ARTICLE VII
PERSONNEL RECOMMENDATIONS

PREAMBLE

The faculty shall have primary responsibility in the area of personnel matters. This shall mean the capacity to initiate or review faculty personnel recommendations. The College Dean, the Provost or the Chancellor may make a recommendation or decision counter to the original faculty recommendation only in exceptional circumstances and with compelling reasons in written detail, which shall specifically address the content of the recommendation as well as the established standards and criteria. Furthermore, if the College Dean, the Provost or the Chancellor is considering making a recommendation contrary to the prior levels of faculty reviews, then they may invite the department to provide in writing additional information for the basic file or clarification of the recommendation.

For personnel recommendations, the full dossier relating to the recommendation shall be assembled by the individual being considered for a personnel recommendation. The Department Chairperson shall be responsible for adding to the dossier copies of all prior personnel recommendations.

The member of the bargaining unit about whom the recommendation is made shall review the dossier and sign the list of documents indicating knowledge of them. This provision is to ensure that complete information is available for all committees or administrators acting on the recommendation.

The official personnel file concerning recommendations for promotion, tenure, annual evaluations, reappointment, leaves of absence, sabbatical leave, and other pertinent personnel actions shall be maintained by the Provost.

A copy of all official documents concerning personnel recommendations shall be maintained by the Department Chairperson. Copies of all recommendations shall be sent to the individual, the Department Chairperson, and the President of the Faculty Federation.

In order to ensure that all personnel files used in making recommendations for contract renewal, promotion, grade/rank salary increases and tenure contain adequate and similar information, all candidates must include the following minimum information relative to the individual being considered:

- A complete and up-to-date vita.
- Relevant previous recommendations relative to contract renewal, promotions, grade/rank salary increases and tenure.
- Relevant annual faculty evaluations.

- For personnel actions involving tenure and/or promotion, three (3) letters of evaluation from external scholars in the individual's field of expertise are to be solicited after consultation involving the College Dean, the faculty member's Department Chairperson and the faculty member. One reviewer will be selected by the faculty member involved in the personnel action, one by his/her Department Chairperson and one by the College Dean. Using a standard form, the Department Chairperson will solicit the evaluation letters.

Additional material may be included by the individual or the Department Chairperson as seems appropriate to the personnel action being considered. After any level resulting in a written evaluation for any personnel action covered by this Article, the bargaining unit member may add to the file any statement, evidence, or other documentation the member believes would present a more valid perspective.

In any personnel recommendation at any level beyond the Department Chairperson, if a council or administrator includes information in addition to the information forwarded by the Department Chairperson, that specific information shall be made known to the faculty member under consideration before any recommendation is made. The faculty member shall have the right to submit any statement, evidence, or other documentation which the faculty member believes would represent a more valid view, provided that such materials are submitted prior to the date specified for the recommendation of the council or administrator.

No recommendations relative to a personnel action shall be arbitrary or capricious, but rather shall be justified by referring to the candidate's performance in the categories listed in Article VII. A. At any level subsequent to the initial recommendation, agreement with the categories and ratings at the initial level may be grounds for the recommendation. If there is disagreement at any subsequent level, such disagreement shall be justified in terms of the categories in Article VII. A. and the ratings in Article VII. C., VII. D., and VII. E.

No faculty member shall vote at more than one level on a personnel recommendation. The exercise of the vote shall be at the lowest eligible level in the sequence of stages in the recommendation process.

At the Academic Council level the faculty department representatives shall not vote on recommendations on faculty within their own department.

For all personnel recommendations, a copy of the recommendation at all levels shall be sent to the candidate, the Department Chair, the College Dean, the Provost, and the President of the Faculty Federation. This provision shall apply to all actions taken pursuant to the sections herein.

The Faculty Federation agrees to send forward all recommendations on contract renewal, tenure, and promotion, including cases in which both the department

faculty evaluation committee or tenured faculty and the Department Chair do NOT recommend tenure, providing that all departmental documents (including the recommendations of the Department Tenure Committee and the Department Chair) go forward to the UMass Board of Trustees in any and all such cases where the campus (Chancellor) makes a recommendation on tenure to the Board of Trustees.

A. CATEGORIES OF EVALUATION FOR PERSONNEL ACTIONS

Each individual shall be evaluated in at least three categories, including categories one (1) and two (2) below:

1. Teaching Effectiveness and Advising

   Teaching effectiveness as assessed by the FEC will be based on analysis of the results of student course ratings, course syllabi, examinations, class assignments, teaching methods, peer visitations, etc. The quantity and quality of academic advising of students majoring in the department, graduate student research advising, and advising of students enrolled in the faculty member's own classes shall be considered in this category.

