

UMES Policy and Procedures on Promotion and Tenure of Faculty
November 25, 2008
Approved by: William Kirwan, Chancellor, March 25, 2012

I. Introduction

This policy statement describes the criteria and procedures governing promotion and tenure for faculty personnel at the University of Maryland Eastern Shore.

The ranks utilized and the criteria for individual faculty ranks shall be those described in the overall policy of the University System Policy on Appointment, Rank and Tenure of Faculty, approved by the Board of Regents on April 5, 1989 and subsequent revisions and approvals through 2010 and as may be amended from time to time. The specific criteria for promotion and tenure decisions in a particular discipline shall be formulated as prescribed herein and maintained by the respective academic departments. Copies of the departmental criteria and procedure statements shall conform to the University System Policy on Appointment, Rank, and Tenure of Faculty (and amendments) as approved by the Board of Regents and be placed on file in the office of the President, the library, and the UMES website. Final authority for the promotion and granting of tenure of faculty resides with the Office of the President.

II. Departmental Promotion and Tenure Documents

Each department shall be responsible for developing and adopting criteria for appraising the qualities and performance of faculty members, including the department chairperson. These criteria may not conflict with those promulgated by the State of Maryland or USM policies, procedures, or guidelines.

Promotion in rank shall be based on merit and cannot be considered automatic or simply the result of service to the University for a number of years. Moreover, successive reappointments or the completion of a specified period of service do not confer a right to appointment with tenure, except as described in this policy.

Criteria:

Criteria used in making evaluations shall be based upon the mission of the University of Maryland Eastern Shore. For most faculty members criteria will include: (A) instruction and student advising, (B) research and scholarship, (C) service and contributions to the University and the community.

- A. Instruction and Student Advising: the responsibility for the evaluation of the teaching performance and advising of students rests on the primary academic unit and each such unit is required to develop appropriate measures. These measures shall include evaluation from students.
- B. Research and Scholarship: An important factor in determining merit for appointment, retention, tenure, and promotion shall be the faculty member's contribution in the form of research, publications, and other professional or artistic activities, as applicable to the academic discipline. The nature of the performance will vary from one discipline to another, but the general test to be applied is the extent to which the faculty member is engaged effectively in scholarly and creative activity. In fields where publication in recognized journals and books is the primary activity, such publications will be the primary measure of achievement for purposes of recognized evaluation of research and scholarship.

Evaluation of this work in the form of reviews, or otherwise, by leaders in the field outside the University may be considered important evidence of its value.

In fields such as art, music performance (theater and dance), and fashion, such things, including but limited to, exhibitions/organizing shows, curating, judging, distinguished performance, or direction shall be judged as creative activity. In appropriate fields, patented inventions and discoveries may also be considered creative work.

Securing external funds to support teaching, research and outreach activities may be considered as evidence of scholarly activities. Other measures of professional development include but are not limited to: participation in the activities of professional and learned societies, professional service such as consultantships, addresses before educational agencies and civic groups in area of field of study, and workshops or other activities of scholarly or innovative nature.

C. Service and Contributions to the University and Community:

Contributions to the University may include constructive committee service, service in elected faculty office, administrative service, contributions to the extra-curricular activities of students, the development of new academic programs or courses, and the organization of conferences, workshops or institutes.

Contributions to the community shall consist of any donation of one's professional competence for the benefit of the community.

When being examined for the purpose of tenure or promotion, contributions to the University or the community should be evaluated in terms of their effect upon the advancement of the department, the institution, and/or the community.

