**ARTICLE X**

**ANNUAL REAPPOINTMENT AND NON-REAPPOINTMENT OF NON-TENURED BARGAINING UNIT MEMBERS**

1. Procedures for Reappointment
	1. Preparation and Evaluation of Credentials

It shall be the responsibility of the individual being evaluated to maintain a documented record of professional development and growth. For members of the tenure-track faculty, such record shall include evidence of effective teaching, value to their department, and scholarly activity or the analogous criteria for librarians. For bargaining unit members of the athletic staff and for reading clinicians, such record shall include evidence of appropriate professional performance and activity as well as value to their units. It shall be the responsibility of the department and the chairperson to provide guidance to new faculty members as to the departmental expectations for reappointment and to mentor the new faculty member in such a way as to help them make progress toward the building of their case for reappointment. Newly appointed bargaining unit members shall begin compiling this record in the first semester of employment. This record shall be submitted by the individual to the tenured and tenure track members of their department and the departmental chairperson by the dates specified below, or in the case of a member of the professional athletics staff, the dates specified in Article XVI (C). In the event that such bargaining unit member fails to submit their documented record by the deadlines stated below, the department or professional staff shall be permitted to make a recommendation based on the best available evidence, recognizing that the burden is on the positive case.

Lecturers who achieved Continuing Status shall not be subject to the procedure set forth in this Article. Rather, as noted above, a Lecturer who has received Continuing Status, shall remain employed by the University, subject to removal on the basis of: (1) just cause; (2) an involuntary separation from employment as part of a reduction in force, in accordance with Article XV of this Agreement; or (3) where there is not sufficient work for the Lecturer at the University, which shall be defined as any instance where the Lecturer has taught a half-load or less for two (2) consecutive academic years.

* 1. Evaluation of Credentials
		1. Responsibilities of the Bargaining Unit Members

The full-time tenured and tenure track bargaining unit members of the department have the professional responsibility to evaluate annually persons subject to reappointment decisions and each full-time tenured and tenure track bargaining unit member of the department has the professional responsibility to sign a specific written recommendation presenting their reasons for recommending reappointment or non-reappointment. For newly hired bargaining unit members, such evaluation shall begin in the individual’s first semester of employment.

Prior to the completion of their recommendation(s), the full-time tenured and tenure track bargaining unit members of the department or committee designated by the full-time tenured and tenure track members of the department, excluding the individual being evaluated, shall evaluate the documented materials necessary for their decision. Such materials shall include relevant information supplied by the candidate and the department members, and may include properly documented materials from competent sources other than those persons serving in the department. In the event that the individual being evaluated fails to submit their documented record by the deadline stated below, bargaining unit members shall make a recommendation based on the best available evidence. For faculty members, the criteria for evaluation shall include demonstrated effective teaching, value to their department and college, and demonstrated scholarly activity.

* + 1. Responsibilities of the Departmental Chairperson

The chairperson of the department shall provide newly hired bargaining unit members with a copy of the departmental promotion and tenure criteria and shall inform the individual of their responsibilities under this Article. The chairperson has the professional responsibility to annually evaluate person subject to reappointment and to make a specific, independent, written recommendation, presenting their reasons for recommending reappointment or non- reappointment. For newly hired bargaining unit members, this evaluation shall begin in the individual’s first semester of employment. In making such a recommendation, the chairperson shall evaluate the documented materials necessary for this decision. Such material shall include relevant information supplied by the candidate and other department members, and may include materials from competent sources other than those persons serving in the department. In the event the candidate fails to submit their documented record by the deadline stated below, the chairperson shall make a recommendation based on the best available evidence. For faculty members, the criteria for evaluation shall include demonstrated effective teaching, value to their department and college, and demonstrated scholarly activity. For reading clinicians, criteria for evaluation shall include appropriate professional performance and activity, and value to their department or unit.

* + 1. Candidate’s Review of Bargaining Unit Members’ and Chairperson’s Recommendations

Prior to the forwarding of these recommendations and responses (if any) to the Dean, each full-time member of the department (including the chairperson) shall be provided a copy of each recommendation. The candidate shall receive copies of each of these recommendations and shall have the right to review and respond to any or all of them at least five (5) working days prior to the forwarding of such recommendations to the Dean.

