

## HIRING, RANK, AND STATUS POLICY

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### EXECUTIVE SUMMARY

This policy governs the hiring, retention, granting of continuing faculty status, and rank advancement of faculty. It specifies the steps to be taken in hiring to fill faculty vacancies, including obtaining appropriate clearances. It establishes standards of performance in all three areas of faculty responsibility (citizenship, teaching, and scholarship) and criteria by which faculty performance is to be evaluated. The policy establishes the procedures to be followed in evaluating faculty in the initial (third-year) review, the final (sixth-year) review, and for rank advancement, along with the timetable for the scheduled reviews. The policy also specifies the responsibilities of faculty members for preparing materials to be used as the basis of evaluation in the reviews, as well as the responsibilities of rank and status committees, deans, and the university Promotion Review Committee. It also establishes the timetable for mandatory reviews. In its treatment of this process, the policy also deals with issues of confidentiality, the adding of materials to the file, procedures for delaying continuing status reviews, and support for the mission of the university. The policy also establishes the process of independent examination of rank and status decisions available to faculty members. Attached as appendices to the policy are checklists to be used in making sure all relevant materials are placed in the faculty members' rank and status advancement application files, and sample letters for use by deans in soliciting external reviews of the faculty members' work.

### 1. INTRODUCTION

#### 1.1 Overview

This policy describes the university's standards and procedures for hiring faculty and for granting candidacy for continuing faculty status, continuing faculty status, and rank advancement. Continuing faculty status is defined at the university as “an automatically renewed appointment.” The automatic renewal is accomplished by the issuance of a contract for the next academic year unless the faculty member is terminated for cause. A faculty member's rejection of a contract has the effect of indicating a withdrawal from the university and a relinquishment of continuing faculty status. Such an action ends the employment relationship with the university.

**1.2 Individual Responsibility**

Fundamental to the purpose of this policy is the understanding that the individual bears the burden of becoming familiar with the university's policies, procedures, and standards for review, and for presenting persuasive evidence to the university that he or she is appropriately qualified for hiring or for receiving candidacy, continuing faculty status, or rank advancement. While the university is not obligated to hire or to grant candidacy, continuing faculty status, or rank advancement to any individual, the university agrees to provide a fair review process as described in this policy.

**1.3 Changes**

These standards and procedures may be changed from time to time, and such changes apply to all faculty regardless of when they were hired or the standards and procedures that then prevailed. Any exceptions to this practice must be approved in writing by the Academic Vice President.

**1.4 Exceptions**

Only the Academic Vice President may approve exceptions to this policy to accommodate particular needs. Such exceptions must be in writing to be binding.

**1.5 Faculty Standards**

Faculties are invited to set their own specific standards of teaching and/or scholarship and update them periodically to reflect current expectations, university needs, and disciplinary standards. These standards may vary among programs as appropriate for the disciplines represented. Faculty rank and status standards must be approved by the dean and the Academic Vice President.

**Faculty unit rank and status standards may not contradict or waive any requirement of this policy or apply a lower standard. If there is a conflict between a faculty policy and this policy, this policy governs. A current copy of these standards should be available to faculty on their website or another readily-accessible location and a copy should be given to faculty members when they are hired and included among the documents submitted for all rank and status reviews.**

**1.6 Nondiscrimination**

The standards and procedures in this policy will be applied without unlawful discrimination as provided in the university's [Nondiscrimination and Equal Opportunity Policy](#). As an educational institution sponsored by and affiliated with The Church of Jesus Christ of Latter-day Saints (the Church), the university gives a lawful preference in employment decisions to qualified, faithful members of the Church in good standing.

## **2. APPOINTMENT OF FACULTY MEMBERS**

### **2.1 Appointments**

Faculty members are appointed by the University President as authorized by the Board of Trustees. Faculty appointments are for one year, except that some visiting appointments may be for less. Faculty appointments on a continuing faculty status track are renewable at the university's discretion for additional one-year terms until continuing faculty status is granted. Continuing faculty status is awarded at the discretion of the University President with the aid of recommendations generated from the procedures found in this policy. The appointments of faculty with continuing faculty status are automatically renewed each year unless they are terminated for cause.

### **2.2 Vacancies**

The Academic Vice President authorizes the filling of a vacancy. When a vacancy occurs, the dean should submit memoranda justifying the filling of the vacancy to the Academic Vice President, who will make the final decision.

### **2.3 Search Committee**

To fill a continuing faculty status track position, the dean will refer the matter to a search committee composed of at least three faculty members. Faculties are encouraged to begin the search process early in the academic year preceding the vacancy.

### **2.4 Identifying Candidates**

The faculty should make a vigorous effort to identify the most qualified candidates for an available position. This effort may include tracking potential candidates, recruiting at conferences, and advertising broadly in professional publications, on the university's website, etc.

### **2.5 Clearance to Interview**

Following an appropriate search period, the search committee will recommend which candidates to invite to campus for interviews. Invitations to campus for interviews must be approved by the dean, the Associate Academic Vice President for Faculty, the Academic Vice President, and the Church Commissioner of Education.

Clearance to interview must precede any express or implied invitation to interview. Faculties are encouraged to interview at least two candidates for each position. The university will authorize payment of travel costs for two candidates. Payment for a third candidate may be authorized if neither of the first two interviewed is acceptable. Additional candidates may also be interviewed when it can be accomplished without cost.

**2.6 Interviews**

Generally, candidates invited to campus should make a formal presentation to the faculty and teach a class or make some other presentation in which they interact with students. During the visit, all available faculty members (including the search committee) should have the opportunity to meet individually or in small groups with the candidate. The candidate will also interview with the dean, the Associate Academic Vice President for Faculty, the Academic Vice President, the University President (or his designee), and a General Authority.

**2.7 Hiring Decision**

After the interviews, and following open discussion by the search committee and members of the hiring faculty, the search committee submits its recommendation to the dean. The recommendation will be brought to a meeting of the dean, the Associate Academic Vice President for Faculty, the Academic Vice President, and the University President. The dean represents both the opinion of the faculty (including minority perspectives, if any) and her or his own personal opinion. The recommendation from this group will then be forwarded to the Board of Trustees for appointment.

**2.8 Confidentiality**

Faculty and administrators shall maintain confidentiality about faculty *and administrative* votes and deliberations, *both before and after an offer of employment is made*. Applicants should be informed that the hiring process includes review and decision by the dean, university administration, and Board of Trustees, *and applicants who inquire about the status of their application while it is under consideration should be reminded of this multi-level review process*. No implied or formal commitments to employment *should or can be made until the multi-level review process is completed and approval is granted by the Academic Vice President or an authorized designee*.

**2.9 Offers**

All offers must be in writing, with the terms and conditions specified in detail. All offer letters must be approved by the Academic Vice President before they are sent. Those participating in the hiring process must not make or imply any commitments or predictions regarding anticipated or forthcoming offers or employment terms, including rank or salary, before the offer letter is approved. Deans may discuss academic rank, possible schedules for the rank and status review process, and salary ranges with candidates, but must not make commitments in addition to those approved in the offer letter. An offer letter is binding on the university only if it is approved by the Academic Vice President, or the President and only if the approvals required in section 2.7 have been obtained.

**2.10 Initial Rank**

Appointment as an assistant professor in a continuing faculty status track requires the completion of a terminal or other degree appropriate to the candidate's discipline and position, or equivalent professional experience or training. New faculty members may be appointed to the rank of associate professor or professor if they held these ranks at their previous institution and if approved by the Vice President for Academics.

**2.11 Starting the Timetable for Continuing Faculty Status**

Time spent as a special instructor or other part-time faculty member does not count toward the time required for continuing faculty status and rank advancement. The timetable for the continuing faculty status process typically begins with the start of the fall semester in which new faculty members begin their appointments on a continuing faculty status track. For those hired to begin winter semester, it starts with the previous fall semester. For those hired to begin spring semester, it starts with the next fall semester. Any exceptions must be granted by the Academic Vice President.

