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### **Universal changes throughout the Faculty Handbook**

1. Now that the last remaining academic institute (Krasnow) is no longer, and its former departments are dispersed, all references to academic institutes and institute directors will be deleted from the Faculty Handbook. Some of the deletions are noted in this revision. The only exception is deletion of Section 1.3.4 Academic Institutes, as this would require extensive renumbering of Section 1.3. The deletion and renumbering will be done later when other revisions to Section 1.3 are undertaken.

2. Systematize “college/school” throughout. The intent of the slash is to denote schools that are on the same organizational level as colleges and are headed by a Dean (e.g. S-CAR).

3. Capitalize all instances of “Provost” and “Dean” throughout the Faculty Handbook, consistent with its usage as a title.

### 1.3.1 The General Faculty

The General Faculty consists of all faculty who have full-time instructional, research, or clinical appointments. The General Faculty participates in governance at the university level. ~~All members of the University community may attend meetings of the General Faculty and participate in the debate of matters that come before it. The voting membership of The General Faculty consists of all faculty who have full-time instructional tenured or tenure-track appointments or who have full-time term instructional, research, or clinical appointments. This terminology replaces such previous terms as “probationary”, “contract”, or “restricted” appointments. Without relinquishing the generality of its powers, The General Faculty delegates by Charter to the Faculty Senate the responsibility for governance at the university level. Only those faculty who have instructional appointments – tenured, tenure-track, term, or adjunct – may be elected to the Faculty Senate. The General Faculty is required to meet at least once each semester.~~ Meetings of the General Faculty are scheduled by the President of the University, who serves as presiding officer. ~~Additional meetings may be scheduled at the President's discretion.~~ If at least 10% of the voting membership petitions for a called meeting of the General Faculty, the President is obliged to schedule it within thirty days, or within ten days if the purpose of the call is to consider modify modification of the authority the General Faculty has granted the Faculty Senate, ~~;~~ or to reverse reversal of specific decisions of the Senate, ~~;~~ or to amend amending the Senate charter. All members of the General Faculty have voting rights on matters that pertain to the General Faculty.

### 1.3.1 The General Faculty

The General Faculty consists of all faculty who have full-time instructional, research, or clinical appointments. The General Faculty participates in governance at the university level.

Meetings of the General Faculty are scheduled by the President of the University, who serves as presiding officer. If at least 10% of the voting membership petitions for a called meeting of the General Faculty, the President is obliged to schedule it within thirty days, or within ten days if the purpose of the call is to consider modification of the authority the General Faculty has granted the Faculty Senate; or reversal of specific decisions of the Senate; or amending the Senate charter. All members of the General Faculty have voting rights on matters that pertain to the General Faculty. All members of the University community may attend meetings of the General Faculty and participate in the debate of matters that come before it.

Without relinquishing the generality of its powers, The General Faculty delegates by Charter to the Faculty Senate the responsibility for shared academic governance at the university level. Only those faculty who have instructional appointments – tenured, tenure-track, term, or adjunct – may be elected to the Faculty Senate.

*Rationale: This section reorganization puts the definition of General Faculty at the beginning. There has been no change to the membership of the General Faculty. The language and context clarify the voting membership of the General Faculty.*

*Archaic language is deleted, as is the requirement for twice-yearly meetings of the General Faculty. Note that the mechanisms for either the President or the General Faculty to call a meeting remain intact.*

-All members of the University community may attend meetings of the General Faculty and participate in the debate of matters that come before it.

Without relinquishing the generality of its powers, The General Faculty delegates by Charter to the Faculty Senate the responsibility for [shared academic](#) governance at the university level. Only those faculty who have instructional appointments – tenured, tenure-track, term, or adjunct – may be elected to the Faculty Senate.

**[Note: there are very few suggested changes to this section, so only the tracked changes are shown.]**

### 1.3.3 Colleges and Schools

The schools and colleges of the University are communities of teaching, learning, research and scholarship, and service established by the faculty and administration and approved by the Board of Visitors. They house faculties and programs representing shared educational interests, and may or may not be sub-divided into departments. Colleges may also be subdivided into schools.

As an organizational unit the college or school meets four functional criteria: (i) it has a tenured and tenure-track faculty directly and specifically appointed to it or to its departments by the Board of Visitors; (ii) its faculty establishes degree requirements; authorizes the conferral of degrees; proposes, reviews and approves courses and programs; actively participates in decisions concerning the creation, reorganization and dissolution of units within the college or school; and plays a key role in faculty personnel actions such as appointments, promotion, and granting tenure; (iii) it has an instructional budget that includes FTE funds for the payment of its faculty's salaries as well as funds for goods and services in support of its academic programs and other activities; and (iv) its chief administrative officer is a ~~dean~~ Dean who reports directly to the Provost.

The faculties of schools and colleges, ~~define their own voting membership. Together~~ together with their ~~deans~~ Deans, ~~they~~ determine the processes and procedures of governance they will employ, consistent with the provisions of the Faculty Handbook. ~~but a~~ All schools and colleges, and if so sub-divided, each of their departments, must act in accordance with the best traditions of the academic profession and within the following guidelines, which prescribe that they

- ~~a.~~ a. operate in an open and democratic manner ~~and in accordance with the best traditions of the academic profession;~~
- ~~a.b.~~ a.b. define their own voting membership;
- ~~b.c.~~ b.c. adopt bylaws or standing rules that are published and made available to all members and that undergo periodic review and that include procedures and define eligibility for faculty participation in the activities specified in this Handbook;
- ~~e.d.~~ e.d. meet often enough to ensure good communication and the timely conduct of business;
- ~~d.e.~~ d.e. hold meetings that follow an agenda distributed in advance;
- ~~e.f.~~ e.f. record the proceedings of the meetings in minutes that are distributed to and approved by the faculty.

*Rationale: These changes emphasize that academic units need to provide for the processes of shared faculty governance with direct reference to the Faculty Handbook. It is clarified that the bylaws or standing rules are written (published).*

## 2.3 Recruitment and Appointment of Faculty

### 2.3.1 Policies on Recruitment and Appointment of Faculty

The Board of Visitors has full authority over faculty personnel matters, including faculty appointments. To carry out this function effectively, the Board selects a President, who appoints other academic administrators. Academic administrators share responsibility with the faculty for ensuring that appropriate standards are fostered; that equity and due process are the rule; that judgments in the selection, retention, and promotion of faculty are in the best long-term interests of the University; and that equal opportunity and fair employment practices are followed.

Initial review and evaluation of qualifications are carried out by ~~peers~~ eligible faculty in the local academic unit to which the candidate is to be appointed. Faculty recommendations for appointment are forwarded to the ~~dean~~ Dean ~~or director~~ of the academic unit in which the appointment is to be made. If concurring with the faculty recommendations, the ~~dean~~ Dean ~~or director~~ will forward them to the Provost.

#### 2.3.1.1 Favoritism in Personnel Decisions

*No change*

*Rationale: "Peers" could be misinterpreted to mean that only term faculty are involved in hiring term faculty or some other narrow interpretation of the word. The procedures in Section 2.3.2 explicitly say "faculty" and defining "eligible" is consistent with new wording in Section 1.3.3.*

## 2.3 Recruitment and Appointment of Faculty

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Initial review and evaluation of qualifications are carried out by eligible faculty in the local academic unit to which the candidate is to be appointed. Faculty recommendations for appointment are forwarded to the Dean of the academic unit in which the appointment is to be made. If concurring with the faculty recommendations, the Dean will forward them to the Provost.

