

 <p><b>DALHOUSIE UNIVERSITY</b> FACULTY OF HEALTH</p>	<p><i>Policy Sponsor:</i> Dean Faculty Council</p>	<p><i>Approval Date:</i> Full Faculty: April 20, 1992</p>
<p><b>Terms of Reference: Tenure and Promotion Committee</b></p>	<p><i>Responsible Unit:</i> Faculty Council</p>	<p><i>Amendments:</i> Faculty Council: April 1993, June 2009, April 2014 Formatting – Feb 2018</p>

## 1. FUNCTIONS

1.1 In accordance with the provisions of the Collective Agreement<sup>1</sup>, the Criteria for Promotion of Directors/Deans, and the Faculty Guidelines and Criteria for Tenure and for Promotion, the Committee will consider and make recommendations to the Dean on all applications for tenure and promotion within the Faculty. Where an application is from a Dean of the Faculty, the recommendation will be made to the Vice-President.

1.2 The Committee will report once yearly to Full Faculty on its year's work as prescribed in these Terms of Reference and may make recommendations to Full Faculty on matters of tenure and promotion policy and procedures as deemed necessary.

## 2. MEMBERSHIP

2.1 The Committee will consist of five regular members, one of whom will be elected by the Committee as Chair, and one alternate member, who will act when a regular member is unable to be present or will serve as the supplemental member on the Committee if needed. Committee members will be tenured and will be elected by the Faculty (CA 16.02). According to Full Faculty policy (May 2002), an applicant will not be a member on the School/College or Faculty level Committee. One regular member will be from outside the Faculty of Health, and the remainder will be from the Faculty. Regular members will be elected for a two-year term and the alternate for a one-year term, with the terms commencing on September 1st following election. The terms of regular internal members will be rotated so that only two terms expire in any one year. If a vacancy occurs among the regular members before a term has expired, the alternate will act as a regular member for the remainder of the unexpired term. Members may be re-elected.

When the number of applications for tenure and/or promotion exceed 8, the Committee will be consulted by the Dean and the size of the Committee may change as noted in the Table below. The supplemental member(s) of the Committee will serve a one-year term and will first be chosen from

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<sup>1</sup> The Collective Agreement between the Dalhousie Board of Governors and the Dalhousie Faculty Association. In this document references to the Collective Agreement are indicated by "CA".

among the alternate elected member(s). Supplemental members will be tenured and will be elected by the Faculty.

TABLE

9-10 applications	5 members + Chair
11-13 applications	6 members + Chair
14-15 applications	7 members + Chair
16-17 applications	8 members + Chair

*NOTE: When there are more than eight files in a given year for review, a second 'alternate' External member will be required. Only one external member will serve on a given review.*

2.2 Individuals will not hold concurrent membership on the Faculty Tenure and Promotion Committee and a similar committee at the school/college level. Nor will members of the Faculty Committee participate in any proceedings at the school/college level, nor will they make individual representations with respect to a candidate under consideration at the school/college level CA (16.02).

2.3 When an application for tenure or promotion from a director or dean is under consideration, a director or dean appointed by Faculty Council will be added to the Committee during such consideration.

### **3. ACCOUNTABILITY**

3.1 As a standing Committee of the Faculty of Health, the Committee on Tenure and Promotion will be responsible to Full Faculty on matters of policy and procedure.

3.2 Once each year the Committee will present a report to Faculty Council and to Full Faculty, normally in time for the spring meeting of Faculty. This report will include: the number of applications for tenure and/or promotion considered and the nature of the recommendations made; a discussion of tenure and promotion issues arising out of the Committee's experience; and any recommendations on matters of tenure and promotion policy and/or procedure the Committee may wish to bring to Full Faculty for action.

3.3 The Committee will be responsible for making recommendations on individual tenure and promotion applications to the Dean. Its deliberations on such matters will be confidential and will be independent of similar ones by the Dean. The Committee may seek clarification from the Dean on matters of policy and procedure but will not involve the Dean in discussion of individual applications prior to formulating its own recommendation.

