

Guidelines: Evaluation, Promotion, and Tenure

Approved 8/10/92 - Revised Fall 1994, Fall 1996, Fall 1999, and Spring 2007; Approved October 2008 - These Guidelines replace and supersede all previous policies addressing evaluation, promotion, and tenure.

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I. Introduction

These guidelines are based in the *Bylaws of the Board of Regents of the University of Nebraska*, especially *Chapter 4*. The term "tenure," as used in these guidelines, is synonymous with the term "continuous appointment" in *Regent Bylaws*. These guidelines are subject to the Collective Bargaining Agreement between the Board of Regents and the University of Nebraska at Kearney Education Association.

Just as these University of Nebraska at Kearney Guidelines incorporate and complement the *Bylaws of the Board of Regents of the University of Nebraska*, individual Colleges will have guidelines which are more detailed and specific than these. In like manner, individual departments will develop appropriate and complementary documents or addenda to College Guidelines which accommodate discipline specific professional practices. All College and Department guidelines must conform to Regent Policy, and must be approved by the affected faculty, the College Dean, the Senior Vice Chancellor for Academic and Student Affairs, and the Chancellor. Such college and departmental guidelines are subject to the Collective Bargaining Agreement. Department, College, and UNK Guidelines, as applicable, must be distributed to faculty when the guidelines are approved and to new faculty as they are appointed.

- A. The purpose of evaluating, promoting, and granting tenure to faculty at the University of Nebraska at Kearney is the continuous development of university-level faculty members involved in teaching, scholarship, and service.
- B. Teaching includes preparation, instruction, mentoring, and assessment. Teaching excellence is the primary responsibility of teaching faculty members. Non-teaching faculty are evaluated for excellence in their primary area of responsibility (e. g. librarianship in the case of librarians).
- C. Scholarship, consisting of research and creativity activity, is expected of all tenured and tenure-track faculty. Scholarship includes the advancement, integration, application, and representation of knowledge (See Appendix A), and is inherent in fine teaching.

1. Research is expected to lead to the advancement of knowledge and result in peer-reviewed publications or equivalent demonstrations.
 2. Juried creative activity is recognized as the equivalent of peer-reviewed publications.
- D. Service to the University and the larger communities encompassing the University is expected of the faculty.
- E. Evaluation of faculty members will take into consideration workload allocations among teaching, scholarship, and service.

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II. Letters of Appointment and Reappointment

- A. Letters of Appointment and Reappointment must conform to Regent Bylaws, especially *Section 4.3* and *4.10*. Letters of Appointment for new faculty members must include any special considerations which bear on these policies. Any recognition of previous experience to be counted in the normal year minimums before one is eligible to apply for promotion must be included. Any recognition of experience affecting the mandatory limits for probationary service ("Appointments for a Specific Term") must also be included.
- B. Faculty holding an "Appointment for a Specific Term" are considered for reappointment as described below.

Regent Bylaws, Section 4.4.2, sets standards for notification of probationary faculty of possible nonreappointment. First-year faculty who hold an "Appointment for a Specific Term" (tenure-track faculty in the probationary period) must be notified of the University's reappointment decision not later than March 1 of the first year of service, or three months before contract expiration. For such faculty in their second year, notification must be made by December 15, or six months before contract expiration. For probationary faculty reappointed as of December 15 in their second year or such faculty in their third or subsequent year, notification of the reappointment decision must be made one year before contract expiration (June 1). In the event of failure to meet a notification deadline, the university obliges itself to contract with the faculty member for an additional academic year of service as an "Appointment for a Specific Term."

The Dean of the College of the faculty member must make a reappointment recommendation in writing to the Senior Vice Chancellor for Academic and Student Affairs (SVCASA) by February 15 of the first year of service, by December 1 of the second year, and by May 1 for a reappointed second year or longer-serving probationary faculty member. The Dean's recommendation should note positive and/or negative aspects of the appraisal of the person's performance as a faculty member, as the Dean has learned them from the

documentation available to him or her, and should be copied to the faculty member.

The appraisal will include the Annual Review of Faculty Performance, which must include a summary of both student and peer evaluations, as outlined below. Because the Dean relies on the Annual Review of Faculty Performance to be the primary means of assessing the faculty member for reappointment, this review would have to be completed by February 1 of the first year, November 15 of the second year, and April 15 of a reappointed second year or longer-serving faculty member. The documentation to the Dean and to the SVCASA by the Dean must include an updated curriculum vitae prepared by the faculty member. The Dean must convey in person to the faculty member the substance of his or her recommendation to the SVCASA not later than one month after transmittal of the recommendation, and the Dean shall make a note of this conversation in the Cumulative Faculty Academic Record and the Department Faculty Academic Record (See Section III: Faculty Records) of the faculty member.

- C. Faculty holding "Special Appointment" are considered for reappointment as described below.

All appointments to faculty positions that are not "Appointments for a Specific Term", or "Continuous Appointment" are "Special Appointments," as outlined in *Regent Bylaws, Section 4.4.1*. Deans of Colleges should notify the SVCASA with reappointment recommendations for all faculty for special appointment of 0.5 FTE or greater by May 1 of each year. Recommendations will include any relevant plans to continue or discontinue the position, redefine it, or convert it to a tenure line. When circumstances require, the services of Special Appointment faculty may be arranged for after May 1 if a Dean so recommends and the SVCASA approves.

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III. Faculty Academic Records

Faculty Academic Records are normally maintained in the offices of the appropriate Department Chair, College Dean, and Senior Vice Chancellor of Academic and Student Affairs, and are different from the personnel file in Human Resources. These Records are updated annually to provide a continuous record of the faculty member's accomplishments, honors, and activities. The official Record is the Cumulative Faculty Academic Record maintained for each faculty member in the Office of the Dean of the College of his/her major assignment. Faculty on joint appointments across two or more colleges will have the College maintaining the Cumulative Faculty Academic Record identified at the time the joint appointment is made.

Faculty members are encouraged to provide relevant materials for the Department and Cumulative Faculty Academic Records. Faculty members shall have access to these Records and may add written responses to anything included in these Records. Written responses to Annual Reviews should be copied to both Department and College (Cumulative) Records.

Documents of an evaluative nature addressing the Faculty Member's performance, employment status, or academic assignment must be copied to the Faculty Member prior to being placed in a Faculty Academic Record.

