

**MOTION:** That the Faculty recommend to the Corporation the amendment of the *Faculty Rules & Regulations* in Part 4, Section 10.I.D.5 - 6, concerning the Tenure Review and Procedures, and in Part 5, Section 11.I.A., concerning the Corporation Rules on the Conditions of Tenure and Faculty Reappointments, by deleting the existing language (as struck-through below) and replacing it with the proposed new language (underlined and in bold below), effective July 1, 2011.

**RATIONALE:** This motion proposes changes to the *Faculty Rules & Regulations* with regard to Tenure Review and Procedures and the Corporation Rules on the Conditions of Tenure and Faculty Reappointments consistent with the principles the Faculty Executive Committee recommended and the Faculty adopted at the December 7, 2010 Faculty meeting.

**Faculty Rules and Regulations**  
**Part 4: Faculty Resolutions, Policies, and Procedures**  
**Section 10.I.D.5 - 6**

**5. Tenure Review**

Any untenured member of the faculty who holds tenurable rank at Brown, and whose full-time service at Brown amounts to five years or more, must have a full tenure review before an academic unit can make a recommendation for or against promotion to tenured rank. As stated above, the written criteria for evaluating scholarship, teaching, and service shall be provided to the candidate, and to the Dean of the Faculty and (if appropriate) the Dean of Medicine and Biological Sciences.

Before a recommendation is made for tenure, the untenured faculty member has the right to: (1) a written statement of the academic unit's criteria for recommending tenure and the procedures used in making such recommendations; and (2) an explanation of the academic unit's needs as far as these may affect his or her tenure. At the time of the recommendation, the candidate shall be notified in writing of the recommendation and, in the case of a negative recommendation, of the number of votes for and against and the reasons for the academic unit's decision. As outlined in the section concerning the Committee on Tenure, Promotions and Appointments, the individual also has the right to present written material in person and/or in writing to such Committee.

**6. Tenure Procedures and Recommendations in Divisions, Departments, Programs and Centers:**

**a. Initial Academic Unit Procedure**

i. No later than ~~November 1~~ **April 15<sup>1</sup>** of the ~~sixth year preceding the~~ **penultimate** year of the candidate's probationary period<sup>2</sup> ~~(assuming a probationary~~

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<sup>1</sup> **This and other dates are intended as guidelines and are intended to ensure that all reviews are concluded early enough to enable the University to give notice to the appointee of the action it intends to take at least**

~~period of seven years~~), the academic unit Chair, in consultation with the candidate, shall select no less than a three person “tenure committee” to guide the evaluation procedure (the “tenure committee” shall be smaller if there are fewer than three tenured faculty within the academic unit). The Chair may or may not be a member of the “tenure committee” and the head of the committee may be a tenured person in the academic unit or the unit’s Chair or Director.

ii. As soon as the “tenure committee” has been selected, ~~which is normally during the first week in November~~, the academic unit Chair/Director will convene a meeting of all tenured faculty of the unit and outline the procedures to be used in the evaluation for tenure. Where a candidate for tenure holds a joint appointment, each academic unit in which the individual has an appointment may have a separate tenure committee meeting and make separate evaluations and recommendations. As an alternative, the academic units may form a joint tenure committee with faculty from all units involved as members.

iii. The “tenure committee,” in consultation with the candidate, will be responsible for assembling the candidate’s tenure dossier. This process should begin as soon after ~~November 1~~ **April 15** as possible. This dossier will ultimately carry the academic unit’s recommendation on promotion to tenure, and will be kept permanently in the files of the Dean of the Faculty. It will contain the following:

*a) an updated curriculum vitae;*

*b) a list of individuals outside the University who should be well acquainted with the candidate’s field(s) of scholarship;*

*c) **no fewer than eight** letters of reference, including the academic unit’s letters of solicitation; and a statement of how each referee was chosen;*

*d) materials pertaining to the evaluation of the candidate’s teaching performance and contributions to the curriculum, including summary tabulations of semesterly teaching evaluations;*

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**twelve months before the expiration of the term appointment. If the end date of the appointment is other than June 30, the timeline will be adjusted accordingly. For external candidates, the timeline as well as some of the procedural steps specified for internal candidates for tenure may vary from what is described in the following.**

<sup>2</sup> The current Corporation policy with respect to how this time is counted (Faculty Rules, 2.1--15 March 1988, p.100, #8) (See Part 5, Section 11, I.A.8.) reads “Untenured faculty members may serve no longer than ~~seven~~ **eight** years of full-time faculty service or its equivalent in tenurable ranks at Brown University. After ~~seven~~ **eight** years of full-time faculty service or its equivalent at Brown University, such appointments must either be tenured or the appointment in tenurable rank is terminated, except that extensions of up to two years may be granted by the Dean of the Faculty (or the Dean of Medicine and Biological Sciences) for care of a newborn child or a newly adopted young child, or for other extraordinary circumstances. An interruption of a term of service for a medical leave, in accordance with University policy, no matter what its length, shall not be counted as part of the probationary period.” ~~How this statement is construed as to whether leaves, other than medical, count as “full time faculty service or its equivalent in tenurable ranks at Brown University” is a matter of department policy, so long as that policy is consistently applied. Candidates should clarify how their time is being counted with their Department Chairs.~~