**2.12 Moving Visiting and Other Faculty to a Continuing Faculty Status Track**

To move a visiting, temporary, part-time, or adjunct faculty member to a continuing faculty status track, the procedures for hiring continuing faculty status track faculty specified in this policy must be followed. Upon the recommendation of the dean, the university may count the period of the visiting or temporary appointment toward continuing faculty status if the appointment was at a professorial rank and if all requirements specified in section 2.10 were satisfied at the time of hiring into the visiting or temporary appointment. Approval for this exception must come from the Academic Vice President. The offer letter for the continuing faculty status track appointment will specify the anticipated timetable for the continuing faculty status process.

**2.13 Credit for Previous Work**

Rarely, the university may count time as a faculty member at another university or college or in comparable professional work toward initial rank, rank advancement, or continuing faculty status. In such cases, the final review for continuing faculty status may be held in the faculty member's third year at BYU–Hawaii or at such other time as is agreed upon in writing. The anticipated timetable for the continuing faculty status process must be determined at the time of hiring as follows:

- Approved by the dean
- Approved by the Associate Academic Vice President for Faculty
- Approved by the Academic Vice President
- Specified in the offer letter.

The offer letter may also specify the anticipated schedule of review for rank advancement as approved by the Associate Academic Vice President for Faculty.

**2.14 Appointments with Continuing Faculty Status**

Rarely, and in very unusual cases, the university may appoint a faculty member with continuing faculty status. This action must be approved by the dean, and the President's Council.

**3. EXPECTATIONS OF FACULTY MEMBERS****3.1 General Expectations****3.1.1 Faculty Standards**

Brigham Young University-Hawaii is a private university with unique goals and aspirations that arise from the mission of The Church of Jesus Christ of Latter-day Saints. A faculty member's responsibility is to engage in high-quality citizenship, teaching, and scholarship, and to make affirmative contributions to the university mission. Faculty should provide students an education that integrates spiritual and secular learning as a foundation for a lifetime of learning, helps students develop character and integrity so they can be leaders in all aspects of their lives, and provides faithful and committed church leaders who will assist in building the kingdom, particularly in the Pacific and Asia. It is a condition of employment that faculty members observe the behavior standards of the university, including the Church Educational System Honor Code, and refrain from behavior or expression that seriously and adversely affects the university mission or the Church. Faculty who are members of The Church of Jesus Christ of Latter-day Saints also accept as a condition of employment the standards of conduct consistent with qualifying for temple privileges. They are expected to live lives reflecting a love of God, a commitment to keeping his commandments, and loyalty to the Church. They are expected to be role models to students of people who are proficient in their discipline and faithful in the Church. All faculty are expected to be role models for a life that combines the quest for intellectual rigor with spiritual values and personal integrity. They are expected to engage in continuing faculty development, and to maintain high levels of performance throughout the course of their careers as perceived by their dean.

**3.1.2 Faculty Development Plan**

New faculty should meet with their dean during their first year to develop a faculty development plan for the period of employment through their final continuing faculty status review. The faculty development plan should describe the faculty member's proposed activities in the areas of citizenship, teaching, and scholarship (or citizenship and professional service). Since plans and directions will change during the faculty member's career, the plan should be updated periodically. The faculty development plan should include a statement of:

- A. The faculty member's self-assessment of strengths, skills, competencies, interests, opportunities, and areas in which the faculty member wishes to develop.
- B. The faculty member's professional goals in citizenship, teaching, and scholarship (or citizenship and professional service) and the plan to accomplish these goals.
- C. The relationship between individual goals and faculty and university aspirations and needs.
- D. Resources needed to accomplish the professional goals, including budgetary support, equipment, time, etc.
- E. The faculty member's activities and accomplishments so far in achieving the goals.
- F. The faculty member's comments, if desired, on measures used to assess success in his or her professorial responsibilities and in accomplishing the goals set forth in the plan.

New faculty members should update and review the plan with the dean in their annual interviews as part of their efforts to achieve continuing faculty status. Parts of the faculty development plan may form the basis for the personal statement which the faculty member produces for the file at the time of the third-year and final continuing faculty reviews (Appendix A). The faculty development plan is a planning tool, and does not constitute a commitment that the university will employ the faculty member for the period covered by the plan or that the faculty member will receive continuing faculty status if the goals in the plan are met. Retention of faculty depends on the overall quality of their performance and on the university's evolving needs. Continuing faculty status reviews are performed at the faculty and university levels, and continuing faculty status is granted only by the University President.

### **3.1.3 Effectiveness in All Areas of Responsibility**

Faculty are expected to perform high-quality work in citizenship, teaching, and scholarship. Failure by faculty with continuing status to maintain acceptable performance constitutes adequate cause for termination. (See 2.1) Faculty members have different strengths. However, the performance of faculty must be above acceptable minimum standards in all areas of responsibility. The majority of professorial faculty time will be spent in teaching activities. The remaining time should be balanced between scholarship, committee, and other assignments. The allocation of time among these latter activities may vary among faculty or over a faculty member's career, depending on changes in assignments due to legitimate university and faculty needs. In some circumstances a course release may be granted especially for administrative assignments. Reviewers in the rank and status process will therefore exercise reasonable flexibility in their assessment of the file, balancing heavier responsibilities in one area against lighter responsibilities and performance in another.

### **3.1.4 Annual Performance Reviews and Interviews**

Continuing performance evaluations will be carried out for all faculty. The dean will periodically visit the classrooms of their faculty and conduct an annual performance review of, and an annual stewardship interview with, each faculty member. These interviews are the primary vehicle for tracking and encouraging continuing faculty development, through which the performance of faculty with continuing faculty status is monitored, and through which performance expectations are communicated. These interviews should identify performance problems early, implement progressive steps to help a faculty member be successful in all areas of professorial responsibility, and create a written record of discussions about performance problems and attempts made to remedy them. Faculties are encouraged to have a faculty committee assist in conducting the annual performance reviews. In the annual interview the dean and the faculty member will review performance and develop goals and strategies for development and improvement. A written summary of the dean's evaluations will be given to the faculty member and a copy placed in his or her personnel file. In addition to serving as a regular, systematic process for reviewing faculty members' past performance, the annual stewardship interview process should also contain a prospective, developmental component. It is the primary opportunity for deans to monitor and help encourage continuous faculty development. Faculty development needs and opportunities should be discussed in each annual interview, regardless of a faculty member's past performance. Faculty should include in the materials submitted for the annual review a statement of plans for faculty development. The interview should include discussion of time and other resource implications of the development plans. All faculty members are expected to engage in continuous development and improvement in scholarship and teaching. Deans should encourage efforts and support opportunities for faculty development.

### **3.1.5 Rank and Status Standards vs. Disciplinary Standards**

Occasionally, evaluation of faculty for rank and status may involve issues of questionable faculty conduct or expression. In such cases, BYUH's Honor Code and principles of academic freedom should be respected (See Church Education System Honor Code, [Academic Freedom Statement](#)). Nevertheless, these issues will be reviewed within the faculty rank and status process rather than under university procedures governing faculty discipline or academic freedom grievances since the rank and status process considers faculty conduct and academic freedom issues under a different standard than would apply in a disciplinary or academic freedom grievance proceeding. This is because disciplinary and academic freedom grievance proceedings are concerned with whether a faculty member has engaged in conduct that violates university standards or expression that seriously and adversely affects the university mission or the Church. A faculty rank and status review, on the other hand, focuses not merely on the presence or absence of harm, but on the quality of the faculty member's overall affirmative contribution to the University. Thus, the faculty rank and status

process applies a higher standard for citizenship, teaching, and scholarship than would apply in a disciplinary or academic freedom grievance proceeding. For instance, a faculty member may decide to implement a questionable teaching method which they believe is acceptable based on their academic freedom. Even though assessment data may demonstrate that the practice is not harmful, if it fails to demonstrably add value to the education or improve student performance, it is reasonable for the dean or other administrators to ask and expect the faculty member to make changes or improvements. The same approach applies to issues of citizenship and scholarship.