III. Procedures for Departmental Guidelines

- A. The tasks of identifying and specifying the elements or factors to be considered in evaluating a candidate, their relative significance, and the techniques to be used, are to be carried out by an elected (by secret ballot if so requested) three to five member committee of the department in which the faculty is assigned. The members of this committee shall hold a tenured or tenurable rank in the department. Where there are not enough faculty of sufficient rank in a given department, faculty in an appropriate field from outside the department may be nominated by the faculty. This committee shall develop a document which sets forth procedures for reviewing the credentials of department members for purpose of granting promotion, and/or tenure.
- B. The document developed by the committee shall be discussed by the entire department in a meeting and approved by a vote of departmental faculty. The document shall then be transmitted for approvals by the Dean of the School and the Vice President for Academic Affairs, who will subsequently submit it to the President for his/her review and final approval.
- C. Copies of all departments' documents shall be made available in the library for examination by interested faculty.
- D. In cases of mandatory tenure review, the department chairperson shall inform the faculty member in writing, by the first Friday in April of the fifth year of appointment for an assistant professor and by the first Friday in April of the mandatory review year for an associate professor that he or she is to be considered for tenure and/or promotion. However, a faculty member may receive consideration for promotion and/or tenure by requesting such consideration by the first business day in October of any year prior to his or her mandatory review year. As per the USM policy, denial of tenure resulting from the mandatory review will preclude any further consideration of the candidate for tenure.

Following the granting of tenure a faculty member may receive consideration for promotion by requesting such consideration by the first business day of October of any year.

IV. Procedures for Ad Hoc Departmental Promotion and Tenure Committee:

- A. Each candidate must declare his/her intention to enter the promotion/tenure process by the first business day of October in the year of consideration and submit a list of at least five persons to serve on his or her ad hoc committee to the departmental chairperson by that date. Ad hoc departmental committees shall consist of three (3) members, all of whom are tenured and senior in rank to the individual being considered. Where there are not enough faculty of sufficient rank in a given department, faculty in an appropriate field from outside the department may be nominated by the faculty applying for tenure or promotion to serve on the ad hoc committee. It is the responsibility of the faculty member to demonstrate that the committee nominee is appropriate. The candidate must ensure that the individuals being nominated are willing to serve on the ad hoc departmental committee.
- B. The departmental chairperson will select three (3) committee members from among the persons suggested by the candidate if they are qualified to serve. The committee shall elect its own chairperson, who must be a member of the UMES faculty. By the 15th of October or the next business day thereafter the department chairperson shall inform the candidate, the Dean of the School, and the VPAA of the composition of the ad hoc departmental committees which will review candidates.
- C. The faculty member under consideration shall submit two (2) signed notarized copies of his/her dossier to the Department Chair by January 31st or the next business day thereafter in the year of consideration. The dossier shall include two (2) copies of the approved departmental policy on promotion and tenure. It is the candidate's responsibility to ensure that the information presented in the dossier is accurate. Guidelines for preparation of the dossier will be made available in the offices of department chairpersons and the Frederick Douglass Library. Any misrepresentation of information will count against the candidate. The candidate is responsible for furnishing the ad hoc committee with such materials as are appropriate for consideration of his or her case. All documentation gathered by the ad hoc committee shall be held in confidence. The Department Chair shall forward the dossiers to the Ad Hoc Committee within three (3) business days after receipt.
- D. The ad hoc departmental review committee shall forward its recommendation and all supporting materials, both those furnished by the applicant and those obtained by the committee to the department chairperson by February 15th or the next business day thereafter. If the review committee's recommendation is negative, the candidate is so informed by the department chairperson and the review is terminated.
- E. If the committee's recommendation is positive, the department chairperson shall attach his or her recommendation; forward all materials to the Dean of this action by February 20th or the next business day thereafter. The Dean shall attach his or her recommendation, forward all materials to the UMES Faculty Promotion and Tenure Review Committee, and notify the Vice President

for Academic Affairs of this action by March 1st or the next business day thereafter. The UMES Faculty Promotion and Tenure Review Committee shall review every case forwarded to it. Upon receiving the materials and recommendations from all levels, the committee is charged to exercise due diligence in obtaining any additional materials required for evaluation. Upon review of all materials, the committee shall submit its report and recommendation to the Vice President for Academic Affairs by April 15th or the next business day thereafter. The Vice President for Academic Affairs' recommendation along with pertinent materials shall be transmitted to the President by May 1st or the first business day thereafter for a final decision. The President's final decision shall be communicated promptly to the candidate in writing by May 15th or as stated in the current USM policy. If the President's decision is negative, then the letter to the candidate shall specify the reasons for the decision and shall notify the candidate of the appeal procedures contained in Section VII of this policy.

