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A. Performance Evaluation

1. Teaching is the Most Important Responsibility. The most important responsibility of a Faculty member is teaching. While advising, scholarly activity, and service are components of every performance evaluation of Full-time Faculty members, the teaching function is most important.
2. Purpose of Evaluation. The primary purpose of an evaluation is to assist Faculty in individual growth and to improve their contributions to the University. Performance evaluations contribute to a number of decisions, including, without limitation, salary adjustments, retention, Tenure, promotion, special recognition, sabbatical leaves, professional development awards, and dismissal. Annual Performance Reviews and Comprehensive Evaluations are the two types of formal Faculty performance evaluations used at the University to facilitate these decisions (referred to jointly as “evaluation”). Informal evaluations may not be used in place of formal evaluations, but may be given in addition to formal evaluations at the discretion of the Department Heads and VPAA.
3. Process in General. The evaluation process for all Faculty at the University is an on-going process. All evaluations involve applying the criteria and assessment tools, described herein, to the Faculty member’s performance. In addition, evaluations involve an assessment of a Faculty member’s success in achieving goals established during the planning process. The Faculty member’s Department Head or, in the case of Department Heads and other Academic Administrators who have teaching responsibilities and are evaluated as Faculty, the VPAA, will perform the primary evaluation functions. In this policy, reference to “Department Head” means the VPAA when the Faculty member under consideration is a Department Head.
4. Basic Employment and Professional Responsibilities. CMU values professional conduct that supports learning, scholarship, and a sense of community while respecting diversity and academic freedom. In accordance with the university’s professional code of conduct, faculty act ethically, interact with others appropriately and respectfully, and engage each other in ways that enrich CMU’s learning community and advance the ideals of the University.

Every faculty member is responsible for observance of general standards of professional conduct summarized in Section XII of the Professional Personnel Employment Handbook. While any list of indicators of professional conduct would inevitably be incomplete, faculty members should strive to model behaviors which include altruism, conscientiousness, integrity, courtesy, and civic virtue while exercising sound judgment in professional practice, demonstrating

ethical behavior, displaying respectful interaction with all colleagues, and participating in constructive engagement that characterizes collegiality.

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Basic employment and professional responsibilities expected of all Faculty members include but are not limited to:

- a. Timely and satisfactory performance of responsibilities throughout the entire timeframe specified in the Faculty member's employment assignment and this Handbook.
- b. Teaching of assigned classes and providing timely notice to the Department Head if the Faculty member cannot conduct a class or classes. Notification should be given by the Faculty member to the Department Head by no later than two hours prior to the beginning of the class(es) that cannot be met due to an emergency as described in the Interpretive Guidance section of this Handbook. In circumstances where a faculty member cancels a class meeting for a non-emergency purpose during the semester, including the final exam period, the faculty member is required to complete the Faculty Absence from Class Form and submit it to the appropriate Academic Department Head for approval a minimum of at least three (3) working days prior to the missed class. The Department Head will forward the document to the Office of Human Resources.
- c. Presenting to all students attending class, in writing and within the time span established by departmental policy, a course description, plan of study/schedule of topics to guide the student through the course (week by week at a minimum), student learning outcomes and assessment methods, policies, and grading criteria.
- d. Establishing such procedures as are necessary to assure that adequate and accurate records of student performance are maintained.
- e. Establishing, posting and keeping weekly office hours as follows:
 - 1) Full-time faculty: a minimum of five office hours weekly spread over a minimum of four days commencing one week prior to and continuing through each Fall and Spring Semester excluding scheduled breaks.
 - 2) All other faculty: a minimum of two office hours weekly for one course, plus a minimum of one office hour for each additional course, up to a maximum of five office hours, commencing one week prior to and continuing through each Fall and Spring Semester excluding scheduled breaks.

Faculty may use a different configuration of office hours with the approval of the department head. Faculty who are granted Release Time will keep office hours as determined by the Department Head.

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5. General Evaluation Criteria. The General Evaluation Criteria and their relative weights used in the evaluation process are as follows:

- a. Teaching effectiveness - range of 50-65%;
- b. Advising - minimum of 5%;
- c. Scholarly Activity - minimum of 10%; and
- d. Service - minimum of 10%.

The total of the four weights shall equal 100%. Each Faculty member, with the approval of the Department Head, will establish an individual percentage distribution as part of the annual development plan. Percentage allocations indicate the weight within an evaluation that should be placed on each of the four areas of faculty responsibility and are not a reflection of time spent on activities. If, for example, the weighting given to teaching is 55%, that should be interpreted as 55% of the total evaluation should be based on teaching-related efforts. It is expected that as a faculty member progresses through the academic ranks, she/he will take more of a leadership role in service, scholarly/creative activity, and advising while continuing to grow in teaching. Developed in coordination with their Academic Department Head, this redistribution should be reflected in the allocation in the faculty member's annual planning document.

