



POLICY MANUAL

FACULTY

Number 405

Subject: Tenured and Term Appointments: Evaluation, Promotion and Retention

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405.1 TENURE: INTRODUCTION, RIGHTS CONFERRED, ELIGIBILITY, PRE-TENURE PROBATIONARY PERIOD

1.1 Introduction

Tenure is that provision of employment attained after completion of a pre-tenure probationary period during which the probationer's performance is found to be such as to make him or her an asset to the institution because of his or her abilities as a scholar, a teacher, a researcher, a librarian, an extension faculty member, or a professional career and technical educator. It is the policy of the university to reward such outstanding performance of tenure-eligible faculty members by tenure and/or promotion.

Tenure is a means to certain ends, specifically: freedom of teaching, research, and other academic endeavor, and a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security for faculty are indispensable to the success of a university in fulfilling its obligations to its students and to society.

1.2 Permanence of Appointment Conferred by Tenure

To hold a position with tenure means that appointment to such a position is permanent and is not subject to dismissal or reduction in rank, except as defined in policy 407, and is not subject to termination or reduction in status except as defined in policy 406 or policy 407.5. Tenure is established only in an academic unit as defined in policy 401.2.2. In other units, appointments to tenure ranks are not made and tenure is not granted.

1.3 Eligibility

Only non-tenured individuals holding faculty ranks as defined in policy 401.3 enter the process that leads to the granting of tenure. Except for extraordinary instances, when specific and persuasive justification is provided, tenure will not be awarded to faculty members prior to their advancement to the rank of associate professor, associate librarian, extension associate professor, and professional career and technical education associate professor. Exceptions may be made in order to fulfill the mission of the university, but require petition to and approval by the president. Appointments to all administrative positions are without significance for the achievement of tenure. Administrators with faculty status positions hold their tenure in an academic unit.

Tenure will be awarded only to tenure-eligible faculty. A part-time (50% or more) faculty member appointed to a tenure-eligible rank is tenure-eligible (policy 401.3.1). All provisions of this policy apply to such part-time faculty. The right of permanence conferred by tenure encompasses only the faculty member's part-time appointment. If there is an upward adjustment in the appointment of a tenured or tenure-eligible part-time faculty member, the tenure status is adjusted upward an identical amount.

When a tenured or tenure-eligible faculty member is to hold appointments in two or more academic units, the unit in which tenure is to be awarded must be specified in writing by the department head or supervisor at the time of appointment.

1.4 Pre-tenure probationary period

(1) Normal Period.

The normal pre-tenure probationary period shall be six years. In general, the tenure-track faculty member is eligible for promotion and tenure review in the sixth year from the calendar year in which he or she is appointed. The seventh year is not a probationary year; it is either a year that commences tenure status or a year of employment under a terminal contract.

When the effective date of a tenure-eligible faculty appointment falls between July 1 and December 31, the academic year (policy 404.2) in which the appointment becomes effective shall be the first year of the pre-tenure probationary period. When the effective date of a tenure-eligible faculty appointment falls between January 1 and June 30, the following academic year shall be the first year of the pre-tenure probationary period.

At the time of initial appointment, a tenure-eligible faculty member shall sign a statement that records the final date for tenure consideration for the faculty member. This document shall be signed and approved by the department head or supervisor, academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean, and the provost.

(2) Prior Service.

At the time of appointment to a tenure-eligible position at USU, candidates who have served in a

pre-tenure probationary appointment at another accredited university or college can negotiate with the department head or supervisor, the application of that prior service to the USU pre-tenure probationary period. The agreement must be specified in writing and approved by the department head or supervisor, academic dean and the provost, and, where appropriate, the vice president for extension, chancellor, or regional campus dean.

(3) Leaves of Absence.

An academic year(s) in which leave without pay is taken will not count as part of the faculty member's pre-tenure probationary period. When a tenure-eligible faculty member is on any leave of absence with pay for one or more semesters in an academic year, upon recommendation from the faculty member's department head or supervisor, and the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, the provost may approve an extension of the faculty member's pre-tenure probationary period in cases such as, but not limited to, Family and Medical Leave, Sick Leave, Military Leave, and Jury and Witness leave.

(4) Extension of Pre-tenure Probationary Period.

Even if a leave of absence is not taken, at any time during the tenure process a tenure-eligible faculty member can request an extension of the pre-tenure probationary period for one year for reasons including, but not limited to, medical needs of the faculty member or a family member or family responsibilities (including birth of a child or adoption). This extension may be requested up to two times. Upon recommendation from the faculty member's department head or supervisor, and the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean, the provost may approve an extension of the faculty member's pre-tenure probationary period. During the year in which the pre-tenure probationary period extension is granted, faculty responsibilities may be negotiated. When the faculty member that has extended the pre-tenure probationary period goes forward for tenure, expectations will be no greater than if the tenure extension had not been utilized.