* + 1. Dean’s Review

The Dean (or in the cases of reappointment of athletic staff, the athletic director) shall then review the recommendations and shall normally support a well-documented recommendation by the bargaining unit members of the department. In the event that the Dean (or the athletic director) has compelling reasons, which shall not be arbitrary, for not supporting the recommendation of the bargaining unit members of the department, these reasons shall be

stated in writing and forwarded to the bargaining unit members of the department, the chairperson, and the candidate. A candidate who is denied reappointment or is given a terminal appointment by action of the Dean shall have the right to an appeal as set out in Section B(5), below.

1. Deadline for Reappointments

Failure by the members of the department to forward their recommendation(s) by the deadlines stated below shall permit the Dean to make a determination as to the reappointment or non-reappointment of the non-tenured bargaining unit member based on the best available evidence.

* 1. In first year of employment

February 1: Bargaining unit member submits their documented record

of professional development and growth to the full-time bargaining unit members and the chairperson of the department.

February 20 Minus five

(5) working days:

The candidate and all full-time members of the department shall receive copies of all recommendations on reappointment. The candidate may respond to any or all of them prior to February 20.

February 20: Copies of all final recommendations and candidate’s written

responses, if any, shall be forwarded by the chairperson of the department to the Dean.

No later than March 1: (or if a one-year appointment that terminates during an

academic year, then at least three (3) months in advance of such termination date.) Candidate shall be notified of reappointment or non-reappointment by the Dean. In cases where the Dean fails to meet this deadline, the candidate shall be automatically reappointed.

* 1. In the second year of employment and in the first and second years of probationary service following the expiration of a pre-probationary appointment

October 15: Bargaining unit member submits documented record of

professional development and growth to the full-time bargaining unit members and the chairperson of the department.

November 15 Minus five (5) working days:

The candidate and the full-time members of the department receive copies of all recommendations on reappointment.

The candidate may respond to any or all recommendations by November 15.

November 15: Copies of all final recommendations and candidate’s written

responses, if any, shall be forwarded by the chairperson of the department to the Dean.

December 15 (or at least six (6) months prior to the termination of an appointment during an academic year):

The Dean shall notify the candidate of reappointment or non-reappointment. In cases where the Dean fails to meet this deadline, the candidate shall be automatically reappointed.

* 1. After the Second Year of Probationary Employment

In cases of reappointment of bargaining unit members or chairpersons who have served more than two (2) years in a probationary status, reappointment shall follow the timeline of Section (B) above, except that notification of reappointment by the Dean shall occur at least twelve (12) months before the expiration of the appointment. In such case, the individual shall receive a terminal contract for the academic year following the year in which they receive notice of non-reappointment.

* 1. Reappointment of Instructor or Instructor-Librarian

Full-time bargaining unit members who are appointed to the rank of Instructor or Instructor-Librarian will be assigned to the rank of Assistant Professor I or Assistant Professor I- Librarian, subject only to being granted reappointment under the provisions of this Article X, where such individual has attained the applicable terminal degree. Where such individuals have not attained the applicable terminal degree, they may be assigned to the rank of Assistant Professor I or Assistant Professor I-Librarian only with the concurrence, respectively, of the Dean and the department or of the Dean of University Libraries and the library faculty. Such individuals must be successful candidates for the rank of Assistant Professor I or Assistant Professor I-Librarian by the end of their second year of the pre-probationary period, or they shall not be reappointed. Standards of notification and submission of documented records contained in Section F(1 and 2) shall apply, respectively, to appointees in the first and second years of a pre- probationary period. In the first and second probationary years following the expiration of a pre- probationary period, the schedule for notification of reappointment or non-reappointment shall be as set forth in Section F(2).

* 1. Appeals Procedure

Within ten (10) days of the notification to a candidate of a denial of reappointment or a terminal appointment, the candidate may request, in writing, a meeting with the Provost to permit the candidate to present an appeal of the decision of the Dean. A meeting between the candidate and the Provost shall thereafter be held. After consultation with the Dean and department, the Provost shall make a final written decision that shall not be arbitrary or capricious and shall forward copies to the candidate, the Dean, and the AAUP.