6. Departmental Guidelines for General Evaluation Criteria. Differences in disciplines and Faculty activities among departments will be reflected in the departmental guidelines for the General Evaluation Criteria. Specific evaluation criteria derived from the basic employment and professional responsibilities will be established by the Department Head, with Faculty consultation, and with approval by the VPAA. The VPAA will be responsible for establishing consistent academic standards across the University. At a minimum, the department guidelines shall address the following areas:

- a. Teaching Effectiveness:
 - 1) student evaluation results and other forms of formal and informal student assessments of teaching and the classroom environment;
 - 2) courses that demonstrate currency in the field and communicate to students course objectives, plan of study, and means of student performance evaluation.
 - 3) classroom observations by the Department Head or designee;
 - 4) student learning objectives and assessment methods, such as tests, grading practices;
 - 5) fulfillment of professional responsibility, such as meeting classes in

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a timely manner, fully delivering the curriculum and presenting course material in a manner consistent with the standards of the academic discipline, returning materials in a timely fashion, supervising students, treating students in a fair and impartial manner;

- 6) curricula review, revisions and, as necessary, new course development;
- 7) incorporation of new ideas, techniques, technology, etc., into new or existing courses; and
- 8) other evidence of maintaining a thorough knowledge of subject matter and staying abreast of recent developments in his/her field.

b. Advising:

- 1) providing accurate information to students related to degree choices, program requirements for graduation, and employment or graduate school placement;
- 2) understanding University policies;
- 3) participation in orientation and advising programs; and
- 4) being available during posted office hours and by appointment.

c. Scholarly Activity:

- 1) creative work and scholarly activity which supports classroom instruction, pedagogical research, participation in professional activities or sharing expertise outside the traditional classroom environment, so long as such activities enhance teaching or otherwise contribute to the Faculty member's growth in his or her discipline;
- 2) presentations of papers, cases, media productions, at professional and other scholarly meetings which are related to the Faculty member's discipline or area of instruction;
- 3) continued education and professional development activities appropriate to professional assignments; and
- 4) other activities specific to the Faculty member's discipline and/or assigned responsibilities.

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- d. Service:
- 1) service that involves contributions to the improvement and welfare of the University at any level, including service to the Faculty member's academic department through University and program committee assignments;
 - 2) unpaid public service to the community and/or professional organizations which benefits the University; and
 - 3) other activities specific to the Faculty member's discipline, such as participation in meetings sponsored by state, regional, and/or national professional organizations.

7. Performance Ratings. The following Performance Ratings will be used for evaluations:

- a. Excellent. Evidence convincingly demonstrates that the Faculty member has made exceptional contributions in the General Evaluation Criteria area under consideration, contributions that clearly would be recognized as outstanding by professional colleagues at comparable institutions.
- b. Highly Proficient. Evidence clearly demonstrates that the Faculty member has made significant contributions in the area under consideration and is considered highly skilled in that area.
- c. Proficient. Evidence demonstrates that the Faculty member meets minimum expectations and has made modest contributions in the area under consideration.
- d. Below Standard. Evidence demonstrates that the Faculty member's contributions are below accepted standards in the area under consideration. A need for improvement is clearly indicated. The level of contribution does not justify any salary increase and may jeopardize continued employment with the University.

Unprofessional conduct is not acceptable, and may be considered in faculty's performance review by a reduction in the rating of any relevant criterion and/or the faculty member's overall evaluation rating. Department Heads should document the unprofessional conduct and provide the faculty member with a written notification, along with recommendations for improvement, within seven calendar days of the occurrence. The faculty member has the option of submitting a written response to the Department Head within seven calendar days of receiving the notification.

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8. Evaluation Process.

- a. The Faculty evaluation process shall be conducted in accordance with the following schedule:
 - 1) Tenured Faculty will have a Comprehensive Evaluation at least every five years with Annual Performance Reviews in each of the interim years.
 - 2) Tenured Faculty applying for a promotion in Academic Rank will have a Comprehensive Evaluation.
 - 3) Tenure-track Faculty will have a Comprehensive Evaluation each year.
 - 4) Full-time Technical Faculty will have a Comprehensive Evaluation each year.
 - 5) All other Full-time Faculty will generally be reviewed annually, normally on teaching effectiveness alone.
 - 6) Academic Department Heads will be provided feedback from faculty members following the process outlined in the Interpretive Guidance.
 - 7) Department Heads are encouraged to review Part-time Faculty on an annual basis on teaching effectiveness.
- b. Inclusion of Comments. The Department Head's and Faculty's comments/summaries will be included in evaluations of Faculty. The completed evaluation form with any such comments or summaries shall be placed in the Faculty member's personnel file. Supporting documentation submitted by the Faculty member during the evaluation process will generally not be included in the personnel file and may be returned to the Faculty member.
- c. Confidential. All results of evaluations shall be confidential and not released to the public except as required by law and subject to the provisions of the Colorado Public (Open) Records Act.

9. Comprehensive Evaluations. A Comprehensive Evaluation is an in-depth, cumulative assessment of a Tenured, Tenure-track, or Full-time Technical Faculty member's performance over a period of up to five years. Comprehensive Evaluations of Tenured Faculty are ordinarily conducted every five years. Comprehensive Evaluations of Tenure-track and full-time Technical Faculty are conducted each year. Other Faculty do not receive Comprehensive Evaluations.

