University Senate
TRANSMITTAL FORM

Senate Document #:	14-15-28
Title:	Consideration of a New Post-Doctoral Title
Presenter:	Devin Ellis, Chair, Senate Faculty Affairs Committee
Date of SEC Review:	April 9, 2015
Date of Senate Review:	April 23, 2015
Voting (highlight one):	1. On resolutions or recommendations one by one, or 2. In a single vote 3. To endorse entire report
Statement of Issue:	In March 2015, the Office of Faculty Affairs approached the Senate Executive Committee (SEC) to propose amending the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-I.00 [A]) to establish a new entry-level post-doctoral title. The proposal was in response to needs identified by faculty in the life sciences. The SEC charged the Senate Faculty Affairs Committee with reviewing post-doctoral appointments at UMD and with considering whether changes to current post-doctoral titles would be appropriate.
Relevant Policy # & URL:	II-1.00(A) University Of Maryland Policy on Appointment, Promotion, and Tenure Of Faculty http://www.president.umd.edu/policies/ii-100a.html
Recommendation:	• The Senate Faculty Affairs Committee recommends that the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00[A]) be amended to establish a new Post-Doctoral Scholar title as shown in Appendix 1. • The Senate Faculty Affairs Committee recommends that the Office of Faculty Affairs submit a report on implementation of this new title to the Senate for review. Such a report should contain a description of the minimum benefits to be assigned with this new title, including leave benefits, and the category status used for the title. The Committee recommends that Post-Doctoral Scholars be given retirement benefits commensurate with retirement benefits given to Post-Doctoral Associates. • The Senate Faculty Affairs Committee recommends that current Post-Doctoral Associates should continue to hold that title and its related benefits for all future post-doctoral appointments at the University of Maryland.

Committee Work:	The Faculty Affairs Committee (FAC) considered its charge in spring 2015. In order to better understand the concerns that led to the charge, the FAC met with representatives from the Department of Geology, the Department of Cell Biology & Molecular Genetics, the Department of Animal and Avian Sciences, and the Division of Research on March 23, 2015. The FAC also consulted with representatives of the Office of Faculty Affairs and the Office of General Counsel throughout its review. Representatives of the life sciences outlined their concerns with the current structure of post-doctoral appointments. They explained that it is typical in the life sciences for individuals to have two separate post-doctoral appointments prior to applying for faculty positions; the first appointment typically resembles a trainee position and does not provide full benefits. Representatives advocated for creating a new title to recognize cultural diversity in UMD's disciplines and allow for each discipline to appoint post-doctorates as appropriate to the field. In discussion, representatives raised concerns related to the financial constraints faced by the life sciences and the implications of offering a full benefits package for post-doctoral positions that they view as trainee positions, as well as the potential lack of parity between benefits offered to UMD's post-doctorates and to NIH-funded post-doctoral fellows. The FAC considered the concerns raised in its meeting with representatives of the life sciences very carefully, and agreed that a compromise should be reached to allow the life sciences additional flexibility. The FAC considered the impact of a decision on post-doctorates, and reviewed administrative issues with the situation. After much discussion, the FAC agreed to create a new Post-Doctoral Scholar title and agreed that retirement benefits should continue to be provided for individuals in the new title. The FAC agreed that as there are many administrative concerns with this situation, it would appreciate receiving information from the Office of Faculty Affairs on an implementation plan for the new title after it has been approved.
Alternatives:	The Senate could reject the proposed amendments to the UMD policy. However, the University would lose the opportunity to address concerns raised regarding an entry-level post-doctoral appointment.
Risks:	There are no associated risks.
Financial Implications:	There are no financial implications.
Further Approvals Required:	Senate approval, Presidential approval.

Senate Faculty Affairs Committee

Senate Document #14-15-28

Consideration of a New Post-Doctoral Title

April 2015

BACKGROUND

In March 2015, the Office of Faculty Affairs approached the Senate Executive Committee (SEC) to propose amending the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-I.00 [A]) to establish a new entry-level post-doctoral title. The proposal was in response to needs identified by faculty in the life sciences, where it is typical to have two separate post-doctoral appointments prior to applying for faculty positions, one of which is an entry-level trainee position. The SEC charged the Senate Faculty Affairs Committee with reviewing post-doctoral appointments at UMD and with considering whether changes to current post-doctoral titles would be appropriate (Appendix 2).

CURRENT PRACTICE

In October 2014, the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-I.00 [A]) was amended to create a new framework for professional track faculty titles (Senate Document #12-13-55). Prior to that revision, the University was using the title "Research Associate" for post-doctoral appointments and certain other professional track faculty appointments. Post-doctorates at UMD had reported difficulty with the previous title, as it was not clear to other institutions what the position entailed and thus it hindered employment prospects when applying for positions after completing the post-doctoral appointment. In order to have a distinct title for post-doctorates, and to align with titles used at peer institutions, the APT policy was amended to change "Research Associate" to "Post-Doctoral Associate." The Post-Doctoral Associate title is renewable for up to six years, after which time individuals should be eligible to transition into a faculty title series if they intend to remain at UMD, to ensure the opportunity for future professional development and promotion as a faculty member.

COMMITTEE WORK

The Faculty Affairs Committee (FAC) began its review of the charge on March 9, 2015. The FAC reviewed the charge and discussed the concerns raised by faculty within the life sciences related to post-doctoral appointments at UMD. The FAC consulted with representatives of the Office of Faculty Affairs and the Office of General Counsel throughout its review.

In order to better understand the concerns that led to the charge, the FAC met with representatives from the Department of Geology, the Department of Cell Biology & Molecular Genetics, the Department of Animal and Avian Sciences, and the Division of Research on March 23, 2015. Representatives shared their concerns that the structure of UMD's post-doctoral appointments does not reflect nationwide best practices for post-doctoral hiring in the sciences. It is typical in the life sciences for individuals to have two separate post-doctoral appointments prior to applying for faculty positions, and the first post-doctoral appointment typically resembles a trainee position and does not provide full benefits. While some fields rely on one post-doctoral appointment as sufficient for training, the life sciences view multiple appointments as the equivalent of the internship and residency required for the training of medical doctors, where two separate appointments are needed for different phases of the training process.

Representatives suggested that creating a new title would recognize cultural diversity in UMD's disciplines and allow for each discipline to appoint post-doctorates as appropriate to the field.

Representatives and the FAC discussed the history of post-doctoral appointments and the development of the life sciences over the past ten years at UMD. UMD has been working for years on finding better ways to provide oversight and support to post-doctorates during their time at the institution. At the same time, the University has been working to enhance the life sciences, through work with the National Institutes of Health (NIH) and other federal research organizations. The merger of the sciences into the College of Computer, Mathematical, and Natural Sciences (CMNS) and engagement with the *MPowering the State* initiative have both been undertaken with the hope of strengthening the life sciences. Representatives noted that it is critical that UMD faculty are on the same level playing field with other faculty when competing for grants with NIH and other organizations. They suggested that the creation of a new post-doctoral title would help create a level playing field and ensure that quality research is accomplished at UMD.

The representatives also explained the financial constraints faced by the life sciences and the implications of offering a full benefits package for post-doctoral positions that they view as trainee positions. They explained the difficulty they have in grant budgets as it relates to benefits, in that tuition remission and retirement funding cannot be charged to a federally-sponsored research grant. These administrative costs must be paid by the department without using grant funds. Because of tight departmental budgets, representatives suggested they may not be able to fund as many post-doctoral positions as they have in the past in order to be able to meet these added administrative costs, which could diminish the quality of research conducted by the life sciences at UMD.

Representatives also discussed the potential lack of parity between benefits offered to UMD's post-doctorates and to NIH-funded post-doctoral fellows employed by UMD. NIH fellowships are very prestigious and competitive, and post-doctorates are highly encouraged to apply for these positions in their first year. NIH views these fellowships and all post-doctoral work to be a type of training, and as such, the NIH offers only certain benefits to its fellows. Representatives noted that the type of benefits offered by NIH are the national standard for post-doctoral appointments, and do not include retirement or tuition remission. A concern was raised that if UMD's benefits package does not match the benefits offered by the NIH, there would be a financial disincentive for post-doctorates to apply for a prestigious NIH fellowship. Representatives stressed that the difference in benefits is appropriate because there is a difference between a trainee and an employee, and the NIH and national standard is to view post-doctorates as trainees. The benefits offered at most Big Ten institutions align with the benefits offered by the NIH so as to avoid a disincentive in applying for NIH fellowships.

The FAC considered the concerns raised in its meeting with representatives of the life sciences very carefully, and agreed that a compromise could be reached to allow the life sciences additional flexibility, but the FAC discussed at length what an appropriate compromise would be. The FAC considered the impact of a decision on post-doctorates themselves, as these individuals are often the least compensated and least supported on campus. The committee noted that no office currently has oversight of post-doctorates, and there is no institutional mechanism to ensure that they are receiving the training and assistance they need in transitioning to an independent scholarly life. Representatives from the Office of Faculty Affairs explained that efforts are underway to put together an office to have oversight of post-doctorates on campus, in order to provide oversight and guidance for all post-doctorates at UMD. Members agreed that while UMD moves forward with such an initiative, the FAC should work to ensure that any compromise reached not only assists the life sciences with its concerns but also protects post-doctorates from financial difficulty.

The FAC reviewed the administrative complications with the situation facing the life sciences. The difficulty with the Post-Doctoral Associate title comes with the category status assigned to it, which confers full benefits on those holding title. Previously, the Research Associate title or other titles given to post-doctorates were able to use a category status that did not have a required benefits package. Because of the category status of the new title, departments have no flexibility to offer different benefits packages to post-doctoral appointees when needed. If the FAC were to create a new title, it could be assigned to a different category status code that gives more flexibility in what benefits could be offered for entry-level post-doctoral positions, though no change would be made to the benefits of current Post-Doctoral Associates.

In considering the benefits for post-doctoral appointments, the FAC noted that health benefits must be provided under the requirements of the Affordable Care Act, but other benefits such as retirement and tuition remission benefits are at the discretion of the University to provide. Members raised serious concerns over the idea of not providing retirement benefits. Studies have shown that the longer an individual waits to contribute to a retirement account, the more it affects them over the course of their life. Members also noted that if individuals have multiple post-doctoral appointments, it could be many years before they would be able to put any money into a retirement account, which can be highly detrimental to future financial wellbeing. Representatives from the life sciences had explained that only four other institutions in the Big Ten offer retirement benefits, and only two offer full tuition remission. Members pointed out that while other Big Ten institutions have not given retirement benefits for post-doctoral positions, the same could have been said at one time for many progressive policies, such as parental leave benefits or promotion reviews for professional track faculty. The FAC noted that while the peer institution information is important, the FAC would prefer to be progressive rather than follow other institutions.

The FAC agreed to create a new title and agreed that retirement benefits should continue to be provided for individuals in the new title. In regards to tuition remission, the FAC learned that these benefits do not begin until a post-doctorate has served in rank for two years, and agreed that a potential compromise could be to not require tuition remission to be provided to individuals in the new title. In relation to the concern for NIH fellows, the FAC noted that there would likely be administrative solutions to this issue as well, so that there would be no difference in the benefits given to NIH fellows at UMD. The FAC agreed that as there are many administrative concerns with this situation, it would appreciate receiving information from the Office of Faculty Affairs on an implementation plan for the new title after it has been approved.

