

Commission on Faculty Affairs

**RESOLUTION TO AMEND THE FACULTY HANDBOOK REGARDING
PROCEDURES FOR PROMOTION AND TENURE AND RELATED APPEALS**

CFA 2024-25E

Draft Notice Sent to University Council Cabinet	September 21, 2024
First Reading by Commission on Faculty Affairs	October 4, 2024
Approval by Commission on Faculty Affairs	November 15, 2024
First Reading by Faculty Senate	November 8, 2024
Approval by Faculty Senate	November 22, 2024
Staff Senate Comment	October 21, 2024
Administrative and Professional Faculty Senate Comment	October 30, 2024
Graduate and Professional Student Senate Comment	October 12, 2024
Undergraduate Student Senate Waived Right to Comment	November 22, 2024
First Reading, University Council	December 2, 2024
Approved, University Council	Date
Approved, President	Date
Approved, Board of Visitors	Date
Effective Date	Upon Approval or Date

WHEREAS, the Faculty Handbook describes procedures related to promotion and tenure for faculty; and

WHEREAS, clarity regarding the procedures for seeking promotion and/or tenure is essential for equitable evaluation of such cases; and

WHEREAS, appeals processes for negative decisions and compositions of the committees rendering such decisions are necessary for faculty of all ranks in the tenure-track series;

NOW, THEREFORE, BE IT RESOLVED that the Faculty Handbook, Sections 3.4, 3.4.3, 3.4.4, and 3.5, be amended as shown below with changes marked in **red**.

3.4 Promotion and Tenure (excerpt)

Faculty members should contact the department head, chair or school director for guidance on college and department or school “Expectations Guidelines for Promotion and/or Tenure”. In addition, consult “[Promotion and Tenure](#)” on the provost’s Faculty Affairs webpage.

The university is committed to academic freedom. Virginia Tech endorses the “1940 Statement of Principles on Academic Freedom and Tenure” of the American Association of University Professors and the Association of American Colleges (AAUP Bulletin, September 1970).

Eligibility. Eligibility for tenure consideration is limited to faculty members with regular faculty appointments of 50 to 100% in an academic department or school in a college. Tenure is not granted to faculty members with temporary appointments or to administrative and professional faculty. Individuals with tenure who are appointed to administrative positions continue to hold tenure in those departments. Full-time administrators with appointments in academic departments or schools who engage in teaching and research may be recommended for tenure in such departments.

Promotion in rank and the granting of tenure are based on contributions made by a faculty member to the university in the areas of teaching, research/creative activities, and service/engagement. Colleges, departments, or schools are responsible for the administration of appropriate policies and procedures for the review and recommendation for promotion and/or tenure within their units.

Reviews. Faculty members being considered for promotion and/or the awarding of tenure have their dossiers reviewed at as many as three levels: (1) departmental/school committee and the head, chair, or school director; (2) college committee and the dean; and (3) the university committee and the provost.

~~Occasionally faculty members are evaluated for a tenured appointment during the probationary period and before the final probationary (mandatory) year. Consult “[Promotion and Tenure](#)” and “[Non-mandatory P&T](#)” on provost’s Faculty Affairs webpage. If such a case is the first attempt, there is no recourse to appeal or review of a negative decision, at whatever level it is reached, because of the certainty that the evaluation will be undertaken again within a limited time.~~

Once a promotion and/or tenure case has been submitted, it must proceed through the processes outlined in this chapter unless the candidate chooses to withdraw their case.

3.4.3 Departmental or School Evaluation for Promotion and Tenure (excerpt)

Determination of Candidates. In their promotion and/or tenure guidelines, each department or school will have a process for determining which candidates are to be considered for promotion and/or tenure, including those faculty members in the final year of probationary service. Candidates should be identified in the fall semester one year prior to applying for promotion and/or tenure.

If there is disagreement between the faculty member and the department/school about whether the faculty member should be considered for promotion and/or tenure, the faculty member may appeal the department/school decision to the dean of the college if they have at least four years in rank at Virginia Tech and they have requested consideration in writing in the prior year. The appeal must be based on achievement of the department/school and/or college "Expectations Guidelines for Promotion and/or Tenure." If the dean sustains the department/school negative decision, the faculty member may request a review of the decision by the properly constituted college committee on promotion and tenure. If either the dean or the college committee approve the faculty member's appeal prior to the completion of the fall term, then their case will be processed in the next promotion and tenure cycle. If the appeal is approved after the fall term, then their case will be processed in the year after the next promotion and tenure cycle.

