



SENATE BYLAW

Bylaw 22: Committees and Procedures on Renewal, Tenure and Promotion

ADOPTED BY SENATE: 18 Oct 1973

AMENDED BY SENATE: 10 Apr 1980, 2 June 1983, 15 Nov 1984, 24 Jan 1985, 23 Jan 1986, 22 Sep 1986, 9 Dec 1986, 20 Apr 1987, 18 Feb 1988, 15 Mar 1990, 18 Oct 1990, 15 Nov 1990, 21 Mar 1991, 16 Dec 1998, 23 Mar 2000, 10 May 2006, 07 June 2006, 10 Dec 2010, 11 Mar 2011, 13 May 2011, 8 Feb 2013, 10 Oct 2014, 12 June 2015, 2015 October 9.

Definitions/Acronyms

AAU: Academic Administrative Unit
EE/PA: Employment Equity/Procedures Assessor
RTP: Renewal, Tenure and Promotion
UCAPT: University Committee on Academic Promotion and Tenure

In this bylaw,

AAU Head includes interim or acting Head

Dean includes interim or acting Dean or Associate Dean acting as designate for that year

Scholarship includes research, scholarly and creative activity

Regular faculty member includes members as defined in bylaw 20, 1.1(ii).

1 Preamble

This Bylaw of procedures for Renewal, Tenure and Promotion help ensure that the AAUs maintain high standards of scholarship, teaching, and service.

In the implementation of the procedures prescribed in this Bylaw, diversity is to be honoured as integral to the quality of the university's intellectual mission, in both discipline and methodology, and in faculty complement. The principles of employment equity are to be applied widely, including recruitment, appointment, renewal, tenure and promotion processes. Thus, scholarship and teaching in non-traditional areas and methodologies and/or by members of historically disadvantaged groups and/or designated groups are not to be penalized and will be considered equitably. In accordance with the University's Employment Equity and Education policy/program, the designated groups are: aboriginal persons, persons with disabilities, sexual minorities, visible minorities, and women. Each AAU shall institute measures to ensure that its established criteria and standards are applied equitably and do not create barriers for faculty members from designated or disadvantaged groups. The criteria and standards shall also recognize diversity and emerging new and/or non-traditional scholarship and teaching methodologies.

In all deliberations by Committees under this Bylaw, members shall declare any potential conflicts of interest prior to such deliberations. Where a conflict of interest or reasonable apprehension of any bias of a committee member may exist, the committee member shall not participate in the deliberations or decisions affected by such conflict or potential bias. In particular, members of Committees shall not participate in deliberations or decisions concerning members of their immediate family, which includes spouses as defined in the Collective Agreement with the Windsor University Faculty Association.

2 Application

2.1 This Bylaw applies only to recommendations by Senate Committees and the President concerning renewal of

contract, granting of tenure, and promotion.

- 2.2 This Bylaw shall be given such fair, large and liberal interpretation, construction and application as will best ensure the attainment of its objectives, namely the maintenance of high standards of scholarship, teaching, and service within the University and the effective administration of its AAUs.
- 2.3 Tenured Assistant Professors must apply for promotion to Associate Professor.
- 2.4 Granting of the first sabbatical leave is subject to the granting of tenure, and subject to other rules governing the granting of sabbatical leaves.

3 Committees of the Academic Administrative Unit

3.1 In the AAUs, Renewal, Tenure and Promotion Committees shall be as follows:

3.1.1 For regular and limited-term faculty members appointed to a single AAU

- 3.1.1.1 Dean of Departmentalized Faculties, non- voting;
- 3.1.1.2 AAU Head, Chair;
- 3.1.1.3 Three to five regular faculty members elected by and from all regular faculty members in the AAU, the majority of whom must be tenured faculty members;
- 3.1.1.4 One student elected by and from the students in the AAU;
- 3.1.1.5 EE/PA, selected by the Office of the Provost, non-voting.

3.1.2 For regular and limited-term faculty members appointed to two AAUs (joint appointments):

- 3.1.2.1 Dean(s) of Departmentalized Faculties, non-voting;
- 3.1.2.2 Head of primary AAU (Chair) and Head of secondary AAU;
- 3.1.2.3 Four regular faculty members - two regular faculty members elected by and from all regular faculty members in each AAU;
- 3.1.2.4 One student from each AAU elected by and from the students in each AAU;
- 3.1.2.5 EE/PA, selected by the Office of the Provost, non-voting.