(5) Award of Tenure Prior to the Completion of the Pre-tenure Probationary Service.

When justification is provided by a faculty member's tenure advisory committee, department head or supervisor, and academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean, the president may recommend the granting of tenure to a faculty member at any time.

(6) Transfers.

A tenure-eligible faculty member who transfers permanently from one academic unit to another loses credit toward tenure in the unit from which he or she has transferred. The academic unit to which the faculty member transfers may require service for the full pre-tenure probationary period or the academic unit may accept any or all of the years of satisfactory service completed toward tenure in the former academic unit. The years of service in the former academic unit to be accepted toward tenure in the new academic unit must be agreed upon in advance of the transfer

by the faculty member, the department head or supervisor, the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean, and the provost.

(7) Effective Date.

Tenure shall become effective at the beginning of the university fiscal year immediately following the award of tenure.

405.2 TENURE AND PROMOTION: CRITERIA FOR CORE FACULTY RANKS

2.1 Criteria for Promotion from Instructor to Assistant Professor

Faculty members will be initially appointed to the rank of instructor when they have not yet completed the terminal degree in their field but have demonstrated ability related to the role statement. Promotion to assistant professor requires completion of the terminal degree or its equivalent; demonstrated ability in teaching, research or creative endeavors, extension, professional career and technical education, or other qualifying work; evidence of scholastic promise; and evidence of progressive professional development (policy 401.3.2(2)).

2.2 Criteria for the Award of Tenure and for Promotion from Assistant to Associate Professor

Tenure and promotion from assistant to associate professor are awarded on the basis by which a faculty member performs his or her responsibilities as defined by the role statement. Although tenured and tenure-eligible faculty members are expected to carry out the major university functions of teaching, research or creative endeavors, extension, and service, individual emphasis will vary within and among academic departments as described in each faculty member's role statement. Each candidate must present evidence of effectiveness in all of the professional domains in which he or she performs, and must present evidence of excellence in the major emphasis of his or her role statement.

The criteria for the award of tenure and the criteria for the award of promotion from assistant to associate professor are the same. These criteria include, but are not limited to: an established reputation based upon a balance of teaching, research or creative endeavors, extension, and service; broad recognition of professional success in the field of appointment; evidence of effectiveness in all of the professional domains in which the faculty member performs; and evidence of excellence in the major emphasis of his or her role statement (policies 401.3.2(3) and 405.2.1). Excellence is measured by standards for associate professors within the national professional peer group.

The foregoing criteria are to be applied to the following areas:

(1) Teaching.

Teaching includes but is not limited to all forms of instructional activities: classroom

performance, broadcast and online instruction, mentoring students inside and outside the classroom, student advising and supervision, thesis and dissertation direction, and curriculum development. Documentation supporting teaching performance must include student and peer evaluations, and may include, but is not restricted to: proficiency in curriculum development as demonstrated through imaginative or creative use of instructional materials such as syllabi, instructional manuals, edited readings, case studies, media packages and computer programs; authorship of textbooks; teaching and/or advising awards; authorship of refereed articles on teaching; success of students in post-graduate endeavors; evidence of mentoring inside and outside the classroom, including work with graduate or undergraduate researchers, graduate instructors or undergraduate teaching fellows, applicants for major scholarships or grants, and Honors or other independent study work; recognition by peers of substantive contributions on graduate committees; service on professional committees, panels, and task forces; and invited lectures or panel participation.

(2) Research or Creative Endeavors.

Research or creative endeavors encompass a wide variety of scholarly activities that lead to the advancement of knowledge and/or to original contributions in the arts and humanities. Documentation supporting such activities must include peer recognition of their value and may include, but is not restricted to: publication of books, or monographs, or articles in peer reviewed media; intellectual contributions represented by patents, inventions and other intellectual property; participation in symposia and authorship of chapters in review volumes; creative work in the arts and humanities that receives regional and national recognition; success in competition for extra-mural funding.

(3) Extension.

Extension provides the public, primarily within the state, with research-based information and other university resources. Documentation supporting extension performance must include peer evaluation and may include, but is not restricted to: active programs with various extension constituents; recognition by extension clients for an effective effort; innovative techniques; effective use of the media; publications appropriate to the assignment; responses to requests from private and government entities for advisory help and consulting; publications in peer-reviewed and/or professional media; service on professional committees, panels and task forces; and peer recognition of the value of the extension effort.

(4) Service.