*e) records of the candidates service to the University;*

*f) copies of all minutes of meetings and correspondence of the academic unit, which bear upon the question of the candidates' promotion to tenured rank.*

iv. In addition, the "tenure committee" will assemble, in consultation with the candidate, a complete file of scholarly publications and material submitted for publication as supplied by candidate to be considered by the "tenure committee" and made available for reading to all tenured members of the academic unit. The "tenure committee" will also assemble a file of material on teaching performance gathered in accordance with the procedures outlined in its program for teaching evaluation filed with the Deans of the Faculty and/or Medicine and Biological Sciences. The "tenure committee" will make these materials available (publications and teaching evaluation materials) to the Tenure, Promotion and Appointments Committee on request.

v. Not later than ~~December 1~~ **May 1** of the ~~sixth~~ year **preceding the penultimate** year, the candidate shall supply the "tenure committee" with a list of distinguished outside scholars who ~~are well-acquainted with~~ **would be appropriate external evaluators of** his or her scholarship. **The candidate shall be given an opportunity by the tenure committee to provide a written list of individual scholars who should not, in the candidate's opinion, be solicited for evaluations; this list should state the reason(s) for excluding each individual, and this list should be included with the tenure dossier.**

~~vi. At the same time, the "tenure committee" may select other~~ **will independently assemble a list of** individuals who are acknowledged scholarly and/or educational leaders in the discipline from whom to seek confidential written comments on the quality of accomplishment of the individual under review. ~~Before writing these individuals, the Chair of the "tenure committee" shall inform the candidate of the additional names, and the candidate may lodge such objections as he or she may have not later than December 15 of the sixth year. The "tenure committee" shall write to a number of persons suggested by the candidate, as well as those added by the "tenure committee," for confidential letters of reference. In consultation with the candidate, the Chair of the "tenure committee" shall decide on how many people will be asked to serve as referees. At least five letters should be received from individuals who are not on the Brown faculty.~~

**vii. After reviewing the candidate's list of suggested evaluators and objections, the department shall compile a single combined list, to include no fewer than three names from among those suggested by the candidate. This list, which is not shared with the candidate, shall be forwarded to the Dean of the Faculty or the Dean of Medicine & Biological Sciences, along with brief biographies of the referees explaining their qualifications to serve, for review, no later than June 1 of the year preceding the penultimate year. The Dean shall review the list in consultation with the department and may recommend to the department additional referees.**

**viii. After the list of referees has been finalized, a representative from the academic unit (either the Chair or a member of the tenure committee) shall contact each to determine whether he or she is willing to serve. The department shall thereafter send a standard formal request for evaluation of the candidate to each referee, conforming to the template published on the Dean of the Faculty website.**

~~vii.~~ **ix.** A statement of the contents of the dossier (~~including the names of all referees but not the contents of their letters~~) shall be given to the candidate no later than ~~February 1~~ **November 1** of the ~~sixth~~ **penultimate** year, so that the candidate may complete or supplement it with additional material, if necessary.

~~viii.~~ **x.** The academic unit's recommendation shall not be made without a complete dossier for the candidate, unless the candidate fails to submit the required materials by ~~February 15~~ **November 15** of the ~~sixth~~ **penultimate** year.

~~viii.~~ **xi.** Documented efforts must be made to secure the maximum participation of the tenured faculty of the academic unit, as required in the evaluation and recommendation process. The candidates' dossier shall be sent to those tenured faculty members in the academic unit not in residence not later than ~~March 1~~ **December 1** of the ~~sixth~~ **penultimate** year. Copies of any of the materials or publications held by the "tenure committee" shall be sent to such members on request. Those tenured faculty not in residence shall be requested to send written statements concerning the candidate to the Chairperson of the "tenure committee" no later than ~~March 15~~ **December 15** of the ~~sixth~~ **penultimate** year, but failure to receive statements from absent members shall not prevent completion of the evaluation and recommendation process.

