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Dear Academic Council:

Thank you for your consideration of the following proposed edits to Faculty Handbook chapter 3 (on tenure and promotion) and appendix D (regarding tenure).

One of the most important areas for faculty in the university is clarity in how tenure and promotion processes proceed. We did a deep dive into these sections of the faculty handbook because certain areas were either **unclear** or **not matching present practices**. We must be clear, transparent, and precise in how we present these processes to faculty who will go through them.

To that end, these proposed edits are the product of iterative conversations with the vice deans of faculty affairs (or equivalent) in many of our schools. The final product you have here was shared with all the vice deans or equivalent in all of the schools (except The Graduate School), and context for proposed changes is provided in the form of comments.

Respectfully submitted,

Mohamed Noor

CHAPTER 3: FACULTY APPOINTMENT, PROMOTION, AND TENURE

Introduction

The following section on appointment, promotion, and tenure is applicable to the faculty of Trinity College of Arts and Sciences, the Fuqua School of Business, the Divinity School, Pratt School of Engineering, the Nicholas School of the Environment, the Graduate School, the School of Law, the School of Medicine (including the basic sciences), the School of Nursing, the Sanford School of Public Policy, and authorized university institutes.

The quality of its faculty is the most vital determinant of a great university. Further, the highest standards of appointment, promotion, and awarding of tenure are best achieved by a process of careful examination and review. Such review is most effectively accomplished by a collaborative process whereby the faculty itself, through highly respected representatives, provides its best judgment and advice to the responsible administrative officers.

Judgments of academic excellence are complex. They cannot be reduced to a quantitative formula nor can the considerations that must be applied in each individual case be completely described in general terms. At the same time, the criteria to be applied in all cases must represent excellence in scholarship, a demonstrated commitment to high-quality teaching/mentoring, and a willingness to contribute to university/professional service; the combination of these criteria vary at different stages of one's career.

APPOINTMENT, REAPPOINTMENT, AND PROMOTION OF REGULAR RANK TENURE TRACK FACULTY FOR SCHOOLS AND INSTITUTES

Appointment, Promotion, and Tenure

All tenured members of the university's regular rank faculty are appointed ~~or promoted~~ by the Board of Trustees or the Executive Committee of the Board of Trustees upon the recommendation of the provost and/or executive vice president for health affairs/dean of the School of Medicine.

Appointment and Promotion without Tenure

Faculty appointments may be made without tenure either in a tenure track or a non-tenure track. The terms of that appointment shall be made clear to the faculty member at the time of appointment.

Tenure track positions are normally filled by faculty with the Ph.D. at the three regular rank tenure track titles of assistant professor, associate professor, or professor. In Arts and Sciences, regular rank faculty without the Ph.D. are commonly appointed at the non-tenure track rank of lecturer. Exceptions include some tenure-track appointments in creative arts and writing, where the master of fine arts (MFA) may be viewed as a terminal degree. When such an appointment is made, the faculty member will not begin to accrue time toward tenure until the degree is awarded and they have been given a tenure-track appointment. Subject to variations in some schools, initial appointment to a regular rank tenure track position without tenure will be for a term of four years.

Faculty who do not hold tenure track positions will be given modified titles. The complete set of modified titles for non-tenure track faculty, approved by the Academic Council and affirmed by the Board of Trustees, appears in Chapter 2 of this handbook.

Term (non-tenured) tenure track appointments at the ranks of assistant professor and associate professor, and promotions to assistant professor or associate professor without tenure, shall be made by the provost, based on appropriate recommendations by the deans or the heads of trustee-authorized faculty hiring units in accordance with internal departmental or school procedures. Additional review by an advisory committee

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Commented [MN1]: In 2008, the Board of Trustees approved a change to the scope of which faculty appointments that they would approve. After this change, only appointments where tenure was being granted (initial appointments) + distinguished professorships are approved by the BoT. All other appointment actions (such as promotion to full or a change of status to emeritus) is fully approved by the Provost. For the sake of precision, we'd like to remove two words from Chapter 3 as these imply that promo to full and promo to emeritus are still approved by the BoT.

is not required.