V. UMES Faculty Promotion and Tenure Review Committee:

On or before October 31st, the Vice President for Academic Affairs shall hold a meeting of the UMES faculty to elect members to the UMES Faculty Promotion and Tenure Review Committee. This committee shall consist of seven (7) members elected from tenured full and associate professors not having administrative responsibilities. Department chairpersons, however, will be eligible to serve.

Exactly three (3) of the seven (7) member committee will be full professors and exactly four (4) of the seven (7) member committee will be associate professors. In cases of candidates for promotion to full professor the three (3) full professor members will deliberate and vote separately from, and instead of, the full committee. The election of committee members shall be by secret ballot, with each faculty member voting for three (3) candidates, one (1) full and two (2) different associate professors. Ballots shall be counted by the Vice President for Academic Affairs and the Chairperson of the UMES Senate. The three (3) full and four (4) associate professors receiving the most votes are elected to the committee. The committee shall elect its own chairperson. No candidate who is being considered for promotion and/or tenure nor any department chair whose department member is being considered for promotion and/or tenure can serve on the UMES Promotion and Tenure Review Committee.

VI. Notification:

A negative recommendation regarding a candidate for promotion and/or tenure from the ad hoc departmental review committee shall be conveyed to the candidate, in writing, by the department chairperson within five (5) business days. If, following a positive recommendation by the ad hoc departmental committee, subsequent review at any level yields a negative recommendation, the responsible official at the level (department chairperson, the dean, the chairperson of the UMES Faculty Promotion and Tenure Review Committee, or the Vice President for Academic Affairs) shall notify the candidate of that fact in writing within five (5) business days of forwarding the recommendation to the next level of review. The notification to the candidate shall (a) identify the level that produced the recommendation, and (b) provide a summary of the reasons for the negative recommendation. The candidate shall be entitled to review the dossier and all accompanying recommendations and respond in writing to any negative recommendation. The candidate's written response, if submitted within five (5) business days of receipt of the negative recommendation and supporting documents (i.e. dossier and all

recommendations), shall be included in the candidate's file for consideration at each subsequent level of review.

VII. Appeals Procedures

- A. It is the task of the committees specified in the promotion and tenure procedures outlined above to conduct as objective an inquiry into the substantive qualifications of the candidates as possible, to adhere to the prescribed procedures, and to render impartial recommendations and decisions.

- B. A faculty member has the right to appeal recommendations and decisions. Grounds for appeal shall be procedural rather than substantive (e.g. Was the decision arrived at conscientiously? Was all available evidence bearing on the relevant performance of the candidate sought out and considered? Was there adequate deliberation by the department over the evidence in light of the relevant standards? Was irrelevant and improper information included in consideration? Was the decision an exercise of professional academic judgment?). Typical reasons for appeals are listed but not limited to those below:
 - 1. If, upon receipt of a person's application for promotion or tenure, a department chairperson fails to impanel a departmental ad hoc committee in adequate time to obtain data on the person;
 - 2. If the candidate is not given sufficient opportunity to present material in support of the application;
 - 3. If the candidate's rights of confidentiality are violated;
 - 4. If evidence of discriminatory practices was presented;
 - 5. If the various review sources fail to exercise due diligence in obtaining materials for assessment;
 - 6. If violation or failure to follow the published guidelines, including the procedures and criteria listed in this document, occurs.

