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8 **POLICY RECOMMENDATION**
9 **Further Clarification of the Transition to the new system for**
10 **Retention, Tenure, and Promotion (RTP)**
11 **Amends S15-8 (RTP Criteria and Standards)**
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14 Resolved: That the following amendment be incorporated into the first resolved clause
15 of S15-8 which is shown in italics below, with the shown amendments
16 edited into the public copies of S15-8:
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19 Resolved: *That S98-8 be rescinded and replaced with the following policy according*
20 *to the following time schedule and conditions:*
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- 22 1) *This policy will be effective for all tenure/tenure track faculty appointed*
23 *for AY 2016/17 and subsequently.*
- 24 2) *This policy will be effective for all tenure/tenure track faculty regardless*
25 *of appointment date beginning in AY 2020/21 (after five years). 2021/22*
26 *(after six years.)*
- 27 3) *During a transition, tenure/tenure track faculty appointed before AY*
28 *2016/17 shall have the choice to be evaluated using the criteria and*
29 *standards of the old policy or according to this policy. (The criteria and*
30 *standards of the old policy means these sections of S98-8: II (Criteria)*
31 *V.B (Standards for Tenure), and VI.B (Standards for Promotion)*
32 *excluding the procedural sections on retention.)*
- 33 4) *Faculty who choose to be evaluated under this policy may not*
34 *subsequently return to be evaluated by the criteria and standards of the*
35 *old. Their decision must be made prior to the faculty member's next*
36 *performance review and be included as a statement in the beginning of*
37 *the Working Personnel Action File (i.e. the dossier) for all performance*
38 *reviews during the transition period.*
- 39 5) *The Office of Faculty Affairs will devise a method by which the personnel*
40 *committees and other reviewing bodies may readily distinguish between*
41 *candidates being evaluated under S98-8 and the attached policy (e.g.,*
42 *different color binders).*
- 43 6) *Resolution of discrepancies during the transition. The choice between*
44 *the old and new criteria and standards applies to those sections of policy*
45 *explicitly identified above, but also to any other sections of policy*
46 *scattered elsewhere in the overall policy that clearly reference criteria*
47 *and standards. If there is ambiguity about whether the old or the new*
48 *sections apply, the AVP for Faculty Affairs shall define which applies.*
- 49 7) *The AVP for Faculty Affairs, in consultation with the Professional*
50 *Standards Committee, shall be further empowered to adjust the*
51 *implementation of this policy to accommodate other issues that may*
52 *arise as a result of the transition from S98-8 to S15-8. This entire*
53 *resolved clause will expire when no more faculty are covered by S98-8*
54 *and shall be edited out of public copies of S15-8.*

62 *Rationale: It was the intent of S15-8 to allow faculty a choice between the Criteria and*
63 *Standards of the old system and those of the new system during a transition*
64 *period. The reason for this choice is that our faculty, including those*
65 *currently in their first year, accepted their positions at SJSU after being*
66 *given a copy of the current RTP policy, which created a reasonable*
67 *expectation that they would be evaluated by those criteria and standards.*
68 *Professional Standards believes that many if not most faculty will choose*
69 *the newer standards, but feels an ethical obligation to offer our current*
70 *probationary faculty a choice.*

71
72 *Unfortunately, the implementation clauses (1 and 2 above) are confusing or*
73 *contradictory about whether our "first year" cohort of faculty may exercise*
74 *this choice. In point 1 (above) it seems that only faculty who start in AY*
75 *2016/17 will be placed entirely under the new standards, implying that our*
76 *current 1st year cohort (the 2015/16 class) will be able to choose. But in*
77 *point 2 (above) a phase-out end date is set which will be before our first*
78 *year cohort comes up for the final tenure decision. Thus the two clauses*
79 *are contradictory. The amendment in point 2 (above) fixes this by*
80 *extending the phase-in for a sixth year.*

81
82 *Clause 7 is added so that the Senate does not have to consider any other*
83 *minor transitional amendments. Implementation of a complex policy is*
84 *bound to expose similar issues and it would be less disruptive if the AVP for*
85 *Faculty Affairs, in consultation with Professional Standards, can simply*
86 *settle any such issues promptly rather than returning to the Senate*
87 *repeatedly as implementation issues arise.*

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90 *Approved: (Email vote August 31-September 1, 2015)*

91
92 *Vote: (8-0-0)*

93
94 *Present: (Peter, Green, White, Lee, Cuellar, Virick, Kauppila, Riley)*

95
96 *Absent: ()*

97
98 *Financial Impact: No changes over the previous policy.*

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100 *Workload Impact: No changes over the previous policy.*