## **b. Making the Recommendation**

i. At a meeting of the tenured faculty, called with at least a week's notice, the candidate's "tenure committee" will present the evidence on scholarship, teaching, and service. The tenured faculty will further discuss the evidence and take a vote which will be recorded and which will be the basis of the academic unit's recommendation to the Committee on Tenure, Promotions and Appointments. This recommendation shall be made in writing and indicate the quorum the Department has established as necessary to make such decisions.

ii. The academic unit's recommendation, together with the reasons therefore, whether positive or negative, shall be made and forwarded with the tenure dossier (described above) to the Committee on Tenure, Promotions and Appointments no later than ~~April 1~~ **January 7** of the ~~sixth~~ **penultimate** year.

iii. The following documents shall be forwarded to the Committee on Tenure, Promotions and Appointments:

*a) the candidate's dossier (as specified above);*

*b) the Department's recommendation, including reasons, and in the case of a negative recommendation the votes, signed by the academic unit Chair/Director and the Chair of the "tenure committee";*

*c) a certification by the "tenure committee" Chair that the academic unit's and University's standards and procedures for tenure review have been applied; or, if they have not, the reasons therefore and what different standards and procedures were used;*

*d) a copy of any specific supplement of the academic unit to the University's standards and procedures for contract renewal and tenure not already on file in the Office of the Dean of the Faculty.*

**c. When it leaves the academic unit, the recommendations shall contain the following:**

~~i. For promotions to tenure, a statement that an opening exists at that level, according to the academic unit's staffing plan and needs, must be provided. If no opening exists, a careful and thorough statement why this case requires an exception in the interests of both the academic unit and the University as a whole must be offered.~~

~~ii. A review of the candidate's scholarship and intellectual development giving:~~

~~*a) a description of the distinctive nature, reputation, and influence of his or her published work, if any;*~~

~~*b) an evaluation of that work with respect to the goals and structure of the academic unit;*~~

~~*c) a description and evaluation of unpublished work, completed or in progress, if any;*~~

~~*d) a description of the potential development and influence of the person's scholarship on the discipline, the academic unit and the University at large.*~~

iii. A review of the candidate's teaching record at Brown,

*a) describing teaching activities — i.e. specific courses taught, enrollment, independent study supervised, undergraduate and graduate theses supervised;*

*b) evaluating the candidate's teaching effectiveness with respect to various formats and levels of instruction; and describing students' evaluations of the candidates' teaching, with any explanatory comment summarizing the findings of the academic unit's program of teaching evaluation;*

*c) describing any specific contributions the person has made either to the academic unit or the University curricula, or to the academic unit's continuing concern for its teaching effectiveness if any.*

iv. An assessment of the candidate's personal and intellectual service to both Department and the University.

v. An estimate of the candidate's potential for further professional growth.

**d. Procedures following Transmission of the Recommendation to the Dean of the Faculty**

After a recommendation by an academic unit for or against promotion to tenured rank has been made, administrative action is initiated by the receipt, in the office of the Dean of the Faculty, ~~of the originals and eleven collated copies~~ of the materials described above, ~~a properly filled-out status sheet~~, and any examples (in single copy) of the candidate's published scholarship and teaching performance which may be useful to the Dean and his or her colleagues in their review.

Receipt of the submitted materials will be acknowledged by the Office of the Dean of the Faculty. The materials will be examined by the Dean's Office for completeness. If the Dean concludes that any materials are lacking or that further materials might be useful to fairly evaluate the candidate and the field of study, he or she will request them from the "tenure committee" of the candidate or from other experts in the field.

The Dean will then schedule a formal discussion of the recommendation by the Tenure, Promotion and Appointments Committee. Copies of the dossier (to which has been added the academic unit's recommendation) will be distributed well in advance of the Committee's discussion to the members of the Committee. Materials not suitable for copying will be retained in the Dean's office for use by members of the Committee and a list of those materials will be distributed with the copies of the dossier. The Chair of the "tenure committee" and the Chair of the Department will be contacted by the Dean's office to confirm the scheduling of the discussion and to ascertain their availability, if the committee wishes to consult with them during the meeting.

**Faculty Rules & Regulations**  
**Part 5 Corporation and Administrative Policies**  
**Section 11. University Regulations**

**I. Pertinent Corporation Rules relating to the Faculty**

**A. Conditions of Tenure and Faculty Reappointments**

NOTE: The following is Part I of a statement on Tenure and Reappointments recommended by the Faculty to the Corporation on May 24, 1977 as a replacement for the statement of May 30, 1959, and subsequently amended (cf. pp. 33-34 of the September 1974 edition of the *Faculty Rules and Regulations*.)

On June 4, 1977, the Corporation voted “That Part I of the Statement on Tenure and Reappointments adopted by the Faculty at its meeting on May 24, 1977, be accepted and made the policy of the University.”

Part II, referring to the Committee on ~~Faculty Reappointments and Tenure~~ **Tenure, Promotions and Appointments**, is found in 2, VI, E, above.

For the purposes of this statement “faculty” refers only to those individuals who are primarily employed in teaching and/or research or who have tenure.

