

Special Title Series Issues

E31C

Where an assistant professor in the Special Title Series also had administrative assignment as “Director” of a university function, and was given notice 9 months into the first year of faculty appointment that his employment would be terminated at the end of that year on account of that funds were not available, he appealed that he had not been given sufficient notice (prior to Dec. 1) as prescribed in his contract. The Vice President withdrew the notice of termination for the end of the first year and instead assigned the termination date to be the end of the second year. The faculty member appealed to the SACPT that he ought to be merit evaluated (which the Vice President had refused) prior to a final decision on his termination, and that ‘insufficient funds’ as the reason of his termination ought be withdrawn. The SACPT supported his appeal, and recommended that his termination date be extended to the end of the third year. The Vice President by letter that ‘lack of funds’ was being formally withdrawn as the reason for the termination, and that a faculty performance evaluation would be carried out, which was performed by the tenured faculty members, and the end of the third year was made the date of termination.

D41K

Where Assistant Professor in Special Title Series who had a portion of his D.O.E. assigned for “research, scholarship, and other creative activities” was denied promotion and tenure on account of performance in “scholarship,” the individual appealed that improper criteria had been used. The SACPT unanimously agreed that the (1) “regulations and the statement on criteria for the special title series in ____ are not vague on the crucial issue, (2) That scholarship is not one of the requirements for promotion of [the individual] to the rank of associate professor with tenure, (3) That the failure to recommend [the individual] for promotion and tenure was indeed based on an evaluation of his scholarship.” The SACPT concluded that the “regulations require that [the individual] be evaluated for promotion and tenure on the basis of his performance in teaching and service. It is our recommendation that [the Dean] be asked to reconsider the case with the research and scholarship eliminated as a criterion of performance.” President adopted the SACPT findings and recommendation.

M41P

Where a Special Title Series assistant professor with DOE assignments in part in one program and in part in a second program, was denied promotion and tenure, she appealed that “she was not evaluated by criteria established for the special title series of the medical center.” The SACPT decided that “The criteria for the special title series in which she holds a position clearly contemplates that she must be fairly evaluated on the totality of her effort and not merely on the part of that occurred in [one program].” The SACPT also found that the dossier “was not sufficiently complete to allow for a proper evaluation of here performance under the criteria established for the special title series of the medical center” because it did not contain the “written annual evaluations of her work” and “little effort had been made through the years of her service to gather written information about the quality of her teaching performance [so that] there was inadequate information on this subject in the file...Without this kind of information the faculty member did not receive the kind of careful evaluation of her performance to which she is entitled.” Finally, the SACPT found “The work of [the individual] ... was primarily centered

outside of the College... Yet the crucial evaluation of her performance was done by the advisory committee of that college. We believe that there would be value in avoiding such a situation in future cases.” The SACPT recommended to the President the remedies (1) “that you appoint a special ad hoc committee to provide a complete evaluation of her performance; (2) that a dossier be prepared for the committee with the complete information on all aspects of [the individual’s work]; (3) that she be given an opportunity to submit information to the committee that is pertinent to the performance of her duties; and (4) that the committee be instructed to evaluate her performance solely on the basis of the criteria established for the special title series of the medical center.” The President adopted and implemented the recommendations.

L43L

Where an assistant professor in the special title series had been denied promotion and tenure in both 6th year and 7th year reviews, on the basis of insufficient “professional development and research”, when the faculty member’s D.O.E. averaged 85% teaching and 15% professional development and research,” the SACPT determined that the individual “was primarily a teacher, a fact which the University annually has agreed to in writing. Since such agreements should not work to [the individual’s] detriment, it follows that the promotion criteria must be applied in a manner consistent with the division of effort... The SACPT committee further determined that “section VI.B.2 of the Administrative Regulations ... imply clearly that advancement through the ranks of an individual whose responsibilities do not include research or creative work should be based on criteria carefully crafted to reflect specific duties and expected levels of performance. The Medical Center Special Title Series of 1970 is a two page document which provided criteria for all Medical Center personnel and which, in its implementation from 1970 to 1980, freed the individual units from the tasks of devising appointment and promotion criteria for each new special title series appointment. Predictably, its criteria are brief and general and we are unconvinced that they reasonably substitute for the individual criteria called for in the Administrative Regulations. Indeed, the Medical Center itself has come to this conclusion, at least partially. We are informed that some departments have consistently provided unique descriptions for special title positions and, since 1980, certain other units have been directed to implement each new special title appointment with individual criteria as required in the Administrative Regulations. It is our conclusion that an umbrella title series which attempts to encompass an entire college, where duties may vary widely, is a contradiction; there is nothing special about it, it simply becomes a parallel series. Thus, we find ourselves driven to the conclusion that the Administrative Regulations, notwithstanding long practice to the contrary in the Medical Center and possibly elsewhere, mean what they say: each special title position must be described by a unique document and criteria.” The SACPT committee recommended that the individual was entitled to a new dossier being formed at the department level, with new evaluation/recommendation letters from all internal parties, that the dossier be forwarded through the evaluation process to the Area Committee, which will receive both the old and new dossier, and that all parties will be instructed to conduct their evaluations guided by the D.O.E. assigned to the faculty member. President agreed to the recommendations, and added that the individual will be placed in full time, nonfaculty University employment in a different college until the process completes with the President’s final decision on the promotion/tenure proposal.

