Principles & Policies Related to Appointment, Reappointment, Promotion and Tenure

I. Non-Discrimination and Commitment to Diversity

A. Non-Discrimination

The Laws of the Regents set forth principles on non-discrimination of employees. The Board of Regents reaffirmed its commitment to these principles.

The Board of Regents established policy regarding the needs of disabled persons in the University community. Sections 503-504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 prohibit discrimination against otherwise qualified disabled persons, and require that reasonable accommodations be made for such persons.

"University-wide Affirmative Action Policies" include policies on hiring, promotion, evaluation, other personnel practices and retrenchment. Administrative policy describes the authority and responsibilities of the chancellors' offices and president's office for affirmative action programs and goals. The president's office issued an "Affirmation of Policy" on affirmative action.

See also Part Six, Section 1 for further information on non-discrimination policies.

- APS: Affirmative Action, Title IX, and Section 504 Programs [1]
- Regent Policy: Commitment to Needs of Persons with Disabilities (Regent Policy 10-M) [2]

RA: University-Wide Affirmative Action Policies

- LOR: Nondiscrimination (Section 10.A.1, Laws of the Regents) [3]
- Other: Affirmation of Policy, Office of the President

B. Commitment to Diversity

The Board of Regents has reaffirmed, by Regent resolution, its commitment to the promotion of diversity in the University community.

- Regent Policy: Statement Reaffirming Board's Commitment to Diversity Regent Policies (10-P Diversity) [4]

II. Recruitment of Faculty

A. Faculty Recruitment and Hiring

Administrative policy reaffirms Regent law to recruit mainly in the lower ranks and is a statement of policy on those circumstances which justify hiring at higher ranks.

- APS: Faculty Recruitment and Hiring [5]
- LOR: Appointment Guidelines (Subsection 5.B.1(C), Laws of the Regents) [6]

B. Employment Assistance for Dual Career Couples

The University may attempt to accommodate the employment needs of dual career couples when such accommodation may benefit the University.

- Regent Policy: Providing Employment Assistance to Members of Dual Career Couples (Regent Policy 10-O) [7]

C. Conflict of Interest and Nepotism

Administrative policy establishes procedures to insure that Regent policies on conflict of interest and nepotism are implemented.

- APS: Nepotism in Employment [8]
- APS: Conflict of Interest and Commitment [9]
- APS: Conflict of Interest in Cases of Amorous Relationships [10]
- Regent Policy: Nepotism and University Employment (Regent Policy 10-J) [11]
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Regent Policy: Conflict of Interest - University Community (Regent Policy 3-B) [12]

III. Appointment Authority and Process

A. Appointment Guidelines

Appointment guidelines set forth in the Laws of the Regents require that appointments shall be made in accordance with subsection 2.A.4(B) or 3.B.1(F) of the Laws of the Regents.

- LOR: Appointment Guidelines (Section 5.B.1, Laws of the Regents) [6]
- LOR: Powers of the Regents (Subsection 2.A.4(B), Laws of the Regents) [13]
- LOR: Responsibilities of the President (Subsection 3.B.1, Laws of the Regents) [14]

B. Review and Approval of Personnel Actions

Administrative policy sets forth policies and procedures to implement requirements for the approval of appointments.

- APS: Standards, Processes, and Procedures for Comprehensive Review, Tenure and Promotion (formerly known as Appendix A, Laws of the Regents) [15]

C. Appointment to the Faculty of the Graduate School

Procedures for the appointment of regular and special members to the faculty of the Graduate School are set forth in the "Rules of the Graduate School" of each campus. Copies of these rules are available from the campus resident dean of the Graduate School.

- Other: Rules of the Graduate School (UCB) [16]
- Other: Rules of the Graduate School (UCCS) (click on Policies and Procedures and then on Article III) [17]
- Other: Rules of the Graduate School (UCD - Downtown Campus) [18]
- Other: Rules of the Graduate School (UCD - Anschutz Medical Campus) [18]

IV. Conditions of Appointment

A. Conditions of Appointment - Employee-At-Will Status of Some Faculty

(Note to the Reader: For a related discussion see Part Three, Section I.)

