

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

S15-7, University Policy, Retention, Tenure and Promotion for Regular Faculty Employees: Procedures [University Policy S15-7 with Amendments A, B, C, D, E, F, G, H, I, J, K, and L included]

Effective: Fall 2016

**Amended by S15-7, Amendment A
Amended by S15-7, Amendment B
Amended by S15-7, Amendment C
Amended by S15-7, Amendment D
Amended by S15-7, Amendment E
Amended by S15-7, Amendment F
Amended by S15-7, Amendment G
Amended by S15-7, Amendment H
Amended by S15-7, Amendment I
Amended by S15-7, Amendment J
Amended by S15-7, Amendment K
Amended by S15-7, Amendment L**

At its meeting of April 27, 2015, the Academic Senate approved the following policy recommendation presented by Senator Peter for the Professional Standards Committee. University Policy S15-7 was approved by President Mohammad Qayoumi on June 12, 2015, and it replaced Sections III, V.A, and VI.A. of University Policy S98-8, the Appointment, Retention, Tenure, and Promotion Criteria, Standards and Procedures for Regular Faculty Employees.

S15-7 was amended by University Policy F15-1. F15-1 was approved by Interim President Susan W. Martin on September 18, 2015. S15-7 was further amended by University Policy S16-2 approved by Interim President Susan W. Martin on February 9, 2016. University Policy F15-1 was renamed University Policy S15-7, Amendment A, on March 21, 2016. University Policy S16-2 was renamed University Policy S15-7, Amendment B, on March 21, 2016.

Amendment C to S15-7 was approved by the Academic Senate at the April 25, 2016 meeting and was approved/signed by Interim President Susan W. Martin on May 2, 2016. Amendment C is effective AY 16-17. Amendment C changes section 3.1.3. and 3.4.2.

Amendment D to S15-7 was approved by the Executive Committee acting on behalf of the Senate on June 22, 2016 and was approved/signed by President Mary A. Papazian on July 26, 2016. Amendment D clarifies procedures for FERP faculty that serve on RTP committees.

Amendment E to S15-7 was approved by the Executive Committee acting on behalf of the Senate on August 29, 2016 and was approved/signed by President Mary A. Papazian on September 6, 2016. Amendment E deletes a phrase that was repeated elsewhere in the old policy and which should have been removed at the time of the earlier amendment (Amendment D). This is an editorial change. This amendment removes section 3.2.6 and renumbers the following sections of 3.2 accordingly.

Amendment F to S15-7 was approved by the Senate on November 20, 2017 and approved/signed by President Mary A. Papazian on November 29, 2017. Amendment F amends section 3.2.9 of University Policy S15-7 regarding department chair participation on RTP committees.

Amendment G to S15-7 was approved by the Senate on April 30, 2018 and was approved/signed by President Mary A. Papazian on May 11, 2018. Amendment G amends section 2.2.2 of University Policy S15-7 regarding periodic reviews.

Amendment H to S15-7 was approved by the Senate on March 25, 2019 and was approved/signed by President Mary A. Papazian on August 19, 2019. Amendment H amends section 5.4.3 Late Add Materials.

Amendment I to S15-7 was approved by the Senate on March 2, 2020 and was approved/signed by President Mary A. Papazian on May 4, 2020. Amendment I amends sections 1.2 and 3.3 regarding procedures concerning small colleges.

Amendment J to S15-7 was approved by the Senate on February 8, 2021 and was approved/signed by President Mary A. Papazian on March 17, 2021. Amendment J amends sections 3.7 regarding joint appointments.

Amendment K to S15-7 was approved/signed by President Cynthia Teniente-Matson on April 25, 2023. Amendment K adds information about administrative recusal.

Amendment L to S15-7 was approved/signed by President Cynthia Teniente-Matson on September 18, 2023, this amendment add language to S15-7 to clarify the culmination of the RTP Process.

University Policy S15-7 as amended by Amendments A, B, C, D, E, F, G, H, I, J, K, L is as follows:

University Policy Retention, Tenure and Promotion for Regular Faculty Employees: Procedures

Resolved: That all procedural portions of S98-8 be deleted, including Section III “General Procedures,” V.A “Procedures for Retention/Tenure Decisions,” and VI.A “Procedures for Promotion Decisions.” Be it further

Resolved: That this policy be adopted effective for Fall 2016 Semester; be it further

Resolved: The Senior Director, Faculty Affairs, in consultation with the Professional Standards Committee, shall determine a timeline for the conversion to electronic dossiers, but the conversion shall be completed no later (and preferably earlier) than the end of a five-year phase-in period (AY 2020 21.) be it further

Resolved: That Professional Standards will report to the Senate with a draft of the Dossier Format Guide (referred to in 5.4.5.1) for feedback in Spring 2016; be it further

Resolved: That this policy shall be given a thorough review by the Professional Standards Committee at least once during each six-year cycle; meaning no later than AY 2021-2022.