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- a. The Comprehensive Development Plan.
- 1) The Comprehensive Development Plan shall be prepared by the Faculty member and submitted, in writing, to the Department Head at least fourteen (14) calendar days before the beginning of the evaluation period. The Comprehensive Development Plan shall establish the goals and objectives for the Faculty member relating to each of the General Evaluation Criteria and other activities appropriate to the Faculty member's academic discipline and professional assignment. The goals and objectives established shall reflect departmental goals and priorities, which shall reflect University and Trustee goals and priorities. Percentage weights, with minimums as specified above, will be assigned to each of the General Evaluation Criteria, with the sum of the assigned weights totaling 100%. The Comprehensive Development Plan is subject to review and approval by the Department Head at least seven (7) calendar days before the beginning of the evaluation period.
 - 2) In the event the Faculty member is at the level of "proficient" or "below standard" for teaching effectiveness, the Comprehensive Development Plan will be submitted to the VPAA or, in the case of Technical Faculty, to the VPCC before the beginning of the evaluation period for review and approval by the VPAA or VPCC.
 - 3) If the Faculty member disputes any revisions to the Comprehensive Development Plan by the Department Head, the Faculty member may submit the dispute, in writing, to the VPAA or VPCC within seven (7) calendar days after receiving the revisions. The VPAA's or VPCC's decision is final without further appeal.
 - 4) A Faculty member's Comprehensive Development Plan may be amended by the Department Head in response to changing conditions, opportunities, or to better reflect the University's or Trustee's missions, goals or objectives. Disputes regarding the amendments to the Comprehensive Development Plan shall be resolved following the same procedure used for disputes regarding the original plan.
 - 5) The Comprehensive Development Plan for the Department Head is submitted, in writing, to the VPAA or VPCC with disputes submitted to the President in the same manner as explained above for Faculty members.

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b. The Comprehensive Evaluation.

- 1) After considering all relevant information, the Department Head responsible for reviewing the Faculty member will assess that Faculty member's performance against the Comprehensive Development Plan in the General Evaluation Criteria areas. In addition, the Comprehensive Evaluation will also consider, if applicable, the Faculty member's Annual Performance Reviews completed since the last Comprehensive Evaluation and any other information the Department Head deems relevant.
- 2) The Department Head shall forward to the VPAA or, in the case of Technical Faculty, to the VPCC his or her recommendations, any materials submitted by the Faculty member and a Performance Rating. The VPAA or VPCC will review the materials submitted and add comments if appropriate. Any comments added by the VPAA or VPCC will be provided to the Faculty member who will have an opportunity to respond in writing. After receiving the Faculty member's comments, if any, the VPAA or VPCC shall issue a final evaluation including Performance Rating. The VPAA or VPCC will provide a copy of the final evaluation to the Faculty member.
- 3) The Faculty member may appeal the VPAA's or VPCC's final evaluation to the President by giving written notice to the President within seven (7) calendar days of receiving the VPAA's or VPCC's final evaluation, stating the basis for appeal and the requested relief. The President's determination of the appeal is final.
- 4) If applicable, the VPAA or VPCC and the Department Head will jointly review progress toward Tenure by Academic Faculty and/or promotion in Academic or Technical Rank with the Faculty member during the Comprehensive Evaluation. However, since Tenure to Academic Faculty is granted at the sole discretion of the Trustees, an indication of satisfactory performance by the Department Head or VPAA shall not guarantee nor be construed as a guarantee that Tenure or Promotion will be awarded. The Department Head has no authority to make promises regarding Tenure or Academic or Technical Rank.

10. Annual Performance Review. Annual Performance Reviews shall be conducted each year for all Tenured Faculty members who are not scheduled for Comprehensive Evaluations. These reviews generally evaluate performance only during the period since the last review for the purposes of identifying outstanding

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performance, identifying and correcting performance weaknesses or deficiencies, establishing Performance Rating, making salary adjustments based on Performance Rating, and other decisions. In addition, Annual Performance Reviews evaluate the interim progress of Tenured Faculty members toward achieving the goals of their Comprehensive Development Plans.

a. The Annual Development Plan.

- 1) An Annual Development Plan shall be prepared by the Faculty member, and submitted, in writing, to the Department Head at least fourteen (14) calendar days before the beginning of the evaluation period. The Annual Development Plan shall be consistent with the Faculty member's Comprehensive Development Plan and shall establish the Faculty member's goals and objectives for the next year relating to each of the General Evaluation Criteria, and other activities appropriate to the Faculty member's academic discipline and/or professional assignment. The goals and objectives established shall reflect departmental goals and priorities, which shall reflect the University and the Trustee goals and priorities. The Annual Development Plan is subject to review and approval by the Department Head at least seven (7) calendar days before the beginning of the evaluation period
- 2) If the Faculty member disputes any revisions to the Annual Development Plan by the Department Head, the Faculty member may submit the dispute, in writing, to the VPAA within seven (7) calendar days after receiving the revisions. The VPAA's decision is final without further appeal.
- 3) A Faculty member's Annual Development Plan may be amended by the Department Head in response to changing conditions, opportunities, or to better reflect the University's or Trustee's missions, goals or objectives. Disputes regarding the amendments to the Annual Development Plan shall be resolved following the same procedure used for disputes regarding the original plan.
- 4) The Annual Development Plan for the Department Head is submitted, in writing, to the VPAA with disputes submitted to the President in the same manner as explained above for Faculty members.

b. Annual Performance Review.

- 1) The Department Head responsible for reviewing the Faculty member will assess that Faculty member's performance against the Annual Development Plan in the General Evaluation Criteria areas.