### **3.1.6 Annual Performance and Behavior Reviews for Faculty with Continuing Status**

All faculty are expected to perform at acceptable levels in all areas of their responsibility: citizenship, teaching, and scholarship (See 3.1.2). The standard for judging acceptable performance will depend in part on particular assignments and expectations formulated during the annual review process. Such assignments and expectations may vary over the course of a faculty member's career. If, in the annual performance interview, a faculty member's performance is evaluated and determined to be below acceptable levels, it is the faculty member who bears the responsibility for achieving and maintaining acceptable performance. The dean should take steps to see that reasonable efforts and resources are expended to assist the faculty member's efforts toward development and maintenance of acceptable levels of performance. These efforts, along with the dean's evaluations, should be documented on an ongoing basis. Development opportunities and activities should also be discussed in each annual interview. Generally, three consecutive annual reviews in which the faculty member's performance is judged to be below acceptable standards constitute adequate cause for termination of the faculty member's employment. Furthermore, a recurrent pattern of negative performance reviews over a period of years, even if they do not occur in consecutive years, may also constitute adequate cause for termination. These provisions do not mean that the university must wait three years or more before terminating a faculty member's employment. In some situations, immediate termination may be appropriate. In other situations, termination may be appropriate if the faculty member does not correct the problem within a reasonable period of time (see 2.1).

## **3.2 Citizenship**

### **3.2.1 The Citizenship Standard**

As a university sponsored by and affiliated with The Church of Jesus Christ of Latter-day Saints, Brigham Young University-Hawaii expects all faculty to adhere to the highest standards of personal behavior and to exemplify honor and integrity. Faculty who are members of The Church of Jesus Christ of Latter-day Saints should be loyal to the Church, and all faculty should support the university mission and work to further the

principles stated in the Mission of Brigham Young University-Hawaii. Faculty should observe university policies. They should willingly serve on committees and in other faculty and university assignments. They should mentor, encourage, advise, and collaborate with colleagues. Although professionalism requires rigorous review and critique, faculty should always interact with colleagues, students, and others with civility and respect. They should promote collegiality and harmony in their faculties. They should not denigrate other faculty or students or engage in disruption, manipulation, or contention. They should not abuse the moral climate of discourse on the campus. They are encouraged to use their professional expertise to give service to the community and the Church. They should actively participate in the life of the university community by attending university devotionals faculty and university meetings.

### 3.2.2 Assessment of Citizenship

The following citizenship criteria are critical and will be used in the assessment of all faculty members:

- A. For faculty who are members of The Church of Jesus Christ of Latter-day Saints, loyalty to the Church.
- B. Support for and affirmative contributions to the university mission.
- C. Behavior reflecting honor, integrity, collegiality, civility, respect, concern for others, adherence to the university Church Educational System Honor Code, and observance of university policies.
- D. Engagement with faculty meetings and attendance at campus devotionals, forums, convocations, commencements etc.

Although a faculty member may participate in only a portion of the following and other citizenship activities, evaluation of citizenship should consider the following evidence:

- A. Participation in activities that strengthen the university, including administrative and committee service.
- B. Collaboration with colleagues in citizenship, teaching, or scholarship.
- C. Mentoring colleagues.
- D. Service to the profession, such as holding offices and committee assignments in professional associations, organizing professional meetings and panels, editing journals and newsletters, serving on editorial boards, and serving as referees of scholarship.
- E. Sharing of professional expertise in service to the community and the Church.
- F. Collaborative participation in international and service-learning activities and other activities that enhance BYUH's approved outreach efforts.

### **3.2.3 Review Letters of Citizenship Activities**

Deans and review committees may solicit review letters evaluating a faculty member's citizenship activities from those who have closely observed these activities. Review letters should address the quality, quantity, and significance of the service.

## **3.3 Teaching**

### **3.3.1 The Teaching Standard**

The high-quality education of students is, and should be, the most important activity of Brigham Young University–Hawaii faculty. Good university teachers are themselves eager learners who imbue their teaching with the excitement of learning. They care about their students. They are enthusiastic about sharing their knowledge with students and helping them learn. They have high standards, set clear expectations, and hold students to high levels of academic performance. They are well prepared and well organized, and they make good use of class time. They prepare well-designed syllabi, course materials, assignments, and examinations. They provide helpful evaluations of student work in a timely manner. They are consistently available to help students at least during reasonable designated consultation hours outside class. They are always engaged in the process of improving their teaching. They master the content of their courses and stay current with the literature and techniques of their disciplines. They are mentors and role models to students. They provide an education that is spiritually strengthening, intellectually enlarging, character building, and leading to lifelong learning and service.

### **3.3.2 Assessment of Teaching**

In assessing a faculty member's overall performance, evaluators should be sensitive to teaching loads, the number of preparations required, extra time spent working with students individually, and similar factors. Although faculty may participate in only a portion of these and other teaching activities, evaluation of teaching should consider evidence such as:

- A. Description of teaching activities and quality, including:
  - 1. List of courses taught by semester, with enrollment numbers.
  - 2. New courses developed.
  - 3. Student mentoring (including mentored scholarship).
  - 4. Supervision of academic internships and service-learning experiences.
  
- B. Products of high-quality teaching and mentoring, including:
  - 1. Evidence of student achievement.
  - 2. Student scores on standardized test when appropriate.
  - 3. Student papers and examinations that evidence learning.

4. Students' scholarly or creative works.
  5. Successful academic internship and service-learning programs.
  6. Student placement in graduate school or meaningful employment.
- C. Peer evaluations: The faculty review committee (section 7.5.1) will obtain at least two substantive confidential peer evaluations of teaching from BYUH faculty members (in addition to the dean) qualified to make evaluations of the faculty member's approach to pedagogy, teaching activities, and materials. The faculty member will assemble a teaching portfolio containing syllabi, textbooks, handouts, multimedia materials, assignments, learning exercises, examinations, and other course materials. The peer evaluations should concentrate on a review of the teaching portfolio, but should also include classroom visits.

Peer evaluations might best assess such areas as:

1. Whether the course reflects the current state of the discipline.
  2. The faculty member's mastery of the course content.
  3. The course objectives, including whether the course meets the objectives of the curriculum of which it is a part.
  4. The course organization.
  5. The methods used to foster and measure learning.
  6. The materials in the teaching portfolio (syllabi, textbooks, handouts, multimedia materials, assignments, learning exercises, examinations, and other course materials).
  7. The faculty member's general concern for and interest in teaching.
  8. The overall quality of teaching.
- D. Description of steps taken to evaluate and improve teaching, such as:
1. Staying current in one's discipline.
  2. Performing self-evaluations of teaching.
  3. Studying teaching techniques.
  4. Obtaining assistance from the Center for Learning and Teaching.
  5. Presenting at, or attending seminars, workshops, and conferences on teaching.
  6. Involving students or peers in improvement efforts.
  7. Appropriately implementing instructional innovations, including technology.
  8. Participating in course or curriculum development.
  9. Writing textbooks, supplements, or other instructional materials.
  10. Taking professional development leaves to improve teaching.
  11. Engaging in the scholarship of learning and teaching.

