

Purpose of Article 8 proposal

Over the years, the University has heard a number of concerns about the PRC review process and its description in Article 8 of the CBA. Those concerns include:

- Persistent confusion from faculty and administrators about faculty review process and performance expectations
- Recent cases that revealed gaps or lack of clarity in our current CBA
- Choppy and confusing organization of Article 8 and pieces within it
- Difficulty finding things within Article 8, and reconciling them with other things elsewhere in Article 8

We present this proposal for changes to Article 8 in order to address those concerns.

Broad areas that are substantively unchanged

Except as noted in this document, we believe we have remained true to the language in the 2017-20 CBA in spirit if not word. Thus, the proposed changes aside, we believe that much of Article 8 remains substantively the same, despite some editing for clarity:

- Types of reviews: Continuation, promotions, tenure, post-tenure
- Timing of reviews in the life-course of a faculty member
- Concept of standard and evidence
- Standards for tenure & post-tenure review
- Description of evidence
- Concepts of the domains of (1) academic judgment and (2) procedure
- Framework for eligibility for review
- Rights and responsibilities of faculty with respect to review
- Language for extension requests for file submission

Proposed changes

The proposal contains changes to current language at several levels:

- A reorganization of Article 8 to better serve faculty who rely on it
- Substantive changes in process
- Articulation of implicit understandings and current practices
- Editing for clarity

A proposed reorganization of Article 8

Careful study of the current Article 8 reveals that review processes vary by type of review. In the interest of making review processes clear to candidates, reviewers and those who may be asked to assess our adherence to our stated review procedures, we propose a reorganization of Article 8 into four separate sub-articles, each focusing on a different type of review.

- Article 8a: Continuation Reviews
- Article 8b: Tenure Reviews
- Article 8c: Promotion Reviews
- Article 8d: Post-tenure Reviews

We believe this makes Article 8 a clearer and more user-friendly guide to continuation, tenure, promotion and post-tenure review.

Proposed and overarching substantive changes in review process

Next, we describe key *global* changes to Article 8, that affect multiple review processes. After highlighting the global changes, we turn to focused summaries of what we propose to do differently in each of the proposed sub-articles (8a, 8b, 8c, 8d).

President's authority to grant indefinite tenure and promotion. We include a recognition that Senate Bill 270, Section 270(8), transferred certain Oregon Administrative Rules from Chapter 580 to universities on July 1, 2015. Specifically, OAR 580-021-0100 1bB states that:

Indefinite tenure appointments are appointments given selected faculty members having an appointment of .50 FTE or more. Such appointments are made by the president in witness of the institution's formal decision that the faculty member has demonstrated such professional competence that the institution will not henceforth terminate employment except for cause, financial exigency, or program or department reductions or eliminations.

For that reason, we have signaled the President's final decision-making authority in tenure cases. We also include a presidential level of review for cases involving promotion to full professor. Prior to 2015, the Collective Bargaining Agreement included the president's final authority over both of these decisions.

Reimagining the UPRC. The chart in Appendix 1 illustrates the current process for faculty reviews for tenure, promotion and continuation. For tenure and promotion cases, we propose to replace that process with the following a straight-forward path illustrated in Figure 1.

Figure 1: Proposed path for reviews, by review type

	STANDARD LEVELS OF REVIEW AND ACTIONS THEY TAKE				
	1. DPRC	2. Dean	3. UPRC	4. Provost	5. President
Continuation	Recommendation	Recommendation		Decision	Appeal
Tenure (and promotion to Associate, if appropriate)	Recommendation	Recommendation	Recommendation	Recommendation	Decision
Promotion to Full	Recommendation	Recommendation	Recommendation	Recommendation	Decision
Post-Tenure Review	Review	Review		File/archive	

We propose a reimagining of the University Personnel Review Committee such that its charge is to review all promotion and/or tenure cases and provide recommendations to the Provost. While we understand the additional work entailed, the University believes that “the granting of tenure and promotion are the most critical decisions that the University makes towards its continued academic integrity.” Indeed, we believe it is *more* important than hiring decisions because of the permanence of the decision and availability of copious evidence to make that decision. As such, this function is a very high priority for the deployment of faculty service. In addition, it elevates the work of the UPRC by shifting from sporadic convening for extraordinary cases to a robust and regular mechanism for faculty across the university make recommendations to the provost regarding tenure and promotion, and to learn about the discipline-specific standards, evidence and work of colleagues.

We propose changes to the description of the UPRC’s composition and role, given this reimagining and to clarify current ambiguous language:

1. University Personnel Review Committee

Overview. Each academic year, the University will establish a University Personnel Review Committee comprised of one member from each unit in the university that has a unit-level Personnel Review Committee¹. The UPRC reviews and provides recommendations on applications for promotion and tenure.

Eligibility to serve. Membership on the UPRC is restricted to tenured faculty. To avoid conflicts of interest, no one who is being considered for promotion or tenure will serve on the UPRC. No Division

¹ Flexible language to allow for possible change in college structure in the future.