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- 2) The Department Head shall forward to the VPAA his or her recommendations, any materials submitted by the Faculty member, and a Performance Rating. The VPAA will review the materials submitted and add comments if appropriate. Any comments added by the VPAA will be provided to the Faculty member who will have an opportunity to respond in writing. After receiving the Faculty member's comments, if any, the VPAA shall issue a final evaluation including Performance Rating. The VPAA will provide a copy of the final evaluation to the Faculty member.
- 3) The Faculty member may appeal the VPAA's final evaluation to the President by giving written notice to the President within seven (7) calendar days of receiving the VPAA's final evaluation stating the basis for appeal and the requested relief. The President's determination of the appeal is final.

11. Performance Reviews of Non-tenure-track Faculty.

- a. Full-time, Non-tenure-track Faculty will be reviewed annually according to departmental procedures, but generally only on the teaching effectiveness criteria. Full-time, non-tenure track Faculty members who dispute their evaluation may submit written comments to their department head within seven (7) calendar days after receiving the evaluation, stating any requested relief. These comments will be included in the faculty member's personnel file. If the department head does not grant the requested relief within the next seven (7) calendar days after receiving the comments, the department head's decision will be final unless the faculty member submits a written appeal within the next seven (7) calendar days to the appropriate Vice President, stating the basis for appeal, the requested remedy and including a copy of the evaluation and employee's written comments provided to the department head. Within fourteen (14) calendar days, the Vice President shall give notice of his or her decision regarding the disputed evaluation and requested remedy. The decision of the Vice President shall be final, unappealable, and nongrievable.
- b. Part-time, Non-tenure-track Faculty may be reviewed at the discretion of the Department Head, and generally only on teaching effectiveness criteria. The Department Head's evaluation is final and not subject to appeal.

12. Faculty Evaluation Outcomes

- a. Post-Tenure Review.
 - 1) If a Tenured Faculty member receives a "proficient" or "below standard" rating for teaching effectiveness in a Comprehensive Evaluation, the VPAA will review the Faculty member's

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performance evaluations. The VPAA is to determine one of the following outcomes:

- a) The deficiencies identified are not substantial or recurrent;
or
 - b) There are substantial or recurrent deficiencies which must be remedied.
- 2) The VPAA shall notify the Tenured Faculty member and the Department Head of the determination. No further action is necessary upon the determination of outcome 1(a) above. In the event of outcome 1(b), the Department Head, in consultation with the Faculty member, will develop, within twenty-five (25) Business Days from the date of receiving notice of the VPAA's determination, a written Post-Tenure Performance Improvement Plan to address the deficiencies. The Post-Tenure Performance Improvement Plan, as approved by the Department Head, shall be submitted within this time period to the VPAA for approval.
 - 3) If the Tenured Faculty member disputes any revisions to the Post-Tenure Performance Improvement Plan by the Department Head, the Faculty member may submit the dispute, in writing, to the VPAA within seven (7) calendar days after receiving the revisions. The VPAA's decision is final without further appeal.
 - 4) A new Comprehensive Evaluation, initiated by the Department Head, shall occur no later than twelve months after the development of the Post-Tenure Performance Improvement Plan and shall be based on the Post-Tenure Performance Improvement Plan. The Department Head will submit the Comprehensive Evaluation to the VPAA for review and approval.
 - 5) If the VPAA determines that the deficiencies are remedied, the Faculty member shall return to the cycle of Annual Performance Reviews with a Comprehensive Evaluation every five years.
 - 6) If the VPAA determines that the deficiencies have not been remedied within the period covered by the Post-Tenure Performance Improvement Plan, the VPAA may consult with the Department Head and shall prepare a recommendation for
 - a. the continuation of the Post-Tenure Performance Improvement Plan for up to an additional academic year, or
 - b. sanctions up to and including, termination for cause.

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In no event may the post-tenure performance improvement plan be extended beyond one additional academic year. If the deficiencies have not been remedied after the completion of the once-extended Post-Tenure Performance Improvement Plan, the VPAA may consult with the Department Head and shall prepare a recommendation for sanctions up to, and including, termination for cause. This recommendation and all other documentation shall be forwarded to the President who will issue a final decision.

- 7) If a Tenured Faculty member is subject to discipline, sanctions or termination as a result of the reevaluation, he or she shall receive notice and the opportunity to contest the action in accordance with the provisions of this Handbook regarding discipline and termination.
- b. Tenure-track Faculty.
- 1) If a Tenure-track Faculty member's performance is at least proficient, the Faculty member will ordinarily continue with the regular cycle of Comprehensive Evaluations.
 - 2) If a Tenure-track Faculty member's performance in any General Evaluation Criteria area is below standard, further action may be taken including, without limitation, discipline or termination. In the event of discipline or termination, notice and the opportunity to contest the action shall be in accordance with the provisions of this Handbook regarding discipline and termination.
 - 3) Although evaluations contribute to the decisions to retain or to nonrenew a Tenure-track Faculty member, excellent and highly proficient Performance Ratings do not guarantee retention, promotion in Academic Rank or Tenure.