2. Scholarship and Professional Activities.

   Scholarship may include research, professional publication, creative activities in one's field, peer review, and scholarly consultation. Professional activities may include office in professional organizations, service to one's profession, participatory attendance at professional meetings and seminars, and professional development efforts.

3. University Service

   University service includes service to the department, school, college, university, university system, participation in structured programs such as freshman advising, transfer student advising, advising centers, interdisciplinary and multi-disciplinary program advising, and advising student organizations and clubs.

4. Public Service

   Public service includes participation in community affairs and consultation associated with one's area of professional competence.

Each department/school shall develop a written statement, taking into account the mission of the University, specifying the types of items that will be counted within each of the categories of evaluation. While certain aspects of a single project may be counted under different categories, no single item or activity may be counted in more than one category. Each department's written statement must be approved by a majority of the

department's tenured faculty, the Department Chairperson and the College or School Dean.

B. EVALUATIVE STATEMENT

Each level of evaluation shall prepare a thorough yet concise statement of evaluation for each of the categories evaluated. Reference must be made to supporting evidence in the dossier. The following evaluative terminology shall be used for each category:

Excellent, Very Good, Satisfactory, Unsatisfactory. Each faculty member shall be evaluated in Teaching Effectiveness And Advising, Scholarship And Professional Activities, and at least one other category. If the faculty member chooses not to be evaluated in one of the last categories, the phrase "Not Applicable" shall be used for that category.

C. RATINGS FOR ANNUAL EVALUATION

In view of the fact that teaching is the most important activity at UMass Dartmouth, the following ratings for the evaluation of faculty are established. These ratings shall be used for annual evaluation.

1. Highly Recommended

   a) Excellent in either Teaching Effectiveness and Advising or Scholarship and Professional Activities and a Very Good in any other category and no Unsatisfactory ratings.

2. Recommended

   a) Excellent or Very Good in either Teaching Effectiveness and Advising or Scholarship and Professional Activities and no unsatisfactory ratings.

3. Not Recommended

   Failure to meet the standards under the "Recommended" rating.

D. RATINGS FOR CONTRACT RENEWAL RECOMMENDATIONS

<u>Third and Fourth Year Contract Renewal</u>

In view of the fact that teaching is the most important activity at UMass Dartmouth, the following ratings for the evaluation of faculty are for third and fourth year contract renewals:

1. Recommended

An Excellent or Very Good in either Teaching Effectiveness and Advising or Scholarship and Professional Activities and no unsatisfactory ratings

2. Not Recommended

Failure to meet the standards under the "Recommended" rating

Fifth and Sixth Year Contract Renewals

In view of the fact that teaching is the most important activity at UMass Dartmouth, the following ratings for the evaluation of faculty are established. The following ratings for the evaluation of faculty are established for fifth and sixth year contract renewal:

1. Recommended

An Excellent in either Teaching Effectiveness and Advising or Scholarship and Professional Activities and no Unsatisfactory ratings, or

A Very Good in both Teaching Effectiveness and Advising and Scholarship and Professional Activities and no Unsatisfactory ratings.

2. Not Recommended

Failure to meet the standards under the "Recommended" rating.

E. RATINGS FOR PROMOTION AND TENURE RECOMMENDATIONS

The following ratings for the evaluation of faculty are established for promotion and tenure recommendations:

1. Recommended

An Excellent in either Teaching Effectiveness and Advising or Scholarship and Professional Activities and a Very Good in the other of these two categories and no unsatisfactory ratings.

2. Not Recommended

Failure to meet the standards under the "Recommended" rating.

F. TIMETABLE FOR PERSONNEL RECOMMENDATIONS

On or before September 1 of each academic year the Vice Chancellor for Administrative and Fiscal Services shall inform each Department Chairperson of those individuals who must be considered during that academic year for third and fourth, or fifth and sixth year contract renewals or for tenure.

For each personnel recommendation, the following schedule shall be followed:

1. Third and Fourth Year Contract Renewal

The Department Faculty Evaluation Committee shall forward its recommendation to the Department Chairperson by October 1 of the individual's second contract year. The Department Chairperson's recommendation shall be forwarded to the College Academic Council by October 15. The College Academic Council shall forward its recommendation to the College Dean by November 1. The College Dean's recommendation shall be forwarded to the Provost by November 15.

2. Fifth and Sixth Year Contract Renewal

The evaluation in the third year for a fifth and sixth year contract will thoroughly address all issues that will influence the final decision on tenure. The Department Faculty Evaluation Committee shall forward its recommendation to the Department Chairperson by April 1. The Department Chairperson's recommendation shall be forwarded to the College Academic Council by April 15. The College Academic Council shall forward its recommendation to the College Dean by May 1. The College Dean's recommendation shall be forwarded to the Provost by May 30.

