

Retention, Tenure, and Promotion Rights & Responsibilities

Policy: RETENTION, TENURE, PROMOTION REVIEWS – RIGHTS AND RESPONSIBILITIES

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Responsible Party: Office of the Provost

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1. CANDIDATES' RIGHTS AND RESPONSIBILITIES

a. Candidates are responsible for reading and familiarizing themselves with the requirements for retention, tenure, and promotion as outlined in the Faculty Handbook and the Role and Scope Documents.

- b.** Candidates are responsible for attending training regarding retention, tenure, and promotion offered by the provost's office.
- c.** Faculty members who wish to initiate a review for early tenure or promotion to professor must notify the primary review administrator(s) by the [date established by the provost](#). For mandatory reviews (*i.e.*, retention and tenure), the provost will notify candidates, heads, and deans of the faculty scheduled for mandatory reviews each year.
- d.** Candidates will submit materials for External Review, if required by the type of review, to the primary review administrator by the deadlines established by the provost. These materials must include:
- i. A comprehensive Curriculum Vitae (CV) with teaching, scholarship, and service activities of the candidate.
 - ii. A brief statement that identifies the candidate's area of Scholarship.
 - iii. Selected articles, publications, creative endeavors, or other evidence from the review period that, in the candidate's judgment, best represents their Scholarship.
- e.** Candidates will prepare and submit their materials for the Dossier to the primary review administrator by the [deadlines established by the provost](#). These materials must include:
- i. The "Cover Sheet", obtained from the Provost's office.
 - ii. A comprehensive CV with Teaching, Scholarship, and Service activities of the candidate.
 - iii. A Personal Statement that includes a description of the candidate's area of Scholarship.
 - iv. Separate self-evaluations for teaching, scholarship, service, and integration summarizing the evidence demonstrating that the candidate meets the standards for the attainment of retention, tenure, or promotion, as applicable. Each self-evaluation shall include a summary of activities, selected products or accomplishments, and evidence of recognition itemized by year over the relevant Review Period.
 - v. For tenure and promotion reviews, only scholarly products that have been accepted for publication, performance, or exhibition within the Review Period may be considered. For retention reviews, departments will establish within their Role and Scope documents requirements regarding publication status. Candidates will provide documentation of the acceptance for publication, performance, or exhibition.
- Scholarly products that have been accepted for publication but not yet published or published in a journal not readily available through university data bases must be included among the candidate's materials. Creative scholarly products, such as works of art or films, must be made available to reviewers by means specified in the applicable Role and Scope Documents.

For each scholarly activity or product that involves collaboration, the candidate will briefly specify their contribution to the activity or product.

- f.** The candidate is solely responsible for the preparation, organization, and submission of materials in the Dossier and is responsible for any negative result caused by incomplete submission.
- g.** A candidate who fails to submit required materials for a retention or tenure review by the established deadlines forfeits the opportunity for review and will be denied retention or tenure and will receive a terminal employment contract for the following year.
- h.** The candidate may not solicit letters for retention, tenure, or promotion review. External and internal letters will be solicited by the primary unit.
- i.** The candidate will promptly report any perceived conflicts of interest with members of review committees (see Section 3).
- j.** The candidate will comply with requests for additional information and/or materials from a review committee or reviewing administrator and provide the requested material to the requesting committee or administrator within five (5) days of the request. The information and/or materials shall be added to the Dossier by the appropriate administrator with notice to the preceding review committees and reviewing administrators.
- k.** Candidates shall notify their department head of any unavailability during the review period. A candidate may request an extension of the deadline for responding to requests for information or to Evaluation Letters only if there are unanticipated, extenuating circumstances. Any request for extension must be submitted to the Chair of the URTPC at least one (1) day before the deadline expires.
- l.** The candidate may not add, alter, or remove any materials after the submission deadline unless requested by a review committee or administrator. A candidate may submit a written request to the Chair of the University Retention, Tenure and Promotion Committee (URTPC) to correct any factual error(s) in Evaluation Letters. The URTPC Chair will take the action necessary to correct any identified factual errors.
- m.** If a candidate receives a negative recommendation (or tie vote) from a review committee or an administrative reviewer, they may submit a response to the entity that issued the Evaluation Letter(s) within five (5) days of delivery of the Evaluation Letter. The response must be limited to matters raised in the Evaluation Letters.
- n.** The candidate has the right to pursue a formal grievance as outlined in the [Grievance Policy](#) if they receive a negative recommendation from the provost.