The FAC developed language for a new title, and in particular, considered the name of the title. Representatives familiar with the problems noted that the name of the title itself is not a concern, so if a particular title was acceptable to the committee, it should work for their purposes. The FAC raised concerns about the name of the title for international applicants and applications for a visa. Members noted that a title with the word “intern” or “trainee” would cause applicants to be ineligible for certain types of visas. The FAC decided that Post-Doctoral Scholar would be more appropriate.

In addition, after further consultation with the Office of Faculty Affairs and the Office of General Counsel, the FAC decided to propose amendments to the existing Post-Doctoral Associate title to adjust the term limit to ensure that faculty do not remain in post-doctorate positions for longer than five years, and to allow exceptions to this standard to be reviewed and approved by the Office of the Provost.

RECOMMENDATION

The Senate Faculty Affairs Committee recommends that the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00[A]) be amended to establish a new Post-Doctoral Scholar title as shown below and in Appendix 1.

The Senate Faculty Affairs Committee recommends that the Office of Faculty Affairs submit a report on implementation of this new title to the Senate for review. Such a report should contain a description of the minimum benefits to be assigned with this new title, including leave benefits, and the category status used for the title. The Committee recommends that Post-Doctoral Scholars be given retirement benefits commensurate with retirement benefits given to Post-Doctoral Associates.

The Senate Faculty Affairs Committee recommends that current Post-Doctoral Associates should continue to hold that title and its related benefits for all future post-doctoral appointments at the University of Maryland.

PROPOSED AMENDMENTS TO THE UNIVERSITY OF MARYLAND POLICY ON APPOINTMENT, PROMOTION, AND TENURE OF FACULTY (II-1.00[A])

2. Post-Doctoral Scholar

The appointee generally shall hold a doctorate in a field of specialization earned within three (3) years of initial appointment to this rank. An exception to the time from degree requirement must be approved by the Office of the Provost. Appointment to this rank shall allow for continued training to acquire discipline-specific independent research skills under the direction of a faculty mentor. Appointments are typically for one (1) to three (3) years and are renewable, provided no appointee serves in this rank for more than three (3) years. After three (3) years in this rank, appointees who have performed satisfactorily are eligible for appointment to the rank of Post-Doctoral Associate.

~~2~~**3**. Post-Doctoral Associate

The appointee generally shall hold a doctorate in a field of specialization earned within five (5) years of initial appointment or shall have satisfactorily completed an appointment to the rank of Post-Doctoral Scholar. An exception to the time from degree requirement must be approved by the Office of the Provost. The appointee shall have ~~been~~ train**ing**~~ed~~ in research procedures, ~~shall~~ be capable of carrying out individual research or collaborating in group research at the advanced level, and ~~shall~~ have ~~had~~ the experience and specialized training necessary for success in such research projects as may be undertaken. ~~An earned doctorate shall normally be a minimum requirement.~~ Appointments ~~to this rank~~ are typically for one **(1)** to three **(3)** years and are renewable, provided the maximum ~~length of~~ consecutive **length of** service in ~~this~~ **both post-doctoral** rank**s** ~~does~~ **shall** not exceed **five (5)** ~~6~~ years. **Exceptions may be approved by the Office of the Provost.** After **five (5)** ~~six~~ years in **the post-doctoral** rank**s**, appointees who have performed satisfactorily **are** ~~should be~~ eligible for appointment to an appropriate faculty position **other than in the post-doctoral series**.

APPENDICES

Appendix 1 – Proposed Revisions to the University of Maryland Policy on Appointment, Promotion, and Tenure of Faculty (II-1.00[A])

Appendix 2 – Charge from the Senate Executive Committee on Consideration of a New Post-Doctoral Title

APPENDIX 1 - PROPOSED REVISIONS TO THE UNIVERSITY OF MARYLAND POLICY ON APPOINTMENT, PROMOTION, AND TENURE OF FACULTY

II-1.00(A) UNIVERSITY OF MARYLAND POLICY ON APPOINTMENT, PROMOTION, AND TENURE OF FACULTY

(Approved by the President, February 16, 1993; approved by the Chancellor, March 26, 1993; text on Distinguished University Professor approved by the Chancellor on April 15, 1994; text on Emeritus Status added 1995; text on mandatory retirement at age 70 removed March, 1996; text on term of service for APT committee members amended February 1998; text on Professor of Practice amended 1998; text on Senior Lecturer added November 2002; text on appeals process amended August 2003; text on Field Faculty added October 2003; text on Librarians added April, 2004; approved by the President and the Chancellor, December 2004, effective August 23, 2005; text on College Park Professor added June 2005, continuing through May 2012; text on Librarian Emerita /Emeritus status added April 2006; text on faculty with split appointments on APT committees added April 2006; text on Faculty Extension Agent and Associate Agent amended December 15, 2006; text on composition of third or campus-level review committee amended November 23, 2010; text on Clinical Faculty titles added March 13, 2012; text on Clinical Faculty titles amended May 9, 2012; technical changes September 17, 2012; text on University of Maryland Professor added November 15, 2012; text on non-tenure track faculty titles amended October 7, 2014.)

This policy complements the University of Maryland System Policy on Appointment, Rank, and Tenure of Faculty, adapting that policy in accordance with the institutional mission of the University of Maryland at College Park. Within the framework of the System Policy, it specifies the criteria and procedures related to faculty personnel actions which shall apply to the University of Maryland at College Park.

Subject to the provisions of paragraphs I.C.15 and I.C.17 of the University of Maryland System Policy on Appointment, Rank and Tenure of Faculty (1989), the provisions of paragraph III.C of this University of Maryland at College Park Policy on Appointment, Promotion and Tenure of Faculty shall be published in the Faculty Handbook and shall constitute part of the contractually binding agreement between the university and the faculty member. Any proposed changes to this University of Maryland at College Park Policy on Appointment, Promotion and Tenure of Faculty shall be submitted for initial review and endorsement by the College Park Campus Senate.

Terminological Note

The procedures spelled out in this document for tenure and promotion review specify three levels of review below the President's office. For most faculty members these are the department, the college, and the campus levels. However, some faculty members are appointed in colleges and schools that are not departmentalized and that conduct the initial review at the college or school level. For uniform terminology the initial review, whether conducted by a department or a non-departmentalized school or college, is referred to as a “first-level review,” and “department” is usually replaced by “first-level unit.” First-level units thus comprise departments, non-departmentalized schools, and non-departmentalized colleges. Higher levels of review are

referred to as “second-level” and “third-level.”

For the purpose of this policy, the term "university" and the term "institution" shall be synonymous and shall mean the University of Maryland at College Park. For the purpose of this policy, the word "days" shall refer to calendar days.

Purpose of this Policy

The University of Maryland is dedicated to the discovery and the transmission of knowledge and to the achievement of excellence in its academic disciplines. Each faculty member has a personal responsibility for contributing to the achievement of excellence in his or her own academic discipline and for exercising the best judgment in advancing the department, the college, and the University. Those faculty members holding the rank of Professor have the greatest responsibility for establishing and maintaining the highest standards of academic performance within the University. This Policy on the Appointment, Promotion, and Tenure of Faculty exists to set the standards for appointment and promotion to the various faculty ranks and to recognize and to encourage the achievement of excellence on the part of the faculty members through the awarding of tenure and through promotion within the faculty ranks. Through this process the University builds and enhances its educational programs and services and it advances the state of knowledge which supports the growth and development of our society.

I. MINIMUM QUALIFICATIONS FOR APPOINTMENT OR PROMOTION TO THE ACADEMIC AND ACADEMIC ADMINISTRATIVE RANKS

The only faculty ranks which may involve a tenure commitment are: Professor, Associate Professor, Assistant Professor, Principal Agent, Senior Agent, and Agent, and such other ranks as the Board of Regents may approve. Effective April 5, 1989, appointments to all other ranks, including any qualified rank, other than an honorific qualification, in which an additional adjective is introduced, are for a definite term and do not involve a tenure commitment. Those granted tenure in such a rank before April 5, 1989, shall continue to hold tenure in that rank.

The following shall be the minimum qualifications for appointment or promotion to the academic ranks in use by the University of Maryland at College Park.

A. Faculty with Duties in Teaching and Research

1. Instructor [a]

An appointee to the rank of Instructor ordinarily shall hold the highest earned degree in his or her field of specialization. There shall be evidence also of potential for excellence in teaching and for a successful academic career. The

[a] As of November 14, 1995, this title may NOT be used for new appointments.

rank does not carry tenure.

2. Assistant Professor

The appointee shall have qualities suggesting a high level of teaching ability in the relevant academic field, and shall provide evidence of potential for superior research, scholarship, or artistic creativity in the field. Because this is a tenure-track position, the appointee shall at the time of appointment show promise of having, at such time as he or she is to be reviewed for tenure and promotion in accordance with paragraph I.C.4 of the University of Maryland System Policy and paragraph III.C.3 of this policy, the qualities described under "Associate Professor" below. In most fields the doctorate shall be a requirement for appointment to an assistant professorship. Although the rank normally leads to review for tenure and promotion, persons appointed to the rank of Assistant Professor after the effective date of this policy shall not be granted tenure in this rank.

3. Associate Professor

In addition to having the qualifications of an Assistant Professor, the appointee shall have a high level of competence in teaching and advisement in the relevant academic field, shall have demonstrated significant research, scholarship, or artistic creativity in the field and shall have shown promise of continued productivity, shall be competent to direct work of major subdivisions of the primary academic unit and to offer graduate instruction and direct graduate research, and shall have served the campus, the profession, or the community in some useful way in addition to teaching and research. Promotion to the rank from within confers tenure; appointment to the rank from without may confer tenure.

4. Professor

In addition to having the qualifications of an Associate Professor, the appointee shall have established a national and, where appropriate, international reputation for outstanding research, scholarship or artistic creativity, and a distinguished record of teaching. There also must be a record of continuing evidence of relevant and effective professional service. The rank carries tenure.

B. Faculty with Duties Primarily in Research, Scholarship, or Artistic Creativity

Appointments with these faculty titles do not carry tenure.

1. Faculty Assistant

The appointee shall be capable of assisting faculty in any dimension of academic

activity and shall have ability and training adequate to the carrying out of the particular techniques required, the assembling of data, and the use and care of any specialized apparatus. A baccalaureate degree shall be the minimum requirement. Appointments to this rank are typically for terms of one to three years and are renewable for up to three years. After three years in rank, appointees who have performed satisfactorily should be eligible for appointment to an appropriate faculty position or encouraged to apply for a staff position.

2. **Post-Doctoral Scholar**

The appointee generally shall hold a doctorate in a field of specialization earned within three (3) years of initial appointment to this rank. An exception to the time from degree requirement must be approved by the Office of the Provost. Appointment to this rank shall allow for continued training to acquire discipline-specific independent research skills under the direction of a faculty mentor. Appointments are typically for one (1) to three (3) years and are renewable, provided no appointee serves in this rank for more than three (3) years. After three (3) years in this rank, appointees who have performed satisfactorily are eligible for appointment to the rank of Post-Doctoral Associate.