3. Tenure

The tenured members of the department shall forward their recommendation to the Department Chairperson by December 15. The recommendation of the Department Chairperson shall be forwarded to the College Academic Council by January 15.

The College Academic Council shall forward its recommendation to the College Dean by February 1. The College Dean's recommendation shall be forwarded to the Provost by March 1. The recommendation of the Provost shall be forwarded to the Chancellor by April 1.

4. Promotions

The Department Faculty Evaluation Committee shall forward its recommendation to the Department Chairperson by October 15. The Department Chairperson's recommendation shall be forwarded to the College Academic Council by October 30. The recommendation of the College Academic Council shall be forwarded to the College Dean by November 30. The recommendation of the College Dean shall be forwarded to the Provost by January 20.

G. ANNUAL FACULTY EVALUATIONS

1. Procedures

Each faculty member of a department shall be evaluated annually by the Department Chairperson and the College Dean on the basis of the categories in Article VII. A., including a review of continuing professional development and currency in one's academic field, with judgments specified in terms of the ratings in Article VII. C. The evaluation shall be done at the end of each academic year.

Each faculty member shall prepare a faculty activities report(FAR) using a standardized form describing activities and accomplishments during the academic year to which the evaluation applies, and shall deliver the completed FAR to the Department Chairperson by May 20. The Department Chairperson shall be responsible for presenting to the Department Faculty Evaluation Committee all the annual activities reports together with the summaries of student ratings of classroom teaching for faculty in the department. The Department Faculty Evaluation Committee shall take into account these reports and the summaries of student ratings of teaching and shall prepare a written recommendation by May 30. The Department Chairperson shall consider the activities report, student ratings of teaching, and the recommendation of the Department Faculty Evaluation Committee and shall complete the written annual faculty evaluation by June 10. In the case of faculty on full-year Sabbatical, the FAR (Faculty Activities Report) is not required to be submitted in order for the faculty member to be eligible for negotiated salary increases.

The Department Faculty Evaluation Committee shall prepare an annual evaluation of the Department Chairperson that will be forwarded to the College Dean. In addition to the categories contained in Article VII(A), such evaluation of the Department Chairperson shall include a separate evaluation category of "Academic Leadership/Administration." Each individual shall receive a copy of the Department Faculty Evaluation Committee's recommendation and a copy of the Department Chairperson's evaluation, and shall sign a statement indicating that the individual has read, but not necessarily agreed with the evaluation. A copy of the Department Faculty Evaluation Committee's recommendation and a copy of the Department Chairperson's recommendation shall be sent to the College Dean. The College Dean shall prepare a written evaluation and recommendation for each faculty member. Each individual shall receive a copy of the Dean's evaluation and recommendation and shall sign a statement indicating that the individual has read, but not necessarily agreed with the evaluation. A faculty member who wishes to challenge the written evaluation may add to the file any statement, evidence, or other documentation the faculty member believes would present a more valid perspective. The recommendation of the Department Faculty Evaluation

Committee, the annual evaluation of the Department Chairperson and the annual evaluation of the College Dean, whether or not the individual adds anything, shall become part of the file of information concerning the individual faculty member. The Department Chairperson shall meet with each faculty member to discuss the faculty member's activities report, the student ratings of teaching, the Department Faculty Evaluation Committee's recommendation, and the annual evaluation done by the chairperson and the annual evaluation done by the College Dean.

2. Student Rating of Classroom Teaching

There shall be a form with common questions for student rating of teaching to be used in all departments in all courses. The form is at Appendix A. Responses to the common questions shall be machine-readable or capable of being tabulated by electronic means. Department Faculty Evaluation Committees may append questions to this instrument. The additional departmental-specific questions will be recommended for adoption by a majority vote of full time faculty in the department.

There shall be a move from using the Paper Scantron Sheet to implementing an Online Survey/Course Evaluation process. This effort will occur in a parallel time frame with the psychometric evaluation of Common Student Rating items. Prior to implementation, a Labor Management Committee will be formed to discuss and work out the new procedure. The Labor Management Committee will meet and finalize this process in the Fall 2012 semester.

Each faculty member will be rated in every credit course offered at or under the auspices of the University of Massachusetts Dartmouth.