B. Academic Faculty Tenure Policy

1. Nature of the Privilege.
 - a. The awarding of Tenure is undoubtedly one of the most significant aspects of the performance evaluation system at the University. Tenure-track Faculty are evaluated carefully and continually throughout years in this status. A favorable Tenure recommendation presupposes a record of demonstrated achievements in all four of the General Evaluation Criteria for which the evidence of excellent or highly proficient performance is clear, consistent, and compelling. Performance below highly proficient in these areas will rarely justify a favorable Tenure recommendation. Teaching effectiveness is the single most important criterion for judging a candidate's Tenure request.

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- b. No Right of Tenure. An award of Tenure is not a right but a privilege that must be earned by Faculty members on the basis of their past performance or performance during any Tenure-track period as evaluated by Tenured Faculty, Academic Administrators, the President, and the Trustees. Tenure cannot be acquired automatically by length of service. Tenure also cannot be acquired automatically due to procedural error. Tenure is granted and may be acquired only by an affirmative vote of the Trustees after receipt of an application for Tenure and a favorable recommendation from the President.
- c. Once Tenured, Faculty members may be involuntarily terminated from the Faculty only for cause or due to a Reduction in Force in accordance with this Handbook. Faculty members and other Tenured Professional Personnel who resign, retire or voluntarily apply for and accept Part-time status relinquish their Tenure unless loss of status is otherwise prohibited by state or federal law.

2. Tenure Criteria.

- a. Eligibility. Only Full-time Tenure-track Faculty who hold the Academic Rank of assistant professor, associate professor, or professor are eligible for an award of Tenure. Non-tenure-track Faculty are not eligible for Tenure. Except as otherwise provided in this Handbook, Administrators and other non-teaching personnel are not eligible for Tenure. Athletic coaches are not eligible for Tenure as coaches. However, Full-time Tenure-track Faculty who are assigned coaching duties may acquire Tenure as Faculty members. A grant of Tenure to these Faculty members shall not create any rights, entitlements or expectations of retention with respect to the Faculty member's coaching assignments.
- b. Tenure-track Period. The Tenure-track period at the University shall be up to seven (7) consecutive Academic Years as Full-time, Tenure-track Faculty under annual assignments. Academic Years during which Tenure-track Faculty members are on sabbatical leaves, professional development leaves, leaves without pay, or administrative leaves of one or more semesters' duration or are employed as Administrators for one or more semesters shall not be included in the Tenure-track period. However, exclusion of such Academic Years from the Tenure-track Period shall not make the preceding and succeeding annual assignments nonconsecutive.
- c. Except in cases of termination due to a Reduction in Force, Tenure-track Faculty members who resign or are nonrenewed and are later rehired as Tenure-track Faculty shall not receive credit for prior periods of employment in this status. Tenured faculty members and other tenured professional personnel whose employment terminates, whether voluntarily

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or involuntarily, including as a result of discharge, layoff, resignation or retirement, lose tenure and have no right to reinstatement of tenure if reemployed. Further, any tenured faculty who terminates their full-time status and becomes part-time faculty loses tenure and has no right to reinstatement of tenure upon again becoming full-time. This loss of tenure does not apply where the part-time status is temporary due to FMLA reduced-schedule leave, a temporary accommodation under the ADA or temporary during other approved leaves.

- d. Tenure-track Faculty members who are not awarded Tenure by the end of their seventh Tenure-track assignment except at the discretion of the President and Vice President for Academic Affairs, shall not be eligible for additional Tenure-track assignment. However, they may be offered and accept a Non-tenure-track Faculty position or other job position within the University.
- e. Immediate or Early Tenure. Candidates for both immediate and early Tenure must document excellent or highly proficient Performance Ratings in the General Evaluation Criteria areas.
 - 1) Immediate Tenure. The Trustees, in their sole discretion, may award Tenure to new, Full-time Faculty appointees if immediate Tenure is recommended by the President at the time their appointments are recommended to the Trustees, and:
 - a) The appointees were previously Tenured at regionally accredited, baccalaureate-granting institutions of higher education and, after consultation during the search process, receive a recommendation for Tenure from the Tenured Faculty of the affected Faculty body designated by the University to make Tenure recommendations; or
 - b) The appointees have achieved recognized, outstanding distinction in public service or the private sector and, after consultation during the search process, receive a recommendation for Tenure from the Tenured Faculty of the affected Faculty body designated by the University to make Tenure recommendations.
 - 2) Early Tenure. Tenure-track Faculty members who are rated highly proficient or excellent for all General Evaluation Criteria may apply for early Tenure beginning their second Academic Year as Tenure-track Faculty.
 - 3) Denials of immediate or early Tenure applications shall be final, unappealable and non-grievable. Unsuccessful early candidates may

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not reapply for early Tenure, but may reapply for Tenure during the seventh Tenure-track contract.