~~2~~**3**. Post-Doctoral Associate

The appointee generally shall hold a doctorate in a field of specialization earned within five (5) years of initial appointment or shall have satisfactorily completed an appointment to the rank of Post-Doctoral Scholar. An exception to the time from degree requirement must be approved by the Office of the Provost. The appointee shall have ~~been~~ train**ing**~~ed~~ in research procedures, ~~shall~~ be capable of carrying out individual research or collaborating in group research at the advanced level, and ~~shall~~ have ~~had~~ the experience and specialized training necessary for success in such research projects as may be undertaken. ~~An earned doctorate shall normally be a minimum requirement.~~ Appointments ~~to this rank~~ are typically for one **(1)** to three **(3)** years and are renewable, provided the maximum ~~length of~~ consecutive **length of** service in ~~this~~ **both post-doctoral** ranks ~~does~~ **shall** not exceed **five (5)** ~~6~~ years. **Exceptions may be approved by the Office of the Provost.** After **five (5)** ~~six~~ years in **the post-doctoral** rank**s**, appointees who have performed satisfactorily **are** ~~should be~~ eligible for appointment to an appropriate faculty position **other than in the post-doctoral series**.

~~3~~**4**. Assistant Research Faculty Ranks

a. Assistant Research Professor

This rank is generally parallel to Assistant Professor. Appointees shall have demonstrated superior research ability and potential for contributing to the educational mission through teaching or service. Appointees should be qualified and competent to direct the work of others (such as technicians, graduate students, other research personnel). An earned doctoral degree will be a normal minimum requirement for appointment at this rank. Appointments to this rank are typically one to three years and are renewable.

b. Assistant Research Scientist

This rank is generally parallel to Assistant Professor. Appointees shall have demonstrated superior scientific research ability. Appointees should be qualified and competent to direct the work of others (such as technicians, graduate students, other research personnel). An earned doctoral degree will be a normal minimum requirement for appointment at this rank. Appointments to this rank are typically one to three years and are renewable.

c. Assistant Research Scholar

This rank is generally parallel to Assistant Professor. Appointees to this rank shall have demonstrated superior scholarly research ability and be qualified and competent to direct the work of others (such as technicians, graduate students, other research personnel). An earned doctoral degree will be a normal minimum requirement for appointment at this rank. Appointments to this rank are typically one to three years and are renewable.

d. Assistant Research Engineer

This rank is generally parallel to Assistant Professor. Appointees shall have a demonstrated record of superior engineering practice, design, and development. Appointees should be qualified and competent to direct the work of others (such as technicians, graduate students, other engineering personnel). An earned doctoral degree will be a normal minimum requirement for appointment at this rank. Appointments to this rank are typically one to three years and are renewable.

~~4~~**5**. Associate Research Faculty Ranks

a. Associate Research Professor

This rank is generally parallel to Associate Professor. In addition to the qualifications required of the Assistant Research Professor, appointees shall have extensive successful experience in scholarly or creative endeavors, the ability to propose, develop, and manage major research projects, and proven contributions

to the educational mission through teaching or service. Appointments to this rank are typically one to five years and are renewable.

b. Associate Research Scientist

This rank is generally parallel to Associate Professor. In addition to having the qualifications required of the Assistant Research Scientist, appointees shall have significant scientific research accomplishments, show promise of continued productivity, and have the ability to propose, develop, and manage research projects. Appointments to this rank are typically one to five years and are renewable.

c. Associate Research Scholar

This rank is generally parallel to Associate Professor. In addition to the qualifications required of the Assistant Research Scholar, appointees shall have extensive successful experience in scholarly or creative endeavors sufficient to have established a regional and national reputation among colleagues, and where appropriate, the ability to propose, develop, and manage research projects. Appointees should provide tangible evidence of sound scholarly production in research, publications, professional achievements, or other distinguished and creative activities. Appointments to this rank are typically one to five years and are renewable.

d. Associate Research Engineer

This rank is generally parallel to Associate Professor. In addition to having the qualifications required of the Assistant Research Engineer, appointees shall have a record of significant engineering achievement, show promise of continued productivity, and have the ability to propose, develop, and manage engineering projects. Appointments to this rank are typically one to five years and are renewable.

~~5~~**6**. Research Faculty Ranks

a. Research Professor

This rank is generally parallel to Professor. In addition to the qualifications required of the Associate Research Professor, appointees shall have demonstrated a degree of proficiency sufficient to establish an excellent reputation among regional and national colleagues. Appointees should have a record of outstanding scholarly production in research, publications, professional achievements or other distinguished and creative activity, and exhibit excellence in contributing to the educational mission through teaching or service. Appointments are typically

made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

b. Research Scientist

This rank is generally parallel to Professor. In addition to having the qualifications required of the Associate Research Scientist, appointees shall have established a national and, where appropriate, international reputation for outstanding scientific research. Appointees should provide tangible evidence of sound scholarly production in research, publications, professional achievements, or other distinguished and creative activity. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

c. Research Scholar

This rank is generally parallel to Professor. In addition to having the qualifications required of the Associate Research Scholar, appointees shall have demonstrated a degree of proficiency sufficient to establish an excellent reputation among national and international colleagues. Appointees should provide tangible evidence of an extensive, respected record of scholarly production in research, publications, professional achievements, or other distinguished and creative activity. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

d. Research Engineer

This rank is generally parallel to Professor. In addition to having the qualifications required of the Associate Research Engineer, appointees shall have established a national and, where appropriate, international reputation for outstanding engineering practice, design, and development. Appointees should provide tangible evidence of sound scholarly production in research, publications, professional achievements, or other distinguished and creative activity. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

~~6~~7. Artist-in-Residence Ranks

a. Assistant Artist-in-Residence

This title, generally parallel to Assistant Professor, is intended for those persons whose professional activities are of a creative or performance nature, including

but not limited to theatre, dance, music, and art. Normally, appointees to this rank shall hold the terminal degree in the field and/or have demonstrated superior ability in professional activities. Appointments to this rank are typically one to three years and are renewable.

b. Associate Artist-in-Residence

This title is generally parallel to Associate Professor. In addition to the qualifications of the Assistant Artist-in-Residence, the appointee's record of professional activities shall demonstrate a national reputation among colleagues. Appointments to this rank are typically one to five years and are renewable.

c. Artist-in-Residence

This title is generally parallel to Professor. In addition to the qualifications of the Associate Artist-in-Residence, appointees shall demonstrate a sustained record of superior proficiency and excellence, and an international reputation among colleagues in the field. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

C. Field Faculty

1. Agent Associate

Appointees shall be able to: teach research-based subject matter from the University for community residents based on local issues and needs; assume leadership for educational development plans; deliver educational programs directly to clientele, peers, and/or volunteers through train-the-trainer or other similar venues in order to extend programming efforts throughout the state. An earned Bachelor's degree will be a normal minimum requirement for appointment at this rank. Appointments to this rank are typically one to three years and are renewable.

2. Senior Agent Associate

In addition to the qualifications of the Agent Associate, appointees shall show evidence of superior ability in establishing the foundation of a successful UME program. An earned Master's degree or 3 years' full-time experience as an Agent Associate will be a normal minimum requirement for appointment at this rank. Appointments to this rank are typically one to five years and are renewable.

3. Principal Agent Associate

In addition to the qualifications of the Senior Agent Associate, appointees shall show evidence of excellence in establishing and expanding successful UME programs through mentoring, scholarship, and service. An earned PhD or five years' full-time experience as a Senior Agent Associate will be a normal minimum requirement for appointment at this rank. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

4. Agent (parallel to the rank of Assistant Professor)

The appointee must hold a master's degree in an appropriate discipline and show evidence of academic ability and leadership skills. The appointee shall have an educational background related to the specific position.

5. Senior Agent (parallel to the rank of Associate Professor)

In addition to the qualifications of an Agent, the appointee must have demonstrated achievement in program development and must have shown originality and creative ability in designing new programs, teaching effectiveness, and evidence of service to the community, institution, and profession. Appointment to this rank may carry tenure.

6. Principal Agent (parallel to the rank of Professor)

In addition to the qualifications of a Senior Agent, the appointee must have demonstrated leadership ability and evidence of service to the community, institution, and profession. The appointee must also have received recognition for contributions to the Cooperative Extension Service sufficient to establish a reputation among State, regional and/or national colleagues, and should have demonstrated evidence of distinguished achievement in creative program development. Appointment to this rank carried tenure.

D. Faculty Engaged Exclusively or Primarily in Clinical Teaching

All appointments in the following titles are renewable. Appointments with these faculty titles do not carry tenure.

1. Assistant Clinical Professor

The appointee shall hold, as a minimum, the terminal professional degree in the field, with training and experience in an area of clinical specialization. There shall be clear evidence of a high level of ability in clinical practice and teaching in the departmental field. The appointee shall also have demonstrated scholarly and/or

administrative ability. Appointments to this rank are typically for one to three years and are renewable.

2. Associate Clinical Professor

In addition to the qualifications required of an Assistant Clinical Professor, the appointee shall ordinarily have had extensive successful experience in clinical or professional practice in the departmental field, and in working with and/or directing others (such as professionals, faculty members, graduate students, fellows, and residents or interns) in clinical activities in the field. The appointee shall also have demonstrated superior teaching ability and scholarly or administrative accomplishments and have a reputation of respect among colleagues in the region. Appointments to this rank are typically for one to five years and are renewable.

3. Clinical Professor

In addition to the qualifications required of an Associate Clinical Professor, the appointee shall have demonstrated a degree of excellence in clinical practice and teaching sufficient to establish an outstanding regional and national reputation among colleagues. The appointee shall also have demonstrated extraordinary scholarly competence and leadership in the profession. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

E. Faculty Engaged Exclusively or Primarily in Library Services

Library faculty hold the ranks of Librarian I-IV. Each rank requires a master's degree from an American Library Association accredited program or a graduate degree in another field where appropriate. The master's degree is considered the terminal degree. Appointments to these ranks are for 12 months with leave and other benefits provided to twelve-month tenured/tenure track faculty members with the exception of terminal leave, sabbatical leave, and non-creditable sick leave (collegially supported).

Permanent status is an institutional commitment to permanent and continuous employment to be terminated only for adequate cause (for example, professional or scholarly misconduct; incompetence; moral turpitude; or willful neglect of duty) and only after due process in accordance with relevant USM and campus policies. Librarians at the rank of Librarian I and Librarian II are not eligible for permanent status. Permanent status is available for library faculty holding the rank of Librarian III and Librarian IV. Those candidates without permanent status applying for the rank of Librarian III and Librarian IV shall be considered concurrently for permanent status.

1. Librarian I

This is an entry-level rank, assigned to librarians with little or no professional library experience. This rank does not carry permanent status.

2. Librarian II

Librarians at this rank have demonstrated professional development evidenced by achievement of a specialization in a subject, service, technical, administrative, or other area of value to the library. This rank does not carry permanent status.

3. Librarian III

Librarians at this rank have a high level of competence in performing professional duties requiring specialized knowledge or experience. They shall have served the Libraries, the campus, or the community in some significant way; have shown evidence of creative or scholarly contribution; and have been involved in mentoring and providing developmental opportunities for their colleagues. They shall have shown promise of continued productivity in librarianship, service, and scholarship or creativity. Promotion to this rank from within the Libraries confers permanent status; appointment to this rank from outside the Libraries may confer permanent status.

4. Librarian IV

Librarians at this rank show evidence of superior performance at the highest levels of specialized work and professional responsibility. They have shown evidence of and demonstrate promise for continued contribution in valuable service and significant creative or scholarly contribution. Such achievement must include leadership roles and have resulted in the attainment of Libraries, campus, state, regional, national, or international recognition. This rank carries permanent status.

F. Additional Faculty Ranks

Appointments with these faculty titles do not carry tenure.

1. Assistant Instructor

The appointee shall be competent to fill a specific position in an acceptable manner, but he or she is not required to meet all the requirements for an Instructor. He or she shall hold the appropriate baccalaureate degree or possess equivalent experience.