3.1.3 For regular and limited-term faculty members appointed to an AAU and another body (hybrid appointments):

- 3.1.3.1 Dean of Departmentalized Faculties, non-voting;
- 3.1.3.2 AAU Head (Chair) and Academic Leader of the other body;
- 3.1.3.3 Two regular faculty members elected by and from all regular faculty members in the AAU;
- 3.1.3.4 Two non-student representatives of the other body, elected by and from the non-student members of that body;
- 3.1.3.5 One student from the AAU elected by and from the students in the AAU, and one student of the other body, elected by and from the students of that body;

3.1.3.5 EE/PA, selected by the Office of the Provost, non-voting.

3.1.4 Both genders shall be represented among the non-student voting members on all AAU RTP committees. Where necessary a faculty member from the non-represented gender shall be elected by the AAU Council from a cognate discipline as an additional voting member of the AAU RTP Committee.

3.1.5 Student alternates, to a maximum of two per AAU/other body, may be elected by and from the students of the appropriate body to serve as representatives in cases where the elected student representative(s) is(are) unable to participate for an extended period of time due to program requirements. (*e.g.*, co-op or field placements, internships, *etc.*) In all instances, there shall be no alternating among and between student representatives during the course of consideration of the promotion, tenure or renewal of contract of an individual faculty member.

3.2 In those cases where there are insufficient numbers of faculty members to constitute the AAU RTP committee as described in 3.1, the President shall appoint a faculty member(s) from a cognate discipline to serve on the AAU RTP Committee.

3.3 An AAU RTP Committee member shall absent himself/herself from the discussions of the Committee while his or her case is being considered and voted upon.

3.4 If the Head of an AAU, or Dean of a Faculty, or Associate Dean of a Faculty, should be a candidate for promotion or tenure, his or her case will be referred to the President who will appoint a special Committee to report directly to the UCAPT. In such cases, the candidate will not be eligible for membership on the UCAPT. The membership of such a Special Committee shall be consistent with 3.1 to 3.2 except that

3.4.1 of the faculty members selected only 1 may be a member of the faculty member's primary AAU.

3.4.2 where the Dean is the candidate, the Chair of the Special Committee shall be an Associate Dean from the relevant Faculty. A Dean from another Faculty (selected by the President) will sit on the Committee with full voting privileges.

3.4.3 where the AAU Head is a candidate, the Head of an AAU of a cognate discipline will be selected by the President to sit as a member of the Special Committee with full voting privileges.

3.4.4 consideration of the faculty member by a Special Committee shall be in accordance with Article 4 of this Bylaw and shall be initiated by the Dean or the Associate Dean of the faculty member's Faculty, or where that is not possible, by such person as shall be nominated by the President.

4 Procedures of the Academic Administrative Unit

4.1 Each AAU Council shall clearly articulate its procedures, criteria and standards for renewal, tenure and promotion, and the manner by which they are being evaluated in each of the categories of 1) scholarship, 2) teaching, and 3) service.

4.1.1 The AAU-approved criteria and standards shall be forwarded by the AAU to the Faculty (Coordinating) Council for approval and then to the UCAPT for approval, to ensure Faculty-wide and University-wide consistency of standards, prior to being applied to an applicant for renewal, tenure and promotion. In the absence of approved AAU criteria and standards, the UCAPT shall establish and apply its own criteria for the AAU. UCAPT decisions on AAU-criteria shall be based on the guidelines established in Bylaw 23.

4.1.2 Each AAU Council shall review and approve the criteria and standards annually. Any revisions stemming from this review must be approved by the Faculty (Coordinating) Council and the UCAPT.