Department or School Committee Composition: Each department or school must have one or more committees with appropriate faculty representation to evaluate candidates for promotion and tenure, tenure at the currently held rank, and promotion to professor, and make recommendations to the department head, chair, or school director. **Voting members for promotion and/or tenure for tenure-track faculty must be tenured.** While the process of selecting committees may vary between departments or schools, significant elements of faculty choice, as determined through departmental or school governance, must be part of the selection process. Some possible methods for committee selection include a combination of elected and appointed representatives; an elected slate significantly larger than the committee size, allowing the department head, chair, or school director to appoint the committee from the slate; or a committee elected by the faculty. A minimum committee size of five members is most appropriate to achieve adequate representation and effectiveness of committee operations.

3.4.4 College Evaluation for Promotion and Tenure (excerpt)

College Committee Composition. Each college must have a committee with appropriate faculty representation to review the recommendations on promotion and tenure sent by the department head, chair, or school director. **Voting members for promotion and/or tenure for tenure-track faculty must be tenured.** While the process of selecting committees may vary between colleges, rules governing eligibility and selection of college committee members and the committee chair, as well as operating guidelines for the committee's deliberations, must be documented and formally approved by the faculty. Significant elements of faculty choice must be part of the selection process. Some possible methods for committee selection include election by the college faculty; appointment by an elected college executive committee; a combination of elected and appointed (by the dean or college executive committee) representatives; or an elected slate significantly larger than the required committee size, thus allowing the dean or college executive committee to appoint the committee from the elected slate approved by the faculty. However, given their responsibility to make a separate and independent recommendation on each case, the dean may not serve as chair of the committee.

As far as possible, each department or school within the college should be represented on the committee. The dean may appoint up to three tenured faculty members to serve on the college committee to assure appropriate representation of disciplines or very large departments or schools, participation by members of underrepresented groups, or other critical considerations to help assure fairness of the process in both fact and perception. Appointments by the dean may not constitute more than a third of the committee's total membership.

The committee may include department heads, chairs, school directors, or department-level promotion and tenure committee members. If department heads or chairs or school directors serve on college committees, their total number must be less than that of other faculty members **and they may not vote on cases from their department/school since each has already had an opportunity to vote or make a recommendation on those candidates.**

The appointments of faculty members on the committee should be staggered to assure continuity from one year's deliberation to the next. If possible, members should not serve more than two successive terms (three-year terms are typical).

The college faculty representatives to the University Promotion and Tenure Committee must attend college promotion and tenure deliberations as non-voting observers but should not participate or attempt to influence college-level recommendations.

3.5 Appeals of Decisions on Non-Reappointment, Tenure, or Promotion (excerpt)

(for *grievances* see Faculty Grievance Policy and Procedures in this chapter of the faculty handbook)

Appeal. A faculty member who is notified of a negative decision following an evaluation for a term reappointment during the probationary period, for a tenured appointment, or for promotion may appeal for review of the decision under conditions and procedures specified in this section. The appellant has a right to an explanation of the reasons for the denial.

An appeal must be filed, in writing, within 10 university business days of formal notification of the decision, which shall explain the appeal procedures.

An appeal must be based on the following claims only: department or school criteria established in the relevant department or school's promotion and/or tenure guidelines were not appropriately applied; material from a dossier was unavailable to, or disregarded by, reviewers through no fault of the candidate; or information in the dossier was not considered, or that the decision was influenced by improper consideration.

Administrators and committees hearing an appeal must limit the scope of their recommendations to the claims presented above: in particular, they must not substitute their own judgment on the merits of the case for that of the body or individual responsible for the decision under appeal. The recommendations should address the allegations in the appeal with specificity and cite appropriate evidence.

A faculty member can appeal the decision at more than one level. There is no appeal of the president's recommendation to the Board of Visitors or the board's final decision.

Appeals should be resolved as quickly as possible without compromising thoroughness of review. Whenever possible, the appeal should be resolved in time to be reviewed at the first meeting of the Board of Visitors in the fall semester.