#### 2.3.1.1 Favoritism in Personnel Decisions

*No change*

2014 Original with tracked-changes

### 2.3.2 Procedures for Recruitment and Appointment of Tenured, ~~and~~ Tenure-Track and Term Faculty

Requests for new faculty appointments to allocated positions normally originate with the local unit administrator, acting upon the recommendation of the unit's faculty. In particular, the administrator seeks the assistance of the faculty in defining the requirements of the position to be filled and the qualifications to be sought in the appointee. Authorization from the appropriate Dean ~~or director~~ and the Provost is necessary before a search is initiated to fill a vacancy or a new position. In unusual cases a waiver of the search process may be requested by the local unit administrator, ~~d~~ or Dean, ~~or director.~~

Before extending an offer of appointment, the local unit administrator must secure the concurrence of the unit's eligible faculty as specified in the following procedures, the relevant ~~d~~Dean ~~or director~~, the Provost, and the Office of Compliance, Diversity and Ethics.

All full-time faculty receive ~~initial~~ letters of appointment specifying terms of employment and stating that such employment is governed by the administrative policies and regulations of the University (currently in force and as amended in the future). Acceptance in writing of these letters constitutes a contract between the University and each individual faculty member. Letters of initial appointment for ~~tenure-track~~ faculty also indicate the expiration date of terms of appointment. All written offers of appointment must include the elements specified in the appropriate offer letter template located on the Mason website.

Final, as revised

### 2.3.2 Procedures for Recruitment and Appointment of Tenured, Tenure-Track and Term Faculty

Requests for new faculty appointments to allocated positions normally originate with the local unit administrator, acting upon the recommendation of the unit's faculty. In particular, the administrator seeks the assistance of the faculty in defining the requirements of the position to be filled and the qualifications to be sought in the appointee. Authorization from the appropriate Dean and the Provost is necessary before a search is initiated to fill a vacancy or a new position. In unusual cases a waiver of the search process may be requested by the local unit administrator or Dean.

Before extending an offer of appointment, the local unit administrator must secure the concurrence of the unit's eligible faculty as specified in the following procedures, the relevant Dean, the Provost, and the Office of Compliance, Diversity and Ethics.

All full-time faculty receive letters of appointment specifying terms of employment and stating that such employment is governed by the administrative policies and regulations of the University (currently in force and as amended in the future). Acceptance in writing of these letters constitutes a contract between the University and each individual faculty member. Letters of initial appointment for faculty also indicate the expiration date of terms of appointment. All written offers of appointment must include the elements specified in the appropriate offer letter template located on the Mason website.

*Rationale: Section 2.3.2 is restructured by moving the procedures for competitive and non-competitive appointments into separate subsections. See new Sections 2.3.2.1 and 2.3.2.2. The title of Section 2.3.2 is revised since the procedures include Term faculty appointments.*

2014 Original with tracked-changes

### 2.3.2.1 Competitive Appointments

In accordance with its bylaws or standing rules (Section 1.3.3), ~~t~~The local academic unit establishes a faculty committee to advise and assist the local unit administrator in carrying out a search. After receiving appropriate training from the Office of ~~Equity and Diversity Services~~Compliance, Diversity, and Ethics, this committee reviews applicant credentials and makes recommendations regarding potential finalists for the position. All eligible full-time faculty of the local academic unit will be provided with an opportunity to review the candidates' application materials, to meet with the candidates, and to attend job seminars or formal presentations by the candidates. The search committee then formulates a recommendation that includes the opinions of the eligible faculty. The local unit administrator transmits ~~all previous~~the faculty recommendations, together with her or his own, to the ~~collegiate dean~~Dean, /director, or to the Provost, as applicable. The faculty shall be apprised in writing of the local academic unit administrator's recommendation at the time of its transmittal.

~~Before extending an offer of appointment, the local unit administrator must secure the concurrence of the unit's eligible faculty, relevant dean or director, the Provost, and the Office of Compliance, Diversity and Ethics.~~

*[Note: The sentence above was moved to near the beginning of Sec. 2.3.2 and slightly reworded.]*

~~Appointments without term require special review as appropriate to the local unit in conformance with Section 2.7.3 Procedures for Promotion and Tenure.~~

*Rationale: What had been a paragraph within a section is now a new subsection that stands on its own. Emphasis on following bylaws/rules in Section 1.3.3 is included. The deleted statement, above, regarding appointment without term applies to both competitive and non-competitive appointments and is covered in its entirety in a new subsection, 2.3.2.3, below.*

Final, as revised

### **2.3.2.1 Competitive Appointments**

In accordance with its bylaws or standing rules (Section 1.3.3), the local academic unit establishes a faculty committee to advise and assist the local unit administrator in carrying out a search. After receiving appropriate training from the Office of Compliance, Diversity, and Ethics, this committee reviews applicant credentials and makes recommendations regarding potential finalists for the position. All eligible faculty of the local academic unit will be provided with an opportunity to review the candidates' application materials, to meet with the candidates, and to attend job seminars or formal presentations by the candidates. The search committee then formulates a recommendation that includes the opinions of the eligible faculty. The local unit administrator transmits the faculty recommendation, together with her or his own, to the Dean or to the Provost, as applicable. The faculty shall be apprised in writing of the local academic unit administrator's recommendation at the time of its transmittal.



*[Note: The paragraph below is now a new subsection.]*

### 2.3.2.2 Non-competitive Appointments

Noncompetitive or direct appointments are appointments in which the search process is waived when appointing term, tenured, and tenure-track faculty. Competitive searches for tenured, tenure-track, and term faculty must be used except in very special circumstances. These circumstances are normally limited to situations in which (a) the candidate has already established a national/international reputation, the program has a unique opportunity to appoint the targeted candidate, and the area of specialization complements those of faculty already in the program; (b) the candidate is a spouse or partner of a candidate being appointed through formal search procedures and the university is attempting to accommodate her or him; or (c) an administrator is appointed and is considered for acceptance in a specific local academic unit. While an administrator is normally appointed using a competitive process at the administrative level, this policy applies because s/he is not part of a competitive process at the LAU level. Instructional term faculty may also be appointed without a search when classes must be staffed immediately due to unexpected circumstances. Waiver of a search in this situation is only valid for one year.

Eligible fFaculty in the LAU review the credentials of any individual who is a candidate for a noncompetitive appointment using the same procedures as those used to review candidates for competitive appointments. The appointment process moves forward only when a majority of the LAU faculty who are eligible to vote accept the candidate.

### **2.3.2.2 Non-competitive Appointments**

Noncompetitive or direct appointments are appointments in which the search process is waived when appointing term, tenured, and tenure-track faculty. Competitive searches for tenured, tenure-track, and term faculty must be used except in very special circumstances. These circumstances are normally limited to situations in which (a) the candidate has already established a national/international reputation, the program has a unique opportunity to appoint the targeted candidate, and the area of specialization complements those of faculty already in the program; (b) the candidate is a spouse or partner of a candidate being appointed through formal search procedures and the university is attempting to accommodate her or him; or (c) an administrator is appointed and is considered for acceptance in a specific local academic unit. While an administrator is normally appointed using a competitive process at the administrative level, this policy applies because s/he is not part of a competitive process at the LAU level. Instructional term faculty may also be appointed without a search when classes must be staffed immediately due to unexpected circumstances. Waiver of a search in this situation is only valid for one year.

