



### Proposal to Review Policy and Practice Surrounding PTK Non-Renewals

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UNIT	Astronomy	CONSTITUENCY	PTK Faculty

#### DESCRIPTION OF ISSUE

Since the findings of the Non-Tenure Track Faculty Task Force were approved in April 2013, the University has been considering various policy and procedural changes to improve the work environment and professional work opportunities for professional track faculty at the University of Maryland. Over the past five years, faculty titles and promotion processes have become highly regularized, and both tenured/tenure-track (T/TT) and professional track (PTK) faculty have a better common understanding of the achievements and expertise of their PTK faculty colleagues.

Despite the significant improvements in the academic lives of PTK faculty, **fairness and consistency** with respect to non-renewal of their contracts remains a perennial problem.

Aspects of this issue are described in the *Faculty Ombuds Office Report 2017-2018.7 to the President and Senate*, which the SEC received on 09/21/2018. The Faculty Ombuds Officer has received several inquiries related to the non-renewal of PTK faculty contracts. These have led to formal faculty grievances adjudicated through the University’s faculty grievance policy. However, in some instances, PTK concerns about non-renewal cannot be addressed through the grievance process since administrators *are not required to provide a rationale for non-renewals*. This has caused misunderstanding and concern from PTK faculty who feel the they are being treated unfairly but have no way to address their concerns. We note that the number of faculty who self-reported to the Ombuds office is necessarily a lower limit to the actual number who feel similarly aggrieved. The Ombuds report concludes the problem of an inconsistent and seemingly unfair non-renewal process is prevalent enough to warrant serious attention.

#### Policy Inconsistencies

The *University of Maryland Policy on Full-Time and Part-Time Professional Track Instructional Faculty* (II-1.00[F]) has not been updated since many of the recent developments in policy and practice for PTK faculty appointments went into effect. This policy specifies appointment details, contract terms, and faculty rights and responsibilities, but may not be consistent with the *UM Guidelines for Appointment, Evaluation, and Promotion of PTK Faculty* or other recent policy changes. This policy also only applies to instructional faculty, though research and extension faculty should have the same basic rights and protections in University policy.

In particular there are differences in the handling of non-renewal of contracts across categories of PTK faculty. Policy II-1.00(F) requires a reason to be given only for non-renewal of faculty who have “five or more years of continuous service.” The policy on [Adjunct Faculty](#) (II-1.07[A]) requires regular performance evaluations for adjunct faculty and requires that evaluations be kept in a personnel file and consulted when decisions on promotion, compensation, and subsequent appointments are made. Also it states, "Prior to terminating an Adjunct faculty member's appointment before the end of its term, the faculty member shall be offered an opportunity to meet and discuss the matter." Non-renewal or termination of non-adjunct PTK faculty does not require performance evaluations to be considered nor is there any requirement that the faculty be offered an opportunity for discussion.

Finally, the five year “probationary” period is excessive considering it is comparable to the timescale at which a person would be considered for promotion. Certainly over this period of time the person would have undergone multiple evaluations, giving ample evidence to support (or not) a non-renewal for performance.

### **DESCRIPTION OF CHANGE YOU WOULD LIKE TO SEE**

(a) Consider whether all PTK faculty regardless of appointment type who have been continuously employed at the University for some period of time should receive an explanation for any non-renewals of contracts and have a channel to discuss their concerns, and what that period of time should be. The definition of “continuous service” in II-1.00(F) should be clarified to avoid misunderstanding (e.g., if a person takes one semester off, is the clock reset?).

(b) Review the *University of Maryland Policy on Full-Time and Part-Time Professional Track Instructional Faculty* (II-1.00[F]) and consider whether it needs to be revised to be consistent with more recent policy and procedural changes related to PTK faculty. Pay particular attention to the language describing contract non-renewal. Also consider whether the policy should be broadened to include all PTK faculty, regardless of instructional, research, or extension faculty status. A broader policy could have separate provisions that apply to different categories of faculty as needed; for instance, a section in the policy on instructional faculty could describe details currently within the policy on teaching assignments and support for teaching provided by the institution.

### **SUGGESTION FOR HOW YOUR PROPOSAL WOULD BE PUT INTO PRACTICE**

The Faculty Affairs Committee should be charged with reviewing the relevant policies and practices as described above, and recommend any changes and clarifications. FAC should consult with the Faculty Ombuds Officer, the Faculty Affairs Office, the Senate Executive Director, and the Office of the General Counsel.

### **ADDITIONAL INFORMATION**

[University of Maryland Policy on Full-Time and Part-Time Professional Track Instructional Faculty II-1.00\(F\)](#)

[University of Maryland Policy on the Employment of Adjunct Faculty II-1.07\(A\)](#)

[UM Guidelines for Appointment, Evaluation, and Promotion of PTK Faculty](#)