- 4.2 By September 1, the AAU Head shall bring to the attention of all faculty members of his or her AAU Council any pertinent regulations, bylaws and procedures relating to renewal, tenure and promotion of contract.
- 4.3 Performance Reviews
Performance Review reports completed by the AAU Head must address the specific AAU-approved criteria and standards.
- 4.3.1 By October 1 following the first, third and fifth full year of employment of an untenured faculty member, the AAU Head shall complete a Performance Review relating to the criteria for tenure and promotion to Associate Professor specified in Bylaw 23. The Performance Review shall be in writing and each untenured faculty member shall have the right to make a written response relating to his/her achievement of the criteria. The Performance Review and any written response shall be filed with the Dean of the Faculty by October 8th.
- 4.3.2 By October 1, the AAU Head shall complete a Performance Review every three years for each tenured faculty member of the AAU relating to the criteria for promotion to Professor specified in Bylaw 23. The Performance Review shall be in writing and each tenured faculty member shall have the right to make a written response relating to his/her achievement of the criteria. The Performance Review and any written response shall be filed with the Dean of the Faculty by October 8th.
- 4.3.3 The Dean shall conduct performance reviews for Associate Deans and AAU Heads in accordance with the above. If the Dean is the AAU Head, the Provost shall complete the Performance Review.
- 4.3.4 By September 15, a tenured faculty member wishing a Performance Review shall communicate that request to the AAU Head, and the Performance Review is to be completed by October 1. The Performance Review shall be in writing and each tenured faculty member shall have the right to make a written response relating to his/her achievement of the criteria. The Performance Review and any written response shall be filed with the Dean of the Faculty by October 8th.
- 4.4 By October 15, the AAU Head
- 4.4.1 shall review with the appropriate faculty member his or her work and achievement over the past year including the Performance Review of the faculty member and any response of the faculty member to the Review and
- 4.4.2 shall indicate to each faculty member who does not hold the rank of Professor the recommendations s/he plans to make to the AAU RTP Committee with respect to renewal of contract, tenure or promotion.
- 4.4.3 In cases where the AAU Head proposes not to recommend renewal of contract, promotion or tenure, the Head will advise the faculty member of this in writing within 2 working days of conducting the review in 4.4.1. Being so advised, the faculty member may make written application to the AAU RTP Committee for consideration of renewal of contract, tenure, or promotion, within 2 working days.
- 4.5 Any untenured faculty member at the Assistant level can be considered for tenure after two full years of employment in a probationary appointment at the University. In such cases, s/he shall initiate the process by making an application to the AAU Head by September 15. If this tenure application is unsuccessful, the untenured faculty member will continue in his/her probationary appointment according to the normal timelines. Where a faculty member's tenure application falls in his/her year of renewal, an unsuccessful tenure application will default to a review for renewal of contract. In such cases, a separate submission by the

faculty member is not required. The maximum length of employment at the probationary level is six full years of employment.

- 4.6 A successful tenure application by an Assistant Professor will automatically result in promotion to Associate Professor.

5 Procedures of the AAU Head and Chair of the Renewal, Tenure and Promotion Committee

- 5.1 The AAU Head shall initiate all proceedings of the AAU RTP Committee by presenting his or her recommendations, the Performance Review(s) of the faculty member, and any response(s) of the faculty member to the Review(s). Untenured faculty members shall be considered for renewal by the AAU RTP Committee after the third full year of their probationary period. When the review is positive, the AAU RTP Committee may recommend an appointment of one, two or three years.

- 5.2 At least forty-eight hours before the meeting or meetings, the Chair of the AAU RTP Committee shall inform each faculty member in writing of the date and time of the meeting or meetings when his or her case will be considered.

5.2.1 A faculty member has the right to make personal representation to the AAU RTP Committee.

5.2.2 Where the AAU Head is recommending non-renewal of contract, denial of tenure, or not to promote, the faculty member concerned shall have the right to respond immediately after the Head's statement to the Committee on his or her case, and before any discussion takes place.

5.2.3 In considering a faculty member for tenure and promotion to Associate Professor or for promotion from Associate Professor to Professor, each AAU Head is required to obtain and submit to the AAU RTP Committee independent external evaluations of the quality of the faculty member's scholarship. The approved AAU criteria and standards shall set out the number of reference letters required. All referees must be at arm's length from the faculty member and external to the university, and have an established reputation within the faculty member's field of scholarship. Letters from a minimum of three such referees are required. The AAU RTP Committee shall choose at least one referee from a list provided by the faculty member, and at least one referee from a list provided by the AAU RTP Committee. All such letters must be forwarded to the UCAPT.

5.2.4 All communications between all the referees (both potential and actual) and the AAU Head shall be in writing and copies of all such communications shall be submitted by the Chair of the AAU RTP Committee to the UCAPT.

6 Procedures of the AAU Renewal, Tenure and Promotion Committee

- 6.1 All meetings shall be held *in camera*. A quorum shall be one less than the full voting membership of the AAU RTP Committee. All members except the EE/PA and the Dean (in the case of Departmentalized Faculty) will have a vote. The vote will be by secret ballot unless the voting members of the Committee unanimously agree at the outset of their deliberations to vote by a show of hands. A decision shall be reached by a majority vote of the voting members present. In the event of a tie vote, a positive recommendation shall be forwarded to the UCAPT.

