TO: The Executive Committee of the Academic Senate
FROM: Faculty Affairs Committee (FAC)
SUBJECT: Revisions of Retention, Tenure, and Promotion Policy and Procedures (RTP)
PURPOSE: For Action by the Academic Senate
ACTION REQUESTED: Approval of the attached RTP policy revisions by the Academic Senate, to be effective as soon as approved by the president

BACKGROUND INFORMATION: In AY 2009-10, the Faculty Affairs Committee (FAC) proposed several changes to the RTP Policy and Procedures document that were approved by the Academic Senate (2009-10 FAC 10) but that were not approved by the President. In 2010-11, FAC returned to the document to work on the revisions. Based on discussion on FAC throughout 2010-2011, the Committee Chair and Presidential Appointee wrote a report on the recommendations which they presented to this year’s FAC.

At our meetings on November 9th and November 16th, FAC reviewed the report and unanimously approved these recommendations, which fall into two categories: those that clarify expectations for candidates and those that bring the document in conformity with the Collective Bargaining Agreement (CBA), which governs our RTP document.

The clarifications concern consistent use of language in making recommendation in each category (item 1), the departmental guidelines for professional achievement (item 2), and the basis of evaluation for promotion from associate to full professor (item 3).

To be in conformity with section 15.5 of the CBA, FAC recommends changes that clarify the candidate’s right to respond as well as rebut at all levels of review (item 4). Since section 15.5 states that “faculty have the right to respond to or rebut any decision at any level of review,” FAC recommends changes to the function of the University committee to assure candidates the right to receive, respond to, and rebut written recommendations from the University committee as well as to request a meeting to discuss the recommendation (item 5). Since the CBA refers to “calendar” rather than “academic” days, FAC recommends indicating throughout the document that “days” means “calendar days” not academic days (item 6).

1. Encourage department committees, chairs, college committees, and college deans to use consistent language regarding their recommendations for candidates in each category of criteria – instructional, professional, university service, and community service: the language being whether the candidate “meets expectations,” “exceeds expectations,” or “does not meet expectations.” Add this sentence to section 3.6.6, and similar language to sections 10.2.4, 10.2.6, 11.2.6, and 11.2.8.

   “For each category of criteria – instructional achievement, professional achievement, university service, and community service – the letter shall indicate whether the candidate ‘meets expectations,’ ‘exceeds expectations,’ or ‘does not meet expectations.’”

2. In introduction to Section 4.0. on Uniform Criteria, rather than require, strongly encourage the establishment of department guidelines for professional achievement. Replace approval of such guidelines by FAC with approval by college deans in consultation with their council of chairs. Provide for the use of uniform criteria in section 4.3 for departments without such guidelines.
“One exception applies. Departments will be strongly encouraged to establish and maintain their own Guidelines for Professional Achievement that are consistent with: a) the department's discipline or disciplines; b) the uniform criteria for professional achievement outlined in section 4.3 below; and c) CSU professional criteria in general, as suitable to a university primarily devoted to teaching. The guidelines will be developed by the departmental faculty in consultation with and approved by the College Dean in consultation with his or her council of chairs. To be considered in the retention, tenure, and promotion process, these guidelines must be approved by a majority vote of all regular faculty in the department and by the College Dean. Such Guidelines, with a dated record of the department vote and the Dean's approval, shall be kept on file in the offices of the College Dean and the Provost and Vice President of Academic Affairs, and will go into effect upon the approval by the Faculty Affairs Committee, the Academic Senate, and the President.”

3. In section 8.1 on expectations for promotion from associate to full professor, add the following sentence to clarify standing practice on campus when considering candidates for promotion from associate to full professor: “Evaluations will be based on the candidate’s achievement since his or her last promotion.”

4. Provide language that allows candidate to respond to a recommendation whether or not it is negative and to request a meeting at any level of review. These changes bring our document in conformity with CBA Article 15.5, which permits candidates to respond to a recommendation and request a meeting for any reason.

