

**STATE SYSTEM OF HIGHER EDUCATION
KUTZTOWN UNIVERSITY
KUTZTOWN, PENNSYLVANIA**

TENURE GUIDELINES
University Tenure Committee
(Revised 10/24/95)

I. GENERAL

A. The University Tenure Committee shall review applicants for tenure in order to advise the President. However, the task of screening faculty for contractual renewal and tenure is primarily the responsibility of each department, and should be a process of continual, honest, and fair evaluation. The thoroughness and integrity of the department's recommendation is crucial to the proper functioning of the system for awarding tenure.

B. The University Tenure Committee shall exercise its judgments, provide services, suggest and implement policy wholly within the jurisdiction assigned by the contract. The contract referenced in these Guidelines is that effective July 1, 1990. Consult the following articles which bear on tenure consideration:

Article XII: Performance Review and Evaluation of Faculty

Article XIV: Renewals and Non-renewals

Article XV: Tenure

Article XXIX: Retrenchment

C. Conditions for tenure considerations set forth in the contract apply to all faculty.

II. THE COMMITTEE

A. The University Tenure Committee is composed of seven (7) tenured members, elected by and from the entire faculty for two (2) year overlapping terms.

B. The University Tenure Committee shall elect a chairperson at the first full meeting of each academic year when new members join the committee. The

first full meeting will be called by the previous chairperson or designee acting as convener.

- C. Committee meetings, dealing with only procedural matters are open to faculty members. Times and places of such meetings will appear in the Kutztown University Brief. Actual considerations of specific faculty candidates for recommendation for tenure are not open sessions. All matters pertaining to recommendations are to be treated with utmost confidentiality.
- D. Each University President shall, by October 1 (February 1 for faculty members with January anniversary dates), send a notice to all fifth year probationers with copies to the appropriate department chairperson, notifying the fifth year probationer that he/she has until December 31 (May 1 for faculty members with January anniversary dates) of that year to apply for tenure.

III. ELIGIBILITY FOR TENURE

- A. Faculty eligibility for tenure shall be governed by the conditions specified in the prevailing Collective Bargaining Agreement:
 - 1. Such faculty shall be considered eligible for tenure in accordance with Article XV: TENURE, Section B of the contract.
 - 2. Criteria for eligibility:
 - a. a probationary period of five (5) full academic years at the University from the most recent date of appointment;
 - b. only full-time employment at the University in a non-temporary position shall be counted in computing the probationary period. However, time spent in a temporary or regular part-time, temporary full-time or regular full-time position at Kutztown University or any university within the State System of Higher Education may, on the recommendation of the department and the approval of the President, be counted toward the required probationary period.
 - c. meet the minimum qualifications for the rank of assistant professor as set forth in the applicable laws; Act 182 (1963) specifies the minimum qualifications for assistant professor as:
 - (1) at least four (4) years of teaching experience;
 - (2) a Masters degree and at least ten (10) semester hours additional graduate credit; and,

- (3) present evidence of effective teaching and fulfillment of professional responsibilities, continuing scholarly growth and contribution to the University and/or community, as specified in Article XII, Section I.
- B. Faculty hired in a full-time, non-temporary position after having been retrenched from a tenured position at another State System of Higher Education University:
1. A faculty member hired in a full-time, non-temporary position at the University, after having been retrenched from a tenured position at another university of the State System of Higher Education falls under the provisions of Article XXIX: RETRENCHMENT, Section I.
 2. Criteria for eligibility:
 - a. a probationary period of one (1) full year at the University. The person will be considered for tenure in the second semester of the first year of such an appointment to the University.
 - b. such a faculty member must apply for tenure in writing as outlined in Article XV: TENURE, Section C, except that the procedure will take place in the person's first year of service rather than the fifth as indicated in that paragraph. See section V: PROCEDURES of these guidelines and the attached Timetables for further details