Resolved: Any probationary faculty member who has completed a performance review under S98-8 prior to Fall 2016 (e.g., received a second year review during AY 2015-16 or earlier) shall continue to be reviewed under the timeline (2-4-6) begun under the old policy until the tenure decision is completed. The Senior Director, 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 S15-7. This clause will expire at the end of AY 2019-20.

Rationale: Prior to 1998, SJSU’s ARTP policy was regularly revised every few years in response to changes in the Collective Bargaining Agreement, to problems encountered in implementation of the policy, and to changes in expectations and working conditions over time. In 2006 a major redraft of this policy was produced after 6 years of work, but it was never signed into effect. The Senate temporarily lost interest after the failed effort, but it became increasingly clear that the existing policy was accumulating problems and inconsistencies with every passing year.

In AY 2012-13 the Professional Standards Committee decided to tackle the problem. In 2012-13 the Committee gathered information about the way the existing policy was working. We interviewed members of numerous RTP committees, interviewed the Provost, and distributed a campus-wide survey to t/tt faculty. What we discovered was

troubling. Hundreds of responses from faculty at different stages of their careers reported concerns that the old policy lacked sufficient flexibility in choices related to professional development, that the criteria for tenure and promotion were often unclear, and that the procedures used in implementing the process were sometimes unfair.

In AY 2013-14 the committee spent the first half of the year exploring alternative policies, surveying both within and outside the CSU. In December 2013 the Senate endorsed a general approach to reforming the criteria and standards for RTP. Then, in AY 2014-15 the committee spent the year working on revised language, section by section and at times word by word.

The policy reform of the criteria and standards are addressed in a separate policy. This policy concerns all the procedures necessary to implement an evaluation system for retention, tenure, and promotion.

As part of the Professional Standards Committee's efforts to modernize all parts of our University's largest and most complicated policy, it has decided to separate the procedures portion of the old ARTP policy for easier and more convenient use. The procedural details of RTP are of greater interest to committee chairs, department Chairs, and administrators, while the criteria and standards are of wider interest and are of particular interest to new faculty and all evaluators.

The draft of this appointment policy was previously circulated for a 1st Reading to the Senate as part of the larger ARTP policy on April 6.

Approved: April 20, 2015

Vote: 9-0-0

Present: Peter, Green, Lee, Fatoohi, Riley, White, Dresser, Fujimoto, Mathur

Absent: Romero

Financial Impact: Few direct impacts beyond the existing ARTP processes. There will be costs associated with conversion to electronic dossiers, but the specific price for various contracts and alternatives is currently unknown.

Workload Impact: Considerable education will be required to train both faculty committees and administrative evaluators in the application of the new policy.

POLICY RECOMMENDATION: RETENTION, TENURE AND PROMOTION FOR REGULAR FACULTY EMPLOYEES:

PROCEDURES

- 1.0 Introduction: This document is the policy of San José State University that organizes the evaluation system for retention, tenure, and promotion for all regular or tenure-track Unit 3 faculty in the university.
 - 1.1 This document pertains to all regular tenure track/tenured faculty of the Unit 3 Collective Bargaining Agreement. This includes Professors, Librarians, and Counselors. When the document uses the term Professor, or Associate Professor, or Assistant Professor it applies to the equivalent titles in the other professions, such as for Counselors (Student Services Professional - Academic Related I, II, and III), or Librarian, Associate Librarian, or Senior Assistant Librarian.
 - 1.2 When this document refers to colleges it means those colleges that administer departments which are home to Unit 3 tenure/tenure track faculty.
 - 1.3 Interpretation and Implementation. The Senior Director, Faculty Affairs is responsible for interpreting this policy and supervising its implementation. When significant issues of interpretation arise, the Senior Director, Faculty Affairs will consult with the Professional Standards Committee.
- 2.0 Developmental Reviews and Retention
 - 2.1 Purpose and Types of Reviews. Untenured (probationary) faculty will be reviewed in the years leading up to the final performance review for tenure and promotion. The primary purpose of these reviews is developmental-to provide the candidate with a formative review of all categories of achievement, so as to encourage professional growth that will merit the award of tenure and at least the level of Associate by the end of the review period. A secondary purpose of performance reviews is to determine whether a probationary faculty member should be retained to continue progress toward tenure and promotion.
 - 2.1.1 Performance reviews. A performance review is a thorough review carried out at multiple levels, with characteristics specified in this policy and in the Collective Bargaining Agreement. Faculty may only be considered for tenure and promotion or retention through a performance review. In specified years prior to the tenure and