Procedures for administering the rating forms shall be as follows:

a) The results of the student rating forms shall be used in the rating of teaching effectiveness but it should be considered as only one source of evidence on teaching effectiveness. Each department shall prepare a list of the various types of evidence that it considers relevant to evaluating teaching effectiveness. The procedures for administering the rating form are as follows:

(1) In administering print-based ratings, the Department Chairperson will assign to each faculty member questionnaires corresponding to the number of students in a given class. A student from the class involved or a departmental student representative will administer the rating, place the forms in an envelope, indicate on the outside of the envelope the number of students participating and sign the envelope. The student will then carry the

sealed envelope directly to the Chairperson or the Chairperson's designee.

(2) The administration and Faculty Federation agree to form a committee of 6 members, 3 appointed by the Chancellor and 3 appointed by the Faculty Federation, to study the creation or adoption of a web-based system for student rating of teaching. The committee shall report recommendations to the parties to this negotiation no later than May 1, 2011.

(3) Results of the tabulation of student ratings shall be made available to the individual faculty member, the Department FEC, the Department Chairperson and the Dean, after final grades have been submitted for the course.

b) The Chairperson of the Department, shall discuss the results of student rating of teaching with the faculty member who was evaluated. These results shall be retained in the departmental file. The Department Chairperson shall be responsible for providing all faculty in the department with the results of their student ratings.

c) In the event that a faculty member had unsatisfactory reports for half or more classes for three (3) semesters consecutively, the Departmental Faculty Evaluation Committee shall arrange classroom visitation and counseling for improvement of teaching effectiveness.

H. CONTRACT RENEWAL

All actions taken by the Chancellor relative to contract renewal shall be taken as a result of a recommendation submitted to the Chancellor. In no case will recommendations to the Chancellor relative to reappointment be made by anyone other than the Provost. The case of any faculty member who is recommended for reappointment by the tenured members of the department and the Department Chairperson shall be brought to the attention of the Chancellor by the Provost with appropriate documentation for action, if so requested by the tenured faculty and Department Chairperson. The Chancellor shall enjoy the full right to reject such recommendations but may not make appointments without a recommendation from the Provost.

Utilizing the annual faculty evaluation which includes student ratings of teaching, each non-tenured faculty member is to be considered for reappointment in accordance with the categories in Article VII. A. and in accordance with the timetable in Article VII. F.

In the faculty member's evaluation transmitted to the College Dean shall be a recommendation with substantiation for reappointment or non-reappointment

including faculty evaluations and the results of the student ratings of teaching effectiveness. Each subsequent level shall review all previous evaluations and recommendations and submit its own recommendations to the next recommending level. On the basis of a review of these evaluations and recommendations, the Chancellor will make a decision for reappointment or non-reappointment.

1. Notification of reappointment or non-renewal for the third and fourth years of service must be given to the faculty member by December 15 of the second year of service. Recommendation for reappointment or non-renewal for the third and fourth years of service will be initiated with a recommendation developed by the Department Faculty Evaluation Committee, including all tenured members of the department and processed through the following levels with each level adding its own recommendation: Department Chairperson, College Academic Council, College Dean, Provost, and Chancellor. It is advisable that the Department Chairperson seek the opinions of the non-tenured faculty and the student majors of the department in developing the Chairperson's recommendation. The Department Chairperson shall be responsible for articulating the basis for the departmental decision.

2. Notification for the fifth and sixth years of service must be given by September 15 of the fourth year. If a faculty member is being considered for tenure at this time, the tenure evaluation procedures as outlined in the Trustees/Faculty Federation Agreement (Article VII. I.) will be followed. In effect, this means that the decision on the contract for a fourth year of service must be made during the latter part of the second year in which the faculty member has served on the UMass Dartmouth faculty. The recommendation for renewal for the fifth and sixth years of service will be initiated by the tenured members of the department and will be processed through the following levels: Department Chairperson (who is advised to seek the opinions of the non-tenured faculty and student majors of the department), College Academic Council, College Dean, Provost, and Chancellor. Each level shall send a copy of its recommendation to the individual under consideration for reappointment, to the Department Chairperson, and to the President of the Faculty Federation. If the decision is negative, the faculty member may request reasons for this decision from the Chancellor. The Department Chairperson is responsible for articulating the basis for the departmental decision which shall be determined in each instance by secret ballot. Acceptance of a justified negative recommendation developed by the tenured members of the department may be cited as a reason for each level to recommend non-renewal.

3. A multiple year contract may be offered to a faculty member provided that the individual is considered for renewal of contract at least once utilizing the procedures detailed in paragraph two (2) above prior to being considered for tenure.

4. Notification as referred to in paragraphs 1 and 2, shall mean written notification to the faculty member by the Chancellor of the renewal or non-renewal of the contract by the dates specified.