2. Junior Lecturer

In instances when a graduate student is given a faculty appointment to teach, the title Junior Lecturer shall be used. Upon completion of the graduate program, Junior Lecturers are eligible for promotion to Lecturer. Appointments to this rank are typically for terms of up to one year and are renewable for up to six years.

3. Lecturer

The title Lecturer will ordinarily be used to designate appointments of persons who are serving in a teaching capacity for a limited time or part-time. The normal requirement is a Master's degree in the field of instruction or a related field, or equivalent professional experience in the field of instruction. Appointments to this rank are typically one to three years and are renewable.

4. Senior Lecturer

In addition to having the qualifications of a Lecturer, the appointee shall have an exemplary teaching record over the course of at least five years of full-time instruction or its equivalent as a Lecturer (or similar appointment at another institution) and shall exhibit promise in developing additional skills in the areas of research, service, mentoring, or program development. Appointments to this rank are typically one to five years and are renewable.

5. Principal Lecturer

In addition to the qualifications required of the Senior Lecturer, appointees to this rank shall have an exemplary teaching record over the course of at least 5 years full-time service or its equivalent as a Senior Lecturer (or similar appointment at another institution) and/or the equivalent of 5 years full-time professional experience as well as demonstrated excellence in the areas of research, service, mentoring, or program development. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

6. Faculty Specialist

The appointee shall hold a Bachelor's degree in a relevant area and show potential for excellence in the administration and/or management of academic or research programs. Faculty Specialists are expected to engage in activities such as developing curriculum and/or innovative means for delivering curriculum, supervising the non-research activities of graduate or post-doctoral students, serving as grant writers or authors of other publications for an academic or

research program, conducting specialized research duties or other such duties that would generate intellectual property to which the faculty member shall retain the rights. Appointments to this rank are typically one to three years and are renewable.

7. Senior Faculty Specialist

In addition to showing superior ability to administer academic or research programs, as evidenced by successfully discharging responsibilities such as those of the Faculty Specialist, the appointee shall hold a Master's degree or have at least 3 years full-time experience as a Faculty Specialist (or similar appointment at another institution), or its equivalent. Appointments to this rank are typically one to five years and are renewable.

8. Principal Faculty Specialist

In addition to a proven record of excellence in managing and directing an academic or research program, the appointee shall hold a Ph.D. or have at least 5 years of full-time experience as a Senior Faculty Specialist, or its equivalent. Appointments are typically made as five-year contracts. Appointments for additional five-year terms can be renewed as early as the third year of any given five-year contract.

9. Adjunct Assistant Professor, Adjunct Associate Professor, Adjunct Professor

The appointee shall be associated with the faculty of a department or non-departmentalized school or college, but shall not be essential to the development of that unit's program. The titles do not carry tenure. The appointee may be paid or unpaid. The appointee may be employed outside the University, but shall not hold another paid appointment at the University of Maryland at College Park. The appointee shall have such expertise in his or her discipline and be so well regarded that his or her appointment will have the endorsement of the majority of the members of the professorial faculty of the academic unit. Any academic unit may recommend to the administration persons of these ranks; normally, the number of adjunct appointments shall comprise no more than a small percentage of the faculty in an academic unit. Appointments to these ranks shall not extend beyond the end of the fiscal year during which the appointment becomes effective and may be renewed.

10. Affiliate Assistant Professor, Affiliate Associate Professor, Affiliate Professor, Affiliate Librarian II, Affiliate Librarian III, and Affiliate Librarian IV

These titles shall be used to recognize the affiliation of a faculty member or other university employee with an academic unit other than that to which his or her

appointment and salary are formally linked. The nature of the affiliation shall be specified in writing, and the appointment shall be made upon the recommendation of the faculty of the department with which the appointee is to be affiliated and with the consent of the faculty of his or her primary department. The rank of affiliation shall be commensurate with the appointee's qualifications.

11. Visiting Appointments

The prefix Visiting before an academic title, e.g., Visiting Professor, shall be used to designate a short-term professorial appointment without tenure.

12. Emerita, Emeritus

The word emerita or emeritus after an academic title shall designate a faculty member who has retired from full-time employment in the University of Maryland at College Park after meritorious service to the University in the areas of teaching, research, or service. Emerita or emeritus status may be conferred on Associate Professors, Professors, Distinguished University Professors, Research Associate Professors, Research Professors, Senior Agents, Principal Agents, Librarians III, and Librarians IV.

13. Distinguished University Professor

The title Distinguished University Professor will be conferred by the President upon a limited number of members of the faculty of the University of Maryland at College Park in recognition of distinguished achievement in teaching; research or creative activities; and service to the University, the profession, and the community. College Park faculty who, at the time of approval of this title, carry the title of Distinguished Professor, will be permitted to retain their present title or to change to the title of Distinguished University Professor. Designation as Distinguished University Professor shall include an annual allocation of funds to support his or her professional activities, to be expended in accordance with applicable University policies.

14. Professor of the Practice

This title may be used to appoint individuals who have demonstrated excellence in the practice as well as leadership in specific fields. The appointee shall have attained regional and national prominence and, when appropriate, international recognition of outstanding achievement. Additionally, the appointee shall have demonstrated superior teaching ability appropriate to assigned responsibilities. As a minimum, the appointee shall hold the terminal professional degree in the field or equivalent stature by virtue of experience. Appointees will hold the rank of Professor but, while having the stature, will not have rights that are limited to

tenured faculty. Initial appointment is for periods up to five years, and reappointment is possible. This title does not carry tenure, nor does time served as a Professor of the Practice count toward achieving tenure in another title.

15. College Park Professor

This title may be used for nationally distinguished scholars, creative or performing artists, or researchers who would qualify for appointment at the University of Maryland at College Park at the level of professor but who normally hold full-time positions outside the University. Holders of this title may provide graduate student supervision, serve as principal investigators, and participate in departmental and college shared governance. Initial appointment is for three years and is renewable annually upon recommendation to the Provost by the unit head and dean. Appointment as a College Park Professor does not carry tenure or expectation of salary.

16. University of Maryland Professor

This title may be used for nationally distinguished scholars, creative or performing artists, or researchers who have qualified for full-time appointments at the University of Maryland, Baltimore at the level of professor, who are active in MPowering the State programs, and who also qualify for full-time appointment at the University of Maryland, College Park at the level of professor. Holders of this title may provide graduate student supervision, serve as principal investigators, and participate in departmental and shared governance. Initial appointments are for three years and are renewable annually upon recommendation to the Provost by the unit head and dean. This is a non-paid, non-tenure track title but initial appointments must follow the procedures for appointment as a new tenured Professor.

17. Other Titles

No new faculty titles or designations shall be created by the University of Maryland at College Park for appointees to faculty status without approval by the Campus Senate and the President.

II. CRITERIA FOR APPOINTMENT AND PROMOTION

The criteria for appointment, tenure, and promotion shall reflect the educational mission of the University of Maryland at College Park: to provide an undergraduate education ranked among the best in the nation; to provide a nationally and internationally renowned program of graduate education and research, making significant contributions to the arts, the humanities, the professions, and the sciences; and to provide public service to the state and the nation embodying the best tradition of outstanding land-grant colleges and

universities.

In the case of both appointments and promotions every effort shall be made to fill positions with persons of the highest qualifications. Search, appointment, and promotion procedures shall comply with institutional policies, including affirmative action guidelines, and be widely publicized and published in the Faculty Handbook.

It is the special responsibility of those in charge of recommending appointments to make a thorough search of available talent before recommending appointees. At a minimum, the search for full-time tenure-track or tenured faculty and academic administrators shall include the advertisement of available positions in the appropriate media.

Decisions on tenure-track appointments must also take account of the academic needs of the department, school, college, and institution at the time of appointment and the projected needs at the time of consideration for tenure. This is both an element of sound academic planning and an essential element of fairness to candidates for tenure-track positions. Academic units shall select for initial appointment those candidates who, at the time of consideration for tenure, are most likely to merit tenure and also whose areas of expertise are most likely to be compatible with the unit's projected programmatic needs. The same concern shall be shown in the renewal of tenure-track appointments.

Each college, school, and department shall develop brief, general, written Criteria for Tenure and/or Promotion. The criteria to be considered in appointments and promotions fall into three general categories: (1) performance in teaching, advising, and mentoring of students; (2) performance in research, scholarship, and creative activity; (3) performance of professional service to the university, the profession, or the community. The relative importance of these criteria may vary among different academic units, but each of the categories shall be considered in every decision. The criteria for appointment to a faculty rank or tenure shall be the same as for promotion to that rank (or for tenuring at the rank of associate professor), whether or not the individual is being considered for an administrative appointment. An academic unit’s general Criteria for Tenure and/or Promotion must receive the approval of the next level administrator. Any exceptional or unusual arrangements relating to criteria for tenure and/or promotion shall be specified in writing at the time of appointment and shall be approved by the faculty and administrator of the first-level unit, by the dean of the school or college, and by the Provost.

Upon appointment, each new faculty member shall be given by his or her chair or dean a copy of the unit’s Criteria for Tenure and/or Promotion and the chair or dean shall discuss the Criteria with the faculty member. Each faculty member shall be notified promptly in writing by his or her chair or dean of any changes in the unit’s Criteria for Tenure and/or Promotion.

Decisions on promotion of tenured faculty members shall be based on the academic merit of the candidate as evaluated using the relevant Criteria. Decisions on the renewal of

untenured appointments and on promotion decisions involving the granting of tenure shall be based on the academic merit of the candidate as evaluated using the relevant Criteria and on the academic needs of the department, school, college, and institution. Considerations relating to the present or future programmatic value of the candidate's particular field of expertise, or other larger institutional objectives, may be legitimately considered in the context of a tenure decision. In no case, however, may programmatic considerations affecting a particular candidate be changed following the first renewal of the faculty contract of that candidate. It is essential that academic units develop long-range projections of programmatic needs in order that decisions on tenure and tenure-track appointments and promotions to tenure ranks be made on a rational basis.

A. Teaching and Advisement

Superior teaching and academic advisement at all instructional levels (or reasonable promise thereof in the case of initial appointments) are essential criteria in appointment and promotion. Every effort shall be made to recognize and emphasize excellence in teaching and advisement. The general test to be applied is that the faculty member be engaged regularly and effectively in teaching and advisement activities of high quality and significance.

The responsibility for the evaluation of teaching performance rests on the academic unit of the faculty member. Each academic unit shall develop and disseminate the criteria to be used in the evaluation of the teaching performance of its members. The evaluation should normally include opinions of students and colleagues.

B. Research, Scholarship, and Artistic Creativity

Research, scholarship and artistic creativity are among the primary functions of the university. A faculty member's contributions will vary from one academic or professional field to another, but the general test to be applied is that the faculty member be engaged continually and effectively in creative activities of distinction. Each academic unit shall develop and disseminate the criteria for evaluating scholarly and creative activity in that unit.

Research or other activity of a classified or proprietary nature shall not be considered in weighing an individual's case for appointment or promotion.

C. Service

In addition to a demonstrated excellence in teaching and in research, scholarship and artistic creativity, a candidate for promotion should have established a commitment to the University and the profession through participation in service activities. Such participation may take several different forms: service to the

university; to the profession and higher education; and to the community, school systems, and governmental agencies. Service activity is expected of the faculty member, but service shall not substitute for teaching and advisement or for achievement in research, scholarship, or artistic creativity. Service activity shall not be expected or required of junior faculty to the point that it interferes with the development of their teaching and research.