- E. Other evidence of quality teaching, such as:
  - 1. Teaching awards and honors received.
  - 2. The quality of text materials used.
  - 3. Information about the faculty member's availability to students.
  - 4. Effectiveness in implementing innovative teaching methods, including technology.
  - 5. Effectiveness in mentoring students.
  - 6. Other evidence of positive impact on students, including working with students in mentored learning environments.
  
- F. Student evaluations, including:
  - 1. University student evaluation forms and students written comments.
  - 2. Written or oral comments solicited by the faculty review committee from a representative sample of students.
  
- G. Dean's (or designee's) observations of classroom teaching summarized in the Dean's letter

### 3.4 Scholarship

#### 3.4.1 Purpose of Scholarship

The faculty member's scholarship and/or creative endeavors constitute a measure of a university's quality, although scholarship and creative endeavor may take different forms. While quantity is one measure of productive effort, it is less important than the quality—no mere quantity of work can compensate for lack of quality. Although the amount, type, or scope of scholarship/creative endeavor may be different at this university than at other institutions that require less teaching, the quality should not (see Section 3.4.3). Likewise, the quantity may be affected by other university assignments, but again, the quality should not. When faculty members work in areas where progress is exceptionally difficult and where results submitted for review are necessarily few and infrequent, an exceptional scholarly or creative product may be more important than several less significant activities.

Particular approaches and assignments will vary among individuals and faculties as circumstances, needs, and interests require, but all faculty members should engage in scholarship/creative endeavor to some meaningful degree over their entire careers, often through creations with artistic merit, instructional improvements, publications, professional discourse, and/or attendance and presentations at conferences. The scholarly and creative work of the University should not interfere with nor detract from teaching, but should support and strengthen it. University faculty members must be

learners in order to be teachers worthy of the name. They must be intellectually alive and current, not only in the substantive developments of their disciplines, but also in the skills and tools of scholarship and creative endeavor used in these disciplines. In general, faculty members enrich themselves by producing academic work, subjecting that work to the review of their peers, and sharing their insights with colleagues and students. The faculty member in this sense is characterized by devotion to discovering and to learning, by quality and thoroughness in that learning, and by the determination to profess that which is learned.

### 3.4.2 The Scholarship Standard

For a faculty member's research or creative work to satisfy university expectations and faculty standards, their work should:

- develop the faculty member as a scholar and an educator;
- be consistent with the advancement of their discipline and the University mission, contributing positively to the University reputation;
- be scholarly in nature—containing some elements of originality, in the form of new knowledge, new understanding, fresh insight, or unique interpretation;
- be subjected to peer review for the purpose of verifying the nature and quality of the contribution by those competent to judge it (see Section 3.4.3);
- be disseminated or shared in venues beyond BYU–Hawaii; and
- meet additional specific faculty standards, if any.

### 3.4.3 Assessment of Scholarship and Peer Evaluation

The expression of the faculty member's work can take a variety of acceptable forms. Each discipline has its own scholarly and creative traditions and its own channels for communication within the discipline. With approval from the dean and the Academic Vice President, each faculty unit and/or program may therefore establish specific standards for defining and measuring the quality of scholarly and creative work within its own discipline and then assess its faculty endeavors against those standards. These discipline-specific standards must satisfy the criteria listed in Section 3.4.2. These scholarship standards and progress toward meeting them should be addressed in annual interviews and in the dean's recommendation during reviews for continuing faculty status and rank advancement.

The mechanism of peer evaluation of scholarship varies among disciplines. For publication in scholarly journals, peer review is a natural part of the process. For other products of scholarship such as books, creative works, performances, and professional consulting, the dean should arrange with faculty members during annual interviews for comparable peer evaluation. These arrangements may involve sending copies, images, or recordings of the work to independent external experts. They may also include other forms of evidence when standard for the discipline such as successful outcomes in competitions, auditions, commissions, or hiring. In all cases, peer evaluations should

meet the following standards: they should be independent (unaffiliated with the University or with the candidate), objective (optimally anonymous to the candidate), and expert (i.e. beyond administrative reviews, copy editing, or decisions by the publishing staff). These peer evaluations should also be separate from and in addition to the general external reviews solicited at the time of application for rank advancement.

Review of conference proceedings, presentations, posters, and abstracts is often only at the editorial level with most contributions being accepted. This type of review with limited rigor, expertise, or discrimination usually does not match the level of scrutiny involved with peer review of manuscripts submitted to scholarly journals and would typically be inadequate as the only source of peer review in a candidate's file. If the candidate has participated in a conference for which peer review of submitted contributions is more rigorous, it is the candidate's responsibility to provide convincing evidence that such is the case.

## **4. CONTINUING FACULTY STATUS REVIEWS**

### **4.1 Outline of Process**

Obtaining continuing faculty status is a six-year process with a complete review at three years. The salient features are summarized below:

1. Faculty members are provided with a copy of this document and any specific program expectations when they first begin their appointment. This includes an interview with the dean to make plans for the faculty member's development.
2. The dean meets with the faculty member annually to assess and update the plan and to provide written feedback on the faculty member's progress.
3. A review is conducted during the third year of regular full-time faculty employment that includes evaluation of the faculty member's performance in teaching, scholarship, and citizenship (including library duties for librarians). This review begins with an evaluation by a faculty committee consisting of at least three members who have continuing faculty status. The committee makes recommendations to the faculty unit, and members of that faculty with continuing faculty status vote on the recommendation from the review committee. The dean writes a letter commenting on the faculty-level review and recommendation and also providing an independent review of the candidate. The university Promotion Review Committee reviews the recommendations and the process to ensure that appropriate procedures have been followed and that the evaluation has been fair to both the university and the candidate. They then forward their recommendation with the other materials to the Academic Vice President. The outcome from this review will be either advancement to candidacy for continuing faculty status or non-renewal of the employment contract.

4. Those individuals advanced to candidacy after the third-year review will continue to meet annually with the dean to receive feedback and to respond to concerns and suggestions raised during the third-year review.
5. A final review is conducted during the sixth year of regular full time faculty employment. External letters of evaluation are included with this review.
6. The Academic Vice President makes a recommendation to the University President based on the outcomes of the sixth-year review.
7. The University President makes a final decision to grant continuing faculty status or to not renew the faculty member's employment contract.
8. Negative recommendations at each level of the review process are communicated immediately to the faculty member, and the recommendation of the Academic Vice President may be appealed through an independent evaluation of the file.

#### 4.2 Initial and Final Reviews

The first six years of service after appointment in a continuing faculty status track until continuing faculty status represent a probationary period during which a faculty member's performance is reviewed annually by the dean. New faculty members should receive mentoring during this probationary period. To receive continuing faculty status, faculty members must pass two formal university reviews.

During the winter semester of their third year, an initial review will occur to assess their progress and to decide whether to advance them to candidacy for continuing faculty status. If the candidate continues to meet expectations during the probationary period, a final continuing faculty status review will occur beginning fall semester of the sixth year. Except as provided otherwise by this policy, the initial and final continuing faculty status reviews and their timing are mandatory. Requests to delay a scheduled review or to review a faculty member early for either continuing faculty status or rank advancement must be made in writing by the faculty member, and approved by the dean and the Academic Vice President. A faculty member may withdraw from the continuing faculty status process at any stage, but withdrawal constitutes a resignation from the university at the end of the contract year. The university, at its sole discretion, may grant such an individual a one-year temporary position while the person seeks employment elsewhere.

#### 4.3 Purpose of the Reviews

The purpose of the continuing faculty status reviews is to assure the present and future fulfillment of promise sufficient to warrant a continuing commitment to a faculty member by the university. Granting continuing faculty status creates a long-term relationship that significantly affects the quality of the university, its ability to fulfill its mission, and the lives of its students over many years. The principal reasons for the continuing faculty status reviews are to provide the best education for our students, to assist in faculty development, and to establish ongoing expectations for faculty.

