

ISSUES REGARDING APPOINTMENT, EVALUATIONS, AND CONTINUING APPOINTMENT FOR ACADEMIC EMPLOYEES



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Issues Regarding Appointment, Evaluations, and Continuing Appointment for Academic Employees

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What is an Academic?

Any academic is:

- Anyone employed in the professional services bargaining unit having academic or qualified academic rank.

From Board of Trustees Article II Definitions:

- “**Academic staff.**” The staff comprised of those persons having academic rank or qualified academic rank.
- “**Academic rank.**” Rank held by those members of the professional staff having the titles of professor, associate professor, assistant professor, instructor, and assistant instructor, including geographic full-time faculty members having such titles, and rank held by members of the professional staff having the titles of librarian, associate librarian, senior assistant librarian, and assistant librarian. A geographic full-time faculty member is a person serving on the faculty of a medical center who is not employed on a full-time basis for the purpose of fixing compensation payable by the State but all of whose professional services and activities are conducted at the medical center or its affiliated hospitals and are available to the State on a full-time basis for clinical and instructional purposes.
- “**Qualified academic rank.**” Rank held by those members of the academic staff having titles of lecturer, or titles of academic rank preceded by the designations “clinical” or “visiting” or other similar designations.

Appointment, Promotion, and Tenure

Appointment

Academic Appointment shall be in one of the following categories:

- Temporary- appointment which may be terminated at any time and ordinarily shall be given for part-time service, less than one year's duration, to a probationary-vacant position or of an unknown duration (medical leave).
- Term- of a specific duration not greater than 3 years which shall automatically expire at the end of the term unless terminated earlier due to resignation, retirement or termination (with some exceptions, i.e. 5-year term appointments).
- Continuing (tenure)- appointment that continues indefinitely unless terminated earlier due to resignation, retirement or termination.

The academic tenure track generally begins with a 3 year-term appointment and typically takes 7 years to complete.

- Typical appointment and review process: 3-3-1 with reviews coming during the second, fifth and sixth years.
- The review in the 6th year will conclude with either a commitment to tenure at the beginning of the 8th year or a notice of non-renewal at the end of the 6th year, effective at the end of the 7th year.
- Tenure review for Assistant Professor rank is concurrent with tenure review and a positive review will result in promotion to Associate Professor effective the beginning of the 7th year.

From the Policies of the Board of Trustees

Article 11

Title B. Continuing Appointment

§ 1. *Definition.* A continuing appointment shall be an appointment to a position of academic rank which shall not be affected by changes in such rank and shall continue until resignation, retirement, or termination.

§ 2. *Method of Appointment.* The Chancellor, after considering the recommendation of the chief administrative officer of the college concerned, and except as hereinafter permitted with respect to appointment of Distinguished, Distinguished Service, Distinguished Teaching and University Professors, may grant continuing appointments to such persons who, in the Chancellor's judgment, are best qualified.

§ 3. *Eligibility.*

(a) Continuing appointment as Professor, Associate Professor, Librarian or Associate Librarian. Continuing appointment as Professor, Associate Professor, Librarian or Associate Librarian may be given by the Chancellor on initial appointment or thereafter. Except as provided in subdivision (c) of this section, further employment as Professor, Associate Professor, Librarian or Associate Librarian after the third consecutive

year of service in any one or any several of these ranks at any one college must be on the basis of continuing appointment; provided, however, such appointment shall not be effective until made so by the Chancellor, and provided further that promotion to any of these ranks shall not operate to extend the service requirements for continuing appointment described in subdivision (b) of this section.

(b) Continuing appointment as Assistant Professor, Instructor, Senior Assistant Librarian or Assistant Librarian. Except as provided in subdivision (c) of this section, further employment at any college of an appointee who has completed a total of seven years of service in a position or positions of academic rank of which the last three consecutive years have been in a position of academic rank at that college as Assistant Professor, Instructor, Senior Assistant Librarian or Assistant Librarian, must be on the basis of a continuing appointment; provided, however, such appointment shall not be effective until made so by the Chancellor. An Assistant Professor, Instructor, Senior Assistant Librarian or Assistant Librarian shall not be eligible for continuing appointment at any of these ranks prior to the completion of a total of seven years in a position or positions of academic rank.

(c) Additional Term Appointment. An academic employee holding a continuing or term appointment at one college who is appointed to academic rank at another college may be given that appointment for a term not to exceed three years.

(d) Service Credit.

(1) In determining eligibility for continuing appointment under subdivision (b) of this section, satisfactory full-time prior service in academic rank at any other accredited academic institution of higher education may, at the request of the appointee and in the

discretion of the Chancellor, or designee, be credited as service, up to a maximum of three years, at the time of appointment at a college. Waiver of all or part of this service credit shall be granted upon written request of the employee to the chief administrative officer not later than six months after the date of initial appointment.

(2) In computing consecutive years of service for the purposes of appointment or reappointment to the academic staff, periods of leave of absence at full salary shall be included; periods of leave of absence at partial salary or without salary and periods of part-time

Title D. Term Appointment

§ 1. *Definition.* Except as provided in Section 6 of this Title, a term appointment shall be an appointment for a specified period of not more than three years which shall automatically expire at the end of that period unless terminated earlier because of resignation, retirement or termination.

§ 2. *Eligibility.*

(a) A term appointment may be given to any person appointed to or serving in a position designated as being in the Professional Services Negotiating Unit.

(b) Part-time service.

(1) Further employment at any college of an individual who has been employed at that college on a part-time basis for six consecutive semesters in a position designated as being in the Professional Services Negotiating Unit shall be on the basis of a term appointment. In computing consecutive semesters of part-time service for the purposes of appointment or reappointment under this subdivision, periods of leave of absence at partial salary or without salary shall not be included, but shall not be deemed an interruption of otherwise consecutive service. An individual who has been granted term appointment but for whom classroom enrollment is inadequate shall have no entitlement to salary, benefits, or any other rights or privileges.

(2) In the event the service of such an individual is interrupted for a period of four consecutive semesters or more, the chief administrative officer of the college may grant the employee any type of appointment as in the chief administrative officer's judgment is appropriate.

§ 3. *Method of Appointment.* All term appointments shall be made by the chief administrative officer of the college and shall be reported to the Chancellor.

§ 4. *Renewal of Term.* Except as provided in this Article, term appointments may be renewed by the chief administrative officer of the college for successive periods of not more than three years each; such renewals shall be reported to the Chancellor. No term appointment, of itself, shall be deemed to create any manner of legal right, interest or expectancy in any other appointment or renewal.

§ 5. *Notice.* In the event a term appointment is not to be renewed upon expiration, the chief administrative officer or the chief administrative officer's representative will notify the appointee in writing not less than:

(a) Forty-five calendar days prior to the end of a part-time service term appointment;

(b) Three months prior to the end of a term expiring at the end of an appointee's first year of uninterrupted service within the University, but not later than March 31 for terms ending in June, July or August;

(c) Six months prior to the end of a term expiring after the completion of one, but not more than two, years of an appointee's uninterrupted service within the University, but not later than December 15 for academic year employees and mentors at Empire State College whose terms end in June, July or August;

(d) Twelve months prior to the expiration of a term after two or more years of uninterrupted service within the University; and

(e) Six months prior to the expiration of a term for titles listed in Appendix B(1) and B(2), *infra*.

§ 6. *Other Appointments.*

(a) Five-year term appointments are appointments which may be granted only to persons who serve in a professional title listed in Appendix A of this Article. Except for their duration, five-year term appointments shall be subject to the same procedures for methods of appointment, renewal and notice of nonrenewal of term appointments in accordance with the provisions of this Title.

(b) (1) A person whose initial appointment to any college of the University is to a professional title listed in Appendix A of this article must be granted term appointments for the first three years of employment in such title at that college. Upon completion of a total three years of consecutive service on such term appointment basis, further appointment in such title at such college and each appointment renewal thereafter in such title at such college shall be for a five-year term appointment.