Insert in 3.8.3:
“The candidate shall have the right to appeal a negative decision, respond to the decision at the Department, or College, or University level and to add a letter of rebuttal to his or her WPAF in accordance with provisions of Section 10.2.4, 10.2.6, and 11.2.7, 11.2.8, and 12.2.10 of this document.”

Change language in 10.2.5 (adding section a)

“a. The candidate may provide a letter and/or request a meeting in response to any recommendation from the committee within ten (10) calendar days after the date of the receipt of the letter.

b. If the recommendation is negative, the candidate may request reconsideration, may submit a rebuttal letter, and is entitled to meet with the Committee to discuss the recommendation. The request for reconsideration and submission of the rebuttal letter and/or request for a meeting with the Committee to discuss the recommendation must be made within ten (10) academic calendar days after the date of receipt of the letter of recommendation.

c. If a meeting is requested, the meeting will be held as soon as possible, but normally not later than ten (10) academic calendar days after the Committee has received the request from the candidate. A rebuttal letter shall be read by the members of the Department Committee. If a meeting has been held and/or a rebuttal letter submitted, the Committee shall send, as soon as possible, a memorandum containing its subsequent recommendations to the Department Chair. This memorandum shall be forwarded to be placed in the candidate’s WPAF, with a copy to the candidate.”

Make similar changes to 10.2.6 (Chair) 11.2.7 (College Committee), 11.2.8 (Dean).

5. To be in conformity with the CBA, change the functions of the University committee. Add language that requires the University Committee to notify the candidate in writing of its recommendation and that allows the candidate the right to respond, rebut, and meet with the committee.
Proposed language:

“Functions of the University Committee”

“12.2.10 The University Committee shall notify the faculty member of its recommendation and provide the faculty member with a copy of the Committee's letter of recommendation no later than the deadline date for transmittal of WPAFs to the President. Official date of receipt of the letter shall be defined as the deadline date.

a. The candidate may provide a letter and/or request a meeting in response to any recommendation from the committee within ten (10) calendar days after the date of the receipt of the letter.

b. The candidate may request reconsideration, may submit a rebuttal letter, and is entitled to meet with the Committee to discuss the recommendation. The request for reconsideration and submission of the rebuttal letter and/or request for a meeting with the Committee to discuss the recommendation must be made within ten (10) calendar days after the date of receipt of the letter of recommendation.

c. The meeting will be held as soon as possible, but normally not later than ten (10) calendar days after the Committee has received the request from the candidate. A rebuttal letter shall be read by members of the University Committee. Copies of the rebuttal letter shall be sent by the Chair of the Committee to the previous levels of review. If a meeting has been held and/or a rebuttal letter submitted, the Committee shall send, as soon as possible, a memorandum containing its subsequent recommendation to the President, with copies to the candidate, the College Committee, the College Dean, the Department Committee, and the Department Chair.”

12.3 Conclusion of University Review

12.3.1 If the President does not endorse the recommendation of the committee, he or she may return the WPAF to the Committee for its reconsideration, and will meet with the Committee to discuss his or her reservations.

12.3.2 If the President requests the Committee’s reconsideration, the Committee will submit a final recommendation to the President in the same form as specified in Section 12.2.9.

12.3.3 If the President does not endorse the Committee's final recommendation, the President will inform the Committee of the decision and the basis for it.

13.0 NOTIFICATION TO THE CANDIDATE REGARDING THE PRESIDENT’S DECISION

13.1 The President shall notify each candidate for retention, tenure, and/or promotion of his or her decision in the case. Such notification shall be in writing and shall include the reasons for the decision, and, in cases of tenure and promotion, shall be accompanied by a copy of the University Committee’s recommendation. Only a copy of the President's letter shall be provided to the Provost and Vice President for Academic Affairs, the College Dean, the Department Chair, and the Chairs of each of the Promotion and Tenure Committees which made a recommendation in the case.

Section 13.2 is deleted, and 13.3 is renumbered.

6. Indicate throughout the document that “days” means “calendar days” not academic days in conformity with the CBA, Article 15.