Annual Reviews and Reappointment to a Second Term

Annual reviews of regular rank non-tenured tenure track faculty will be conducted by the director of a program, chair, or dean for the purpose of providing direction and advice to the faculty member regarding progress at Duke. In general, the advice of senior faculty in the unit will be solicited for this review. Renewal of the initial tenure track appointment for a second term or promotion which may extend through the end of the probationary period will be made only on the basis of a careful departmental or school review and of approval by the dean and provost. The purpose of this comprehensive review is to develop a judgment as to the faculty member's probable suitability for tenure at Duke. Once approval has been granted for the second term appointment in a tenure track rank, the faculty member becomes eligible to apply for a junior faculty leave (see Policy on Leaves, <https://facultyaffairs.provost.duke.edu/faculty-time-away/types-academic-leaves/>).

Appointment and Promotion with Tenure

Tenure at Duke University, whether awarded to a faculty member currently on the Duke faculty or offered to a scholar who is being recruited for the Duke faculty, should be reserved for those who have clearly demonstrated excellence in scholarship, and whose work has been widely perceived among their peers as outstanding. Persons holding the rank of associate professor with tenure are expected to stand in competition with the foremost persons of similar rank in similar fields and to show clear evidence of continuing excellence in scholarship. Good teaching/mentoring and university/professional service should be expected but cannot in and of themselves be sufficient grounds for tenure. Sustained scholarly output is required for tenure.

Full professors play a critical role in determining the intellectual quality of the university. The rank of professor should be reserved for those who have clearly met the criteria for tenure and have demonstrated their continuous intellectual development and leadership. Appointment to associate professor does not necessarily imply eventual promotion to full professor. Promotion to full professor should be reserved for those who have an academic record documenting a continuous high-quality performance level in at minimum two of the following three required components of scholarly productivity--research, teaching, and service--together with a good performance record in the third required component. Length of service alone should not produce an expectation for promotion.

Appointments or promotions of full-time faculty members to tenured rank are made upon recommendations originating in the academic units authorized to make such appointments (e.g., departments and schools) described in Chapter 2 and Appendix D of this handbook. Recommendations for external appointments (i.e., hiring individuals not at Duke) should consider program, departmental, school, and university needs.

Tenure track faculty members who are currently on a Flexible Work Arrangements (FWA) plan, and who have served at least half of their tenure track time as non-FWA, are eligible to be considered for tenure. The same expectations for tenure as those for non-FWA faculty members will apply. Once tenured, it is the expectation that the faculty member will return to non-FWA within three years of achieving tenure.

Responsibilities of the Department, Program, or School

All Trustee-authorized faculty hiring units must have a set of formal procedures to govern their internal evaluation processes. A general description of these procedures and best-practices is laid out in the Faculty Affairs Administration website (<https://facultyaffairs.provost.duke.edu/appointment-promotion-and-tenure/>). All academic units are also expected to have developed “tenure and promotion standards” for tenure-track faculty that have been vetted both by the unit’s faculty and the administration, are periodically revisited and amended as determined by the faculty and administration, and are readily accessible by the

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unit's faculty. The deans, directors, and department chairs are responsible for submitting any proposed substantive changes to these standards or procedures to the provost for consideration. The provost will review the proposed change and assure that they are generally acceptable and consistent with the policies described herein. Once endorsed, the deans, directors, and department chairs will be responsible for communicating any changes in procedures to all members of the hiring unit and to new members of the faculty at the time of appointment; the revised evaluation procedures should also be posted to the unit's website.

Commented [MN2]: Already the present practice, and people should know that these standards exist so good for transparency to add here. We've heard some junior faculty say they were unaware.

Appointments

For appointments at the rank of associate professor with tenure or at the rank of full professor made from outside Duke University, the evaluation process can be initiated at any convenient time. Although the thoroughness and completeness of the process must not be compromised, sometimes the evaluation may pose problems in the recruitment process and must be conducted with delicacy and dispatch. The procedures to be followed are essentially the same as those for promotion described below and will be initiated whenever the outside scholar indicates a willingness to become a candidate and the authorized unit places their name in nomination along with a dossier (see section on dossier).