Eligible faculty in the LAU review the credentials of any individual who is a candidate for a noncompetitive appointment using the same procedures as those used to review candidates for competitive appointments. The appointment process moves forward only when a majority of the LAU faculty who are eligible to vote accept the candidate.

## 2014 Original with tracked-changes

In the unusual case of an existing term faculty member seeking a noncompetitive appointment to a tenure-track position, the appointment process moves forward only when no fewer than two-thirds (2/3) of the LAU faculty who are eligible to vote accept the candidate.

## Final, as revised

In the unusual case of an existing term faculty member seeking a noncompetitive appointment to a tenure-track position, the appointment process moves forward only when no fewer than two-thirds (2/3) of the LAU faculty who are eligible to vote accept the candidate.

*Rationale: This section was originally written for competitive appointments, but it is also relevant to non-competitive appointments. Similar language for non-competitive appointments currently appears in Section 2.7.3 c, which will be deleted. The sections are consolidated here as a new subsection.*

### ~~2.3.2.1~~ **2.3.2.3 Awarding of Tenure at the Time of Appointment in Competitive Searches**

~~Faculty in the local academic unit (LAU) will review the credentials of any individual who is a candidate for appointment. These include, at a minimum, the opportunity to examine a *curriculum vitae*, meet with the candidate, attend a job seminar or formal presentation by the candidate, and review letters of reference. The LAU faculty then vote to accept or reject the candidate and, in a separate vote, determine whether to appoint the candidate with tenure.~~

~~If a candidate is to be appointed without term, the appointment procedure is conducted as specified for competitive (Section 2.3.2.1) or non-competitive (Section 2.3.2.2) appointments. The appointment process moves forward only when a majority of the LAU faculty who are eligible to vote accept the candidate. Following an affirmative decision to appoint, the eligible faculty consider whether to recommend tenure in a first-level review in conformance with Section 2.7.3 Procedures for Promotion and Tenure.~~

~~If the candidate is nominated for tenure upon appointment, he or she must also be reviewed by the college-, school-, or institute level promotion and tenure committee. As stated above, the LAU review requires a majority positive vote by eligible faculty for tenure consideration. If the LAU faculty vote is positive and the chair recommends tenure of the candidate, †The dossier recommendation is then sent to the second-level college-, /school-, or academic institute promotion~~

### **2.3.2.3 Awarding of Tenure at the Time of Appointment**

If a candidate is to be appointed without term, the appointment procedure is conducted as specified for competitive (Section 2.3.2.1) or non-competitive (Section 2.3.2.2) appointments. Following an affirmative decision to appoint, the eligible faculty consider whether to recommend tenure in a first-level review in conformance with Section 2.7.3 Procedures for Promotion and Tenure.

The recommendation is then sent to the second-level college/school promotion and tenure committee. Independent external letters from recognized experts in the candidate's field must be obtained in a manner consistent with other tenure reviews, and candidates are held to the same standards as other candidates in that LAU. Since such appointments may be made outside the normal annual promotion and tenure cycle, college/school promotion and tenure committees must establish and follow procedures for promptly reviewing candidates out of cycle.

2014 Original with tracked-changes

Final, as revised

and tenure committee. ~~As with all tenure reviews, i~~Independent external letters from recognized experts in the candidate's field must be obtained in a manner consistent with other tenure reviews, and candidates are held to the same standards as other candidates in that LAU. Since such appointments may be made outside the normal annual promotion and tenure cycle, college, ~~/school, and academic institute~~ promotion and tenure committees must establish and follow procedures for promptly reviewing candidates out of cycle.

## 2.7 Procedures for Renewal, Promotion, and Tenure

### 2.7.1 General Procedures

Renewal, promotion, and tenure recommendations are based upon an evaluation of performance over the faculty member's total period of service at George Mason University. Scholarly achievements prior to joining the George Mason University faculty weigh less heavily in these evaluations, but are also considered. These evaluations differ from the annual review in their emphasis on lasting contributions, consistency of performance, and versatility.

The terms “Renew” or “renewal” in this Handbook means offering a tenure-track faculty member an additional contract for an additional term or terms on the tenure track, which may include the same or different duties and responsibilities. The decisions made at each level will be promptly communicated to the candidate, to the appropriate administrators, including department chairs, and to the faculty committees involved in the process.

### 2.7.2 Procedures for Renewal

Faculty appointed to a tenure-track positions receive an initial three-year appointment term. (See Section 2.1.2) ~~The terms “renew” or “renewal” in this Handbook mean offering a tenure-track faculty member an additional contract for an additional term or terms, which may include the same or different duties and responsibilities.~~

*Rationale: The definition of “renewal” is moved from Section 2.7.2 Procedures for Renewal. It is slightly reworded to remove multiple use of words “terms” and “additional”. The communication of “recommendations” and “justifications” is detailed in the subsections below and so is deleted here.*

## 2.7 Procedures for Renewal, Promotion, and Tenure

### 2.7.1 General Procedures

Renewal, promotion, and tenure recommendations are based upon an evaluation of performance over the faculty member's total period of service at George Mason University. Scholarly achievements prior to joining the George Mason University faculty weigh less heavily in these evaluations, but are also considered. These evaluations differ from the annual review in their emphasis on lasting contributions, consistency of performance, and versatility.

“Renew” or “renewal” in this Handbook means offering a tenure-track faculty member a contract for an additional term on the tenure track, which may include the same or different duties and responsibilities.

### 2.7.2 Procedures for Renewal

Faculty appointed to a tenure-track position receive an initial three-year term. (See Section 2.1.2)

2014 Original with tracked-changes

Tenure-track faculty will be evaluated for renewal during the third year of their initial appointment using the following procedure:

~~a~~1. Tenure-track faculty ~~will be~~are evaluated by either the first-level or second-level promotion and tenure committee (see Section 2.7.3) according to the procedures in Sections 2.4 and 2.5. ~~during the third year of their initial appointment, and t~~

The Dean~~Director~~ will submit a recommendation for renewal or non-renewal to the Provost by March 15th. Based on this evaluation, the Provost will act on the recommendation for renewal or non-renewal by April 15th. Faculty members will be advised of their renewals or non-renewals by May 1st of the third year of their initial appointments. Faculty members receive their renewal contracts no later than May 24<sup>th</sup> of the evaluation year.

~~b~~2. If the decision is for renewal, then the faculty member's contract normally will be renewed for three years, and the next full evaluation will be for tenure consideration. Under exceptional circumstances, a faculty member may be renewed for only one year, in which case another evaluation will be conducted the following year. Renewal of a contract resulting from the evaluation in the fourth year of service will be for two years, and the next full evaluation will be for tenure consideration.

Final, as revised

Tenure-track faculty will be evaluated for renewal during the third year of their initial appointment using the following procedure:

1. Tenure-track faculty are evaluated by either the first-level or second-level promotion and tenure committee (see Section 2.7.3) according to the procedures in Sections 2.4 and 2.5.

The Dean will submit a recommendation for renewal or non-renewal to the Provost by March 15th. Based on this evaluation, the Provost will act on the recommendation for renewal or non-renewal by April 15th. Faculty members will be advised of their renewals or non-renewals by May 1st of the third year of their initial appointments. Faculty members receive their renewal contracts no later than May 24<sup>th</sup> of the evaluation year.