III. APPOINTMENT OF FACULTY

A. Search Process

1. Recruitment of faculty shall be governed by written search procedures, which shall anticipate and describe the manner in which new professorial faculty members will be recruited, including arrangements for interinstitutional appointments, interdepartmental appointments, and appointments in new academic units.

2. Search procedures shall reflect the commitment of the University to equal opportunity and affirmative action. Campus procedures shall be widely disseminated and published in the Faculty Handbook.

3. Faculty review committees are an essential part of the review and recommendation process for new full-time faculty appointments. The procedures which lead to new faculty appointments should hold to standards at least as rigorous as those that pertain to promotions to the same rank.

B. Offers of Appointment

1. An offer of appointment can be made only with the approval of the President or his or her designee. Full-time appointments to the rank of Associate Professor or Professor require the written approval of the President.

2. All faculty appointments are made to a designated rank effective on a specific date. A standard letter of appointment shall be developed for each rank and tenure status and shall be approved by the Office of the Attorney General for form and legal sufficiency. The University shall publish in a designated section of the Faculty Handbook all duly approved System and University policies and procedures which set forth faculty rights and responsibilities. Subject to the provisions of paragraphs I.C.15 and I.C.17 of the System Policy on Appointment, Rank, and Tenure of Faculty and paragraph III.C of this document, the terms described in the letter of appointment, together with the policies reproduced in the designated

portions of the Faculty Handbook, shall constitute a contractually binding agreement between the University and the appointee.

C. Provisions Related to Appointments, Promotion, and Tenure

The following provisions are adapted from the System Policy on Appointments, Rank, and Tenure to reflect the mission of the University of Maryland at College Park and are to be furnished to all new faculty at the time of initial appointment.

1. Adjustments in salary or advancement in rank may be made under these policies, and, except where a definite termination date is a condition of appointment, the conditions pertaining to the rank as modified shall become effective as of the date of the modification.

2. Subject to any special conditions specified in the letter of appointment, full-time appointments to the rank of Assistant Professor shall be for an initial term of one to three years. The first year of the initial appointment shall be a probationary year, and the appointment may be terminated at the end of that fiscal year if the appointee is so notified by March 1. In the event that the initial appointment is for two years, the appointment may be terminated if the appointee is so notified by December 15 of the second year. After the second year of the initial appointment, the appointee shall be given one full year's notice if it is the intention of the University not to renew the appointment. If the appointee does not receive timely notification of nonrenewal, the initial appointment shall be extended for one additional year. An initial appointment may be renewed for an additional one, two, or three years. Except as set forth in paragraph III.C.3 below, an appointment to any term beyond the initial appointment shall terminate at the conclusion of that additional term unless the appointee is notified in writing that it is to be renewed for another term allowable under University System policies or the appointee is granted tenure. Such appointments may be terminated at any time in accordance with paragraphs III.C.5-11.

3. An Assistant Professor whose appointment is extended to a full six years shall receive a formal review for tenure in the sixth year. (An assistant professor may receive a formal review for tenure and be granted tenure earlier (cf. IV.A.4.)). The appointee shall be notified in writing, by the end of the appointment year in which the review was conducted, of the decision to grant or deny tenure. Notwithstanding anything in paragraph III.C.2 to the contrary, a full-time appointee who has completed six consecutive years of service at the University as an Assistant Professor, and who has been notified that tenure has been denied, shall be granted an additional and terminal one year appointment in that rank, but,

barring exceptional circumstances, shall receive no further consideration for tenure. In the event that an Assistant Professor in his or her sixth year of service is not affirmatively awarded tenure by the President or otherwise notified of a tenure decision, then he or she shall be granted a one-year terminal appointment.

4. Full-time appointments or promotions to the rank of Associate Professor or Professor require the written approval of the President. Promotions to the rank of Associate Professor or Professor carry immediate tenure. New full-time appointments to the rank of Professor carry immediate tenure. New full-time appointments to the rank of Associate Professor may carry tenure. If immediate tenure is not offered, such appointments shall be for an initial period of up to four years and shall terminate at the end of that period unless the appointee is notified in writing that he or she has been granted tenure. An Associate Professor who is appointed without tenure shall receive a formal review for tenure. No later than one year prior to the expiration of the appointment, the formal review must be completed, and written notice must be given that tenure has been granted or denied. Appointments carrying tenure may be terminated at any time as described under paragraphs III.C.5-11.

5. A term of service may be terminated by the appointee by resignation, but it is expressly agreed that no resignation shall become effective until the termination of the appointment period in which the resignation is offered except by mutual agreement between the appointee and the President or designee.

6. a. The President may terminate the appointment of a tenured or tenure-track appointee for moral turpitude, professional or scholarly misconduct, incompetence, or willful neglect of duty, provided that the charges be stated in writing, that the appointee be furnished a copy thereof, and that the appointee be given an opportunity prior to such termination to request a hearing by an impartial hearing officer appointed by the President or a duly appointed faculty board of review. With the consent of the President, the appointee may elect a hearing by the President rather than by a hearing officer or a faculty board of review. Upon receipt of notice of termination, the appointee shall have thirty (30) calendar days to request a hearing. The hearing shall be held no sooner than thirty (30) calendar days after receipt of such a request. The date of the hearing shall be set by mutual agreement of the appointee and the hearing officer or faculty board of review. If a hearing officer or a faculty board of review is appointed, the hearing officer or board shall make a

recommendation to the President for action to be taken. The recommendation shall be based only on the evidence of record in the proceeding. Either party to the hearing may request an opportunity for oral argument before the President prior to action on the recommendation. If the President does not accept the recommendation of the hearing officer or board of review, the reasons shall be communicated promptly in writing to the appointee and the hearing officer or board. In the event that the President elects to terminate the appointment, the appointee may appeal to the Board of Regents, which shall render a final decision.

b. Under exceptional circumstances and following consultation with the chair of the faculty board of review or appropriate faculty committee, the President may direct that the appointee be relieved of some or all of his or her University duties, without loss of compensation and without prejudice, pending a final decision in the termination proceedings. (In case of emergency involving threat to life, the President may act to suspend temporarily prior to consultation.)

c. The appointee may elect to be represented by counsel of his or her choice throughout the termination proceedings.

7. If an appointment is terminated in the manner prescribed in paragraph III.C.6, the President may, at his or her discretion, relieve the appointee of assigned duties immediately or allow the appointee to continue in the position for a specified period of time. The appointee's compensation shall continue for a period of one year commencing on the date on which the appointee receives notice of termination. A faculty member whose appointment is terminated for cause involving moral turpitude or professional or scholarly misconduct shall receive no notice or further compensation beyond the date of final action by the President or Board of Regents.

8. The University may terminate any appointment because of the discontinuance of the department, program, school or unit in which the appointment was made; or because of the lack of appropriations or other funds with which to support the appointment. Such decisions must be made in accordance with written University policies. The President shall give a full-time appointee holding tenure notice of such termination at least one year before the date on which the appointment is terminated.

9. Notwithstanding any provisions to the contrary, the appointment of any

untenured faculty member, fifty percent or more of whose compensation is derived from research contracts, service contracts, gifts or grants, shall be subject to termination upon expiration of the research funds, service contract income, gifts or grants from which the compensation is payable.

10. Appointments shall terminate upon the death of the appointee. Upon termination for this cause, the University shall pay to the estate of the appointee all of the accumulated and unpaid earnings of the appointee plus compensation for accumulated unused annual leave.

11. If, in the judgment of the appointee's department chair or supervisor, a deficiency in the appointee's professional conduct or performance exists that does not warrant dismissal or suspension, a moderate sanction such as a formal warning or censure may be imposed, provided that the appointee is first afforded an opportunity to contest the action through the established faculty grievance procedure.

12. Unless the appointee agrees otherwise, any changes that are hereafter made in paragraphs III.C.1-12 will be applied only to subsequent appointments.

13. Compensation for appointments under these policies is subject to modification in the event of reduction in State appropriations or in other income from which compensation may be paid.

14. The appointee shall be subject to all applicable policies and procedures duly adopted or amended from time to time by the University or the University System, including, but not limited to, policies and procedures regarding annual leave; sick leave; sabbatical leave; leave of absence; outside employment; patents and copyrights; scholarly and professional misconduct; retirement; reduction, consolidation or discontinuation of programs; and criteria on teaching, scholarship, and service.

D. Provisions Relating to Formal Promotion and Tenure Reviews

1. Reviews for promotion and tenure shall be conducted according to the duly adopted written policies and procedures of the University. These procedures shall be published in the Faculty Handbook.

2. Faculty review committees are a part of the review process at each level.

3. Each review by a faculty committee and each review by the administrator of an academic unit (chair or dean) shall be focused on the evaluation of the candidate using the Criteria for Tenure and/or Promotion of that unit.

Each review shall be based on materials that must include the candidate's *c.v.*, the candidate's Personal Statement, the Summary Statement of Professional Achievements, the Candidate's Response to the Summary Statement of Professional Achievements (if one is written), the letters from external evaluators, and the other prescribed elements in the University Appointment, Promotion and Tenure Procedures Manual. At the second and third levels of review, these promotion materials include the promotion committee reports and the letters from academic unit administrators.

4. A faculty member eligible to vote on the promotion recommendation on a candidate of an academic unit may not participate in a review of that candidate or vote on that candidate at a higher level of review. Because they provide an independent evaluation, department chairs, academic deans, and the Provost are ineligible to vote at any level.

5. Candidates shall have the right to appeal negative promotion and tenure decisions on grounds specified in the policies and procedures of paragraph V.B.

IV. PROMOTION, TENURE, AND EMERITUS REVIEW

The Provost shall develop detailed written procedures, implementing the University and the System policies on appointment, promotion, and tenure. This set of procedures shall be known as the University's Implementation of the University Appointment, Promotion and Tenure Policy and these procedures shall govern the University's decision-making. The procedures developed shall be subject to review and approval by the University Senate. The Provost shall also develop useful guidelines, suggestions, and advice for candidates for tenure and/or promotion and for academic units responsible for carrying out reviews of candidates. Each year the Provost shall publish the University Appointment, Promotion and Tenure Procedures Manual. This manual shall contain the entire text of the University's Appointment, Promotion and Tenure Policy, the University's implementation of this policy, and the guidelines, suggestions, and advice for candidates and for academic units. The University's Implementation should contain the University's required procedures clearly identified as such. All guidelines, suggestions, and advice in the Manual must be so labeled and distinguished from the required procedures.

Each college, school, and department shall develop detailed written procedures implementing the University and System policies on appointment, promotion, and tenure and the University's implementation of the University's Policy. The procedures of each academic unit shall be subject to review and approval by the policy-setting faculty body of the college or school for an academic unit in a departmentalized college or school, as established in its plan of organization, by the dean, and by the University Senate.

The University's required procedures and the required procedures of each academic unit to which a candidate belongs shall apply to promotion and tenure decisions for all full-time faculty and for academic administrators who hold faculty rank, or who would hold faculty rank if appointed.

The Provost has the responsibility for systematically monitoring the fair and timely compliance of all academic units with the approved procedures of this Appointment, Tenure and Promotion Policy and for the prompt remedying of any failure to fulfill a Provision of this Policy that occurs prior to the institution of a formal tenure and/or promotion review. A violation of procedural due process during a formal review for tenure and/or promotion is subject to the provisions of Section V, The Appeals Process.

