

The following was passed at the April 5, 2010, Faculty Senate Meeting #166:

MOTION:

The UAF Faculty Senate moves to amend the UAF *Policies and Regulations for the Appointment and Evaluation of Faculty* by addition of a process for the promotion of non-represented faculty (e-class of FN or FR). The new process will be posted online; and then later incorporated into the printed document upon its upcoming revision.

EFFECTIVE: Immediately

RATIONALE: Because the vast majority of faculty are represented by a bargaining unit, the faculty promotion process is typically governed by the collective bargaining agreements between the University and the two bargaining units. However, promotion is granted by and at the discretion of the University therefore, the University is able to offer the opportunity for promotion to faculty who are not members of a bargaining unit due to an administrative assignment (who are in an e-class of FN or FR, versus F9 or A9). As of July 2009, non-represented faculty promotion is not disallowed by Board of Regents Policy or Regulation, nor by the UAF *Policies and Regulations for the Appointment and Evaluation of Faculty* (the “Blue Book”). However, because it is not expressly addressed in those documents, UAF did not have an established process for non-represented faculty promotion prior to AY09-10.

This promotion process is not intended to apply to executives, even though they may have a faculty title and may carry out some faculty duties. Executives are not eligible to stand for promotion via the faculty process.

There are several factors that should be considered before non-represented faculty are encouraged to stand for promotion:

- As within the represented promotion process, the candidate must demonstrate, via the application file, that the criteria for the proposed rank are met or exceeded, as they are defined in UAF’s *Policies and Regulations for the Appointment and Evaluation of Faculty*.
- Non-represented faculty may be reviewed for promotion under this policy if the faculty workload is not less than 49% of their assignment.
- Non-represented faculty will be evaluated strictly on the faculty portion of the workload (teaching, research, and service); the administrative portion of the appointment and its accomplishments will not be considered.
- Non-represented faculty are not entitled to the grievance or appeals processes identified in the collective bargaining agreements. Instead, they are subject only to the ad-hoc appeals process that is described in this document.

 5 April 2010
President, UAF Faculty Senate Date

APPROVAL: _____ DATE: _____
Chancellor's Office

DISAPPROVED: _____ DATE: _____
Chancellor's Office

Non-Represented Faculty Promotion Process

The review schedule for the non-represented faculty promotion process shall be the same as the United Academics review schedule for promotion and tenure. The criteria used in the promotion process for non-represented faculty shall be that described in UAF's *Policies and Regulations for the Appointment and Evaluation of Faculty*. If the faculty portion of a faculty member's workload is within a unit that has approved unit criteria, then the unit criteria will also apply. The promotion process for non-represented faculty shall be that which is described in Chapter IV of UAF's *Regulations for the Appointment and Evaluation of Faculty*, except as amended below:

- All levels of review will be given instructions as to how to evaluate the file. Only work that results from faculty duties is to be evaluated, and that work is to be evaluated relative to the portion of appointment/workload dedicated to faculty duties. This portion of appointment must be not less than 49%. Faculty at 49% appointment will be evaluated relative to unit criteria for half-time faculty.
- As stated in UAF's *Regulations for the Appointment and Evaluation of Faculty*, the provost will prepare and distribute guidelines for the preparation of a candidate's file and the required content. These requirements and guidelines are located on the provost's website (www.uaf.edu/provost) as four documents titled "Guidelines for Promotion/Tenure Review: Part I," "Part II," "Part III," and "Best Practices."
- Chapter IV.B.5.b./Chapter IV.C.4.b. Unit Peer Review. The appropriate peer review committee for non-represented faculty standing for promotion will be appointed by a dean or director from a unit other than that of the candidate. This dean or director will be selected by the provost. At least one committee member must be from the candidate's

unit; if conflicts of interest cannot be avoided in this appointment, then the appointed member will not vote and will participate in an advisory capacity. The peer committee will not include individuals who are supervised by the faculty member, except as described above. Members of the peer committee must not have any other type of conflict of interest. To the extent possible, the peer committee should represent the candidate's discipline and faculty work. (The remainder of this regulation will be followed as written in UAF *Regulations for the Appointment and Evaluation of Faculty*.)

- Chapter IV.B.5.c./Chapter IV.C.4.c. Levels of Review. The levels of review for non-represented faculty will be those associated with the faculty member's previous bargaining unit. (The remainder of this regulation will be followed as written in UAF *Regulations for the Appointment and Evaluation of Faculty*.)
- Chapter IV.B.5.d. Constitution and Operation of the University-wide Promotion and Tenure Committee. The university-wide review committee convened to review promotion of represented faculty candidates will also review the non-represented faculty candidate. The Faculty Senate and provost must take this into account when selecting members for the university-wide review committee. (The remainder of this regulation will be followed as written in UAF *Regulations for the Appointment and Evaluation of Faculty*.)
- Chapter IV.B.6./Chapter IV.C.5. Exclusive process for reconsideration. A non-represented faculty member who is denied promotion may request reconsideration in accordance with the process identified herein.

Exclusive Process for Reconsideration/Appeals Process for Non-Represented Faculty

Notice of an appeal must be submitted by the faculty member (i.e., "complainant") to the chancellor's office within ten business days of the faculty member's receipt of official notification of the decision regarding the promotion. The notice of appeal must include a statement of why the decision is being appealed; the reasons why the complainant disagrees with the decision; the remedy sought; and the name, academic unit, telephone number, and address at which the complainant shall receive all correspondence related to the complaint.

Within ten business days of receipt of the appeal, the chancellor shall transmit the appeal to an ad-hoc appeals committee (hereafter "the committee").

The committee will be appointed by the chancellor, or by the provost as the chancellor's designee. The committee will be composed of three administrators, three faculty members, and a fourth faculty member to serve as the chair of the committee. No member will be appointed to the committee who has a professional or personal conflict such that they cannot render an impartial judgment.

The function of the committee shall be to hear the evidence relating to an appeal and to render a majority recommendation. The evidence subject to review by the committee is limited to the documentary evidence considered in the original academic decision being appealed. The committee may seek testimony from witnesses for clarification of the documentary evidence.

The committee shall conduct its deliberations according to informal and non-adversarial procedures, which shall be submitted in writing to the provost's office prior to the committee's review of the appeal.

The committee shall, within 30 business days of the receipt of the appeal from the chancellor, prepare a written recommendation addressing each issue included in the appeal presented to the committee. The committee's recommendation shall be forwarded to the chancellor as the final recommendation on the appealed decision. Members of the committee not concurring with the majority opinion may submit a minority recommendation, which shall be presented in a meeting with the chancellor along with the majority recommendation.

Upon advance written notice to the chair of the committee, the chancellor may meet with the committee at any time after having received its recommendation for the sole purpose of seeking clarification concerning the bases and implications of its recommendation.

The chancellor may accept the recommendation of the committee and proceed accordingly; or the chancellor may find that the best interests of the University would not be served in accepting the recommendation. In those cases in which the chancellor does not accept the committee's recommendation, the chancellor shall set forth in writing the reasons for the rejection. The decision of the chancellor shall be rendered in writing within 20 business days of the receipt of the committee's recommendation. The chancellor's decision is final and binding and not subject to further review. Copies of the committee's recommendation and the chancellor's decision shall each be transmitted by the chancellor to the complainant within 10 business days of receipt.

By mutual agreement, the parties may extend the appeal filing and response timelines set forth above. Such agreements shall be confirmed in writing by the party requesting the extension.