- A. A **Department Faculty Academic Record** is kept for each faculty member and includes any information relative to teaching assignment/area of expertise, student evaluation, peer review, annual evaluation, temporary absence/sick leave, and copies of Chair correspondence relative to the faculty member. The Record may have copies of pertinent materials from the Cumulative Faculty Record. The Department Record may include evidence of scholarship, service in and out of the institution, and teaching effectiveness. Written annual reviews are included in this Record and other pertinent materials may be added to this Record by the Department Chair or Dean with the faculty member's knowledge.

The Department Faculty Academic Record is generally more comprehensive than the Records at either the Dean or SVCASA levels. For this reason, materials accrued in the Department Record will be

used in determining reappointment, promotion and tenure, and will be used in the post-tenure review process.

In cases where, because of organizational structure, a Department Record is not kept, the Record will be the Cumulative Faculty Academic Record in the Dean's Office.

B. The **Cumulative Faculty Academic Record** is maintained in the Dean's Office and is the official Academic Record for a Faculty Member. This Record includes the following:

1. Copies of transcripts (baccalaureate through terminal degree)
2. Correspondence relating to initial hiring (cover letter, resume/c.v., reference letters, departmental recommendations)
3. Initial appointment letter or other documentation of hiring date
4. Special conditions/agreements entered at time of initial appointment (tenure, early tenure, chair/director, other special conditions of employment)
5. Tenure Notify Date/Date of Tenure Award
6. Date of promotions
7. Contract copies or salary notations
8. Annual Reviews of Faculty Performance
9. Scholarly/Service Activities Records
10. Honors and Awards/grants/fellowships
11. Letters of recognition/reprimand/memoranda to the file related to performance
12. Copies of correspondence from the Dean relative to the faculty member
13. Curriculum Vitae
14. Current Year sick leave/absence forms
15. Other relevant information

16. Faculty response to any of the above

- B. The Office of the **Senior Vice Chancellor for Academic and Student Affairs** has Faculty Academic Records to meet the requirements of academic audit/accreditation. Included in this Record are official transcripts, copies of contracts or other salary notations, date of appointment, tenure notification date, tenure award, and promotion.
- C. Access to the Faculty Academic Records is restricted to the faculty member, his or her agent, and authorized administrators. Faculty members have access to their Record during normal business hours and may request copies of materials therein. Faculty members may not remove their Record from the room in which it is kept.
- D. Faculty members may enter a statement to their Official Academic Record (or any other Record) which they believe clarifies, corrects, or refutes material therein. Such a statement will be attached to relevant documents in the Record. They may also place in their Records materials documenting academic qualifications, teaching, research, scholarship, and service.
- E. Faculty Academic Records may be purged of obsolete, unfounded, or inappropriate materials: (1) on written request from the faculty member and agreed to by the administration, or (2) by periodic administrative purge of files, in which case the materials are returned to the faculty member.

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IV. Annual Review of Faculty Performance

The primary purpose of the annual review is to provide faculty members with a written record of accomplishments and expectations, an ongoing critique of strengths and weaknesses, and direction for the faculty member in his or her development as a contributing member of the academic community.

For probationary faculty (those on tenure track, but not yet tenured), the annual evaluation communicates areas of progress and strength, and alerts the faculty member to performance deficiencies at the earliest possible time. Any concerns held by the Department Chair or Dean regarding the faculty member's performance should be clearly stated in the written evaluation. The review will make specific recommendations for self-improvement and professional development which will enhance the faculty member's chances of eventually achieving tenure and promotion. Annual evaluations should apprise probationary faculty members of performance deficiencies in time for them to take corrective actions. To this end, Annual Reviews for all faculty must be completed by May 1.

For tenured, not fully promoted faculty the annual evaluation will generally emphasize progress toward the rank of Professor.

For faculty with Special Appointments (such as non-tenure track Senior Lecturers, Lecturers and Instructors) the annual review will focus primarily on strengths and weaknesses, and on specific recommendations for improvement and professional development.

A. General Procedures

1. Each full-time faculty member shall be reviewed annually in compliance with *Regent Bylaws, Section 4.5 and Section 4.6.*, which requires "relevant information from all sources, including student evaluations and peer judgments." The annual review of faculty performance will primarily address these three areas: teaching, scholarship, and service. Faculty whose assignments do not include these three areas will be reviewed in a manner appropriate to their assigned duties. Other professional matters may be included.

2. Each department shall have a written set of procedures and guidelines for the annual review of faculty performance as additions to this policy. Such procedures and guidelines shall conform to *Regent Bylaws*, these guidelines, and are subject to the Collective Bargaining Agreement. Departmental procedures and guidelines must be approved by the Dean and the SVCASA.
3. The Department Chair or equivalent supervisor will normally conduct the annual review of the faculty member. This review will incorporate student and peer evaluations as laid out below in sections B, C, and D.
4. Faculty holding appointments in more than one department or college will be jointly reviewed using procedures consistent with both areas. Only one official Departmental File and Cumulative Faculty Record will exist for such faculty members. Review procedures and the location of the files must be agreed upon at the time of the joint appointment.
5. The review of Department Chairs as faculty will be conducted by the Dean as outlined in IV.A. The review of the Chair as administrator will be carried out by the Dean at the same time.
6. The annual review shall provide, in writing, a description of the faculty member's activities throughout the year, and suggestions regarding courses of action the faculty member might follow to best contribute to the mission and goals of his or her department and the larger University of Nebraska at Kearney academic community. If post-tenure review (see Section VIII) is suggested, it must be clearly stated in the Department Chair's written annual review.
7. There shall be a meeting of the Department Chair and faculty member to discuss the written annual review. The faculty member and Department Chair shall sign and date the written review, indicating only that the faculty member has read and discussed the review with the Chair.
8. After the meeting, the written annual review shall be added to the Departmental File. The accrued annual reviews of faculty performance, included with other materials in the Departmental File, will provide an evidentiary basis for the judgments involved in matters of retention, promotion, and tenure. A copy of the review shall, at the same time, be provided to the Dean for the Cumulative Faculty Record, and to the faculty member. The faculty member

may respond in writing for inclusion in both files.

9. The Dean will review the Annual Performance Review and may review the Departmental File annually. The Dean will add a written review of annual performance in the case of probationary faculty. The Dean's review will be copied to the Cumulative Faculty Record and a copy shall be provided to the faculty member. The faculty member may respond in writing for inclusion in both files.