- 4) Nothing in this Handbook shall be construed to prohibit or otherwise limit the discretionary nonrenewal of Tenure-track Faculty members who apply for early Tenure, the same as any other Tenure-track Faculty.
- f. Expectations. The most important responsibility of Faculty is teaching. However, advising, scholarship, and service also will be considered. A Tenure applicant's performance and conduct during the entire Tenure-track period preceding the final decision on tenure will be considered.
3. Tenure and Promotion Committee. The University shall have a Tenure and Promotion Committee composed of Tenured Faculty from the University to review the documentation of applicants for Tenure.
 - a. It shall be mandatory for all Full-time Tenured Faculty (excluding Department Heads, the VPAA and President) within the University to be available to serve on the Tenure and Promotion Committee. Persons applying for promotion or tenure normally will be excluded from serving on the University Tenure and Promotion Committee during the year that they are being considered.
 - b. The Tenure and Promotion Committee shall be composed of two elected members from each department. The Department Head will send a ballot containing a list of all eligible Tenured Associate Professors and Professors to all Tenured and Tenure-track Faculty, from which one Professor and one Associate Professor will be selected. If the department does not have a Professor and an Associate Professor available for election, two members of either group may be selected. The Department Head will inform the department Faculty and the VPAA of the names of the elected representatives of the department to the University's Promotion and Tenure Committee by September 1.
 - c. The longest-term Faculty member elected to the committee will convene the first committee meeting. Each member may vote on any application at his/her own tenure status/rank, or below.
 - d. Each department shall have a pre-tenure/promotion committee of three tenured members from the department, with one of the members being a past member of the University Tenure and Promotion Committee. This committee will be used by the Department Head and Faculty as an advisory and mentoring group to assist applicants during the application process. The committee should provide an honest and realistic assessment of the Faculty member's portfolio annually. Weaknesses or deficiencies should be

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discussed with the Faculty member along with recommendations for strengthening/improving his/her performance. Members of this committee will be appointed by the Department Head.

4. Procedures for Recommending Tenure. If any of the following deadlines falls on a Saturday, Sunday or holiday, the deadline will be the next Business Day.
 - a. By May 1, the Department Head shall give notice to tenure-track Faculty members completing their sixth tenure-track year of their eligibility to apply for Tenure. The notice shall advise that any seventh-year Tenure-track Faculty member who fails to submit a Tenure application and all required documentation by the established deadline set forth in the notice will not be considered for Tenure and that he or she will thereafter cease to hold the status of Tenure-track Faculty but may be considered for other Temporary Faculty positions available as an instructor or other positions in the University.
 - b. By October 1, the Faculty member (applicant) seeking Tenure shall be responsible for submitting the Tenure and Promotion Notice of Intent (application cover sheet) and for compiling and submitting the necessary documentation to support his or her application to the applicant's Department Head. A copy of the Notice of Intent will also be forwarded to the Office of Vice President for Academic Affairs who will compile a roster of applicants for the University Tenure and Promotion Committee. Documentation shall include the following:
 - 1) the Notice of Intent (application cover sheet);
 - 2) copies of all previous Comprehensive Evaluations; and
 - 3) any other relevant documentation concerning the General Evaluation Criteria areas, including a letter of support from the appropriate academic Department Head, copies of scholarly works, and/or additional documentation of specific activities in scholarship, service, and advising.
 - c. By October 10, the Department Head (non-voting) will conduct a poll of all Full-time Tenured Faculty in the applicant's department regarding approval/denial recommendations for the applicant's request. The applicant's documentation shall be made available for review to the departmental Faculty prior to voting.
 - d. By October 15, the Department Head will submit the results of this poll to the Tenure and Promotion Committee along with the applicant's documentation and the Department Head's recommendation.

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- e. By November 15, the Tenure and Promotion Committee shall review the documentation of the applicant and the Department Head's recommendation, and any other relevant information submitted, and prepare a formal written recommendation. Approval of a Tenure application by a majority vote of the committee membership eligible to vote is required for a positive recommendation. The chair of the promotion and tenure committee will withhold his/her vote and will cast it only in the case of a tie vote from the full committee. The chair of the committee shall forward the application documents together with its recommendation and comments to the VPAA by this same date. If the "other relevant information" considered by the committee is negative, the applicant shall be provided a copy of this information by November 15 and may submit a response to the VPAA by November 20th.
- f. By January 5, following review of the Tenure and Promotion Committees' recommendations, comments and the application documents, the VPAA shall forward all documents and his or her recommendation to the President.
- g. If the request for Tenure is not recommended at any level, the complete documents and recommendations must, nevertheless, be forwarded progressively to the next higher level for review, up to the Presidential level, unless the Faculty member withdraws the application. At the time the recommendation and documents are forwarded to the next level, the person responsible for forwarding to the next level will also give notice to the applicant and specify whether the application received a positive or negative recommendation. No other details need be provided to the applicant.
- h. If the President declines to recommend the applicant for Tenure to the Trustees, the President shall give notice to the applicant by January 24th.
- i. The applicant who is denied Tenure recommendation by the President may request reconsideration in writing. Notice of this request must be received by the President no later than January 31st. The President shall notify the applicant of the reconsideration determination by February 8th. The President's denial decision is final.
- j. The President shall give the Trustees any favorable recommendations on Tenure by seven (7) days prior to the Trustees' Regular Meeting in February.
- k. Upon the Trustees' action on a favorable recommendation the President shall give notice to the applicant that Tenure is denied or granted. Minor procedural or technical irregularities in the notice or delivery thereof shall not constitute failure to notify the Faculty member.

