

5.7.3: **Revised Bylaws 20, 22, 23**

Item for: **Approval**

Forwarded by: **Senate Governance Committee**

MOTION: That the revised Bylaws 20, 22 and 23 be approved.

Rationale:

- On May 13, 2013, Senate held a special meeting to discuss and obtain consensus on changes to Bylaws 22 and 23. The Bylaw Review Committee was then charged with drafting shorter, clearer and more succinct bylaws, in accordance with the instructions provided by Senate.
- Members are encouraged to compare the current bylaws (links below) with the proposed revised bylaws, and to assess the revisions in light of the direction provided by Senate at its May 2013 meeting (links below) and its June 6, 2014 meeting (excerpt from minutes below).
- Comments and underlined light text in the attached revised bylaws address the questions arising from the June 6, 2014 Senate meeting.

Link to:

Current Bylaw 20

Current Bylaw 22

Current Bylaw 23A

Current Bylaw 23B

Minutes of the Senate meeting of May 13, 2013

Senate – June 6, 2014:

5.8.1 Revised Bylaws 20, 22, 23

(See document Sa140606-5.8.1 for more details)

MOTION: That the revised Bylaws 20, 22 and 23 be approved.

Dr. R. Caron/Dr. K. Quinsey

Members were provided with an overview of the changes to Bylaw 20: Types and Terms of Appointments, Bylaw 22: Renewal, Tenure and Promotion, and Bylaw 23: Criteria for Renewal, Tenure and Promotion. The revisions are intended to reflect the instructions given by Senate at its May 2013 meeting. The Committee also tightened the language and removed unnecessary wording to produce a more succinct bylaw.

The floor was open for discussion and a lengthy discussion ensued. Members commended the Committee on its work, noting that the bylaws were nearly ready with a few areas requiring clarification/changes:

- Verify that the timing of the first sabbatical coincides with the faculty member's first year of tenure.
- Reconsider defining conflict of interest in bylaw 22, since there is a conflict of interest policy that can be referenced in its place.

- Allow for the hiring at the Associate Professor or Professor ranks without tenure.
- Reinstate the definition of tenure in bylaw 23.
- Add performance reviews for Associate Deans.
- Minor correction to the definition of scholarship was made.
- Other minor corrections were noted.

Additional comments and clarifications:

A concern was expressed about UCAPT imposing its own criteria where the AAU has not developed its criteria. In response, members were reminded that Senate charged the Committee with developing consequences where an AAU had not developed criteria. It is unfair to delay a faculty member's application for tenure or promotion because the AAU has failed to develop its criteria. UCAPT provides oversight on the process and ensures that AAU criteria are consistent with the University's criteria as defined in bylaw 23. Wording should be added to the bylaw to clarify that UCAPT's approval of AAU-criteria and its own criteria, should it be required, will be based on the University guidelines established in bylaw 23.

A concern was expressed that combining tenure with promotion to Associate Professor would not work for Dramatic Art, since its current criteria for both vary significantly.

Clarification on the performance review timelines was provided. Members were informed that, with the exception of the September 1st date when the Head is to notify the AAU of the procedures for RTP, the timelines were not changed.

In response to a question about negative performance reviews, members were reminded that faculty members have right to respond on any occasion, whether the review is positive or negative. These provisions are in the current bylaw and are not changed in the proposed new bylaw. It was also noted that all files will be forwarded to UCAPT, as is currently the case; however, those that received unanimous support will be reviewed for procedural matters only.

In response to a question, it was noted that the AAU's annual review of its criteria need not be onerous. It can be placed on the first Fall Council agenda. If there are no changes, then no further action is required.

It was noted that the composition of a committee and quorum are two different matters. A properly constituted committee requires that both genders are represented and that there be student representation. Quorum is simply the minimum number of members required to run a meeting, regardless of what constituency they represent.

Members were reminded that Bylaw 23 sets the umbrella under which AAUs are to develop their criteria. It is up to each AAU to develop its own specific criteria related to teaching, scholarship and service. This requirement is about ensuring that there is greater clarity at the AAU level for the faculty member undergoing review.

Members reiterated that the bylaw revisions were very nearly complete. The motion was withdrawn, noting that revisions reflecting the discussion are to be presented to Senate at its October 2014 meeting for approval.

WITHDRAWN

In response to a question from the Committee, Senate reconfirmed its position that there needs to be consistency across AAU-criteria and that there needs to be a body charged with ensuring that the criteria are consistent with institutional benchmarks.