I. TENURE

1. Definition of Tenure

Tenure status is granted only to holders of academic positions and is distinguished from non-tenure status by the fact that the University must stipulate reasons for termination of employment other than by retirement mandated by law. Faculty members enjoying tenure may not be discharged except by a decision of the President and for just cause. If the decision is not reversed by the Board of Trustees, the individual has recourse through judicial review. Until a final decision on termination has been reached, the unit member shall continue at full pay. If, in the judgment of the University, the continued service of the unit member would do serious harm to the University, the unit member may be relieved of his/her duties. A unit member who is terminated by vote of the Board of Trustees shall be entitled to no further compensation beyond the date of such vote.

2. No person who, at the expiration of the current appointment, will have held full-time appointments without tenure to academic positions in the University for seven (7) consecutive academic years, shall be considered by the Board of Trustees for further appointment to an academic position without tenure. In the initial appointment, each person who has taught full-time at another accredited institution of higher learning may be offered credit toward tenure at UMass Dartmouth for each year of full-time teaching up to a maximum of three (3) years. Service as a full-time lecturer, or any full-time non-tenure-track faculty position at UMass Dartmouth may be counted for credit toward tenure for each year of teaching up to a maximum of three (3) years. The number of years to be credited shall be stipulated in the faculty member's initial contract. Nothing in these rules on maximum probationary years shall prevent consideration for tenure at an earlier date.

3. The Chairperson of each department shall have the responsibility of bringing to the notice of the tenured department members the names of colleagues ready for consideration for tenure within the department by October 1 of their tenure-decision year.

4. The recommendation on tenure shall be determined by a majority vote by secret ballot of all the tenured faculty members of the department by December 15 of the year preceding the last probationary year. In order that at least three (3) opinions be considered, exclusive of the Department Chairperson, departments with fewer than three (3) tenured faculty

members must supplement the tenured faculty opinions with opinions of faculty members who are tenured from other departments within the College Academic Council. The additional tenured faculty members will be selected by the College Academic Council from a list of individuals submitted by the faculty member being considered for tenure which are acceptable to the Department Chairperson and the Dean of the appropriate College. The faculty member will submit the list of individuals on or before November 14th and the College Academic Council will make its selection on or before December 1, of the year preceding the last probationary year. Included shall be the results of the student evaluations of teaching effectiveness. The candidate for tenure will be given substantiation in writing according to the evaluation categories in Article VII. A., and ratings in Article VII. E.

5. On or before January 15 of the candidate's tenure-decision year, the Department Chairperson will forward to the appropriate College Academic Council the faculty member's recommendation, copies of the tenure evaluation documentation, and the Chairperson's own recommendation and substantiation in writing. A copy of the recommendations shall be sent to the President of the Faculty Federation. Prior to the transmission to the College Academic Council, the individual shall be notified of the department's decision and be permitted the opportunity to submit additional materials on the recommendation.

6. The College Academic Council shall review these recommendations, documentation and evaluations and make a recommendation on tenure with written justification with respect to each of the evaluative criteria. Where recommendations of the Department Chairperson and the department tenured members are in agreement, the College Academic Council shall give this substantial weight during deliberations and shall not ordinarily make a contrary recommendation. A copy of the Academic Council's recommendation with written substantiation based on the applicable criteria contained in the Trustees/Faculty Federation Agreement shall be given to the individual prior to being sent to the next level. The individual shall have the right to submit additional materials to the College Academic Council for transmittal to the College Dean within seven (7) days of receipt of the recommendation. The individual, whether submitting additional materials or not, shall sign a statement within this seven (7) day period and return it to the College Academic Council indicating receipt of this recommendation and awareness of the opportunity to submit additional materials. The College Academic Council will also send a copy of the recommendation to the Department Chairperson and to the President of the Faculty Federation for their information. Failure of the individual to sign a statement of receipt when the document has been received will not prevent the documentation from being forwarded to the next level.

7. A copy of the College Dean's recommendation with written substantiation based upon the applicable criteria contained in the Trustees/Faculty Federation Agreement shall be given to the individual prior to being sent to the Provost. The individual shall have the right to submit additional materials to the College Dean for transmittal to the Provost within seven (7) days of receipt of the recommendation. The individual, whether submitting additional materials or not, shall sign a statement indicating receipt of this recommendation and awareness of the opportunity to submit additional materials within this seven (7) day period and return it to the College Dean. Failure of the individual to sign a statement of receipt of the recommendation when the recommendation has been received will not prevent the documentation from being forwarded to the next level. The College Dean will also prepare a recommendation and send a copy to the Department Chairperson and to the President of the Faculty Federation for their information. The College Dean shall transmit to the Provost the recommendations, evaluations and documents of the Department Chairperson, the department tenured members, the College Academic Council, together with the Dean's own recommendation and substantiation and all additional materials (if any) submitted by the individual.

