



Monitoring Report #1

Tenure and Promotion Process

A Report to the Higher Learning Commission

February 1, 2013

650 W. Easterday Avenue, Sault Sainte Marie, MI 49783

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I. Executive Summary

This report provides a summary of the progress made toward clarifying the tenure and promotion policies and procedures at Lake Superior State University (LSSU), in accordance with the Higher Learning Commission of the North Central Association of Colleges and Schools (HLC) 2011 comprehensive evaluation visit. Specifically, LSSU is required to submit a monitoring report that documents “A clearly defined Tenure and Promotion process aligned with the faculty collective bargaining agreement.”

To address the tenure and promotion process, a joint faculty and administration committee was formed. The committee drafted a Memorandum of Understanding (MOU) that specifies that the criteria for tenure be the same as those for promotion as presently contained in the current Faculty Agreement. The MOU has been signed by the Provost and Faculty Association President.

In addition to the clarification of criteria for tenure, the concerns expressed during the evaluation visit reflected gaps in communication as to the timeline and essential dates related to promotion and tenure. In response to this aspect of the process, a number of steps have been taken to make the process more transparent and consistent.

II. Tenure and Promotion Process

A. Background

Following the October 2011 HLC site visit, a committee of faculty and administrators was established to work toward the development of a more clearly defined Tenure and Promotion process, aligned with the Faculty Agreement. Committee members included three faculty and two deans:

Faculty Members: Loraine Gregory (tenured 2008)
Joe Moening (pre-tenure)
Geoffrey Steinhart (tenured 2011)

Deans: Donna Fiebelkorn
David Finley

The initial work of the committee focused on identifying the criteria for tenure, which were not included in the current faculty collective bargaining agreement (herein referred to as the Faculty Agreement http://www.lssu.edu/hr/documents/faculty_contract.pdf), although criteria for promotion were included. As the work of the committee evolved, Faculty Association President Jason Garvon joined the discussions regarding the proposed MOU.

Following review of the Faculty Agreement, and consultation with peers, two primary issues were identified. It is these two issues, and well as uniform execution of the existing system, that was the focus of the Committee.

- 1) The Faculty Agreement provides vague instructions for the application process for tenure, stating only that the faculty member is to make “formal written application”.
- 2) The Faculty Agreement provides very little guidance in terms of the criteria for tenure, other than the maximum number of years at the university before faculty must apply for tenure. The Faculty Agreement does provide a specific set of criteria for promotion (Appendix D). It is implied (and perhaps assumed) that the criteria for promotion and tenure are the same; however, this connection is not explicitly stated in the Faculty Agreement.

B. Steps Taken

To align the criteria for tenure and promotion, the attached MOU was crafted, affirming that a faculty member’s formal written application for tenure shall address the criteria as specified in Appendix D (Criteria for Promotion) of the Faculty Agreement. This MOU was presented to the Faculty Association and Provost for approval, and it was signed on January 22, 2013. It has been provided in Section IV: Supporting Evidence, item A.

To further clarify the process for tenure of faculty, two additional MOUs between the Provost and past Faculty Association President, Linda Schmitigal, were signed. One MOU notes that the initial spring semester is disregarded (in terms of time requirements) for those with mid-year starts. This MOU is found in Section IV: Supporting Evidence, item B. Another MOU addressed extending the time for tenure. It can be found in Section IV: Supporting Evidence, item C.

To better monitor and communicate the tenure timeline for individual faculty members, a Tenure Review Dates table is posted as a reference for the Deans in the Provost Council Dropbox folder. This table is crafted in accordance with Section 9.4.1 of the Faculty Agreement which explicitly states that “The maximum probationary period before tenure is granted shall be: seven years for a person initially appointed as an Instructor, five years for a person initially appointed as an Assistant Professor, four years for a person initially appointed as an Associate Professor, and three year for a person initially appointed as a Professor.” The chart is maintained and reviewed by the Deans and the Provost. This information is shared with the President of the Faculty Association.

Complementing the Tenure Review Dates table, a Master List table has been developed to track the performance evaluation cycle for each faculty member (both tenured and pre-tenure). Deans began using this document, which is posted in the Provost Council Dropbox folder, in Spring 2011. Pre-tenure faculty are to be evaluated by their supervisor annually, while tenured faculty are evaluated at least once every five years.

