

7 **Policy Recommendation**  
8 **Amendment K to University Policy S15-7**  
9 **Retention, Tenure and Promotion for Regular Faculty**  
10 **Employees: Procedures**  
11

12 Legislative History: This is the first of two policy proposals intended to add information  
13 about administrative recusal of RTP committee members to S15-7 and S15-8.  
14

15 Rationale: S15-8 includes a recommendation on self-recusal in the case of bias (or  
16 appearance of bias), but the availability of administrative recusal is not  
17 described in policy (nor widely known among faculty). This proposal would  
18 amend S15-7 to indicate the existence of a procedure for administrative  
19 recusal of RTP committee members.  
20

21 Resolved That section 3.0 of S15-7 (Retention, Tenure and Promotion for Regular  
22 Faculty Employees: Procedures) be modified as follows:  
23

24 3.0 Procedures for Retention, Tenure, and Promotion

25 3.1 Procedures and principles for all personnel committees

26 3.1.1 Training. All committee members must be thoroughly trained in the use of  
27 the present university policies on Criteria and Standards and for  
28 Procedures for Retention, Tenure, and Promotion. Department chairs,  
29 college deans, and the Associate Vice President for Faculty Affairs shall  
30 arrange for appropriate training in the application of this policy.

31 3.1.2 Charge. Prior to deliberations, all members of a personnel committee shall  
32 sign a statement prepared by the Office of Faculty Affairs indicating that  
33 they have been trained appropriately, that they have read and understood  
34 the relevant policies, and that they will apply the policies fairly and  
35 accurately to the best of their ability. The statement shall also include their  
36 agreement to keep confidential all content of committee deliberations. The  
37 charge will be delivered by the Senior Director, Faculty Affairs, or the  
38 Dean, or the Chair, corresponding to the level of the committee.  
39 Committee members may not view dossiers or deliberate until after having  
40 signed the agreement.

- 41           3.1.3 Election of RTP members
- 42           3.1.3.1 At all levels, faculty shall be elected to serve on RTP committees by  
43           secret ballot.
- 44           3.1.3.2 Faculty elected to serve on RTP committees should consider that  
45           their participation affects the careers of colleagues as well as the  
46           well-being of students and the health of the University more  
47           generally. This service shall be their highest professional priority.
- 48           3.1.3.3 Candidates should verify their ability to serve during the scheduled  
49           meeting times. If necessary and feasible, Deans and Chairs should  
50           adjust members' teaching schedules to accommodate their ability to  
51           attend the scheduled meetings. If an elected member has  
52           unresolvable conflict with the meeting schedule, that member should  
53           promptly notify the Dean and Chair who should arrange to replace  
54           the member via a special election prior to the beginning of committee  
55           deliberations.
- 56           3.1.3.4 No one may serve during the same review cycle on more than one  
57           level of committee; membership on the University committee, a  
58           college committee, or a department committee precludes  
59           membership on the other two.
- 60           3.1.3.5 All departments with four or more active Professors are expected to  
61           provide members/nominees to higher level committees. Departments  
62           with three or fewer active Professors may provide  
63           members/nominees to higher level committees by supplementing  
64           their department level committee with external faculty (if needed) as  
65           per 3.2.7. A department with insufficient faculty to provide a  
66           representative to a College level committee may elect a  
67           representative from outside its department in a related discipline, or it  
68           may elect another department's elected representative as a designee  
69           to explain the department's criteria and context to the College  
70           committee.
- 71           3.1.3.6 Only faculty who will be on academic assignment for both semesters  
72           of the Academic Year are eligible to serve on RTP committees.
- 73           3.1.3.7 Faculty members who are enrolled in the early retirement program  
74           (FERP) are eligible to serve on RTP committees if they meet all other  
75           criteria, including holding the appropriate rank, being active for both  
76           semesters of the academic year, and being elected by secret ballot.  
77           Elsewhere where this policy says "tenured faculty" it includes FERP  
78           faculty in that definition, as per the Collective Bargaining Agreement.

79 3.1.4 Recusals: A procedure to request the administrative recusal of  
80 committee members in cases of bias or conflict of interest will be  
81 developed by Faculty Services in consultation with the Professional  
82 Standards Committee.