8. A copy of the Provost's recommendation with written substantiation based upon the applicable criteria contained in the Trustees/Faculty Federation Agreement shall be given to the individual prior to being sent to the Chancellor. The individual shall have the right to submit additional materials within seven (7) days of receipt of the recommendation of the Provost. The individual, whether or not submitting additional materials, shall sign a statement indicating receipt of a copy of this recommendation and awareness of the opportunity to submit additional materials within this seven (7) day period and return it to the Provost. Failure of the individual to sign a statement of receipt of this recommendation will not prevent the documentation from being forwarded to the next level. The Provost will also send a copy of this recommendation to the Department Chairperson and to the President of the Faculty Federation for their information. The Provost shall transmit to the Chancellor, the evaluations, recommendations and documents of the department tenured members, the Department Chairperson, the College Academic Council, the Dean of the College, and the Provost's own recommendation and substantiation and all additional materials (if any) submitted by the individual.

9. The President shall review the recommendations of the Chancellor, Provost, the Dean of College, the College Academic Council, the Department Chairperson and the department tenured members, and forward these with the President's own recommendation to the Chairperson of the Board of Trustees no later than ten (10) days prior to the established June meeting date of the Board of Trustees for its decision by formal action to grant or not grant tenure.

10. The awarding of tenure shall be only by a vote of the Board of Trustees.

11. Service as an Instructor at the University of Massachusetts Dartmouth shall be counted for tenure credit.

12. Tenure shall be effective on the date it is voted to take effect by the Board of Trustees.

13. Candidates not awarded tenure during the sixth year shall receive a terminal seventh year contract.

J. PERIODIC MULTI-YEAR REVIEW

Every tenured faculty member, librarian shall undergo a periodic multi-year review every 7 years with the exceptions noted below:

1. Promotion to Professor or Chancellor Professor shall be deemed to constitute periodic multi-year review.

2. Promotion to Professor or Chancellor Professor shall, as of the effective date of the promotion, begin a new cycle for multi-year review.

3. Persons who have indicated, in writing, their intention to retire within a three-year period shall not be subject to multi-year review. If the intention to retire is rescinded, the person shall immediately undergo a multiyear review.

4. The time of the PMYR may be altered, upon written agreement between the individual and the appropriate Dean, in the following circumstances:

   a) When the individual is named to a full-time administrative position.

   b) When the individual is granted a leave without pay for an academic year.

   c) A bargaining unit member subject to review may be temporarily exempted due to extenuating circumstances (e.g., significant health problems, significant responsibilities for elder or dependent care, or circumstances beyond the member's control). Documentation of extenuating circumstances must be presented in writing to the Dean and will become part of the member's permanent file.

5. Those participating in PMYR in any given year shall be considered to have completed an annual evaluation for that year. Deficient performance in a PMYR shall disqualify the individual for any merit increase for that year. In subsequent years progress toward the fulfillment of a development plan shall be considered during the annual evaluation.

Individuals participating in PMYR shall submit the following to the Department Faculty (Library) Evaluation Committee:

1. A complete and up-to-date vita.

2. Annual activity reports and annual evaluations including, where applicable, student ratings of teaching as contained in the annual reviews, for the years since the granting of tenure, last promotion, or previous PMYR.

3. A brief narrative commentary (not to exceed 3 pages)addressing their major accomplishments during the period under review and outlining their long range plans (for the next 6 years) and their relation to departmental and institutional plans and needs.

The dossier submitted shall be evaluated, in writing with copies to the individual being evaluated, to the Department Chairperson, and to the President of the Faculty Federation, by the Evaluation Committee, consisting of the tenured members of the department or constituted under the provisions of Article VII, I, 4, the Department Chair (Head), the College Academic Council, the College Dean and the Provost. At each level of evaluation, the individual being evaluated will have seven (7) days to submit to the evaluator any statement, evidence or other documentation which he/she believes would represent a more valid view. The individual's submission will be transmitted with the dossier and the evaluation to the next step of the process.

