

To: Academic Deans

From: John Valery White, Executive Vice-President and Provost

Date: 8 September 2013

Re: Procedures relative to Flexibility of Pre-Tenure Probationary Period Policy

This memorandum sets forth the procedures associated with the UNLV Flexibility of Pre-Tenure Probationary Period policy, which governs requests to accelerate or attenuate a tenure review before or beyond the standard sixth year of employment. This policy and these procedures are intended to support deans, chairs and faculty in determining justified reasons for flexibility of tenure review.

Overview: Per NSHE Board handbook, and UNLV bylaw, the standard probationary period for tenure-track faculty is seven years (Code II.3.3.1.b1), with the tenure review taking place during the sixth year of employment (UNLV Bylaws III.16.6). The standard practice at UNLV remains that we specify in the initial letter of offer for a tenure-track position the expected date of the tenure review, which shall be based upon the standard probationary period of six years. NSHE also handbook allows the president to extend an offer with “tenure on hire” if reviewed and approved by the appropriate faculty (II. 3. 3. B2), and those procedures are unchanged.

- 1. Specific award of years towards tenure are not to be included in an offer of employment, but early tenure review may be requested (or in specific cases, elected) by a tenure-track faculty member prior to sixth year of probationary period.**

Procedural instruction: A dean may, in extending an offer of employment to a prospective faculty member inquiring about years towards tenure, indicate that UNLV’s Flexibility of Pre-Tenure Probationary Period policy allows our faculty members to request, or (in the case noted below) elect, an early tenure review prior to the regularly scheduled review in the fall of the sixth year. UNLV considers this policy preferable to an award of years towards tenure, because it offers the faculty member the privilege of selecting which year during the probationary period to seek or opt for an early tenure review, rather than being restricted to a calendar set at the time of hire (as would be the case with an award of years towards tenure).

In the “exceptional circumstance” (as per UNLV Bylaws III.16.6b) of a prospective faculty member who has been employed in comparably ranked positions at another institution for at least one full year prior to initial employment at UNLV, a dean may inform the prospective faculty member that he or she may seek an early tenure review at any point in his or her probationary period at UNLV. At the same time, a faculty member employed in a tenure-track position at UNLV, who has been employed in a comparably ranked position at another institution prior to initial employment at UNLV, need not receive any formal notification prior to his or her employment at UNLV to enjoy this privilege of seeking an early tenure review during the

probationary period.

A faculty member wishing to apply for tenure prior to the sixth year of employment at UNLV should in any event seek and receive the counsel of the other tenured members of the same department or unit, of the department chair / school director/ associate dean, and of the dean. Such counsel should be sought and provided in the spring prior to the semester when such an application for tenure would be submitted and prior to any consideration of the tenure materials. Such counsel in no way constitutes an assurance of the success of such an application and amounts merely to an opinion on the advisability of seeking (or electing) an early tenure review in the following academic year.

To make this request for, or if eligible to elect an early tenure review, a tenure-track faculty member should complete the attached form and submit it to the direct supervisor (department chair or school director or relevant associate dean), who shall forward all requests to the dean, with recommendation if appropriate. Deans shall forward all requests to the provost (with recommendation, if appropriate). Under ordinary circumstances, this request should be submitted before the end of the spring semester prior to the intended tenure review. The response to the request, in the form of written approval from the president (or denial of a request) will be returned to the dean, chair and faculty member. (See attached flow chart for further clarification of the different paths to early tenure review).

2. Extension of probationary period beyond the sixth year (attenuated tenure review)

A faculty member seeking an extension of the probationary period beyond the sixth year – i.e., a delay in the tenure review – shall submit the request in writing to the chair, director or associate dean, by submitting the attached form prior to the first day of instruction of the spring semester prior to the scheduled tenure review. A faculty member may submit the request directly to the dean to preserve personal health information. Since such requests may contain personal health information, all requests are to be treated as confidential personnel documents.

In the case of an approval, all provisions of the Summary of NSHE Policies and UNLV Practices for Faculty Parental Leave concerning tenure flexibility apply, such that the university may not and “does not impose a delay in consideration of promotion or tenure for academic faculty who use parental leave up to 12 weeks in duration”¹ and at the same time, “a faculty member may request that a period of parental leave be excluded from service toward the seven year probationary period and approval shall be within the discretion of the Executive Vice President and Provost”². Note that the request for an extension of the probationary period is separate from a request for medical or family leave.

¹ Summary of NSHE Policies and UNLV Practices for Faculty parental Leave, http://provost.unlv.edu/downloads/parental_leave_policy.pdf, page 4, number 3, letter a.

² Summary of NSHE Policies and UNLV Practices for Faculty parental Leave, http://provost.unlv.edu/downloads/parental_leave_policy.pdf page 4, number 3, letter b.