(2) In the event such person is subsequently appointed to a professional title in which permanent appointment may be granted, that person shall be granted a term appointment in such professional title only and shall not retain the term appointment or the five-year term appointment, as appropriate, in the professional title listed in Appendix A of this Article.

(c) A professional employee holding a permanent appointment or term appointment in a professional title in which permanent appointment may be granted at any one college who is appointed to a professional title listed in Appendix A of this Article at the same college shall be given a probationary appointment in such title listed in Appendix A.

(1) (a) A professional employee holding permanent appointment in professional title who completes a probationary appointment in a professional title listed in Appendix A of this Article, shall be granted a five-year term appointment in the professional title listed in Appendix A of this Article only and shall not retain permanent appointment in the former professional title.

(b) In the event such professional employee is subsequently appointed to the same former professional title held at the college prior to appointment to a professional title listed in Appendix A of this Article, the employee shall resume permanent appointment in such former professional title. If such subsequent appointment is to a professional title different from such former professional title at the college or to a different college, the employee shall be given a term appointment.

(c) In the event the five-year term appointment of such professional employee is not renewed and, on the effective date of such nonrenewal, a vacancy exists in the same former professional title held on the basis of permanent appointment at the college prior to appointment to a professional title listed in Appendix A of this Article, the employee shall resume permanent appointment in such former professional title on the effective date of nonrenewal from the five-year term appointment.

(2) (a) A professional employee holding a term appointment in professional title who completes a probationary appointment in a professional title listed in Appendix A of this Article shall be granted a five-year term appointment in such professional title listed in Appendix A only and shall not retain a term appointment in the former professional title.

(b) In the event such professional employee is subsequently appointed to a professional title in which permanent appointment may be granted, the employee shall be granted a new term appointment in such professional title.

(d) At any time during a probationary appointment given in accordance with this section, the appointing authority may require the professional employee to return to the employee's former professional title at the college and such action shall be accomplished as soon as practicable.

(1) A professional employee holding a permanent appointment in a professional title and serving a probationary appointment in a title listed in Appendix A of this Article who so returns to the employee's former professional title shall resume permanent appointment in the former professional title.

(2) A professional employee holding a term appointment in a professional title in which permanent appointment may be granted and serving a probationary appointment in a title listed in Appendix A of this Article who so returns to his or her former professional title shall be granted a new term appointment in such former professional title and shall not be eligible for permanent appointment in such former professional title until expiration of that term appointment at the earliest. Notice that a term appointment in this circumstance will be allowed to expire shall be given at the appropriate time prior to the expiration of that new term appointment.

(e) Service Credit.

(1) Employees granted term appointments pursuant to subdivisions b (2), c (1) (b) and c (2) (b) herein may, at the request of the professional employees in the discretion of the Chancellor, or designee, be credited, at the time of such appointments, with all prior continuous University service up to a maximum of four years for purposes of eligibility for permanent appointment. Waiver of all or part of this service credit shall be granted upon request of the employee to the chief administrative officer not later than six months after the date of such appointment.

(2) In computing consecutive years of service for the purposes of appointment or reappointment under this section, periods of leave of absence at full salary and periods of full-time service in probationary and temporary appointments granted pursuant to this section shall be included; periods of leave of absence at partial salary or without salary and periods of part-time service shall not be included, but shall not be deemed an interruption of otherwise consecutive service.

(f) The Board of Trustees may, from time to time, designate professional titles to be added to or deleted from Appendix A.

Title F. Temporary Appointment

§ 1. *Definition.* A temporary appointment shall be an appointment which may be terminated at any time. Temporary appointments ordinarily shall be given only when service is to be part-time, consistent with section 2 of Title D, Article XI, voluntary, or anticipated to be for a period of one year or less, or when an employee's initial appointment in the University is made to a position vacated by a professional employee who is serving a probationary appointment pursuant to Title C, section 5, or Title D, section 6. A temporary appointment is also appropriate whenever a position has been vacated by an employee on approved leave.

§ 2. *Eligibility.* A temporary appointment may be given to any person appointed to or serving in a position designated as being in the Professional Services Negotiating Unit.

§ 3. *Method of Appointment.* Temporary appointments shall be made by the chief administrative officer of the college; such appointments shall be reported to the Chancellor.

Title H. Appointment Year

§ 1. *Term of Obligation.* The term of professional obligation, except in the case of part-time or temporary employment where the obligation may be less, shall be one of the following as determined by the chief administrative officer, or designee:

(a) Calendar year obligation — an annual obligation of service for the full year, i.e., 12 months; or

(b) Academic year obligation — an annual obligation of service for the academic year, not to exceed 10 months; or

(c) College year obligation — an annual obligation or service for any period less than the full year.

§ 2. *Professional Obligation.* The professional obligation of an employee consistent with the employee's academic rank or professional title, shall include teaching, research, University service and other duties and responsibilities required of the employee during the term of the employee's professional obligation.

§ 3. *Appointment Year.* Unless the terms of appointment otherwise provide, the normal appointment year shall be from September 1 to August 31, regardless of payroll mode; provided, however, that an academic year employee may be required to commence the employee's professional obligation at a date reasonably prior to September 1 as may be necessitated by a college's operating requirements.

§ 4. *Other Employment.* No employee may engage in other employment which interferes with the performance of the employee's professional obligation.

Evaluation of Academic Employees

- It is the policy of the Board of Trustees to Evaluate Academic Employees (BOT Art. XII)
- The purpose of evaluation shall be the Appraisal of the extent to which each academic employee has met his or her professional obligation

The following 5 Criteria are to be evaluated:

- Mastery of subject matter
- Effectiveness in teaching
- Scholarly ability
- Effectiveness of University service
- Continuing growth

(ATP) Under the general procedural requirements approved by Faculty Senate on April 2, 2001, each academic department has specified a procedure under which it appoints and promotes faculty. See <http://www.brockport.edu/acadaff/2006APT/> to determine your department requirements.

Promotion of Academic Employees:

The chief administrative officer of a college, after giving consideration to recommendations of academic employees, including the committees, if any, of the appropriate department or professional area and other appropriate sources in connection with promotion of a specific academic employee, may promote, or recommend to the Chancellor for promotion, such persons as are, in the chief administrative officer's judgment, best qualified.

*Recommendations of academic employees, or their appropriate committees, or other appropriate sources may consider, **but shall not be limited to** consideration of, the following:*

- Mastery of subject matter — as demonstrated by such things as advanced degrees, licenses, honors, awards and reputation in the subject matter field.
- Effectiveness in teaching — as demonstrated by such things as judgment of colleagues, development of teaching materials or new courses and student reaction, as determined from surveys, interviews and classroom observation.
- Scholarly ability — as demonstrated by such things as success in developing and carrying out significant research work in the subject matter field, contribution to the arts, publications and reputation among colleagues.
- Effectiveness of University service — as demonstrated by such things as college and University public service, committee work, administrative work and work with students or community in addition to formal teacher-student relationships.
- Continuing growth — as demonstrated by such things as reading, research or other activities to keep abreast of current developments in the academic employee's fields and being able to handle successfully increased responsibility.

From the Policies of the Board of Trustees

Article XII

EVALUATION AND PROMOTION OF ACADEMIC AND PROFESSIONAL EMPLOYEES

Title A. Evaluation of Academic Employees

§ 1. *Policy.* It is the policy of the University to evaluate academic employees.

§ 2. *Purpose.* The purpose of evaluation pursuant to this Title shall be the appraisal of the extent to which each academic employee has met his or her professional obligation. Written communication of such appraisal shall be sent to the academic employee concerned. The evaluations conducted pursuant to this Title may be considered by the chief administrative officer of a college and the college administrative officers in making decisions or recommendations with respect to continuing appointments, renewal of term appointments, promotions, discretionary adjustments to basic annual salary and for any other purpose where an academic employee's performance may be a relevant consideration. Nothing contained herein shall prevent the chief administrative officer from taking such action as the chief administrative officer may deem appropriate to the operating requirements of the college.