Promotion and Tenure

Reviews for granting tenure or for promotion to associate professor with tenure or to professor shall be conducted first in the basic authorized academic unit, be it the department (in Arts and Sciences, Medicine, or the Pratt School of Engineering), the section, division, program or institute, or the school. The head of the unit shall inform the candidate of the review and indicate the approximate time in which the review process will be completed. Prior to requesting approval from the dean for the membership of the departmental review committee or inviting any faculty to serve on it, the head of the unit shall request from the candidate (providing a copy to the dean to inform the dean's required approval of the review committee and for inclusion in the dossier) a brief written synopsis of their intellectual interest, including a description of any factors – interdisciplinary or otherwise – that the candidate believes should be taken into consideration in establishing said review committee. ~~Except in cases when a basic authorized academic unit has fewer than five tenured faculty eligible and available to vote (see below), whenever a tenured faculty member from another authorized academic unit is invited to serve on a candidate's review committee, said extra-departmental faculty member shall be added to the standard unit review committee for this instance.~~ All members of the review committee shall have the right to vote on the report of the committee and to attend the discussion in the candidate's department regarding the case.

Commented [MN3]: No one could even understand for sure what this meant, and seems to be covered later more clearly.

When candidates hold secondary/joint appointments and/or participate in interdisciplinary activities beyond the primary department, it is expected that such other academic units will be asked to provide a statement for the dossier about the level and quality of the candidate's contribution there. Furthermore, the dean or their designee at the school level shall be actively involved in determining the membership of the faculty review committee so as to assure an informed evaluation of the candidate's disciplinary or interdisciplinary contributions.

Commented [MN4]: Already the present practice. For example, Mary Klotman delegates this. Same with A&S-- the divisional deans do it.

~~Following completion of the review committee's report, the report shall be shared in advance with the academic unit's faculty, as described by their bylaws, and discussed in a faculty meeting. The faculty who receive the report and who vote in the meeting shall be those who are at rank at or above the rank being sought by the candidate. When a basic authorized academic unit has fewer than five tenured faculty available to vote, the provost, after consulting with the head of the unit (generally the chair or dean), shall add tenured faculty members from other authorized academic units who are considered knowledgeable in the candidate's area. In this way, the voting membership of those passing on the candidate's credentials will number at least five. A recommendation for promotion and/or tenure is made by secret unsigned ballot of tenured faculty members, consistent with the unit's procedure. These recommendations should be forwarded along with a list of those present and the tally of the vote. Unless otherwise specified in a unit's bylaws, a~~

Commented [MN5]: We've heard that Law uses a different threshold.

favorable decision means that a majority of the faculty who cast votes voted in favor of the promotion. The head of the academic unit (chair or dean, as appropriate) shall not vote except in the event of a tie.

Commented [MN6]: Standard practice. Also moved some of the text from next paragraph up here.

When the unit has completed its review, if it has reached a favorable decision, the chair shall forward the recommendation along with the complete dossier (see section on dossier) of the candidate to the dean, and the dean, in turn, to the provost. Written Opinions from the chair and the dean will be added to the file, but even should such intermediate recommendations be negative, a dossier with a favorable recommendation from the unit must ultimately be forwarded to the provost's Advisory Committee on Appointment, Promotion, and Tenure (AP&T) and the provost. Of note, School of Law, School of Nursing, and clinical departments in the School of Medicine follow an alternative process which is separately described in Appendix E. ~~A recommendation for promotion and/or tenure is made by secret unsigned ballot of tenured faculty members, consistent with the unit's procedure. These recommendations should be forwarded along with a list of those present and the tally of the vote. When a basic authorized academic unit has fewer than five tenured faculty available to vote, the provost, after consulting with the head of the unit (generally the chair or dean), shall add tenured faculty members from other authorized academic units who are considered knowledgeable in the candidate's area. In this way, the voting membership of those passing on the candidate's credentials will number at least five.~~

Commented [MN7]: Already the present practice, and for clarity.

Commented [MN8]: Added by request of a school-- they wanted to make sure it goes to APT and isn't just decided by the Provost without advice. This was an issue with a previous provost.

Commented [MN9]: Already the present practice.