Contracts of employment are by appointment. The Laws of the Regents establish limited, indeterminate, or tenured appointments. Faculty who have been awarded tenure hold tenured appointments. Tenure-track faculty hold limited appointments that are granted for a specific period of time. Non-tenure-track faculty hold indeterminate appointments that are not granted for a specified period of time.

Employee-at-will provisions of Colorado law apply to all faculty except tenured faculty, tenure-track faculty, and specialty track faculty whose primary job assignment is clinical care. With the exception of those specialty-track faculty, non-tenure-track faculty members are deemed by state statute to be employees-at-will. The appointment of an employee-at-will is terminable by either the faculty member or the University at any time.

State law requires that any employment contract for an at-will employee must contain terms that clearly state the at-will nature of the employment and that describe other provisions of the statute as they may be amended from time to time

- LOR: Terms of Appointment (Subsection 5.B.2(A), Laws of the Regents) [6]
- CRS: Terms of Employment Contracts - Public Inspection (CRS §24-19-104); [19] Exceptions (CRS §24-19-108) [20]

B. Terms and Conditions in Writing (Letters of Offer and Contracts)

Administrative policy sets forth policies and procedures for campus authorization for recruitment, letter of proposed offer and contract, additional information provided to prospective faculty members, contracting authority, subsequent appointment actions and standards of notification. As set forth by the Laws of the Regents, the terms and conditions of every appointment shall be in writing.

- APS: Faculty Appointment - Letters of Proposed Offer and Contracts [21]
- LOR: Terms and Conditions in Writing (Subsection 5.B.2(C), Laws of the Regents) [6]

C. Special Conditions of Appointment

The Laws of the Regents set forth special conditions for the appointment of faculty, including conditions for the appointment of volunteer clinical faculty at the School of Medicine and senior faculty of the School of Medicine whose salaries are paid by affiliated institutions.

- LOR: Special Conditions of Appointment (Section 5.B.3, Laws of the Regents) [6]

D. Oath Requirement

The Board of Regents has approved policies on the implementation of the statutory oath or affirmation required by Colorado law.

- RA: Resolution to Repeal "Regents' Oath" and Implement Statutory Oath or Affirmation
- CRS: Professors, Instructors, and Teachers in State Institutions of Higher Education to take Oath or Affirmation (CRS §22-61-104)

E. The Immigration Reform and Control Act (IRCA) of 1986

Each campus HR office has its own IRCA policy which meets their needs and is consistent with current laws. For more information, contact your campus HR office.

V. Standards, Processes and Procedures for Appointment, Reappointment, Promotion and Tenure

A. Standards, Processes, and Procedures for Comprehensive Review, Tenure and Promotion

The Administrative Policy Statement titled "Standards, Processes and Procedures for Comprehensive Review, Tenure and Promotion" is to be applied in making appointment, reappointment, tenure and promotion recommendations on all campuses, in all schools and colleges.

- APS: Standards, Processes, and Procedures for Comprehensive Review, Tenure and Promotion (formerly known as Appendix A, Laws of the Regents) [15]
- LOR: Appointment Guidelines (Section 5.B.1(B), Laws of the Regents) [6]
- Regent Policy: Reappointment (to a Tenure-Track Position), Tenure, and Promotion (Policy 5-M) [22]

B. Presidential Review Process

Administrative Policy Statement "Standards, Processes, and Procedures for Comprehensive Review, Tenure and Promotion," defines those circumstances under which the president's office will review individual faculty personnel recommendations made by the campus chancellors and clarifies the relationship of the president's office to the campuses in faculty personnel administration.

- APS: Standards, Processes, and Procedures for Comprehensive Review, Tenure and Promotion (formerly known as Appendix A, Laws of the Regents)

[15]

VI. Tenure

A. Eligibility for Tenured Appointment

The "Standards, Processes, and Procedures for Comprehensive Review, Tenure and Promotion" APS is to be applied in making tenure recommendations on all campuses, in all schools and colleges. Article 5 of the Laws of the Regents sets forth eligibility provisions for tenured appointments.

