

6
7
8
9 **Policy Recommendation**
10 **Amendment C to S15-6,**
11 **Appointment of Regular**
12 **Faculty Employees;**
13 **Consideration for Early**
14 **Tenure for Previously**
15 **Tenured Faculty**

16
17
18 **Resolved:** That S15-6 be amended as shown in the ~~strikeout~~ and underline of the
19 following excerpt from the policy.

20
21 **Rationale:** From time to time, tenured faculty at other institutions elect to come to SJSU
22 and many of them must give up their tenure at their prior institution to do
23 so—starting over again as untenured faculty at SJSU. Under the terms of
24 the CBA, SJSU can offer them a maximum of two years of “service credit,”
25 thus lessening the length of time for tenure at SJSU from six years to four
26 years. But four years is still a very long time to wait for a faculty member
27 who has already been through a six year cycle elsewhere. In the past,
28 some of these previously tenured faculty were encouraged to not only
29 accept the two years of service credit, but to also apply for tenure a year or
30 two “early.” This could lessen the time required to regain their previous
31 status to a total of two or three years.

32
33 The new RTP policy (S15-8) made the requirements for early tenure more
34 stringent. This reform was necessary for a variety of reasons and was duly
35 considered and debated. However, the discussion about early tenure
36 focused solely on our “native” faculty who begin their careers at SJSU. The
37 implications of the more stringent standards for previously tenured faculty
38 was never considered. Professional Standards is concerned that the new
39 standards removes a tool that was previously available to help us recruit
40 and retain some of our very best faculty.

41
42 Professional Standards has considered several ways of addressing this
43 issue and has consulted with the Provost. The most acceptable strategy
44 makes use of appointment letters. In this way, the individual situations of
45 previously tenured faculty can be addressed on a case-by-case basis, with a
46 judgment made at the time of hiring whether their previous record warrants
47 special consideration for early tenure. This amendment changes the
48 appointments policy to allow an appointment letter to make such a
49 designation.

50
51
52 If this policy change were accepted, language in an appointment letter might
53 read something like this if the University wished to encourage an early
54 tenure application from a prospect. This particular example encourages an
55 application for tenure after the fifth year:

56
57
58 At SJSU, probationary faculty may apply for early tenure
59 under the terms explained in University Policy S15-8, which
60 is attached. The policy specifies much higher standards for
61 early tenure than are required for tenure after a full six year
period. However, in light of your prior tenure at a

62 comparable university, SJSU offers to evaluate your
63 application for tenure after five years of probation (with your
64 service credit counting towards that time) using the normal
65 standards for tenure. While a favorable decision will still
66 depend upon your ability to meet our standards, this offer will
67 give you an option that you may find helpful if you seek to
68 reduce your time to tenure
69

70 We believe that the CBA permits this policy change. The CBA reads as
71 follows:
72

73 13.3 The normal period of probation shall be a total of six (6)
74 years of full--time probationary service and credited service,
75 if any. Any deviation from the normal six (6) year
76 probationary period shall be the decision of the President
77 following his/her consideration of recommendations from the
78 department or equivalent unit and appropriate
79 administrator(s).
80

81 The President, through the Provost, would control whether the opportunity
82 was extended in the appointment letter, and the President, through the
83 Provost, would also continue to decide whether the early tenure would be
84 granted at the time of the performance review, thus doubly complying with
85 CBA 13.3.
86

87
88 Approved: Under Review by the Committee
89

90 Vote: 8-0-0
91

92 Present: Peter, Green, Lee, Reade, Caesar, Hamed-Hagh, Marachi, Hwang
93

94 Absent: White, Kauppila
95

96 Financial Impact: There is a possibility that a small number of faculty may be promoted a
97 year or two earlier than they otherwise would be, leading to higher salary costs. There is
98 also a possibility that this will help us to recruit and retain promising faculty, leading to
99 fewer failed searches and lower attrition, which would have cost savings.
100

101 Workload Impact: No direct impacts.
102

103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137

POLICY RECOMMENDATION
Amendment C to S15-6
Appointment of Regular Faculty Employees;
Consideration for Early Tenure for Previously Tenured Faculty

-
- 5.0 Appointment letters
- 5.1 Appointment letters shall be written by the college dean in consultation with the chair of the department.
- 5.2 Appointment letters must be approved by the Office of the Associate Vice President for Faculty Affairs, who shall also provide suitable templates to the Colleges.
- 5.3 The letter shall reference the relevant university policies and department guideline regarding the criteria and standards for retention, tenure, and promotion.
- 5.4 Appointment letters may summarize and clarify how the expectations contained in policy and guidelines will apply to a faculty member, but the letter may not change or contradict the standards. If there is a perceived conflict between an appointment letter and university policies, the policy language shall take precedence.
- 5.5 In the case of a previously tenured faculty member, an appointment letter may specify whether the faculty member might be reviewed for tenure and promotion using the normal standards of the Criteria policy (S15-8, 4.1.3) earlier than the 6th probationary year
- 5.6 Any subsequent change in the particular character of a faculty member's academic assignment shall be made in writing and approved by the faculty member, the department chair, the college dean, and the AVP for Faculty Affairs. An addendum to the appointment letter must then be included in the personnel action file and in subsequent dossiers. Faculty who believe their academic assignment has significantly changed may request a review of their appointment letter by submitting a written request to their Chair. It is their responsibility to submit any such requests according to published timelines.