SENATE BYLAW

REVISED 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

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.**

~~2.5 — New appointments at the Associate Professor level or Professor level shall be with tenure and must meet the University and AAU's criteria for tenure upon appointment.~~

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.

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Comment [1]: The timing of the first sabbatical does coincide with the faculty member's first year of tenure. Faculty member applies for tenure and sabbatical at same time. Sabbatical can be approved, subject to granting of tenure.

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Comment [2]: Deleted - to allow for the hiring at the Associate Professor or Professor ranks without tenure

- 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

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Comment [3]: Wording added to the bylaw to clarify that UCAPT's approval of AAU-criteria and its own criteria, should it be required, is based on the University guidelines established in bylaw 23.

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 at the University. In such cases, s/he shall initiate the process by making an application to the AAU Head by September 15. [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.

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Comment [4]: Addresses question of untenured Associate Professor or Professor appointments.

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, shall be submitted to the Chair of the UCAPT on or

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Comment [5]: This is different from conflict of interest. Should remain as is.

before October 31. The recommendations of the AAU RTP Committee concerning tenure, with all the necessary supporting documents as directed by the UCAPT, 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, 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 AAU Head or designate may be requested to appear before the UCAPT to elucidate the AAU RTP Committee's recommendations on promotion, tenure, or the renewal of contract, and in such case(s) the AAU Head (or designate) shall withdraw from the meeting before a vote is taken. 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 an AAU RTP Committee without first giving 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 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								

*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.



SENATE BYLAW

REVISED Bylaw 23: Criteria for Renewal, Tenure and Promotion

APPROVED by Senate: 21 Jan 1970

AMENDED by Senate: 21 Sep 1970, 13 Oct 1976, 20 Mar 1985, 23 Jan 1986, 15 Mar 1990, 15 Feb 1996, 15 May 2003, 15 Jan 2009

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

Candidate means faculty member under consideration for renewal of contract, tenure or promotion.

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

Scholarship includes research, scholarly and creative activity, such as articles published in reputable scholarly journals, invited papers delivered to academic or professional associations, demonstrated ability in creative work, conducting or directing, juried exhibits or performances, peer-evaluated unpublished research deemed by senior colleagues to be of a publishable calibre, and other scholarly activities.

1 Preamble

The academic profession is the only group recognized by society to have the primary purpose of discovering and disseminating knowledge and understanding. In order to pursue this purpose, members of the academic profession must be ensured conditions, as much as possible, which permit the free pursuit of truth and this involves freedom to discuss and to criticize. Academic freedom is a fundamental prerequisite for the academic profession. Tenure, a continuing full-time appointment with the University, is one of the basic means of protecting and encouraging the exercise of academic freedom.

Each AAU Council shall clearly articulate its procedures, criteria and standards for renewal, tenure and promotion, as outlined in Bylaw 22, section 4.

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.

Candidates must meet the criteria and standards for renewal, tenure and promotion, as set out by their AAU(s) and approved by the Faculty (Coordinating) Council and the UCAPT.

2 Application

- 2.1 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.
2.2 Candidates may follow the AAU criteria and standards in place at the time of their initial appointment or any AAU criteria and standards approved thereafter.

Renee Wintermute 2014-9-3 12:22 PM
Comment [1]: Definition of tenure added.

3 Criteria for Renewal of Contract

3.1 Teaching

3.1.1 A candidate for renewal of contract must have competent teaching ability as demonstrated by such instruments as student evaluations, sample course outlines, a UCAPT teaching dossier, and other evidence as provided by the candidate. The required statement by the AAU Head must contain a detailed assessment of the candidate's commitment to and ability in teaching.

3.1.2 While the measure of teaching performance may be based primarily upon Senate-approved student evaluations, it must be supplemented by an evaluation by the AAU Renewal, Tenure and Promotion Committee and a report from the AAU Head. The AAU Head's report will be derived from the candidate's performance review and will comment explicitly on the following points:

- (i) the candidate's effectiveness in promoting students' academic pursuits and where appropriate stimulating interest in continued study of the discipline;
- (ii) the candidate's day-to-day availability to students; and the "demands" placed on him/her by students and the candidate's willingness to assist students outside of formal class hours;
- (iii) investigated student complaints;
- (iv) unusual patterns of withdrawal from the candidate's classes.