APS: Standards, Processes, and Procedures for Comprehensive Review, Tenure and Promotion (formerly known as Appendix A, Laws of the Regents) [15]

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- LOR: Eligibility for Tenured Appointment (Subsection 5.B.4, Laws of the Regents) [6]
- Regent Policy: Reappointment (to a Tenure-Track Position), Tenure, and Promotion (Policy 5-M) [22]

B. Tenure Probationary Period

The "Standards, Processes and Procedures for Comprehensive Review, Tenure and Promotion" APS is to be applied in making tenure recommendations on all campuses in all schools and colleges. Article 5 of the Laws of the Regents sets forth provisions for the tenure probationary period.

- APS: Standards, Processes, and Procedures for Comprehensive Review, Tenure and Promotion (formerly known as Appendix A, Laws of the Regents) [15]
- LOR: Tenure Probationary Period (Subsection 5.B.4(D), Laws of the Regents) [6]
- Regent Policy: Reappointment (to a Tenure-Track Position), Tenure, and Promotion (Policy 5-M) [22]

C. Tenure Policies for Librarians

Administrative policy sets forth provisions for the implementation of tenure policies and procedures for librarians (see section XII).

- APS: Standards, Processes, and Procedures for Comprehensive Review, Tenure and Promotion (formerly known as Appendix A, Laws of the Regents) [15]

VII. Evaluation of Faculty

A. Tenure-Track Faculty

The Laws of the Regents set forth provisions for the evaluation of pre-tenured faculty. The APS titled "Performance Ratings for Faculty" distinguishes the process leading to the award of tenure from annual merit performance evaluation.

- APS: Performance Ratings for Faculty [23]
- Regent Policy: Reappointment (to a Tenure-Track Position), Tenure, and Promotion (Policy 5-M) [22]

B. Tenured Faculty (Post-Tenure Review)

1. Promotion

- APS: Standards, Processes, and Procedures for Comprehensive Review, Tenure and Promotion (formerly known as Appendix A, Laws of the Regents) [15]
- LOR: Appointment, Reappointment, Tenure, and Promotion Criteria and Standards for Tenure-Track and Tenured Faculty 5.B.5 [6]
- Regent Policy: Reappointment (to a Tenure-Track Position), Tenure, and Promotion (Policy 5-M) [22]

2. Post-Tenure Review

The Laws of the Regents establish provisions for the periodic valuation of tenured faculty. Administrative policy sets forth policies on post-tenure review and includes procedures for Regular Review, Performance Improvement Agreement, Extension Review, the Development Plan, sanctions and assessment of post-tenure review.

- APS: Post-Tenure Review Policy [24]
- LOR: Evaluation of Faculty-Tenured Faculty (Subsection 5.B.6(B), Laws of the Regents) [6]

C. The Professional Plan for Faculty

Administrative policy sets forth a statement of policies on the Professional Plan for faculty.

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APS: The Professional Plan for Faculty [25]

D. Multiple Means of Teaching Evaluation

Administrative policy sets forth the responsibility of primary units to evaluate the teaching of their individual faculty members for the purpose of making informed decisions regarding all merit-based salary adjustments and reappointment, promotion and tenure actions.

- APS: Multiple Means of Teaching Evaluation [26]

E. Faculty-Course Evaluation

Policies for faculty-course evaluation are set forth in Regent action "Faculty-Course Evaluation."

- Regent Policy: Faculty-Course Evaluation (Regent Policy 4-B) [27]

VIII. Grievances

A. Grievances Involving Reappointment, Tenured Appointment, and/or Promotion

(Note to the Reader: See Section VIII-B for information on grievances not involving reappointment, tenured appointment and/or promotion.)

1. Committee on Privilege and Tenure

The Laws of the Regents set forth provisions on grievances and the role of the Committee on Privilege and Tenure. The Rules of the Faculty Senate set forth rules on the composition, functions and procedures of the Committee on Privilege and Tenure.