When the review by the basic authorized academic unit (generally a department) reaches a negative conclusion, the chair or director shall inform the dean and the candidate of the decision and the reasons for it based on the unit discussion. The faculty member may appeal this decision once to the provost through the dean within two weeks of notification; the provost ~~can~~ may seek further information and recommendations from the school and the provost's Advisory Committee on Appointment, Promotion, and Tenure before making a decision. The AP&T committee will be consulted if the Provost chooses to overturn a unit's negative recommendation for promotion or appointment. The Provost will inform the school dean and the candidate of the final decision.

Commented [MN10]: This is implied already in a later section, which says "All appointments and promotions that confer tenure and promotions to the rank of professor shall be considered by the Advisory Committee on Appointment, Promotion, and Tenure (AP&T)". Also just seems a good practice-- the Provost shouldn't unilaterally stick a unit with someone they didn't approve without any further consultation.

Schedule

For most units (see exceptions below), normal review procedures for promotion and/or tenure by the basic authorized academic unit (e.g., department or school) shall be initiated in the spring or summer of the academic year prior to that in which action by the Board of Trustees is required. Review schedules may vary slightly among the schools, and individual schools set the deadlines for receipt of materials from their recommending units. It should, however, be noted that the work of the provost's Advisory Committee on Appointment, Promotion, and Tenure is conducted principally during the fall and spring semesters of the regular academic year. Faculty members will be notified of the provost's decision by April-June when the recommendation of the ~~department or~~ school and complete dossier, including the dean's written assessment, are submitted to the committee no later than November 1st for promotion to full professor and December 1st for promotion with tenure. The School of Law, School of Nursing, and the clinical departments of the School of Medicine assess dossiers year-round and follow their own schedule.

Commented [MN11]: Clarifying so departments don't think THEIR deadline is November 1. This is the deadline for school -> provost's office.

Commented [MN12]: This does not always happen. June 1 is more feasible. I can think of one case where even that wasn't met. Also, sometimes there are reasonable internal issues that cause delays at various levels, and we don't want to set expectations that may not be met. Note: the candidate probably does not even know when the school dean submits the dossier to Provost/ APT.

Commented [MN13]: The department never submits directly to APT.

Commented [MN14]: Already the present practice-- not a change.

Dossier

It is the responsibility of the recommending unit to assemble all the materials necessary for the review. The head of the unit initiating the recommendation (e.g., director of a program, chair [in Arts and Sciences, Medicine, or the Pratt School of Engineering], or dean) has the responsibility of insuring that the dossier sent on for review is as complete as possible.

The complete list of materials to be included in the dossier is provided by and available from the Office of the Provost (see <https://facultyaffairs.provost.duke.edu/appointment-promotion-and-tenure/>).

In Arts and Sciences, the Pratt School of Engineering, the Nicholas School of the Environment, and the

School of Medicine, the dean or their designee will examine the dossier submitted by a department (or Trustee-authorized division in the Nicholas School of the Environment) for completeness and, if the dean considers it incomplete or inadequate, return it to the department or division for more preparation. In most schools without departments (e.g., Divinity School, Sanford School of Public Policy, and Fuqua School of Business), the dean will examine the dossier for completeness. If the dean considers the dossier adequately presented and documented, it will be forwarded to the provost. However, the dean may seek supplementary information to inform their recommendation. All such requests and the resulting information shall be added to the dossier and kept confidential. In the School of Nursing, the respective Division Chair will complete a dossier checklist and the School of Nursing Appointment, Promotion and Tenure (AP&T) Committee is responsible for the dossier review. In schools without departments, including Nursing, the dean shall present in writing their assessment of the candidate's scholarly credentials and suitability for appointment, reappointment, tenure, or promotion. For the purposes of the AP&T Committee's consideration, the dean should address only the candidate's scholarship, teaching, and service. If the dean so wishes, in a separate letter addressed only to the provost, the dean may also present in writing additional information about the school, its goals, needs, and the relation of the dossier to them; this institutional information is solely for the provost's consideration and is not germane to the considerations of the AP&T Committee. Such strategic considerations are not to be considered by the AP&T Committee or the provost in cases of internal promotion to tenure.

Commented [MN15]: Already the present practice

Commented [MN16]: Added for clarity since Nursing is an exception, per the text below.

