

**Review of Departmental Renewal, Tenure, and Promotion Expectations and Guidelines**  
**Albany Chapter, United University Professions**  
**Academic Concerns Committee • Barry Trachtenberg, Chair**  
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**Introduction:**

The fair evaluation of faculty rests at the center of academia. It is vital that peer review be conducted in a manner that is transparent, in accordance with written policies and procedures, and respects constitutionally guaranteed rights to due process. Conscientious evaluations are essential to faculty members' ongoing job security, the principle of academic freedom, and the integrity of scholarly research. Faculty must be able to trust that their peers have assessed their work impartially and that they have been afforded the opportunity to respond to any evaluations in a timely manner.

The Academic Concerns Committee of the [Albany Chapter](#) of [United University Professions](#) (hereafter, ACC) conducted a survey of the procedures and criteria of the contract renewal, tenure, and promotion (hereafter, RTP) procedures in ten academic departments at the University at Albany. This review was prompted by the steady number of requests that the Albany Chapter has received in the past several years by contingent, tenure-track, and tenured academic faculty who have expressed concerns that their RTP cases are not proceeding in accordance with established guidelines.

This review is concerned exclusively with documents that were available to academic faculty from their home departments. It is not an analysis of College, University, or SUNY-wide policies and procedures. It is vital that departments provide clear, accurate, and easily accessible documents, since faculty most often turn to their home departments for guidance on how to proceed with RTP matters and because departmental colleagues provide the first level of comprehensive review. Departments are under the same obligations as all levels of university review to provide clear notice to candidates and voting faculty about disciplinary standards and to provide candidates with timely notification and the opportunity to respond to evaluations before they are sent forward to the next level of review.

The policies as established by the [University](#), the [SUNY Board of Trustees](#), and the [Agreement](#) between the State of New York and UUP provide departments with significant leeway on how to manage particular aspects of RTP, such as:

1. determining how contingent academic faculty are hired, what will comprise their workload, and how they will be evaluated and renewed;
2. determining which bodies are responsible for evaluating academic faculty at the pre-tenure level, such as the chair, a review committee, or the department as a whole;
3. determining who comprises the voting faculty in RTP cases while under consideration at the departmental level; and
4. articulating the general standards of research, teaching, and scholarship to which academic faculty are held when under consideration for RTP.

It is the hope of the Albany UUP Chapter that this brief report will result in a) departments adopting clear and accurate *procedures and timelines* for RTP, b) departments adopting clear and accurate *standards* for RTP, and c) the University Senate assuming responsibility for reviewing the relevant departmental documents on a regular cycle so as to assure that they consistent with the policies as established by the University, the SUNY Board of Trustees, and the *Agreement* between the State of New York and UUP.

### **Background:**

The *Agreement* between the State of New York and UUP sets out a number of the terms and conditions concerning the RTP of academic faculty, including Article 30—Appointment, Evaluation and Promotion, Article 31—Personnel Files, Article 32—Notice of Non-Renewal, and Article 33— Job Security Review Procedures. While UUP does not intervene in RTP processes on the basis of academic merit, it is in the union’s interest to ensure that all academic faculty included within the bargaining unit are guaranteed fair evaluations of their scholarly, teaching and service contributions.

It is in the University’s interest to ensure such fairness as well. In March 2012, the Career Leadership and University Excellence’s (CLUE) Planning Group on Promotion and Tenure issued a lengthy [report](#) that contends with many of the issues addressed here. This report concluded:

...overall, the tenure and promotion process is basically working fairly well, and is, in general, perceived to work fairly well by stakeholders across campus. However, there is significant variation and inconsistency across the campus in some aspects of the process. There are key areas in which changes could significantly enhance and strengthen the tenure and promotion infrastructure for the future. (6)

Although the Planning Group did not contend with standards as articulated in the *Agreement* nor the review and rehiring practices of contingent academic faculty, several of its findings are echoed in this report. We note with disappointment that, four years since it was issued, most of the recommendations suggested by the Planning Group have not been implemented. These include in particular the suggestions to provide academic faculty with clear timelines for contract renewals and continuing appointment and to provide clear, if broadly constructed, expectations in all three areas of professional obligation for faculty under consideration for continuing appointment and promotion either to the rank of associate or full professor. Other suggestions, such as increasing data collection, enhancing mentoring of academic faculty, establishing a formal family leave policy, and lowering institutional barriers to promotion have, sadly, also not been followed.

### **Questions/Methods of ACC Review:**

This review is based on an analysis of departmental documents relating to RTP policies. ACC members requested from their departments the documents relevant to RTP, including any by-laws, procedures, and disciplinary criteria. The chair of the ACC reviewed these documents, guided by the following questions:

1. Do academic departments provide contingent, tenure-track, and tenured academic faculty with *easily accessible documents* that state the procedures and expectations for RTP?
2. Does the RTP information that is provided to academic faculty by their departments

*correspond correctly* to the policies and procedures as established by the University, the SUNY Board of Trustees, and the *Agreement* between the State of New York and UUP?