- 6.2 The AAU Head shall be responsible for the preparation of a summary of the proceedings of all meetings which shall be approved by the Committee and submitted to the UCAPT. The summary will include: the initial recommendation of the AAU Head and the reasons therefor; the nature of the discussion, including statements and reasons for renewal of contract, promotion or tenure with reference to the AAU-approved criteria, and must specifically address any negative written comments by external referees; the motions

passed; the votes cast, including the voting pattern for each year of contract renewal; and the voting pattern for promotion or tenure.

All proceedings shall be kept strictly confidential, and a copy of the summaries of the RTP meeting shall be placed in the member's personnel file. The AAU Head shall prepare an annual report on these data to the Office of Human Rights, Equity and Accessibility. The reporting format to be used is in Appendix A.

- 6.3 All decisions of the AAU RTP Committee shall be presented to the faculty member in writing.
 - 6.3.1 Prior to submitting the Committee's recommendations to the UCAPT, the AAU Head will inform the faculty member(s) concerned whether or not a positive recommendation is to be made in his or her case regarding renewal of contract, tenure and promotion.
 - 6.3.2 In the case of a decision not to recommend, the faculty member shall be informed in writing of that fact, the reasons therefor and of his or her right to make written representations to the UCAPT. In all cases the faculty member must be informed of the Committee's recommendation or decision not to recommend by the dates specified in 6.4.
- 6.4 The recommendations of the AAU RTP Committee on contract renewals, with all the necessary supporting documents as directed by the UCAPT, and the recommendations from the Dean shall be submitted to the Chair of the UCAPT on or before October 31. The recommendations of the AAU RTP Committee concerning tenure, with all the necessary supporting documents as directed by the UCAPT, and the recommendations from the Dean shall be submitted to the Chair of UCAPT by December 15 by the AAU Head. The recommendations of the AAU RTP Committee for promotions, with all the necessary documents as directed by the UCAPT, and the recommendations from the Dean shall be submitted to the Chair of the UCAPT by January 31.

7 University Committee on Academic Promotion and Tenure (UCAPT)

- 7.1 This Committee shall be composed as follows:
 - 7.1.1 Provost and Vice-President, Academic (or designate) (Chair), non-voting unless necessary to cast a tie-breaking vote.
 - 7.1.2 Dean, Graduate Studies (ex-officio)
 - 7.1.3 One representative from each of the Faculties, with the exception of Arts, Humanities and Social Sciences which shall have two representatives (one from Arts/Humanities and one from Social Sciences). There shall be an annual rotation of Deans and elections of representatives from Faculties, allowing for one half of the UCAPT Faculty representatives to be Deans and one half to be elected faculty member representatives. Wherever possible the Deans of Engineering and Science should not serve on the UCAPT at the same time.
 - 7.1.4 One student selected by and from each of the three student governments (University of Windsor Students' Alliance, Organization of Part-Time University Students, Graduate Students' Society).
 - 7.1.5 EE/PA, selected by the Office of the Provost, non-voting
- 7.2 No faculty member that is a candidate for promotion, tenure or renewal may serve as a member of the UCAPT in that year. Associate Deans may not serve on the UCAPT as elected faculty member representatives.

8 Procedures of the University Committee on Academic Promotion and Tenure

- 8.1 All meetings of the UCAPT shall be in camera, except as specified in 8.5.2 and 8.6.2 below, and the proceedings kept strictly confidential. The primary responsibility of the UCAPT shall be to review all recommendations made by the various AAU RTP Committees regarding promotion, tenure, or contract renewal as specified in Bylaw 23, and to ensure that established criteria for promotion and/or tenure have been satisfied, and the appropriate procedures followed.
- 8.1.1 Files with unanimous support by the AAU RTP Committee and the Dean of the Faculty shall be forwarded to UCAPT for procedural review only. All other files will be fully reviewed by the UCAPT.
- 8.2 The UCAPT shall review recommendations relating to renewal of contract by December 15, to tenure and promotion to Associate Professor by January 31, and to other promotions by March 31.
- 8.3 Voting will be by secret ballot unless the members of the Committee unanimously agree at the outset of their deliberations to vote by a show of hands. A decision shall be reached by a majority vote of those present.
- 8.4 Final recommendations will be submitted by the UCAPT to the President. The Chair of the UCAPT shall be responsible for the preparation of a summary of the proceedings of all meetings, which shall be approved by the Committee and submitted, together with all supporting documents, to the President within two weeks of the deadlines set down in 8.2. The summary will include: the recommendations of the UCAPT, and the reasons therefor; the motions and votes cast in each case.

The UCAPT shall prepare an annual report to the Office of Human Rights, Equity and Accessibility. The reporting format to be used is in Appendix A.