Responsibilities of Provost's Advisory Committee on Appointment, Promotion, and Tenure

Except for those in the School of Law, School of Nursing, or clinical departments in the School of Medicine, All appointments and promotions that confer tenure and promotions to the rank of professor shall be considered by the Advisory Committee on Appointment, Promotion, and Tenure (AP&T), a group that advises the provost.

Commented [MN17]: Already the present practice.

This committee is appointed by the provost and, in addition to the chair, consists of a minimum of twelve full professors nominated by the Executive Committee of the Academic Council (ECAC) on the basis of scholarly distinction, aptitude for service on this demanding committee, and availability for the term involved. In making nominations, ECAC shall seek balance among divisions, schools, and academic disciplines within the faculty. Normally at least two members will come from the Arts and Sciences Division of Humanities, two from the Division of Social Sciences, two from the Division of Natural Sciences, one from the Pratt School of Engineering, one from the Fuqua School of Business, one from the basic medical sciences, and three from these or other units, subject to review. The chair shall be a faculty member nominated by ECAC and appointed by the provost. The chair will be appointed for a one-year term, renewable. The president, the provost, the vice provost for Faculty Advancement, and the dean of the Graduate School will serve as nonvoting ex-officio members of the committee.

Commented [MN18]: Already the present practice.

The Advisory Committee on Appointment, Promotion, and Tenure is charged with evaluating the dossiers forwarded to it, consistent with standards enunciated in this document. If the AP&T Committee has questions about materials in the dossier, or if it lacks certain documentation, the committee will ask the chair, director of the program, or dean of the originating unit for clarification or additional materials. The AP&T Committee may supplement the outside letters received about a candidate with additional letters or reports from evaluators who are competent to judge the candidate's scholarship. Should the AP&T Committee decide, in its sole discretion, that it needs additional advice, it reserves the option to establish an ad hoc panel to review the dossier. This panel may gather additional information, if necessary, and will be asked to provide the AP&T Committee with a written evaluation. Panel members will be selected on the basis of their knowledge of the candidate's field and an overall balance of perspectives. One or more panel members may be Duke faculty, and it is typical to include at least one member from another institution. An AP&T Committee member normally will serve as liaison between the ad hoc panel and the AP&T Committee. In the case of current Duke faculty being evaluated for tenure, the chair (or director) of the originating academic unit and dean will usually meet with the AP&T Committee to discuss significant

issues raised during the evaluation; in the case of external tenure candidates or internal candidates for promotion to full professor such interviews may be scheduled at the AP&T Committee’s discretion.

Individual Duke faculty members may write to the AP&T Committee (or to the provost, who will refer such letters to the AP&T Committee) regarding any case being considered by that committee. Such communications will be added to the dossier and kept confidential.

Commented [MN19]: Adding this since it has come up. For ad hoc letters coming from outside of Duke, there should be some discretion for the Provost to decide on whether given to APT or whether they introduce potentially biasing comments that are beyond the scope of what APT considers, for example.

The Advisory Committee on Appointment, Promotion, and Tenure must then formulate its own recommendations for presentation to the provost. In general, a quorum requires at minimum three-quarters of the voting members unless a sufficient number of votes, affirmative or negative, has been cast to represent an absolute majority of the committee. A recommendation should be considered definitive only if it has been supported, affirmatively or negatively, by vote of an absolute majority (seven) of the AP&T Committee. In the event the AP&T Committee’s recommendation is negative, the provost will review the dossier (prior to notification of the candidate or department) to determine whether all factors relating to the merit and value of the candidate have been fully and adequately considered.

The provost will inform the AP&T Committee of their intended decision. Should the provost choose not to accept the recommendation made by the AP&T Committee, the provost shall inform the committee in writing and indicate the basis for the intended decision.

Commented [MN20]: Added word “intended” in next 2 paragraphs for consistency (it was already in the next paragraph once, but flipflopped between saying it and not about the same thing).