§ 3. *Applicability.* Pursuant to this Title academic employees may be evaluated; such evaluation, if any, is to be made by the chief administrative officer, or designee.

§ 4. *Criteria.* In conducting evaluations pursuant to this Title, the chief administrative officer of the college concerned, or designee, may consider, but shall not be limited to consideration of, the following:

(a) Mastery of subject matter — as demonstrated by such things as advanced degrees, licenses, honors, awards and reputation in the subject matter field.

(b) Effectiveness in teaching — as demonstrated by such things as judgment of colleagues, development of teaching materials or new courses and student reaction, as determined from surveys, interviews and classroom observation.

(c) Scholarly ability — as demonstrated by such things as success in developing and carrying out significant research work in the subject matter field, contribution to the arts, publications and reputation among colleagues.

(d) Effectiveness of University service — as demonstrated by such things as college and University public service, committee work, administrative work and work with students or community in addition to formal teacher-student relationships.

(e) Continuing growth — as demonstrated by such things as reading, research or other activities to keep abreast of current developments in the academic employee's fields and being able to handle successfully increased responsibility.

Title B. Promotion of Academic Employees

§ 1. *Procedure.* The chief administrative officer of a college, after giving consideration to recommendations of academic employees, including the committees, if any, of the appropriate department or professional area and other appropriate sources in connection

with promotion of a specific academic employee, may promote, or recommend to the Chancellor for promotion, such persons as are, in the chief administrative officer's judgment, best qualified. Nothing contained herein shall prevent the chief administrative officer of a college from taking such promotion action as the chief administrative officer may deem appropriate to the operating requirements of the college.

§ 2. *Criteria.* Recommendations of academic employees, or their appropriate committees, or other appropriate sources may consider, but shall not be limited to consideration of, the following:

(a) Mastery of subject matter — as demonstrated by such things as advanced degrees, licenses, honors, awards and reputation in the subject matter field.

(b) Effectiveness in teaching — as demonstrated by such things as judgment of colleagues, development of teaching materials or new courses and student reaction, as determined from surveys, interviews and classroom observation.

(c) Scholarly ability — as demonstrated by such things as success in developing and carrying out significant research work in the subject matter field, contribution to the arts, publications and reputation among colleagues.

(d) Effectiveness of University service — as demonstrated by such things as college and University public service, committee work, administrative work and work with students or community in addition to formal teacher-student relationships.

(e) Continuing growth — as demonstrated by such things as reading, research or other activities to keep abreast of current developments in the academic employee's fields and being able to handle successfully increased responsibility.

§ 3. *Length of Service.* Completion of a minimum period of service with a university may be a consideration but shall not be a qualification for promotion.

B. Reappointment, Promotion, and Tenure

Academic personnel recommendations are based on performance in the three faculty roles of Teaching, Service, and Scholarship. The Office of the Provost & Vice President for Academic Affairs publishes a *Calendar of Personnel Processes* (for each current academic year) along with *Guidelines for Faculty Appointment, Renewal, Tenure, Promotion, and Performance at Rank*. These documents provide college-wide guidelines regarding personnel recommendations. The other major resource for information on the guidelines and processes used in making personnel recommendations is the department's APT document.

Department APT documents. Departmental APT documents are explicit in describing the guidelines for evaluating teaching and the expected teaching loads for the department, the kinds of scholarship considered appropriate to the discipline and the quantity and quality measures used in determining appropriate scholarship for rank, and the department's system of weighting the relative importance of teaching, scholarship and service (although as a general rule, teaching must always be weighed at least 50%, and scholarship must be weighed more heavily than service). Of course, departments can only make personnel recommendations. Ultimately, only the college President (in consultation with the school deans and academic VP) makes personnel decisions (see "Procedures" section below). These department APT documents are reviewed and approved by the deans and the Provost & Vice President for Academic Affairs. Accordingly they represent the minimum guidelines agreed to by College Administration in making these decisions. The guidelines in these departmental documents describe a set of minimal (necessary) performance expectations. They should not be construed, however, as explicating a set of sufficiency criteria for a positive recommendation. Minimal expectations will be taken into consideration as part of a thorough and comprehensive evaluation of the candidate's professional performance and contributions. Furthermore, the comprehensive evaluation should consider both retrospective and prospective points of view, including, for instance, the candidate's potential for achieving and/or performing at, the highest academic rank.

Timeline for tenure-track re-appointments. For a typical tenure-track appointment (one with no prior service credit toward tenure) the following sequence of evaluations will pertain:

- The initial appointment period for tenure track faculty will normally be three years
- If the new appointee has completed the terminal degree and otherwise meets all stated criteria for the position, the appointment will be at Assistant Professor rank
- If the appointee is ABD, the initial appointment should be at the Instructor rank. In these cases, designation as Assistant Professor is made contingent upon conferral of the terminal degree, effective at the beginning of the next long semester (fall, spring) following conferral of the degree. *[The date of conferral of the degree shall be determined by the official graduation date of the institution granting the degree.]* There is no formal review prior to promotion from Instructor to Assistant Professor (and ordinarily there is no salary increase with this promotion).

- The appointment pattern will normally be 3-3-1, with reviews occurring during the second, fifth, and sixth years
- The review in the fifth year will be for a one-year reappointment
- The review in the sixth year will conclude with either a commitment to tenure at the beginning of the eighth year, or a notice of non-renewal at the end of the 6th year, effective at the end of the 7th year.
- For faculty at the Assistant Professor rank, the tenure review is concomitant with a review for promotion to the rank of Associate Professor, and a positive review for tenure will reflect a positive review for promotion as well. However, the promotion will become effective at the beginning of the seventh academic year, while tenure will not become effective until the beginning of the eighth year.

Faculty hired with prior service credit will typically be given re-appointments that bring them in line with this normal appointment timetable.

Procedures for APT recommendations. Re-appointment, promotion and tenure reviews follow a common path: departmental APT committee recommendation, department (as committee-of-the whole) vote on agreement/disagreement with the APT Committee's recommendation, department chair recommendation, Dean recommendation, Provost & Vice President for Academic Affairs recommendation, Presidential decision (in consultation with School Deans and Academic Provost & Vice President). Faculty should consult with their chair, dean, and/or the Center for Excellence in Learning and Teaching, for information and guidance in putting together their nomination dossiers. For a more complete statement on procedures see *Procedural Requirements for Academic Personnel Decisions* in the appendix. For a description of rules for forming APT committees, see *Revisions/Clarifications to Academic Policy/Practice on Department APT Committees*.

C. College-wide guidelines for Faculty Appointment Renewal, Tenure (Continuing Appointment), Promotion, and Performance at Rank

SUNY College at Brockport uses the SUNY Board of Trustees' Policies to define the professional obligation for faculty. Traditionally, the College has considered three primary categories as the basis for review in all personnel actions:

- teaching effectiveness
- scholarship, research, and creative work
- college, community, and professional service.

The other two Board of Trustee's criteria, Mastery of Subject Matter and Continued Growth, are reflected by sustained contributions and demonstrated excellence in the above-noted three categories.

The Faculty Roles and Rewards Committee (December 1998) defined these elements of the faculty role as follows:

Teaching/learning: Encompasses promoting, guiding, facilitating, and evaluating student learning. Faculty members are catalysts for creating and adapting learning environments in and outside the classroom that stimulate students to learn, to be curious, to be critical thinkers, effective writers and speakers, and creative problem solvers. Effective teaching and learning are dependent upon faculty utilizing a variety of teaching techniques and designing and revising curriculum to produce student learning outcomes. Included within teaching/learning are the professional development processes of attending workshops and conferences and efforts necessary to maintain mastery of subject matter and teaching methodologies. Also included are the teaching-related activities of independent study and thesis supervision, field supervision, mentoring of students, and student involvement in research.