Service activities include but are not limited to: membership in, and leadership of, departmental, college and university committees and organizations; active participation in regional and national professional organizations as evidenced by committee membership and/or by holding elective or appointive office; consulting activities in local, regional, national and international organizations and agencies; public speaking and/or information dissemination involving professional expertise; engagement in local communities. Tenure-eligible faculty must participate in service activities. Although such activities are vital to the mission of the university, they are not expected to constitute a major emphasis in the role statement for tenure-eligible faculty.

2.3 Initial Appointment at the Associate Professor or Professor Ranks without Tenure

Faculty members who are qualified for initial appointments at the ranks of associate professor or professor may be appointed without tenure. The criteria for the award of tenure are the same as those in 405.2.2 above. A written statement attesting to the length of the pre-tenure probationary period is negotiated at the time of appointment and is approved by the department head, academic dean, and, where appropriate, the vice president for extension, chancellor, or the regional campus dean, and the provost.

2.4 Criteria for Promotion from Associate Professor to Professor

In addition to the criteria for promotion to associate professor, i.e., evidence of excellence in the major emphasis of his or her role statement and effectiveness of all other professional domains (section 405.2.2), promotion to the rank of professor shall require an outstanding reputation in at least the major emphasis as defined in the role statement. Excellence is measured by standards for professors within the national professional peer group.

405.3 TENURE AND PROMOTION: CRITERIA FOR LIBRARIANS

3.1 Criteria for Promotion from Affiliate Librarian to Assistant Librarian

Faculty members will be initially appointed to the rank of affiliate librarian when they have completed the terminal degree in Library and Information Science or its equivalent but have less than three years work experience as a professional librarian. Promotion to assistant librarian requires the completion of a terminal degree or its equivalent; a minimum of three years work experience as a professional librarian; demonstrated ability in librarianship, research, or other qualifying work; evidence of scholastic promise; and evidence of professional development (policy 401.3.3(2)).

3.2 Criteria for the Award of Tenure and for Promotion from Assistant to Associate Librarian

Tenure and promotion from assistant to associate librarian are awarded on the basis by which a librarian performs his or her role as defined by the role statement. Although librarians are expected to carry out the major university functions of librarianship, research and creative endeavors, and service, individual emphasis will vary within and among library departments as described in the librarian's role statement. Each candidate must present evidence of effectiveness in all of the professional domains that he or she performs, and must present evidence of excellence in the major emphasis of the role statement.

The criteria for the award of tenure and for promotion from assistant to associate librarian are the same. These criteria include but are not limited to: an established reputation based upon a balance of librarianship, scholarship, and service; broad recognition for professional success in librarianship; evidence for effectiveness in all of the professional domains in which the faculty

member performs; and evidence of excellence in the major emphasis of his or her role statement (policy 404.3(3)). Excellence is measured by standards for associate librarians within the national professional peer group.

The foregoing criteria are to be applied to the following areas:

(1) Librarianship.

Librarianship includes but is not limited to all forms of library activities that contribute to the educational, research, extension, and service mission of the university: identifying, selecting and developing library resources; providing bibliographic control and organizing library material for effective use; preserving and conserving library resources; performing effective reference service by anticipating and understanding user needs and pursuing user queries to satisfactory solutions; initiating new ideas, new technology or alternative approaches to library procedures that improve information resources and/or service; teaching and consulting to encourage and enhance full use of library resources and services, as well as promoting information literacy; supporting research efforts of others through faculty liaison work; and using special knowledge and/or skill, such as subject and bibliographic expertise, and knowledge of a foreign language to enhance library service.

Documentation supporting performance in librarianship must include peer evaluations, and may include, but is not restricted to: proficiency in assigned area of librarianship and areas of subject expertise as demonstrated through imaginative or creative use of up-to-date library/information and instructional materials such as computer programs and utilities, library manuals, reports, bibliographies, indexes, and abstracts; authorship of textbooks; authorship of refereed articles relating to librarianship and/or areas of expertise; recognition for outstanding teaching and/or consultation; recognition by peers of substantive contributions on graduate committees; service on professional committees, panels, and task forces; and invited lectures or panel participation.

(2) Research or Creative Endeavors.

Research or creative endeavors encompass a wide variety of scholarly activities that lead to the advancement of knowledge. Documentation supporting such activities must include peer recognition of their value and may include, but is not restricted to: publication of books, or monographs, or articles in peer reviewed media; intellectual contributions represented by patents, inventions and other intellectual property; participation in symposia and authorship of chapters in state-of-the-art review volumes; creative work using computer/telecommunication technology which receives regional and national recognition; success in competition for extra-mural funding.

(3) Extension.