### **4. PROCEDURES**

4.1 Election of Committee Members:

4.1.1 The Secretary to Faculty Council will seek, in writing, nominations from faculty members. If nominations exceed the vacancies, elections will be by mailed ballot. If nominations equal the vacancies, the slate will be considered elected by acclamation. If fewer nominations are received than vacancies on the committee, those nominated will be considered elected by acclamation and the

Secretary will issue a further call for nominations. If there continues to be vacancies, the Dean will endeavour to find appropriate faculty members able and willing to serve on the committee. Those members will be considered elected by acclamation.

4.1.2 When a ballot is required to elect the members of the Tenure and Promotion Committee, ballots will be distributed by the Dean's Office, and will be returned to the Dean's Office using the method of double envelopes and by the deadline specified on the ballot sheet. Ballots will be opened and counted by the Secretary to Faculty Council together with the Faculty's Financial Officer and Human Resources Administrator. Ballot materials will be retained by the Office of the Dean for two (2) weeks.

4.1.3 Neither directors nor the Dean will be eligible to sit on the Tenure and Promotion Committee nor will they act as scrutineers.

4.1.4 Newly elected members will assume their responsibilities on September 1st of each year following elections in the spring, except where the work of the Committee necessitates election at other times of persons to replace members unable to complete their terms.

## **4.2 Declaration of Candidacy**

4.2.1 By August 15th of each year (and by the end of June when possible), the Dean will notify, in writing, faculty members who are due to be considered for tenure or who are eligible to apply for promotion in that year (CA 16.10, 16.11); and in the case of promotion, the Dean will specify September 15th as the date by which an individual will advise his/her director of intent to apply (CA 16.01). (Candidates are encouraged to consult with their Director well in advance of this final date). The Dean's notification of eligibility to apply will be accompanied by an information sheet briefly outlining tenure and promotion policy and procedures.

4.2.2 By August 15th (by the end of June when possible) the Dean will also inform the director of each school/college, in writing, of the names of faculty members who are due to be considered for tenure, or who are eligible to apply for promotion within that school/college. The list of names will be accompanied by the information sheet referred to in 4.2.1; and in addition, the Dean will advise directors of their responsibilities and those of school/college committees in respect to tenure and promotion, including the date by which recommendations from the school/college committee and the director will be forwarded to the Dean's Office.

## **4.3 The Convening and Conduct of Meetings**

4.3.1 The Dean will convene the first meeting of the Committee in each academic year and will inform members on matters of policy and procedure relating to the Committee's functions. The Dean will provide members of the Committee with pertinent documentation on policy and procedures, which will include: (i) the relevant sections of the applicable Collective Agreement; (ii) the Terms of Reference for the faculty tenure and promotion committee; and (iii) the approved Faculty Guidelines and Criteria for Tenure and for Promotion. The Dean will also ensure that a Chairperson is elected by the Committee during its first meeting.

4.3.2 Except for the first meeting in each year, the Chairperson will convene meetings of the Committee.

4.3.3 Five members of the Committee will constitute a quorum for purposes of formulating recommendations on individual applications. Three members will constitute a quorum for purposes of formulating recommendations on policy and procedure for action by Full Faculty.

#### **4.4 Consideration of Applications**

4.4.1 The Dean will provide the Faculty Tenure and Promotion Committee with the names of persons to be considered for tenure and/or promotion during the Dean's first meeting with the Committee.

4.4.2 The Dean will specify a date by which each school/college director will forward to the Dean's Office all documentation pertaining to the consideration of candidates within her/his school/college, including written material submitted by the candidate, letters of reference received by the director and/or the school/college committee, and the written recommendations of both the director and the school/college committee; and the Dean will make all such documentation available to the Faculty Tenure and Promotion Committee.

4.4.3 In arriving at a recommendation on an individual application, the Committee will apply the Faculty of Health Guidelines and Criteria for Tenure and/or Guidelines and Criteria for Promotion, insofar as these are not in conflict with provisions of the relevant collective agreement. In the case of a promotion application from a director or dean, the Criteria for Promotion of Directors and Deans will also apply.

4.4.4 In accordance with clause 36.02 of the Collective Agreement, the rules of natural justice will apply to consideration of tenure and promotion applications.