2. REVIEW COMMITTEE MEMBERSHIP

- a.** Only tenured faculty members are eligible to serve on any review committees. Normally, at least one-half of the members will have attained the rank of professor. The unit may

request approval from the URTPC Chair to make an alternate tenured faculty appointment. Emeritus faculty members are ineligible to serve.

b. Before conducting a review, committee members will attend the orientation regarding retention, tenure, and promotion offered by the provost's office for the review cycle.

c. The university encourages diversity in the composition of all review committees. Units are encouraged to adopt selection procedures for committee members that will promote membership which is inclusive of the categories protected by the university [Non-Discrimination Policy](#).

d. Committee members and administrative reviewers will take orientation sessions that promote bias-literacy in retention, tenure, and promotion reviews. Before conducting a review, they will attend the bias-literacy training offered by the university for the review cycle.

e. Committees will be available for service throughout the academic year. Faculty on leave will be ineligible for service. Committees will be constituted and their membership reported to the provost's office by the date established by the provost.

3. CONFLICTS OF INTEREST

a. No faculty member may serve on any review committee during the year their Dossier is reviewed.

b. No person shall participate in the review of any other faculty member related by blood or marriage or similar personal relationship.

c. No person may participate in the review of any person with whom they have a personal, business, or professional relationship that could be perceived to preclude objective application of professional judgment. A conflict of interest occurs when the evaluating party could realize personal, financial, professional, or other gain or loss as a result of the outcome of the review process, or when the objectivity of the evaluating party could be impaired by virtue of the relationship. Examples of persons who may be excluded by professional relationship include undergraduate and/or graduate mentors, postdoctoral mentors, collaborators who are co-investigators on grants and/or co-authors on a significant portion of scholarly products completed during the review period, colleagues who depend on instrumentation controlled or operated by the candidate, and/or co-inventor of a patent.

d. If a reviewer has a relationship with a candidate under consideration that may result in a conflict of interest, they must declare the nature of the conflict of interest before any deliberation occurs.

e. If the candidate, any review committee member, or reviewing administrator believes there is a conflict of interest that could preclude an objective application of professional judgment, the candidate or reviewer will notify the provost within ten (10) days of the date

the conflict became apparent either through the publication of committee rosters or the later discovery of the conflict which was not immediately apparent. Upon report of a perceived conflict of interest, the provost will determine if a conflict of interest exists that would preclude the objective application of professional judgment and take necessary measures to address the conflict. Failure of the candidate to raise a timely notification of a potential conflict of interest will preclude the candidate from raising an objection based on conflict of interest in subsequent grievances and appeals.