Scholarship/Creative activity: Encompasses producing an identifiable product subject to systematic internal and external evaluation by professional peers and resulting from:

1. The creation of new knowledge or artistic expression within the discipline (Discovery). Examples of identifiable products include but are not limited to: original research as reported in articles, books, and presentation of papers; performances; grant proposals; inventions and patents; software development.
2. The synthesizing of existing knowledge or creative work within one or more disciplines into new patterns and/or for new audiences (Integration). Examples of identifiable products include but are not limited to: publication of interpretive studies or criticism; critical reviews or editing of scholarly work; development of public policies or of interdisciplinary programs.
3. The utilization of discipline-based knowledge to solve problems (Application). Examples of identifiable products include but are not limited to: development and implementation of innovative clinical practice or public school programs; environmental impact analyses; consultant work in the public or private sector based on the faculty member's discipline-based knowledge and expertise.

Service: Encompasses governance of the department, the school, the college, the university, or the profession, as well as discipline-based or college mission oriented contributions to the community that are not included in Scholarship. Examples of governance and service include but are not limited to:

Department – department meetings and committees, advisement, registration, Saturday Information Sessions, Accepted Student Open Houses, and peer review.

School – grade appeals, Deans' committees.

student **College** – Faculty Senate, college-wide committees, college-wide organizations.

Committees. **University** – University Faculty Senate, SUNY Ad Hoc

Profession – leadership and other service in discipline-based organizations at local, state, national, or international levels.

Community – work related to faculty member's area of professional expertise or to the mission of the college.

These three areas will be referred to hereafter as teaching, scholarship and service. It is understood, however, that teaching is teaching/learning and that scholarship is scholarship/creative activity.

Since SUNY Brockport places value on all aspects of the professional obligation, each faculty member is expected to provide quality contributions in all three areas. The quantity of the expected contribution may vary, depending on institutional need in the primary categories. The Faculty Roles and Rewards Committee concluded:

Yes, teaching is our most important function. In our role as college professors we strive to create high quality learning opportunities for our students. Excellence in teaching is our first and foremost responsibility. This excellence is demonstrated, among other ways, by the quality of instruction and student learning outcomes.

Sustained scholarship is essential to quality teaching. It adds to the body of knowledge within the discipline, keeps us current in our fields, exemplifies for our students the intellectual skills we want them to learn, and provides them with opportunities to participate in intellectual discovery as they prepare for the world of work and advanced studies.

Service within the department, the college, the university, the community, and the profession supports the advancement of learning and the enrichment of campus culture.

Through teaching, scholarship, and service, the faculty shape and achieve the goals of the college.

The normal [teaching] expectation [for faculty members] is a 3/3 course load or its equivalent for faculty demonstrating an active program of scholarship as defined by individual departments and/or with major or multiple service responsibilities. The Faculty Roles and Rewards Committee recognizes that variability among disciplines and teaching styles, as well as historic patterns, may lead individuals and departments to deviate from this norm. Nonetheless, it is the norm around which particular variation will occur.

Chairs should make individual work assignments within the department in accordance with procedures and principles adopted by the department and in such a way as to ensure that:

- 1. Each department meets the curricular and educational needs of its own students as well as those of other students who depend upon it as agreed upon by the Department, the Dean, and the Provost.*
- 2. Each faculty member has sufficient time:*
 - a. to teach well and to promote student learning*
 - b. to complete scholarly undertakings*
 - c. to meet service obligations*

In addition,

- 1. Chairs should expect those faculty who do not demonstrate an active program of scholarship to contribute more in the areas of teaching and/or service.*
- 2. The blend of teaching, scholarship and service may change from year to year and over a life-time career as long as departmental responsibilities are met on an annual basis.*
- 3. Any release time beyond the normal 3/3 course load shall be reported to the VPAA and publicized annually.*
- 4. An important consideration in granting faculty release time should be to ensure that the total departmental effort is not compromised and that other faculty within the department are not required to take on an unfair load. Accomplishing these goals may require that the Administration provide the department with sufficient resources for support staff and replacement faculty depending upon the nature of the release.*

Assessment of Faculty Performance

The College recognizes the essentiality of collegial review of faculty performance:

Annual Review

The Chair of a department is responsible for evaluating individual faculty members as part of the formal annual review and more frequently if circumstances require it.

Term Renewal, Continuing Appointment, and Promotion

Thorough evaluation of teaching, scholarship, and service shall take place when making personnel recommendations of term renewal, continuing appointment, and promotion.

Chairs and APT committees should work with their departments to develop formal procedures for evaluation of all aspects of each faculty member's performance in the areas of teaching, scholarship, and service. The extraordinary diversity of our programs precludes agreement on any single model, but within broad limits the Faculty Roles and Rewards Committee recommended:

Teaching: In order to give teaching the stature it should have, its evaluation for term appointment, continuing appointment and promotion must be rigorous. It must involve some form of student evaluation, peer review of a teaching portfolio and may include peer observation of classroom performances. The teaching portfolio may include the following: teaching philosophy; student learning outcomes; grading practices; assignments, requirements, and assessment methods; , mentoring, independent study projects, and supervision of theses; accomplishments of present and past students when directly related to the educator's influence; quality and effectiveness of pedagogical strategies; development and use of instructional technology; innovation for the purpose of improved learning productivity; and evidence that the course content is current.

Scholarship: Each department should develop a system for evaluating the scholarship of its faculty members consistent with the principles outlined in this document.

Scholarship should be evaluated according to these six criteria, as described by Ernest Boyer in Glassick, C. E., Huber, M. T., Maeroff, G. I. (1997). Scholarship Assessed. Jossey-Bass Publishers, San Francisco, 22-36:

1. *clarity of goals*
2. *adequacy of preparation*

3. *appropriateness of methods*
4. *significance of results*
5. *effectiveness of presentation*
6. *reflective critique where appropriate*

Application of these six criteria will ensure uniform evaluation of scholarship across disciplines.

Service: Faculty members should play a service role commensurate with their rank and the changing needs of their various constituencies. Faculty will prepare a statement of all relevant service activities with a brief description of the individual's responsibilities, participation, and any product developed.

Where service is community-based, such activity should have a direct relationship to the faculty member's disciplinary expertise or to the central mission of the college.

In those instances where service ranks as a major responsibility and is a key component in the evaluation and assessment of the individual faculty member's work, departments should develop a set of criteria for evaluating that service which is as rigorous as that used in evaluating teaching and scholarship.

D. Renewal

Faculty appointed at the rank of Instructor or Assistant Professor are generally reviewed at least two times between their date of appointment and their review for continuing appointment. At each review, candidates are evaluated on their performance in the period since the last review. Candidates should demonstrate progress toward achievement of expectations for continuing appointment.

E. Continuing Appointment

Definition

SUNY Policy, Article XI, Title B, "Continuing Appointment" states:

A continuing appointment shall be an appointment to a position of academic rank which shall not be affected by changes in such rank and shall continue until resignation, retirement, or termination.

Eligibility

Continuing Appointment as Professor, Associate Professor, Librarian or Associate Librarian. Few initial appointments at Brockport are at senior ranks or with continuing appointment. However, if an initial appointment is made without tenure and at the rank of Professor, Associate Professor, Librarian or

Associate Librarian, continuing appointment must occur after the third consecutive year of service.

Continuing Appointment as Assistant Professor, Instructor, Senior Assistant Librarian or Assistant Librarian. Faculty members appointed at these ranks are eligible for consideration for continuing appointment when they have completed a total of seven years of service in a position of academic rank. At least three of these years must be in academic rank at Brockport.