2. If the decision is for renewal, then the faculty member's contract normally will be renewed for three years, and the next full evaluation will be for tenure consideration. Under exceptional circumstances, a faculty member may be renewed for only one year, in which case another evaluation will be conducted the following year. Renewal of a contract resulting from the evaluation in the fourth year of service will be for two years, and the next full evaluation will be for tenure consideration.

*Rationale: The text is revised to ensure that the same group of faculty (tenured members of the department/unit/division) who eventually will evaluate the candidate for P&T also evaluate the candidate for renewal.*

*Renewal consideration by either 1<sup>st</sup> or 2<sup>nd</sup> level P&T committees is consistent with different colleges' procedures.*

2014 Original with tracked-changes

~~e~~3. In the event of non-renewal ~~at any stage of this process~~, the faculty member will ~~receive~~ be offered a terminal, one-year term appointment following the decision for non-renewal contingent on the faculty member having submitted an appropriate and timely ~~portfolio dossier of materials~~ for the purpose of seeking tenure-track contract renewal. If a faculty member chooses not to be evaluated, his or her contract will end on the last day of the term of her or his current contract.

~~e~~4. If a faculty member is not renewed, the appeal procedure outlined in the Faculty Handbook Section 2.8 may be used.

Final, as revised

3. In the event of non-renewal, the faculty member will be offered a terminal, one-year term appointment following the decision for non-renewal contingent on the faculty member having submitted an appropriate and timely dossier for the purpose of seeking tenure-track contract renewal. If a faculty member chooses not to be evaluated, his or her contract will end on the last day of the term of her or his current contract.

4. If a faculty member is not renewed, the appeal procedure outlined in the Faculty Handbook Section 2.8 may be used.

*Rationale: The following proposed changes are mainly a reorganization of the existing section.*

### 2.7.3 Procedures for Promotion and Tenure

Candidacy for tenure or promotion is normally initiated by the local unit administrator, with the faculty member's concurrence. Self-nomination is also permitted. Dossiers are to be prepared in accordance with the format provided by the [Provost and the collegiate Dean or institute director](#). Except for external references, the candidate is responsible for the content of the dossier. The local unit administrator is responsible for ensuring that items the University is required to provide for the candidate's dossier are completed in a timely manner.

[If a faculty member is \(or is to be\) appointed to primary affiliation in more than one local academic unit, ~~In cases of joint primary affiliation, a~~ recommendations for promotion and/or tenure may be initiated by ~~either/any of the units in which the faculty member is \(or is to be\) appointed to primary affiliation.~~ ~~A s~~ Separate evaluations leading to ~~a separate~~ recommendations and decisions will be made ~~with respect to the multiple~~ ~~by each unit primary affiliations held by the candidate.~~ ~~An favorable~~ action by one local academic unit does not obligate ~~the other~~ ~~another~~ local academic unit\(s\) to act ~~favorably~~ ~~similarly~~. It is required, however, that in each/all of ~~the~~ evaluation processes the \[promotion and tenure\]\(#\) committee\(s\) ~~involved~~ must solicit and consider evaluations from the other units ~~in which the candidate has been employed~~. All evaluations become part of the candidate's dossier ~~\(see Section 2.7.2\)~~.](#)

### 2.7.3 Procedures for Promotion and Tenure

Candidacy for tenure or promotion is normally initiated by the local unit administrator, with the faculty member's concurrence. Self-nomination is also permitted. Dossiers are to be prepared in accordance with the format provided by the Provost and the Dean. Except for external references, the candidate is responsible for the content of the dossier. The local unit administrator is responsible for ensuring that items the University is required to provide for the candidate's dossier are completed in a timely manner.

If a faculty member is (or is to be) appointed to primary affiliation in more than one local academic unit, a recommendation for promotion and/or tenure may be initiated by any of the units. A separate evaluation leading to a recommendation and decision will be made by each unit. An action by one local academic unit does not obligate another local academic unit to act similarly. It is required, however, that in each evaluation process the promotion and tenure committee must solicit and consider evaluations from the other units. All evaluations become part of the candidate's dossier.



2014 Original with tracked-changes

Final, as revised

~~The procedure for considering promotion and tenure cases is as follows:~~

~~a-~~In all cases of promotion and/or tenure, there are two levels of faculty review. At both levels, evaluations are carried out by tenured faculty in accordance with Sections 2.4 and 2.5. In addition to considering the dossier prepared by the candidate, faculty committees on promotion and tenure examine all relevant evidence and testimony offered to them by members of the academic community and others with direct knowledge of the candidate's professional qualifications and achievements.

The first-level review is undertaken by faculty in the candidate's local academic unit, which must have bylaws or standing rules that govern renewal, promotion, and tenure procedures (Section 1.3.3).

~~The review process is carried out as follows:~~

~~1-~~In departmentalized schools, or colleges (see Section 1.3.5), or institutes, the first level of review is departmental, ~~and the second is conducted by a peer-elected committee of the school, college, or institute. The second-level review committee can include members from outside the school, college, or institute who are elected in the same manner as other members of the second-level review committee.~~

In all cases of promotion and/or tenure, there are two levels of faculty review. At both levels, evaluations are carried out by tenured faculty in accordance with Sections 2.4 and 2.5. In addition to considering the dossier prepared by the candidate, faculty committees on promotion and tenure examine all relevant evidence and testimony offered to them by members of the academic community and others with direct knowledge of the candidate's professional qualifications and achievements.

The first-level review is undertaken by faculty in the candidate's local academic unit, which must have bylaws or standing rules that govern renewal, promotion, and tenure procedures (Section 1.3.3).

In departmentalized schools or colleges (see Section 1.3.5), the first level of review is departmental.

*Rationale: New language is included here to ensure there are local bylaws or rules that govern consideration for P&T.*

2014 Original with tracked-changes

~~2. In non-departmentalized schools, or colleges, or institutes which are subdivided into programs or other divisions, provided that no program faculty in the unit is smaller than the smallest department of the University, the first level of review is carried out by the program or division faculty appointed to program(s) or division(s) to which the candidate belongs. Tenured faculty from other substantively related areas may also serve on a candidate's first-level review committee if there is an insufficient number of qualified tenured faculty in the candidate's affiliated program(s)/division(s). Program or division faculties cannot exist solely to make personnel evaluations. ~~and The second level of review is carried out by a peer-elected committee of the school, college, or institute. The second level review committee can include members from outside the school, college, or institute who are elected in the same manner as other members of the second-level review committee. In order to qualify to operate under the provisions stated in this paragraph, however, the aforesaid program faculties cannot exist solely to make personnel evaluations.~~~~

~~3. In non-departmentalized schools, or colleges, or institutes which are not further subdivided, the first level review is carried out by eligible faculty in the candidate's school, or college, or institute, and~~

In all cases, the second level of review is carried out by a peer-elected committee of the school, or college, or institute in accordance with its bylaws (Section 1.3.3). The second level review committee can include members from outside the school, or college, or institute who are elected in the same manner as other members of the second-level review committee. In no case may a faculty member vote more than once on any candidate.

Final, as revised

In non-departmentalized schools or colleges, which are subdivided into programs or other divisions, the first level of review is carried out by faculty appointed to program(s) or division(s) to which the candidate belongs. Tenured faculty from other substantively related areas may also serve on a candidate's first-level review committee if there is an insufficient number of qualified tenured faculty in the candidate's affiliated program(s)/division(s). Program or division faculties cannot exist solely to make personnel evaluations.

In non-departmentalized schools or colleges, which are not further subdivided, the first level review is carried out by eligible faculty in the candidate's school or college.