A faculty member with questions or concerns about the appeal process or who believes that the procedures described in this section have been improperly followed may, at any point, seek advice from the [Faculty Senate Committee on Reconciliation](#).

Grievance. Consult the Faculty Forms webpage for the [grievance form](#). Additionally, faculty have the option to grieve procedural violations of the promotion and tenure process—including violations of the appeal process presented in this section—after a negative decision on an appeal or instead of filing an appeal in the first place. Since the grievance procedures allow the grievant to state the grievance, they believe they have experienced and the relief they seek, it has a wider range of possible outcomes than the appeal process. However, because it is a slower process that may not be completed until the promotion and/or tenure cases in a given year have been decided, and because faculty cannot grieve “items falling within the jurisdiction of other university policies and procedures,” a grievance should be thought of as a means for faculty to seek an outcome they cannot seek through the appeal process. The grievance process is described in chapter three of this handbook below, “Faculty Grievance Policy and Procedures.”

3.5.1 Appeal of Probationary Non-Reappointment Decision

Faculty members on probationary term appointments should make no presumption of reappointment. The department head, chair, or school director with the advice of the department/school personnel committee or the faculty development committee determines non-reappointment. Notice of non-reappointment is furnished according to the schedule in chapter two of this handbook, "Retirement, Resignation, and Non-Reappointment."

If the negative decision is based on evaluation of the faculty member's performance, including perceived lack of potential for further professional development, the faculty member may appeal the decision to the dean of the college. If the dean sustains the departmental or school decision, the faculty member may request, through the dean, a further and independent review of the decision by the properly constituted college committee on promotion and tenure.

The faculty member presents the appeal in writing as specified in chapter three of this handbook, "Appeals of Decisions on Reappointment, Tenure, or Promotion." The faculty member has the right to appear before the committee to present arguments. The college committee makes a recommendation to the dean, who informs the faculty member of the committee's recommendation and the dean's subsequent decision. The dean's decision closes the appeal process, unless it varies from the college committee's recommendation, in which case the faculty member may appeal to the provost for a final decision. The provost's decision cannot be appealed.

3.5.2 Appeal of Promotion and/or Tenure Decision (and summary table)

For the purposes of appeal, tenure cases receiving their second review prior to the final year of probation (mandatory year) are treated like mandatory year cases.

Appeal of negative department, or school or college decisions. Because all tenure cases evaluated in the final year of probation (mandatory year), even those given a negative recommendation by the department or school committee and the head or chair or school director, receive a full college level review, there is no appeal of a negative tenure decision at the department or school level. ~~Cases evaluated in the final year of probation that receive a negative recommendation by the college committee and dean may appeal to the University Promotion and Tenure Committee via the provost.~~

Promotion-only cases and tenure cases in non-mandatory years given a negative recommendation by the department or school committee and the head or chair or school director may appeal to the dean.

~~Cases reviewed a second time within the probationary period whether promotion and/or tenure, if the committee and the relevant administrator both make negative recommendations, the candidate may appeal that negative decision to the next level in the process.~~ The faculty member appealing a departmental decision has the right to appear before the college committee considering the appeal and present arguments. If either the college committee or the dean grants the appeal of a negative department or school decision, the case resumes normal consideration, beginning with the college committee and dean.

If the college committee and the dean both make negative decisions, the appeal is denied and no further appeal is provided.

Appeal of negative college decisions. Promotion and/or tenure cases given a negative recommendation by the college committee and the dean may appeal to the provost.

The faculty member appealing a college decision has the right to appear before the University Promotion and Tenure Committee and present arguments. If either the University Promotion and Tenure Committee or the provost grants the appeal of a negative college decision, the case resumes normal consideration, beginning with the University Promotion and Tenure Committee and the provost.

At ~~either the college or the~~ university level, if the committee and the ~~relevant administrator~~ provost both make negative ~~recommendations~~ decisions, the appeal is denied and no further appeal is provided.

Appeal of negative university decisions. Because all recommendations from the University Promotion and Tenure Committee and the provost are forwarded to the president, candidates may appeal negative recommendations ~~of either or both by the provost~~ to the [Faculty Senate Review Committee](#). The faculty member has the right to appear before the committee to present arguments. The Faculty Review Committee investigates the case and makes a recommendation to the president. ~~The Faculty Senate Review Committee makes a recommendation to the president.~~ The president makes a recommendation to the Board of Visitors whose decision is final and cannot be appealed.