Chair may serve on the UPRC². While the UPRC may include members of a DPRC, each division is encouraged to elect a representative to the UPRC who is not a member of that division's DPRC so as to minimize recusals³.

Recusal. UPRC members who served on a particular faculty applicant's DPRC will abstain from voting on or discussing the specific case⁴ but may be called upon to clarify expectations appropriate to the particular discipline or division.

Selection of representatives. Each division will elect a representative to the UPRC. The division chair will announce as early as possible in the fall term who is eligible to serve on the UPRC, after which the division's faculty will vote to select their UPRC representative.

UPRC Chair. The UPRC will provide a recommendation to the Provost regarding the appointment of a UPRC member to the role of Chair of the UPRC. The appointment of the chair will be made by the Provost, in consultation with the Deans and the President. The Chair is responsible for convening and facilitating meetings, and ensuring that notification of UPRC recommendations as described in this article are completed in a timely fashion. The UPRC chair may be eligible for a course release during the Winter term.

The addition of a UPRC level of review, along with the president's review, will require adjustments in the deadlines for submission and review of files. Proposed timelines for tenure and promotion reviews are summarized in Appendix 2.

Clarity on unit-level expectations. We also include language that encourages units with Division Personnel Review Committees to:

provide their faculty with written guidance regarding: (1) the unique, area-specific expectations or standards for teaching/librarianship, scholarship and service within the division, and (2) any specific types of documentary evidence of performance reflecting the requirements [of the standards].

Such guidance is invaluable to candidates, and it provides essential context to review committee members and those who conduct reviews at subsequent levels of review.

The chart in Appendix 3 summarizes these proposed, overarching changes in process.

Making the implicit explicit

Because it evolved over time in a piecemeal fashion, the current Article 8 has some gaps. We studied the original article carefully to discern likely intentions of the language, and propose new language to fill those gaps and provide greater clarity and consistency.

² We propose to remove this exception. The UPRC is a faculty body and division chairs are management.

³ Deleted: "dual" reviews language because the next section says that cannot happen. We are really trying to minimize situations where a member of the UPRC has to recuse for having served on the division PRC

⁴ Deleted: remove themselves from the UPRC for that review. To be clear, they abstain from voting. They are still on the UPRC.

- We propose language regarding the purpose of review generally, and the specific purposes of each kind of review.
- The concepts of standards, evidence, review and academic judgment appear intermittently in the current Article 8. We use those concepts consistently throughout the sub-articles.
- The explanation of evidence of effective teaching was inconsistent between Article 8 and Appendix H. We have synthesized the two lists of evidence and propose that the same list appear in both places so as to reduce confusion by applicants and reviewers.

In addition, there are some current practices not currently contemplated in the CBA whose inclusion clarifies processes:

- Currently, we include anticipated dates for key reviews in letters of hire. We propose to integrate language about that practice into the CBA. Relatedly, there is dense language plopped into the middle of Article 8 regarding the general timing of reviews in the life-cycle of a faculty member. We moved this language to the end of the article since there is now language at the beginning of the article regarding personalized information included in letters of hire.
- Currently, and we suspect this was an oversight, tenure-clock stoppage is not available for full professors applying for tenure. We have integrated language for that in the proposed CBA as well.

Finally, given the small size of some divisions we propose language⁵ regarding DPRC's:

- We propose a minimum size of the DPRC – three members including the Division Chair – and a mechanism for the Division to recommend external committee members to the Dean if a DPRC of the minimum size cannot be convened from among eligible faculty.
- We propose to resolve the conflict between the statement that the chair will serve and the statement that no candidate under review will serve by adding that the chair serves but abstains from voting or discussion of their own case.

Proposed changes specific to sub-articles

Article 8a: Continuation Reviews.

- We propose language for a standard for continuation: “Each year, tenure-track faculty are expected to make sufficient and measurable progress towards building the body of evidence

⁵ Each academic year, each division will establish a Personnel Review Committee comprised of the Division Chair and a representative group of **at least two** additional tenured members. The Division Chair will serve as a voting and participating member of the DPRC, **but will recuse themselves from discussion or voting on their own applications**. Members who are applying for promotion must abstain from service on the DPRC in the year their own application for promotion is being reviewed. **If the Division cannot seat at least three members of the DPRC, the Dean will ask the Division faculty to recommend tenured faculty from other Divisions to serve as an outside member of the DPRC. The Dean will make the final appointment of outside members to the DPRC.**

that will support tenure.” This is our current practice, and we believe candidates for continuation review would benefit from seeing it in the CBA.

Article 8b: Tenure Reviews.

- We propose language that articulates the purpose of tenure in the university: “Tenure stabilizes the university’s academic programs and enhances academic freedom.”
- We propose language leaves that decision to apply for tenure one year early up to the applicant, and establish it as a notification process.

Article 8c: Promotion Reviews.