Assessments and recommendations by reviewers at all levels should be as candid, honest, and complete as feasible within the guidelines specified in this policy. Strengths and weaknesses of faculty members should be fully discussed by reviewers, and specific reasons for positive or negative recommendations should be clearly stated.

#### **4.4 Initial (Third-Year) Review**

The initial review will include an assessment of the faculty member's performance in citizenship, teaching, and scholarship. Essentially the same procedures apply to initial and final continuing faculty status reviews, except that external reviews of scholarship are not required in initial (third-year) reviews. Faculty who are progressing satisfactorily will be granted candidacy for continuing faculty status. The Promotion Review Committee will draft comments to the faculty member indicating areas for commendation and concern to help the faculty member prepare for the final review. The letter will be distributed to the faculty member and the dean. Deans will review progress with the faculty member in their annual interviews. A written record of progress or lack thereof will be retained by dean. This record, together with the letter from the Promotion Review Committee, will be included in the final review file. The normal calendar for initial reviews is:

- Submit file to Dean by: February 28
- Faculty committee reviews: March 1-30
- Dean: April 1-30
- Promotion Review Committee: May 1-30
- Associate Academic Vice President: June 1
- Decision by June 15.

#### **4.5 Final (Sixth-Year) Review**

The final continuing faculty status review will include an assessment of the faculty member's performance and promise in citizenship, teaching, and scholarship. To receive continuing faculty status, faculty must clearly demonstrate by their performance that they meet or exceed the program and university standards. The normal calendar for final reviews is:

- Faculty member submits file to dean by October 15
- Dean solicits external reviews: October 15-December 1
- Faculty committee reviews: December 1-15
- Dean: December 15-January 15
- Promotion Review Committee: January 15-February 28
- Academic Vice president: March 1
- President's decision by April 15

#### **4.6 Delay of the Continuing Faculty Status Reviews**

Professional development leaves taken during the first six years count as part of the six-

year probationary period. By contrast, personal leaves (including leaves for illness or other significant extenuating circumstances) do not count as part of the six-year probationary period, and therefore delay the continuing faculty status reviews. Any eligible time off as defined by the Family and Medical Leave Act will run concurrently with a qualifying university leave. A faculty member who is unable to work full-time should request a full-time or part-time personal leave. Extenuating personal or family circumstances may also justify postponing a review. During the probationary period, a faculty member may request a one-time, one-year delay in the schedule of rank and status reviews because of specific extenuating personal or family situations, such as pregnancy, childbirth, special parenting needs, personal or family illness, or other similar personal or family circumstances without taking a personal leave if they are able to meet their normal full-time teaching or other professional assignments. Delays of continuing faculty status reviews are exceptional, and must be approved in writing by the dean, and the Academic Vice President before the rank and status review process begins.

## 5. RANK ADVANCEMENT

The three academic ranks are assistant professor, associate professor, and professor. The minimum university requirements for these ranks are:

### 5.1 Assistant Professor

- A. Understanding of the importance of citizenship and willingness to engage in high-quality citizenship.
- B. Definite promise of high-quality teaching.
- C. Interest in and evidence of ability to produce high-quality scholarship.
- D. Generally, a doctoral degree or other appropriate terminal degree, such as Master of Fine Arts or Master of Library Science is expected. In some disciplines, a non-terminal master's degree may suffice, especially if coupled with subsequent relevant experience.
- E. For library faculty, promise of high-quality librarianship

### 5.2 Associate Professor

- A. A demonstrated record of high-quality university citizenship.
- B. A demonstrated record of high-quality teaching.
- C. A demonstrated record of high-quality scholarship since appointment as an assistant professor.
- D. A minimum of six years in service as an assistant professor to demonstrate over time the faculty member's proficiency in citizenship, teaching, and scholarship. Therefore, the review for rank advancement will normally occur during the faculty member's sixth year of service as an assistant professor, and rank advancement would take effect fall semester of the following year. (In rare and

exceptional cases, extraordinary faculty members may be considered for advancement before the six-year minimum.)

- E. A terminal degree relative to the person’s field of expertise or master’s degree with appropriate experience as described in Section 5.1 (D).
- F. For library faculty, a demonstrated record of high-quality librarianship.

### 5.3 Professor

Philosophically, there is an important difference between advancement from associate professor to professor compared to advancement from assistant to associate concurrent with the granting of Continuing Faculty Status. The former reflects the University’s academic standing and stature in the broader academy more than the latter. The latter is more of an internal question of fit and willingness to retain the faculty member, an indication of a university’s investment in a faculty member’s potential. The granting of the rank of professor has traction beyond the University. The logical extension of this thinking is that advancement to associate professor carries high personal stakes for the candidate, and fairness in the process should be of paramount consideration. Although a false positive (retaining someone who is not a good fit) would be frustrating for the University, a false negative (releasing someone who should be retained) would be devastating for the candidate. Fairness is also an important consideration for the advancement to professor, but the stakes are different because the person’s employment is not in question. A compelling case for advancement to professor, then, ought to be the prime consideration for the institution because false negatives are simply corrected in a subsequent review cycle whereas false positives characterize the University in perpetuity. Accordingly, great attention needs to be paid by both candidates and reviewers to the concept of an established pattern of high quality as follows:

- A. An established pattern of high-quality university citizenship.
- B. An established pattern of improvement in high-quality teaching.
- C. An established pattern of engagement in high-quality scholarship since becoming an associate professor.
- D. For library faculty, an established pattern of high-quality librarianship.
- E. At least five years in service as an associate professor to demonstrate over time the faculty member's proficiency in citizenship, teaching, and scholarship. Therefore, the earliest that a review for rank advancement could occur is during the faculty member's fifth year of service as an associate professor, and rank advancement would take effect fall semester of the following year. (In rare and exceptional cases, extraordinary faculty members may be considered for advancement before the five-year minimum.)
- F. A terminal degree relative to the person’s field of expertise

### 5.4 Calendar for Rank Advancement Reviews.

The normal calendar for rank advancement reviews is the same as for final continuing faculty status reviews (see 4.5). The application for advancement to associate professor is concurrent with the final review of continuing faculty status.

## **6. Librarians**

### **6.1 Standards for Librarians**

Librarians are faculty members. As such, they are held to the same standards of teaching (3.3), scholarship (3.4), and citizenship (3.2) as other faculty members, although the proportions of assignments are different because of their specific role in the library. Those proportions are determined by the director of the library in collaboration with the Academic Vice President.

The library's mission is to gather and preserve collections of recorded information and literary art and to provide the means to access these collections. The library also teaches members of the university community how to locate such information so that it can be used to enhance scholarship and spiritual and intellectual development. Librarians' accomplishments must be judged according to their contributions to that mission. Librarians participate in a wide variety of assigned activities throughout their careers. Certain activities in every position involve the day-to-day provision of library services. The diligent fulfillment of such responsibilities is essential but not sufficient for effectiveness. True professionals possess a vision that enables them not only to adapt to changing circumstances, but also to foresee change and prepare for it. They are able to look critically at their own work and creatively expand and enhance library services. They accept responsibility for resolving problems and overcoming obstacles. Commitment, leadership, innovation, and creativity characterize the effective librarian. The skills needed for librarianship are constantly changing as the means of collecting and disseminating information change. Beyond formal training, every librarian needs to have a broad range of professional experiences in order to develop the necessary competency, commitment, vision, and creativity.

### **6.2 Assessment of Librarians**

Evaluation of librarianship should consider the following evidence (in addition to teaching, scholarship, and citizenship):

- A. The faculty development plan, which includes a statement of goals, description of past activities and accomplishments, and a plan for future professional development.
- B. A summary of accomplishments that addresses areas of library assignment such as:
  1. Setting and accomplishing significant goals.