In all cases, the second level of review is carried out by a peer-elected committee of the school or college in accordance with its bylaws (Section 1.3.3). The second level review committee can include members from outside the school or college who are elected in the same manner as other members of the second-level review committee. In no case may a faculty member vote more than once on any candidate.

*Rationale: A few words of text in the first paragraph were re-written for clarity. An additional statement was added to conform to at least one college's existing and acceptable practice.*

*A sentence is added to emphasize that a faculty member can vote only once in a tenure/promotion case.*

2014 Original with tracked-changes

4. The School of Law is exempt from the provisions specified in the above paragraphs, but it is not exempt from the requirement for two-level peer review.

The procedure for considering promotion and tenure cases is as follows:

b1a. Departmental review is initiated by the local first-level promotion and tenure committee—, which may be a committee of the whole. The committee communicates the results of its review to the tenured members of the department who then vote. ~~(full professors only in cases involving promotion to the rank of professor)~~ Only full professors vote in cases involving promotion to the rank of professor. The department chair does not vote with the tenured faculty. The committee transmits the departmental recommendation, including the division of the vote, to the department chair. The department chair transmits to the second-level review committee: (1) the candidate's dossier and related materials; (2) the recommendation of the departmental committee with appropriate justifications; and (3) his/her own recommendation and justification. Notification of the recommendation of the local academic unit and copies of the accompanying justifications are sent to the candidate and to the faculty who participated in the deliberations before the dossier is sent to the second-level committee.

*Rationale: The Chair does not vote with the faculty because the department chair issues a separate “vote”.*

*There have been cases where the candidate has not been informed of the decision of the 1<sup>st</sup> level review until the Provost's decision is made known. The candidate may wish to withdraw from 2<sup>nd</sup>-level consideration and so needs to be informed. In any case, a candidate should be informed of the results of colleagues' evaluation.*

Final, as revised

The School of Law is exempt from the provisions specified in the above paragraphs, but it is not exempt from the requirement for two-level peer review.

The procedure for considering promotion and tenure cases is as follows:

1a. Departmental review is initiated by the local first-level promotion and tenure committee, which may be a committee of the whole. The committee communicates the results of its review to the tenured members of the department who then vote. Only full professors vote in cases involving promotion to the rank of professor. The department chair does not vote with the tenured faculty. The committee transmits the departmental recommendation, including the division of the vote, to the department chair. The department chair transmits to the second-level review committee: (1) the candidate's dossier and related materials; (2) the recommendation of the departmental committee with appropriate justifications; and (3) his/her own recommendation and justification. Notification of the recommendation of the local academic unit and copies of the accompanying justifications are sent to the candidate and to the faculty who participated in the deliberations before the dossier is sent to the second-level committee.

## 2014 Original with tracked-changes

The candidate is evaluated in like manner by the second-level review committee, which forwards its recommendation along with all preceding reports and recommendations to the ~~dean~~ ~~Dean~~ ~~or director~~. Notification of the recommendation of the second-level review committee is sent to the faculty who participated in the deliberations at the first level of review. Copies of the statement of justification are sent to the candidate and the department chair.

If the second-level review committee's recommendation differs from that of the first-level review committee, the second-level review committee's recommendation and accompanying justification are sent to the first-level review committee.

~~e. If a candidate for noncompetitive appointment is to be tenured upon appointment, he or she must be reviewed by both the first and second level promotion and tenure committees. The first level review by eligible faculty requires a majority positive vote for tenure separate from the vote to accept the candidate into the program. If the first level votes are positive, and with the approval of the chair where applicable, the dossier is then sent to the second level review committee. As with all tenure reviews, independent external letters from recognized experts in the candidate's field must be obtained in a manner consistent with other tenure reviews, and candidates are held to the same standards as other candidates in that LAU. Since noncompetitive appointments may be made outside the normal annual tenure cycle, first and second level promotion and tenure committees must develop and follow procedures for reviewing candidates out of cycle.~~

*[The paragraph above has been moved to Section 2.3.3.]*

## Final, as revised

The candidate is evaluated in like manner by the second-level review committee, which forwards its recommendation along with all preceding reports and recommendations to the Dean. Notification of the recommendation of the second-level review committee is sent to the faculty who participated in the deliberations at the first level of review. Copies of the statement of justification are sent to the candidate and the department chair.

If the second-level review committee's recommendation differs from that of the first-level review committee, the second-level review committee's recommendation and accompanying justification are sent to the first-level review committee.

*No changes have been suggested for this page, except for renumbering subsections and removal of “institute” and “director”. Revisions continue on the next page.*

d1b. The process is analogous in non-departmentalized units, except that the role assigned to department chairs is omitted.

e2. All materials are reviewed by the ~~dean~~Dean/director of the candidate's school, ~~or college, or institute~~. The recommendation of the ~~dean~~Dean/director is forwarded to the Provost. Notification of the recommendation is sent to the faculty bodies who participated in deliberations at the first and second levels of review and a copy of the accompanying justification is sent to the candidate and the local unit administrator (the latter copy to be retained in the candidate's permanent file).

If the ~~dean~~Dean/director's recommendation is different from that received from the second-level review committee, the reasons for that difference should be specified in the recommendation, which is sent to the candidate, to the faculty bodies participating in the decision-making process, and to the Provost.

f3. All relevant materials are reviewed by the Provost. The Provost may consult with other academic administrators who have direct knowledge of one or more aspects of the candidate's professional performance. The Provost makes a recommendation as to whether promotion or tenure should be granted. Notification of the Provost's recommendation is sent to the faculty bodies who participated in deliberations at the first and second levels of review, and a copy of the accompanying justification is sent to the ~~dean~~Dean, the candidate and the local unit administrator. The justification shall be retained in the candidate's personnel file.

If the Provost's recommendation is different from that received from the second-level review committee, the reasons for that difference should be specified in writing and sent to the candidate and to the faculty bodies participating in the decision-making process.

g4. If the Provost recommends tenure or promotion be granted, the candidate's dossier, with all previously generated recommendations, is forwarded to the President. If the Provost recommends tenure or promotion not be granted, the recommendation is not forwarded to the President.

h5. The President makes a recommendation as to whether tenure or promotion should be granted. If the President recommends tenure or promotion be granted, such recommendation is forwarded to the Board of Visitors. If the President recommends tenure or promotion not be granted, the recommendation is not forwarded to the Board of Visitors.

i6. Tenure, and promotion to the rank of associate professor or professor, can only be conferred by the Board of Visitors. If the Board of Visitors decides to grant promotion or tenure, the candidate will be notified in writing by the Secretary of the Board of Visitors.

*[No substantive changes on this page except renumbering.]*

2014 Original with tracked-changes

~~j~~7. If either the Provost or the President recommends that tenure or promotion not be granted, the candidate will be notified of the decision on or before May 1. Upon receiving notice of the Provost's or President's decision, the candidate may:

~~1~~a. accept the decision; or

~~2~~b. appeal the decision according to the procedure described in Section 2.8.

In the event tenure is not granted in a faculty member's final year on the tenure-track, the faculty member will be offered a one-year terminal appointment for the next year with workload expectations essentially unchanged from the previous renewal contract.

~~k~~8. Tenure and promotion are never granted by default.

Final, as revised

7. If either the Provost or the President recommends that tenure or promotion not be granted, the candidate will be notified of the decision on or before May 1. Upon receiving notice of the Provost's or President's decision, the candidate may:

a. accept the decision; or

b. appeal the decision according to the procedure described in Section 2.8.