IV. UNIVERSITY TENURE COMMITTEE RESPONSIBILITIES

- A. The University Tenure Committee shall act within the guidelines of the current contract to the extent that it applies to faculty being considered for recommendation for tenure.
- B. The University Tenure Committee shall specifically:
1. Supply guidelines appropriate to tenure procedures within the appropriate collective bargaining agreement;
 2. Notify each faculty member who has been advised by the President of eligibility for tenure consideration of his/her rights and obligations regarding applying for and/or being considered for tenure in accordance with the provisions of the contract.
 - a. Obtain the names of all faculty who are considered eligible for consideration for tenure from the President, and

- b. Correlate the list of eligible candidates with the University Seniority List to insure that faculty may not have been inadvertently overlooked. Any inconsistency regarding eligibility should be rectified by the University Tenure Committee with the President's office or designee.
3. Notify departmental tenure committees and departmental chairpersons/equivalents of their responsibilities regarding tenure. Keep departmental tenure committees and departmental chairpersons/equivalents advised of new requirements.
4. Receive recommendations separately from the departmental tenure committee and the departmental chairperson/equivalent. In so doing, the committee shall:
 - a. Treat all information with the utmost confidentiality.
 - b. Arrange impartially to hear all sides if the recommendations from the departmental tenure committee and the departmental chairperson/equivalent are divergent.
 - c. Afford the opportunity for additional data to be submitted from sources other than the departmental tenure committee and the departmental chairperson/equivalent, provided that the candidate for tenure be given access to all written submissions and be informed in writing of the substance of any interviews conducted by the University Tenure Committee. In the process, the candidate shall have an opportunity to respond to all additional written data and to any interviews held.
 - (1) Such sources shall not include managers except in those cases where managers are included in the evaluation process in accordance with Article XII PERFORMANCE REVIEW AND EVALUATION OF FACULTY Section 2 B and C. The above statement should not be seen to preclude incorporating as part of the application file any commendations received in the past from managers that have been routinely included in the candidate's personnel file.
 - (2) Written and/or oral information submitted to the committee must be capable of substantiation. Examples of such data are department minority reports, material relating to participation in interdisciplinary programs, service on university committees, community service, APSCUF, etc.

5. Submit recommendations to the President at the times specified in the contract.
 - a. In cases of a negative recommendation, there shall be sufficient data to support such a recommendation.
 - b. Notify candidates individually by letter of the positive or negative recommendation made by the committee to the President at the time the recommendation is forwarded to the President.

V. PROCEDURES

- A. Faculty tenure evaluations and recommendations shall be governed by the following procedures:
 1. Departmental tenure committees and departmental chairpersons/equivalent shall provide continual, honest, and fair evaluations of each faculty member in a tenure-track position in accordance with Article XII: PERFORMANCE REVIEW AND EVALUATION OF FACULTY and Article XIV: RENEWALS AND NON-RENEWALS.
 2. The University President or designee shall, by October 1 (February 1 for faculty members with January anniversary dates), prepare a list of probationary faculty who will complete the fifth full year of employment by the following January or May. The committee shall consult with the President or his/her representative as to the accuracy of the list.
 - a. The University President or designee will provide each departmental chairperson/equivalent and each departmental tenure committee with a list of the faculty within the respective department who are to be eligible for tenure.
 - b. First consideration shall be given to those candidates whose fifth year will be concluded at the end of the Fall semester (those with January appointment dates); then attention shall be directed to those candidates whose fifth year will be concluded at the end of the Spring semester (those with September appointment dates).
 - c. The committee shall notify the departmental chairperson/equivalent and the departmental tenure committee of the deadlines for their forwarding recommendations to the University Tenure Committee. A notice shall be sent to each candidate informing him/her of the pertinent deadlines.