2. Achieving a satisfactory quantity and quality of work in each major responsibility.
  3. Using sound judgment in decision-making.
  4. Managing personnel and budgetary resources effectively.
  5. Participating on library committees that are directly related to assigned responsibilities.
  6. Cooperating with librarians, other faculty, and patrons to accomplish library and university goals.
  7. Demonstrating effectiveness in studying, evaluating, and building collections, and in selecting, acquiring, and providing access to materials.
  8. Demonstrating effectiveness in developing and maintaining bibliographic control by verifying, ordering, and processing materials; by classifying and cataloging materials; or by utilizing other bibliographic processes, resources, or systems.
  9. Demonstrating effectiveness in guiding and assisting students and faculty by satisfying reference needs, developing subject bibliographies, teaching research strategies both formally and informally, and promoting the effective use of the library.
  10. Demonstrating effectiveness in preserving or conserving the physical integrity and intellectual content of materials and in educating patrons in their careful use.
  11. Demonstrating effectiveness in administering and managing the university library, or other sub-unit.
- C. A description of steps taken to evaluate and improve the librarian's performance, including:
1. Studying relevant literature in the field and incorporating new ideas and knowledge into one's professional assignment.
  2. Taking or teaching courses directly related to professional assignment (e.g., foreign languages, library science, computer science, business management, or subject specialty courses).
  3. Attending seminars, workshops, and conferences.
  4. Participating in professional development leaves to improve performance.

## **7. PROCEDURES FOR CONTINUING FACULTY STATUS AND RANK ADVANCEMENT REVIEWS**

### **7.1 Overview**

Initial and final continuing faculty status reviews and rank advancement reviews include

evaluations at the dean, and university levels. Essentially the same procedures apply to initial and final continuing faculty status and rank advancement reviews, **except that external review letters are not required in initial (third-year) reviews**. Faculty preparing for third- and final reviews are solely responsible for their preparation, including preparation of their files. Failure of others to communicate with or to assist the faculty member being reviewed is not an excuse for lack of preparation or grounds for requesting an independent examination of the Academic Vice President's recommendation.

## **7.2 Materials to Include in the File**

The faculty member is responsible for developing a file that is professional and complete as defined in this document. The file should begin with a personal statement that contains a self-assessment of citizenship, teaching, and scholarship. This personal statement should also address any areas of concern raised in any previous reviews and should include letters from such reviews. Additional materials to include in the file are described in sections 3.2.2 and 3.2.3 (citizenship), 3.3.2 (teaching), 3.4.4.2 (scholarship), and 6.2 (librarians). These materials are summarized in Appendix A. The materials for third-year review should be included for review during the sixth-year review.

## **7.3 Size of the File**

The faculty member should be selective about what to include in the file, because the file itself is an indication of professional maturity. A concise file that emphasizes the best evidence is more persuasive than a file cluttered with documents. Personal letters from students to the faculty member should not be included. Plastic page protectors should be avoided (copies of certificates should be used instead of originals). Generally, with the exception of books submitted as examples of scholarship, the file should fit in a two-inch binder.

## **7.4 Additional Information**

Reviewers at any level (faculty or university) may request, receive, or obtain additional information from the faculty member or others. If such additions materially affect those reviewers' recommendation, the relevant information should be shared with lower levels of review so that those individuals can consider whether to change their recommendations. Such additions include but are not limited to documents indicating the acceptance of additional publications, additional student evaluations, and late-arriving external review letters. However, the faculty member should not submit, and reviewers need not accept, documents that were available to the faculty member at the time the file was submitted. Documents that strengthen the file need not be shared with prior review levels that made positive recommendations, and documents that weaken the file need not be shared with prior review levels that made negative

recommendations, since those documents would not change the recommendations.

## **7.5 Faculty Review**

### **7.5.1 Faculty Review Committee**

The faculty review committee should be composed of at least three faculty members, all of whom have continuing faculty status and the rank to which the candidate is being considered for advancement. The dean appoints the committee and the committee chair. The dean is not a member of this committee. If there are insufficient members of the faculty with the required status and rank to compose this committee, the dean of that faculty will identify qualified faculty members from another faculty to complete the committee.

### **7.5.2 Waiver**

The faculty review committee chair will ask the faculty member to sign the waiver provided in Appendix B waiving any rights of access to reviews solicited from students, faculty, external peers, and others. The signed waiver letter should be included in the faculty member's file and copies should be provided to individuals solicited to provide reviews of the faculty member.

### **7.5.3 Review Letters of Citizenship Activities**

The dean may solicit review letters evaluating a faculty member's citizenship activities from those who have closely observed these activities. Review letters should address the quality, quantity, and significance of the service. (See 3.2.3.)

### **7.5.4 Student Evaluations of Teaching**

For all reviews the file will include a report of student evaluations for each class taught and a complete set of student comments. Trends in ratings, as well as the types of classes, should be considered. The faculty review committee may also solicit written or oral comments from a representative sample of students. (See 3.3.2.F.)

### **7.5.5 Peer Evaluations of Teaching**

The faculty review committee will review and evaluate the teaching portfolio as described in 3.3.2.C. In addition, the dean will include statements of his/her own experience visiting classrooms of the candidate. The faculty review committee may also choose to visit the candidate's classes after scheduling with the candidate.

### **7.5.6 External Reviews**

In final continuing faculty status and rank advancement reviews, the dean will obtain at least two external reviews of the body of the faculty member's scholarship. These external reviews must be conducted by faculty members at other institutions where academic rank is the norm and whose own rank is the same or higher than that for which

the candidate is applying. The faculty member may recommend reviewers, but the dean is responsible for selecting the reviewers. The dean's report in the candidate's file will describe how and why the reviewers were selected. The dean will send the reviewers the faculty member's file, information about the faculty member's teaching assignment, and a summary of the university and department standards for assessing teaching and scholarship.

Appendix C is a sample letter to external reviewers. Deans and faculty review committees should allow adequate time for selecting and contacting potential reviewers, conveying materials, and receiving review letters.

#### **7.5.7 Faculty Review Committee's Report and Faculty Meeting/Vote**

The candidate's electronic dossier, except for the letters from external reviewers, will be made available to the entire faculty while under review by the faculty review committee. Once the committee has completed their review, it will call a meeting for the entire faculty unit except for the candidate. The committee will present their analysis of the information and their recommendation which will be followed by a group discussion. After the discussion, all faculty members with equal or higher rank will vote by secret ballot in favor of or against the recommendation of the committee. The committee will then write a report to the dean evaluating the faculty member's citizenship, teaching, and scholarship. The report will include documentation of the meeting with the full faculty unit (date and individuals in attendance), the committee's vote, and the entire faculty's vote. A minority report, if any, should also be included in the report. Finally, the report will provide recommendations for improvement of the candidate's work.

#### **7.5.8 Dean's Report**

After the faculty review committee's vote, the dean will write a separate evaluation of the faculty member's citizenship, teaching, and scholarship and include it in the file. The report will include a statement of the faculty or program scholarship standard and/or an indication of what constitutes acceptable evidence of scholarship in the candidate's discipline. The report will also assess the faculty member's progress in addressing concerns raised in past annual and rank and status reviews. The dean will then forward the file to the AAVP for Faculty. If the dean's recommendation differs from that of the committee, the dean must address the reasons for those differences.

#### **7.5.9 Faculty and Disciplinary Perspective**

Because the candidate's own faculty is most familiar with the candidate's performance and the standards in the faculty and the discipline, the reports of the faculty review committee and the dean should specifically address the candidate's performance in light of faculty standards and the standards of the discipline to help guide reviewers at the university levels. Reviewers at the university levels should give appropriate deference to the faculty unit's perspective, with emphasis on auditing the fairness of the process

up to that point. University level reviews should reflect the perspective of the faculty and university at large.