B. Annual Review of Faculty Performance: Teaching

1. The annual review of faculty teaching performance shall conform to the following in the use of student assessment of teaching:
 - a. There shall be student evaluation of every course every semester, excepting independent studies and reading courses, thesis direction, and other faculty directed individual activities.
 - b. Each faculty member shall utilize the evaluation form developed and approved by his or her college, with the inclusion of any additional core or global discipline-specific questions developed and approved by the department. The course evaluation form must call for response to the following four dimensions:
 - i. The instructor's daily handling and organization of the class.
 - ii. The instructor's skill in communicating the course material.
 - iii. The student's perception of the learning experience.
 - iv. The degree to which the student feels his or her interest and/or thinking has been stimulated.
 - c. Evaluations shall be distributed and collected in a manner consistent with college and departmental procedures and guidelines. These procedures must protect the integrity of the data, and must also "protect members of the faculty from capricious and uninformed judgments" (*Board of Regents Bylaws*, 5.3). Students shall always be given the opportunity to sign or not sign the evaluation forms, as well as to include additional written comments. Online and distance education courses shall utilize a course evaluation form appropriate to this mode of instruction. The faculty member shall not review

evaluation forms until after the final course grades have been submitted and should so assure the students.

- d. The individual faculty member shall have the right to review the evaluations and append any explanations or additional information desired before the student evaluations are reviewed by the Department Chair. Departmental procedures to allow a faculty response must also protect the integrity of the data. The faculty member's response should be included with the raw data for consideration by the Chair.
 - e. The Department Chair shall review and summarize in writing pertinent raw data from all classes, and comment on any faculty response included with those data. The review may include consideration of variables other than quality of teaching that may have influenced student evaluations. These variables include matters specific to online and distance education courses.
 - f. Once student evaluations have been used for the annual review of the faculty member, those evaluations become the property of the individual faculty member. The original and all copies of raw data will be returned to the faculty member. The department shall retain summary data sheets and transcripts of student comments in a permanent file.
2. Departmental procedures and guidelines shall provide for peer review of teaching in the annual evaluation process, and include criteria for the use of peer judgments in annual reviews. Examples of peer judgment criteria include:
- a. The quality of student work in later courses in sequentially organized disciplines.
 - b. Growth and development of students in regard to course objectives as measured by pre- and post-testing or as demonstrated by student portfolios and other projects produced in the course.
 - c. Curriculum development and innovation.
 - d. Grading standards.

- e. Review of teaching materials in terms of the currency, academic soundness, relationship with course objectives, and level.
- f. Assessment of special incidents, provided the contents and nature of any complaint is known to the individual faculty member, and that he or she be given the opportunity to respond in writing, with the response retained as a part of his or her departmental file.
- g. Classroom visitation. If a program of classroom visitation is adopted, the following procedures must be followed:
 - i. The Department Chair shall assign a visitor from the appropriate faculty group, as determined by department policy. This group must be generally defined, e.g., full professors in history or associate and full professors in social science, and may include faculty from outside the department, especially in small departments.
 - ii. The individual faculty member may invite a second visitor from the appropriate faculty group.
 - iii. Departmental procedures and guidelines must include a written checklist of the dimensions to be appraised by the visitor(s). The visitor(s) will report in writing.
 - iv. The faculty member shall have the right to see the report(s) of the visitor(s) before submission to the Department Chair or the Department Chair and the appropriate faculty committee and to respond in writing, with such response to be attached to the report.
- h. The Department Chair shall review and summarize in writing all peer judgments of teaching.
- i. When there is disagreement about the quality of the faculty member's performance at any level of review, it is incumbent on both parties to make their case regarding the faculty member's performance.

C. Annual Review of Faculty Performance: Scholarship

1. Departmental procedures and guidelines shall provide for peer review of scholarship in the annual evaluation process, and include criteria for the use of peer judgments in annual reviews.
2. The Department Chair shall review peer evaluation(s) and the materials provided by the faculty member relative to scholarship, and summarize them in writing, as a part of the annual review of faculty performance.
3. When there is disagreement about the quality of the faculty member's performance at any level of review, it is incumbent on both parties to make their case regarding the faculty member's performance.

D. Annual Review of Faculty Performance: Service

1. Departmental procedures and guidelines shall provide for peer review of service in the annual evaluation process, and include criteria for the use of peer judgments in annual reviews.
2. The Department Chair shall review peer evaluation(s) and the materials provided by the faculty member relative to service, and summarize them in writing, as a part of the annual review of faculty performance.
3. When there is disagreement about the quality of the faculty member's performance at any level of review, it is incumbent on both parties to make their case regarding the faculty member's performance.

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V. Promotion and Tenure Process

The promotion and tenure of university faculty is based on a commitment to appoint and retain the highest level of academic professionals. Through the practice of mentorship and annual assessment of faculty performance in teaching or librarianship, scholarship, and service, the university aspires to uphold a level of excellence in its faculty that corresponds to its mission and sustains an intellectual environment supporting academic freedom and scholarly pursuit.

The awarding of promotion in rank is a tangible method of acknowledging measurable distinction of faculty achievement in teaching or librarianship, scholarship, and service. It is the right of each faculty member seeking promotion to expect an equitable and unencumbered process in this pursuit; and it is the responsibility of his or her colleagues and the University to establish clear and consistent criteria for assessment.

The granting of tenure symbolizes a collegial and administrative acceptance of a faculty member into the university's scholarly community. It represents not only an evaluation of past performance, but an evaluation of potential for continued growth. The tenure decision, therefore, must involve consideration of a faculty member's ability to work effectively in, and contribute significantly to, the department and the university community.

A. The process for the promotion recommendation is as follows:

1. The Faculty Member submits his or her portfolio to the Department Chair or equivalent supervisor by November 1. The portfolio should address elements detailed in Section IX, The Portfolio, as appropriate.
2. The Department Chair will implement the departmental procedures for review, which have been approved by the department, the college, the SVCASA, and Chancellor.

In the absence of approved departmental procedures that specifically allow for a different committee configuration, the Chair will convene a committee of all the department's faculty ranked

assistant professor and above to review the materials and make recommendation for those applying to the assistant rank, a committee of the department's faculty ranked associate professor and above to review the materials and make recommendation for those applying for associate, and a committee of the department's faculty ranked full professor to review the materials and make recommendation for those applying for full professor. In each case, should there be fewer than five members at the appropriate rank on any committee, faculty from inside or outside the institution meeting the above rank criteria will be appointed to the committee by the Dean, in consultation with the Department Chair and the faculty member, to reach a minimum of five.

The committee will make recommendations in writing, generally addressing strengths and/or weaknesses of the application. The vote count must be a part of the letter. If a departmental committee includes appropriately ranked faculty from outside the department or the institution, the committee composition should be addressed in the committee's letter. In the case of joint appointments, the committee composition should be addressed in the committee's letter, and provisions for such committee appointments must be included in written departmental procedures and guidelines, or in written agreements with jointly appointed faculty. The committee's letter becomes part of the portfolio. On receipt of the portfolio, the Chair will write a separate letter that also becomes part of the portfolio.