The provost will communicate to the appropriate dean their intended decision and, if negative, the major factors underlying it as summarized by AP&T. The dean of the school is responsible for transmitting this information to the head of the originating academic unit (e.g., department chair), if there is one, and either the dean or chair will communicate this to the candidate. If the provost intends to act contrary to a positive recommendation from the AP&T Committee, the provost must provide the basis for this decision to the candidate and the chair via the school dean. If the provost intends to render a negative decision on a case already considered by the AP&T Committee, or a case that has not received a positive recommendation from the department, the provost will inform the candidate, the departmental chair, and the relevant dean. An appeal of the provost’s ~~impending~~ intended decision, from any or all of these three parties, may then be made within the following two weeks, submitted through the dean. The provost will also provide a copy of the official AP&T memo summarizing the case and the deliberations of the AP&T Committee. If the provost intends to act contrary to a positive recommendation from the AP&T Committee, the provost must provide the basis for this decision. On the basis of this appeal, the provost may then either refer the case back to the AP&T Committee, including the departmental appeal, and ask for reconsideration of its recommendation or make their decision without referral. On any one case, the originating academic unit, school, and/or candidate are limited to one appeal, and the provost will inform the candidate, the department chair (if applicable), and the relevant dean of its outcome.

Commented [MN21]: Aligning this with current practice. Feedback not typically given for positive cases (unless disagreeing with earlier recommendations)-- the reason is always “excellence in research/ teaching/ service”.

Commented [MN22]: This is redundant with first two sentences. Also the part about not receiving a positive recommendation from the department would only apply as an appeal (which is covered later in the paragraph). Otherwise, the Provost would not need to weigh in if the department voted no.

Commented [MN23]: Impending implies that no change will happen, intended is more accurate.

Commented [MN24]: Redundant with first sentence with its new minor addition.

Generally, if a candidate’s tenure dossier is forwarded by the academic unit, the AP&T Committee will consider the candidate only once. Thus, a faculty member whose tenure review is undertaken by the AP&T Committee during their initial contract term, and who is turned down for tenure by the University, shall be allowed to complete the term of the original appointment, but their tenure track appointment shall not be renewed or extended. However, a tenure track faculty member who has been turned down for tenure by the University may apply during an authorized national search for an existing non-tenure track position at Duke.

When the provost’s recommendation is favorable, the provost shall consult with ~~share their decision with~~ the president. With the president’s approval, the provost shall submit the recommendation to the Board of Trustees for final action. Records of each case shall be properly safeguarded and when the case is completed, retained, or deposited under appropriate controls in the University Archives for a period to be determined by the university counsel.

Commented [MN25]: Aligning with current practice. Don’t think it’s a “consultation” in over 95% of cases. But if the president disagrees, that’s still covered in the next sentence. Just don’t want faculty candidates to panic thinking the president is likely to “override”.

APPOINTMENT, REAPPOINTMENT, AND PROMOTION OF REGULAR RANK NON-TENURE TRACK FACULTY FOR SCHOOLS AND INSTITUTES UNDER THE PROVOST

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This section updates the findings of Report of the Ad Hoc Committee on Procedures for Appointments, Reappointments, and Promotions for Regular, Non-Tenure Track Faculty. The following guidelines apply to non-tenure track appointments within the Provost Management Center and are not directly applicable to the School of Law, the School of ~~s~~ of Medicine and Nursing and clinical departments of the School of Medicine, whose policies are discussed in Appendix E.

Commented [MN27]: Already the present practice-- not a change.

Regular rank non-tenure track faculty members are integral to the intellectual life and teaching mission of the schools and institutes at Duke, filling important roles, though the roles differ somewhat across units. It is the intent that these positions will have long term and an ongoing contractual relationship with the University (e.g., repetitive contract, participation in continuing research grants, etc.). As with tenure-track faculty, university rules and procedures governing the appointment, reappointment, and promotion of regular rank non-tenure track faculty are intended to uphold the highest standards of excellence. They also seek to honor the diversity of activities and service that regular rank non-tenure track faculty provide within various schools and institutes.

Guidelines for New Appointments in Regular Rank Non-tenure Track Positions

The dean of each school or director of each institute requests authorization from the provost for each new regular non-tenure line faculty appointment. The dean or institute director establishes policy regarding whether a search is required for new appointments, with the expectation that (inter)national searches will normally be required for all new regular rank appointments. The dean or institute director, in collaboration with the faculty, defines the procedures for such a search.