In the event tenure is not granted in a faculty member's final year on the tenure-track, the faculty member will be offered a one-year terminal appointment for the next year with workload expectations essentially unchanged from the previous renewal contract.

8. Tenure and promotion are never granted by default.

*Rationale: Previously, a tenure-track faculty member who was denied tenure was given a 7<sup>th</sup> year contract that was essentially unchanged from the previous year. Recently, the standard 1-year Term faculty contract that is given to non-renewed faculty in the Renewal section has also been given to faculty denied tenure.*

*Now, a Term faculty teaching load is nearly double that of a tenure-track faculty. In that a tenure-track faculty has been through a grueling 6-year process, and has then not been renewed, it seems right that they be allowed the final year to concentrate on completing on-going projects and finding a new job without a larger work burden.*

### 2.7.3.2 Tenure Clock Extension for Serious Illness

Extension of the tenure clock for a tenure-track faculty member will be approved for circumstances that have a significant impact on the faculty member's productivity, such as serious personal illness or a major illness of a member of the faculty member's immediate family, under the following conditions and definitions. Serious personal illness or illness within the immediate family will be defined according to the Department of Labor's criteria for family and medical leave, already used by the university. Certification of illness by a physician is required and will be handled by Human Resources. Once certification of the illness has been approved by Human Resources, the faculty member can extend the tenure clock (~~extension of the probationary period~~) by notifying, in writing, the chair of the department or the ~~dean~~Dean/~~director~~ of the college, ~~or~~ school ~~or institute~~ in which the faculty member serves. The request must be made within three months of certification of sick or family leave by Human Resources. Tenure clock extensions will be granted in one-year increments, with the maximum extension being a cumulative total of two years. An extension beyond one year will require discussion with the appropriate department chair and Dean. At the time of tenure consideration, a faculty member will be considered using the same criteria as those applied to other faculty in the college, ~~or~~ school, ~~or institute~~. Extensions due to serious illness are independent of study leaves.

*Rationale: The term "probationary" is archaic and not used elsewhere in the Faculty Handbook. This and similar sections would now make consistent reference to "tenure clock extension" (2.7.3.1, 2.7.3.3, and 2.7.3.4.*



## 2.8 Appeal of Negative Decisions in Renewal, Tenure and Promotion Cases.

The decision of the President or of the Provost not to recommend renewal, tenure or promotion may be appealed [to the University Promotion, Tenure and Renewal Appeal Committee \(UPTRAC\)](#) as provided in this section. The intent of the appeal procedure is to provide [a](#) fair and competent review of the [case decision](#). The decision whether to appoint or reappoint a Term Faculty member may not be appealed.

### 2.8.1 Grounds for Appeal

An appeal must be based on one or more of the following reasons:

1. Substantial New Evidence ~~not available to those who made the original negative recommendation (only for candidates for tenure in their sixth year);~~
2. material procedural irregularity;
3. violation of federal or state law, or [violation of](#) university policy [related to nondiscrimination](#); ~~or~~
4. inadequate or faulty consideration of evidence; [or](#)
5. [violation of academic freedom as defined in Sections 2.11.1 and 2.11.2.1.](#)

## 2.8 Appeal of Negative Decisions in Renewal, Tenure and Promotion Cases.

The decision of the President or of the Provost not to recommend renewal, tenure or promotion may be appealed to the University Promotion, Tenure and Renewal Appeal Committee (UPTRAC) as provided in this section. The intent of the appeal procedure is to provide a fair and competent review of the decision. The decision whether to appoint or reappoint a Term Faculty member may not be appealed.

### 2.8.1 Grounds for Appeal

An appeal must be based on one or more of the following reasons:

1. Substantial New Evidence;
2. material procedural irregularity;
3. violation of federal or state law or university policy related to nondiscrimination;
4. inadequate or faulty consideration of evidence; or
5. violation of academic freedom as defined in [Sections 2.11.1 and 2.11.2.1.](#)

*Rationale: The ground of Substantial New Evidence is now available to all appellants. The new ground for appeal #5 is taken from sections **Academic Freedom and Civil Liberties 2.11.1 and Policies Concerning Grievances 2.11.2.1** that appear at the end of this document. The former section specifically states that personnel decisions are not to be affected by considerations of academic freedom. Grievance policy specifically excludes a grievance based on alleged violation of academic freedom related to reappointment, promotion or tenure and refers that alleged violation back to this Section 2.8, and so that statement should be cross-referenced in this section.*



2014 Original with tracked-changes

“Substantial New Evidence” means evidence that was not available ~~to those who made the original negative recommendation~~ at the time of the first-level review; and that falls only within one or more of the following categories:

- a. Scholarly work accepted for publication, or creative work exhibited, performed, or published, or other evidence of scholarly distinction.
- b. Grants awarded.
- c. Reviews of the candidate's scholarly or creative work that have been published.
- d. Substantial evidence of significantly improved teaching.
- e. Substantial evidence of significantly increased and influential professional service.

## **2.8.2 University Promotion, Tenure and Renewal Appeal Committee**

### **2.8.2.1 Committee Charge**

Upon written appeal, the UPTRAC reviews the decision of the Provost or President not to recommend tenure, promotion, or renewal. The committee must publish and follow standard procedures for its conduct that are consistent with provisions in this section. The committee members (including the member chosen by the appellant) do not act as advocates for either the appellant or the university. The committee does not review the merits of the tenure, promotion, or renewal case itself.

*Rationale: Even if the first-level review committee made a positive decision, the case that was considered by the second-level committee and administration would have been possibly stronger if the new evidence had been available.*

*There needs to be a clear charge to the committee that stands apart from the remainder of the section. Suggested charge to be inserted here and sections to be renumbered.*

Final, as revised

“Substantial New Evidence” means evidence that was not available at the time of the first-level review and that falls only within one or more of the following categories:

- a. Scholarly work accepted for publication, or creative work exhibited, performed, or published, or other evidence of scholarly distinction.
- b. Grants awarded.
- c. Reviews of the candidate's scholarly or creative work that have been published.
- d. Substantial evidence of significantly improved teaching.
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### 2.8.2.2 Committee Composition

The ~~University Promotion, Tenure and Renewal Appeal Committee (UPTRAC)~~ shall be composed of three tenured faculty members and two alternate tenured faculty members, elected by the Faculty Senate to staggered terms; and two tenured administrators and one alternate tenured administrator, selected by the Provost to staggered terms. Committee terms are for two years. No two committee members may be from the same ~~Local~~ local Academic academic Unit unit or administrative unit. A member can serve a maximum of two consecutive 2-year terms, although subsequent non-consecutive service is permitted. Elected alternate members' terms formally begin during the first year that they participate in an appeal. For the purpose of service on the UPTRAC, a local academic unit administrator is considered an administrator.

The appellant will choose a tenured administrator to serve as the sixth member of the committee for the duration of the appellant's appeal. ~~the~~ The administrator must be someone who does not have a conflict of interest, who did not participate at an earlier stage of the appellant's promotion, tenure, or renewal process, and who does not come from the same administrative unit as one of the Provost's appointees.

