

contents. The University may charge a reasonable fee for copying any materials beyond the first copy requested by the faculty member and/or their representative.

- 20.5 University access to official personnel files will be restricted to administrators who have a legitimate need to know. External letters of evaluation, when required, are confidential to the extent allowed by law.
- 20.6 The University will not release evaluative material from faculty member files, unless permitted by state or federal law. The faculty member will be notified in writing of any requests for evaluative material under public disclosure laws at least seven (7) calendar days prior to releasing the information.
- 20.7 Medical files will be kept separate and confidential in accordance with state and federal law, including compliance with HIPAA.

## **ARTICLE 21 - INTELLECTUAL PROPERTY RIGHTS**

- 21.1 In recognition of the importance of providing uniform policies and procedures for the regulation and administration of intellectual property rights generated by the activities of its faculty, employees, and others associated with the University, such as visiting scholars, the University has adopted and will maintain an Intellectual Properties Policy (*see* APPENDIX B). In the event the University wishes to make changes to the Intellectual Properties Policy, it will first provide written notice of its proposed changes to the Union and, if requested, will bargain with the Union over any proposed changes.

## **ARTICLE 22 - REAPPOINTMENT, TENURE, PROMOTION, & POST-TENURE REVIEW**

### 22.1 Criteria.

- 22.1.1 Reappointment, Tenure, Promotion (hereafter referred to as RTP) and Post-Tenure Review (hereafter referred to as Post-TR) criteria shall be developed at the University, college and department levels. On or before the end of the fall quarter of the 2013-2014 academic year, each college will revise its standards for post-tenure evaluation to include criteria for measuring excellent performance in teaching, scholarship/creative expression, service and chairpersonship. On or before the end of winter quarter of the 2013-2014 academic year, each department will revise its standards for post-tenure evaluation to include criteria for measuring excellent performance in teaching, scholarship/creative expression, service and chairpersonship. Revised standards will be forwarded to the Provost for review and final approval before implementation.

- (a) University criteria for RTP and Post-TR will be aligned with the institutional mission and accreditation standards and will strive to be reflective of the entire spectrum of academic disciplines. When these criteria are reviewed, faculty from all colleges will be invited to provide input.

- (b) College criteria for RTP and Post-TR will be aligned with University criteria and reflect disciplinary standards for all departments within the college. In addition to student evaluations, criteria for assessing teaching effectiveness will include other qualitative and/or quantitative measures. These criteria shall be developed with input and consultation with department chairs and college faculty, and reviewed at least every five (5) years.
- (c) Department criteria for RTP and Post-TR will be aligned with University and college criteria and will articulate disciplinary standards. In addition to student evaluations, criteria for assessing teaching effectiveness will include other qualitative and/or quantitative measures. The criteria will be submitted to the dean for approval and the dean will forward the criteria to the Provost for final approval prior to implementation. Department criteria will be reviewed at least every five (5) years.

22.1.2 Evaluations for RTP and Post-TR shall be made on the basis of these approved criteria and on the evidence provided in the Professional Record.

- (a) For Post-TR, performance in the three elements of professional responsibility is typically expected during any five-year cycle, unless otherwise outlined in the accumulated workload plans. Post-TR evaluations will take into account circumstances where a faculty member has or had an atypical workload (e.g., no workload attributed to scholarship) during a review period.

22.1.3 The dean will provide the University, college and department criteria to tenure-track faculty with the initial contract letter. Absent unusual circumstances (e.g., changing standards in response to accreditation issues), tenure evaluations will be based on University, college and department criteria provided at time of hire. Where there are changes to standards, the dean will notify affected faculty of such changes and, after discussing implementation with the department chair, will notify faculty of the ways in which those changes will be applied to pending probationary and Post-TR periods.