Letters from the committee and Chair must be copied to the faculty member by December 20. The faculty member may attach a response with compelling supporting material not available at the time of the original submission, may ask for reconsideration of the portfolio in light of that response, or may withdraw from consideration before the application is put forward to the Dean by January 15. For Library faculty, there will be only one committee, which will follow the processes of the departmental committee.

3. In the undergraduate colleges, the Dean requests the appropriate college faculty committee to review the materials and make a recommendation. The college committee will make recommendations in writing, generally addressing strengths and/or weaknesses of the application. The vote count must be a part of the committee's letter. The committee's letter becomes part of the portfolio. On receipt of the portfolio, the Dean will write a separate letter that also becomes part of the portfolio.

Letters from the Dean and the committee must be copied to the faculty member by February 15. The faculty member may attach a response, may ask for reconsideration of the portfolio in light of that response, or may withdraw from consideration before the application is put forward to the Senior Vice Chancellor and Chancellor by February 22. For Library faculty, the Dean follows the deadlines for the colleges.

4. Faculty members who sit on both departmental and college committees may participate in discussion and voting on either committee, but not both. For example, faculty who voted on a candidate at the department level must recuse themselves from the discussion and vote on that candidate at the college level. Faculty members who are Department Chairs and members of the college committee must write the Chair's letter and recuse themselves from the discussion and vote on that faculty member candidate at the college level.

B. The process for the tenure recommendation is as follows:

1. The Faculty Member submits his or her portfolio to the Department Chair or equivalent supervisor by November 1.
2. The Department Chair will implement the departmental procedures for review, which have been approved by the department, the college, the SVCASA, and the Chancellor.

In the absence of approved departmental procedures that specifically allow for a different committee configuration, the Department Chair will convene a committee of all tenured faculty in the department to review the materials and make a recommendation. In this case (absence of approved department procedure), should there be fewer than five tenured department members, tenured faculty from inside or outside the institution will be appointed to the committee by the Dean, in consultation with the Department Chair and the faculty member, to reach a minimum of five.

The committee will make its recommendations in writing, generally addressing strengths and/or weaknesses of the application. The vote count must be a part of the letter. If a department's committee includes faculty from outside the department or the institution, the committee composition should be addressed in the committee's letter. In the case of joint appointments, the

committee composition should be addressed in the committee's letter, and provisions for such committee appointments must be included in written departmental procedures and guidelines, or in written agreements with jointly appointed faculty. The committee's letter becomes part of the portfolio.

On receipt of the portfolio, the Chair will write a separate letter that also becomes part of the portfolio. Letters from the committee and Chair must be copied to the faculty member by December 20. The faculty member may attach a response with compelling supporting material not available at the time of the original submission, may ask for a reconsideration of the portfolio in light of that response, or may withdraw from consideration before the application is put forward to the Dean by January 15. For Library faculty, there will be only one committee, which will follow the processes of the departmental committee.

3. In the undergraduate colleges, the Dean requests the appropriate college faculty committee to review the materials and make a recommendation. The college committee will make recommendations in writing, generally addressing strengths and/or weaknesses of the application. The vote count must be a part of the committee's letter. The committee's letter becomes part of the portfolio. On receipt of the portfolio, the Dean will write a separate letter that also becomes part of the portfolio. Letters from the Dean and the committee must be copied to the applicant by February 15. The faculty member may attach a response, may ask for a reconsideration of the portfolio in light of that response, or may withdraw before the application is put forward to the Senior Vice Chancellor and Chancellor by February 22. For Library faculty, the Dean follows the deadlines for the colleges.
 4. Faculty members on both departmental and college committees may participate in discussion and voting on either committee, but not both. For example, faculty who voted on a candidate at the department level must recuse themselves from the discussion and vote on that candidate at the college level. Faculty members who are Department Chairs and members of the college committee must write the Chair's letter and recuse themselves from the discussion and vote on that faculty member candidate at the college level.
- C. The recommended process for the distribution of copies of tenure and promotion letters by those writing to the record is as follows:

| Original Letter from: | Addressed to: | Copied to: |
|------------------------------|----------------------|--|
| Department Committee | Chair | Faculty Member |
| Department Chair | Dean | Faculty Member Department Committee Chair |
| College Committee | Dean | Faculty Member Department Committee Chair Department Chair |
| Dean | SVCASA | Faculty Member Department Committee Chair Department Chair College Committee Chair |

- D. Copies of all original letters are placed in the faculty member's personal file. If the faculty member withdraws, letters which are not sent forward will not be copied or placed in the personal file.

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VI. The Criteria for Promotion and Tenure

Teaching, scholarship, and service are the general areas to be used by reviewers in determining faculty performance. The decisions to award promotion and tenure are very important for the institution as well as for individual faculty members, and must be based on evidence of strong performance in teaching, scholarship, and service, and not simply on length of service to the institution. The colleges, library, and departments shall formulate criteria for promotion and tenure specific to the disciplinary activities and standards of those units. College standards will be no less stringent than those contained in this document, and departmental standards will be no less stringent than those of the college.

Consistent with the UNK mission, performance in **teaching** is paramount. Therefore, all teaching faculty applying for promotion or tenure must provide, as a minimum, evidence of excellence in teaching. Teaching excellence will be judged by evidence of content expertise, instructional effectiveness and creativity, and course management. This evidence will include student evaluations and may include, but is not limited to, other means such as teaching portfolios and peer observation. Faculty whose primary assignment is not teaching will be reviewed in a manner consistent with their assignment.

Scholarship, which includes the advancement, integration, application, and representation of knowledge, is inherent in effective teaching. Research leading to the advancement of knowledge resulting in publication in peer-reviewed publications is an expectation of faculty. As referenced in section I.C.2., juried creative activity (or other departmentally-approved activities) is recognized as the equivalent of peer-reviewed publication. Such publications (and departmentally-approved equivalents) may be associated with teaching and/or service. (See Introduction and Appendix A.) Additional evidence of scholarship may include (but is not limited to) presentations at scholarly meetings, external research funding received, grant proposals submitted, intellectual properties developed, and awards and other recognitions.

Service to the University, community, and profession involves the use of a faculty member's professional expertise and leadership ability to serve various constituencies. Evidence of service may include (but is not limited to) membership on and leadership of department, college, campus, and University committees and task forces; sponsorship of student organizations; participation in or direction of professional conferences, workshops, and clinics; use of professional expertise in the service of community or governmental entities; institutional grant writing; editing or refereeing for professional or scholarly publications; and officership or other service in professional or scholarly societies.