3. The departmental tenure committee shall be chosen by the department in accordance with the provisions of the contract and the rules of the department.
 - a. The committee shall consist of at least three (3) members. The chairperson/equivalent **MUST** be excluded from the committee;
 - b. The committee shall include only **TENURED** faculty;
 - c. the department may act as a committee of the whole (tenured members only);
 - d. separate recommendations must be forwarded to the University Tenure Committee for each candidate from:
 - (1) the departmental committee; (where unanimity has not been reached, a minority report may be received from any member(s) of the department committee;
 - (2) the departmental chairperson/equivalent;
 - e. in no case may a faculty member take part in the consideration of tenure for himself/herself.
 - f. the departmental tenure committee's recommendations shall be based on criteria defined and approved by the department in accordance with Article XII: PERFORMANCE REVIEW AND EVALUATION OF FACULTY.
4. The President shall, by October 1 (February 1 for faculty members with January anniversary dates), send a notice to all fifth-year probationers that he/she has until December 31, (May 1 for faculty members with January anniversary dates) to apply for tenure. A copy of the notice will be sent to the departmental chairperson/equivalent.
5. If official graduate transcripts are not already in the faculty member's official personnel file, the candidate shall have them sent directly from the appropriate college or university to the Office of the President. The candidate shall meet with the Provost and Vice President for Academic Affairs to review degree or credit eligibility for tenure. This meeting shall occur after the candidate has been notified by the President of his/her eligibility for tenure, but before the candidate officially applies for tenure.
6. The faculty member must submit his/her written request for tenure to the President by December 31 (May 1 for those faculty members with January anniversary dates).

- a. The written request for tenure must include reasons why the faculty member believes that he/she should be granted tenure. The candidate is expected to provide full and complete documentation to substantiate those reasons. (The criteria for evaluating the request for tenure are contained in Article XII: PERFORMANCE REVIEW AND EVALUATION OF FACULTY. Effective teaching and fulfillment of professional responsibilities are the primary criteria upon which a tenure recommendation is based. In addition to effective teaching and fulfillment of professional responsibilities, continuing scholarly growth and service and contribution to the university and/or community are tenure criteria. Although there is an expectation of contribution in all three areas, a greater contribution in one area may compensate for a lesser contribution in another.)
 - b. A copy of the written request and any supporting documentation must be sent to the departmental chairperson/equivalent.
 - c. Information on the option either to submit or to withhold the faculty member's personnel file is contained in Article XIII: PERSONNEL FILES, Section B.5.
 - d. N.B. "If a fifth year probationary faculty member fails to apply for tenure, that probationer's sixth year of employment shall be a terminal year." Article XV: TENURE, Section C.
7. By February 15 (October 1 for faculty members with January anniversary dates) the departments shall forward signed and dated recommendations for tenure to the University Tenure Committee;
- a. The departmental chairperson/equivalent shall:
 - (1) forward to the University Tenure Committee, with a copy to the President, a full list of all candidates for tenure from that department;
 - (2) forward to the University Tenure Committee his/her separate written recommendation for each candidate. Each recommendation is to be signed and dated and a copy provided to the candidate.
 - b. the departmental tenure committee shall forward to the University Tenure Committee its separate written recommendation for each candidate with a record of the vote tally and signed by each member of the committee. If unanimity has not been reached and a minority report is issued both recommendations shall be forwarded to the University Tenure Committee. The department tenure committee shall provide a

signed dated copy of its recommendation(s), and minority report, if applicable to each candidate.

- c. Both the recommendation from the departmental chairperson/equivalent and from the departmental tenure committee shall be unequivocally positive or negative. Ambiguous statements shall be returned for clarification.
 - d. In the case where tenure is not recommended, the reasons for the negative recommendation must be fully described in writing.
8. The University Tenure Committee shall review the recommendations for each candidate in detail.
- a. Signed pertinent letters or reports addressing the recommendation for a candidate may be forwarded to the committee from sources other than the departmental chairperson/equivalent and the departmental tenure committee. All such letters or reports shall be signed and dated and copies provided to the candidate.
 - b. As a further protection of the rights of the individual candidate, in the event that the reports from the departmental chairperson/equivalent and the departmental tenure committee differ, the University Tenure Committee is required to meet with the chairperson/equivalent and the departmental tenure committee chairperson/designee in order to clarify the differences.
 - (1) The departmental tenure committee and chairperson/equivalent shall be informed that the recommendations are different.
 - (2) Arrangements shall be made to meet separately and sequentially with both of the above sources.
 - (3) Further, the committee may arrange to meet with the candidate, and to contact other sources or persons who shall be deemed necessary to assist in reaching a clear presentation of the facts.
9. All items coming to the University Tenure Committee shall be handled with the utmost confidentiality. There will be no discussion of candidates outside of the committee except as necessitated by paragraph 7-b above. Other faculty may come to meetings about procedures, revision of guidelines, etc., but shall be excluded from any deliberations concerning candidates.
- a. The individual candidate has the right to appear before the committee.

