

**SAN JOSE STATE UNIVERSITY
ONE WASHINGTON SQUARE
SAN JOSE, CA 95192**

Amendment A to University Policy S15-8, Further Clarification of the Transition to the New System for Retention, Tenure, and Promotion (RTP) [originally passed as F15-2, renamed Amendment A to University Policy S15-8 on October 20, 2019]

Amends S15-8

Legislative History:

At its meeting of September 14, 2015, the Academic Senate approved the following policy amendment presented by Senator Peter for the Professional Standards Committee.

Action by University President: **Approved and signed by Interim President Susan W. Martin on September 18, 2015**

**Amendment A to University Policy S15-8,
Further Clarification of the Transition to the New System for
Retention, Tenure, and Promotion (RTP)**

Resolved: That the following amendment be incorporated into the first resolved clause of S15-8 which is shown in italics below, with the shown amendments edited into the public copies of S15-8:

Resolved: That S98-8 be rescinded and replaced with the following policy according to the following time schedule and conditions:

- 1) This policy will be effective for all tenure/tenure track faculty appointed for AY 2016/17 and subsequently.
- 2) This policy will be effective for all tenure/tenure track faculty regardless of appointment date beginning in AY ~~2020/21 (after five years)~~. 2021/22 (after six years.)
- 3) During a transition, tenure/tenure track faculty appointed before AY 2016/17 shall have the choice to be evaluated using the criteria and standards of the old policy or according to this policy. (The criteria and standards of the old policy means these sections of S98-8: II (Criteria) V.B (Standards for Tenure), and VI.B (Standards for Promotion) excluding the procedural sections on retention.)

- 4) Faculty who choose to be evaluated under this policy may not subsequently return to be evaluated by the criteria and standards of the old. Their decision must be made prior to the faculty member's next performance review and be included as a statement in the beginning of the Working Personnel Action File (i.e. the dossier) for all performance reviews during the transition period.
- 5) The Office of Faculty Affairs will devise a method by which the personnel committees and other reviewing bodies may readily distinguish between candidates being evaluated under S98-8 and the attached policy (e.g., different color binders).
- 6) Resolution of discrepancies during the transition. The choice between the old and new criteria and standards applies to those sections of policy explicitly identified above, but also to any other sections of policy scattered elsewhere in the overall policy that clearly reference criteria and standards. If there is ambiguity about whether the old or the new sections apply, the AVP Faculty Affairs shall define which applies.
- 7) The AVP Faculty Affairs, in consultation with the Professional Standards Committee, shall be further empowered to adjust the implementation of this policy to accommodate other issues that may arise as a result of the transition from S98-8 to S15-8. This entire resolved clause will expire when no more faculty are covered by S98-8 and shall be edited out of public copies of S15-8.

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

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

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

Approved: (Email vote August 31-September 1, 2015)
 Vote: (8-0-0)
 Present: (Peter, Green, White, Lee, Cuellar, Virick, Kauppila, Riley)
 Absent: None
 Financial Impact: No changes over the previous policy.
 Workload Impact: No changes over the previous policy.