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ARTICLES 30 AND 31

Renewal, Tenure, and Promotion (RTP) Processes

from the Perspective of a Committee Member

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This information about Article 30 is intended to clarify some details about which QUFA is regularly asked.

Article 30 contains the procedures and criteria for Members who are applying for renewal, tenure, and promotion (RTP). Because the decisions regulated by Article 30 have such a significant impact on the career of all tenure-track and tenured faculty members, colleagues serving on each academic unit's RTP Committee must be attentive to procedures that ensure that all Members receive a fair and consistent reading of their files. Committee discussions shall remain confidential. When in doubt about any procedural issue, the Committee members should consult either with QUFA or with the Faculty Relations Office for advice, who in turn will consult with each other, if need be.

The 2011-2015 Collective Agreement specifies that violations of the

Agreement may be disclosed by RTP Committee members to the Faculty Relations Office or to the QUFA Grievance Officer. In the 2008-2011 Agreement, disclosure could have been made to "the appropriate University officer," which ran the risk of irreparably tainting the process if disclosure was made to a Unit Head, Dean, or the Principal (Articles 30.2.7 and 31.2.7).

Renewal, Tenure, and Promotion (RTP) Committee (Article 30.2)

Decisions about including students and/or members of cognate units on RTP Committees are discretionary to each unit and may vary from year to year.

If possible, given the size and composition of the unit, the composition of the Committee by Members should represent differences in rank and gender.

Aboriginal Participants on RTP Committees:

In notifying all Members eligible for Renewal or Tenure of their eligibility, Unit Heads must also specifically draw their attention to Appendix O: Aboriginal Participation in RTP Committees (Articles 30.7.2(c) and 31.6.2(c)). By 15 May, for Renewal, Tenure (or in the case of Librarian and Archivist Members, a Continuing Appointment) or Promotion, a Member who is an Aboriginal person shall be advised that he or she may request by 1 July that the Unit Head add an Aboriginal person as a participant to the Committee and may suggest to the Unit Head the name(s) of suitable participants. The Unit Head, upon receipt of this request, shall,

in consultation with the Aboriginal Council, select a person who may or may not be an academic and who is at arm's length from the candidate to be the Aboriginal participant in the relevant personnel process regarding this applicant (see p. 260 for the details of how this alteration in the Committee structure is implemented in RTP cases where it is applicable).

Conflict of Interest of Committee Members:

Conflicts of interest of Committee members with any Member applying for renewal, tenure, or promotion must trump representation, and anyone with a conflict of interest must leave the Committee (see Article 18: Conflict of Interest). Similarly, where there is a reasonable apprehension of bias with respect to a Committee member, the Member making application has the right to request that the Committee member step down. RTP Committee members who have a conflict of interest or with respect to whom there is a reasonable apprehension of bias towards an applicant for a personnel process must leave the Committee entirely and a replacement found. It is not sufficient that he or she excuse himself or herself from discussions of those files where there is a conflict of interest or a reasonable apprehension of bias.

New is the proviso that no student whose graduate supervisor of record is either a candidate or member of an RTP Committee may serve on that Committee (Article 30.2.5; no related Article 31 provision).

It is the responsibility of anyone who has knowledge of potential conflict of interest or apprehension of bias to bring such concerns forward to the Committee Chair, who in turn will make a decision on whether there is an actual conflict of interest or apprehension of bias, often with the assistance of QUFA or Faculty Relations or both. If such concerns are not adequately addressed up front, then the whole process stands in danger of being tainted. It is always more difficult to address problematic issues of any sort later in the process.

The Role of the Equity Representative on the RTP Committee (Article 24.4.2)

The Equity Representative has explicit responsibility for the Committee's adherence to the rules and practices that assure equity, for the data collection and for the reporting of this information. While the Equity Representative is designated for this particular role, all Committee members, including students, must also take the requisite equity training before the Committee begins its work, and all Committee members have the responsibility of ensuring that the process is conducted fairly (Article 24.1.5).