At the time of appointment, each new faculty member shall be provided by the chair or dean of the first-level unit with a copy of the University's Appointment, Promotion and Tenure Procedures Manual and the procedures for the lower-level academic units to which he or she belongs and the chair or dean shall discuss the procedures with the faculty member. Faculty members should stay up to date on these procedures and academic units should keep their faculty members informed of any changes.

Faculty review committees shall be an essential part of the review and recommendation process for all full-time faculty. Review committees and administrators at all levels shall impose the highest standards of quality, shall ensure that all candidates receive fair and impartial treatment, and shall be responsible for maintaining the integrity and the confidentiality of the review and recommendation process.

Candidates for tenure and/or promotion are responsible for providing their academic unit with an accurate *curriculum vitae* detailing their academic and professional achievements. Candidates holding faculty rank at the University shall also make a written Personal Statement advocating their case for tenure and/or promotion based on the facts in their *c.v.,* on the applicable Criteria for Tenure and/or Promotion, and on their perspective of those achievements in the context of their discipline. Both the *c.v.* and the Personal Statement shall be presented in the form required by the University Appointment, Promotion and Tenure Procedures Manual at the beginning of the academic year in which a formal review for tenure and/or promotion will occur. These two documents shall be included with each request for external evaluation and shall be included in the promotion dossier reviewed at each level within the University. Within the University review system, units and administrators may express their judgments on the contents and on the significance of elements in either of the candidate's documents. Units may only ask in neutral language for external evaluators to comment on elements of these documents as part of their review but not suggest conclusions.

The burden of evaluating the qualifications and suitability of the candidate for tenure and promotion is greatest at the first level of review. Great weight shall be given at the higher

levels of review to the judgments and recommendations of lower-level review committees and to the principle of peer review.

The decision whether or not to award tenure or promotion shall be based primarily on the candidate's record of accomplishment in each of the three areas of teaching and advisement, research, and service, and the anticipated level of future achievements as indicated by accomplishments to date. Considerations relating to the present or future programmatic value of the candidate's particular field of expertise, or other larger institutional objectives, may legitimately be considered in the context of a tenure decision; but in no case shall the year of the tenure review be the first occasion on which these considerations are raised. The faculty and the unit chair or dean are responsible for advising untenured faculty on any and all programmatic considerations relative to the tenure decision, conveying such information to the candidate at the earliest opportunity during annual assessments of progress towards tenure.

When the President has completed his or her review of the tenure or promotion case and informed the candidate of the decision, the list of members of the unit, college, and campus committees shall be made public.

A. First-level Review

1. Eligible Voters: At the first-level unit of review, the review committee shall consist of all members of the faculty of that unit who are eligible to vote. To be eligible to vote within the first-level unit, the faculty member must hold a tenured appointment in the university and must be at or above the rank to which the candidate seeks appointment or promotion. Tenured faculty voting on promotions cases at the first-level of review may only do so in a single academic department or non-departmentalized school, and may only vote in units in which they have a regular appointment and where this is permitted by the unit's plan of organization. In those cases where a faculty member has the opportunity to vote in more than one department or non-departmentalized school, the faculty member votes in that department/school in which the faculty member holds tenure.

   In those cases where a faculty member has the opportunity to vote at more than one level of review, the faculty member votes at the first level of review at which the faculty member has the opportunity to vote. There are two exceptions: (a) chairs or deans are excluded from voting as faculty in their first level unit; (b) if there are fewer than three (3) eligible faculty members in the first-level unit, the dean at his/her discretion shall appoint one or more eligible faculty members from related units as voting members of the first-level review committee, to ensure that the review committee shall contain at least three (3) persons. Consequently, in promotion and tenure cases of faculty with joint appointments, faculty

appointed by the dean to the first-level review committee of the primary unit, who are also members of a secondary unit providing input on a candidate, are permitted to vote on the candidate only in the primary unit where they have been appointed as member of the review committee by the Dean.

Although they do not have voting privileges, other faculty and the head of the first-level unit may be invited to participate in discussion about the candidate if the plan of organization and the bylaws of the unit permit.

Advisory Subcommittee: The first-level unit review committee may establish an advisory subcommittee to gather material and make recommendations, but the vote of the entire eligible faculty of the first-level unit shall be considered the faculty recommendation of the first-level unit.

Conduct of the Review: The first-level review committee shall appoint an eligible member of the faculty from the first-level unit to serve as chair and spokesperson for the candidate's review committee. The chair of the review committee is responsible for writing the recommendation on the candidate and recording the transactions at the review meeting. Under no circumstances may the chair of the unit or dean serve as spokesperson for the first–level unit review committee or write its report.

As the first-level administrator, the chair or dean shall submit a recommendation separately; the recommendation of the chair or dean shall be considered together with all other relevant materials by any reviewing committee at a higher level. Requests for information from higher level review units shall be transmitted to both the chair of the first-level unit review committee and the first-level unit administrator.

Joint Appointments: Faculty members with joint appointments hold both a primary appointment (in their tenure home) and one or more secondary appointments (in the unit or units that are not their tenure home). When a joint appointment candidate is reviewed for appointment, promotion and/or tenure, the primary appointment unit is responsible for making the recommendation after first obtaining advisory input from the (one or more) secondary units, as appropriate. The advisory input from secondary unit(s) will be as follows:

- If the candidate holds a temporary appointment in the secondary unit, then the secondary unit's advice to the primary unit shall consist solely of a written recommendation by the chair or director of the secondary unit.

- If the candidate holds a permanent appointment in a secondary unit that is neither an academic department nor a non-departmentalized school, then the director's recommendation will be informed by advice from the faculty in the unit who are at or above the rank to which the candidate aspires. That advice shall be in a format consistent with the unit's plan of organization. If the plan of organization includes a vote, the vote may not include those eligible to vote elsewhere on the candidate.
- If the candidate holds a permanent appointment in a secondary unit that is either an academic department or a non-departmentalized school, then there shall be both a vote of the faculty in the unit who are at or above the rank to which the candidate aspires and a written recommendation by the head of that unit. The restriction on multiple faculty votes continues to apply in this instance.

The secondary unit's review of the candidate shall be provided to the first-level unit review committee and the first-level administrator. If the chair/director of the secondary unit is also a member of the candidate's primary unit, the chair/director may participate in the deliberations of the primary unit, but may not vote on the candidate's promotion in that unit.

2. The committee shall solicit letters of evaluation from six or more widely recognized authorities in the field, chosen from a list that shall include individuals nominated by the candidate. At least three letters and at most one-half of the requested letters shall be from persons nominated by the candidate.

3. Each first-level unit shall provide for the mentoring of each assistant professor and of each untenured associate professor by one or more members of the senior faulty other than the chair or dean of the unit. Mentors should encourage, support, and assist these faculty members and be available for consultation on matters of professional development. Mentors also need to be frank and honest about the progress toward fulfilling the criteria for tenure and/or promotion. Following appropriate consultations with members of the unit's faculty, the chair or dean of the unit shall independently provide each assistant professor and each untenured associate professor annually with an informal assessment of his or her progress. Favorable informal assessments and positive comments by mentors are purely advisory to the faculty member and do not guarantee a favorable tenure and/or promotion decision.

   The first-level academic unit shall perform a formal intermediate review of the progress towards meeting the criteria for tenure and promotion in

the third year of an assistant professor's appointment. The first-level academic unit shall perform a formal intermediate review of the progress towards meeting the criteria for promotion to the rank of professor in the fifth year of a tenured associate professor's appointment and every five years thereafter. An associate professor may request an intermediate review earlier than the five years specified. The purposes of these intermediate reviews are to assess the candidate's progress toward promotion, to inform the reviewed faculty member of that assessment, to inform the faculty members more senior to that faculty member who will eventually consider him or her for promotion of that assessment, and to advise the candidate and the first-level administrator of steps that should be taken to improve prospects for promotion. These intermediate reviews shall be structured in a similar fashion to reviews for tenure and/or promotion according to the unit's plan of governance but normally will not involve external evaluations of the faculty member. If it is deemed necessary to obtain informal external evaluations, the academic unit must adopt written procedures applying this requirement to all intermediate reviews and these procedures must be approved by the academic administrator (dean or provost) at the next level of review.

Any change in the nature of the institution's or the unit's programmatic needs which may have a bearing on the candidate's prospects for tenure should be brought to the attention of the candidate at the earliest possible time. In addition, first-level units shall make the best possible effort to advise tenure-track faculty of the prevailing standards of quality and of the most effective ways to demonstrate that they meet the standards. The advice and assessments provided to untenured candidates should avoid simplistic quantitative guidelines and should not suggest or imply that tenure decisions will be based on the quantity of effort or scholarly activity, independently of its intellectual quality.

4. A tenure-track or tenured faculty member may request a formal review for tenure or promotion.

5. The tenure or promotion case shall go forward to the next level of review if fifty percent of the faculty vote cast is favorable (or such higher percentage as may be established by procedures or guidelines of the first-level unit) or if the recommendation of the administrator of the first-level unit is favorable. If both faculty and unit administrator recommendations are negative, the case shall be reviewed at the next level only by the dean (or, in the case of a non-departmentalized school or college, the Provost). The dean (or Provost) shall review the case to ensure that the candidate has received procedural and substantive due process, as defined in SectionV.B.1.b. If the dean (or Provost) believes that the candidate has

not received due process, he or she shall direct the unit to reconsider. The candidate may withdraw from his or her review at any time prior to the President's decision.

6. The first-level review committee shall prepare a concise Summary Statement of Professional Achievements on each candidate for tenure and/or promotion. The Summary Statement shall place the professional achievements of the candidate in scholarship, research, artistic performance, and/or Extension in the context of the broader discipline. It shall place the candidate's professional achievements in teaching and in service in the context of the responsibilities of the unit, the college or school, the University, and the greater community. The Summary Statement shall be factual and objective, not evaluative. The Summary Statement shall be reviewed by the candidate at least two weeks before the meeting at which the academic unit begins consideration of its recommendation on tenure and/or promotion. If the candidate and the committee cannot agree on the Summary Statement, the candidate has the right and the responsibility to submit a Response to the Summary Statement of Professional Achievements for the consideration of the voting members of the review committee and the academic unit must note the existence of the Response in the unit's Summary Statement. The purpose of the Summary Statement is to set the candidate's work in the context of the field for each level of review within the University and it is not to be sent to external evaluators or others outside the University.

7. The chair of the first-level review committee shall prepare a written report stating the committee's vote and recommendation on whether or not to grant tenure or promotion, and explaining the basis for the faculty's recommendation insofar as that basis has been made known in the discussions taking place among the members of the committee. This letter will be provided to the chair or dean for his or her information and for forwarding to higher levels of review. Faculty participating in the unit's deliberation who wish to express a dissenting view are free to do so, and any such written statement shall be included in the materials sent forward to the next level of review.

8. The recommendation of the first-level administrator shall likewise be in writing. The administrator's recommendation shall be transmitted to the second-level review and shall be made available to all eligible members of the first-level faculty.

9. If a faculty member must be given a formal review for tenure in accordance with paragraph I.C.4 of the University of Maryland System Policy and paragraph III.C.3 of this policy, and the chair or dean of the

first-level academic unit of which the appointee is a member fails to transmit, by the date specified in paragraph IV.F.2 of this policy, a tenure recommendation for the appointee, the Provost shall extend the deadline for the transmittal of such recommendations and instruct the first-level unit to forward recommendations and all supporting documents as expeditiously as possible.