Prior Service credit. At the time of appointment, a new appointee may request a maximum of three years of prior service credit for satisfactory full-time prior service in tenure-track positions at other accredited academic institutions of higher education. Waiver of all or part of this service credit will be granted upon written request by the employee to the chief administrative officer not later than six months after the date of initial appointment. For appointees whose prior service was within SUNY in a tenure-track position, up to three years prior service must be credited, and cannot be waived.

Criteria

Each academic department has developed guidelines for academic personnel recommendations. These guidelines have been reviewed and approved by the school deans, the Provost, and the President. Departmental APT documents are available in department and dean offices, in Drake Library, and on the college's web page. The most recent editions of these departmental APT documents are dated Spring 2006.

Recommendations for continuing appointment for SUNY Brockport faculty are based primarily on an evaluation 1) of performance at Brockport in each category identified by the Board of Trustees, 2) on the potential of the candidate for achieving the highest academic rank in the department, and 3) on programmatic considerations. Past performance at other institutions is only a secondary consideration.

While the guidelines contained in departmental APT documents provide useful information about departmental expectations and a framework for evaluation, nominal (and/or apparent) attainment of these guidelines does not assure a favorable recommendation for the candidate. APT committees, department chairs, deans, the Vice President for Academic Affairs, and the President have the responsibility to *interpret* a candidate's performance relative to departmental, college, and SUNY guidelines. Furthermore, decisions on continuing appointment must also consider the potential of the candidate and the programmatic needs of the department or college.

Candidates for continuing appointment should demonstrate potential for promotion to the next academic rank. A positive recommendation for continuing

appointment reflects the expectation that the person has the potential for attaining the highest rank in the department and that the person's contribution to the program will be significant and necessary in the future.

Review for continuing appointment may also take Programmatic Considerations into account. Such considerations may include enrollment patterns, the need for the faculty position in degree or curricular offerings or requirements, and the addition, reduction or elimination of programs or courses.

F. Performance at Rank and Promotion

Performance at Rank

SUNY Brockport values the individual and unique contributions of each faculty member in each of the three categories of the professional obligation. All faculty members are therefore expected to continue performance at rank once continuing appointment or a promotion is achieved. An individual faculty member's talents may affect the balance among the three categories.

SUNY Brockport policy assigns to the department chair the responsibility for balancing faculty workload among all three categories. If the performance is not evenly distributed across the three major categories of the professional obligation, department chairs may realign assignments. The goal is to create equitable assignments within the unit; workload adjustment assures that teaching, scholarship, and service responsibilities of the department are met.

Promotion

Most new faculty at SUNY Brockport are appointed at the rank of Assistant Professor. In those cases where the doctoral dissertation is not complete, a faculty member may receive an initial appointment as Instructor or Visiting Assistant Professor. The former is a tenure-accruing rank; the latter is not.

G. Promotion to Rank of Assistant Professor

Achievement of the appropriate terminal degree, e.g., M.F.A., Ph.D., Ed.D., D.S.W, establishes a person as qualified in the discipline/profession. In addition, there is the expectation that the person has the potential for achieving excellence in the discipline/profession and for attaining the highest rank in the department.

Teaching

The candidate should provide a portfolio of teaching materials that addresses the multiple aspects of the instructional role. This includes demonstration of knowledge of the discipline/profession, skills of pedagogy, including clear and precise communication and methods of instruction, and interest in the

educational achievements of students. *Documentation should include course syllabi and related materials. Reviewers of these materials will look for demonstration of the use of contemporary sources and good correlation of content, method, and student interest and need; and relationship to the academic standards of the institution.*

Contents of the Teaching Portfolio [Asterisks (*) mark required documentation]

A. Statement of Teaching Philosophy and Focus* should begin the section on teaching. This statement should address the candidate's educational values, ideals, and goals. The statement should also include self-evaluation of successes in teaching, efforts to improve teaching generally or in a particular course, assessment and achievement of student learning outcomes, and general and specific course effectiveness. This section should also:

- List courses taught including contact hours and the number of students enrolled in each *
- Include other pertinent information directly related to teaching and advisement.

B. Student Evaluation is one aspect of teaching evaluation. The portfolio should include:

- Summary of student ratings of instruction for all courses taught during the period under review
- Written comments and/or personal assessment of ratings
- Instructor-developed feedback
- Department-solicited letters of support or comment about teaching.

C. Student Outcomes and Accomplishments are a reflection of one aspect of instructor effectiveness. The portfolio should include:

- Table of grade distributions for each course/section including personal interpretation of distributions in light of teaching philosophy
- Student performance on standardized tests related to instructor's expertise
- Student entrance into graduate school
- Student employment rates in the field and success in the workplace
- Student accomplishments, e.g., conference presentations, published papers, awards, performances, exhibitions, student-faculty research projects.

D. Improvement of Teaching is an ongoing and individualized process for every teacher. Documentation should include:

- Professional development as a teacher (workshops, conferences, etc.) *
- Efforts to remain current in the field
- New applications of technology to teaching
- Revision of course instructional approach.

E. *Teaching-Related Activity Beyond the Classroom* varies by discipline and individual faculty load. Documentation presented should include:

- Independent study and/or thesis supervision
- Mentoring of students
- Student involvement in scholarship, publication, and/or presentations resulting from student-faculty collaboration
- Service on student organization and/or advisory committees.

F. *Peer Evaluation* takes many forms but should include review of a representative sample of instructional materials. The process may include one or more of the following:

- Review of course syllabi, assignments, and examinations *
- Observation or videotape review
- Appropriate integration of technology
- Contributions to curriculum and course development or revision
- Interviews of current students and/or alumni
- Awards or recognition related to teaching.

Scholarship

In the area of scholarship, successful completion of a doctoral dissertation or project required for the terminal degree demonstrates competence. In addition, evidence of a commitment to, and ability to achieve, continued scholarly or creative productivity is necessary. Each academic department has developed criteria for evaluation of scholarship and creative activity.

Service

Service has an important role in the academic community and is an expectation within the total professional obligation. *The candidate will prepare a statement of all relevant service activities with a brief description of the individual's responsibilities, participation, and any product developed.*

- Number of advisees (undergraduate, graduate) *
- Evidence of advising quality (surveys, letters, etc.)

Where service is community-based, such activity should have a direct relationship to the candidate's disciplinary expertise.

At the Assistant Professor level, the faculty member's expected role is that of an informed and effective academic advisor to students, and an active participant on departmental committees. Initial involvement in College, community, and/or regional professional service begins at this level. Evidence of participation may be provided through several types of evaluation including letters from committee chairs citing specific contributions to the work of the committee.

H. Promotion to Rank of Associate Professor

A person promoted to the rank of Associate Professor has demonstrated achievement on a continuous basis in the rank of Assistant Professor in all three major performance areas: Effectiveness in Teaching, Scholarship, and Service. There must be evidence that the person has made sustained high quality contributions to the Department and the College as an Assistant Professor. The faculty member has established a commendable reputation beyond the campus for scholarly work in the field. In addition, there is the expectation that the person has made discernible progress toward achieving excellence in the discipline/profession and for attaining the highest rank in the department.

Teaching

The candidate should present a teaching portfolio that demonstrates growth and continued teaching excellence.

Contents of the Teaching Portfolio [Asterisks (*) mark required documentation]

The section on Assistant Professor should be included for the period since continuing appointment or the last review period, whichever is more recent. For promotion to the rank of Associate Professor, teaching excellence and commitment should extend beyond that demonstrated at the rank of Assistant Professor. For this purpose, the teaching portfolio should include evidence of achievement in two or more of the following areas:

- providing active mentoring of a new faculty member through a delineated program of activities
- revising courses to assure a continuous state of development and use of extensive and current resources
- undertaking new course assignments successfully. (e.g., providing team or course leadership, by designing, developing and successfully teaching new courses not previously part of a department's offerings and/or by participating successfully in college-wide instructional programs
- providing whole-class student evaluations of teaching effectiveness in a variety of courses over a reasonable period of time since appointment or promotion to the rank of Assistant Professor
- confirming teaching excellence by departmental colleagues, e.g., peer review of class or videotape
- demonstrating consistent, successful involvement with independent studies, research projects, final major student works, and/or theses.