Function of the RTP Committee

The function of the RTP Committee is to assess evidence in the candidate's file only, not to produce evidence about the calibre of the candidate. For example, Committee members' personal opinions about an applicant's research are not relevant and cannot play a role in the decision-making process: the Committee must defer to the opinions of the referees. It is up to the Committee to weigh the evidence presented fairly and to play an adjudicative role, not an investigatory role. It is thus unnecessary (and, indeed, often impossible) to have RTP Committee members who are experts in any candidate's sub-field (Article 30.14). Assessment of each

candidate must also conform to the applicant's appointment letter. Some individuals have non-standard job descriptions and must be evaluated according to their actual terms of appointment (Articles 30.6.8 and 30.6.9).

Burden of Proof and Criteria (Article 30.6)

Renewal: In Renewal processes, there is a presumption in favour of the Member, i.e., the University would have to prove that the individual should not be kept on (Article 30.6.2). Renewal requires a record as a good teacher and clear evidence of high-quality scholarly or creative work. There is no requirement with respect to a specified quantity of research.

Tenure: In tenure cases, Members must make the case for their tenure, but this requirement does not imply that the presumption is against them (Article 30.6.4). To attain tenure, a Member must have by 1 July a record as a very good teacher committed to academic and pedagogical excellence, high-quality and peer-assessed scholarly or creative work, and a record of service.

Promotions to Rank: At no level is there a stipulation with respect to the quantity of research required. In respect to the rank of Professor, to be described as "distinguished," the record must show multiple and continuing contributions, but there are no specifications about when these are made or how much constitutes a distinguished career.

Referees (Article 30.8)

The "international stature" of a referee refers to an individual's reputation and does not mean that the referee needs to be located outside of Canada.

"Arm's length" in respect to a referee is hard to define. It means that the referee should not be a person's thesis supervisor, co-investigator on recent

grants, or a co-editor of a recent book. The common denominator in these instances is that such individuals have had a hand in producing the work that they would be asked to assess, and anyone who could be described in those terms should be excluded. The Committee may choose to use the names of referees from the candidate's list as their own or add others. When external referees make reference to standards elsewhere, that information has no bearing on a decision at Queen's.

Masking Referees and Solicited Student Letters: Masking letters means that the letterhead and signature block are covered. Referees' letters can be masked upon the request of the referee. All solicited student letters are masked. In either case, no masking of identification that occurs in the body of the letter is considered necessary.

Unsolicited Student Letters: No unsolicited student letters are included in the candidate's file with the exception of those which the Member submits as part of his or her teaching dossier.

The RTP Committee's Recommendations

The basis of the Committee's recommendation is solely on the material in the RTP file. Nothing known, rumoured, or believed by Committee members or the unit is to be taken into account unless documentation thereof and in accordance with the process outlined in the Collective Agreement is in the file.

The 2011-2015 Collective Agreement allows for the Faculty Relations Office to respond in writing to any material or response submitted by a Member that includes an interpretation of the Collective Agreement or past practice. The written response is to be placed in the RTP file. In the past, Members have occasionally submitted material (usually in response to an emerging negative

notice) that either interprets a provision of the Collective Agreement or alludes to an existing practice, and these submissions have formed part of the RTP file. In the past, the University did not affirm or challenge them. Under the new provision, the Committee, Unit Head, Dean, or Provost (as the case may be) must immediately forward the material to the Faculty Relations Office, which in turn has ten days to submit a written response for the RTP file (Articles 30.13.6 and 31.11.6).

Emerging Negative Recommendations

An “emerging negative” recommendation refers to a recommendation still in process, and therefore the Member must be apprised of the Committee’s preliminary findings with the clearly stated reasons for the Committee’s emerging position, so that the Member may respond appropriately before a final recommendation has been made by the Committee.

The 2011-2015 Collective Agreement makes explicit the previously implicit requirement that decision makers in the

RTP process (i.e., Committee, Unit Head, Dean) must clearly indicate whether they support or oppose granting Renewal, Tenure, or Promotion (Articles 30.14.5, 30.14.7(b), and 31.12.4, 31.12.7(b))

When Recommendations Conflict

Where a Head’s recommendation differs from that of a Committee in departmentalized faculties or a Dean’s recommendation differs from a Committee’s in a non-departmentalized faculty, the Department Head must discuss his or her concerns with the Committee before coming to a decision; and the Dean must discuss his or her concerns with the Committee and/or the Department (if applicable).

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