Each faculty member shall be evaluated in the categories of 1. Teaching Effectiveness and Advising; 2. Scholarship and Professional Activities; and 3. University Service; or 4. Public Service; or both. The rating for each category of evaluation shall be Excellent, or Very Good, or Satisfactory, or Unsatisfactory. Summary rating of Excellent Sustained Performance or Generally Satisfactory Sustained Performance or Deficient Performance shall be determined at each level of review. These summary ratings shall be determined as follows:

Excellent Sustained Performance

Excellent in Teaching Effectiveness and Advising and at least Very Good performance in one other category, or

Very Good in Teaching Effectiveness and Advising and at least Excellent performance in one other category, or

Very Good in Teaching Effectiveness and Advising and at least Very Good performance in two other categories

Generally Satisfactory Sustained Performance

Excellent in Teaching Effectiveness and Advising and Satisfactory performance in one other category, or

Very good in Teaching Effectiveness and Advising and Very Good performance in one other category, or

Satisfactory in Teaching Effectiveness and Advising and Very Good performance in two other categories

Deficient Performance

Failure to meet the standards for generally satisfactory sustained performance

Faculty found to have Excellent Sustained Performance by four (4) or more levels of review; and for law faculty two (2) or more levels of review, shall be deemed to have successfully completed the PMYR.

Faculty, found to have Generally Satisfactory Sustained Performance with no need for improvement by four (4) or more levels; two (2) in the case of law faculty members; shall be deemed to have successfully completed the PMYR.

Those deemed by four (4) or more levels; two (2) in the case of law faculty members; to have generally satisfactory sustained performance but to be in need of some improvement shall be so notified in writing by the Dean. They shall, with the written approval of the Department Chairperson, and the Evaluation Committee, develop a plan for professional development. This plan will indicate specific areas in which improvement or change is planned and how the faculty member intends to improve/change in those areas. The campus shall be responsible for all reasonable expenses. Progress toward fulfillment of the plan shall be considered in their annual evaluations.

Those found to be deficient by four (4) or more levels; two (2) in the case of Law faculty members; shall prepare a plan, with approval as above, which will address specific areas in need of immediate improvement. The campus shall be responsible for all reasonable expenses. Their progress will be reviewed each semester by the Provost, the Department Chairperson and the Dean. If improvement has not taken place within a reasonable period of time, or if the individual refuses to participate in the process or fails to make a good faith effort to execute the plan, the Provost, in consultation with the Dean and the Department Chairperson, shall determine whether or not grounds exist to invoke the provisions of Article VII, I.

PMYR is not a step in any disciplinary action and no materials developed in this process shall be introduced into evidence in any disciplinary action. This

exclusion does not apply to any document or record originally intended for use other than PMYR, e.g., annual evaluation, nor to any aspect of a faculty member's performance which may have been considered in the PMYR process and may be considered separately in a disciplinary process.

K. PROMOTION

PREAMBLE

For recommendations on promotion, the individual being considered shall be responsible for assembling all pertinent materials in a dossier and shall be responsible for delivering it to the Department Faculty Evaluation Committee no later than October 1.

1. General

   Any faculty member in the rank of Assistant Professor shall be promoted to the rank of Associate Professor upon achieving tenure at the University of Massachusetts Dartmouth.

2. While length of service alone is not cause for promotion, the following shall be considered the normal period of time to be spent in rank:

   a) Instructor, not more than five (5) years.

   b) Assistant Professor, six (6) to seven (7) years.

   c) Associate Professor, six (6) or more years.

   d) Professor, six (6) or more years (total years teaching shall ordinarily be eighteen (18) or more)

   Nothing in these rules on the normal period of time to be spent in rank shall prevent consideration for promotion at an earlier date. Promotion before the normal time spent in rank will be recommended only upon evidence of extraordinary achievement and experience in one's professional career.

3. For purposes of promotion, faculty shall be evaluated by the Department Faculty Evaluation Committee and the Department Chairperson, both of which shall give substantial weight to the candidate's annual faculty evaluations. The Department Faculty Evaluation Committee shall judge each candidate for promotion on the basis of the four (4) categories of Article VII. A., and shall classify each candidate using the ratings of Article VII. E. The Committee's recommendations shall be substantiated in writing by referring to the categories of Article VII. A., and ratings of Article VII. E. The Department Chairperson shall review the candidate's dossier and the recommendations of the Department Faculty Evaluation

Committee. The Department Chairperson shall evaluate each candidate in terms of the categories of Article VII. A., shall make a recommendation according to the ratings of Article VII. E., and shall substantiate this recommendation in writing. The candidate for promotion shall have the right to read the recommendations of the Department Faculty Evaluation Committee and the recommendation of the Department Chairperson, and may add to the file any statement, evidence, or documentation which the candidate believes to present a more valid view. The candidate shall have the right to grieve the recommendation of the Department Faculty Evaluation Committee or the recommendation of the Department Chairperson, according to the grievance procedures of Article XVII. Whether or not the candidate grieves, the candidate shall have the right to add to the file any additional material within seven (7) days of receipt of the recommendation of the Department Chairperson for transmittal to the College Academic Council and shall sign, within this seven (7) day period, a statement indicating that the recommendations have been read. Failure to sign will not prevent forwarding of the documentation to the College Academic Council. The Department Chairperson shall forward to the College Academic Council by October 30 the candidate's complete file including the dossier, the recommendation of the Department Faculty Evaluation Committee, the Department Chairperson's recommendation, and any additional material submitted by the candidate. Copies of the recommendations shall be sent to the President of the Faculty Federation for informational purposes.