#### **7.5.10 Informing the Faculty Member of a Negative Recommendation**

If the faculty committee or the dean recommends denying candidacy, continuing faculty status, or rank advancement, the dean will inform the faculty member, and explain the reasons for the recommendation, in order to allow the faculty member the option to respond or withdraw the application. The withdrawal of an application for candidacy or continuing faculty status constitutes notice of resignation from the university at the end of the contract year. The university, at its sole discretion, may grant such an individual a one-year temporary position while the person seeks employment elsewhere.

Withdrawal of an application for rank advancement allows the candidate to submit their file at a later cycle after it has been strengthened by additional activities. If the faculty member elects not to withdraw the application, it will be forwarded to the AAVP for faculty. The faculty member may add a letter of response to the concerns which will be included with the file before it is sent to the AAVP for faculty.

### **7.6 University Review**

#### **7.6.1 Promotion Review Committee**

The Promotion Review Committee is composed of a minimum of eight faculty members, all of whom have continuing faculty status. Committee members are recommended by their dean or director (one from each faculty and one from the library) and appointed by the Associate Academic Vice President for Faculty. The term of appointment is five years. A quorum consists of at least three-fourths of the appointed members, rounded up to the nearest whole number of members. The Associate Academic Vice President for Faculty serves ex officio as chair of the committee, voting only in case of tie votes.

#### **7.6.2 Promotion Review Committee Vote**

The Promotion Review Committee will recommend, by simple majority vote, to grant or deny candidacy, continuing faculty status, or rank advancement, and will forward its recommendations to the Academic Vice President. In cases of promotion to professor, only committee members holding that rank will vote.

#### **7.6.3 Recommendations that Differ from Faculty Recommendations**

If the Promotion Review Committee's recommendation differs from that of the dean, the Promotion Review Committee may ask the dean for clarification or for additional information for the purpose of further consideration. The Promotion Review Committee will then forward its recommendation to the Academic Vice President.

#### **7.6.4 Academic Vice President's Recommendation**

After considering the Promotion Review Committee’s recommendation, the Academic Vice President will make a recommendation to the university president. This recommendation, informed by the recommendations produced by the faculty, dean and university-level reviewers, is the university’s official recommendation to the President.

If the Academic Vice President’s recommendation is against candidacy for continuing faculty status, the granting of continuing faculty status, or rank advancement, the candidate will be informed of the recommendation by means of a letter delivered to him or her in person by the Academic Vice President. The letter will state the recommendation, and summarize the reasons upon which the recommendation is based. Upon receipt of the letter recommending denial of continuing faculty status, candidacy for continuing faculty status, or rank advancement, the candidate may withdraw his or her application, request an independent examination of the Academic Vice President’s recommendation as specified in section 8, or allow the recommendation to go forward for the President’s final decision without comment. The candidate will be given ten calendar days to withdraw the application or request an independent examination before the recommendation is forwarded to the university president. Withdrawal of an application for continuing faculty status or candidacy for continuing faculty status constitutes resigning employment at the university at the end of the current contract period. The university, at its sole discretion, may grant such an individual a one-year temporary position while the person seeks employment elsewhere. Unless the faculty member requests an independent examination or withdraws the application within ten calendar days of receiving the negative recommendation of the Academic Vice President, it will be forwarded to the President for a final decision as specified in Section 9.

## **8. INDEPENDENT EXAMINATION OF ACADEMIC VICE PRESIDENT'S RECOMMENDATION**

### **8.1 Filing a Request for an Independent Examination.**

A faculty member may request an independent examination of the Academic Vice President’s recommendation to deny candidacy, continuing faculty status, or rank advancement. A recommendation to delay a review for continuing faculty status or candidacy for continuing faculty status cannot receive an independent examination; however, a second recommendation to delay the same proposed action may be examined. A request for an independent examination may be based on any of three grounds: 1) that, given the information available in the file, the Academic Vice President’s recommendation was unreasonable, or 2) that a substantial procedural error occurred in the rank and status process, or 3) that allegations or evidence presented by one or more influential members of the review process is unreasonable or untrue. To

request an independent examination of the Academic Vice President's recommendation, the faculty member must, within ten calendar days after receiving the letter stating the Academic Vice President's decision, deliver written notice to the Academic Vice President of the request. The faculty member may select from the faculty an advocate to assist in the preparation and presentation of the materials to be presented to the examining panel. The faculty advocate may not be a practicing attorney and may not provide legal counsel or representation to the faculty member. The faculty member may privately engage an attorney to provide legal counsel at his or her own expense, but the faculty member's attorney will not be permitted to represent the faculty member in writing or in person in any aspect of the independent examination or to attend or otherwise participate in the examination meeting or any other meeting conducted under this policy.

## **8.2 Examining Panel**

The President will appoint an examining panel composed of two members of the Deans' Council (but not the Associate Academic Vice President for Faculty or the dean of the faculty member's faculty unit) and three faculty members who have continuing faculty status. The President will designate one of the members of the Deans' Council to chair the panel. The three faculty members of the examining panel will be drawn from a pool nominated by their deans as potential panel members. One of these will be chosen from the pool by the President, one will be chosen by the faculty member being reviewed, and the third will be chosen from the pool by lottery.

The Academic Vice President shall prepare and present the university's response to the case presented in the independent examination or may appoint a faculty member or administrator to serve as university representative to prepare and present the university's response to the case presented in the independent examination. Ideally, the university representative should be someone who participated in the review process and whose recommendation coincides with and supports the university's official recommendation to the President. The Associate Academic Vice President for Faculty will give the faculty member and any university representative a copy of the file. In preparing copies of the file for the university representative, the faculty member, and the examining panel, the names and other identifying elements will be removed from the review letters of citizenship, teaching, scholarship, and professional service.

## **8.3 Confidentiality**

The information provided to the faculty member and the university representative will be held strictly confidential and will not be disclosed except as follows:

- A. The faculty member may share the information with the faculty member's advocate, and the university representative may share the information with such university employees as are reasonably necessary in preparing a case for the

independent examination.

- B. If the faculty member or the university representative determines that information must be disclosed to witnesses to adequately present the case or the response, the faculty member or the university representative will request permission from the chair of the panel. The number of witnesses should be kept to a minimum. Witnesses will submit their testimony only in writing. Violations of confidentiality may be considered in the independent examination and may be dealt with as the panel deems appropriate.

#### **8.4 The Faculty Member’s Statement**

Within 30 calendar days after receiving the file, the faculty member will provide a written statement to the chair of the panel and the university representative stating his or her case. The statement will:

- A. Outline all claims on which the request for the independent examination is based.
- B. Outline all arguments and information that the faculty member wishes to have considered.
- C. List all witnesses whose statements are to be included in the independent examination.
- D. Include copies of all documents (except those already in the file) to be considered in the independent examination.

#### **8.5 Response Statement**

Within 30 calendar days after receiving the faculty member’s statement, the university representative will provide a written response statement to the chair of the examining panel and the faculty member. The statement will:

- A. Outline all responses to the claims on which the case for requesting the independent examination is based.
- B. Outline all arguments and information upon which the recommendation of the Academic Vice President was based.
- C. List all witnesses whose statements are to be included in the independent examination.
- D. Include copies of all documents mentioned in the response to the faculty member’s case.

#### **8.6 Examination Meeting**

The chair of the panel will provide to each member of the panel the complete rank and status file and the documents prepared by the faculty member and by the university representative. Only members of the panel will attend the examination meeting. The faculty member and the university representative will be invited to appear as guests

briefly to answer questions from the panel and to clarify the case they each prepared. They will then be dismissed from the meeting. The faculty member's advocate may accompany the faculty member if desired. The faculty member will decide whether he or she, or the advocate, will take the lead in answering questions and clarifying for the panel. The amount of time allotted to the questions and clarifications will be limited, balanced for each side, and determined by the chair of the panel. Any exceptions to this process will be granted at the discretion of the chair of the panel. The panel's recommendation will be rendered on the basis of the documents provided and the case as clarified (See 8.9).