83 3.1.5 Quorums

84 A simple majority of the full membership of the committee must be  
85 present to obtain a quorum necessary in order to conduct business.  
86 In all personnel recommendations, a simple majority of those voting  
87 prevails. A quorum is determined at the beginning of the meeting,  
88 prior to any members removing themselves for purposes of  
89 abstention.

90 3.1.56 Voting procedures for all decisions

91 3.1.56.1 Voting. College and University committees and any Department  
92 committees consisting solely of tenured Professors may devise their  
93 own voting procedures. Department Committees with members of less  
94 than full rank shall always vote by written secret ballot. Regardless of  
95 the voting method, the results shall be immediately announced in the  
96 committee and recorded. If written secret ballots are used, they shall  
97 be retained and sealed and stored in the Department / College /  
98 AVP's office until after the following stage of review has been  
99 completed, then they shall be destroyed. Electronic voting may not be  
100 used unless it is implemented in a manner that provides the same  
101 degree of secrecy and security as paper ballots. No member may vote  
102 (electronically or any other way) who has not participated in the full  
103 discussion of any case.

104 3.1.56.2 Abstentions

105 3.1.56.2.1 Permitted reasons for abstention include if a member has a  
106 conflict of interest concerning the candidate, or if a member has  
107 failed to do due diligence in reviewing the dossier. Committee  
108 members shall not abstain simply because they find a case  
109 difficult to decide.

110 3.1.56.2.2 Committee members who abstain must declare their intention  
111 in advance and must absent themselves from committee  
112 deliberations. Abstaining members may not contribute to the text  
113 of the committee's explanation (majority or minority) for its  
114 decision.

115 3.1.67 Voting for Tenure and Promotion

116 3.1.~~67~~.1 For tenure and promotion decisions, committees will conduct  
117 separate votes to determine the candidate's level of achievement in  
118 each category of achievement.

119 3.1.~~67~~.2 The final committee recommendation for tenure and promotion will  
120 be determined by comparing the three levels of achievement to the  
121 standards described in the policy on Criteria and Standards.

122 3.1.~~78~~ Voting for Retention

123 For retention there will be one vote to "retain" or "do not retain." using the  
124 standards described in the policy on Criteria and Standards.

125 3.1.~~89~~ Recording Committee recommendations. Committees shall write reports  
126 for each case stating the reasons for all votes cast. (An abstention is not  
127 considered a "vote" for this purpose.) A statement of these reasons shall  
128 be included in a single report from the committee, with the possibility of a  
129 separate "minority" report. In either case, the confidentiality of voting shall  
130 be maintained, and signatures on the report(s) shall not indicate how  
131 individual members voted when recommendations are not unanimous.

132 3.1.~~910~~ Confidentiality. All personnel materials, proceedings, and  
133 recommendations are confidential, except (a) that positive final decisions  
134 may be announced; (b) that each faculty member shall have access to  
135 materials in his/her personnel files as provided by law, the Agreement,  
136 and Trustee policy; and (c) that any individual may voluntarily disclose  
137 materials from his/her personnel file at an appropriate proceeding, such as  
138 a grievance or court hearing.

139 3.1.~~101~~ Deadlines. Deadlines for the procedural steps provided herein shall be  
140 established at the start of the academic year by the Associate Vice  
141 President for Faculty Affairs. Deadlines shall include a specific closing  
142 date "at which time the Personnel Action File is declared complete with  
143 respect to documentation of performance for the purpose of evaluation,"  
144 as required by the Agreement (Section 15.12.b). If any stage of the review  
145 has not been completed within the specified time, the performance review  
146 shall automatically be transferred to the next review level and the faculty  
147 member shall be so notified. The calendar with deadlines shall be  
148 communicated to all faculty subject in a given academic year to personnel  
149 actions governed by this policy.

150 Approved: February 13, 2023  
151 Vote: 10-0-0  
152 Present: Barrera, French, Gómez, Kazemifar, Maldonado, Monday, Pruthi, Riley,  
153 Smith, Wang  
154 Absent: None

155

156 Financial Impact: None

157 Workload Impact: A small amount of work by UP/FS and PS to develop the procedure

158 described here.