SUBMITTED BY: AD HOC ARK COMMITTEE

TITLE OF THE PROPOSAL: REVISION OF UNLV BYLAWS REGARDING TENURE

Note to Submitter: Contact Faculty Senate Office to receive File Name to “Save As” before sending to faculty.senate@unlv.edu

DESCRIPTION: Defines Tenure, sets standards and clarifies process.

IMPACTS:
- REGENTS HANDBOOK
- X UNLV BYLAWS
- □ SENATE BYLAWS

PROPOSED TEXT: (Deletions are indicated by strikethrough; additions by bold underline.)

4.3 Tenure represents a commitment by the university to support academic and intellectual freedom of the faculty, understood to be essential for excellent institutions of higher education. Tenure rewards achievement and commitment to continued excellence in scholarship, teaching and service. The granting of tenure is acknowledgement by peers and the University of significant contributions and sustained effectiveness within a discipline.

4.3.1 Eligibility. Only those faculty with appointments as academic faculty as defined in Chapter I, Section 4.1.1 who are in Rank II or above are eligible for tenure. Faculty placed in Rank 0 positions shall not be eligible for appointment with, nor shall have, tenure under any circumstances (NSHE Code, Chapter 3, Section 3.2). Administrators are eligible for tenure only in the capacity of academic faculty. (C 06/16)

4.3.1(A).1 Faculty members with well-established careers or with tenure at another institution may be tenured at the time of initial appointment provided they: (1) meet the basic UNLV standards for tenure; (2) are recommended by a vote of those eligible to vote on tenure decisions according to the bylaws of the appropriate department; (3) receive written recommendations from the department chair, the dean of the college and the Executive Vice President and Provost; and (4) receive approval of the President of the University. (B/R 10/98) (C 06/16)

4.3.1(C).2 Academic faculty members with well-established careers or with tenure at another institution occupying administrative positions may be tenured at the time of initial appointment but only in the capacity of academic faculty, provided they: (1) meet the basic UNLV standards for tenure; (2) are recommended by a vote of those eligible to vote on tenure decisions according to the bylaws of the appropriate department; (3) receive written recommendations from the department chair, the dean of the college and the Executive Vice President and Provost; and (4) receive approval of the President of the University. (B/R 10/98) (C 06/16)

4.3.(2)1.3 Interdepartmental Eligibility. Qualified academic faculty who are employed by more than one department shall be eligible for appointment with tenure in the department for which the terminal degree held by the faculty member is most appropriate. Such determination shall be made at the time of employment. In cases of disagreement, the Executive Vice President and Provost shall decide which department is most appropriate. (B/R 10/98)
4.3.1(b) A Rank 0 faculty member may not be transferred into a tenure-track (Rank II or higher) position but must compete for such positions in accordance with Chapter III, Section 15 (Recruitment of Faculty). (C 06/16)

4.3.2 Tenure Standards and Procedures. Each department or school and college shall establish standards and procedures, including a reconsideration procedure, for tenure recommendations. Only persons who hold tenure at UNLV may vote on the application of a candidate for tenure. (B/R 12/04) Granting of tenure shall require a rating of “excellent” in research, scholarship, creative, entrepreneurial or other equivalent activity; a rating of at least “commendable” in teaching (or other assigned duties that do not include instruction); and a rating of at least “satisfactory” in service. The faculty of each department/school/college shall establish tenure criteria and procedures as appropriate to the discipline and in compliance with these bylaws and the NSHE Code.

4.3.3 Administrative Channels for Evaluative Process for Tenure Recommendations. The recommendation for tenure shall move through proper faculty and administrative channels from department or school to college to the Executive Vice President and Provost to the president; the Executive Vice President and Provost shall provide the Tenure and Promotion Committee with the tenure recommendations. The Faculty Senate Tenure and Promotion Committee shall consult with the Executive Vice President and Provost to ensure comparable rigor of criteria and procedures for recommendations across units.