Scholarship

Scholarship is broadly defined to include discovery, integration, and application and may include any or all of the following peer-reviewed products: book (authored or edited including textbooks); journal articles; artistic performance, choreography, exhibition, or design; book chapter; conference presentation; and published media or software materials. Funded grant development may be considered if it relates directly to scholarly activity, is peer-reviewed, and results in a product.

For promotion to Associate Professor, the person must show significant advancement in the area of scholarship beyond the level of Assistant Professor and beyond the presentation of doctoral dissertation results to new areas of investigation. The demonstration of scholarship must include products/performances that are subject to external peer review and contribute to the body of knowledge in the field. Each academic department has developed guidelines for evaluation of scholarship and creative activity.

The candidate will prepare a Scholarship Focus and Summary. This statement will include the following components: a) an overview of the area of scholarship; b) a list of each scholarly product with a brief description of the peer review process and reputation of each product/piece; and c) a brief reflective critique.

Service

The candidate should demonstrate excellence on a continuous basis in the area of service during the period of tenure as Assistant Professor. The level and impact of service should have expanded significantly in at least one arena, i.e., campus, community, or profession. As noted earlier, community-based service must have direct relevance to the candidate's area of disciplinary expertise. *The candidate should prepare a summary of service activities including specific responsibilities and leadership roles assumed.* For promotion to Associate Professor, demonstration of service contributions should come from among the following:

- development into a competent academic advisor
- leadership roles on departmental, College, community, and/or professional committees
- participation in service activities beyond the department (some faculty may become focused in one area of service outside the department, e.g., professional association leadership, while others may participate at many levels)
- evidence of participation and leadership may be provided through several types of evaluation, i.e.,
- peer review

- letters from committee chairs citing specific contributions to the work of the committee
- substantive letters of recommendation from colleagues and/or community agencies that
- cite contributions and successful initiatives
- active leadership in disciplinary professional organizations.

I. Promotion to Rank of Professor

A person promoted to the rank of Professor has demonstrated professional growth and excellence on a continuous basis in the rank of Associate Professor in all three performance areas: Effectiveness in Teaching, Scholarship, and Service. The evidence must clearly support the person's role as an established leader in the department and in the College and that his/her contributions are of high quality, have been sustained over a reasonable period of time as an Associate Professor, and suggests likelihood of continued productivity. The faculty member now holds a national, and possibly international, reputation for scholarship in the field. All the following criteria should be met to warrant favorable consideration for promotion to the rank of Professor.

Teaching

The candidate should present a teaching portfolio that demonstrates growth and continued teaching excellence.

Contents of the Teaching Portfolio [Asterisks (*) mark required documentation]

Information marked with an asterisk () in the section on Assistant Professor should be included for the period since continuing appointment or the last review period, whichever is more recent.* For promotion to the rank of Professor, teaching excellence and commitment should extend beyond that demonstrated at the rank of Associate Professor. For this purpose, the teaching portfolio should include two or more additional items from the following:

- demonstrating that the courses taught are in a continuous state of development and provide students with extensive resources;
- undertaking successfully new course assignments and by designing, developing, and successfully teaching new courses not previously part of curricular offerings;
- providing whole class evaluations in a variety of courses since promotion to the rank of Associate Professor;
- confirming teaching excellence by departmental colleagues who are directly familiar with

- the person's work;
- evidence of a major contribution to the department or college-wide instructional program;
- and
- external assessment or reviews of student and graduate accomplishments or creative works that have a direct link to the faculty member.

Scholarship

Accomplishment in this area should be significantly greater than was expected to achieve the rank of Associate Professor. There should be evidence of new and more sophisticated levels of achievement. Successful scholarship has led by now to publication or creative work that has been subject to further review.

Furthermore, the significance of the person's accomplishment is attested to by peers and reputable figures in the field away from campus:

- Recognition of the quality of the work (publications, work of art, or performance record) should be made evident and available in the form of reviews, comments and citations in the works of others, direct letters of assessment by recognized authorities off-campus solicited by the department, and invitations from leaders in the field to contribute to publications, conferences, and exhibitions, to serve on editorial boards, to review books, to choreograph, perform, etc.
- Reputation of the place--journal, gallery, theatre--in which the articles, research projects, poems, short stories, works, etc. have appeared will be an important consideration, as will the publishers or sponsors.
- Honors or awards that serve to recognize the person's contributions for long term work in the field and/or new interpretations and applications of scholarship.

Each academic department has developed criteria for evaluation of scholarship and creative activity.

Service

Accomplishment in this area should be significantly greater than was expected to achieve the rank of Associate Professor. Not only has the person consistently played a constructive role in departmental meetings, committees, academic advisement and college-wide faculty governance since the last promotion, he or she is now an acknowledged leader in the Department, the College, and the profession. This may be demonstrated by providing the following evidence:

- development into a highly competent and effective academic advisor and mentor of students

- increased complexity in administrative duties; (for example, the person has chaired a variety of committees both inside and outside the department);
- the excellence of his or her contributions to the committees is testified to by colleagues and can be illustrated in tangible ways; and
- the work/product of the committees is exemplary and significant to the College or organization.

J. Promotion to the Ranks of Distinguished Professor

Promotion to the highest ranks – Distinguished Teaching Professor, Distinguished Service Professor, and Distinguished Professor – is governed by the Policies of the SUNY Board of Trustees. These awards are a rank above full professor and only one award in each category - Distinguished Teaching and Distinguished Service Professorship can be given by our campus each year.

Guidelines are available for each of these programs and successful nomination packages from previous years can also be reviewed, contact the Director of Grants Development at 395-5118. A campus committee is convened each January to review nominations for each award. Nomination dossiers must have the approval of the departmental APT Committee and Chair and Dean prior to being sent to the review committee.

K. Guidelines for Submitting Materials for Continuing Appointments, Renewals, and Promotions

Please follow these guidelines when submitting Continuing Appointment, Renewal and Promotion appointments to the Provost. Please provide this information to all parties involved in the review process.

1. The entire dossier should be sent as a unit. The substantiating material should be placed in a notebook or paper file box and clearly labeled on spine of notebook or end of box.
2. A separate manila folder (labeled with the applicant's name, department, and type of personnel action) should contain the following information:
 - a. appointment form;
 - b. faculty member's statement regarding performance in teaching, scholarship, service and continuing professional development;
 - c. curriculum vita, dated and signed by the faculty member;
 - d. APT Committee's letter of recommendation;
 - e. Department Chair's letter of recommendation
 - f. Departmental vote on agreement/disagreement with the APT

Committee

recommendation

- g. Dean's letter of recommendation
The dean's letter should include: initial appointment date of faculty member, number of years faculty member has held current rank, and tenure date (existing or projected).
- 3. A well-marked separate folder should be used for any confidential letters.

Non-Renewal

Non-renewal is done in writing subject to the following time limits:

- *45 calendar days* prior to the end of a *part-time* service term appointment;
- *Three months* prior to the end of a term expiring at the end of an appointee's *first year of uninterrupted service* within the University, but not later than March 31 for terms ending in June, July or August;
- *Six months* prior to the end of a term expiring after the *completion of one, but not more than two years of an appointee's uninterrupted service* within the University;
- *Twelve months* prior to the expiration of a term after *two or more years of uninterrupted service* within the University.
- *Full-time employees with athletic titles* shall receive not less than *six months'* notice prior to the expiration of a term appointment.