U58M

Where Special Title Series faculty member was denied promotion and tenure, the SACPT decided “that very clear cut violations have occurred in this case...First, no official job description had been provided to [the faculty member] upon her hire at this University, and second, no Special Title Series criteria for the evaluation for promotion and tenure was ever approved by the Academic Area Committee nor presented to [the faculty member], (AR II-1.0-1 9/20/89, pp VII-1). The lack of clear guidelines for promotion and tenure in the Special Title Series alone demonstrates a violation of procedure, and thus serves as grounds for appeal. In consideration of bot issues, the committee feels that [the faculty member] was not afforded the appropriate information which would have led her to a successful bid for promotion with tenure. It is reasonable to expect new faculty in either Special Title or Regular Title Series appointments be fully informed of the guidelines and criteria for evaluation as well as for promotion with tenure. It is the committee’s recommendation that the case be reopened at the Chancellor’s level for reconsideration.” The President then directed the Chancellor to “reconsider” the case. The Chancellor, writing in March, then recommended the individual be granted promotion and tenure retroactive to the previous July 1, citing the findings of the SACPT. President concurred and tenure with promotion was conferred.

Q59D

Faculty member in Special Title Series denied promotion to full professor complained that no document describing job or promotion criteria had been promulgated as required by Administrative Regulations. SACPT committee determined the faculty member “had no current or accurate job description or criteria for promotion on file when her dossier was sent forward last year. Somehow an inaccurate and absolutely unrelated job description and criteria had been inserted into her dossier. Outside evaluators as well as the area committee made recommendations based on this erroneous information. When a recommendation came from the Chancellor’s office to redo the process, a job description that did not reflect Dr. Quick’s current duties ... was added to her file. Moreover, the external evaluations from the previous submissions were included in the new dossier and no new external letters were soughtAfter careful deliberation, it is the committee’s decision that procedural violations have occurred in this case....an inaccurate job description and Special Title Series criteria for promotion was used in the initial dossier; and an out of date description and criteria was included in the second dossier. an inaccurate and nonreflective job description had been sent to external evaluators and that this potentially negatively impacted [the faculty member’s] application for promotion to full professor. The lack of clear guidelines for promotion and tenure in the Special Title Series alone demonstrates a violation of procedure. It is reasonable to expect every faculty member in either Special Title or Regular Title Series appointments be fully informed of the guidelines and criteria for evaluation as well as promotion. Any new or changing assignments must be accurately upgraded in an amended job description to reflect the faculty’s current responsibilities... the Department of _____ should develop an accurate and current Special Title Series position description for [the faculty member] and have it approved by the College of _____, and relevant academic area committee. Once this has been accomplished, it is the committee’s opinion that a fresh dossier be developed with new letters solicited from the faculty, administrators and external evaluators, based on the accurate information. It is expected that Dr. _____ be afforded a reasonable timetable in which to prepare her documentation.

Letters of evaluation in the two preceding dossiers should not be included in the new dossier. Finally, the committee feels that if Dr. _____ is awarded promotion to Full Professor, she should be retroactively compensated for the past two years of her ordeal.” The President directed that the new job description and promotion criteria document be promulgated and approved, and that the case be reperfomed.

B60M

Faculty member in regular title series was provided continuous DOE of 45% teaching, 25% research, 30% administration. In consideration for promotion and tenure, Area Committee recommended negatively to Chancellor, on account of ‘thin research record.’ However, Area Committee also wrote it had been “grossly unfair” to fail to put the individual originally in Special Title Series position, in view of heavy administrative assignment, and that “[w]e earnestly hope that some arrangement can be made to assure that justice is done in this case.” Chancellor in response met with Area Committee and “asked it to write [the Chancellor] another letter,” on account of the Chancellor’s characterization that the Area Committee’s first letter contained “dangerous” language. Chancellor asserted that Area Committee “went beyond its function” in making the additional comments quoted above. Area Committee complied to write a second, more strongly negative letter, and characterizing the teaching load as only “moderate.” SACPT agreed that it was inaccurate to characterize the teaching load as moderate “in comparison to other faculty in his College.” SACPT interpreted “There did not appear to be any procedural reasons for the Chancellor to ask for a new letter. Rather [the Chancellor] found the substance of the letter itself disturbing. So far as we know, no rules prohibit the Chancellor from strongly suggesting to an area committee that it write a new letter along certain lines. But we think that doing this defeats the purpose of having area committees give independent advice to the chancellors. Their advice is not independent or of much utility if its essential nature is preordained by the Chancellor. There are no regulations that constrain an Area Committee from communicating its belief that the university would be best served by retaining a candidate even though a strict reading of the record does not merit a positive recommendation. Indeed, area committees do this on occasion.” On the aspect of Regular Title vs. Special Title, “[t]his Committee believes that [the individual] has been ‘screwed’ by missteps and lapses in the system over which he had virtually no control. If there is a culprit, it is [the former dean] who apparently insisted that new members of the College ... be appointed into the regular title series regardless of their duties... it is unfair for the university to hire a person... charge him primarily with the task of building an important undergraduate program at one third or more of his time and yet put him in the Regular Title Series....Nothing would be gained by having this case reconsidered...it would be pointless to recommend that [the Chancellor] reconsider his file based on the first letter...Thus we recommend that you act directly... The Privilege and Tenure Advisory Committee recommends that you grant promotion and tenure to [the individual] in a Special Title Series line that accurately reflects his duties and skills.”