3.2 Scholarship

A candidate for renewal of contract must have demonstrated the potential for competent scholarship. This may take the form of [peer-reviewed scholarship \(see definition\)](#). The candidate's curriculum vitae and the required statement from the AAU Head must give positive indication that the candidate is likely to continue to maintain or to exceed this level of scholarship.

3.3 Service to the University and to the Community

A candidate for renewal of contract must have demonstrated engagement within the life of the AAU and demonstrated potential for service to the broader University community and/or the academic profession. Contributions to the activities of learned and professional societies and other community services utilizing professional expertise will be taken into account.

4 Criteria for Promotion to Assistant Professor

A candidate for promotion to the rank of Assistant Professor must ordinarily possess the appropriate terminal degree and/or professional registration or certification in his/her field of study. The criteria for promotion to Assistant Professor shall be the same as the criteria for renewal of contract. (see section 3)

5 Criteria for Tenure and Promotion to Associate Professor

The criteria and standards for tenure and for promotion to Associate Professor shall be the same. A single application for tenure and promotion to Associate Professor will be required.

The basis for tenure and promotion to the rank of Associate Professor shall be demonstrated academic excellence in his/her field, as exemplified in teaching and scholarship, and a demonstrated willingness to accept reasonable University responsibilities.

5.1 Teaching

In addition to meeting the criteria and standards for teaching for renewal of contract (see 3.1), the candidate for tenure and promotion to Associate Professor must have demonstrated consistent competent teaching, a commitment to good teaching, which includes classroom teaching, mentoring, and supervision at all levels, and a willingness to be of assistance to students.

The assessment of the candidate's teaching shall be made as described in 3.1.

5.2 Scholarship

In addition to meeting the criteria and standards for scholarship for renewal of contract, the candidate for tenure and promotion to Associate Professor must have achieved significant results through his/her scholarship for which s/he has been largely responsible. Such results must include [peer-reviewed scholarship \(see definition\)](#).

Additionally, the AAU Head is required to obtain arm's length external evaluations of the quality of the candidate's scholarship as specified in Bylaw 22, sections 5.2.3-5.2.4.

There must be demonstrated evidence that the candidate is likely to continue to maintain or to exceed this level of scholarship based on the candidate's curriculum vitae, the letters from arm's length external reviewers (noted above), and the required statement from the AAU Head containing a detailed assessment of the candidate's scholarship.

5.3 Service to the University and to the Community

A candidate for tenure and promotion to Associate Professor must have a demonstrated record of consistent activity within the life of the AAU, and a demonstrated record of service to the broader University community and/or the academic profession. Contributions to the activities of learned and professional societies and other community services utilizing professional expertise will be taken into account.

6 **Criteria for Promotion to Professor**

Promotion to the rank of Professor will normally be granted if the candidate for such promotion has, in the opinion of his/her peers within the academic community, achieved substantial distinction in his/her field, as exemplified in teaching and scholarship, and demonstrated a willingness to accept reasonable University responsibilities. Though distinction in all areas will not be considered requisite, candidates will be expected to have achieved the levels of performance described below.

Among the following guidelines, teaching and scholarship will be accorded most weight by the UCAPT. The UCAPT will accord weight in individual cases to service when the candidate's service activity is deemed sufficiently significant.

Although promotion to the rank of Professor will rarely if ever be granted on the basis of teaching alone, the UCAPT recognizes that a candidate with a long-standing record of outstanding teaching, including distinguished performance in the classroom and dedication to the welfare of students, constitutes a special case. Even in such cases, it will normally be considered a minimum requirement that some level of peer-reviewed scholarship has been accomplished.

6.1 Teaching

In addition to meeting the criteria and standards for teaching for tenure and promotion to Associate Professor (see 3.1), the candidate must have demonstrated a consistently higher level of competence in teaching than that required for promotion to Associate Professor (see 5.1).

The assessment of the candidate's teaching shall be made as described in 3.1.

6.2 Scholarship

In addition to meeting the criteria and standards for scholarship for tenure and promotion to Associate Professor, the candidate for the rank of Professor must have demonstrated a sustained commitment to his/her scholarship. Such results must include [peer-reviewed scholarship \(see definition\)](#). Such scholarship must be sufficient in quantity to indicate that the candidate's contribution is widely recognized by academic authorities in his/her field. The candidate should have achieved some measure of national or international recognition.