- C. Appeals shall observe the following sequence of events. Following notification of a negative decision at any appropriate level the candidate shall be entitled to appeal in accordance with the procedure in Sections VI, VII, and below.
 - 1. The candidate must file a formal notice of appeal in writing with the Vice President for Academic Affairs within ten (10) business days of receipt of notification of the negative decision. The notice of appeal shall state the specific grounds for such appeal and the factual contentions supporting each ground.
 - 2. As soon as practical after receipt of the notice of appeal and in no event more than five (5) business days thereafter, the Vice President for Academic Affairs shall conduct an informal

meeting with the candidate to review the grounds for appeal and determine whether the appeal can be satisfactorily resolved without formal proceedings. No records or minutes of the meeting shall be taken or preserved, and the discussion shall be confidential between the parties. Should the appeal not be resolved informally at this stage and should the candidate elect to pursue the appeal, the candidate shall promptly inform the Vice President for Academic Affairs within five (5) business days after the meeting. The Vice President for Academic Affairs shall promptly impanel an Appeals Committee consisting of three (3) tenured faculty members who are senior in rank to the candidate and who have no prior direct involvement in the candidate's application for promotion and/or tenure. The basic function of the Appeals Committee shall be to determine whether adequate consideration was given to the case. The term "adequate consideration" refers to procedural issues, as explained above in Section VI and Section VII. The Appeals Committee is to contact the Vice President for Academic Affairs, who must supply explanation of the procedures followed and materials used in coming to his or her decision. The Appeals Committee is also charged to exercise all due diligence in obtaining further information relative to the specific procedural questions involved. Similarly, the Appeals Committee shall compare the procedures used at all levels with established departmental and institutional procedures to determine whether such procedures were properly carried out. In considering the merits of a particular appeal, the Appeals Committee should distinguish between minor or technical procedural variations which have not adversely influenced the evaluation process and those procedural deviations which may have prejudiced adequate consideration of the candidate's credentials.

The Appeals Committee shall make a recommendation in writing to the President. Should the Appeals Committee determine that procedures were followed appropriately and fairly, the President shall notify the appellant and the process of decision should then continue as though no appeal was made. Should the Appeals Committee determine that procedural errors did occur, it shall inform both the President and the appellant, setting forth the inadequacies found, and shall make a recommendation to the President on whether or not the case should be reconsidered.

3. Upon receipt of the recommendation from the Appeals Committee the President shall inform the candidate of his/her decision on the appeal within fifteen (15) working days. If the President decides that the case is to be reconsidered, no new substantive materials may be presented except that which was omitted through procedural error, if applicable. After the case has been reconsidered, with procedures amended, all parties shall be informed of the results of such reconsideration. The process shall then continue as though not modified by the appeals procedure.

The initiation of the appeals procedure does not operate to dislodge or delay any formal notification dealing with contract non-retention or tenure denial actions.

VIII. Candidate Evaluation Criteria

The candidate should satisfy the requirements of the USM Policy on Appointment, Rank and Tenure of Faculty. However, the President can make an exception for faculty who has attained

national distinction for comparable professional activity or research. Promotion and/or tenure to any rank shall meet the following criteria:

1. The earned doctorate, or recognized terminal degree in the field of specialization from a regionally accredited or international reputable foreign institution. In extraordinary circumstances, the president, after consultation with the appropriate faculty committee at the institution, may waive the criterion of the earned doctorate.
2. Evidence of effective teaching.
3. Evidence of scholarly contribution in the area of specialization including, but not limited to, activities such as research, publication, participation in programs of professional societies, or professionally recognized exhibitions and/or performance in the arts.
4. Participation in the activities of the department, school and university levels including, but not limited to, such activities as performing assigned administrative duties, assuming committee responsibilities, effective academic advising of students, working actively with student organizations and evidencing interest in external community activities related to the faculty member's area of specialization.

IX. Review of Document

The UMES Policy and Procedures on Promotion and Tenure of Faculty shall be subject to periodic review by the UMES Faculty Assembly and the UMES Senate.

X. Applicability

Except as provided in Section III of the University Policy on Appointment, Rank and Tenure of Faculty, the provisions in this policy document shall apply to all individuals who are employed as faculty members at the University of Maryland Eastern Shore as of July 1, 2011 and individuals whose faculty appointment becomes effective on or after July 1, 2011.