promotion decision, faculty will undergo performance reviews to be considered for retention. Faculty who wish to be considered for early tenure or promotion must submit materials for a performance review. SJSU also uses performance reviews to provide each candidate with a thorough formative assessment of progress toward tenure and promotion.

2.1.2 Periodic Review of the Annual Summary of Achievements. The Periodic Review is a less thorough review carried out at fewer levels, with characteristics specified in this policy and in the Collective Bargaining Agreement. The periodic review may not recommend promotion, tenure, or retention. These reviews will, however, provide probationary candidates with an annual assessment of the progress they have made toward tenure and promotion. Under circumstances described below, periodic reviews may also recommend that a candidate submit a full performance review in the following year.

2.2 Timing of developmental reviews

2.2.1 Normally, probationary faculty shall submit materials for performance reviews in their third year. One outcome of this third year review shall be the determination as to whether the candidate shall be scheduled for a fourth year review, a fifth year review, or no additional review beyond that which may be triggered by an annual summary review as per 2.2.3.

2.2.2 Normally, probationary faculty shall submit annual summaries of achievements for periodic evaluation every year in which they do not submit a full performance review. The annual summary shall cover achievements since submission of the last review (whether a performance review or a periodic evaluation,) or the appointment date if there has not yet been a review. Department committees, department chairs, and college deans shall consider an annual summary of achievements prepared by the faculty member, evaluations of teaching, and the cumulative record of previous evaluations and recommendations by committees and administrators. Copies of their observations and suggestions shall be given to the faculty member; the original evaluation shall be placed in the official Personnel Action File, and copies included in subsequent years' dossiers.

2.2.3 If committees or administrators believe that it is in the best interest of the university or the candidate to require an additional performance review in a year when such a review would not normally be required, they may so recommend to the President. An additional performance review is warranted when any prior review raises concerns that a candidate is not making sufficient progress toward tenure and promotion to Associate. The

recommendation for an additional performance review may be made either as a result of a periodic evaluation or a prior performance review. Candidates may also request an additional performance review.

- 2.2.4 When the probationary period is extended by leave or preceded by service credit there will be a corresponding adjustment to the schedule for all reviews. Performance reviews shall not, however, be required for newly appointed faculty in their first year at SJSU who have been given service credit on appointment. Faculty appointed with two years of probationary credit will receive performance reviews in their fourth year.

3.0 Procedures for Retention, Tenure, and Promotion

3.1 Procedures and principles for all personnel committees

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

- 3.1.2 Charge. Prior to deliberations, all members of a personnel committee shall sign a statement prepared by the Office of Faculty Affairs indicating that they have been trained appropriately, that they have read and understood the relevant policies, and that they will apply the policies fairly and accurately to the best of their ability. The statement shall also include their agreement to keep confidential all content of committee deliberations. The charge will be delivered by the Senior Director, Faculty Affairs, or the Dean, or the Chair, corresponding to the level of the committee. Committee members may not view dossiers or deliberate until after having signed the agreement.
- 3.1.3 Election of RTP members
- 3.1.3.1 At all levels, faculty shall be elected to serve on RTP committees by secret ballot.
- 3.1.3.2 Faculty elected to serve on RTP committees should consider that their participation affects the careers of colleagues as well as the well-being of students and the health of the University more generally. This service shall be their highest professional priority.
- 3.1.3.3 Candidates should verify their ability to serve during the scheduled meeting times. If necessary and feasible, Deans and Chairs should adjust members' teaching schedules to accommodate their ability to attend the scheduled meetings. If an elected member has unresolvable conflict with the meeting schedule, that member should promptly notify the Dean and Chair who should arrange to replace the member via a special election prior to the beginning of committee deliberations.
- 3.1.3.4 No one may serve during the same review cycle on more than one level of committee; membership on the University committee, a college committee, or a department committee precludes membership on the other two.
- 3.1.3.5 All departments with four or more active Professors are expected to provide members/nominees to higher level committees. Departments with three or fewer active Professors may provide members/nominees to higher level committees by supplementing their department level committee with external faculty (if needed) as per 3.2.7. A department with insufficient faculty to provide a representative to a College level committee may elect a representative from outside its department in a related discipline, or it may elect another department's elected representative as a designee to explain the department's criteria and context to the College committee.