Additionally, the AAU Head is required to obtain arm's length external evaluations of the quality of the candidate's scholarship as specified in Bylaw 22, sections 5.2.3-5.2.4.

There must be demonstrated evidence that the candidate is likely to continue to maintain or to exceed this level of scholarship based on the candidate's curriculum vitae, the letters from arm's length external reviewers (noted above), and the required statement from the AAU Head containing a detailed assessment of the candidate's scholarship.

6.3 Service to the University and Community

A candidate for promotion to Professor must have demonstrated leadership in service to the AAU, to the broader University community and/or academic profession. Contributions to the activities of learned and professional societies and other community services utilizing professional expertise will be taken into account.



SENATE BYLAW

Bylaw 20: Types and Terms of Appointments

1.1 Regular appointments

[...]

- (ii) All regular appointments shall be to one of the following academic ranks: Professorial ranks (Assistant Professor, Associate Professor, Professor); Lecturer; Ancillary Academic Staff appointed as Learning Specialists (ranks I, II, III, IV).

[Moved from Bylaw 23A]

A Lecturer is a full-time member of the faculty who is engaged in independent teaching and/or research. To be eligible for appointment as a Lecturer, a person must possess necessary academic qualifications, have personal characteristics suggestive of teaching ability, and demonstrate an interest and ambition to advance in the academic field. Ordinarily, s/he should hold at least a Master's degree.

An Assistant Professor is a full-time member of the faculty who is engaged in independent teaching and/or research. To be eligible for initial appointment to this rank, a person must ordinarily possess, in addition to the qualifications required for a Lecturer, the terminal degree and/or professional registration or certification appropriate to his/her field of study.

An Associate Professor is a full-time member of the faculty who is engaged in independent teaching and/or research. To be eligible for initial appointment to this rank a person must ordinarily possess the appropriate terminal degree and/or professional registration or certification, substantial and successful experience in teaching and/or demonstrated research or professional accomplishments.

A Professor is a full-time member of the faculty who is engaged in independent teaching and/or research. To be eligible for initial appointment to this rank a person must ordinarily possess the appropriate terminal degree and/or professional registration or certification, distinguished achievements in teaching and/or a wide reputation for scholarship, creative accomplishment, or professional achievement among his/her peers in the academic community, including, but not limited to, his/her peers at this University.

[...]

1.1.1.2 The total probationary period ~~at any rank for an assistant professor~~ shall not exceed **six full years of employment** at this University. If tenure has not been granted by the end of **six full years**, further reappointment shall be with tenure.

~~1.1.1.3 The total probationary period for an associate professor shall not exceed four years' service at this University. If tenure has not been granted by the end of four years, further reappointment shall be with tenure.~~

4.1.1.4 The total probationary period for a professor shall not exceed three years' service at this University. If tenure has not been granted by the end of three years, further reappointment shall be with tenure.

1.1.1b Appointments with tenure: [An initial appointment at this university may be made with tenure.](#)

[...]

2.2.5 Records shall be kept of all the proceedings. **All records and proceedings of the meetings related to appointments shall be held *in camera* and kept strictly confidential.** The AAU/Library Head shall prepare an annual report on each appointment to the **Office of Human Rights, Equity and Accessibility.** **The University of Windsor's five designated groups are: aboriginal persons, persons with disabilities, sexual minorities, visible minorities, and women.** The reporting format to be used for each appointment is in Appendix A.

[...]

Appendix A

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

Position Type/Title (include: rank, tenure status [probationary or limited term], full or part-time, salary)	Column 1			Column 2			Column 3			Column 4			Column 5		
	# of aboriginal persons			# of persons with disabilities			# of sexual minorities			# of visible minorities			# of women		
	applying	short-listed	interviewed	applying	short-listed	interviewed	applying	short-listed	interviewed	applying	short-listed	interviewed	applying	short-listed	interviewed

Table continued from above:

Total # of designated group applicants (do not double count individuals)*	Total # of all applicants (designated and non-designated)	Column 8		Column 9	
		# of offers made to:		Offer accepted by:	
		Designated group member	Non-designated group member	Designated group member	Non-designated group member

*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 designated group members. For the "total number of designated group members" column, each applicant is to be counted only once.

Renee Wintermute 2014-9-3 12:45 PM
Comment [1]: Current wording reinstated - to allow for the hiring at the Associate Professor or Professor ranks without tenure