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- l. An applicant may withdraw the application any time prior to a decision being issued by the President. The request to withdraw shall be submitted in writing to the VPAA.
- m. Within seven (7) calendar days after receipt of notice of the Trustees' denial of Tenure, the applicant may request reconsideration. The request for reconsideration must be made to the Chair of the Board of Trustees. The Trustees' decision on reconsideration is final.
- n. The Trustees shall act on Tenure applications no later than their Regular Meeting in March. Only favorable Presidential recommendations shall be forwarded to the Trustees. The Trustees expressly delegate to the President the power to deny Tenure applications by declining to recommend applicants to the Trustees. Applications and Presidential recommendations shall be considered by the Trustees in executive session as a personnel matter, unless otherwise required by the Colorado Public (Open) Meetings Act. The Trustees shall vote in open session to grant or deny Tenure to applicants. The minutes of the open meeting shall be the official and conclusive record of the Trustees' action.
- o. Thereafter all applications and recommendations shall be placed in applicant's personnel files and shall be confidential to the same extent as personnel files under the Colorado Public (Open) Records Act. Other materials submitted by the applicant need not be retained and may be returned to the applicant.
- p. Notice.
 - 1) Time of Notice:
 - a) Faculty members who apply for Tenure but who are ineligible should be notified that they will not be considered for tenure as soon as practicable but in no event later than January 31st of the semester following the application deadline.
 - b) Faculty who are considered for Tenure shall be notified within twenty (20) Business Days following Trustee action on their applications.
 - 2) Content of Notice:
 - a) Tenure granted. Applicants who are granted Tenure should be notified that they were awarded Tenure by the Trustees.
 - b) Tenure denied. Faculty members whose applications for Tenure are denied shall be given notice by the President. The notice need not state the reason(s) Tenure was denied.

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- 3) Delivery of Notice. See “Notice” in the Glossary.
- 4) Failure to Give Notice. Failure to give notice at any level of the Tenure procedure shall not entitle the affected Faculty to Tenure.
- 5. Assignments for Faculty not Offered Tenure. Seventh-year Tenure-track Faculty members who are not granted Tenure will cease to hold the status of Tenure-track Faculty. Their employment will automatically terminate at the end of their current employment assignment unless they are offered and accept a Non-tenure-track Faculty position available as an instructor or another available position at the University. The University has no obligation to consider the Faculty member for other positions. Any offer of another position is at the discretion of and subject to approval by the President and Trustees.
- 6. Tenure and Academic Rank for Exempt Employees.
 - a. The Trustees may grant Faculty status and Tenure to qualified Exempt Employees. An award of Tenure under this subsection shall entitle recipients to transfer as Tenured Faculty to available Faculty positions for which they are qualified. It shall not, however, create any rights, entitlements, or expectations of retention in the recipient's exempt position. Exempt employees with Faculty Tenure serve in their exempt positions solely at the will and pleasure of the President.
 - b. The Trustees may grant Faculty status and Tenure to those Exempt Employees who have been previously Tenured at regionally-accredited, baccalaureate- granting institutions of higher education, who are recommended for Faculty status and Tenure by the President, following the President’s consultation with the Tenured Faculty of the affected Faculty body designated by the University to make Tenure recommendations.

C. Faculty Promotion Policy

- 1. Introduction. Promotions of Faculty in Academic Rank are based on overall professional attainment and expectation of further professional growth at the University. Performance Ratings for the General Evaluation Criteria are considered. Teaching effectiveness is given the most importance.
- 2. The procedures for promotions outlined below are designed to allow for varied interests, talents, and accomplishments of applicants from diverse academic disciplines.
 - a. By May 1, the Department Head should notify all Faculty members in their department who are or will become eligible for promotion during that Academic Year of their eligibility to apply for promotion in Academic Rank. Those Faculty members who meet the minimum requirements, and who wish to be considered for promotion, are responsible for gathering

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evidence of their qualifications, including all annual and comprehensive evaluations for the prior five (5) years and submitting these materials to the Department Head by October 1. Submission of materials should follow the deadline outlined in Procedures for Recommending Tenure.

- b. By October 10, the Department Head (non-voting) will conduct a poll of all Full-time Faculty at the Academic Rank or higher sought by the applicant in the applicant's department. The poll will recommend approval/denial regarding the applicant's request. The applicant's documentation shall be made available for review to the departmental Faculty prior to voting.
 - c. By October 15, the Department Head will submit the results of this poll to the Tenure and Promotion Committee along with the applicant's documentation and the Department Head's recommendation. By November 15, the Tenure and Promotion Committee, after reviewing this information, will forward this information, together with its recommendation and comments, to the VPAA. By January 5, following review of the Tenure and Promotion Committee's recommendation, comments and the application documents, the VPAA shall forward all documents and his or her recommendation to the President. Promotions will be awarded or denied by the President. The President shall give notice to the Faculty member of his or her decision on the request for promotion by January 31st. The Trustee level of review does not apply to requests for promotion.
 - d. Promotion Appeal Process. An applicant may request reconsideration of an adverse promotion decision by the President. The request for reconsideration must be received by the President within thirty (30) calendar days after notice is given to the applicant of the adverse decision. An adverse Presidential recommendation on a request for reconsideration shall be final, unappealable, and nongrievable. Adverse promotion recommendations below the Presidential level shall not be appealable or grievable under this or any other procedure. Denials of early promotion applications shall be final, without reconsideration, and are unappealable and nongrievable.
 - e. An applicant may withdraw the promotion request at any time prior to a decision by the President. The request to withdraw shall be submitted in writing to the VPAA.
3. Promotion Criteria. The minimum requirements for consideration for promotion in Academic Rank are listed below. Meeting the minimum qualifications does not imply automatic promotion. The criteria for Instructors achieving a position of Academic Rank are set forth in the Recruiting and Hiring section of this *Handbook*. Promotions are awarded at the discretion of the President.