## 22.2 Evaluation Cycles.

22.2.1 Probationary tenure-track faculty shall be evaluated during the second (2<sup>nd</sup>), fourth (4<sup>th</sup>), and sixth (6<sup>th</sup>) years of their probationary period. A third (3<sup>rd</sup>) or fifth (5<sup>th</sup>) year evaluation may be requested by the department personnel committee, the department chair, the college personnel committee, or the dean if a faculty member's performance is judged to be substandard or deficient in the second (2<sup>nd</sup>) or fourth (4<sup>th</sup>) year review cycle. In exceptional circumstances, a first (1st) year evaluation (to be done in winter or spring quarter) may be requested by the department personnel committee, the department chair, or the dean. Any time an evaluation is judged to be substandard or deficient, the faculty member shall meet with their chair and department personnel committee and develop a plan for rectifying any noted issues. Evaluation for reappointment shall occur during fall quarter as established in the Academic Calendar.

- 22.2.2 Probationary tenure-track faculty who apply for promotion and/or tenure shall be evaluated during winter quarter, as established in the Academic Calendar. If tenure is denied during his or her mandatory review, normally in the sixth (6<sup>th</sup>) year, the faculty member shall be reappointed to a terminal year of employment.
- 22.2.3 In the fifth (5<sup>th</sup>) year following the granting of tenure, faculty members, including those in phased retirement, will submit their Professional Records for Post-TR during the fall quarter, and every fifth (5<sup>th</sup>) year thereafter, as established in the Academic Calendar. Promotion in rank shall be considered the equivalent of Post-TR, and a subsequent Post-TR will occur five (5) years following the promotion.
- (a) Within three (3) weeks after notification is received from the Provost, tenured faculty who are “continued with reservations” shall construct, in collaboration with their department chair and department personnel committee, a Professional Development Plan to be submitted to the Dean for approval. The follow-up reviews by the department personnel committee, department chair, and dean will focus on the goals and remedies outlined in the Professional Development Plan as well as the portion of the faculty member’s subsequent workload plan dealing with the area(s) of the Post-TR standards that the faculty member did not meet. The Professional Development Plan will include the dates of the faculty member’s follow-up reviews. The follow-up reviews will not change the timing of the faculty member’s next full Post-TR.
- (b) Tenured faculty who are “continued with reservations” shall be reevaluated based on the Professional Development Plan no later than the fourth (4<sup>th</sup>) academic quarter following their receipt of notice. “Continued with reservations” is the outcome of a personnel evaluation and as such is a Substantive Academic Judgment as defined in ARTICLE 1 -DEFINITIONS.

### 22.3 Eligibility.

- 22.3.1 Only tenure-track faculty who are appointed to the academic rank of assistant professor or higher are eligible for tenure. Eligible faculty members will stand for tenure no later than the sixth (6<sup>th</sup>) year of full-time employment with the University. Extensions may be approved by the Provost for reasons such as major illness, extenuating circumstances, or situations which require a faculty member’s extended absence from full-time service.
- 22.3.2 Faculty members with academic rank whose duties are entirely administrative or combine both administrative and part-time teaching responsibilities are eligible for tenure in their capacities as faculty members.

22.3.3 A faculty member may, when circumstances make it justifiable, be considered eligible for tenure prior to the expiration of a six (6) year probationary period with the University under the following situations:

- (a) Faculty members appointed to the academic rank of assistant professor or higher may serve a probationary period of at least four (4) years if, at the time of appointment, they have completed at least two (2) years of appropriate professional activities as recommended by the Dean and approved by the Provost. Any period of prior service must be specified in the initial appointment letter. The tenure decision will be based on performance at Central Washington University during the probationary period.
- (b) Faculty who demonstrate exceptional achievements in all three elements of professional responsibility (teaching, scholarship/creative activities and service) may be considered for tenure and promotion as early as the fourth (4<sup>th</sup>) year of a six (6) year probationary period, or the third (3<sup>rd</sup>) year of a four (4) year probationary period, if supported by the department chair and department personnel committee in consultation with the Dean. Faculty may only pursue early tenure and promotion once pursuant to this subsection. In the event that a faculty member is not granted early tenure and promotion, he/she will be considered for tenure and promotion again at the conclusion of his/her probationary period. Refusal to consider or award early promotion and tenure may not be appealed through the grievance procedure or any other review procedures established in this Agreement.
- (c) Faculty members occasionally may be granted tenure at the time of original appointment. Such appointments shall ordinarily be upon recommendation of the dean and the Provost and must comply with the rank definitions in Sections 8.2.6 and 8.2.7.