1. Reappointment of Full-time Visiting Faculty and Lectures

Full-time visiting faculty and Lecturers holding an appointment that has been authorized for a period longer than the term of their present appointment and who are in their final year of that appointment shall be evaluated for reappointment by full-time bargaining unit members of the department, chairperson and Dean in the manner specified below. Failure by the members of the department to forward their recommendation by the deadlines stated below shall permit the Dean to make a determination as to the reappointment or non-reappointment of the visiting bargaining unit member based on the best available evidence.

* 1. If the application for reappointment is in the first year of employment:

February 1: The visiting faculty member shall submit a documented

report on their teaching, scholarly activities, and service as appropriate to the nature of their appointment to the full- time bargaining unit members and the chairperson of the department. A Lecturer shall submit a documented report on their teaching activities and advising (relating to courses taught) to the full-time tenure track bargaining unit members and the chairperson of the department.

February 20 minus five

(5) working days:

The visiting faculty member and all full-time members of the department shall receive copies of all recommendations on reappointment. The visiting faculty member may respond to any or all of them prior to February 20.

February 20: The chairperson of the department shall forward copies of

all recommendations and visiting faculty member’s or Lecturer’s written responses, if any, to the Dean.

No later than March 1: The visiting faculty member or Lecturer shall be notified of

reappointment or non-reappointment by the Dean. In cases where the Dean fails to meet this deadline, the visiting faulty member shall be automatically reappointed

* 1. If the application for reappointment is in the second year of employment:

October 10: The visiting faculty member shall submit a documented

report on their teaching, scholarly activities, and service as appropriate to the nature of their appointment to the full- time bargaining unit members and the chairperson of the department. Lecturers shall submit a documented report on their teaching activities and advising (relating to courses taught) to the full-time tenure track bargaining unit members and the chairperson of the department.

November 15 minus five

(5) working days:

The visiting faculty member or Lecturer and the full-time tenure track members of the department receive copies of all recommendations on reappointment. The visiting faculty member or lecturer may respond to any of all recommendations by November 15.

November 15: Copies of all final recommendations and the written

responses, if any, shall be forwarded by the chairperson of the department to the Dean.

December 15: The Dean shall notify the visiting faculty member or

Lecturer of reappointment or non-reappointment. In cases where the Dean fails to meet this deadline the visiting faculty member shall be automatically reappointed.

* 1. In the third year of employment:

In cases of reappointment of visiting faculty members who have served more than two (2) years, reappointment shall follow the timeline of Section C(2) above, except that if reappointment is awarded, reappointment shall be for the number of years remaining between three years and the maximum authorized number of years of employment.

In no case shall a visiting faculty member or Lecturer be appointed for more than the maximum of six (6) years. The letter of reappointment will specify the period of this last and final reappointment and this letter will constitute notice of non-reappointment after that period.

1. Reappointment of Librarian Faculty

For reappointment of librarians, the full-time librarians, functioning as a department, shall forward their recommendation to the Dean of University Libraries, who shall act on it in the same manner as the Dean in Section A.

1. Reappointment of Members of the Professional Athletic Staff

For reappointment of professional athletic staff members, see Article XVI.

1. Notification

Standard of notification for reappointment and non-reappointment shall be as follows:

* 1. First Year Notification

Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three (3) months in advance of such termination;

* 1. Notification in the Second Year of Employment and in the First and Second Probationary Years Following the Expiration of a Pre-Probationary Period

Not later than December 15 of the second academic year of service (or of the first and second years of probationary service following the expiration of a pre-probationary appointment), if the appointment expires at the end of that year, or, if an initial two-year appointment terminates during the academic year, at least six (6) months in advance of such termination;

* 1. Minimum Notification

At least twelve (12) months before the expiration of an appointment after two (2) or more years at the University.

* 1. Hires Other Than on September 1

Bargaining unit members hired during an academic year and having an effective hire date other than September 1 shall be deemed for purposes of this Article to have begun employment on the following September 1.