- 3.1.3.6 Only faculty who will be on academic assignment for both semesters of the Academic Year are eligible to serve on RTP committees.
- 3.1.3.7 Faculty members who are enrolled in the early retirement program (FERP) are eligible to serve on RTP committees if they meet all other criteria, including holding the appropriate rank, being active for both semesters of the academic year, and being elected by secret ballot. Elsewhere where this policy says "tenured faculty" it includes FERP faculty in that definition, as per the Collective Bargaining Agreement.
- 3.1.4 Recusals: A procedure to request, and criteria to evaluate, the administrative recusal of committee members in cases of bias or conflict of interest will be developed by Faculty Services in consultation with the Professional Standards Committee.

3.1.5 Quorums

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

3.1.6 Voting procedures for all decisions

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

3.1.6.2 Abstentions

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

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

3.1.7 Voting for Tenure and Promotion

3.1.7.1 For tenure and promotion decisions, committees will conduct separate votes to determine the candidate's level of achievement in each category of achievement.

3.1.7.2 The final committee recommendation for tenure and promotion will be determined by comparing the three levels of achievement to the standards described in the policy on Criteria and Standards.

3.1.8 Voting for Retention

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

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

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

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

3.2 Department Committees.

- 3.2.1 Departments will establish one or more committees to recommend retention, tenure, and promotion decisions. (For example, a department could establish one committee of Professors for reviewing promotions to Professor, and a committee of Associates and Professors for reviewing tenure and promotion to Associate.) Members of department committees will be elected by the vote of probationary and tenured faculty. Department decisions about committee structure shall also be made by vote of the tenured and probationary faculty of the department.
- 3.2.2 Membership on personnel committees for the purpose of deliberating or voting on personnel recommendations is limited to tenured full-time faculty members. Note that faculty who have been promoted but not tenured are not eligible to serve.
- 3.2.3 No faculty member shall serve on the department committee who will serve that year on a higher level committee.
- 3.2.4 Tenured faculty members, including department chairs, who are candidates for promotion may not serve on promotion committees.
- 3.2.5 No faculty member, including department chairs, may participate in promotion, tenure, or retention deliberations about colleagues of equal or higher rank.
- 3.2.6 In departments of sufficient size, personnel committees shall be composed of at least five (5) tenured full-time faculty members. In no case shall a personnel committee be composed of fewer than three (3) tenured full-time faculty members. In departments with fewer than three tenured full-time faculty members eligible to serve on the personnel committee, additional tenured full-time faculty members from related academic disciplines outside the department shall be selected to serve on departmental personnel committees as needed. A mutually acceptable list of nominees shall be selected by the college dean and the probationary and tenured faculty of the department; the probationary and tenured faculty shall elect the additional committee members from that list.
- 3.2.7 Administrators holding full-time positions outside the department or involved in making personnel recommendations at the college or university levels shall not participate in department committees.
- 3.2.8 The personnel recommendations of academic units containing no departments (e.g., Counseling and the Library) shall be considered initial recommendations and the rules for department level review will apply. To carry out a second level of review equivalent to a college level review, the

tenure/tenure track faculty of the academic unit shall adopt one of the following methods as part of the unit's mandatory guidelines:

- 3.2.8.1 The first level committee and the Provost or his/her designee shall prepare a mutually acceptable list of nominees. The probationary and tenured faculty unit members shall elect the members of the second level review from that list.
- 3.2.8.2 The academic unit may designate the College RTP committee of another college as its second level review committee. This designation would be made as part of the unit's department guidelines. If this method is selected, then the academic unit shall be entitled to elect a representative to that College RTP committee. The choice of college committee must be approved by the Senior Director, Faculty Affairs as part of the review of department guidelines.
- 3.2.8.3 Regardless of the method chosen, the administrative head of the academic unit (Dean of the Library, Associate Vice President for Student Services) shall function as the college Dean in the review process.
- 3.2.9 Department Chair participation. A Department Chair is eligible to serve on the department committee, and if elected to the committee the Chair of the Department shall not write a separate Chair's recommendation. If the Chair is not elected to the department committee or if the Chair declines to serve on the committee then the Chair may write a separate recommendation. The Chair of the Department may participate in either capacity only if he/she is of sufficient academic rank as per 3.2.5. Such recommendations shall be forwarded to the college level along with the recommendations of the department committee and any responses to the departmental level recommendation(s) supplied by the faculty member.
- 3.2.10 The department chair shall schedule any department personnel committee, which shall elect its own chair. If the Chair is not a duly elected member of the committee, then he/she may meet with the committee as a non-voting member only if invited to do so. The votes of the committee shall be recorded. A member of the committee shall be selected to write the evaluation of the faculty member for the committee, which shall be forwarded with the committee's recommendation to the college committee.
- 3.2.11 A faculty member shall have ten calendar days after notification of the department level recommendations in which to respond to or rebut those recommendations in writing. Responses or rebuttals should be addressed

via the department chair to the next level of review (i.e., either to the college Retention and Tenure Committee or the Dean) but should be delivered to the department office for placement in dossier. A faculty member may also request a meeting be held to discuss with the department chair the recommendations within ten days after notification. Dossiers shall be forwarded to the next level on the eleventh day after notification, accompanied by any response or rebuttal materials.

3.3 College Level Review

- 3.3.1 The college retention, tenure, and promotion committee shall be composed of tenured full professors, and shall be elected. College committees shall provide the opportunity for representation from each department in the college, and will represent a minimum of three departments. Colleges with fewer than three departments, or otherwise in need of augmenting their committee, will elect faculty from related disciplines outside the college. Election shall be by the probationary and tenured faculty unit employees of each department. Each college shall determine the number to be elected from each department. Department chairs and faculty serving on a college committee may not serve on a departmental committee in that college or on the university committee. The college committee shall elect its own chair and prepare its own report.
- 3.3.2 The college dean shall schedule the college retention, tenure, and promotion committee, but shall not attend committee deliberations nor communicate opinions about any individual candidate to the committee. Committees may request that the college dean or his/her designee meet with the committee outside of deliberations to explain procedural matters.
- 3.3.3 The college dean shall write an independent evaluation of and recommendation for the faculty member under review.
- 3.3.4 Department representatives on the college retention, tenure, and promotion committee may participate in the deliberations and vote on all faculty under review including those from their department.
- 3.3.5 The recommendation of the college retention, tenure, and promotion committee, a statement of reasons for its recommendation and the recommendation and evaluation of the dean shall be included in the dossier, and a copy sent to the candidate and to the department chair and committee. The committee and/or the dean must thoroughly explain in writing any disagreement with the recommendation of the department committee.

3.3.6 A faculty member shall have ten calendar days after notification of the college level recommendations in which to respond to or rebut those recommendations in writing. Responses or rebuttals should be addressed via the college dean to the next level of review (i.e., either to the University Retention and Tenure Committee or the President) but should be delivered to the college office for placement in dossiers. A faculty member may also request a meeting be held to discuss with the college dean the recommendations within ten days after notification. Dossiers shall be forwarded to the next level on the eleventh day after notification, accompanied by any response or rebuttal materials.

3.4 University Level Review

3.4.1 The University Retention, Tenure, and Promotion Committee shall consist of one tenured full professor from each college and one from the General Unit as defined in Senate by-laws. No member of a department or college retention, tenure, or promotion committee shall serve concurrently on the university committee. The members of the committee shall serve for two-year, staggered terms, and the committee shall elect its chair.

3.4.2 The members of the university committee will be elected by the probationary and tenured faculty unit employees from each college and the General Unit. Only faculty who have previously served on their College level committee are eligible to be elected. Each department in the college shall be informed of the pending selection and may nominate one person. Each college retention, tenure, and promotion committee will select at least two of those nominated to place before the electorate of its college. No one elected may serve as a member of a department or college retention, tenure, or promotion committee in the same Academic year.

3.4.2.1. An election for the representative from the General Unit will be conducted by the Senate Chair/Office, which will first solicit nominations from the library faculty and the counseling faculty and then will conduct an election.

3.4.3 The Associate Vice President for Faculty Affairs shall schedule the university committee. He/she may meet with the committee only if invited to do so.