If any member of the UPTRAC has a conflict of interest, participated at an earlier stage of the appellant's promotion, tenure, or renewal process, or is otherwise unable to serve, such member shall not participate in the appeal, and an alternate will serve instead. In the event there are not sufficient faculty alternates to serve ~~more than two faculty members of the UPTRAC cannot serve~~, the Faculty Senate shall elect additional alternate members ~~to replace such faculty members on the UPTRAC~~ to serve for the appeal. If the need for faculty alternates

### **2.8.2.2 Committee Composition**

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The appellant will choose a tenured administrator to serve as the sixth member of the committee for the duration of the appellant's appeal. The administrator must be someone who does not have a conflict of interest, who did not participate at an earlier stage of the appellant's promotion, tenure, or renewal process, and who does not come from the same administrative unit as one of the Provost's appointees.

If any member of the UPTRAC has a conflict of interest, participated at an earlier stage of the appellant's promotion, tenure, or renewal process, or is otherwise unable to serve, such member shall not participate in the appeal, and an alternate will serve instead. In the event there are not sufficient faculty alternates to serve, the Faculty Senate shall elect additional alternate members to serve for the appeal. If the need for faculty alternates

*Rationale: The election/appointment of members is amended.*

2014 Original with tracked-changes

arises after the last Faculty Senate meeting of the academic year, the Faculty Senate Executive Committee will select the alternate(s). In the event there are not sufficient administrators to serve~~two administrator members of the UPTRAC cannot serve~~, the Provost shall select ~~two~~-alternate members to ~~replace such administrators on the UPTRAC~~serve for the appeal.

### 2.8.3 Appeal Procedure

To initiate an appeal, the appellant must file a written petition for appeal with the ~~UPTRAC~~Chair of the Faculty Senate and the Provost's office no later than ~~June 4~~May 14 of the year in which tenure, promotion, or renewal was not recommended. The reasons for the appeal must be clearly stated, and the appeal must be limited to the grounds permitted in Section 2.8.1. All documentation and evidence in support of the appeal must accompany the petition. The burden of proof in the appeal rests with the appellant.

If the appellant alleges ~~violation of federal or state law, or alleges discrimination in~~ violation of federal or state law or University policy related to nondiscrimination, the appeal process shall be held in abeyance until the Office of ~~Equity and Diversity Services~~Compliance, Diversity and Ethics has completed a formal investigation~~investigated of~~ the allegation and has ~~submitted a report to the UPTRAC~~issued a final written determination.

*Rationale: The language of the ODCE policy is used here. ODCE is charged with "...enforcing applicable federal and state laws and university policies related to nondiscrimination..." A "formal investigation" is specified because OCDE also has an informal discuss-and-resolve option. If the appellant is appealing on the grounds of violation, then the appellant must also report the alleged violation to OCDE. The UPTRAC cannot determine on its own whether or not federal or state law, or university policy has been violated. The "written determination" is issued to those parties (including the appellant) specified in the OCDE policy. This section applies only to DCE violations.*

<https://diversity.gmu.edu/sites/diversity/files/Revised%20EEO%20Grievance%20Procedure%20November%202016.pdf>

Final, as revised

arises after the last Faculty Senate meeting of the academic year, the Faculty Senate Executive Committee will select the alternate(s). In the event there are not sufficient administrators to serve, the Provost shall select alternate members to serve for the appeal.

### 2.8.3 Appeal Procedure

To initiate an appeal, the appellant must file a written petition for appeal with the Chair of the Faculty Senate and the Provost's office no later than May 14 of the year in which tenure, promotion, or renewal was not recommended. The reasons for the appeal must be clearly stated, and the appeal must be limited to the grounds permitted in Section 2.8.1. All documentation and evidence in support of the appeal must accompany the petition. The burden of proof in the appeal rests with the appellant.

If the appellant alleges violation of federal or state law or University policy related to nondiscrimination, the appeal process shall be held in abeyance until the Office of Compliance, Diversity and Ethics has completed a formal investigation of the allegation and has issued a final written determination.

2014 Original with tracked-changes

In accordance with its published procedures, ~~the~~ UPTRAC will consider all grounds of the appeal and the accompanying documentation and evidence. The UPTRAC may require submission of additional documentation and evidence ~~to determine if the appeal has sufficient merit.~~

At the conclusion of its deliberations, the UPTRAC will simultaneously forward to the Provost, the appellant's local academic unit, and the appellant a complete case file consisting of: the appeal petition with accompanying documentation and evidence; any additional documentation and evidence requested by the committee; the case file and a written report that includes its decision of whether the case has sufficient merit, ~~and~~ the basis for its decision, ~~;~~ the numerical result of the vote of the UPTRAC members, ~~;~~ and any recommendation to the Provost, if applicable.

If the UPTRAC does not determine by majority vote that the appeal has sufficient merit, the case ~~is referred for~~ proceeds to final consideration as provided in Section 2.8.4. If the UPTRAC determines by majority vote that the appeal has sufficient merit, the case is remanded as provided in Section 2.8.5.

#### **2.8.4 Final Consideration When Appeal Not Found to Have Merit**

If the UPTRAC does not determine by majority vote that the appeal has sufficient merit, the ~~UPTRAC returns the case to the Provost. The~~ Provost considers the case, The Provost forwards the case file ~~makes a recommendation to the President and~~ makes a recommendation as to whether renewal, tenure or promotion should be granted, ~~and forwards the case to the President.~~

*Rationale: The case file description now includes elements originally in this section and those found only in section 2.8.5 so that there is only one "case file". It is clarified that the voting "result" is numerical.*

Final, as revised

In accordance with its published procedures, the UPTRAC will consider all grounds of the appeal and the accompanying documentation and evidence. The UPTRAC may require submission of additional documentation and evidence.

At the conclusion of its deliberations, the UPTRAC will simultaneously forward to the Provost, the appellant's local academic unit, and the appellant a complete case file consisting of: the appeal petition with accompanying documentation and evidence; any additional documentation and evidence requested by the committee; a written report that includes its decision of whether the case has sufficient merit and the basis for its decision; the numerical result of the vote of the UPTRAC members; and any recommendation to the Provost, if applicable.

If the UPTRAC does not determine by majority vote that the appeal has sufficient merit, the case proceeds to final consideration as provided in Section 2.8.4. If the UPTRAC determines by majority vote that the appeal has sufficient merit, the case is remanded as provided in Section 2.8.5.

#### **2.8.4 Final Consideration When Appeal Not Found to Have Merit**

If the UPTRAC does not determine by majority vote that the appeal has sufficient merit, the Provost considers the case. The Provost forwards the case file to the President and makes a recommendation as to whether renewal, tenure or promotion should be granted.

2014 Original with tracked-changes

If the President ~~recommends~~ believes that renewal, tenure or promotion should be granted, ~~such recommendation~~ the recommendation is forwarded to the Board of Visitors for final action. If the President decides that renewal should be granted, the decision is final. If the President ~~does not recommend~~ decides -renewal, tenure or promotion should not be granted, ~~such the~~ the decision is final and ~~may not be further appealed~~ there is no further appeal.

### 2.8.5 Remand Process

If the UPTRAC determines by majority vote that the ~~case~~ appeal has sufficient merit ~~and should be remanded~~, then the UPTRAC ~~submits~~ remands the case ~~the petition with accompanying documentation, b) all evidence reviewed by the committee, and c) the basis for the UPTRAC's decision to remand,~~ to the lowest level at which the grounds for appeal was based or to the first-level review committee if the grounds for appeal is based on Substantial New Evidence (Section 2.8.1) ~~a negative recommendation was made, or at which the procedural error was made, or at which there was inadequate or faulty consideration of evidence.~~ At that level and each subsequent level specified in Section 2.7.3 (or in the case of renewal, Section 2.7.2), the case shall be evaluated by the designated bodies as they are constituted at the time of the remand, and by the individuals holding the relevant administrative positions at the time of the remand. At each level, a recommendation should normally be completed within fourteen calendar days and forwarded to the next level. ~~No case may be remanded more than once, and the remand must consider the decision of the UPTRAC.~~ The case file submitted by the UPTRAC must be explicitly addressed in the recommendation at each level. No case may be remanded more than once.