4.4.5 A candidate will be required to submit documentation in support of her/his candidacy in accordance with the Guidelines for the Preparation of a Compete File for Tenure, Promotion or Reappointment Consideration approved by the Faculty of Health.

4.4.6 A candidate will be entitled to make personal representation to the committee respecting her/his candidacy if she/he so wishes (CA 16.04).

4.4.7 The Committee may request from candidates' information it deems necessary to clarify material included in the candidate's file. The Committee may also request that a candidate appear in person to clarify information submitted; and may request personal representation by the director and/or a member of the candidate's school/college Tenure and Promotion Committee if such is deemed necessary and useful. During any such proceedings where personal representations are to be made to the Faculty Committee respecting an individual's candidacy, the candidate will be entitled to reasonable notice of such proceedings and will have the right to be present. A candidate will not be entitled to be present, however, during proceedings held solely for deliberating on her/his candidacy (CA 36.03).

4.4.8 If an individual applicant believes that a member of the Committee is in conflict of interest with respect to her/his application, s/he may apply to the Chairperson of the Committee in writing, with reasons, to have that member step aside during consideration of her/his candidacy. The Chairperson

will consider the reasons given, using the CAUT guidelines contained in “What is Fair?”. If the Chairperson concludes that the candidate has shown that there is a reasonable apprehension or real likelihood that the challenged member will not be able to make a fair assessment of the candidate, the Chairperson will ask the member to step aside during consideration of that case, and the member will comply (CA 36.02). No member may be asked to step aside merely because s/he is from the same school/college as the candidate.

4.4.9 If a Committee member believes that s/he is in a conflict of interest with respect to an application under consideration, the member will apply to the Chairperson to absent herself/himself during discussion of that case. The Chair will consider the reasons given, again using the CAUT guidelines, and unless the reasons are deemed frivolous, the Chair will grant the member’s request (CA 36.02). No member will request not to participate in a given case merely because she/he is from the same school/college as the candidate.

## **4.5 Reporting of Committee Recommendations**

4.5.1 A candidate for tenure or promotion has the right to know at every stage of the process what is being recommended (CA 15.18) and to receive, on request, written reasons for the recommendation (CA 16.04, 36.03).

4.5.2 If the Committee determines it is unable to recommend positively on an application for tenure, and the candidate is eligible for deferral of a tenure decision, the Chairperson of the Committee will advise the applicant, with reasons, and will allow the applicant five days to respond in writing (CA 15.18). An applicant will be entitled to request deferral (CA 15.13) and this request will not unreasonably be denied. Where an applicant requests deferral, and deferral is recommended by the Committee and the Dean, the decision to recommend deferral will be recorded in the applicant’s personal file but no further record of the proceedings will be recorded. Where a deferral is recommended by the Committee contrary to the wishes of the applicant, or where a recommendation to deny tenure is made, the Committee will advise the applicant in writing, and will specify the reasons in terms of the applicable criteria in accordance with Clause 15.18 of the Collective Agreement.

4.5.3 If the Committee decides to recommend against promotion, the Committee will advise the applicant in writing of the reasons for the negative decision, specified in terms of the applicable promotion criteria and in accordance with the provisions of Clause 16.04 of the Collective Agreement.

4.5.4 The Tenure and Promotion Committee will report its recommendations to the Dean, with supporting reasons specified in terms of the applicable criteria. Should the Dean disagree with the recommendations of the Faculty Tenure and Promotion Committee, s/he will meet with the Committee, and the parties will seek to reach a decision with which they both agree (CA 15.23). It is understood, however, that agreement may not always be possible.

4.5.5 The Dean will forward her/his recommendation, and that of the Committee to the President in accordance with Clause 16.02 of the Collective Agreement. The Dean will clearly indicate any dissent from her/his recommendations at the school/college level, or by the Faculty Tenure and Promotion Committee.

4.5.6 Where a committee is recommending changes in tenure and promotion policy and/or procedures, these recommendations will be circulated to Full Faculty at least 14 days prior to a meeting at which decisions are to be taken. No changes in policy or procedure will take effect while individual applications are under consideration.