4. CONDUCT OF REVIEW

- a.** Each review committee and reviewing administrator shall determine to the best of its ability, whether the preceding reviews have been conducted in a substantive manner and in compliance with governing policies and procedures. If any review is identified as not being substantive or in compliance with the governing policies and procedures, the review committee or reviewing administrator will return the Dossier to the appropriate level of review to remedy the non-compliance. Once the non-compliance is remedied, the Dossier will be reconsidered by each subsequent review committee and administrative reviewer.
- b.** Each review committee and reviewing administrator shall conduct an independent, substantive review of the Dossier weighing all of the evidence in the Dossier. The review will assess the quantity (taking into account the candidate's percentages of effort), quality, and significance of the candidate's work over the review period to determine if the candidate meets the appropriate standards and indicators in the applicable Role and Scope Documents and university policies. The reviewers shall exercise their professional judgment to evaluate the candidate's Dossier and make their recommendation.
- c.** Each review committee and reviewing administrator shall prepare a written Evaluation Letter concerning the retention, tenure, and/or promotion evaluation of the candidate. The Evaluation Letter shall include the vote tally, a recommendation, and a rationale. The rationale will document the assessment of the evidence that supports the recommendation and, in particular, the reasons for any negative votes. Each review committee and reviewing administrator shall add an Evaluation Letter to the Dossier and send an electronic copy to the candidate's campus email address. A paper copy may be requested from the Office of Academic Affairs.
- d.** Each review committee and reviewing administrator shall determine, to the best of its ability, whether any references to External and Internal Reviews in the Evaluation Letters accurately reflect the content of the External and Internal Reviews.
- e.** Each review committee and reviewing administrator may submit written questions, seek written clarification, and request further documentation or other information from the candidate, a reviewing administrator, or prior review committee if necessary to make a thorough and substantive review. Such materials, together with all correspondence related to the requests for such materials, shall be added to the Dossier. Reviewers will give notice to the candidate and the previous review committees and reviewing administrators of the request and any additions to the Dossier. If any previous review committee or reviewing

administrator believes the new materials would require re-evaluation of the Dossier, then re-evaluation will be conducted at all levels of review.

f. Only members of the committee may be present when the committee reviews, deliberates, and votes. Review administrators may not attend committee meetings.

g. Each review committee and review administrator shall notify the next level of review of the completion of its review. If the candidate is allowed the opportunity to respond, the next review level shall not deliberate until the deadline for any authorized response from the candidate has passed.

h. Each review committee shall ensure that the vote tally is on the Vote Tally Sheet in the Dossier.

i. If any review committee or review administrator fails to meet a deadline established in policies and procedures for good cause, the failure to meet the deadline is not grounds for a grievance. The review committee or review administrator will notify the candidate if the deadline is not, or will not be, met and the reasons therefore.

5. CONFIDENTIALITY

a. All reviews of faculty are confidential personnel matters. Administrators and faculty members participating in the review process will maintain all matters related to the review and deliberations in confidence during the review process. The External Reviews and Internal Reviews, if authorized under the primary unit's Role and Scope Document, Evaluation Letters, and the deliberations of the reviewers remain confidential beyond the review process, except as needed in future tenure and/or promotion reviews. Disclosure of confidential review matters by faculty and administrators participating in the process may be considered a violation of [Ethical and Professional Standards](#).

b. Candidates, reviewers, administrators, and faculty will not approach committee members, students, staff, or reviewers at any time during the review concerning the disposition of any review, and should understand that inquires of this type may be considered a violation of professional and ethical responsibilities. No information about the substance of the review may be communicated, either formally or informally, to those ineligible to participate in the decision.

c. Meetings of all review committees are closed. The letters and identities of internal and external reviewers will also remain confidential.

d. Upon completion of the university review, those faculty members who are recommended for retention, tenure and/or promotion will be announced by the provost.

6. SUSPECTED LEGAL AND ETHICAL VIOLATIONS

University reviews are evaluations of candidates' performance as compared to the specified review standards. Any reviewer who identifies suspected legal or ethical violations by any candidate or participant in the course of a review will report the suspected legal or ethical violation to the provost. The provost will determine the appropriate action to take to resolve the allegation and will provide guidance to the reviewers on how to proceed.

7. PRIMARY REVIEW UNIT

Each Primary Review Unit shall identify in its Role and Scope Document whether the unit administrator or primary review committee will carry out the following responsibilities of the primary review unit:

- a.** Establishing a primary review committee, consistent with Section 2.c, comprised of no fewer than three (3) tenured faculty members. The committee shall be elected or appointed by procedures detailed in the Role and Scope Document of the primary academic unit.
- b.** Selecting external reviewers and soliciting review letters. External Reviews from at least four (4) respected authorities appropriate to the candidate's area of Scholarship are required by the university as part of review for tenure and promotion. The primary administrator or committee will identify external reviewers who will provide an independent and objective evaluation of the candidate's Scholarship. The soliciting entity may invite recommendations from the candidate, but at least one half of the external reviewers should be reviewers recommended by the primary administrator or committee.