8.5 Review Procedures

- 8.5.1 The Chair of the UCAPT shall commence proceedings on renewal of contract, tenure and promotion by presenting the recommendations of the AAU RTP Committees, together with the approved AAU criteria and standards used by AAU RTP Committee. In its deliberations, the UCAPT shall apply the same criteria and standards, which have been approved by the AAU, the Faculty (Coordinating) Council, and the UCAPT.
- 8.5.2 The Dean (or designate) and the AAU Head (or designate) may be requested to appear before the UCAPT to elucidate the Dean's comments and the AAU RTP Committee's recommendations on promotion, tenure, or the renewal of contract, respectively. In such case(s), the Dean (or designate) and the AAU Head (or designate) shall withdraw from the meeting before a vote is taken. Deans (or designates) and AAU Heads (or designates) who are requested to appear before the UCAPT should receive such request in writing with a clear indication of the issues or concerns the UCAPT wishes to raise. The UCAPT will not reject any recommendations of a Dean or an AAU RTP Committee without first giving the Dean (or designate), the AAU Head (or designate) and the faculty member an opportunity to make representation before it (see 8.6).
- 8.5.3 The Chair of the UCAPT shall inform the faculty member(s) concerned of the Committee's recommendation(s). In the case of a decision not to recommend by the UCAPT, both the faculty member and the AAU Head shall be informed of that fact as well as reasons therefor in writing. In all cases the faculty member and the AAU Head shall be informed within one week of the recommendation being made by the UCAPT.

8.6 Representations to the UCAPT by Faculty Members

- 8.6.1 Faculty members shall have the right to make oral representations to the UCAPT concerning recommendations of the AAU Committee either on the basis of procedural irregularity or on the merits of the case.

- 8.6.2 In the case where a faculty member plans to make representations to the UCAPT in relation to the AAU RTP Committee's decision not to recommend regarding his or her renewal of a probationary contract, or tenure and/or promotion, s/he must inform the Chair of the UCAPT in writing of his or her intent to make representations within one week of written notification of the recommendation that his or her case has been denied by the AAU RTP Committee.
- 8.6.3 The faculty member shall prepare and provide to the Chair of the AAU RTP Committee for inclusion with the documentation forwarded to the UCAPT a short, written statement setting out the reasons for disputing the recommendations of the AAU RTP Committee. In preparing the statement, the faculty member shall have available to him/her all non-confidential documents used by the AAU RTP Committee in making its recommendation and summaries of its meeting(s) insofar as they relate to his or her case.
- 8.6.4 Where the initial or subsequent recommendation of the UCAPT is contrary to that of the AAU RTP Committee, both the faculty member and the Chair of the AAU RTP Committee shall be informed in writing within one week of the recommendation being made. Finally, the Chair of the UCAPT shall prepare in writing the recommendations of the UCAPT and within two weeks of the deadlines set down in 8.2 s/he shall submit the recommendations to the President for presentation to the Board of Governors.

9 The Role of the President in Renewal, Tenure and Promotion of Contract Deliberations and in Appeals

- 9.1 The President (or designate) shall review all recommendations of the UCAPT. In those exceptional cases in which s/he overrides the positive recommendations of the UCAPT, s/he shall provide reasons in writing for his or her action to both the AAU RTP Committee, and to the UCAPT and, in the case of an adverse decision, to the faculty member concerned.
- 9.2 The President shall hear appeals made in writing by either the Chair of the AAU RTP Committee or the faculty member concerned, as the case may be, on the grounds of procedural irregularity on the part of the UCAPT or on the merits of the case. Such appeals must be submitted within two weeks after notification of the decision by the UCAPT. In the case where the appeal is successful on the grounds of procedural irregularity, the President shall remit the case to the UCAPT for reconsideration according to the proper procedures within one week. In the case of an appeal on the merits of the case, the President's decision shall be final.
- 9.3 Finally, the President shall submit his or her report regarding renewal of contract, tenure and promotion to the Board annually.

Appendix A

Format for Annual Reports to the Office of Human Rights, Equity and Accessibility

Applicants	# of aboriginal persons	# of persons with disabilities	# of sexual minorities	# of visible minorities	# of women	Total # of designated group members (do not double count individuals)*	Total # of all applicants (designated and non-designated)	Ratio of designated to non designated-group applicants
For Renewal								
For Tenure								

For Promotion								
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*An applicant may be a member of multiple designated groups categories. As such, the sum of the numbers from the first five columns may be greater than the total number of designated group members. For the “total number of designated group members” column, each applicant is to be counted only once.