A. Promotion

1. For promotion or appointment to **Assistant Professor**, the faculty member should have at least 30 hours beyond the master's in an active terminal degree program (or an appropriate equivalent) in his or her field. The faculty member must show promise of making a contribution to the department and the University. In addition, promotion to Assistant Professor normally requires three years of full-time college level teaching or its equivalent. The year of the promotion review process counts in meeting this requirement.
2. Promotion or appointment to **Associate Professor** normally requires the terminal degree (or its appropriate equivalent) and the faculty member must present clear evidence of significant contributions in teaching, scholarship, and professional service beyond the level of accomplishment for promotion to Assistant Professor. In addition, promotion to Associate Professor requires five years of experience in the rank of Assistant Professor and three years in the rank of Assistant Professor at UNK. Any exception to this requirement must be agreed upon and incorporated into the faculty member's initial letter of appointment. The year of the promotion review process counts in meeting these requirements.
3. For promotion or appointment to **Professor**, there should be clear evidence of sustained and recognized contributions in teaching, scholarship, and professional service significantly beyond the level of accomplishment expected for promotion to Associate Professor. In addition, promotion to Professor normally requires ten years of full-time experience in college-level teaching or its equivalent and five years in the rank of Associate Professor at UNK. The year of the promotion review process counts in meeting these requirements.

B. Tenure

1. Because of its impact on the future of the institution, tenure is the most significant recognition the University can give a faculty member. Therefore, promise of future performance must be supported by clear evidence of sustained contribution, consistent with the teaching, scholarship and service criteria above, over a period of time. All candidates for tenure must hold the terminal degree or its appropriate equivalent.
2. Individuals and committees who make recommendations on the granting of tenure should address their expectation that the candidate's future performance will contribute to the effectiveness of the department. The collegial model of shared authority requires responsible participation in the pursuit of department, college, and university objectives.
3. The granting of tenure must conform to *Regent Bylaw 4.10* and *Regent Policy 4.3.1*. To gain tenure, the candidate without credit for prior experience will normally be considered in the sixth year at UNK. The truly exceptional candidate may be considered for and awarded tenure at an earlier time. The date that will be considered as the candidate's sixth year in the tenure process, as per *Regent Bylaw 4.10*, must be specified in the initial letter of appointment. In accordance with Executive Memorandum No. 18 of the President of the University of Nebraska, the period of service before consideration for tenure may be extended in some cases due to maternity, disability, or family and medical leave.

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VII. Promotion of Lecturers (Special Appointments - non-tenure track) to Senior Lecturer

- A. The process for the promotion recommendation is as follows:
1. The **Faculty Member** submits his or her portfolio to the Department Chair or equivalent supervisor by November 1. The portfolio should address elements detailed in Section IX, The Portfolio, as appropriate.
 2. The **Department Chair** will implement the departmental procedures for review, which have been approved by the department, the college, the SVCASA, and Chancellor.

In the absence of approved departmental procedures specifying a different committee configuration, the Chair will convene a committee composed of two colleagues (tenure-track, tenured, or senior lecturer) named by the faculty member and three (same pool) named by the chair, all to be from the department, if possible. Both the faculty member and the chair may name committee members outside the department if there are not five who are available to serve within the department.

The committee will make recommendations in writing, generally addressing strengths and/or weaknesses of the application. The vote count should be a part of the letter. If a department's committee includes appropriately ranked faculty from outside the department or the institution, the committee composition should be addressed in the committee's letter. In the case of joint appointments, the committee composition should be addressed in the committee's letter, and provisions for such committee appointments must be included in written departmental procedures and guidelines, or in written agreements with jointly-appointed faculty. The committee's letter becomes part of the portfolio.

On receipt of the portfolio, the Chair will write a separate letter that also becomes part of the portfolio. Letters from the committee and Chair must be copied to the faculty member by December 20. The faculty member may attach a response, may ask for reconsideration of the original portfolio in light of that response, or may withdraw from consideration before the application is put forward to the Dean by January 15. For Library faculty, there will be only one committee, which will follow the processes of the departmental committee.

3. In the undergraduate colleges, the **Dean** requests the appropriate college faculty committee to review the materials and make a recommendation. The college committee will make recommendations in writing, generally addressing strengths and/or weaknesses of the application. The vote count must be a part of the committee's letter. The committee's letter becomes part of the portfolio.

On receipt of the portfolio, the Dean will write a separate letter that also becomes part of the portfolio. Letters from the Dean and the committee must be copied to the faculty member by February 15. The faculty member may attach a response, may ask for reconsideration of the original portfolio in light of that response, or may withdraw from consideration before the application is put forward to the Senior Vice Chancellor and Chancellor by February 22. For Library faculty, the Dean follows the deadlines for the colleges.

4. Faculty members who sit on both departmental and college committees may participate in discussion and may vote on either committee, but not both. For example, faculty who voted on a candidate at the department level must excuse themselves from deliberations on that candidate at the college level. Faculty members who are Department Chairs and members of the college committee must write the Chair's letter and excuse themselves from discussion and vote on that faculty member candidate at the college level.

B. Criteria for appointment or promotion to Senior Lecturer

1. Consistent with the UNK mission, performance in teaching is paramount. Normally, promotion to Senior Lecturer recognizes a sustained record of excellent performance to the University in the capacity of Lecturer. Faculty initially appointed as Senior Lecturer

- must bring to the University a record of accomplishment which meets or exceeds the promotion criteria.
2. Senior Lecturers have at least five years of teaching or other relevant academic or professional experience.
 3. Senior Lecturers demonstrate excellence in teaching and other closely related academic and professional activities as assigned by their department.
 4. As an alternative to the above criteria, the title of Senior Lecturer may also recognize advanced academic preparation, including the doctorate or other terminal degree. Teaching excellence is paramount in all cases.

Guidelines: Evaluation, Promotion, and Tenure

Approved Spring 1998 - Section VIII Revised Spring 2007; Approved October 2008 - These Guidelines replace and supersede all previous policies addressing evaluation, promotion, and tenure.