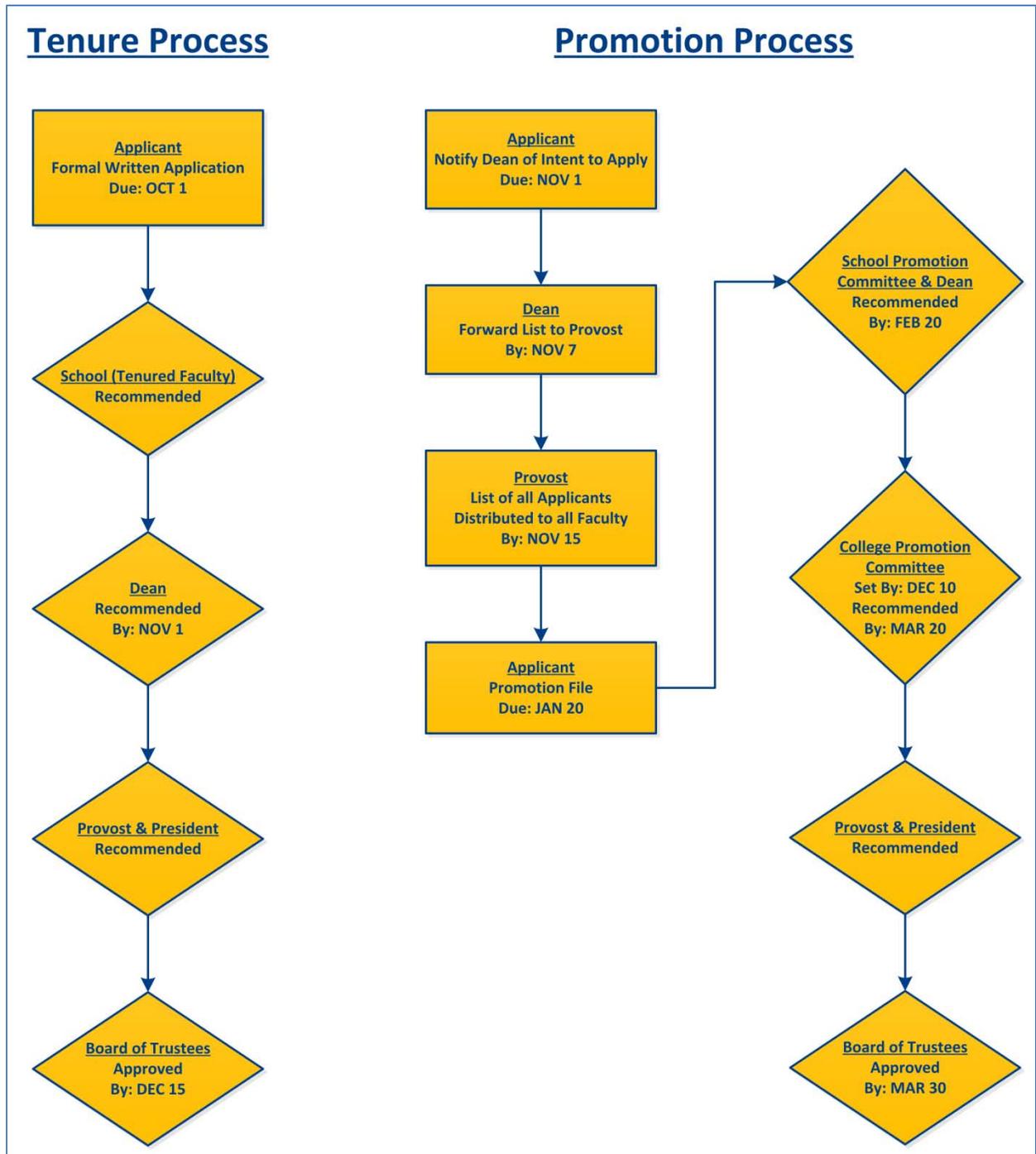
To communicate important due dates for the 2012-13 academic year, LSSU Human Resources has posted a listing of these dates on its website <http://www.lssu.edu/hr/documents/CriticalDates1213.pdf>. In addition, automated emails are disseminated by the Provost to all faculty and administration as a reminder of key promotion and tenure application deadlines.

Finally, a graphic (see Figure 1 attached) has been developed and placed on the Provost’s website which schematically shows similarities and differences between the current tenure process and the current promotion process.