Final, as revised

If the President believes that tenure or promotion should be granted, the recommendation is forwarded to the Board of Visitors for final action. If the President decides that renewal should be granted, the decision is final. If the President decides renewal, tenure or promotion should not be granted, the decision is final and there is no further appeal.

### 2.8.5 Remand Process

If the UPTRAC determines by majority vote that the appeal has sufficient merit, then the UPTRAC remands the case to the lowest level at which the grounds for appeal was based or to the first-level review committee if the grounds for appeal is based on Substantial New Evidence (Section 2.8.1). At that level and each subsequent level specified in Section 2.7.3 (or in the case of renewal, Section 2.7.2), the case shall be evaluated by the designated bodies as they are constituted at the time of the remand, and by the individuals holding the relevant administrative positions at the time of the remand. At each level, a recommendation should normally be completed within fourteen calendar days and forwarded to the next level. The case file submitted by the UPTRAC must be explicitly addressed in the recommendation at each level. No case may be remanded more than once.

2014 Original with tracked-changes

~~Following a remand, if the President decides to recommend renewal, promotion or tenure, should be granted,~~ the recommendation is submitted to the Board of Visitors for final action. If the President decides that renewal should be granted, the decision is final. ~~If the President decides not to recommend renewal, promotion or tenure should not be granted,~~ the decision is final and there is no further appeal.

At each level of review in the remand process, ~~including the President's,~~ if a recommendation or decision is negative, a clear, written justification is sent concurrently to the appellant, to the local academic unit, and to the next level of review.

~~If the President does not recommend renewal, promotion or tenure, the Board of Visitors may elect to review the case with respect to questions of material procedural irregularity; however, there is no appeal of right to the Board of Visitors.~~

~~The decision of the Board of Visitors at any stage in the process is final and may not be appealed.~~

Final, as revised

If the President believes that promotion or tenure should be granted, the recommendation is submitted to the Board of Visitors for final action. If the President decides that renewal should be granted, the decision is final. If the President decides renewal, promotion or tenure should not be granted, the decision is final and there is no further appeal.

At each level of review in the remand process, if a recommendation or decision is negative, a clear, written justification is sent concurrently to the appellant, to the local academic unit, and to the next level of review.

*Rationale: The wording in Sections 2.8.4 and 2.8.5 are now parallel. The President makes the final decisions regarding renewal; recommendations for renewal are not sent to the BOV for final action. The President makes the final decision regarding denial of promotion/tenure. The President forwards recommendations for granting promotion/tenure to the BOV. The BOV had earlier requested that it not be involved in RPT appeals.*



2014 Original with tracked-changes

### 3.6.1 Study Leave for Tenure-Track Faculty

All [tenure-track](#) assistant and associate professors ~~appointed to their first tenure-track positions~~ will be granted a one-semester study leave at some point during the first five years of their [tenure-track cycle appointment](#). The leave is at full pay and benefits. This leave is designed to assist a tenure-track faculty member in advancing his or her research, scholarly, or creative activities. The timing of this leave will be subject to approval by both the respective local academic unit head and the appropriate Dean/Director. The Office of the Provost will provide one-course matrix replacement funding per granted leave request. This leave policy is not intended to conflict with an existing local academic unit practice; rather than reducing a local academic unit's flexibility, its intent is to enhance and supplement existing practices. During the semester either prior to or succeeding the faculty member's leave, the local academic unit may need to ask the recipient to teach one additional course in order to accommodate this leave. Full details and application procedures are available from the Provost Office's web site (<http://provost.gmu.edu/>).

#### Eligibility

- ~~Full-time Assistant or Associate Professors with no previous tenure-track history at any institution. Eligibility encompasses the first five years of their tenure-track cycle.~~
- ~~Individuals whose rank is prefixed with Affiliate, Adjunct, Clinical, Research, Visiting, or Term are not eligible.~~

*Rationale: The original language, which did not include the Eligibility paragraph, was incorporated into the 2009 Faculty Handbook from the Provost's website. A few slight changes were made for the Handbook text (e.g. the notice of retroactivity for Asst. Profs. to 1999, by then obsolete). The Eligibility paragraph was written in 2009 to emphasize the original wording on the Provost's site: "first tenure-track position", the five-year limit, and availability only to tenure-track faculty. After approval of the F.H. in 2009, the Provost's website was not updated and the Provost's office apparently does not limit the leave to first-time tenure-track appointees.*

Final, as revised

### 3.6.1 Study Leave for Tenure-Track Faculty

All tenure-track assistant and associate professors will be granted a one-semester study leave at some point during the first five years of their tenure-track appointment. The leave is at full pay and benefits. This leave is designed to assist a tenure-track faculty member in advancing his or her research, scholarly, or creative activities. The timing of this leave will be subject to approval by both the respective local academic unit head and the appropriate Dean/Director. The Office of the Provost will provide one-course matrix replacement funding per granted leave request. This leave policy is not intended to conflict with an existing local academic unit practice; rather than reducing a local academic unit's flexibility, its intent is to enhance and supplement existing practices. During the semester either prior to or succeeding the faculty member's leave, the local academic unit may need to ask the recipient to teach one additional course in order to accommodate this leave. Full details and application procedures are available from the Provost Office's web site (<http://provost.gmu.edu/>).

2014 Original with tracked-changes

*[No changes to this section – for information only.]*

## **2.11 Faculty Rights and Privileges**

### **2.11.1 Academic Freedom and Civil Liberties**

One of the vital activities of a university is the critical examination of ideologies and institutions. It is essential that faculty members have the right to express their views and the University is committed to upholding the principles of academic freedom to protect the expression of faculty members without fear of censorship or retaliation. The University defines academic freedom as:

1. the right to unrestricted exposition of subjects (including controversial questions) within one's field and professional obligations, both on and off the campus, in a professionally responsible manner; and
2. the right to unrestricted scholarly research and publication within one's field and professional obligations, in a professionally responsible manner within the limits imposed by the resources of the institution.

The University is fully aware that faculty members must enjoy, in addition to academic freedom, the same civil liberties as other citizens. In the exercise of their civil liberties or academic freedom, faculty have an obligation to make clear that they are not representing the institution, its Board, or the Commonwealth of Virginia. All employees have an obligation to avoid any action which appears or purports to commit the institution to a position on any issue without appropriate approval.

Faculty personnel actions, including initial appointment, reappointment, annual performance evaluations, and promotion

Final, as revised

and tenure will not be affected by considerations such as the exercise of academic freedom and civil liberties.

### **2.11.2 Grievances**

#### **2.11.2.1 Policies Concerning Grievances**

This section does not apply to the resolution of (1) research and scholarship misconduct allegations, which are governed by University Policy 4007 –Misconduct in Research and Scholarship; (2) allegations of discrimination, which are investigated by the Office of Compliance, Diversity and Ethics; or (3) alleged violations of academic freedom related to reappointment, promotion or tenure, for which Section 2.8 applies....

*[No changes to this section – for information only.]*