VIII. Post-Tenure Review

A. General Information

1. **Purpose.** The annual review process is intended to assist faculty on continuous appointment (tenured faculty) in achieving professional goals and maximizing contributions to the University throughout their professional careers. In cases where goals are not being met or contributions should be markedly improved, a post-tenure review under this policy will be conducted. This post-tenure review will emphasize the pattern of past performance, current interests of the faculty member, and the objectives for future contributions of the faculty member. The review will be based upon the principle of peer review and provide added assurance that faculty on continuous appointment are accountable for their performance.
2. **Applicability of Review Process.** All members of the faculty who have been on a continuous appointment pursuant to the *Board of Regents Bylaws 4.3.3* for a period of three or more years may elect or be required to undergo post-tenure review. A faculty member shall not be subject to or eligible for review under this policy more frequently than once every four years. A faculty member shall undergo a post-tenure review as specified in either 2.a or 2.b as follows:
 - a. A faculty member receives (after a minimum of three years of a continuous appointment):
 1. An Annual Review of Faculty Performance from the Department Chair or equivalent supervisor that identifies a substantial and continuing deficiency in the faculty member's performance, and which clearly states that if substantial and acceptable progress toward removing the deficiency is not made by the time of the next Annual Review, a post-tenure review will be initiated; and

2. Notification after the next Annual Review that the substantial and continuing deficiency in the previous Review has not been remedied, and that a post-tenure review is required.
 - b. A faculty member may request a review in accordance with the post-tenure peer review process. The purpose of such a review would be to provide helpful evaluation and assistance to the faculty member in planning a prospective program by which the faculty member can maximize his/her contributions to the University and more fully realize her/his professional goals.
3. **Nature of the Review.** For a review initiated under Section A.2.a of this policy, a special peer review file shall be developed by the Department Chair or equivalent supervisor by September 1. This file must contain a clear identification and description of the deficiency or deficiencies, copies of the faculty member's last three annual reviews, and such other materials as are relevant. The file may be supplemented by the faculty member with information the faculty member believes to be relevant, including a proposed plan to remove the deficiency. The faculty member's preliminary contributions to the special peer review file must be completed by September 15, at which time the file will be forwarded to the Review Committee.

For a review under Section A.2.b of this policy, a file containing copies of the faculty member's previous three annual reviews and such other material as may be relevant will be developed by the Department Chair or equivalent supervisor.

One component of a post-tenure review, required by *Regent Bylaw 4.3.3*, shall be an evaluation by peers external to the campus when research productivity is an issue. Evaluation by peers external to the campus may be used when teaching and/or service/outreach productivity is in question.

In all cases, the faculty member shall have the opportunity to supplement the special peer review file throughout the review process by including any information the faculty member believes to be relevant and helpful to the Review Committee or to administrators involved in the review process. The Department Chair or equivalent supervisor shall cooperate with the faculty member to provide relevant information and shall periodically notify the faculty member of additions to the file. The faculty member shall be given access to all materials in the special peer review file.

The faculty member and the Department Chair may include in the file a response to material provided by the other. If the faculty member acknowledges a deficiency in performance, he or she is encouraged to include in the file a plan to remedy the deficiency or to otherwise maximize the faculty member's achievement of professional goals and contribution to the unit's mission, with specific goals and timetables for their achievement.

4. **Outcome of the Post-Tenure Review Process.** A written appraisal with recommendations (as appropriate) will be prepared by the College Dean. This letter will be addressed to the faculty member and copied to the Department Chair (or equivalent supervisor) and SVCASA, and will include a plan outlining the expectations as to how the faculty member can remedy any deficiency in performance or enhance the faculty member's professional goals and contribution to the University. Any sanction to be imposed on the faculty member related to his/her performance shall be governed by the *Regents' Bylaws* and must follow procedures prescribed in the *Bylaws*. All relevant University appeal mechanisms and procedures are available to faculty members being evaluated under this policy.

B. Implementation Procedures.

1. **The Review Committee.** A post-tenure review committee will be appointed in accordance with College policies for annual peer review, and be supplemented for the post-tenure review by one faculty member, appointed by the College Dean, from outside the department of the person being reviewed. In no case shall the Review Committee have fewer than 3 members, including the extra-departmental reviewer.

In the case of a current Department Chair undergoing post-tenure review, the Dean shall designate a senior faculty person, if possible in the same department, to act in the role of Department Chair in the post-tenure review process.

2. **Conducting the Post-Tenure Review.** The Review Committee will review the special peer review file and transmit its written report to the Department Chair by November 1. The Department Chair will examine the special peer review file and review the committee's report and transmit his or her written report to the College Dean by December 1. Copies of the review committee's report and the Department Chair report shall be delivered to the faculty member,

who may respond to the Dean in writing. By February 1 the Dean will review the entire file and, after consultation with the Department Chair as to whether or not performance is satisfactory, write an appraisal. The faculty member will receive a copy of the Dean's appraisal.

The Review Committee may meet with the Department Chair and the faculty member, either together or separately. The Committee may consult other sources of information not included in the file with the approval of the Department Chair and the faculty member.

Evaluation by peers external to the campus is required when research productivity is an issue. Evaluation by peers external to the campus may be used when teaching and/or service productivity is in question. If the Review Committee determines that evaluation by external peers is required or would be useful, the Committee shall notify the Department Chair and the faculty member. Thereafter, such outside reviews shall be obtained in accordance with the same procedure utilized by the Department to obtain outside reviews for purposes of making tenure decisions. In the absence of Departmental procedures, external evaluators will be selected by mutual agreement of the Department Chair and the faculty member under review.

In accordance with the schedule for the review outlined above, the Review Committee shall make a written report of its findings and recommendations (see Section C: The Review Committee Report).

If the special peer review is conducted at the request of the Department Chair pursuant to section A.2.a of this procedure, the written report of the Review Committee shall be provided to the Department Chair, the College Dean, and the faculty member.

If the special peer review is conducted at the request of the faculty member pursuant to section A.2.b of this procedure, the written report of the Review Committee shall be provided solely to the faculty member. The faculty member, at his or her discretion, may keep the Report confidential, share it with the Department Chair, or share it with the Department Chair and College Dean. If requested by the faculty member, the Department Chair and Dean shall provide a written response to the Report, each indicating the extent to which he or she agrees or disagrees with the findings and recommendations of the Report and why. At the request of the faculty member, the Report and any response from administrators

shall be made part of the faculty member's permanent personnel record. The faculty member, the Department Chair, and the Dean shall work together to implement those recommendations on which they mutually agree. Nothing in the Report shall be used in any university evaluation without the consent of the faculty member. However, the faculty member may not attempt to utilize only a portion of the Report or any edited version of the Report in other university evaluations.