- LOR: Faculty Senate Grievance Process(Section 5.C.3, Laws of the Regents) [6]
- Other: Faculty Senate Constitution [28]

2. Panel Procedures for Processing Cases - University Committee on Privilege and Tenure

"Panel Procedures for Processing Cases - University Committee on Privilege and Tenure," defines the scope of panel operations and establishes procedures for commencement of a grievance, investigation of a case (first panel), and termination of proceedings (first panel). Also described are procedures for determining the nature of hearings (second panel), conducting informal hearings (second panel), conducting formal hearings (second panel), and terminating a case. References throughout the "Panel Procedures for Processing Cases - University Committee on Privilege and

Tenure," will ordinarily be to the chancellor only. There may be cases involving the chancellor, however, in which the president may necessarily be the proper person to receive notice.

Panel Procedures for Processing Cases - University Committee on Privilege and Tenure, Faculty Handbook 1988

B. Grievances Not Involving Reappointment, Tenured Appointment, and/or Promotion

The Laws of the Regents set forth provisions on grievances not involving reappointment, tenured appointment, and/or promotion. Faculty members and administrators are encouraged to manage or resolve conflicts through direct communication at the lowest appropriate level. The grievance procedure should be utilized only when informal avenues toward reaching a mutually acceptable resolution have been exhausted.

- LOR: Faculty Senate Grievance Process(Section 5.C.3, Laws of the Regents) [6]

Source URL: http://www.cu.edu/office-academic-affairs/principles-policies-related-appointment-reappointment-promotion-and-tenure

Links:
[1] http://www.cu.edu/ope/policy/aps-5001-equal-employment-opportunity-and-affirmative-action
[2] http://www.cu.edu/regents/policy-10m-commitment-needs-persons-disabilities
[3] http://www.cu.edu/regents/laws-and-policies/regent-laws/article-10-nondiscrimination
[4] http://www.cu.edu/regents/policy-10p-diversity
[5] http://www.cu.edu/ope/policy/aps-5005-faculty-recruitment-and-hiring
[6] http://www.cu.edu/regents/article-5-faculty
[7] http://www.cu.edu/regents/policy-10o-providing-employment-assistance-members-dual-career-couples
[8] http://www.cu.edu/ope/aps-5003-nepotism-employment
[9] http://www.cu.edu/ope/efficiency-and-effectiveness/presidents-task-force-efficiency/aps-5012-conflicts-interest-and
[10] http://www.cu.edu/node/369
[11] http://www.cu.edu/regents/policy-10j-nepotism-and-university-employment
[12] http://www.cu.edu/regents/policy-3b-conflict-interest-university-community
[13] http://www.cu.edu/regents/article-2-regents-university-colorado
[14] http://www.cu.edu/regents/laws-and-policies/regent-laws/article-3-officers-and-exempt-professionals
[15] http://www.cu.edu/ope/policy/aps-1022-standards-processes-and-procedures-comprehensive-review-tenure-and-promotion
[16] http://www.colorado.edu/graduateschool/policies/index.html
[17] http://www.uccs.edu/gradschl/
[18] http://www.ucdenver.edu/academics/colleges/Graduate-School/Pages/default.aspx
[19] http://www.state.co.us/gov_dir/leg_dir/olls/sl1996/sl_180.htm
[20] http://www.lexisnexis.com/hottopics/michie/
[21] http://www.cu.edu/ope/aps-5002-faculty-appointment-process
[22] http://www.cu.edu/regents/policy-5m-reappointment-tenure-track-position-tenure-and-promotion
[23] http://www.cu.edu/ope/policy/aps-5008-performance-ratings-faculty
[24] http://www.cu.edu/ope/policy/aps-1003-post-tenure-review
[25] http://www.cu.edu/ope/policy/aps-1011-professional-plan-faculty
[26] http://www.cu.edu/ope/policy/aps-1009-multiple-means-teaching-evaluation
[27] http://www.cu.edu/regents/policy-4b-faculty-course-evaluation
[28] http://www.cu.edu/faculty-council/faculty-senate-constitution