4.3.3.1 The tenure dossier shall consist of the application compiled by the candidate, solicited external letters of review, and recommendations providing a summary of deliberations with vote tallies, when applicable.

4.3.3.2 Only faculty who hold tenure at UNLV may evaluate and vote on the application of a candidate for tenure and only once in the deliberative processes.

4.3.3.3 At each academic level (department/school/college) tenured faculty will deliberate and vote for or against tenure. A recommendation with voting tally will be added to the dossier before forwarding to the unit supervisor (chair/director/dean) who will also provide a recommendation supporting or opposing tenure. The dossier moves through applicable faculty and administrative channels to the University Tenure and Promotion Committee.

4.3.3.4 In its deliberations, the University Tenure and Promotion Committee will assess comparable rigor of criteria and procedure across units. The Committee will include a recommendation with vote tally before forwarding to the Executive Vice President and Provost.

4.3.3.5 After consideration of the entire dossier, the Provost will provide recommendations to the President for final determination. The Executive Vice President and Provost will notify each applicant of the decision of the President who will also notify the Board of Regents for affirmation.

4.3.3.6 Candidates not recommended for tenure may request reasons for denial, request reconsideration, and file a grievance with the Faculty Senate Grievance Committee. (See Chapter III, Section 16.8 and 16.9 and NSHE Code, Chapter 5, Sections 2.3 and 2.4).

4.3.4 Promotion with Tenure.

4.3.4.1 An Assistant Professor who is granted tenure will concurrently be promoted to Associate Professor.
4.3.4.2 Academic faculty hired at Associate Professor rank but not granted tenure will be expected to apply for tenure within the appropriate time frame. Promotion to Full is not concurrent unless applied for and granted.

ARGUMENTS FOR:

1. Current UNLV promotion and tenure standards as described in the University Bylaws were developed in the 1970s and the ARK Committee believes that those standards are not consistent with the Top Tier Initiative nor do they reflect our Carnegie research aspirations. The proposal creates standards comparable to peer and aspirational peer institutions.

2. It is misleading to suggest to new hires that tenure on the basis of excellence in teaching and satisfactory in research is a viable path. This Bylaw amendment provides better guidance for junior faculty.

3. Lack of clarity and fairness regarding evaluation for tenure (at the University/College/unit levels) is one of the major complaints in every survey of faculty in the past decade at UNLV. Clearer, more consistent University standards are a necessary precondition to solving this problem.

ARGUMENTS AGAINST:

1. These Bylaw amendments may be seen by some, including some external constituencies, as lessening the emphasis on teaching in the promotion and tenure process.

2. It has been suggested by some that these Bylaw amendments might empower deans to apply criteria that are not reflected in the unit bylaws, in violation of the University Bylaws and the Code. Conversely, there is some concern that these Bylaw amendments might cause units simply to inflate their existing standards rather than to write new standards.

3. Assistant professors may perceive that changes to standards negatively impact their progress to tenure.

4. There is a concern that these Bylaw amendments are intended to drive faculty members whose strengths involve other than high-level research to leave UNLV.

DATE SUBMITTED: FEBRUARY 6, 2018
DATE PLACED ON AGENDA: FEBRUARY 20, 2018

SENATE ACTION: [ ] FOR [ ] AGAINST [ ] ABSTAIN
RESULT: 

“X” ALL THAT ARE REQUIRED

[ ] CAMPUS VOTE REQUIRED, IF APPROVED
CAMPUS VOTE: [ ] %FOR [ ] %AGAINST
RESULT: 

[ ] PRESIDENT’S APPROVAL REQUIRED

NOTE: AFTER SIGNING PLEASE NOTIFY FACULTY SENATE OFFICE VIA faculty.senate@unlv.edu

[ ] CHANCELLOR’S APPROVAL REQUIRED

SIGNATURE/DATE

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