All letters received by the conclusion of the primary review committee's evaluation must be considered and included in the Dossier. Letters received after the conclusion of the primary review committee's evaluation shall not be considered nor included in the Dossier. Only letters acquired by established primary unit procedures will be included in the Dossier.

- c.** The academic unit may include Internal Reviews only by processes explicitly defined in the unit's Role and Scope document. Only Internal Reviews that address established standards and indicators may be considered. The candidate may not solicit external or internal letters.
- d.** For cases involving the review of a faculty member who has joint responsibilities in a department and in MSU Extension or an approved Center, the Director of Extension or the Director of the Center will review the Dossier and submit an internal review letter to the primary review committee.
- e.** Adding all of the internal and external review letters, the letters of solicitation, and, in the case of external reviewers, a short bio-sketch of the reviewer to the Dossier.
- f.** Adding the applicable Role and Scope Document to the Dossier.

- g.** Adding the letter of hire, any Percentages of Effort changes, all annual reviews, and all Evaluation Letters from prior retention, tenure, and promotion reviews at MSU.
- h.** Adding all of the candidate's teaching evaluations from the review period to the Dossier. If the evaluations are not in electronic format, the unit will provide evaluation summaries. Upon request, the unit will provide access to the original evaluations to review committees and administrators during the review.
- i.** Maintaining copies of all Evaluation Letters and internal, if applicable, and external review letters after the review.

8. PRIMARY REVIEW COMMITTEE

The primary review committee conducts the initial review of the Dossier in accordance with the responsibilities delineated in Sections 2 through 6.

9. PRIMARY REVIEW ADMINISTRATOR

The primary review administrator will be identified by the unit in the Role and Scope Document. In addition to the responsibilities delineated in Sections 2 through 6, the primary review administrator is responsible for:

- a.** conveying the names of faculty opting to undergo a non-mandatory university review to the provost's office by the deadline established by the provost.
- b.** publishing the membership of the primary review committee by the deadline established by the provost.
- c.** ensuring the regular review and update of the unit's Role and Scope Document and aligning it with the documents of the university and relevant intermediate units.

10. INTERMEDIATE REVIEW UNIT

In some colleges there is only one level of committee review within the college. In colleges in which there are separate primary academic unit and college reviews, the intermediate review committee shall be established as outlined in the intermediate unit's Role and Scope Document. MSU Extension will establish an intermediate review committee in accordance with its Role and Scope Document. A majority of the intermediate review committee shall be elected by the faculty of the unit.

In addition to the requirements of Section 2.c, at least twenty-five (25) percent of the membership of the intermediate review committee will be female faculty members. If the method for selection does not result in the required proportion of women faculty, the unit administrator may appoint other female faculty members to fulfill the required level of participation.

11. INTERMEDIATE REVIEW COMMITTEE

In addition to the responsibilities delineated in Sections 2 through 6, the intermediate review committee is also responsible for reviewing, suggesting modifications to, and approving the Role and Scope Documents of the primary review units.

12. INTERMEDIATE ADMINISTRATIVE REVIEWER

The intermediate administrative reviewer will be identified by the unit in the Role and Scope Document. In addition to the responsibilities, policies, and procedures delineated in Sections 2 through 6, the intermediate administrative reviewer is also responsible for:

- a.** conducting the election and/or appointment, as established in the unit's Role and Scope Document, of faculty representatives to the intermediate review committee.
- b.** publishing the composition of the committee by the deadline established by the provost.
- c.** conducting the election and/or appointment of faculty representatives and alternates to URTPC by the deadline established by the provost.
- d.** ensuring the regular review and update of the unit's Role and Scope Document, in alignment with university policies and the university Role and Scope Documents.