1. The awarding of tenure at Brown University determines permanent membership in the professorial faculty. It conveys both a status and a contingent right, the assurance of continuous academic employment until retirement.
2. A tenured appointment may not be terminated by the Corporation except for adequate cause and after the appointment holder has been accorded the rights of due process as prescribed in Section 11, I, B.
3. All Faculty appointments are either tenurable or untenurable. A tenurable appointment may not be changed to an untenurable appointment to circumvent the limitation on the probationary period as defined below.
4. Tenurable appointments are, by title, the Professorship, the Associate Professorship, and the Assistant Professorship, and these three only. (See exclusions in paragraph 7 below.) The Professorship and the Associate Professorship will normally be tenured. The Assistant Professorship will normally not be tenured.
5. Untenable Appointments
  - a. All appointments other than the three professorial appointments specified above are untenurable and, as such, they neither involve considerations of tenure nor are they subject to the limitation of the probationary period as defined below. They are appointments to perform specific tasks. Untenable appointments include,

but are not limited to, those titled Instructor, Lecturer, Research Associate; and those with the designation “Visiting,” Adjunct,” (Research), “Investigator,” “Senior Investigator,” “Associate,” and those appointments in the Division of Biology and Medicine with the title “Clinical.”

b. Those appointments in the Division of Biology and Medicine with the designation of “Specialty” in a medical area, e.g., Professor of Pediatrics, are for a specific term and renewable. Such appointments do not carry tenure and are not subject to the probationary period as defined below, but individual faculty members of senior rank may be considered for a tenured faculty position with the joint concurrence of the University and of the hospital in which they are employed.

6. Untenured faculty members may serve no longer than ~~seven~~ **eight** years of full-time faculty service or its equivalent in tenurable ranks at Brown University. After ~~seven~~ **eight** years of full-time faculty service or its equivalent at Brown University, such appointments must either be tenured or the appointment in tenurable rank is terminated, except that extensions of up to two years may be granted by the Dean of the Faculty (or the Dean of Medicine and Biological Sciences) for care of a newborn child or a newly adopted young child, or for other extraordinary circumstances. An interruption of a term of service for a medical leave, in accordance with University policy, no matter what its length, shall not be counted as part of the probationary period.

7. Tenurable appointments which have been contracted for a specific term, may, when the term expires, either be terminated, or renewed without tenure, or changed to a tenured appointment. A first tenurable appointment may have a term no longer than ~~three~~ **four** years.

8. Recommendations to renew or not to renew contracts and recommendations to award or not to award tenure are initiated by the appointee’s department, division, or program. In cases of negative recommendation, and, at the request of the appointee, he or she shall be given, in writing, the rationale of the decision made by the department, division, or program. If the appointee holds a joint appointment, such recommendations shall be made individually by the departments, divisions, and/or programs concerned. The recommendations may be reviewed by the Tenure, Promotion and Appointments Committee. Only the Corporation can grant tenure.

9. Tenure considerations for faculty appointees who hold part-time appointments shall be in accordance with the “Resolution on Part-time Faculty Appointments” adopted by the Faculty on 21 May 1974. (See Section 10,I,C.)

10. All recommendations must be prepared and sent forward and all reviews concluded early enough to enable the University to give notice to the appointee of the action it intends to take at least twelve months before the expiration of the term appointment, except that for persons whose term appointments at Brown University total three years or less, notice shall be given at least eight months before the appointment expires. Initial



faculty appointments of a duration of one year or less, and “Visiting” appointments of whatever duration are to be considered as terminal appointments, not requiring additional notice from the University regarding possible reappointment.

11. An untenured faculty appointee has a right to the following:

- a. A written statement of the department’s, program’s, or division’s criteria for recommending renewal of an appointment or award of tenure and of the procedures prefatory to making such recommendations.
- b. A yearly professional evaluation by his or her Chair, together with an explanation of the department’s, program’s, or division’s needs so far as these may affect the appointee.
- c. A conscientious documentation by the department, program, or division of his or her professional career.
- d. A review of his or her case by the tenured members of the department, program, or division sufficiently before the dates of crucial decisions.
- e. A personal appearance before the tenured members of the department, program, or division during consideration of his or her case.
- f. A recommendation from the department, program, or division about his or her renewal or tenuring made ready by the proper date; an explanation of what that recommendation will be and to whom and when it will be sent.

The failure of a department, program, or division, or of the Tenure, Promotion and Appointments Committee, or of the Administration to secure any or all of these rights to a candidate shall not be sufficient cause for renewing an appointment or for awarding tenure.

12. Instructors and other faculty members who held tenurable rank prior to July 1, 1977, may elect to be governed by the Corporation Rules on Tenure as adopted in 1959 and subsequently amended.