22.3.4 Faculty who demonstrate excellent performance in all three elements of professional responsibility (teaching, scholarship/creative activities and service) may be considered for promotion to full professor in their fifth (5<sup>th</sup>) year in rank as an associate professor at Central Washington University. A faculty member hired as an Associate Professor may be eligible for promotion to Full Professor in less than 5 years if the faculty member's initial contract specified that prior experience could be counted towards the tenure and promotion timeline. Up to two (2) years can be credited as long as the faculty's member's combined academic experience meets the qualifications specified in Section 8.2.7.

22.4 The Professional Record shall be the basis for evaluation at all levels of review. It is the responsibility of the individual faculty member to make sure that the Professional Record is complete at the time of submission to the dean. Professional Records will contain a current CV, workload plans, annual faculty activities reports, performance evaluations, SEOIs, evaluation letters from prior evaluation periods, and any additional materials required by departments. Other material reflective of a faculty member's teaching,

scholarship, or service may be included at the faculty member's discretion (e.g., peer evaluation letters, copies of papers/abstracts).

## 22.5 Personnel Committees.

22.5.1 Department personnel committees will be composed of tenured faculty and must include at least three (3) members. Voting committee members must be at or above the rank under consideration. In the case where fewer than three (3) department members are eligible to be on the committee, the committee will include appropriate faculty from another department.

- (a) The personnel committee, including any appropriate faculty from another department, will be elected by the tenured and tenure-track faculty within the department.
- (b) The department personnel committee is responsible for evaluating the professional record and providing written recommendations to the dean.
- (c) The department chair will not serve on the department personnel committee. The chair will conduct an independent evaluation and make an independent recommendation to the dean.

22.5.2 Except as described in Section 23.5.3, college personnel committees will be composed of at least three (3) full professors, plus one (1) full professor who shall serve as an alternate member, with no more than one (1) member from each department. Members of the department personnel committees and chairs are eligible to serve on the college personnel committee, but will be replaced by the alternate member for purposes of the committee's consideration of any issue they reviewed as a member of the department personnel committee or department chair.

- (a) The members of the college personnel committee will be elected by the tenured faculty within the college.
- (b) The college personnel committee is responsible for evaluations relating to reappointments beginning in the fourth (4<sup>th</sup>) year, tenure, promotion and post-tenure review. The committee will provide a written recommendation to the dean.

22.5.3 The college personnel committee for the library will consist of five (5) faculty members plus one (1) alternate. One (1) member will be selected from each of the four colleges, and one (1) member will be chosen from the Library faculty. The member from the Library faculty cannot also be serving as the Department Chair or serving as a member of the Library Department Personnel Committee. A minimum of four (4) of the five (5) members must be full professors. The alternate will be a full professor from a college other than the Library. Voting committee members must be at or above the rank under consideration. Members will be elected from recommendations provided by the following sources:

- (a) The Dean of the Library will request that the Faculty Senate solicit multiple nominations from each of the Colleges and for an alternate from any of the Colleges except the Library. The Library faculty shall be provided a list of all nominees.
- (b) The Dean of the Library will appoint two (2) of the members and the alternate; the tenure-track and tenured Library faculty will elect the remaining three (3) members. The tenured and tenure-track Library faculty's election shall determine the representatives from the Library, College of the Sciences, and College of Business.

22.5.4 Members of the Library college personnel committee will serve a two (2) year term.

22.5.5 Ad hoc personnel committees will be formed when circumstances warrant. Ad hoc personnel committee members will be nominated by the responsible dean or deans, and appointed by the Provost.

## 22.6 General Procedures.

22.6.1 Candidates for any one of these processes must submit an updated, complete Professional Record, to the department chair, according to the dates specified by the academic calendar. The file will be considered a working file while under review by the department. Updated information on the change in status of any listed item or activity may be forwarded to the chair for inclusion in the file.