The non-tenure track faculty titles include:

- Assistant/Associate/(Full) Professor of the Practice
- Assistant/Associate/(Full) Research Professor
- Assistant/Associate/(Full) Clinical Professor
- Lecturer/Senior Lecturer

Guidelines for Review of Regular Rank Non-tenure Track Positions

The intent of an ongoing contractual relationship is a requirement for all regular rank positions. Some regular rank non-tenure track positions may be connected to limited-term grants or specific instructional needs. Thus, it is important to maintain a distinction between review and contract renewal. Whether the review is for an initial appointment, reappointment, or promotion of full-time faculty in regular, non-tenure track ranks, the review process will focus on evaluating an individual's qualifications for a specific faculty title. Successful review is not necessarily synonymous with contract issuance or renewal, since this may depend upon funding support or curricular need. Before authorizing a review, the dean or institute director should consider carefully the intention for an ongoing contractual relationship between the faculty member and the University, and the availability of funding support to determine the ongoing status of the position. Contract periods should be synchronized with appointment periods. However, when funding is not ensured for the duration of the contract, the contract should make this clear. Furthermore, in the event of impending termination, faculty must be notified no later than one year before the termination. Termination of external funding will not result in termination of the Duke affiliation specified in the contract, but it may result in termination of compensation absent other sources of funding. Until a contract expires, the faculty member can apply for additional external funding as a Duke faculty member.

Annual formative reviews

Annual reviews of regular rank non-tenure track faculty will be conducted by the director or program chair, or dean or institute director, or an appropriate delegate for the purpose of providing direction and advice to the faculty member regarding their progress at Duke.

Periodicity of formal evaluative reviews

Initial appointments to regular rank non-tenure track appointments will be reviewed for reappointment (and, when appropriate, promotion) in the penultimate year of the current contract, except under conditions as requested by the dean and granted by the provost. Subsequent review will typically be conducted at least every five years. The dean or institute director may approve an interval as long as 10 years for a faculty member at the level of (full) Professor of the Practice, Research Professor, or Clinical Professor. Reviews for initial appointments, the first review after appointment, and reviews for promotion should be detailed; reviews for subsequent reappointment may be less detailed. For cases where annual reviews demonstrate that the faculty member clearly exceeds the standards required for reappointment, the school or director may authorize an expedited review process for reappointment at the same rank. The dean or director of each school or institute, in collaboration with the faculty, shall determine what materials are required for an expedited or less detailed review, as well as any limitations or restrictions on when faculty are eligible for it.

Responsibilities of the Department, Institute, or School

Each unit with hiring authority is expected to establish criteria and procedural guidelines for evaluating candidates for appointment, reappointment, and promotion in regular, non-tenure track ranks, which are appropriate to its discipline. These criteria and guidelines must be generated in partnership between the faculty and the unit Chair, and be submitted in writing to the dean (for schools with departments), the governing faculty body of that School or institute, and provost for approval. Criteria should be more rigorous for each higher level of faculty rank and should be equally rigorous, though not identical to, those used for tenure track faculty. In the case where criteria differ among hiring units or departments, the dean or institute director is responsible for assuring that the criteria are equally rigorous for equivalent ranks in different departments. The provost is responsible for review of and approval of the guidelines assuring appropriate and equally rigorous criteria are applied in different schools and institutes. Criteria and guidelines for each department or school must be made readily available to faculty, preferably through posting on a unit website, and criteria will be consistent for similar cases within a given unit. Annual reviews will provide an opportunity to evaluate progress relative to these criteria.

Components of regular rank non-tenure track review process

Each school or institute will establish guidelines for the size and composition of the review committee that prepares the initial report on appointment, reappointment, or promotion.

While a general template of items to include in the review portfolio is provided by the provost's office, each school or institute will have some flexibility to reshape that list to fit the nature of the position being reviewed.

All qualified faculty in the hiring unit, including program or department (for schools with departments or hiring unit programs) or school or institute will be allowed to vote on the potential appointment, reappointment, or promotion of regular rank non-tenure track faculty, after consulting the review committee report.

On candidate for initial appointment at any regular non-tenure track rank, all regular rank faculty are eligible to vote, regardless of the rank proposed for the candidate.

On candidate for reappointment to the same regular non-tenure track rank, all regular rank faculty, who

hold the same rank as the candidate, or a higher rank are eligible to vote.