C. The Review Committee Report

The purpose of the Review Committee Report is to provide an assessment of the performance of the faculty member subject to review and, where appropriate or necessary, to provide recommendations to maximize the faculty member's contributions to the unit and the University. The Committee Report is advisory and its submission concludes the work of the Review Committee. The Report shall include part (1) below and, as appropriate, parts (2) through (6):

1. An assessment of the strengths and weaknesses of the faculty member's performance;
2. Recommendations for ways, if any, in which the faculty member could enhance achievement of his or her professional goals and his or her contributions to the mission of the unit, including suggestions, where appropriate, for adjustment in the faculty member's responsibilities, goals and timetables for meeting the goals, and criteria for assessing the faculty member's achievement of enhanced performance.
3. An evaluation of any proposed plan submitted by the faculty member and/or the Department Chair (or equivalent supervisor), if these are available, to remedy any deficiency in the faculty member's performance and any recommended modification to such a plan.
4. Recommendations for ways, if any, in which the Department Chair could provide professional development support to assist the faculty member in enhancing achievement of his or her professional goals and his or her contribution to the mission of the unit.

5. For a review initiated under A.2.a above, any recommendations for sanctions to be imposed upon the faculty member for performance characterized by substantial and chronic deficiency.
6. For a review initiated under A.2.a above, the Review Committee shall make one of the following findings, to be clearly stated in its Report:
 - a. Substantial and chronic deficiencies have not been identified. If the Review Committee finds that the faculty member's performance does not reflect any substantial and chronic deficiency or deficiencies for the period under review, the faculty member and the Department Chair will be so informed in writing and the review is thereby completed.
 - b. The faculty member has substantial and chronic deficiencies. The Review Committee shall state and describe the deficiency or deficiencies in its Report, which shall include all the elements listed under C, items (1) through (5). The Committee shall provide a copy to the faculty member and the Department Chair.

The Department Chair shall allow the faculty member being reviewed an opportunity to provide a written response to the Review Committee Report. Except when the review was conducted at the faculty member's request, the Report and any response from the faculty member shall be made a part of the faculty member's permanent Academic Record.

D. Completing the Review Process under a Finding of Substantial and Chronic Deficiency

Upon receipt of a Review Committee report and the faculty member's response, if any, the Department Chair shall meet with the faculty member reviewed to consider the report and any recommendations therein. The Department Chair shall then provide the faculty member and the College Dean with a written appraisal of the faculty member's performance, together with all documentation pertaining to the faculty member's review, including the file constructed for the review, the Review Committee's Report, and the faculty member's written response to the review, if any. The appraisal shall include, where appropriate:

1. The extent to which the Department Chair accepts or rejects the findings and recommendations of the Review Committee Report and the reasons for doing so; the Department Chair may reject the Review Committee's findings only for compelling reasons, communicated in writing to the faculty member and the College Dean.
2. A plan outlining the expectations of the Department Chair as to how the faculty member can remedy any deficiency in performance or enhance the faculty member's professional goals and contribution to the unit, including specific goals and timetables for achieving such goals and the criteria to be applied in making such a determination.
3. The resources the Department Chair is willing and able to provide the faculty member to assist in implementing the plan.
4. Any adjustment in assignment or responsibilities of the faculty member.
5. Any sanction to be imposed on the faculty member related to his or her performance. Sanctions governed by *Regents Bylaws* shall only be imposed following the procedure prescribed in the *Bylaws*.

The College Dean, after review and consultation with relevant individuals, including the SVCASA, may accept, modify, or reject the Department Chair's written appraisal and recommendations. Where the Dean's appraisal differs from that provided by the Review Committee or where the Dean accepts recommendations that differ from those provided by the Review Committee, the Dean may modify or reject only for compelling reasons, communicated in writing. The Dean's response shall be provided to the faculty member and to the Department Chair.

A faculty member dissatisfied with the results of the special peer review and the Department Chair's subsequent appraisal, or the dean's acceptance, modification or rejection of it, may pursue any appeal or remedy otherwise available to faculty members relating to matters that affect their employment status.

Progress towards achieving the goals and timetables set out in the Department Chair's plan, as approved by the Dean, will be reviewed in subsequent Annual Reviews of Faculty Performance. If the faculty

member fails to achieve the goals and timetables defined in that plan, those administrative processes defined by the Regent's *Bylaws* (and different from Post-tenure review) may be initiated as appropriate. Post-tenure review is not a prerequisite for initiation of those other administrative processes.

| Deadline | Activity |
|-----------------------|--|
| May 1 | Annual Review identifies a substantial and continuing deficiency. Chair indicates in Review that progress must be made by next Annual Review. |
| May 1, following year | Annual Review indicates that the deficiency has not been remedied. Chair calls for a Post-Tenure Review. |
| September 1 | Special Peer Review File developed by the Chair, available for review by the Faculty Member. |
| September 15 | Faculty Member's <u>preliminary</u> contributions to the file are completed. File forwarded to the Review Committee. |
| November 1 | Review Committee Report to Department Chair, copy to Faculty Member. |
| December 1 | Department Chair report to College Dean, copy to Faculty Member. |
| February 1 | Faculty Member may respond to Review Committee and Department Chair reports. Dean appraisal/report completed, copied to Faculty Member. |

Guidelines: Evaluation, Promotion, and Tenure

Approved 8/10/92 - Revised Fall 1996 and Spring 2007; Approved October 2008 - These Guidelines replace and supersede all previous policies addressing evaluation, promotion, and tenure.

IX. The Portfolio

- A. The portfolio should be prepared by the faculty member. The department chair and the dean should make all file materials readily available for the faculty member to include in his or her portfolio.
- B. While the portfolio should be large enough to fully describe the faculty member's level of contribution, an effort should be made to limit the bulk of the portfolio: copies of publications, for example, might be limited to the most pertinent, most representative, and most recent. Many areas addressed in the self-assessment are documented in annual reviews and are known to department level reviewers. They, therefore, need no supporting materials.

Certain supporting materials may pertain to more than one area below and be referenced in more than one area of self-assessment; however, they should be included only once. For example, publications supporting teaching may be listed under scholarship and/or service, but copies should be included only under the most descriptive heading.

Departments and Colleges may specify additional materials for the portfolio if relevant to their mission.