3. In the areas where there is latitude for departments to interpret RTP policies and procedures, are those departmental-specific practices *clearly communicated* to academic faculty?

We recognize that one of the limits of this review is that the departments sampled for this review are not necessarily representative of all departments at the University. However, they do comprise 25% of all University departments, which makes it possible to draw preliminary conclusions about RTP in departments across the University.

### Summary of Survey of Departmental RTP Documents

Department	By-laws	Departmental Procedures	Criteria for Evaluation
Dept. 1	Yes	No	Yes
Dept. 2	Yes	Yes	Yes
Dept. 3	Yes	Yes	Yes
Dept. 4	Yes	No	No
Dept. 5	Yes	Yes	Yes
Dept. 6	No	No	No
Dept. 7	Yes	No	Yes
Dept. 8	Yes	No	Yes
Dept. 9	No	Yes	Yes
Dept. 10	Yes	No	No

### Findings:

1. The table above shows the departments surveyed for this review and whether or not ACC members were able to obtain documents relating to RTP in three categories. We were surprised to find that in some departments, members of the ACC could not find any documents relating to RTP. In some instances, policies such as criteria for research, teaching, and service, the composition of review committees, the composition of the voting faculty, and timelines for the candidate's submission of relevant materials either did not exist or were present only informally, such as in emails to faculty having recently undergone these processes.
2. Only one of the departments surveyed—English—has formal documents relating to the workload, evaluation, or contract renewal procedures for contingent academic faculty members. The lack of such documents increases the precariousness of contingent academic faculty members' employment and demonstrates disregard for the education provided to UAlbany students. See [\*Woven Into Its Very Fabric: A Report on Contingent Labor at the University at Albany, Survey Data Analysis and Policy Proposals\*](#) (Albany UUP, 2015).

3. 20% of departments surveyed have no by-laws whatsoever, and therefore are unable to provide academic faculty with information regarding exactly which department members will evaluate their applications for RTP. It should be noted that, according to the *Agreement* (§31.6a), only academic faculty have the right to evaluate, vote, and recommend on RTP cases of other academic faculty.
4. 60% of departments surveyed do not have a formal document outlining departmental-specific processes for RTP. Thus, academic faculty undergoing tenure and promotion do not have easy access to clear and accurate information regarding a) which materials are to be submitted, b) by what date they are to be submitted, c) who will be evaluating them, d) their contractual right to submit a written response to the department Chair's recommendation, and e) the fact that their file remains "open" throughout the evaluative process, which allows faculty to submit new material (such as evidence of research productivity, grants, awards) as it become available.  
Note: some departments justified the absence of RTP documents by declaring that they follow either the University's or their College's guidelines. While adherence to these guidelines is to be expected, it does not provide academic faculty with the full details of when, by whom, and according to what standards their cases will proceed.
5. 30% of departments do not have a formal document indicating the broad criteria (disciplinary and departmental) for academic faculty who are under consideration for RTP. Without such written criteria, faculty are left to seek out such expectations from a variety of sources, which may provide them with conflicting information on how best to shape their research, teaching, and service. Furthermore, faculty risk being placed in situations in which they may be subject to shifting expectations based upon inappropriate evaluative factors such as gender, race, sexual orientation, ability, national origin, religious beliefs, family make-up, marital status, political affiliation, or "collegiality".  
Additionally, the lack of clear expectations is in direct conflict with University policies that state "Decisions will be impartial, thorough, and based on clearly articulated expectations" (Procedures for Promotion and Tenure Review: see [http://www.albany.edu/academics/promotion\\_tenure/introduction.shtml](http://www.albany.edu/academics/promotion_tenure/introduction.shtml)).
6. In those instances in which by-laws, procedures, and criteria are present, such documents are often out of date (in two Departments by more than 20 years) and make reference to policies and documents that are likewise out of date.

### **Recommendations:**

Academic faculty are at a significant professional disadvantage when they do not have ready access to the criteria and processes by which they will be evaluated for RTP. The absence of such departmental-level documents leaves faculty members vulnerable to shifting expectations and mechanisms for evaluation and at risk of being evaluated on inappropriate criteria. Therefore, the ACC makes the following recommendations:

1. Departments should establish clearly articulated workload expectations and evaluation procedures of contingent academic faculty. These documents should be provided to contingent faculty and periodically reviewed with them so as to ensure that their rights and responsibilities are clearly articulated.
2. Departments should develop documents that clearly articulate the policies and expectations for RTP for faculty in academic rank. These should pay particular attention

to those aspects of RTP that are department-specific, such as determining which materials are to be submitted, by what date they are to be submitted, and who will be evaluating them. These documents must correspond with the *Agreement* between the State of New York and UUP, the Policies of the SUNY Board of Trustees, and University Procedures for Promotion and Tenure Review.

Note: When forming these documents, we recommend that timelines should be given in terms of semesters in academic rank, not in years. Given that some academic faculty members begin in the Spring semester or are placed on Qualified Academic Rank (e.g. for fellowships, on medical leaves, for the Dr. Nuala McGann Drescher Affirmative Action / Diversity leave), timelines in terms of semesters in academic rank allow faculty to know clearly when their cases are up for renewal or promotion.