3.4.4 The university committee shall review the following cases:

3.4.4.1 All candidates for promotion to Professor, to Associate, or for tenure.

3.4.4.2 Candidates for retention which have received any negative votes or recommendations at earlier levels of review.

3.4.4.3 When allocating its workload, the university committee should devote particularly thorough attention to cases that have resulted in divided votes or recommendations at earlier levels of review.

3.4.5 The recommendation of the University Retention, and Tenure, and Promotion Committee, and a statement of reasons for its recommendation, shall be included in the dossier, and copies sent to the candidate, the college dean and committee, and the department chair and committee.

3.4.6 When delegated by the president, the Provost will make the final decision. If not delegated in this way, the Provost shall make a recommendation to the President in any case reviewed by the university committee. Any such recommendation shall be made in writing and included in the dossier, with a copy sent to the candidate, the college dean and committee, and the department chair and committee.

3.5 Periods of Review

3.5.1 For retention and tenure candidates, the period of review shall begin with appointment to probationary service and continue to the time of the review.

3.5.2 For promotion candidates, the period of review shall begin on the closing date specified for the last successful promotion, or, if there has been no prior promotion, on the date of the initial appointment to tenure-track service and continue to the time of the review.

3.5.3 The period of review shall include the years for which any service credit was awarded.

3.6 Final Decisions

3.6.1 The President has the authority to continue faculty members on probationary status, grant tenure, and grant promotions, though the President may choose to delegate this authority to make final decisions in whole or in part to the Provost.

3.6.2 Announcement of final decisions. Second-year probationary faculty shall be notified of the final decision regarding retention by February 15. Other

probationary faculty shall be notified of the final decision by June 1; if terminated, third-through-sixth- year probationary faculty shall receive a terminal year appointment.

3.6.3 The candidate shall be notified in writing of the final decision and the reasons for that decision. A copy of the decision shall be given to the faculty member and all review levels and shall be placed in the candidate's personnel file. When the recommendation is contrary to the recommendation of the university committee, a statement of reasons shall also be given in writing.

3.6.4 When the final decision is not consistent with the recommendation of the university committee, the President, or the Provost if so designated, shall meet with the committee to discuss the reasons for the action.

3.7 Modified Procedures for Joint Appointments

3.7.1 Candidates who hold joint appointments, as indicated in their appointment letters (S15-6, 5.6) shall be evaluated at the department level by a committee with representation from each relevant department, and this representation shall be roughly proportionate to the assignment of the candidate. The committee shall be chaired by a committee member from the home department as identified in the appointment letter.

3.7.2 Members on joint committees shall be elected as per all normal provisions of policy, save only that a current department committee may simply designate some of its already elected members for simultaneous service on the joint committee.

3.7.3 The chair of the home department shall hold the normal functions of chair for the evaluation of a joint appointment; the chairs of other departments in which the appointment is made may be eligible to serve on the joint department-level committee.

3.7.4 Candidates who hold joint appointments across more than one college shall be evaluated by the college committee and the college dean corresponding to their home department.

4.0 Department Guidelines for Achievement

4.1 Purpose of Guidelines

4.1.1 Individual departments may create guidelines that relate the university-wide policy on criteria and standards to the professional standards and breadth of activities of their particular discipline(s).

While there is no specific provision for College guidelines, they may be created simply by act of the constituent departments developing and then approving common guidelines.

- 4.1.2 In the case of Departments that do not have approved guidelines, “levels of achievement” will be judged exclusively by the more general language of the policy on Criteria and Standards.
- 4.1.3 In the case of Departments that do have approved guidelines, the guidelines will serve as an aid for evaluating “levels of achievement” within the broader policy language of the policy on Criteria and Standards.
- 4.1.4 Non-teaching units are required to develop such guidelines for the category of “Academic Assignment.”
- 4.1.5 Guidelines should assist committees and administrators outside the department or college in understanding the standards appropriate to the applicant's profession and to ensure fair and equitable application of these standards to the broader procedures, standards, and criteria of the university policies. Such statements or guidelines may specify the sorts of documentation that are expected to be relevant to the evaluation of professional effectiveness of faculty in the particular academic area.

