level of review if the department chair's recommendation is positive or the faculty vote is at least fifty percent favorable.
6. The chair of the first-level committee shall prepare a written report, stating the committee's vote and recommendation on whether or not to award emeritus standing and explaining the basis for the faculty's recommendation insofar as that basis has been made known in the discussions taken place among the members of the committee. This letter will be forwarded to the chair or dean for his or her information and for forwarding to higher levels of review. Faculty participating in the unit's deliberations who wish to express a dissenting view are free to do so, and any such written statement shall be included in the materials sent forward to the next level of review.

7. The recommendation of the first-level administrator shall also be in writing. The administrator's recommendation shall be transmitted to the second-level of review and a copy shall be made available for review by any member of the faculty participating in the unit's review deliberations.
8. Second-level review of recommendations of emeritus standing shall be conducted by the appropriate dean. Second-level reviews of recommendations from non-departmentalized schools and colleges shall be conducted by the Provost. The second-level recommendation of the dean or the Provost, together with all other relevant materials, shall be transmitted to the President.
9. The President shall make the final decision on the award of emeritus standing.
10. Faculty members with ten or more years of service to the University who retired prior to the effective date of this policy and who have not been granted emeritus standing may apply to their departments for consideration as in Section IV.G.1.

H. Termination of Faculty Appointments for Cause

If a tenured or tenure-track faculty member whose appointment the campus administration seeks to terminate for cause requests a hearing by a hearing officer, the hearing officer shall be appointed by the President from a college or school other than that of the appointee, with the advice and consent of the faculty members of the Executive Committee of the Campus Senate. If the appointee requests a hearing by a faculty board of review, members of the board of review shall be appointed by the faculty members of the Executive Committee of the Campus Senate from among tenured Professors not involved in administrative duties.

V. THE APPEALS PROCESS

A. Appeals Committees

1. The President shall appoint an appeals committee. This committee shall consist of nine faculty members holding the rank of Professor, one from each of the eight large colleges (Agriculture and Natural Resources; Arts and Humanities; Behavioral and Social Sciences; Business; Computer, Mathematical, and Natural Sciences; Education; Engineering; School of Public Health) and one from among the four small colleges (Architecture, Planning, and Preservation; Information Studies; Journalism; Public Policy). No small college shall be represented on the committee more

frequently than once in every three terms. Candidates for the committee shall be solicited from the Deans of the Colleges and Schools, from the Senate Executive Committee, and from the faculty at large. No one serving in a full-time administrative position and no one who has participated in the promotion and tenure review process of the appellant shall serve on the campus appeals committee. Appointment to the campus appeals committee shall be for one year, and no one may serve two consecutive terms. Appeals committees shall elect their own chairs. The committee members must maintain absolute confidentiality in their consideration of cases.

2. Special appeals committees at the college, school or campus level shall be appointed by the dean, Provost or President in a manner consistent with the policies, bylaws, or practice of the respective unit.

B. Guidelines and Procedures for Appeals

1. Negative Promotion and/or Tenure Decisions

a. Mandatory and Non-Mandatory Reviews

When a candidate for promotion and/or tenure receives notification from the President, dean or chair that promotion or tenure was not awarded, the candidate may appeal the decision by requesting that the President submit the matter to the Campus Appeals Committee for consideration. The request shall be in writing and be made within sixty (60) days of notification of the negative decision. If the request is granted, all papers to be filed in support of the appeal must be submitted to the Appeals Committee not later than one hundred and twenty (120) days after notification unless otherwise extended by the President because of circumstances reasonably beyond control of the candidate. In writing these appeals letters, the appellant should be aware that these letters serve as the evidentiary basis for investigations of the validity of the appeal and that, should the President accept the request and refer the appeal to the Campus Appeals Committee, these letters shall be shared by the Campus Appeals Committee with the parties against whom allegations are made and any other persons deemed necessary by the Committee for a determination of the issues.

b. Grounds for Appeal

The grounds for appeal of a negative promotion and tenure

decision shall be limited to (1) violation of procedural due process, and/or (2) violation of substantive due process.