- C. Supporting materials in the portfolio which have neither been taken from the departmental file nor have been considered during an Annual Review of Faculty Performance must be identified with an explanation of why they have not been reviewed.
- D. The portfolio should be organized as follows:
 - 1. A brief letter to the Department Chair or equivalent supervisor requesting consideration and addressing at least the following:
 - a. Education and experience levels (see VI. A.-B.)
 - b. Unique circumstances and/or requested policy exceptions
 - 2. A current curriculum vitae

3. Annual Reviews of Faculty Performance for the applicable time period.
4. For Graduate Faculty, a letter from the Dean of Graduate Studies and Research, assessing the faculty member's contributions to graduate education. A response from the faculty member may be attached to this letter.
5. A self-assessment of teaching, referencing items in the vitae and appropriate reviews of faculty performance. (Faculty whose primary assignment is not teaching will provide a self-assessment of their primary assignment based on specifics listed in their College or Department Guidelines.) Attachments should include a list of courses taught and other supporting materials. Areas addressed in the self-assessment and by the supporting materials, where appropriate, may include, but are not limited to, the following:
 - a. Peer judgment materials and letters.
 - b. Class summary sheets of student evaluations.
 - c. Syllabi for all courses. Samples of other materials developed by the faculty member for use in existing and new courses may be included. Such materials may demonstrate innovation, improvement in methodology, and/or integration and synthesis of subject matters.
 - d. Awards and other recognitions of exceptional teaching performance.
 - e. Unsolicited letters, and/or letters from former students solicited by the department chair and/or peer reviewers. Letters must not be solicited from current students.
 - f. Evidence of significant independent scholarly work with students, student advising and placement in discipline-related work or graduate schools, student organization work related to teaching, and other work outside the classroom related to teaching.
 - g. Evidence of faculty development activities in support of teaching.
 - h. Evidence of grant activities in support of teaching.
 - i. Evidence of committee work directly related to teaching.

- j. Evidence of membership in and work with professional organizations directly related to teaching, including presentations.
 - k. Copies of publications by the faculty member related to teaching. Such publications may be targeted to a wide range of audiences. (See [Introduction](#) and [Appendix A.](#))
6. A self-assessment of scholarship, referencing items in the vitae and appropriate reviews of annual performance. Attachments should include a list of presentations and publications, and other supporting materials. Areas addressed in the self-assessment and by the supporting materials, where appropriate, may include, but are not limited to, the following:
- a. Peer judgment materials and letters from the departmental file.
 - b. Awards and other recognitions of scholarship.
 - c. Evidence of faculty development activities in support of scholarship.
 - d. Evidence of committee work directly related to scholarship.
 - e. Evidence of membership in and work with scholarly professional organizations, including presentations at professional meetings, workshops, symposia, and conferences.
 - f. Evidence of scholarly grant activities.
 - g. Copies of publications by the faculty member.
7. A self-assessment of service, referencing items in the vitae and appropriate reviews of faculty performance. Attachments should include a list of presentations and publications, and other supporting materials. A wide range of activities both in and outside the University is appropriate to this area, but activities involving the application of knowledge related to the faculty member's University role and professional expertise are of the highest priority. Areas addressed in the self-assessment and by the supporting materials, where appropriate, may include, but are not limited to, the following:
- a. Peer judgment materials and letters from the departmental file.

- b. Awards and other recognitions of service.
 - c. Evidence of administrative service to the institution.
 - d. Evidence of service to student organizations.
 - e. Evidence of faculty development activities in support of service.
 - f. Evidence of University committee work.
 - g. Evidence of committee work outside the university.
 - h. Evidence of consulting in public and/or private sectors.
 - i. Evidence of community service and of membership in and work with service organizations.
 - j. Evidence of editorial work on scholarly publications, including service as a referee.
 - k. Evidence of membership in and work with professional organizations, including offices held and presentations related to service.
 - l. Evidence of grant activities in support of service.
 - m. Evidence of service-related presentations and workshops given.
 - n. Copies of publications by the faculty member related to service. Such publications may be targeted to a wide range of audiences.
8. (optional) A self-assessment of unique contributions to the University not covered above. Supporting material may be attached.

Guidelines: Evaluation, Promotion, and Tenure

Revised Spring 2007; Approved October 2008 - These Guidelines replace and supersede all previous policies addressing evaluation, promotion, and tenure.

X. Grievance and Appeal Process

Throughout the evaluation, promotion, and tenure process, faculty have the opportunity to provide written responses to the input of persons and groups. In addition, formal grievance procedures are available to faculty. Sections 4.13, 4.13.1 and 4.13.2 of the *Bylaws the Board of Regents* provide for the creation of a Faculty Grievance Committee and specify its powers as follows:

4.13 Grievance Committee.

4.13.1 Grievance Committee: Power to Create. Pursuant to authority granted by these Bylaws, the faculty governing agency of each major administrative unit is empowered to create a Faculty Grievance Committee, which shall have the powers specified in *Section 4.13.2*, in addition to any other powers granted by the faculty governing agency pursuant to these Bylaws.

4.13.2 Powers of Faculty Grievance Committee. Any Faculty Grievance Committee established under *Section 4.13.1* shall be empowered:

(a) To consider a complaint filed by any faculty member alleging any grievance;

(b) To seek to settle the grievance by informal methods of adjustment and settlement, either itself or by using the services of any officer or body directed to settle grievances and disputes by mediation, conciliation, or other informal methods;

(c) To draft rules of procedure for the orderly and fair handling of grievances by the Committee, which rules shall become effective after notice and hearing when approved or modified by the Board, and, upon approval, shall be effective as a part of the Rules of the Board; and

(d) To proceed, if informal methods fail to resolve the matter satisfactorily, with further proceedings, to be conducted in accordance with the Rules of Procedure approved by the Board under this Section, and in accordance with the following principles:

(1) If the grievance alleges that inadequate consideration was given to relevant matters by the person or body that took the action or made the decision that led to the grievance, the Grievance Committee shall investigate the facts, and, if convinced that inadequate consideration of the relevant matters occurred, state the facts found and the respects in which the consideration was inadequate. The Committee may order the matter reconsidered by the appropriate person, group or groups, or recommend that other rectifying action be taken. The Grievance Committee shall not substitute its judgment on the merits for that of the person, group, or groups that previously considered the decision.

(2) If the grievance alleges that a discontinuance of a department or program is not bona fide, or that no extraordinary circumstances because of financial exigency exist, the Committee shall investigate and state its factual findings, conclusions, and recommendations in writing, which shall be filed with the Chancellor of the major administrative unit involved, the complainant, and the faculty governing agency.

Article VII.I of UNK Faculty Senate Constitution of the Bylaws of the University of Nebraska-Kearney provides for the membership and specific responsibilities of the Faculty Grievance Committee.

In addition, Article V of the UNKEA Collective Bargaining Agreement (CBA) provides information regarding the Grievance and Arbitration Procedure.

Faculty seeking recourse to an evaluation, promotion and/or tenure decision are advised to consult these documents for further guidance. As suggested in the CBA, informal resolution of disputes is encouraged and should be pursued before formal grievance procedures are filed.