Table of appeal options. The following table summarizes the progression of cases (whether promotion and tenure, tenure only, or promotion only) that receive negative recommendations from either a committee, an administrator, or both, including appeal options. **References to departments are inclusive of schools and references to department heads or chairs are inclusive of school directors.** ~~The table is for reference only.~~

Probationary Period

Decision	Next Step
Negative decision after first review during probationary period	No appeal
Negative decision on second review during probationary period	May appeal to next higher level
Appeal granted by next higher level	Moves to next level in process for normal consideration

Final/mandatory year

Decision	Next Step
Negative recommendation by department committee and by department head or chair	Moves to college committee and dean
Negative recommendation by department committee; positive recommendation by department head or chair	Moves to college committee and dean

Positive recommendation by department committee; negative recommendation by department head or chair	Moves to college committee and dean
Negative recommendation by college committee and dean	May appeal to University Promotion and Tenure Committee (through the provost)
Appeal granted by the University Promotion and Tenure	Moves to University Promotion and Tenure Committee (through the provost)
Negative recommendation by college committee; positive recommendation by dean	Moves to University Promotion and Tenure Committee and provost
Positive recommendation by college committee; negative recommendation by dean	Moves to University Promotion and Tenure Committee and provost
Negative recommendation by the provost	May appeal to Faculty Review Committee, recommendation is advisory to the president.
Negative recommendation by president	No appeal
Negative decision by the Board of Visitors	No appeal

DECISION / RECOMMENDATION	NEXT STEP
Positive by department committee and by the department head or chair	Moves to college committee and dean
Negative by department committee; positive by department head or chair	Moves to college committee and dean
Positive by department committee; negative by department head or chair	Moves to college committee and dean
Negative by department committee and by department head or chair	Pre-tenure mandatory year: Automatically moves to college committee and dean All other cases: May appeal to the dean
<i>Appeal granted by the dean and/or the college committee</i>	<i>Resumes standard process in the college</i>
<i>Appeal denied by both the dean and the college committee</i>	<i>Process complete</i>
Positive by college committee and by the dean	Moves to University Promotion and Tenure Committee and provost
Negative by college committee; positive by dean	Moves to University Promotion and Tenure Committee and provost
Positive by college committee; negative by dean	Moves to University Promotion and Tenure Committee and provost

DECISION / RECOMMENDATION	NEXT STEP
Negative by college committee and the dean	May appeal to University Promotion and Tenure Committee (via the provost)
<i>Appeal granted by the University P&T Committee or provost</i>	<i>Resumes standard process at the university level</i>
<i>Appeal denied by the University P&T Committee and provost</i>	<i>Process complete</i>
Negative by the provost	May appeal to Faculty Review Committee
<i>Faculty Review Committee makes recommendation to president</i>	<i>President makes recommendation to Board of Visitors</i>
Negative by president	No appeal
Negative by the Board of Visitors	No appeal



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Comment on CFA 2024-25E:

The Graduate and Professional Student Senate waives its right to comment on CFA 2024-25E:
RESOLUTION TO AMEND THE FACULTY HANDBOOK REGARDING PROCEDURES FOR
PROMOTION AND TENURE AND RELATED APPEALS.

On behalf of the Graduate and Professional Student Senate,
Ronnie Mondal
President



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Staff Senate

<http://www.staffsenate.vt.edu/>

October 21, 2024

To: Vice President of Policy and Governance

The Staff Senate Committee on Policy and Issues has reviewed and approves CFA Resolution 2024-25E. The additional table presentations of the possible decisions and next steps was particularly helpful and appreciated.

We have no further comment.

**Thank you,
Amber Robinson, Chair Staff Senate Policies and
Issues Committee**



Administrative and Professional Faculty Senate

<https://governance.vt.edu/ap-faculty-senate.php>

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October 30, 2024

To: Vice President of Policy and Governance

From: A/P Faculty Senate Polices and Issues Committee

The A/P Faculty Senate Polices and Issues Committee has reviewed and approves/endorsees the Commission on Faculty Affairs Resolution 2024-25E to Amend the Faculty Handbook Regarding Procedures for Promotion and Tenure and Related Appeals.

We have no further comment.