A decision may not be appealed on the ground that a different review committee, department chair, dean or Provost exercising sound academic judgment might, or would, have come to a different conclusion. An appeals committee will not substitute its academic judgment for the judgment of those in the review process.

Violation of procedural due process means that the decision was negatively influenced by a failure during the formal review for tenure and/or promotion by those in the review process to take a procedural step or to fulfill a procedural requirement established in relevant promotion and tenure review procedures of a department, school, college, campus or system. Procedural violations occurring prior to the review process are not a basis for an appeal and are dealt with under the provisions of paragraph 4 of the introduction to Section IV, Promotion, Tenure, and Emeritus Review.

Violation of substantive due process means that: (1) the decision was based upon an illegal or constitutionally impermissible consideration; e.g. upon the candidate's gender, race, age, nationality, handicap, sexual orientation, or on the candidate's exercise of protected first amendment freedoms (e.g., freedom of speech); or (2) the decision was arbitrary or capricious, i.e., it was based on erroneous information or misinterpretation of information, or the decision was clearly inconsistent with the supporting materials.

c. Standard of Proof

An appeal shall not be granted unless the alleged grounds for appeal are demonstrated by a preponderance of the evidence.

d. Responsibilities and Powers of the Appeals Committee

1. The appeals committee shall notify the relevant administrators and APT chairs in writing of the grounds for the appeal and meet with them to discuss the issues.
2. The appeals committee shall meet with the appellant to discuss and clarify the issues raised in the appeal.

3. The appeals committee has investigative powers. The appeals committee may interview persons in the review process whom it believes to have information relevant to the appeal. Additionally, the Appeals Committee shall examine all documents related to the appellant's promotion or tenure review and may have access to such other departmental and college materials as it deems relevant to the case. Whenever the committee believes that a meeting could lead to a better understanding of the issues in the appeal, it shall meet with the appropriate party (with the appellant or with the relevant academic administrator and APT chair).
4. The Appeals Committee shall prepare a written report for the President. The report shall be based upon the weight of evidence before it. It shall include findings with respect to the grounds alleged on appeal, and, where appropriate, recommendations for corrective action. Such remedy may include the return of the matter back to the stage of the review process at which the error was made and action to eliminate any harmful effects it may have had on the full and fair consideration of the case. No recommended remedy, however, may abrogate the principle of peer review.
5. The President shall attach great weight to the findings and recommendations of the committee. The decision of the President shall be final. The decision and the rationale shall be transmitted to the appellant, the department chair, dean, chair(s) of the relevant APT committee(s) and Provost in writing.

e. Implementation of the President's Decision

1. When the President supports the grounds for an appeal, the Provost has the responsibility for oversight of the implementation of the corrective actions the President requires to be taken. Within 30 days of receipt of the President's letter, the Provost shall request the administrator involved to formulate a plan and a timeline for implementing and monitoring the corrective actions. Within 30 days after receipt of this letter, the administrator must supply a written reply. The Provost may require

modification of the plan before approving it.

