

FACULTY PERSONNEL POLICY FREQUENTLY ASKED QUESTIONS

1. **Question** – Can a department chair ask a faculty candidate to submit their materials earlier than the required deadline if there are a number of faculty who will be up for consideration for personnel action at the same time?

Answer – While a department chair can ask candidates to submit their materials earlier than the stated deadline date, there is no requirement for the candidate to submit them any earlier. An inability or refusal to submit the materials early cannot be held against the candidate.

2. **Question** – Can a unit use outside reviewers to examine faculty scholarly activity?

Answer – Information provided by outside reviewers regarding faculty scholarly activity is permitted. However, the information from the outside reviewer should be made available in advance of when the unit will be meeting to discuss the faculty member's candidacy for a personnel action.

3. **Question** – If a faculty member is given credit by the University of years toward tenure for prior service, does either the faculty member or the University have the election to subsequently waive those prior years of service such that it changes when they would be eligible for tenure?

Answer – If credit towards tenure is granted, it may not be altered by the faculty member or the University.

4. **Question** – Can a candidate for a personnel action attend a unit meeting at which their candidacy for a personnel action is to be discussed?

Answer – Candidates should feel welcome and encouraged to attend faculty meetings at which their candidacy will be discussed. However, once the discussion has concluded and the unit is ready to move to the deliberative and voting process, the candidate must excuse themselves from the room. If new information or issues are raised, the department chair shall determine whether the new information or issues raised warrants the recalling of the candidate in order to allow the candidate to respond. If a candidate chooses not to attend the unit discussion, they must sign a form indicating that they voluntarily waive their ability to attend.

5. **Question** – How do you count, for quorum and “valid vote” purposes, a faculty member who will be absent from the unit meeting at which personnel actions will be discussed when the faculty member has a fall/spring schedule?

Answer – It is recommended that a memo be sent to the faculty member with such a schedule stating that they are welcome and encouraged to participate in the review of the candidate’s materials and in attending the unit meeting. However, if they do not attend the unit meeting, they will be treated as though they are on sabbatical or an approved leave for purposes of determining a quorum count and valid vote.

6. **Question** – A faculty member is scheduled to be on sabbatical during the semester they have chosen to put themselves up for promotion. Can a faculty member who is up for promotion be present or should they waive their right to be present if the discussion occurs during their sabbatical period?

Answer – The faculty member who is on sabbatical and who is under consideration for a promotion is welcome to attend the unit discussion. As with all candidates for a personnel action, they must leave the room when the deliberation and vote is to be taken regarding their personnel action.

7. **Question** – If the spouse of a faculty member is in the same unit, does the spouse get to participate in the faculty discussion and vote?

Answer – No. According to Section 2.10.6.A, this would be a conflict of interest and the faculty member shall not participate in any aspect of unit procedures involving their spouse.

8. **Question** – Can a departmental secretary be present to take minutes on behalf of the department chair?

Answer – A departmental secretary may attend at the request of the department chair for the purpose of taking minutes only. The departmental secretary is not permitted to participate in the unit discussion nor cast a vote regarding the candidacy of a faculty member for a personnel action.

9. **Question** – If a faculty member has announced a retirement but it does not take effect until the end of the academic year, should they still participate in the unit discussion and vote?

Answer – Until the actual date of retirement, the faculty member continues to be an eligible faculty member to become involved in personnel actions within the unit by their presence at unit meetings and the ability to vote. The fact that they have announced a retirement date in the future does not change this.

10. **Question** – If a faculty member has been denied a contract renewal, can they still participate in unit discussions and vote on other candidates in the unit?

Answer – No. According to Section 2.10.6.A, this would be a conflict of interest and the faculty member shall not participate in any aspect of unit procedures involving personnel actions.

11. **Question** – What is the form of the motion at the unit level regarding a faculty member's candidacy for a personnel action?