13. UNIVERSITY PROMOTION AND TENURE COMMITTEE AND CHAIR

- a.** An administrator designated by the provost shall serve as the administrative chair of the committee. The chair may not vote or express comments on individual candidates except as related to matters of policy or procedure that may pertain to the case.
- b.** The chair of the URTPC may consult with the academic units and candidates on procedural matters and make such determinations as are assigned to them by the policies of the university.
- c.** The URTPC is composed of: one (1) elected representative from each of the colleges of Agriculture, Arts and Architecture, Business, Education Health and Human Development, Engineering, Letters and Science, Nursing, the MSU Library, and MSU Extension; and a representative of the Faculty Affairs Committee of the Faculty Senate. Only tenured faculty with previous experience serving on a primary or intermediate review committee may serve on URTPC.
- d.** In addition to the requirements in Section 2.c, at least twenty-five (25) percent of the membership of URTPC will be female faculty members. If the election process does not

result in the required proportion of women faculty, the provost may appoint additional female faculty members to fulfill the required level of participation.

e. Elected members, and alternates, of the URTPC serve three (3) year terms. Members serve during the academic years with terms of service beginning in the fall semester. Alternates will serve if the elected or appointed member is unable to serve.

f. Committee members shall not deliberate or vote when a candidate from their individual primary and/or intermediate administrative unit is reviewed. In these instances, the committee member may, upon request, provide general information about the unit.

g. At least seventy (70) percent of the URTPC membership must be present at review meetings – in person or by teleconferencing – for the deliberation and voting on retention, tenure, and promotion cases.

h. The URTPC is responsible for reviewing, suggesting modifications, and approving all Role and Scope Documents of the academic units. Approval of Role and Scope Documents will require a majority affirmative vote of the membership of the URTPC. The URTPC may suggest modifications to and request revision of the Role and Scope Documents from each review unit. Requests shall be sent to the administrators of the academic units with:

- i. identification of the provision(s) to be revised,
- ii. explanation of the reason for the request,
- iii. at the discretion of the committee, recommendations for revisions, and
- iv. a deadline for submission of the revised documents for approval.

i. The URTPC is responsible for reviewing and recommending modification of the Role and Scope Document of the university by a majority affirmative vote.

14. PROVOST RESPONSIBILITIES AND REVIEW

The provost is responsible for establishing timelines for retention, tenure, and promotion reviews and fulfilling the review responsibilities in Sections 4 and 5.

If a faculty member is not recommended for retention, tenure or promotion by the provost, they may file a grievance as described in the [Grievance Policy](#) before the president's review.

A faculty member not recommended for retention or tenure by the provost will be reappointed on a terminal contract for the next academic year. The filing of a grievance and any subsequent appeal proceedings shall not extend the date of termination. Employment will terminate with the expiration of the terminal contract, even if the grievance process has not been concluded as of the date the contract expires.

15. PRESIDENT RESPONSIBILITIES AND REVIEW

- a.** Upon receipt of the provost's recommendations, the president may conduct an independent, substantive review of a candidate's Dossier and make an independent recommendation regarding retention, tenure, and/or promotion.
- b.** For any faculty member who is not recommended for retention, tenure, or promotion, the president will conduct a review of the Dossier. In addition, the president will consider any findings from a grievance (if filed) and make the final university decision regarding the retention, tenure, and/or promotion of the candidate.
- c.** The president will submit their decision within twenty (20) days from the receipt of the recommendation of the provost or the findings of the grievance board, whichever is later.
- d.** If the president recommends retention or tenure for a candidate who has received a terminal contract, the terminal contract will be withdrawn and the final decision of the university will result in continued employment.

A faculty member who is not recommended for retention, tenure, or promotion by the president may appeal the decision as outlined in [Policy 203.5.2](#) of the Board of Regents Policy and Procedures Manual.

16. TRANSMITTAL TO THE COMMISSIONER

The President's Office will submit the names of all faculty recommended for retention, tenure, and/or promotion to the Commissioner of Higher Education for approval by the Board of Regents.