### **8.7 Additional Information**

At the discretion of the examining panel chair, the panel may request, receive, or obtain additional information from any source, including information not considered by previous reviewers (see section 7.5).

### **8.8 Presumptions**

The panel will examine the Academic Vice President's recommendation with the following presumptions:

- A. In considering the substantive merits of the case, the panel will presume that the Academic Vice President's recommendation is reasonable and justifiable and that the statements presented by the dean, and committees are also reasonable. Therefore, the faculty member has the burden of persuasion to demonstrate that the Academic Vice President's recommendation is without reasonable basis in light of all the information presented in the rank and status process.
- B. Within this policy and the independent examination, a procedural error is defined as a violation of this policy or the procedures it specifies. A procedural error occurs when a procedure required by policy is either not carried out, or is not carried out according to policy.

Intrusions into the process by persons external to the process may also constitute procedural errors. Disagreement about a decision or evaluation resulting from a procedure that complies with this policy does not constitute grounds for claims of procedural error. If the case for requesting an independent examination is based on a claim of procedural error, the faculty member has the burden of persuasion to demonstrate that:

1. A procedural error occurred.
2. Because of the procedural error the faculty member suffered substantial prejudice and was denied a fair review.
3. Upon full consideration of the case, including any information that was excluded because of a procedural error, the granting of candidacy, continuing faculty status, or rank advancement would be warranted.

**8.9 Examining Panel's Recommendation**

After considering the faculty member's case and the university's response, the panel will recommend by majority vote that the Academic Vice President's recommendation be sustained or reversed. The panel may make other recommendations regarding the case. Within ten calendar days of the meeting the panel will give its recommendation and its reasons in writing to the President, the Academic Vice President, the Associate Academic Vice President for Faculty, the faculty member, the university representative and the dean.

**9. PRESIDENT'S DECISION**

The President, after receiving the recommendation of the Academic Vice President and the results of any independent examination, has the exclusive authority, in the exercise of the President's sole discretion, to decide whether to grant candidacy, continuing faculty status, or rank advancement, or to delay the review. The President also has the exclusive authority, in the exercise of the President's sole discretion, to determine whether the relevant standards have been met and whether the university will need the faculty member's particular contributions on a continuing basis. All determinations in the Rank and Status process other than the President's decision are only recommendations. The President will give the faculty member written notice of the decision. Copies of the letter will be sent to the Academic Vice President, the Associate Academic Vice President for Faculty and the dean.

Faculty who are not granted continuing faculty status or who do not become candidates for continuing faculty status will be notified that they will not receive another contract after the existing contract year ends. The university, at its sole discretion, may grant such an individual a one-year temporary position while the person seeks employment elsewhere.

If the President's decision is delayed beyond the conclusion of the existing contract year as a result of the independent review or for any other reason, the faculty member may, at the university's sole discretion, be employed on an at-will or temporary basis until the President's decision is made. If the President's decision is to grant continuing faculty status or candidacy, such a faculty member will be issued an appointment for the remainder of the academic year. If the President's decision is to deny continuing faculty status or candidacy, the university may, at its sole discretion, continue to employ the unsuccessful candidate on an at-will or temporary basis for up to one year.

**9.1 Exhaustion of Remedies and Waiver of Claims**

A faculty member may not initiate civil litigation or civil administrative remedies against the university or its employees, agents, officers, or trustees until all the remedies provided by these procedures have been exhausted. Failure to pursue an independent examination within the stated deadlines or to exhaust the remedies provided by these procedures will constitute a waiver of the faculty member's right to pursue any claim arising out of the university's actions in the matter, unless the right to pursue a statutory claim is preserved by law.

## **APPENDIX A: CHECKLIST OF MATERIALS TO INCLUDE IN FILE**

Please include the following material in the file in the order below. See section 7.2 regarding materials to include in the file. See section 7.4 regarding the size of the file.

### Curriculum Vitae

#### Reports (added to the file by the dean)

1. Faculty review committee's report
2. Dean's report
3. At least two external review letters and a copy of the waiver letter (not for third-year review).

### Personal Statement

Self-assessment of citizenship, teaching, and scholarship. For candidates in the final continuing faculty status review, this statement should also address any areas of concern raised in prior reviews and should include letters from such reviews (3.1.2, 7.2).

### Citizenship (3.2)

1. A description of committee assignments and other citizenship activities inside the university.
2. A description of citizenship activities in the profession.
3. A description of other citizenship activities.
4. Review letters of citizenship activities.

### Teaching (3.3)

1. A list of courses taught by semester, with enrollment numbers (identify new courses developed).
2. A description of other teaching activities.
3. Teaching portfolio.
4. A description of steps taken to evaluate and improve one's own teaching.
5. A description of products of high quality teaching and mentoring.
6. Student evaluations and student comments.
7. Other relevant materials or awards.

Scholarship (3.4)

1. A list of all scholarly and creative works (indicate whether each work is peer-reviewed (as defined in Section 3.4.3), and describe your contribution to jointly-authored works).
2. Examples of scholarship and a brief explanation why they were selected (all other scholarship will be available for review in the dean's office).
3. A list of awards or recognition of scholarship.
4. Other relevant materials.

**APPENDIX B:  
WAIVER**

Date

To Prospective Reviewers:

As part of the review process for continuing faculty status or rank advancement, I recognize that letters of evaluation will be requested from supervisors, peers, or students. For your information, the following represents my choice regarding the waiver of my rights to see those letters.

I waive the right to see the letters of evaluation requested in the review process.

\_\_\_\_\_  
Signed by Faculty Member

I do not waive the right to see the letters of evaluation requested in the review process.

\_\_\_\_\_  
Signed by Faculty Member

**APPENDIX C:  
SAMPLE LETTER TO EXTERNAL REVIEWERS OF SCHOLARSHIP**

Date

Addressee

Dear Professor \_\_\_\_\_:

Dr. John/Mary Doe is being reviewed in his/her sixth year of service to determine whether his/her performance merits continuing faculty status (i.e. analogous to tenure) and rank advancement to associate professor [or, advancement to full professor]. The process will begin this fall semester.

Our policy requires evaluations from knowledgeable peers in the academic community. Our evaluation considers all aspects of performance--citizenship, teaching, and scholarly and creative work. Teaching is emphasized heavily at BYU–Hawaii and constitutes about 2/3 of Dr. Doe's appointment. We are interested in your assessment of the enclosed artifacts of Dr. Doe's scholarly contributions noted in the enclosed vitae and/or samples. Your evaluation should also describe your relationship with Dr. Doe.

We need your assessment by (date). It would be helpful, however, if you could respond very briefly at your earliest convenience by phone (xxx-xxx-xxxx), fax (xxx-xxx-xxxx), e-mail (address), or letter to let me know that we can count on receiving your assessment by that time. [We offer an honorarium of \$\_\_\_\_\_ for this service. Please include your social security number so that we can make arrangements for the honorarium payment.]

Enclosed for your consideration are a copy of Dr. Doe's curriculum vitae, information about his/her teaching assignment, samples of his/her scholarly work, and a summary of our university and faculty standards for assessing scholarship. Also included is a form indicating Dr. Doe's choice regarding the waiver of his/her rights to see the external review letters. The faculty member will see your letter only if he/she retains the right to review letters. However, if there is a negative decision and the faculty member appeals it, his/her entire file will be made available to him/her, although with names and other identifying factors will be removed.

If you have any questions, please do not hesitate to contact me. Thank you for your help and consideration.

Sincerely,