2. The Provost shall appoint a Provost's Representative to participate in all stages of the implementation of the corrective actions specified in the approved plan for the re-review, including participation in the meeting or meetings at which the academic unit discusses, reviews, or votes on its recommendation for tenure and/or promotion for the appellant. The Provost's Representative shall participate in these activities but does not have a vote. After the academic unit completes its review, the Provost's Representative shall prepare a report on all of the elements of corrective action specified in the approved plan and this report will be included with the complete dossier to be reviewed at higher levels within the University. The Provost's Representative shall be a senior member of the faculty with no previous or potential involvement at any level of review or appeal pertaining to the consideration of the appellant for tenure and/or promotion except for the participation as Provost's Representative as defined in this paragraph.
3. The Provost's request and the administrator's approved plan of implementation must be included in the dossier from the inception of the review. Re-reviews begin at the level of review at which the violation(s) of due process occurred and evaluate the person's record at the time the initial review occurred unless otherwise specified by the President. The administrator at the level at which the errors occurred, in addition to evaluating the candidate for promotion, must certify that each of the corrective actions has been taken and describe how the actions have been implemented. Re-reviews must proceed through all levels of evaluation including Presidential review. The Provost's review of the dossier will include an evaluation of compliance with the requirements imposed in the President's decision to grant the appeal. If the Provost discovers a serious failure by the unit to comply with the corrective actions required, the Provost shall formulate and implement a new plan for corrective action with respect to the appellant. In addition, the Provost shall inform (in writing) the administrator of the unit where the failure arose and the Provost shall take appropriate disciplinary action.

f. Extension of Contract

In the event that the appellant's contract of employment will have terminated before reconsideration can be completed, the appellant may request the President to extend the contract for one additional year beyond the date of its normal termination, with the understanding that the extension does not in itself produce a claim to tenure through length of service.

2. Decision Not to Review

If a faculty member requests his or her first level academic unit to undertake a review for his or her promotion or early recommendation for tenure, and the academic unit decides not to undertake the review or fails to transmit a recommendation by the date announced for transmittals, as specified in IV.F.2, above, the faculty member may appeal to the dean (if in a department) or to the Provost (if in a non-departmentalized school or college) requesting the formation of a special appeals committee to consider the matter. The request shall be made in writing. It shall be made promptly, and in no case later than thirty (30) days following written notification of the decision of the first-level academic unit.

If the dean or Provost determines not to form a special appeals committee, the faculty member may appeal to the Provost (if the decision was the dean's) or to the President (if the decision was the Provost's) requesting formation of the special appeals committee. Request shall be made in writing. It shall be made promptly, and in no case no later than thirty (30) days following written notification of the decision of the dean or Provost.

The grounds for appeal and the burden of proof shall, in all instances, be the same as set forth in V.B.1.b and c, above. A committee shall not substitute its academic judgment for that of the first-level unit. The responsibility of a special appeals committee shall be to prepare findings and recommendations. The committee may, for example, recommend that the dean or Provost extend the deadline for transmitting a recommendation and instruct the first-level unit to forward supporting documents as expeditiously as possible. A decision by a dean or the Provost, upon receiving the findings and recommendations of a special appeals committee, shall be final. A decision by the President shall be final.

3. Decision Not to Renew

When, prior to the mandatory promotion and tenure decision, an untenured

tenure-track faculty member receives notification that his or her appointment will not be renewed by the first-level unit, he or she may appeal the decision in the manner described in V.B.1.a above.

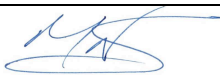
4. Emeritus Standing

An unsuccessful candidate for emeritus standing may appeal the decision in the manner described in V.B.1. above.

**APPENDIX 2 - CHARGE FROM THE SENATE EXECUTIVE COMMITTEE ON CLARIFICATION
OF UNIVERSITY APT POLICY REGARDING EMERITUS STATUS FOR RESEARCH FACULTY**



**University Senate
CHARGE**

Date:	March 26, 2013
To:	Ellin Scholnick Chair, Faculty Affairs Committee
From:	Martha Nell Smith  Chair, University Senate
Subject:	Clarification of University APT Policy Regarding Emeritus Status for Research Faculty
Senate Document #:	12-13-42
Deadline:	December 15, 2013

The Senate Executive Committee (SEC) requests that the Faculty Affairs Committee (FAC) review the attached proposal entitled, “Clarification of University APT Policy Regarding Emeritus Status for Research Faculty,” and make recommendations on whether changes to existing policy are appropriate.