4.2 Content of Guidelines

- 4.2.1 Guidelines offer specific profiles of accomplishments that would warrant a given level of achievement within a given category as viewed by that specific discipline. They provide hypothetical examples of profiles that would warrant a given level of achievement, but they do not replace the criteria and standards of University Policy. When the accomplishments of candidates are similar to the accomplishments included in the guidelines, then the guidelines may serve as a fair scale to assist in evaluating the level of achievement attained by the candidate.
- 4.2.2 Guidelines are inclusive and not exclusive in nature. They shall not be used to exclude accomplishments from consideration that were unanticipated when the guidelines were created. When candidates submit genuine accomplishments that were not anticipated in the guidelines, the accomplishments will be assessed using the more general language of the policy on Criteria and Standards.
- 4.2.3 Departments are encouraged but not required to produce guidelines for Scholarly/Artistic/Professional Achievement. They may produce guidelines for two or all three categories of achievement if they

believe their discipline's teaching or service profiles are sufficiently unique. They may also include in their guidelines notes on synergistic practices and accomplishments that span more than one category of achievement. Any category without guidelines will be evaluated exclusively with the general language of the policy on Criteria and Standards.

- 4.2.4 Departments which contain more than one discipline, or contain very different subdisciplines, may produce more than one set of specialized guidelines. When this occurs, particular care must be taken to specify to which faculty each set of guidelines applies. The applicable guidelines should be specified in appointment letters and the Chair's description of assignment.

4.3 Approval of Department Guidelines

- 4.3.1 Department Guidelines must be approved by a vote of department probationary and tenured faculty, using secret ballots.
- 4.3.2 Guidelines must be approved by the Associate Vice President for Faculty Affairs in consultation with the Professional Standards Committee of the San José State University Academic Senate. Prior to making its recommendation, the Professional Standards Committee shall solicit the input both of the home department and of the corresponding college RTP committee.
- 4.3.3 Guidelines must be kept current. They shall be reviewed every five years and shall clearly display the date they were last approved by the Senior Director, Faculty Affairs. Guidelines that display a date more than five years old calculated from the time of the submission of the dossier shall be considered invalid, except as provided below in "Continuity of guidelines throughout review period."
- 4.3.4 Department guidelines should meet these conditions:
 - 4.3.4.1 They provide inclusive examples of accomplishments within the discipline that represents the given levels of achievement.
 - 4.3.4.2 They provide realistic estimates of the resources required to meet each given level of achievement.
 - 4.3.4.3 They comport entirely with the principles, categories, and standards defined by the Criteria and Standards policy.

- 4.3.4.4 They are equitable across departments; they do not make it more or less difficult for faculty in similar departments to achieve tenure or promotion.

4.4 Publication, Distribution, and Use of Guidelines

- 4.4.1 All approved department guidelines shall be posted on the Faculty Affairs website (or equivalent) and shall display the date they were last approved.

- 4.4.2 Continuity of guidelines throughout review period.

Normally, any valid (current) guidelines must be included in each candidate's dossier. If, however, guidelines have changed during the candidate's period of review, the candidate shall have the right to choose to include either the old or the new guidelines. Similarly, if guidelines that were valid during a part of the candidate's period of review are no longer valid and have not been replaced, the candidate may choose between including the old guidelines or including no guidelines. Only one set of guidelines may appear in the dossier, and reviewers are restricted to only considering included guidelines.

- 4.4.3 Once approved and published, department guidelines must be applied when judging the level of achievement of all candidates to which they apply, bearing in mind the limits of such guidelines.

5.0 The Dossier

- 5.1 Formal name. Personnel recommendations for retention, tenure or promotion of each faculty member shall be based upon written information and documentation contained in his/her personnel file or dossier. (In the Agreement, the dossier is known as the Working Personnel Action File.)

5.2 Preparation of the Dossier

- 5.2.1 Candidate's responsibilities. Candidates shall be responsible for preparing their dossiers. It shall be the primary responsibility of the faculty member under review to gather the necessary evidence and to prepare an index to the material contained in the dossier. That index shall be placed in the faculty member's permanent personnel action file at the close of the year's deliberations, to provide an accurate record of all materials reviewed.

5.2.2 Department Chair's responsibilities. The department chair or school or division director shall inform in writing faculty members who are to be reviewed of the nature of materials required by the retention and tenure committee and the date by which these materials must be received for the committee's consideration. It is the responsibility of the chair to ensure that a detailed description of the academic assignment of the faculty member for the period under review be placed in the dossier at least one week before the submission date of the dossier, in order to establish a frame of reference for evaluation of the candidate by persons from outside the department. The faculty member may attach a response to this statement, before the closing date; any such response shall also be included in the dossier. During the period that the dossier is open, it is the responsibility of the chair to ensure that the evidence necessary for a full and fair evaluation is contained in the dossier.

