Recommendation of the University Committee concerning draft guidelines to be followed if programmatic need and budgetary reasons were to be considered in decisions on reappointment or promotion to tenure.

The following draft guidelines are derived from the two general principles that were presented to the Faculty Senate in October. These were:

First, there should be faculty involvement in all decisions on renewal or promotion to tenure that include programmatic and budgetary considerations. Such involvement should be on all levels of academic administration on this campus; that is, units or departments, college or school, and university.

Second, insofar as possible, programmatic or budgetary decisions about positions should be made separately in time and differently in format from the decision to renew or promote an individual faculty member. The latter decisions should be based on individual performance in teaching, research, and professional and public service only. Should any position be terminated as a result of a programmatic or budgetary consideration, any probationary faculty member affected by such a decision should be given timely notice.

The following guidelines are based on the premise that budgetary and programmatic considerations are obviously essential components of any academic planning process. It is further assumed that the decision to hire an individual to fill a probationary tenure-track position is based on careful academic planning, and that the hiring of an individual is subsequent to a decision that the position being filled constitutes, at least for the foreseeable future, an integral and necessary part of an academic unit's programmatic need. Finally, it should be clear that an individual's qualifications for renewal or promotion are distinct from any programmatic or budgetary considerations affecting the position filled by that individual.

It therefore follows that, if the decision to hire was based on a careful assessment of budgetary factors and programmatic need for the foreseeable future, there should be no necessity to use programmatic or budgetary considerations in decisions regarding renewal or promotion to tenure. Further, decisions about specific positions should be separated from decisions about individuals occupying those positions.

I. Programmatic or budgetary decisions about positions

1. A programmatic review must precede and be a significant component of the process for arriving at a programmatic decision. There shall be formal faculty involvement at all levels of the decision-making process. (The recently-instituted academic planning process, probably in a modified form, could serve as the basis for such a programmatic review.) The official statement of a programmatic decision shall include the programmatic review upon which the decision is based.
Rationale: A programmatic review carried out routinely (such as the biennial academic planning process) will provide the mechanism whereby programmatic or budgetary decisions about positions can be carried out separately in time and differently in format from the decision to renew or promote an individual faculty member. Use of the existing academic planning process will prevent the need to create additional committee structures yet provide for faculty involvement in the decision-making process.

2. In case of disagreement between two units (department and dean, or dean and vice chancellor) over specific programmatic decisions, advice shall be sought from the appropriate faculty bodies (Academic Planning Committee at the school or college level, APCC at the campus level).

Rationale: Reduction or modification of academic programs should require faculty recommendations similar to those required for the creation of new programs or expansion of existing programs. Any decision to reduce existing programs through the elimination of one or more positions should be based on sound programmatic planning, which provides for faculty involvement at all levels of the decision-making process.

3. Any faculty member(s) of an academic unit directly affected by a negative programmatic decision may request, within a designated time period, reconsideration of the decision. This provision for reconsideration applies at all levels of the decision-making process.

4. Should any position be terminated on the basis of programmatic or budgetary considerations, a probationary faculty member affected by such a decision shall be notified of such a decision no later than the end of the first semester of the fifth year of his or her probationary period.

II. Reappointment or promotion decisions involving programmatic or budgetary considerations.

1. At any level of the decision-making process, programmatic or budgetary factors may be considered in reappointment or promotion decisions only if it can be demonstrated that extraordinary circumstances warrant such consideration. The burden of proof for demonstrating that unforeseen circumstances have developed since the previous programmatic review shall rest with the unit or individual invoking programmatic or budgetary considerations.

Rationale: Insofar as possible, programmatic or budgetary decisions about positions should be made separately in time and differently in format from the decision to renew
or promote an individual faculty member. The latter decisions should be based on individual performance in teaching, research, and professional and public service only. When a tenure-track position is filled, a decision has been made that the position is an integral part of the unit's programmatic needs. Once the appointment is made, any decision to the contrary should be made at the time of a programmatic review, not at the time of a renewal or promotion decision.

(revised) 2. If and when programmatic or budgetary considerations are to be invoked in a renewal or promotion decision (in accordance with II. 1. above), advice must be sought, before any decision is made, from the appropriate faculty body (Academic Planning Committee at the school or college level, APCC at the campus level).

THE UNIVERSITY COMMITTEE

Ethel Sloane, Chairperson
Lawrence Baldassaro
Phyllis Kritek
Michael Lackman
Ann Meyer
Marilyn Miller
Howard Pincus