Specifically, we ask that you:

1. Review the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00(A)).
2. Consult with the proposer about his specific concerns.
3. Consult with a representative from the University’s Office of Faculty Affairs.
4. Consult with representatives from the emeritus faculty population.
5. Consider what emeritus status should mean at our university.
6. Consider whether associate professors should be considered for emeritus status.
7. Review emeritus status specifications at our peer universities, especially those in the Big Ten.
8. Consult with the University’s Office of Legal Affairs.
9. If appropriate, recommend whether the current policy should be revised.

We ask that you submit a report to the Senate Office no later than December 15, 2013. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.

Attachment

MNS/rm



University Senate PROPOSAL FORM

Name:	Devin Hayes Ellis
Date:	February 11, 2013
Title of Proposal:	Clarification of University APT Policy Regarding Emeritus Status for Research Faculty
Phone Number:	301.405.5313
Email Address:	ellisd@umd.edu
Campus Address:	1117 J Chincoteague Hall
Unit/Department/College:	CIDCM/GVPT/BSOS
Constituency (faculty, staff, undergraduate, graduate):	Research Faculty
Description of issue/concern/policy in question:	<p>The provision of the current UNIVERSITY OF MARYLAND POLICY ON APPOINTMENT, PROMOTION, AND TENURE OF FACULTY regarding eligibility for emeritus status [II-1.00(A).IV.G.1] states the following:</p> <p>“Associate Professors, Professors, Distinguished University Professors, Research Associate Professors, Research Professors, Senior Agents, Principal Agents, Librarians III, and Librarians IV who have been members of the faculty of the University of Maryland at College Park for ten or more years, and who give to their chair or dean proper written notice of their intention to retire, are eligible for nomination to emerita/emeritus status (see I.E.7 Emerita, Emeritus). Only in exceptional circumstances may Professors with fewer than ten years of service to the institution be recommended for emerita/emeritus status.”</p> <p>However, in the same policy, Sections 1.B.4 and 1.B.5, the academic rank <i>Research Associate Professor</i> is grouped together with those of <i>Associate Research Scientist</i>, <i>Associate Research Scholar</i>, and <i>Associate Research Engineer</i>; and the rank <i>Research Professor</i> is likewise grouped with the ranks <i>Senior Research Scientist</i>, <i>Senior Research Scholar</i>, and <i>Senior Research Engineer</i>. The descriptive language for each category states: “These ranks are generally equivalent to associate professor,” and “These ranks are generally equivalent to professor.” The ranks as grouped and defined are consistent with the definitions in University System of Maryland Policy II-1.00 on Appointment, Promotion and Tenure of Faculty.</p>

	<p>In practice different units across the University of Maryland, College Park, use these titles interchangeably depending on disciplinary norms, long-held practice, and other considerations. Nevertheless, from the standpoint of university policy, the ranks within these categories are nowhere distinguished from one another for any administrative, appointment or personnel purposes.</p> <p>The absence of a listing of these titles in University Policy II-1.00(A).IV.G.1 could be construed by APT committees and administrators at the unit level as creating a distinction between the eligibility of people holding other titles in the same rank category for emeritus status which it is not clear was intended and which is not supported by any other stated University or university System policies.</p>
<p>Description of action/changes you would like to see implemented and why:</p>	<p>The relevant paragraph [IV.G.1] of University of Maryland Policy II-1.00(A) should be amended to either:</p> <ul style="list-style-type: none"> a) Include a listing of all equivalent titles in the same rank categories as <i>Research Associate Professor</i> and <i>Research Professor</i>; or b) Include language which clearly indicates that faculty members holding any other titles which are in the same rank category as listed titles are also eligible for emeritus status <p>Amending the policy to this effect would clarify the policy and remove a possible obstacle to the eligibility of certain research faculty for emeritus status which is neither intended nor appropriate.</p>
<p>Suggestions for how your proposal could be put into practice:</p>	<p>The Senate Executive Committee should refer this proposal to the Senate Faculty Affairs Committee and charge them with examining the matter as to the intent of university policy, and clarifying it according to the proposal.</p>
<p>Additional Information:</p>	