- b. Members of the committee may discuss procedure with other faculty and with the candidate, but shall refrain from any other discussion regarding actual recommendations.
 10. No later than April 1 (November 1 for those faculty members with January anniversary dates) the University Tenure Committee shall forward its written recommendation for each candidate to the President.
 - a. The recommendation shall include a record of the committee vote tally on each candidate, signed by each member of the Committee. Four affirmative votes are required for positive recommendation.
 - b. All data on which the committee's recommendation was based shall be forwarded to the President with the committee's written recommendation.
 - c. In the event of a negative recommendation, the reasons for the recommendation shall be fully described in writing.
 - d. Each candidate shall be individually notified by a copy of the committee's recommendation that is forwarded to the President.
 - e. The committee shall keep records of its actions as needed.
 11. By May 31 (December 31 for those faculty members with January anniversary dates) the President shall notify each candidate in writing of his/her decision to grant or deny tenure. If tenure is denied, the probationer's sixth year of employment shall be a terminal year of employment.
- B. Faculty hired after having been retrenched from a tenured position at another University of the State System of Higher Education are to be evaluated for tenure under the same procedures as other tenure track faculty, except as the criteria and procedures are modified by Article XXIX: RETRENCHMENT, Section I.
1. All of the provisions outlined in Section V above apply except that:
 - a. notification by the President of eligibility for consideration for tenure, the written request for tenure, departmental evaluation and recommendations concerning tenure, the recommendations to the President from the University Tenure Committee, and the decision to grant or deny tenure shall take place during the candidate's first year of

full-time, non-temporary employment at the university rather than during the fifth year;

- b. should the candidate fail to apply for tenure or be denied tenure by the President, the second year of such employment shall be a terminal year of employment rather than the sixth year.
2. The timetable for notifications, written request for tenure, forwarding of recommendations and notification of the decision to grant or deny tenure are those indicated in Section V.

VI. TIMETABLE

- A. The University Tenure Committee shall time its notifications and processes in such a manner that returns from all sources shall enable the committee to forward its recommendations to the President within the timetable established in Article XV of the contract.
- B. Timetables (The following dates and abbreviated instructions are presented in their entirety in Article V.A. 4,5,6,9, and 10 of these Guidelines.)

Tenure Timetable for Formal Consideration

**September
Appointment Date**

(Candidates whose fifth year will end in June) December)

Due Date

October 1

Steps

Step 1 - President or designee

**January
Appointment Date**

(Candidate whose fifth year will end

Due Date

February 1

sends faculty member notice informing faculty member that he/she has to apply for tenure. President sends copies to the appropriate department chairperson and the UTC.

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| December 31 | Step 2 - Faculty member may apply for tenure by this date to the President with a copy to appropriate department stating reasons why tenure should be granted together with documentation of those reasons. Failure to apply by this date means the sixth year of employment is terminal. | May 1 |
| February 15 | Step 3 - Departmental tenure committees and departmental chairpersons/equivalents must forward recommendations for each to the UTC by this date together with all data upon which those recommendations are based. Full list provided by department committee must be submitted to the President or designee by department chairperson. | October 1 |
| April 1 | Step 4 - University Tenure Committee must forward positive and negative recommendations for each candidate to the President by this date with all data upon which those recommendations are based. | November 1 |
| May 31 | Step 5 - President notifies each candidate by this date of his/her decision to grant or deny tenure. | December 31 |

PLEASE NOTE:

The formal consideration for Tenure begins during the candidate's fifth probationary year, i.e., during the candidate's ninth semester of service. Steps 1 and 2 as listed above must be completed during the ninth semester. Steps 3-5 as listed above must be completed during the tenth semester. Should tenure be granted, it will take effect on the candidate's anniversary date of his/her eleventh semester of service.