4. The College Academic Council shall review the complete file, shall evaluate the candidate in terms of the categories of Article VII. A., and shall make a recommendation in terms of the ratings of Article VII.E. The College Academic Council shall substantiate in writing the recommendations for each candidate in terms of Article VII. A. and E. Copies shall be given to the candidate, to the candidate's Department Chairperson and to the President of the Faculty Federation prior to being sent to the next level. The candidate shall have the right to submit additional materials within seven (7) days from receipt of the recommendation of the College Academic Council. The candidate shall sign, within this seven (7) day period, a statement indicating that the recommendation has been read and that the option of submitting additional materials was available. Failure to sign shall not prevent forwarding the file to the next level. The College Academic Council shall transmit to the College Dean the complete file, including the dossier, the recommendation of the Department Faculty Evaluation Committee, the recommendation of the Department Chairperson, the Academic Council's own recommendation, and any additional material submitted by the candidate by November 30.

5. The College Dean shall review the complete file, shall evaluate the candidate according to the categories of Article VII. A., and shall make a

recommendation in terms of Article VII. E. A copy of the recommendation with written substantiation shall be given to the candidate, the candidate's Department Chairperson, and the President of the Faculty Federation before being sent to the Provost. The individual shall have the right to submit additional materials within seven (7) days from receipt of the recommendation to the College Dean. The individual, whether submitting additional materials or not, shall sign, within this seven (7) day period, a statement indicating receipt of this recommendation and awareness of the opportunity to submit additional materials within this seven (7) day period and return it to the College Dean. Failure of the individual to sign a statement of receipt of the recommendation when the recommendation has been received will not prevent the documentation from being forwarded to the next level. The College Dean shall transmit to the Provost the complete file including the dossier, the recommendation of the Department Faculty Evaluation Committee, the recommendation of the Department Chairperson, the recommendation of the College Academic Council, the Dean's own recommendation, and any additional materials submitted by the candidate by January 20.

6. The Provost shall review the complete file, shall evaluate the candidate according to the categories of Article VII. A. and shall make a recommendation in terms of the ratings of Article VII. E. A copy of the recommendation with written substantiation shall be given to the candidate, the candidate's Department Chairperson, and the President of the Faculty Federation prior to being sent to the Chancellor. The candidate shall have the right to submit additional materials within seven (7) days from receipt of the recommendation of the Provost. The candidate shall sign, within this seven (7) day period, a statement indicating that the recommendation has been read and that the option of submitting additional materials was available. Failure to sign shall not prevent forwarding the file to the next level. The Provost shall transmit to the Chancellor the complete file, including the dossier, the recommendation of the Department Faculty Evaluation Committee, the recommendation of the Department Chairperson, the recommendation of the College Academic Council, the recommendation of the College Dean, the recommendation of the Provost, and any additional materials submitted by the candidate.

7. The Chancellor shall make a decision on promotion for each candidate by May 15. The Chancellor's decision and any subsequent action taken by the Board thereon shall be conveyed in writing to the candidate and a copy shall be sent to the candidate's Department Chairperson.

8. Promotion to Chancellor Professor

a) Criteria for Promotion: A full-time tenured faculty member shall be eligible for promotion to the rank of Chancellor Professor if the faculty member meets all of the following criteria:

(1) The individual has a minimum of eighteen (18) years' full-time teaching experience at an accredited institution of higher education.

(2) The individual has received the highest rating in any five annual evaluations conducted during the six years preceding an application for promotion.

(3) The individual has been in rank as a Full Professor for a minimum of six years at the time of application.

(4) The individual has demonstrated excellence in the art and practice of teaching, has a record of scholarship that contributes to the advancement of knowledge in the applicant's field, and has made an outstanding contribution to the University or to his/her profession.

b) At no time will the number of persons at the rank of Chancellor Professor be more than ten percent (10%) of the total faculty holding the rank of Professor, Chancellor Professor and Commonwealth Professor.

c) Promotion to Chancellor Professor shall follow the schedule contained in Article VII. K. of the Agreement.

d) Faculty applying for Chancellor Professor shall not evaluate any candidates for Chancellor Professor.