5.2.3 Mutual Responsibilities. The candidate should place in the dossier an accumulated record of all official evaluations undertaken during the period of review (e.g., the probationary period or the review period for promotion to Professor.) All recommendations and statements of reasons from previous years' committees and administrators shall be included in each subsequent dossier. This accumulated record of review from prior years of the review period shall be considered at all levels of review, beginning at the department level. All evaluators shall check to be sure that these documents are properly included.

5.3 Documentation of the Period of Review

5.3.1 The dossier shall contain material that documents achievements during the period of review and shall not document achievements that fall outside the period of review, with the exception that all important scholarly and professional accomplishments should be listed in a comprehensive vita.

5.3.2 Materials that were previously submitted as "late additions" for consideration under a previously successful review are considered to be outside the current review period and are excluded from the dossier except on a comprehensive vita.

5.4 Managing the Dossier

5.4.1 Closing Date. The accumulation and organization of materials within the dossier must be completed prior to a "closing date" established by the Senior Director, Faculty Affairs (see "Deadlines.") According to the Agreement, insertion of material after the date of this declaration other than by faculty and administrative evaluations generated during the evaluation cycle and responses or rebuttals by the faculty unit employee being evaluated is not normally permitted. (15.12b.)

- 5.4.2 Missing materials. According to the Agreement (Section 15.12.b.), if, during the review process, the absence of materials required by this policy is discovered, the dossier shall be returned to the level at which the requisite documentation should have been provided and the materials provided in a timely manner.
- 5.4.3 Late Add Materials. The Provost, or designee, in consultation with the Professional Standards Committee, shall issue guidelines for determining which materials may be inserted after the dossier has officially closed (see “Deadlines.”) Late materials must have the approval of a committee (the “Late Add Committee”) consisting of one member elected from and by each college committee. This committee shall apply the guidelines and limit materials to items that became accessible after the dossier closed. Material inserted in this fashion shall be returned to the initial personnel committee for review, evaluation and comment before consideration at subsequent levels of review.
- 5.4.4 Unsolicited materials. In addition to materials required by policy and/or provided by the candidate, the Agreement (Section 15.8) permits the inclusion of additional information provided by faculty unit employees, students, external reviewers, and academic administrators. For such materials to be inserted into the dossier without the consent of the candidate, they must be submitted to the Department Chair or Dean before the closing date, and they must subsequently be inspected by the Senior Director, Faculty Affairs to determine a) if the insertion is allowed under the Collective Bargaining Agreement, and b) that the insertion is both germane to the criteria of this policy and neither prejudicial nor defamatory. If the insertion is allowed, it will be withheld from the dossier until the candidate has been given at least seven days to include a response to the material.
- 5.4.5 Format and organization
- 5.4.5.1 The Senior Director, Faculty Affairs in consultation with the Professional Standards Committee shall produce and maintain a format guide for the dossier. Before implementation, the format guide must be approved by the Senior Director, Faculty Affairs, the Professional Standards Committee, and by the University RTP Committee. The guide will specify the organizational structure of the dossier, will summarize all required materials, will specify its format, the length and types of appropriate documentation, required statements or narratives by the candidate, and any other required characteristics.
- 5.4.5.2 Dossiers shall be provided in electronic form in a manner that secures their confidentiality and integrity, that facilitates a full and fair review, and that minimizes workload on the part of preparers and reviewers.

- 6.0 Responses to Recommendations. Candidates shall indicate that they have read the recommendations of each committee and administrator.
- 6.1 If candidates disagree with any recommendation, they have the right to respond in writing to those recommendations within ten calendar days after receiving the recommendations. Responses should be addressed to the next higher faculty committee but should be delivered to the administrative office currently holding the dossier for placement in the dossiers.
- 6.2 Candidates may also request a meeting be held to discuss the recommendation within ten days after receipt of the recommendation (see the Collective Bargaining Agreement 15.5.) If requested, the meeting should be held with the author of the particular recommendation in question, such as the Chair, Dean, or Provost, or with the Chair of the particular committee responsible for the recommendation.
- 6.3 Dossiers shall be forwarded to the next level no earlier than the tenth day after faculty unit members have been notified of the recommendations made. Responses or rebuttals received within the ten-day limit must accompany the dossiers.