22.6.2 In a year in which a faculty member has a required review (reappointment, tenure or Post-TR), and intends to submit for an optional (early tenure or promotion) review, the faculty member shall submit a single file for consideration during both review processes, along with a letter explaining his/her intent to have the file considered for both reviews. The faculty member must submit his/her file by the deadline for the required review, but may update it with new material completed prior to the deadline for submitting files for the optional review

22.6.3 During the department level review:

- (a) Tenured and tenure-track faculty members in a candidate's department may review and discuss the Professional Record of any and all departmental faculty involved in RTP and Post-TR and may enter into the file written, signed, comments based on approved departmental criteria.
- (b) The department chair and the department personnel committee will write independent evaluations and recommendations of each candidate by the deadline listed in the Academic Calendar. This documentation, and any written, signed, comments submitted to the chair or the department personnel committee by departmental faculty, will become part of the candidate's Professional Record.

22.6.4 After the departmental review period ends:

- (a) The candidate will be permitted five (5) working days to review the letters of recommendation submitted by the department personnel committee and the department chair and to submit a letter correcting any errors of fact noted in those letters. The department chair will acknowledge receipt of any such letter in writing and will notify the candidate of any action taken as a result.
- (b) The letters for recommendation from the personnel committee and chair, along with any correspondence regarding factual corrections submitted by the candidate, will be added to the Professional Record, which will then be submitted to the dean. Once submitted to the dean, the Professional Record will be considered the formal file for the candidate and will be closed. No additional information or documentation may be added to the Professional Record once it has been submitted to the dean.

22.6.5 During the college review:

- (a) The college personnel committee will review the Professional Record and forward their recommendations for each candidate to the dean.
- (b) All files will be reviewed by the dean of the college, who will prepare his/her letter of recommendation.

22.6.6 After the college review period ends:

- (a) The candidate will be permitted five (5) working days to review the letters of recommendation submitted by the department personnel committee, the department chair, the college personnel committee and the dean. In the event that there are errors of fact in any college-level letters, the candidate may submit a letter correcting these errors of fact. In the event that one (1) or more of the reviewing committees or individuals has not recommended the candidate, the candidate may submit a brief written response to the shortcomings identified in such letter(s).
- (b) Upon conclusion of the college review process, the dean will forward the Professional Record, the recommendation of the college personnel committee, the dean's own recommendation and any response letter submitted as provided in paragraph (a) of this subsection to the Provost.

22.6.7 During the review by the Provost:

- (a) All files will be reviewed by the Provost of the University.
- (b) The Provost will write independent evaluations and submit recommendations of candidates through the President for recommendation of action by the Board of Trustees.

22.6.8 Board of Trustees. Promotion and tenure are awarded by the Board of Trustees through the normal procedures set forth in this Article. In addition, the Board of Trustees retains the right to award promotion and tenure on its own authority.

22.7 Personnel Actions.

22.7.1 Reviews for reappointment will result in one of the following actions:

- (a) Reappointment
- (b) Non-retention

22.7.2 Reviews for tenure will result in one of the following actions:

- (a) Tenured, with promotion to Associate Professor (if the candidate is an Assistant Professor at the time of review)
- (b) Tenured (if the candidate is an Associate or Full Professor at the time of review)
- (c) Denied (see Section 21.2.2 for those denied tenure in their mandatory year of review and Section 21.3.3(b) for those denied early tenure)

22.7.3 Reviews for promotion to Full Professor will result in one of the following actions:

- (a) Promoted
- (b) Denied

22.7.4 Post-TR will result in one of the following actions:

- (a) Continued with recognition of excellence as described in Section Section 16.6.
- (b) Continued
- (c) Continued with reservations

22.7.5 Reviews of faculty who are working under a Professional Development Plan will result in one of the following actions:

- (a) Continued
- (b) Continued with reservations for an additional period
- (c) Disciplinary action, up to and including termination, provided that any such action must meet the just cause standard described in ARTICLE 24 - DISCIPLINARY ACTION/JUST CAUSE (*see* APPENDIX E).