B. Second-level Review

1. Second-level review of recommendations for promotion and tenure from departments shall be conducted within the appropriate college. The second-level review committees shall be established in conformity with the approved bylaws of the college. The dean may be a non-voting ex-officio member but not a voting member of the committee. Each second-level committee shall elect its own chair and an alternate chair; the latter shall serve as chair when a candidate from the chair's own unit is under discussion. A committee member who is entitled to vote in a lower-level review of a candidate may be present for the discussion of that candidate but shall not participate in the discussion in any way and shall not vote on that candidate. The committee members must maintain absolute confidentiality in their consideration of cases. Outside of the committee meetings, members of the second-level review committee shall not discuss specific cases with anyone who is not a member of the second-level review committee. The membership of the committee shall be made public at the time of the committee's appointment. Every member of the campus community must respect the integrity of the appointment, tenure and promotion process and must refrain from attempting to discuss cases with committee members or to lobby them in any way.

2. Review of recommendations for promotion and tenure from non-departmentalized schools and colleges shall be conducted by the third-level review (see Section IV.C.1) committee.

3. Both the recommendation of the second-level committee and the recommendation of the second-level administrator shall go forward to be considered, together with all other relevant materials, at higher levels of review.

4. When significant questions arise regarding the recommendations from the first-level review or the contents of the dossier, the second-level review committee shall provide an opportunity for the chair of the first-level academic unit and the designated spokesperson of the first-level unit review committee to meet with the second-level committee to discuss their recommendations; the committee shall provide them with a written list of

the committee's general concerns about the candidate's case prior to the meeting. The second-level review committee may also request additional information from the first level of review by following the procedures described in Section F1 below.

5. Whether its recommendation is favorable or unfavorable, the committee shall, as soon as possible and no later than thirty (30) days after the decision, transmit through the dean its decision, its vote, and a written justification to the Provost. The dean of the college shall also promptly transmit his or her recommendation with a written justification to the Provost.

C. Third-level Review

1. A third- or campus-level review committee shall be established in the following manner: The Provost shall appoint nine faculty members holding the rank of Professor, one from each of the eight large colleges (Agriculture and Natural Resources; Arts and Humanities; Behavioral and Social Sciences; Business; Computer, Mathematical, and Natural Sciences; Education; Engineering; School of Public Health) and one from among the four small colleges (Architecture, Planning, and Preservation; Information Studies; Journalism; Public Policy). Since this committee shall make its recommendations on the basis of whether or not the University's high standards for tenure and/or promotion have been met, members of this committee shall have a track record of outstanding academic judgment along with sufficient intellectual breadth and depth to be capable of comparing and judging candidates from varied disciplinary, cross-disciplinary, and professional backgrounds. No small college shall be represented on the committee more frequently than once in every three terms. Candidates for the committee shall be solicited from the Deans of the Colleges and Schools, from the Senate Executive Committee, and from the faculty at large. No one serving in a full-time administrative position may serve as a voting member of the committee. The Provost shall be a non-voting ex-officio member. A committee member who is entitled to vote in a lower-level review of a candidate shall not be present for the discussion of that candidate and shall not vote on that candidate. Appointments to the third-level review committee from the eight large colleges shall be for three years while the appointment from one of the four small colleges shall be for two years, with the terms staggered so that approximately one-third of the committee is replaced each year. No one may serve two consecutive terms. The third-level review committee shall elect its own chair and alternate chair. The committee members must maintain absolute confidentiality in their consideration of cases. Outside of the committee meetings, members of the third-level review committee

shall not discuss specific cases with anyone who is not a member of the third-level review committee. The membership of the committee shall be made public at the time of the committee's appointment. Every member of the campus community must respect the integrity of the appointment, tenure and promotion process and must refrain from attempting to discuss cases with committee members or to lobby them in any way.

2. When questions arise regarding the recommendations from either the first- or second-level reviews or the contents of the dossier, the third-level committee shall provide the opportunity for the first-level unit administrator, the spokesperson for the first-level faculty review committee, the dean of the college, and the chair of the second-level review committee to meet with the third-level committee to discuss their recommendations; the committee shall provide them with a written list of the committee's general concerns about the candidate's case prior to the meeting. The third-level review committee may also request additional information from the first and second levels of review by following the procedures prescribed in Section F1 below.

3. The committee shall promptly transmit its recommendation and a written justification through the Provost to the President, along with all materials provided from the lower levels of review. The Provost and the President shall confer about the case, and the Provost shall transmit his or her recommendation and a written justification to the President. If the Provost's recommendation differs from that of the third-level committee or from that of the Dean, the Provost will meet with the committee and/or the dean to discuss the review. After the President has made a decision, a report on the decisions reached at the third level of review shall be provided to the second-level administrator and faculty committee chair, the first-level administrator and faculty chair, and to the candidate.

4. The Third-level Review Committee and the Provost shall conduct an end-of-the-year review of appointment, promotion, and tenure. The Committee shall write a public Annual report, the purpose of which includes improving the understanding of faculty members and of academic units about appointments, promotion, and tenure. The report should include any recommendations for improvements in policy, procedures, or the carrying out of reviews of candidates. The Provost shall write a public report annually giving statistical information on the appointment, promotion, and tenure cases considered during the academic year.

D. Notification to Candidates for Tenure and/or Promotion

Upon completion of the first-level review, the unit administrator at the first level

shall within two weeks of the date of the decision: (1) inform the candidate whether the recommendations made by the faculty committee and the unit administrator were positive or negative (including specific information on the number of faculty who voted for tenure and/or promotion, the number who voted against, and the number of abstentions), and (2) prepare for the candidate a letter summarizing in general terms the nature of the considerations on which those decisions were based. At higher levels of review, summaries shall be provided to the candidate whenever either or both faculty and administrator recommendations are negative. The chair of the faculty committee shall review the summary letter prepared by the unit administrator in order to ensure that it accurately summarizes the considerations regarded as relevant by the faculty committee at that level. The chair of the faculty committee at each level shall be provided access to the unit administrator's letters to the candidate and to the next level of review in order to ensure that the summary accurately reflects the recommendation and rationale provided to higher levels of review. In addition, both letters shall be made available for review in the office of the chair (dean or Provost) by any member of the faculty committee at that level. In the event that the chair of the faculty committee and the unit administrator are unable to agree on the appropriate language and contents of the summary letter, each shall write a summary letter to the candidate. A copy of all materials provided to the candidate shall be added to the tenure or promotion file as the case proceeds through higher levels of review.

E. Presidential Review

Full-time appointments or promotions to the ranks of Associate Professor or Professor require the written approval of the President, in whom resides final authority for promotion and granting of tenure to faculty. Final authority for any appointment or promotion to the rank of Associate Professor or Professor cannot be delegated by the President.

F. General Procedures Governing Promotion and Tenure

1. With the exception of the third-level review committee, in their reviews of tenure and promotion recommendations from lower levels, upper-level administrators or review committees may not seek or use additional information from outside sources concerning a candidate's merits unless: (1) the materials forwarded from lower levels indicate the presence of a significant dissenting vote or divided recommendations from a lower level; (2) representatives from the first-level unit participate in the selection of additional persons to be consulted; and (3) the assessments received from these external sources are shared with and considered by the first-level review committee and by the unit's chair or dean; and (4) the review committee and the unit's academic administrator have the

opportunity to reconsider their recommendations in the light of the augmented promotion dossier. The third-level review committee may seek additional information on any candidate as it chooses, although it must follow (2), (3) and (4) as described above. In doing so, the committee should ask the Provost to obtain the additional information from the Dean, who would then consult with the Department Chair to obtain faculty input. The evidential basis for upper-level committees and administrators should be restricted to the materials as assembled and evaluated by the first-level unit, with the exception of information obtained in compliance with the procedures just described. Candidates for tenure or promotion, however, are permitted to bring to the attention of the university administration any changes in their circumstances which might have a significant bearing on the tenure or promotion question. In the event that candidates for tenure or promotion bring information of this sort to the attention of upper-level committees or administrators after the first-level review has been concluded, these committees or administrators may take these changes into account in reaching their decisions and may elect to send the case back to the first-level for reconsideration.

2. The candidate's application and supporting materials, and the reports and recommendations of the first-level committee and administrator, shall be transmitted to the appropriate levels of secondary review no later than a date set annually by the Provost.

3. If an untenured faculty member requests leave without pay for a year or more, the dean of the college in which the faculty member will be considered for tenure shall recommend whether or not the faculty member's mandatory tenure review will be delayed. A positive recommendation from the dean to stop the tenure clock shall require evidence: (1) that the leave of absence will be in the interest of the University, and (2) that the faculty member's capacity to engage in continued professional activity will not be significantly impaired during the period of the leave. The dean's recommendation shall be included in the proposal for leave submitted to the Provost. Delay of the mandatory tenure review requires the written approval of the Provost.

4. A faculty member who would otherwise receive a formal review for tenure may waive the review by requesting in writing that he or she not be considered for tenure. A faculty member who has waived a tenure review shall receive whatever terminal appointments he or she would have received if tenure had been denied. A faculty member at any rank who has been denied tenure and who is ineligible for further consideration shall receive an additional and terminal one-year appointment in that rank.

5. All recommendations for the appointment of faculty below the rank of Associate Professor shall be transmitted for approval through the various levels of review to the President or designee. Final authority for any appointment that confers tenure or for any appointment or promotion to the rank of Associate Professor or Professor cannot be delegated by the President.

6. After a negative decision by the President, candidates for promotion or tenure shall be notified by certified mail. Determination of the time limits for the period during which an appeal may be made shall be based on the date of the candidate's receipt of the President's letter.

G. Procedures Governing the Granting of Emerita/Emeritus Status

1. Associate Professors, Professors, Distinguished University Professors, Research Associate Professors, Research Professors, Senior Agents, Principal Agents, Librarians III, and Librarians IV who have been members of the faculty of the University of Maryland at College Park for ten or more years, and who give to their chair or dean proper written notice of their intention to retire, are eligible for nomination to emerita/emeritus status (see I.F.12 Emerita, Emeritus). Only in exceptional circumstances may Professors with fewer than ten years of service to the institution be recommended for emerita/emeritus status.

2. The decision whether or not to award emeritus standing shall be based primarily on the candidate's record of significant accomplishment in any of the three areas of (1) teaching and advisement, (2) research, scholarship, and creative activity, and (3) service.

3. If a faculty member gives notice of intention to retire before March 15, the first-level tenured faculty shall vote on emeritus standing within 45 days of the notice. If notice is given after March 15, the vote shall be taken no later than the 45th day of the following semester. The result of the vote shall be transmitted in writing to the candidate and to the administrator of the unit no later than ten days after the vote is taken. A faculty member who has not been informed of the decision concerning his or her emeritus standing within the time limits specified, shall be entitled to appeal the action as a negative decision in accordance with V.B.2.

4. The review committee of the first-level unit shall consist of all eligible members of the faculty. Eligible members of the faculty are all full-time tenured associate and full professors, as appropriate, excluding the chair or dean. The vote of the entire eligible faculty shall be considered the recommendation of the faculty. The chair or dean shall submit a

recommendation separately; the recommendation of the chair or dean shall be considered together with all relevant materials by administrators at higher levels.

5. An emeritus case shall go forward to the next level of review if the department chair's recommendation is positive or the faculty vote is at least fifty percent favorable.

