2.8.3 Negative Reappointment or Promotion Decisions

Formerly Known As Policy Number:
2.8.C

2.8.3(1) General Information

A member of the Tenure Line, Non-Tenure Line, or Medical Center Line faculty whose appointment has no coterminous condition and who holds a renewable appointment for one year shall be notified by March 15 if the appointment is not to be renewed. (For faculty whose appointments have a coterminous condition, see paragraph below.) Failure to give timely notice of non-renewal will entitle the individual to a special reappointment for an additional terminal year. This additional appointment for a terminal year, if granted, does not count toward acquisition of tenure by length of service. (See Section 2.1.4(2) above.)

When a faculty member holding a renewable appointment for more than one year is not given notice of termination or of non-renewal before July 1 of the penultimate year of the contract, the appointee is entitled to a special reappointment for an additional terminal year. This additional appointment for a terminal year, if granted, does not count toward acquisition of tenure by length of service. (See Section 2.1.4(2) above.)

The date specified above by which faculty are to be notified of non-renewal assumes that all appointments expire on August 31 of the academic year. For appointments ending on other dates, an equivalent length of notice should be given. That is, a faculty member holding a one-year renewable appointment should be notified at least five and one-half months prior to the ending date of the appointment if it is not to be renewed. Faculty holding a renewable appointment for more than one year should be notified at least fourteen months prior to the ending date of the appointment. Faculty holding continuing term appointments (i.e., no end date specified) should be notified at least fourteen months prior to the anticipated termination date if he or she is to be terminated for programmatic reasons (including funding considerations) or when satisfactory performance ceases (short of termination for those reasons stated in Section 4.4.2(1) of the Statement of Policy on Appointment and Tenure). Failure to give adequate notice entitles the faculty member to an additional one-year reappointment that does not count toward acquisition of tenure by length of service.

Individuals with coterminous appointments such as those that are ?coterminous with continued salary and other research support from sponsored projects? or coterminous with continued support from an affiliated institution (e.g., ?coterminous with continuation of contract support at SLAC?) are not subject to the same provisions for notice of non-renewal. As a general rule, the appointment (even if for a term of years or for a continuing term) ends at the same time the funding or other support ceases. Although University funding beyond the point at which the faculty member?s support terminates may be possible in certain instances, it is not an entitlement. Such situations are handled on a case-by-case basis, as are cases when a reduction (as opposed to a complete cessation) of the faculty member?s support will result in the immediate termination of the appointment.

2.8.3(2) Communication Concerning Non-Renewal

After a formal decision to terminate a continuing appointment, or not to renew a term appointment, or not to
promote a non-tenured member of the Professoriate, at whatever level, the candidate shall be promptly informed in writing.

In addition, the decision-maker shall set out the grounds for that negative decision in a dated memorandum in enough detail to explain it to one not personally familiar with the case. This memorandum shall be transmitted to all University officers to whom a positive recommendation would have been transmitted, including the Provost. This memorandum is confidential and shall not be shown to the individual. However, at the written request of the candidate submitted to the Provost no later than sixty days after the candidate has been informed of the decision, the substance of the memorandum will be summarized orally or in writing to the candidate by the Provost or a delegate.

Deans and department Chairs should work closely with unsuccessful candidates for reappointment and promotion to address the potentially difficult personal and professional consequences that may accompany the negative decision, as well as to assist in facilitating their successful transition to other academic institutions or opportunities.