- In framing language, we clarify that “promotion reviews” happen for those applying for promotion to full professor, and explain why: “For Assistant Professors, tenure and promotion to Associate Professor are integrally linked and covered in Article 8B. In Article 8C, the term ‘promotion’ refers to promotion to Full Professor.” We are not aware of any instance in which an Associate Professor would be eligible, under the current CBA, to apply for tenure and promotion to full in the same review cycle.
- We propose to reformulate the “standards for Full Professor” so that they do not refer back to performance related to prior levels of review. That is:
 - Those who seek promotion to Full Professor are expected to meet the standard of exemplary and sustained teaching/librarianship effectiveness, and provide depth of evidence that reflects the accomplishments of a mature teacher/librarian.
 - Those who seek promotion to Full Professor are expected to meet the standard of sustained engagement in their field of scholarship.
 - Those who seek promotion to Full Professor are expected to meet the standard of leadership and/or impact of service on the institution.
 - Given these clarifications, we eliminate the “floor” statement⁶ that refers to the prior tenure and promotion review.

We believe that the standards for teaching and research are substantively the same, while the standard for service is clarified as to the expected outcome of such service on the institution.

- We propose language that leaves the decision to apply for Full Professor one year early up to the applicant, and establish a notification process.

⁶ Successful candidates for promotion to Full Professor continue their teaching, research, and service contributions at least at the level they had established when they were promoted to Associate Professor with tenure.

Appendix 1: Current Review Process

Treatment in current CBA	Standard Levels of Review			Notification of candidate
	1. DPRC	2. Dean	3. Provost	
Article 8, Section 6 (J, K, L, M) imply that all cases are reviewed at all three levels, and Provost's decision prevails if positive.	Favorable	Favorable	Favorable	Candidate is notified of the Provost's favorable review
	Unfavorable	Favorable	Favorable	Candidate is notified of the Provost's favorable review
	Favorable	Unfavorable	Favorable	Candidate is notified of the Provost's favorable review
	Unfavorable	Unfavorable	Favorable	Candidate is notified of the Provost's favorable review

Treatment in current CBA	Standard Levels of Review			Notification of candidate	Reconsideration and Appeal of Negative Provost Findings				
	1. DPRC	2. Dean	3. Provost		Candidate decides whether to request UPRC review, if applicable	4. UPRC Review, if applicable	Provost Reconsideration, if applicable	Candidate decides whether to appeal to President, if applicable	President's decision on appeal, if applicable
Article 8, Section 6K, L, N, O	Favorable	Favorable	Unfavorable	Candidate is informed of decision and option for review by UPRC	Candidate requests UPRC review	UPRC Convenes & Makes Recommendation	Provost reconsiders: Positive review stands.	Not applicable	
					Candidate does not invoke UPRC review within 10 days of notification from Provost; unfavorable review stands		Provost reconsiders: Negative	Candidate appeals to President	President considers: Positive President considers: Negative
Article 8, Section 6K, L, N, O	Unfavorable	Favorable	Unfavorable	Candidate is informed of decision and option for review by UPRC		Candidate requests UPRC review	UPRC Convenes & Makes Recommendation	Provost reconsiders: Positive review stands.	Not applicable
					Candidate does not invoke UPRC review within 10 days of notification from Provost; unfavorable review stands	Provost reconsiders: Negative		Candidate appeals to President	President considers: Positive President considers: Negative
Article 8, Section 6K, L, N, O	Favorable	Unfavorable	Unfavorable	Candidate is informed of decision and option for review by UPRC		Candidate requests UPRC review	UPRC Convenes & Makes Recommendation	Provost reconsiders: Positive review stands.	Not applicable
					Candidate does not invoke UPRC review within 10 days of notification from Provost; unfavorable review stands	Provost reconsiders: Negative		Candidate appeals to President	President considers: Positive President considers: Negative
Article 8, Section 6M	Unfavorable	Unfavorable	Unfavorable	Candidate is informed of decision; no appeal to UPRC		Not applicable			

		Tenure	Promotion	
September	Last week	Academic Year Starts	Academic Year Starts	
October	1st Week	Review Files Assembled	Review Files Assembled	
	2nd Week			
	3rd Week			
	4th Week			Friday -- Tenure files due to DPRC
November	1st Week	DPRC Review & Conferences	DPRC Review	
	2nd Week			
	3rd Week			Friday -- Tenure files due to Dean
	4th Week			
December	1st Week	Dean Review	Friday -- Promotion Files due to Dean	
	2nd Week			
	3rd Week			Friday -- Tenure Files due to Provost/UPRC
	4th Week			
January	1st Week	UPRC Review	Dean Review	
	2nd Week			
	3rd Week			
	4th Week			Friday -- Promotion Files due to Provost/UPRC
February	1st Week	Provost Review	UPRC Review	
	2nd Week			
	3rd Week			
	4th Week			
March	1st Week	Friday -- Tenure Files due to President	Friday -- Promotion Files due to Provost	
	2nd Week			
	3rd Week			
	4th Week			
April	1st Week	President's Review	Provost Review	
	2nd Week			
	3rd Week			
	4th Week			Friday -- Promotion Files due to President
May	1st Week	Friday -- President's Decision	President Review	
	2nd Week			
	3rd Week			
	4th Week			Friday -- President's Decision

Appendix 3: Illustration of proposed overarching changes to process