Request for Reasons for Non-Renewal

- An employee who is notified that he/she is being non-renewed may request the reasons for such non-renewal within *10 working days* provided that his/her further employment would have resulted in continuing or permanent appointment (i.e. the sixth year)
- The College President shall respond, in writing, within *10 working days* of the employee's request, as follows:
- Where the *initial academic review committee* has recommended that the employee *not be granted continuing appointment*, the College President shall indicate that the notice of non-renewal was provided in conformity with the recommendation of such committee and the employee shall receive *no further consideration of the non-renewal of the term appointment*.

- Where the *initial academic review committee* has recommended that the employee *be granted continuing appointment and the subsequent academic review committee, if any, has not so recommended*, the College President shall indicate the reasons for the notice of non-renewal and the employee shall receive *no further consideration of the non-renewal of the term appointment*.
- **Where the *initial academic review committee* has recommended that the employee *be granted continuing appointment and a subsequent academic review committee has recommended that the employee be granted continuing appointment*, the College President shall indicate the reasons for the notice of non-renewal and shall inform the employee of the *right to a review*.**

Right to Review Reasons for Non-Renewal

If eligible for review:

- Employee will request review within *10 working days* of receiving notice of eligibility for review of the reasons for non-renewal.
- The Chancellor shall acknowledge the employee's request and shall notify both the employee and the College President that a review of the matter shall take place *by the Chancellor's Advisory Committee within 10 working days* of receipt of the request.
- The College President and the employee each shall designate, in writing, a member of the professional staff of the College to serve on the Chancellor's Advisory Committee within *10 working days* following their receipt of the Chancellor's communication.
- *Within 5 working days* of their designation, the two members of the Chancellor's Advisory Committee shall designate, in writing, a third member from among a panel of members of the professional staff at the employee's College, who shall also serve as the *chairperson*.
- *Within 5 working days* following the designation of the Chairperson, the Chancellor's Advisory Committee *shall convene to review the reasons upon which the employee was provided written notice that the term appointment would not be renewed upon its expiration*.

The scope of the review conducted by the Chancellor's Advisory Committee shall not exceed the following:

- Where the reasons for the notice of non-renewal were the employee's *performance or competence*, the Chancellor's Advisory Committee *may review the substance of the judgments relating to such performance or competence*.
- Where the reasons for the notice of non-renewal involved *matters of program*, the review conducted by the Chancellor's Advisory Committee shall be *limited to the sole question of whether the notice of non-renewal was in fact based upon such considerations when issued*. The Chancellor's Advisory Committee shall not be empowered to determine the correctness of determinations of the College President involving matters other than the employee's performance or competence, but shall satisfy itself that the matters of program were the reasons for the decision and shall so state to the Chancellor.
- The Chancellor's Advisory Committee shall *conclude its review within 45 calendar days* following the designation of the Chairperson. *Within 5 working days following conclusion of this review, the Chancellor's Advisory Committee shall forward its recommendations, in writing, to the Chancellor*.

Following receipt of the Committee's recommendations, the Chancellor shall take such action as he deems appropriate and notify the employee, the Committee, and the College President in writing, within 60 calendar days.

If a majority of the members of the Chancellor's Advisory Committee recommend *in favor of according continuing or permanent appointment, and the Chancellor does not award continuing or permanent appointment*, then, in the final year following the notice of non-renewal, the College President shall either:

- Reconsider the non-renewal action in light of the recommendations of the Chancellor's Advisory Committee and take such action as may, in the College

President's judgment, be appropriate and shall notify, in writing, the employee, the Committee, and the Chancellor of the result; or

- May offer the employee a designated leave. Such designated leave may be granted by the Chancellor, or designee, pursuant to this Section at full salary or reduced salary.

ARTICLE 32

Notice of Non-Renewal

§32.1 Written notice that a term appointment is not to be renewed upon expiration is to be given to the employee by the College President, or designee, not less than:

- a. 45 calendar days prior to the end of a part-time service term appointment;
- b. Three months prior to the end of a term expiring at the end of an appointee's first year of uninterrupted service within the University, but not later than March 31 for terms ending in June, July or August;
- c. Six months prior to the end of a term expiring after the completion of one, but not more than two years of an appointee's uninterrupted service within the University. For such employees serving on the basis of an academic year professional obligation and mentors at the Empire State College whose terms end in June, July or August, notice shall be given no later than December 15;
- d. Twelve months prior to the expiration of a term after two or more years of uninterrupted service within the University.
- e. Notwithstanding the above provisions, full-time employees with titles in Appendix B-1 and B-2 of Article XI of the Policies of the Board of Trustees shall receive not less than six months' notice prior to the expiration of a term appointment.

§32.2 Employees who intend to leave the employ of the University shall give 30 days' notice to the President or designee.

ARTICLE 33

Job Security Review Procedures

§33.1 Definitions

- a. "Professional staff" shall mean all persons occupying positions designated by the Chancellor as being in the unclassified service.
- b. "Initial academic review" shall mean a review and recommendation by a committee of academic employees at the departmental level or, in the event academic employees are not organized along departmental lines, at the division, school, college or other academic employee organizational level next higher than the departmental level, which may exist for the purpose of evaluating an academic employee for continuing appointment.
- c. "Subsequent academic review" shall mean a review and recommendation by a committee of academic employees at the division, school, college or other academic employee organizational level next higher than the initial academic review committee which may exist for the purpose of evaluating an academic employee for continuing appointment.
- d. "Immediate supervisor" shall mean the person designated by the College President for purposes of evaluating a professional employee pursuant to the Policies of the Board of Trustees.
- e. "Working days" shall mean Monday through Friday, excluding holidays.

§33.2 Request for Reasons

An academic or professional employee, within 10 working days following receipt of written notice that the employee's term appointment will not be renewed upon its expiration, further employment following which expiration would be required by the Policies of the Board of Trustees to be on the basis of continuing or permanent appointment, as the case may be, may submit to the College President, in writing, a request that the employee be apprised of the reasons for the notice of non-renewal.

§33.3 Response of College President

Within 10 working days following receipt by the College President of the employee's request pursuant to Section 33.2 of this Article, the College President shall respond thereto in writing. Such response shall be as follows:

a. Academic Employees

1. Where the initial academic review committee has recommended that the employee not be granted continuing appointment, the College President shall indicate that the notice of non-renewal was provided in conformity with the recommendation of such committee and the employee shall receive no further consideration of the non-renewal of the term appointment.
2. Where the initial academic review committee has recommended that the employee be granted continuing appointment and the subsequent academic review committee, if any, has not so recommended, the College President shall indicate the reasons for the notice of non-renewal and the employee shall receive no further consideration of the non-renewal of the term appointment.
3. Where the initial academic review committee has recommended that the employee be granted continuing appointment and a subsequent academic review committee, if any, has recommended

that the employee be granted continuing appointment, the College President shall indicate the reasons for the notice of non-renewal and shall inform the employee of the right to a review.

b. Professional Employees

1. Where the employee's immediate supervisor has recommended that the employee not be granted permanent appointment, the College President shall indicate that the notice of non-renewal was provided in conformity with the recommendation of the appropriate member of the professional staff and the employee shall receive no further consideration of the non-renewal of the term appointment; provided, however, where, throughout the employee's employment, each of the employee's formal, written evaluation reports prepared in accordance with provisions of Article XII, Title C, Section 4 of the Policies have characterized the employee's performance as "satisfactory" and the employee's immediate supervisor has recommended that the employee not be granted permanent appointment, the College President shall indicate the reasons for the notice of non-renewal and shall inform the employee of the right to a review.

2. Where the employee's immediate supervisor has recommended that the employee be granted permanent appointment, the College President shall indicate the reasons for the notice of non-renewal and shall inform the employee of the right to a review.