III. Conclusion

Recent MOUs between the Faculty Association and the Administration have clarified the Tenure and Promotion criteria and processes. In addition, several improvements have been made to better communicate requirements, dates, and expectations. Via the process used to prepare this monitoring report, meaningful discussions have begun in pursuit of such clarification in subsequent Faculty Agreements.

Figure 1: Comparison of Tenure and Promotion Processes and Timelines



IV. Supporting Evidence

- A. [MOU: Defining the Criteria for Tenure](#)
- B. [MOU Clarifying Tenure for Mid-year Hires](#)
- C. [MOU: Defining the Process for Requesting Tenure Time Extensions](#)



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LAKE SUPERIOR STATE UNIVERSITY

Memo of Understanding

Lake Superior State University and the Faculty Association enter into this understanding as to the interpretation of the *Agreement* on tenure to clarify when faculty hired mid-year must apply for tenure.

The Memo of Understanding shall remain in force through August 31, 2013.

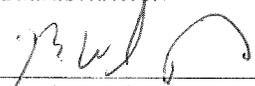
According to the Contract, section 9.4.1, page 23,

“The maximum probationary period before tenure is granted shall be: seven years for a person initially appointed as an Instructor, five years for a person initially appointed as an Assistant Professor, four years for a person initially appointed as an Associate Professor, and three years for a person initially appointed as a Professor. A probationary faculty member must apply for tenure within the time periods herein described. Failure to apply for tenure consideration or the denial of tenure shall result in discharge from the University at the end of the academic year, refer to Sections 9.3.3. and 9.5.6.”

To address the confusion concerning when mid-year hire faculty must go for tenure, the following highlighted sentences will be added to the contract.

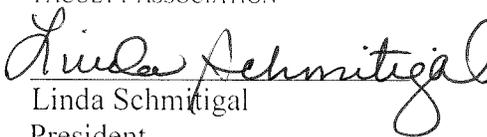
For probationary faculty hired at the beginning of a fall semester, the maximum probationary period before tenure is granted shall be: seven years for a person initially appointed as an Instructor, five years for a person initially appointed as an Assistant Professor, four years for a person initially appointed as an Associate Professor, and three years for a person initially appointed as a Professor. For any probationary faculty hired at the beginning of a spring semester the maximum probationary period will be 7.5 years for a person initially appointed as an Instructor, 5.5 years for a person initially appointed as an Assistant Professor, 4.5 years for a person initially appointed as an Associate Professor, and 3.5 years for a person initially appointed as a Professor. Any other hire date (mid-semester) will be considered as beginning at the start of the semester in which the initial appointment was made. A probationary faculty member must apply for tenure within the time periods herein described. Failure to apply for tenure consideration or the denial of tenure shall result in discharge from the University at the end of the academic year, refer to Sections 9.3.3. and 9.5.6.

LAKE SUPERIOR STATE UNIVERSITY
ADMINISTRATION



Morrie Walworth
Provost and VPAA

LAKE SUPERIOR STATE UNIVERSITY
FACULTY ASSOCIATION



Linda Schmitigal
President
LSSU Faculty Association

LAKE SUPERIOR STATE UNIVERSITY

Memo of Understanding

Lake Superior State University and the Faculty Association enter into this understanding and agree to add a new section to the *Agreement* which creates a process to extend faculty application for tenure.

9.4.2 Guidelines for Requesting Extensions of the Tenure Probationary Period

Requests for extensions must be made using the Request for Tenure Extension Form (available through the Provost's office) and are to include the following written information from the faculty member:

1. Date of initial tenure-track appointment.
2. Date by which faculty member must submit intention to apply for tenure, by contract.
3. Reason for requesting an extension.
4. Date(s) of events relevant to extension request.
5. Explanation of how these events impeded progress to tenure and an outline and documentation of work on which progress has been hampered.
6. Copy of vita.

Upon an extension request, the conditions under which the probationary period before the application for tenure will be extended automatically include the following:

- Approved leaves of absence.
- Immigration/visa status that does not permit the award for tenure for candidates who have been recommended for tenure.
- An extension recommended as an outcome of a hearing and/or appeal conducted pursuant to the Faculty Grievance Policy.