3. Definitions of voting faculty on RTP cases must be made specific in departmental documents. The Policies of the SUNY Board of Trustees state that voting faculty are comprised of “Members of the academic staff of the college having academic rank and term or continuing appointments” (2014, Article X, § 3), however, in terms of departmental votes on RTP cases, many departments allow for a wider range of participants, including contingent faculty and professional faculty.

Note: according to the *Agreement* only academic faculty are permitted to evaluate academic faculty for RTP. Professional faculty and other departmental staff are not permitted to evaluate academic faculty.

4. Documents should also clearly inform academic faculty of their rights in the RTP processes. For example, candidates are permitted the right to disallow particular scholars from being solicited for external letters of evaluation. They have the right to review the external letters of evaluators who have consented that their letters may be shown. Candidates are permitted five business days to respond to the recommendations at any level. Candidates are permitted to add documents helpful to their case at any stage in the process. Finally, should renewals not be granted for faculty in academic rank, they are guaranteed one year of final employment after the notice of non-renewal.
5. Discussions of which faculty members should comprise review committees should be made in consultation with the candidate.
6. Committee reports, departmental minutes (taken by someone other than the Chair), and letters from Chairs should be *substantial documents* that indicate that the faculty evaluators have followed the University guidelines that require a *full assessment* of all aspects of the candidate’s teaching, research, and service.
7. According to University Senate Bill 8384-07, Student Instructional Rating Form scores (SIRF) are insufficient mechanisms by which to evaluate teaching effectiveness. While student feedback is recognized as “an important, relevant, and distinct form of information” it is not a substitute for more rigorous methods, such as evaluation of teaching materials, and classroom observations (with consent of the instructor), and peer evaluation.

In particular, the biases inherent in SIRF scores make them a wholly inadequate means of evaluating student learning and teaching effectiveness in classes taught by contingent academic faculty. We agree with University Senate Bill 8384-07 which insists that, “It is the obligation of and prerogative of the faculty (and chairs) than an effective peer review play the primary role in the evaluation of teaching in a university.” We refer to the contractual language cited above stipulating that only academic faculty can evaluate

academic faculty; the *de facto* use of SIRF scores as the sole or primary mechanism for evaluating contingent faculty violates this premise.

8. Departmental documents concerning RTP cases should be reviewed on a regular cycle, with oversight from the University Senate.
9. We recommend that departments considering revising documents related to RTP criteria and processes consult those of the departments of Political Science and English as models. These documents provide clear criteria, procedures, timelines, and articulations of academic faculty members' rights in the RTP process.
10. We again urge the University Senate and the University President to consider appointing an Ombudsperson (link to proposal below) to help assist academic faculty with their RTP cases. UUP is contractually limited in the support that it can provide, as RTP cases are not subject to the grievance process. Additionally, because UUP does not have the authority to raise points of concern except with the President's representative, an Ombudsperson would have the ability to speak to University personnel at any point in the evaluative process.
11. Finally, RTP policies and procedures concern the terms and conditions of academic labor as determined in the *Agreement*, and as such are mandatory subjects of negotiation. It is the Chapter's position that departments must contact UUP prior to ratifying changes in RTP documents. We insist on this not to complicate the process, but to ensure that all such materials correspond with the contractual rights of academic faculty. As departments prepare to bring their bylaws or RTP documents into line with the expectations outlined above, our Chapter is happy to provide guidance and consultation.

#### **Documents & Websites referenced:**

*Agreement Between United University Professions and the State of New York:*

<http://uupinfo.org/negotiations/Contract2011to2016webSECUREv9.pdf>

Albany UUP's Ombudsperson proposal:

<http://uupalbany.org/documents/pdfs/OmbudsProposal.pdf>

United University Professions: <http://uupinfo.org>

Albany UUP Chapter: <http://uupalbany.org>

*Woven Into Its Very Fabric: A Report on Contingent Labor at the University at Albany, Survey Data Analysis and Policy Proposals:*

[http://uupalbany.org/documents/pdfs/contingent\\_report.pdf](http://uupalbany.org/documents/pdfs/contingent_report.pdf)

SUNY Board of Trustees Policies: [http://www.albany.edu/hr/assets/Policies\\_BOT.pdf](http://www.albany.edu/hr/assets/Policies_BOT.pdf)

UAlbany Handbook: [http://www.albany.edu/University\\_Senate/handbook\\_section1.htm](http://www.albany.edu/University_Senate/handbook_section1.htm)

UAlbany Procedures for Promotion and Tenure Review:

[http://www.albany.edu/academics/promotion\\_tenure/introduction.shtml](http://www.albany.edu/academics/promotion_tenure/introduction.shtml)

Career Leadership and University Excellence's Planning Group on Promotion and Tenure:

[http://www.albany.edu/academics/files/CLUE\\_PT\\_Full\\_Final\\_Report.pdf](http://www.albany.edu/academics/files/CLUE_PT_Full_Final_Report.pdf)