§33.4 Procedure for Review

a. Within 10 working days following receipt by an employee of notification, in writing, by the College President of the right to a review of the reasons for non-renewal, such employee may submit to the Chancellor a request, in writing, that the Chancellor, or designee, review the reasons for such notice of non-renewal.

b. Within 10 working days following receipt by the Chancellor of the employee's request for review submitted pursuant to subdivision (a) of this Section, the Chancellor, or designee, shall acknowledge the employee's request and shall notify both the employee and the College President that a review of the matter shall take place by an ad hoc tripartite committee of members of the professional staff at the employee's campus, to be known as the Chancellor's Advisory Committee.

c. Within 10 working days following their receipt of the communication of the Chancellor, or designee, referred to in subdivision (b) of this Section, the College President and the employee each shall designate, in writing, a member of the professional staff of the College to serve on the Chancellor's Advisory Committee. Copies of the respective designations shall be provided to the employee, the College President and the Chancellor as appropriate.

d. Within 5 working days of their designation, the two members of the Chancellor's Advisory Committee shall designate, in writing, a third member from among a panel of members of the professional staff at the employee's College to be determined in accordance with provisions of Section 33.5 of this Article. Upon designation of the third member, who shall be Chairperson, the Chancellor's Advisory Committee shall be deemed to be fully constituted. Copies of the Chairperson's designation shall be provided to the employee, the College President and the Chancellor. In the event the two members of the Chancellor's Advisory Committee cannot mutually agree upon a Chairperson, selection of the Chairperson shall be accomplished by alternately striking names from the College Panel until one name remains. The right of first choice to strike shall be determined by lot.

e. Within 5 working days following the designation of the Chairperson, the Chancellor's Advisory Committee shall convene to review the reasons upon which the employee was provided written

notice that the term appointment would not be renewed upon its expiration. The scope of the review conducted by the Chancellor's Advisory Committee shall not exceed the following:

1. Where the reasons for the notice of non-renewal were the employee's performance or competence, the Chancellor's Advisory Committee may review the substance of the judgments relating to such performance or competence.
 2. Where the reasons for the notice of non-renewal involved matters of program, the review conducted by the Chancellor's Advisory Committee shall be limited to the sole question of whether the notice of non-renewal was in fact based upon such considerations when issued. The Chancellor's Advisory Committee shall not be empowered to determine the correctness of determinations of the College President involving matters other than the employee's performance or competence, but shall satisfy itself that the matters of program were the reasons for the decision and shall so state to the Chancellor.
- f. The Chancellor's Advisory Committee shall conclude its review within 45 calendar days following the designation of the Chairperson. Within 5 working days following conclusion of this review, the Chancellor's Advisory Committee shall forward its recommendations, in writing, to the Chancellor.
- g. Following receipt of the Committee's recommendations, the Chancellor, pursuant to the Policies of the Board of Trustees, shall, within 60 calendar days, take such action as may, in the Chancellor's judgment, be appropriate and shall notify, in writing, the employee, the Committee, and the College President.
- h. If a majority of the members of the Chancellor's Advisory Committee recommend in favor of according continuing or permanent appointment, and the Chancellor does not award continuing or permanent appointment, then, in the final year following the notice of non-renewal, the College President shall either:
1. Reconsider the non-renewal action in light of the recommendations of the Chancellor's Advisory Committee and take such action as may, in the College President's judgment, be appropriate and shall notify, in writing, the employee, the Committee, and the Chancellor of the result; or
 2. May offer the employee a designated leave. Such designated leave may be granted by the Chancellor, or designee, pursuant to this Section at full salary or reduced salary. A designated leave granted pursuant to this Section may be for any period, but shall in any event cease upon the termination date contained in the written notice of non-renewal. The employee's election to accept such offer must be in writing and is final and binding and may not thereafter be withdrawn. This subdivision shall not operate to change the effective date of non-renewal or result in any additional review under this Article.

§33.5 College Panel

The Chairperson of any ad hoc tripartite Chancellor's Advisory Committee shall be selected from a panel of members of the professional staff at an employee's college determined by mutual agreement of the College President and UUP Chapter President. Such panel shall consist of an odd number, not less than nine. In the event the College President and the UUP Chapter President do not agree upon a panel within 90 days from the execution of this Agreement, selection of the panel shall be completed by the Director of Employee Relations, or designee, and the UUP President, or designee.

§33.6 The provisions of this Article shall not be deemed to create any manner of legal right, interest, or expectancy in any appointment to continuing appointment or permanent appointment. Pursuant to the Policies of the Board of Trustees, a term appointment shall automatically expire at the end of its specified period.

§33.7 Neither provisions of this Article nor any review conducted pursuant thereto shall be subject to the provisions of Article 7, Grievance Procedure, of this Agreement. Issues involving the timeliness of actions under this Article shall be referred by UUP, in writing, by certified mail, to the Governor's Office of Employee Relations for resolution. UUP shall be advised of the resolution within 15 calendar days from the date the issues of timeliness were received by the Governor's Office of Employee Relations.

Dr. Nuala McGann Drescher Affirmative Action/Diversity Leave Program

Objective - The UUP Dr. Nuala McGann Drescher Affirmative Action Diversity Leave Program enhances employment opportunities with preference given to minorities, women, employees with disabilities and Vietnam-era veterans who are preparing for permanent or continuing appointments. The Affirmative Action/Diversity Committee seeks to promote a broad diversity of award recipients. To achieve this, the Committee considers, but is not limited to, geographic location and campus type.

The types of support include:

- Payment of employee's regular salary by the campus.
- Salary for a replacement.
- Tuition and fees for course work.
- Registration fees for conferences and workshops.
- Consumable and non-consumable supplies related to the project or activity excluding software and equipment.
- Travel and related expenses for research or study.

Eligibility

- Preference will be given to minority group members, women, employees with a disability, or Vietnam-era veterans.
- Full-time, non-tenured term employees who:
 - do not have permanent or continuing appointment.
 - have at least a one-term renewal, or prior service credit in a position eligible for permanent or continuing appointment.
- A campus endorsement for a full-time leave.
- A campus financial contribution of a minimum of 50% of the cost of salary for a replacement for the duration of the leave and a minimum of 50% of the total project or activity expenses. Joint Labor-Management Committees' funds that have been awarded to the campus should not be included as a part of the campus's contribution.
- A proposed project or activity that:
 - Assists in meeting one or more criteria established in Article XII, Evaluation and Promotion of Academic and Professional Employees, of the Policies of the Board of Trustees.
 - Requires full-time leave from professional obligations for at least one semester and a maximum of one year, including but not limited to a summer.
 - Can be completed prior to being reviewed for permanent or continuing appointment.
- A detailed timeline outlining the project or activity.

Consideration will be given to areas of Scholarship and Mastery of Specialization including, but not limited to, the following projects or activities:

- Pure, applied and historical research.
- Preparation of manuscripts or other materials for publication.
- Invention or innovation in professional, scientific or technical areas.
- Residencies to complete credentialing appropriate to SUNY employment and requirements for continuing or permanent appointment.
- Course work not covered by Article 46 Program for Tuition Assistance, of the New York State United University Professions Agreement, or a SUNY tuition waiver.
- Curriculum development.
- Grant proposal development.
- Internships, workshops, and conferences specifically related to the applicant's approved activity.

Employees who are nearer their tenure review date and whose applications reflect a higher level of campus monetary support will be given particular consideration.

Deadlines

Unfortunately, no deadline dates for 2007-08 have been established since contract negotiations are still in process. Once a deadline is announced it will be publicized through the College's faculty/staff email. Additionally there is a link to the UUP website from the College's Diversity Committee web page - www.brockport.edu/diversity/

From 2004-07 a total of 17 Brockport faculty members received a Drescher award.

For more information: Colleen Donaldson, Grants Development Director is the contact for submitting proposals when deadlines are announced for 2007-08. She can assist with getting campus endorsements. You can email her at cdonalds@brockport.edu to be added to a mailing list to be notified when new deadlines are posted.