Additionally, extensions of the probationary appointment may be considered for a faculty member related to the following reasons:

- Childbirth, adoption, or gaining custody of a child
- The care of an ill and/or disabled child, spouse, documented same sex domestic partner if permitted by law, or parent
- Personal illness

- To receive prestigious awards, fellowships and/or special assignment opportunities
- To provide time to complete unique and specific requirements denoted in the original appointment letter
- Other constraints outside of the individual's control

Procedure

Requests for an extension to a probationary appointment, regardless of reason, and any supporting documentation, must be submitted to the Tenure Extension Application Committee through the Provost's office by the first Tuesday in February of each year. The Tenure Extension Application Committee may also meet for emergency/extenuating circumstances at any time during the academic year if necessary.

The Provost will forward applications to the Tenure Extension Application Committee. The Tenure Extension Application Committee will consist of:

- One Dean appointed by the Provost. This Dean will also chair the committee.
- Four tenured faculty members from different colleges
 - The initial committee members will be elected after the approval of this document. Subsequent committee members will be elected by the faculty at the first Faculty Association meeting of the fall semester of each year and will serve a two-year term

The Committee verifies that the candidate has submitted all materials related to the minimum criteria outlined above in 1-6. The Committee then determines if the candidate meets the criteria for an automatic tenure extension. If so, the candidate's application is forwarded to the Provost for her/his approval.

In those cases in which probationary appointment extensions are not automatic, the committee considers evidence bearing on the question of whether the circumstances justify exceptions to the standard procedures governing the tenure system. The committee's role is not to evaluate the personal nature of the issue, but to determine whether, given the circumstances of each case, the proposed decisions are consistent with the general interest of preserving the integrity of the tenure system.

In both cases described above (automatic extension or considered extension), the committee must render its recommendation within one month of the application submission deadline. The applicant must receive a simple majority vote from the committee in order for the recommendation to be forwarded to the Provost.

If an extension to the probationary appointment is approved by the Provost, it is not to exceed one year. A faculty member may have no more than two extensions, whether consecutive or nonconsecutive, during their tenure track probationary period.

If the extension is denied by the Tenure Extension Application Committee or the Provost, the Committee or the Provost will provide the candidate with a written reason.

LAKE SUPERIOR STATE UNIVERSITY
ADMINISTRATION

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Morrie Walworth
Provost and VPAA



Linda Schmitgal
President
LSSU Faculty Association



LAKE SUPERIOR STATE UNIVERSITY

Faculty Application for Requesting Extension of Tenure Probationary Period

Faculty Name: _____

Faculty Department: _____

Initial tenure-track appointment date: _____

Contract date for application for tenure: _____

Reason for probationary period extension request (brief summary):

Please check that all of the following are included or addressed in your application to the committee:

- Date(s) of events relevant to extension request
- Explanation of how these events impeded progress to tenure
- An outline and documentation of work on which progress has been hampered
- Copy of vita
- Chair of your department notified? (If the department has no chair, the dean's notification and signature is required)
 - Department Chair/dean signature of notification:

Submit this application to the Chair of the Tenure Extension Application Committee (Provost) by the first Tuesday in February.

The remainder of this form is to be completed by the Tenure Extension Application Committee

Approved

- New date for application for tenure: _____

Not Approved

- Application for tenure to be completed by original contract date

Date of decision _____

Signature of Committee Chair (Provost) _____

LAKE SUPERIOR STATE UNIVERSITY

Memo of Understanding

Lake Superior State University and the Faculty Association enter into this understanding to address HLC concerns over a lack of clarity regarding Tenure and Promotion processes and guidelines. This Memo of Understanding shall remain in force through August 31, 2013.

Within the Faculty Agreement, section 9 deals with tenure and lacks defined criteria to aid in the preparation of tenure application files. Section 10 contains information regarding promotion and links to Appendix D, which outlines criteria to follow in preparing a promotion application file. Because unified and clear criteria are desired by both Faculty and Administration both parties agree to the following:

1. Information in Appendix D be used as criteria for both promotion and tenure applications
2. The formats of both files shall be the same, as outlined in Appendix D, and faculty may submit the same file for both Promotion and Tenure.

LAKE SUPERIOR STATE UNIVERSITY
ADMINISTRATION



Morrie Walworth
Provost and VPAA

1-22-13

LAKE SUPERIOR STATE UNIVERSITY
FACULTY ASSOCIATION



Jason Garvon
President
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1-22-13