Answer – In the case of promotion or tenure, the vote will be made on a motion to recommend the action. In the case of a contract renewal, the unit vote will be on a motion for renewal for two years (unless it takes the candidate beyond the tenure period). If the motion for renewal for two years fails, the motion should then be made for a one-year renewal.

12. **Question** – Can a faculty member abstain from voting at the unit level?

Answer – Yes. Should a faculty member abstain from voting, they will still be counted for purposes of quorum and valid vote.

13. **Question** – How long can a unit discussion take place before a vote is required?

Answer – There is no time limit stated in the faculty personnel policy regarding length of a meeting or the length of discussion about a candidate. It is possible that a unit discussion could continue over more than one day in the event the department chair determines that there has not been enough time for a discussion.

14. **Question** – Can a faculty member participate in the unit discussion and vote via speakerphone?

Answer – The current interpretation of the faculty personnel policy requires a faculty member to be physically present at the unit meeting in order to participate in the discussion and vote. The matter of the use of a speakerphone is being referred to faculty governance for discussion on this point.

15. **Question** – Can a faculty member who is going to be absent cast an absentee ballot with the department chair?

Answer – A faculty member may not submit an absentee ballot, as only those faculty who are present at a unit vote are eligible and able to vote.

16. **Question** – Can a unit revoke on a personnel action?

Answer – The faculty personnel policy is silent as to whether a unit could conduct a revoke on a matter. That being said, it would seem that a unit could not revoke if the matter has been forwarded on to the College/Library Personnel Committee unless such matter has been referred back to the unit by the College/Library Personnel Committee. If the initial vote lacked the necessary quorum, it would seem that a subsequent meeting at which a quorum of unit faculty is present would constitute a “vote” instead of a “revoke.” In an instance where the unit has voted and had the appropriate quorum present, the department chair should consult with the dean regarding the propriety of a revoke based upon the circumstances.

17. **Question** – When should the candidate learn of the vote regarding a unit vote?

Answer – It is a good practice for the department chair to notify the candidate as soon as reasonably possible after the unit meeting and vote to verbally inform them of the vote.

18. **Question** – Are the results of the vote to be published in the minutes or simply that a vote was taken?

Answer – The minutes should reflect the exact tally of yea, nay, and abstention/non-votes in the minutes.

19. **Question** – Does a candidate get to receive a draft copy of the Unit Recommendation Report before it is finalized?

Answer – Yes, the candidate should be treated as all other faculty who are tenured or tenure-track in the unit and has equal opportunity to comment on the draft Unit Recommendation Report.

20. **Question** – Can a candidate for a personnel action fill out a Post-Meeting Comment Form on themselves?

Answer – Yes, provided that they sign the form.

21. **Question** – Are the completed Post-Meeting Faculty Comment Forms available to everyone in the unit, including the candidate?

Answer - The Post-Meeting Faculty Comment Forms that are completed are to be returned to the department chair. The department chair then forwards them to the dean, who then forwards them to the College/Library Personnel Committee. The Post-Meeting Faculty Comment Forms that are completed are not available to members of faculty within the unit.

22. **Question** – Can a faculty member or group of faculty add a rebuttal, clarification, or minority report to the Unit Recommendation Report?

Answer – The personnel policy provides that faculty may submit post-meeting comments on a form provided by the unit. There is no provision to permit a rebuttal, clarification, or minority report separate from the Unit Recommendation Report.

23. **Question** – It has been rumored that the role of the Divisional/School Personnel Committee has changed with the adoption of the new personnel policy. Is this true?

Answer – Although there was discussion at faculty governance regarding the role of the College/Library Personnel Committee, the role of the College/Library Personnel Committee did not change. The College/Library Personnel Committee will normally be expected to accept the recommendation of the unit. This is true whether the unit voted in favor or against a candidate. If there is not a “valid vote” by the unit, the College/Library Personnel Committee will evaluate all materials provided to it by the dean and vote on a recommendation regarding the candidate.