On regular non-tenure track candidates for reappointment with promotion, all regular rank faculty, who hold either the same or higher rank than the proposed promotion shall be eligible to vote.

The involvement of unit faculty and leadership in non-tenure-track regular-rank reappointments and promotions varies by school, and the associated processes are described in Appendix E as well as individual unit bylaws.

In cases receiving a favorable program or departmental or school or institute recommendation, the dean or institute director will decide whether to proceed with the initial appointment, reappointment, or promotion, and will forward the decision to the provost, who will report it to the Board of Trustees. In cases where the program or departmental recommendation is unfavorable the candidate may appeal the decision to the provost once within two weeks of the notification date; the provost can seek further information and recommendations from the school before making a decision.

Finally, at the point of their decision to support or decline the relevant action, the dean or institute director will notify the candidate of the decision.

Continuance after an unfavorable review

In the event of an unfavorable review, regular rank non-tenure track faculty members will be allowed to continue in their position to the end of their current contract.

Confidentiality Policy

Pursuant to university custom and policy, all documents contained in the dossier with the exception of the materials directly submitted by the candidate are considered confidential, as is the identity of all external reviewers. The total dossier is made available only to those individuals officially responsible for recommendations and/or decisions on the candidate's status. These individuals include (1) the voting members of the departmental faculty in cases of appointment; (2) tenured departmental faculty of rank higher than the candidate in cases of reappointment, promotion, and tenure within the university; (3) the departmental chairs and administrative assistants of the chairs; the appropriate deans, the provost, the provost's Advisory Committee on Appointment, Promotion, and Tenure, and related committees and staff working for the deans and provost; (5) the president; and (6) the Board of Trustees. All individuals participating in the AP&T process are expected to adhere to this statement regarding confidentiality.

Ad hoc panels and/or individual additional external reviewers may be consulted by any of the above listed university administrators or faculty bodies with the expectation that the privacy and confidentiality of the dossier is protected.

Commented [MN28]: Looked into standard language here by request, but process really differs a ton by school and even within some schools among units.

Appendix D: Academic Freedom and Academic Tenure

II. Academic Tenure

A. Academic tenure may be achieved for a specific period of time in the case of "term appointments" or indefinitely in the case of "continuous academic tenure appointments." Article XXII, paragraph 2 of the University Bylaws states: "Members of the University Faculty with an unmodified rank of assistant professor, associate professor or professor in the defined faculty unit (including departments) of their primary appointment shall have tenure after eight years of continuous service at the University, or such shorter period as may be determined for individual cases by the Board of Trustees or its Executive Committee.[1] In the School of Medicine, however, probationary service for tenure may be extended up to, but no more than, three years to faculty positions within defined faculty units (including departments) to provide the extra time deemed necessary to judge tenure qualifications with requisite certainty."

B. A faculty member at the regular tenure track rank of assistant professor or above with continuous full-time service at Duke University for a total period of eight years in the unmodified rank of assistant professor, associate professor, or professor, and whose appointment extends beyond the eighth year of full-time service (eleventh in the School of Medicine), attains continuous academic tenure at the beginning of their ninth (or twelfth) year of service.

Leaves associated with tenure clock relief, or other instances in which the Provost's office expressly grants a tenure clock extension, will not be counted towards this time period.

By specific action of the Executive Committee of the Board of Trustees, a full-time faculty member at the regular tenure track rank of assistant professor or above may be granted continuous academic tenure before completing eight (or eleven) years of full-time continuous service at the university. If years of service at other institutions are to be

Commented [MN1]: Similar to statement in Fuqua bylaws. This has always been assumed but should be made explicit. Note: when a temporary parental leave is granted for non-tenured faculty, an automatic one-year extension of the tenure probationary period will be approved. We cannot allow one to get tenure simply for having multiple children without any other faculty-driven review process.

counted toward the award of continuous academic tenure, this fact will be stated in the initial letter of appointment.

C. Persons holding administrative positions achieve academic tenure by reason of their academic instructional rank as provided by paragraph B.

D. A faculty member who has been granted continuous academic tenure will not lose their tenure status if, with mutual consent of the university and the faculty member and with periodic review of the university, they transfer to part-time service.