6. The chair of the first-level committee shall prepare a written report, stating the committee's vote and recommendation on whether or not to award emeritus standing and explaining the basis for the faculty's recommendation insofar as that basis has been made known in the discussions taken place among the members of the committee. This letter will be forwarded to the chair or dean for his or her information and for forwarding to higher levels of review. Faculty participating in the unit's deliberations who wish to express a dissenting view are free to do so, and any such written statement shall be included in the materials sent forward to the next level of review.

7. The recommendation of the first-level administrator shall also be in writing. The administrator's recommendation shall be transmitted to the second-level of review and a copy shall be made available for review by any member of the faculty participating in the unit's review deliberations.

8. Second-level review of recommendations of emeritus standing shall be conducted by the appropriate dean. Second-level reviews of recommendations from non-departmentalized schools and colleges shall be conducted by the Provost. The second-level recommendation of the dean or the Provost, together with all other relevant materials, shall be transmitted to the President.

9. The President shall make the final decision on the award of emeritus standing.

10. Faculty members with ten or more years of service to the University who retired prior to the effective date of this policy and who have not been granted emeritus standing may apply to their departments for consideration as in Section IV.G.1.

H. Termination of Faculty Appointments for Cause

If a tenured or tenure-track faculty member whose appointment the campus administration seeks to terminate for cause requests a hearing by a hearing officer, the hearing officer shall be appointed by the President from a college or

school other than that of the appointee, with the advice and consent of the faculty members of the Executive Committee of the Campus Senate. If the appointee requests a hearing by a faculty board of review, members of the board of review shall be appointed by the faculty members of the Executive Committee of the Campus Senate from among tenured Professors not involved in administrative duties.

V. THE APPEALS PROCESS

A. Appeals Committees

1. The President shall appoint an appeals committee. This committee shall consist of nine faculty members holding the rank of Professor, one from each of the eight large colleges (Agriculture and Natural Resources; Arts and Humanities; Behavioral and Social Sciences; Business; Computer, Mathematical, and Natural Sciences; Education; Engineering; School of Public Health) and one from among the four small colleges (Architecture, Planning, and Preservation; Information Studies; Journalism; Public Policy). No small college shall be represented on the committee more frequently than once in every three terms. Candidates for the committee shall be solicited from the Deans of the Colleges and Schools, from the Senate Executive Committee, and from the faculty at large. No one serving in a full-time administrative position and no one who has participated in the promotion and tenure review process of the appellant shall serve on the campus appeals committee. Appointment to the campus appeals committee shall be for one year, and no one may serve two consecutive terms. Appeals committees shall elect their own chairs. The committee members must maintain absolute confidentiality in their consideration of cases.

2. Special appeals committees at the college, school or campus level shall be appointed by the dean, Provost or President in a manner consistent with the policies, bylaws, or practice of the respective unit.

B. Guidelines and Procedures for Appeals

1. Negative Promotion and/or Tenure Decisions

a. Mandatory and Non-Mandatory Reviews

When a candidate for promotion and/or tenure receives notification from the President, dean or chair that promotion or tenure was not awarded, the candidate may appeal the decision by requesting that the President submit the matter to the Campus Appeals

Committee for consideration. The request shall be in writing and be made within sixty (60) days of notification of the negative decision. If the request is granted, all papers to be filed in support of the appeal must be submitted to the Appeals Committee not later than one hundred and twenty (120) days after notification unless otherwise extended by the President because of circumstances reasonably beyond control of the candidate. In writing these appeals letters, the appellant should be aware that these letters serve as the evidentiary basis for investigations of the validity of the appeal and that, should the President accept the request and refer the appeal to the Campus Appeals Committee, these letters shall be shared by the Campus Appeals Committee with the parties against whom allegations are made and any other persons deemed necessary by the Committee for a determination of the issues.

b. Grounds for Appeal

The grounds for appeal of a negative promotion and tenure decision shall be limited to (1) violation of procedural due process, and/or (2) violation of substantive due process.

A decision may not be appealed on the ground that a different review committee, department chair, dean or Provost exercising sound academic judgment might, or would, have come to a different conclusion. An appeals committee will not substitute its academic judgment for the judgment of those in the review process.

Violation of procedural due process means that the decision was negatively influenced by a failure during the formal review for tenure and/or promotion by those in the review process to take a procedural step or to fulfill a procedural requirement established in relevant promotion and tenure review procedures of a department, school, college, campus or system. Procedural violations occurring prior to the review process are not a basis for an appeal and are dealt with under the provisions of paragraph 4 of the introduction to Section IV, Promotion, Tenure, and Emeritus Review.

Violation of substantive due process means that: (1) the decision was based upon an illegal or constitutionally impermissible consideration; e.g. upon the candidate's gender, race, age, nationality, handicap, sexual orientation, or on the candidate's

exercise of protected first amendment freedoms (e.g., freedom of speech); or (2) the decision was arbitrary or capricious, i.e., it was based on erroneous information or misinterpretation of information, or the decision was clearly inconsistent with the supporting materials.

c. Standard of Proof

An appeal shall not be granted unless the alleged grounds for appeal are demonstrated by a preponderance of the evidence.

d. Responsibilities and Powers of the Appeals Committee

1. The appeals committee shall notify the relevant administrators and APT chairs in writing of the grounds for the appeal and meet with them to discuss the issues.

2. The appeals committee shall meet with the appellant to discuss and clarify the issues raised in the appeal.

3. The appeals committee has investigative powers. The appeals committee may interview persons in the review process whom it believes to have information relevant to the appeal. Additionally, the Appeals Committee shall examine all documents related to the appellant's promotion or tenure review and may have access to such other departmental and college materials as it deems relevant to the case. Whenever the committee believes that a meeting could lead to a better understanding of the issues in the appeal, it shall meet with the appropriate party (with the appellant or with the relevant academic administrator and APT chair).

4. The Appeals Committee shall prepare a written report for the President. The report shall be based upon the weight of evidence before it. It shall include findings with respect to the grounds alleged on appeal, and, where appropriate, recommendations for corrective action. Such remedy may include the return of the matter back to the stage of the review process at which the error was made and action to eliminate any harmful effects it may have had on the full and fair consideration of the case. No recommended remedy, however, may abrogate the principle of peer review.

5. The President shall attach great weight to the findings and recommendations of the committee. The decision of the President shall be final. The decision and the rationale shall be transmitted to the appellant, the department chair, dean, chair(s) of the relevant APT committee(s) and Provost in writing.

e. Implementation of the President's Decision

1. When the President supports the grounds for an appeal, the Provost has the responsibility for oversight of the implementation of the corrective actions the President requires to be taken. Within 30 days of receipt of the President's letter, the Provost shall request the administrator involved to formulate a plan and a timeline for implementing and monitoring the corrective actions. Within 30 days after receipt of this letter, the administrator must supply a written reply. The Provost may require modification of the plan before approving it.

2. The Provost shall appoint a Provost's Representative to participate in all stages of the implementation of the corrective actions specified in the approved plan for the re-review, including participation in the meeting or meetings at which the academic unit discusses, reviews, or votes on its recommendation for tenure and/or promotion for the appellant. The Provost's Representative shall participate in these activities but does not have a vote. After the academic unit completes its review, the Provost's Representative shall prepare a report on all of the elements of corrective action specified in the approved plan and this report will be included with the complete dossier to be reviewed at higher levels within the University. The Provost's Representative shall be a senior member of the faculty with no previous or potential involvement at any level of review or appeal pertaining to the consideration of the appellant for tenure and/or promotion except for the participation as Provost's Representative as defined in this paragraph.

3. The Provost's request and the administrator's approved plan of implementation must be included in the dossier from the inception of the review. Re-reviews begin at the

level of review at which the violation(s) of due process occurred and evaluate the person's record at the time the initial review occurred unless otherwise specified by the President. The administrator at the level at which the errors occurred, in addition to evaluating the candidate for promotion, must certify that each of the corrective actions has been taken and describe how the actions have been implemented. Re-reviews must proceed through all levels of evaluation including Presidential review. The Provost's review of the dossier will include an evaluation of compliance with the requirements imposed in the President's decision to grant the appeal. If the Provost discovers a serious failure by the unit to comply with the corrective actions required, the Provost shall formulate and implement a new plan for corrective action with respect to the appellant. In addition, the Provost shall inform (in writing) the administrator of the unit where the failure arose and the Provost shall take appropriate disciplinary action.

f. Extension of Contract

In the event that the appellant's contract of employment will have terminated before reconsideration can be completed, the appellant may request the President to extend the contract for one additional year beyond the date of its normal termination, with the understanding that the extension does not in itself produce a claim to tenure through length of service.

2. Decision Not to Review

If a faculty member requests his or her first level academic unit to undertake a review for his or her promotion or early recommendation for tenure, and the academic unit decides not to undertake the review or fails to transmit a recommendation by the date announced for transmittals, as specified in IV.F.2, above, the faculty member may appeal to the dean (if in a department) or to the Provost (if in a non-departmentalized school or college) requesting the formation of a special appeals committee to consider the matter. The request shall be made in writing. It shall be made promptly, and in no case later than thirty (30) days following written notification of the decision of the first-level academic unit.

If the dean or Provost determines not to form a special appeals committee, the faculty member may appeal to the Provost (if the decision was the

dean's) or to the President (if the decision was the Provost's) requesting formation of the special appeals committee. Request shall be made in writing. It shall be made promptly, and in no case no later than thirty (30) days following written notification of the decision of the dean or Provost.

The grounds for appeal and the burden of proof shall, in all instances, be the same as set forth in V.B.1.b and c, above. A committee shall not substitute its academic judgment for that of the first-level unit. The responsibility of a special appeals committee shall be to prepare findings and recommendations. The committee may, for example, recommend that the dean or Provost extend the deadline for transmitting a recommendation and instruct the first-level unit to forward supporting documents as expeditiously as possible. A decision by a dean or the Provost, upon receiving the findings and recommendations of a special appeals committee, shall be final. A decision by the President shall be final.

3. Decision Not to Renew

When, prior to the mandatory promotion and tenure decision, an untenured tenure-track faculty member receives notification that his or her appointment will not be renewed by the first-level unit, he or she may appeal the decision in the manner described in V.B.1.a above.

4. Emeritus Standing

An unsuccessful candidate for emeritus standing may appeal the decision in the manner described in V.B.1. above.

APPENDIX 2 - CHARGE FROM THE SENATE EXECUTIVE COMMITTEE ON CONSIDERATION OF A NEW POST-DOCTORAL TITLE

University Senate

CHARGE

Date:	February 24, 2015
To:	Devin Ellis Chair, Faculty Affairs Committee
From:	Donald Webster Chair, University Senate
Subject:	Consideration of a New Post-Doctoral Title
Senate Document #:	14-15-28
Deadline:	March 27, 2015

The Senate Executive Committee (SEC) requests that the Faculty Affairs Committee (FAC) review the professional track faculty titles and consider whether a new title for post-doctoral appointments is necessary.

Specifically, we ask that you:

1. Review the recently revised University of Maryland, College Park Policy on Appointment, Promotion and Tenure of Faculty (II-1.00 [A]) to review the titles currently available for professional track faculty.

2. Consult with a representative from the University's Office of Faculty Affairs on a potential new title.

3. Consider whether the title structure should include an entry-level title for post-doctoral appointments.

4. Consider examples of post-doctoral appointments at other institutions.

5. Consider the challenges faced by different disciplines in supporting post-doctoral appointments.

6. Consult with the University's Office of General Counsel on any proposed recommendations.

We ask that you submit a report to the Senate Office no later than March 27, 2015. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.

DW/rm