Promotion criteria from one Academic Rank position to a higher Academic Rank

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position are as follows:

a. Academic Faculty

1) Promotion to Associate Professor:

- a) Education and Experience. An applicant must satisfy the educational and experiential qualifications for associate professor listed under Recruitment and Hiring in this Handbook.
- b) Time in Rank. Five years in rank as an assistant professor at Colorado Mesa University. For exceptions, see part 3) below.
- c) Tenure. Tenure is not required for promotion to associate professor. Promotion to associate professor does not guarantee that Tenure will be awarded.
- d) Performance. Sustained highly proficient or excellent Performance Ratings for the General Evaluation Criteria

2) Promotion to Professor:

- a) Education and Experience. An applicant must satisfy the educational and experiential qualifications for professor listed under Recruitment and Hiring in this Handbook.
- b) Time in Rank. Five years in rank as an associate professor at Colorado Mesa University. For exceptions, see part 4) below.
- c) Tenure. Tenure is required for promotion to professor.
- d) Performance. The rank of professor is the highest Academic Rank and requires demonstrably sustained highly proficient or excellent Performance Ratings for all General Evaluation Criteria.

3) Exceptions, including early promotion to the associate professor or professor level for individual Faculty members may be recommended to and approved by the President based on previous years in rank at another regionally accredited higher education institution, expertise, technical competence or professional attributes that the University deems of sufficient merit to warrant such recommendations. Normally such exceptions will be for those who have made substantial contributions to their fields of specialization, or who have demonstrated excellent performance in

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the General Evaluation Criteria areas, and significant creative accomplishment. Faculty may apply for early promotion during their second through fourth years of time in a rank.

b. Technical Faculty

- 1) Promotion to Assistant Technical Professor:
 - a) Education and Experience. Minimum of an associate degree in field related to area of instruction.
 - b) Time in Rank. Five years as a Technical Instructor.
 - c) Performance. Demonstrably effective teaching, advising, professional development activity, and service.
- 2) Promotion to Associate Technical Professor:
 - a) Education and Experience. Minimum of a baccalaureate degree in field related to area of instruction.
 - b) Time in Rank. Five years as an Assistant Technical Professor at the University.
 - c) Performance. Demonstrably effective teaching, advising, professional development activity, and service.
- 3) Promotion to Technical Professor:
 - a) Education and Experience. Minimum of a master's degree in field related to area of instruction.
 - b) Time in Rank. Five years as an Associate Technical Professor at the University.
 - c) Performance. Demonstrably effective teaching, advising, professional development activity, and service.
- 4) Exceptions, including early promotion to the associate technical or technical professor level, for individual Technical Faculty members may be recommended to and approved by the President based on previous years in rank at another regionally accredited postsecondary institution, expertise, technical competence or professional attributes that the University deems of sufficient merit to warrant such recommendations. Normally such exceptions will be for those who have made substantial contributions to their fields of specialization, or who have demonstrated exceptional advising, scholarly activity, competence, or appropriate creative accomplishment of highly proficient or excellent quality. Technical Faculty may apply for early promotion during their second through fourth years of time in rank.

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D. Transfer between Faculty and Exempt Employee Status

1. Eligibility. Professional Personnel initially hired as Exempt Employees who were neither appointed with nor subsequently granted Academic Rank and Tenure do not have a right to Faculty status or positions. This policy does not preclude Exempt Employees from being appointed to Part-time or Full-time Faculty positions, but Faculty seniority and other Faculty rights must be earned through service as a Faculty member.
2. Faculty to Exempt. Faculty who transfer to full-time exempt positions retain the seniority earned as Faculty members and, if Tenured, retain their Tenure as Faculty members but shall be issued administrative contracts. Faculty who transfer to full-time exempt positions have the right to return to Faculty status subject to the availability of a position and to assurance that they are qualified to teach in their academic disciplines. Any academic year during which Tenure-track Faculty members are employed as exempt employees for one or more semesters shall not be included in their Tenure-track periods. Tenured Faculty members who transfer to full-time exempt positions have the right to return to the University department, program area or other similar academic unit in which they acquired Tenure. Should a Faculty member's right to return to the Faculty under this Section conflict with another Faculty member's retention rights, the Faculty member with retention rights shall be appointed to the position if both Faculty members are Tenure-track or Tenured. However, if one Faculty member is Tenured and the other is not, the Tenured Faculty member shall be appointed to the position. If one Faculty member is Tenure-track and the other is temporary non-Tenure track, the Tenure-track Faculty member shall be appointed to the position.

E. Seniority

Seniority shall be based on years of full-time service in a particular professional status at the University. Service time as an Exempt Employee does not count toward seniority as a Faculty member, except that Faculty who serve only up to one year of time as an Exempt Employee on an interim basis shall have that time counted toward seniority as a Faculty member. Service time as a Faculty member does not count as service time as an Exempt Employee. The employment contract specifies professional status.