



OFFICE OF THE EXECUTIVE VICE PRESIDENT AND PROVOST

FLEXIBILITY OF PRE-TENURE PROBATIONARY PERIOD POLICY

RESPONSIBLE ADMINISTRATOR: VICE PROVOST FOR FACULTY, POLICY, AND RESEARCH
RESPONSIBLE OFFICE(S): OFFICE OF THE VICE PROVOST FOR FACULTY, POLICY, AND RESEARCH
ORIGINALLY ISSUED: 2006
APPROVALS:

APPROVED BY: Gregory S. Brown, Vice Provost for Faculty, Policy, and Research 8/29/13 Date

John Valery White, Executive Vice President & Provost 9/3/13 Date

APPROVED BY THE PRESIDENT: Neal J. Smatrask 9/11/13 Date

REVISION DATE: September 2013

STATEMENT OF PURPOSE

This policy is intended to provide faculty with a greater degree of career flexibility, in either advancing or delaying, when appropriate and justified, the tenure review. It is also intended to provide deans and chairs, when hiring academic faculty, with greater clarity and support in explaining to potential hires the flexibility that will be available in either advancing or delaying, when appropriate and justified, the tenure review. In this respect, it is intended to update UNLV's existing "early tenure" policy and bring it into conformity with national best practices for research universities.

ENTITIES AFFECTED BY THIS POLICY

All units that hire and review academic faculty.

WHO SHOULD READ THIS POLICY

Faculty, deans, associate and assistant deans, chairs, and directors.

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**POLICY**

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**1. Specific award of years toward tenure not to be included in offer of employment but tenure on hire may be offered with approval of faculty and president**

**Policy:** Offers of employment to tenure-track faculty positions at UNLV shall include no specific designation of years towards tenure. Any dean recommending to the Executive Vice President and Provost (EVP & P) that UNLV extend an offer of employment with tenure on hire must consult the appropriate faculty for its approval of an offer of tenure on hire and must report the result of a vote of eligible faculty as part of the dean's recommendation.

**Background:** The president may, upon seeking a recommendation from the appropriate faculty, grant tenure upon hire to an academic faculty member who at the time of hire holds tenure at another institution or who has an exemplary record that indicates extraordinary achievement in the field. *See* Board of Regents Code, Title 2, Section 3.3.1(b2).

**2. Early tenure review possible prior to sixth year of probationary period**

**Policy:** A faculty member has been employed in a tenure-track position(s) at (an)other institution(s) for at least one full year prior to initial employment at UNLV may elect to seek tenure and promotion at UNLV prior to the sixth year.

A faculty member has not been employed in a tenure-track position(s) at (an)other institution(s) for at least one full year prior to initial employment at UNLV may seek tenure review prior to the sixth year with written recommendation of the dean and EVP & P and upon the approval of the president. Such recommendations must be made and presidential approval must be granted prior to initiating any formal review of the faculty member's tenure materials.

A faculty member may apply for and be reviewed for tenure only once, so that an unsuccessful tenure review at any point during the probationary period will result in the issuance of a terminal contract for the next academic year.

**Background:** Upon the request of a tenure-track faculty member and approval of the president, the faculty member may be considered for tenure at any time during the probationary period. *See* Board of Regents Code, Title 2, Section 3.3.2. Approval for tenure review prior to the sixth year of the probationary period will only be granted in "exceptional circumstances." *See* UNLV Bylaws Chapter 3, Section 16.6(b).

**3. Probationary period may be extended beyond sixth year with approval of president**

**Policy:** Upon written request of a tenure-track faculty member and written approval of the president, the probationary period prior to the tenure review may be extended to seven or more years. In such a circumstance, the request must be made and approved only if the pre-tenure faculty member has not already been subject to a complete tenure review at UNLV.

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Consistent with provisions of federal law (Pregnancy Discrimination Act and Family and Medical Leave Act), a presumption will be made that a request for an extension of the probationary period (and a delay of the tenure review beyond the sixth year) by a faculty member who is pregnant will be granted by the president. This presumption applies only to the extension of the tenure review and carries with it no presumption of the extension of medical leave, paid or unpaid, in the case of pregnancy. (*See also* Summary of NSHE Policies and UNLV Practices for Faculty parental Leave.)

A faculty member with any other qualifying reason for a family or parental medical leave, including paternity and adoption, or for any other reason, may request in writing to his or her dean an extension of the probationary period and a delay of the tenure review. Deans shall in all cases forward such requests, with recommendation, to the EVP & P for review and eventual final determination by the president.

A faculty member need not take leave, paid or unpaid, for medical or any other reason, to request an extension of the probationary period and delay of the tenure review beyond the sixth year. A request for an extension of the probationary period may be made at any time prior to the first day of instruction of the spring semester prior to the formal review of tenure materials, which occurs ordinarily in the fall of the sixth year of employment.

There is no prohibition against a faculty member seeking multiple extensions, though each request must be reviewed and approved separately by the president.

In all circumstances, any professional work completed during a medical leave and/or during an extension of the probationary period shall count towards the tenure review, but the taking of a medical leave and/or an extension of the probationary period shall not change the standards applied to the tenure review.

Upon approval by the president of an extension of the probationary period, written notification shall be made to faculty member, chair/director and dean of the new expected tenure review date.

**Background:** Upon written request of a tenure-track faculty member and written approval of the president, the probationary period prior to the tenure review may be extended to seven or more years. *See* Board of Regents Code, Title 2, Section 3.3.1(d). A faculty member with any qualifying reason for a family or parental medical leave, including pregnancy, paternity and adoption, or for any other authorized period of leave for any reason, may request to the president in writing an extension of the probationary period and a delay of the tenure review. *See* Board of Regents Code, Title 2, Section 3.3.1(c).

#### **4. Tenure and Promotion generally considered together**

**Policy:** UNLV will consider faculty for promotion simultaneously with the tenure review. In the exceptional circumstances of an early tenure review or an attenuated tenure review, the faculty member is to be reviewed for promotion in rank as part of the tenure review.

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**Background:** UNLV generally considers tenure and promotion to associate professor at the same time, except in certain exceptions delineated by specific college policy or, in the case of special circumstances, in writing by the dean. UNLV offers the rank of associate professor without tenure in certain colleges, which specify this practice in their college policies and procedures. In other colleges, it is not policy to offer employment as associate professor without tenure unless the dean anticipates that the faculty member being hired will be a strong candidate for promotion to full professor at the time of the tenure review following the probationary period. Such a review of a faculty member hired at the status of associate professor without tenure will not take place ordinarily until at least the fourth year of employment at UNLV and with the approval of the president, and will take place ordinarily by the sixth year of employment.

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#### RELATED DOCUMENTS

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Flow chart and Provost's procedural instructions to deans concerning tenure flexibility: <http://www.unlv.edu/provost/policies-forms#P>

UNLV Bylaws, chapter 3, section 16: "Guidelines for Promotion or Appointment to Academic Rank for Academic Faculty", <http://facultysenate.unlv.edu/sites/default/files/UNLVBylaws.pdf>.

Summary of NSHE Policies and UNLV Practices for Faculty parental Leave, [http://provost.unlv.edu/downloads/parental\\_leave\\_policy.pdf](http://provost.unlv.edu/downloads/parental_leave_policy.pdf).

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#### CONTACTS

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