Extension provides the public, primarily within the state, with research-based information and other university resources. Documentation supporting extension performance may include, but is not restricted to: active library/information support with various extension constituents; recognition by extension clients for an effective effort; innovative techniques; effective use of

the media; publications appropriate to the assignment; responses to requests from private and government entities for advisory help and consulting; publications in peer-reviewed and/or professional media; service on professional committees, panels and task forces; and peer recognition of the value of the extension effort.

(4) Service.

Service activities include but are not limited to: membership in, and leadership of, library, college, and university committees and organizations; active participation in regional and national professional organizations as evidenced by committee membership and/or by holding elective or appointive office; consulting activities in local, regional, national and international organizations and agencies; public speaking and/or information dissemination involving professional expertise; engagement in local communities. Tenure-eligible library faculty must participate in service activities. Although such activities are vital to the mission of the university, they are not expected to constitute a major emphasis in the role statement for tenure-eligible library faculty.

3.3 Initial Appointment at the Associate Librarian or Librarian Ranks without Tenure

Librarians who are qualified for initial appointments at the ranks of associate librarian or librarian may be appointed without tenure. A written statement attesting to the length of the pre-tenure probationary period is negotiated at the time of appointment and is approved by the supervisor, the Dean of the Library, and, where applicable, the chancellor or regional campus dean, and the provost.

3.4 Criteria for Promotion from Associate Librarian to Librarian

In addition to the criteria for promotion to associate librarian, i.e., evidence of excellence in the major emphasis of his or her role statement and effectiveness of all other professional services (section 405.3.2), promotion to the rank of librarian shall require an outstanding reputation in at least the primary area of emphasis as defined in the role statement. Excellence is measured by standards for librarians within the national peer group.

405.4 TENURE AND PROMOTION: CRITERIA FOR FACULTY WITH EXTENSION RANKS

4.1 Criteria for Promotion from Extension Instructor to Extension Assistant Professor

Extension faculty will be initially appointed to the rank of extension instructor when they have not yet completed the terminal degree appropriate for extension faculty, but have met all other criteria for appointment to the rank of extension assistant professor. Promotion to extension assistant professor requires completion of the terminal degree appropriate for extension faculty or its equivalent; demonstrated ability in teaching and development of programs relevant to the identified population; evidence of scholastic promise; and evidence of professional development.

4.2 Criteria for the Award of Tenure and for Promotion from Extension Assistant Professor to Extension Associate Professor

Tenure and promotion from extension assistant professor to extension associate professor are awarded on the basis by which an extension faculty member performs his or her role statement. Although extension faculty are expected to carry out the major university functions of teaching, research or creative endeavors, extension, and service, individual emphasis will vary as described in the extension faculty member's role statement. Each candidate must present evidence of effectiveness in all of the professional domains in which he or she performs and must present evidence of excellence in the major emphasis of his or her role statement.

The criteria for the award of tenure and for promotion from extension assistant professor to extension associate professor are the same. These criteria include but are not limited to: an established reputation based upon a balance of scholarship, teaching, extension, and service; recognition for professional success in the field of appointment; evidence for effectiveness in all of professional domains in which the faculty member performs; and evidence of excellence in the major emphasis of his or her role statement (401.3.4; 405.1). Excellence is measured by national standards within the professional peer group.

The foregoing criteria are to be applied to the following areas:

(1) Teaching.

Teaching includes, but is not limited to, all forms of extension instructional activities: proficiency in identifying the needs of the identified audience as demonstrated through imaginative or creative use of up-to-date instructional methods such as workshops, conferences, classes, lectures, newsletters, media presentations, computer-assisted instruction, authorship of extension bulletins, self-instruction materials; program development awards; service on relevant community committees; invited presentations or panel participation.

(2) Extension.

Extension provides the public, primarily within the state, with research-based information and other university resources. Documentation supporting extension performance may include, but is not restricted to: active programs with various extension constituents, recognition by extension clients for an effective effort; innovative techniques; effective use of the media; publications appropriate to the assignment; responses to requests from private and government entities for advisory help and consulting; publications in peer-reviewed and /or professional media; service on professional committees, panels, and task forces; and peer recognition of the value of the extension effort.

(3) Service.

Service activities include but are not restricted to: membership in and leadership of community, state, and/or national committees relevant to the role statement; committee participation in state, regional, and national professional organizations; consulting activities in local, state, regional,

and national organizations and agencies; public speaking and/or information dissemination involving professional expertise; engagement in local communities.

4.3 Initial Appointment at the Extension Associate Professor or Extension Professor Ranks without Tenure

Faculty members with experience in extension at other accredited colleges or universities may be appointed to the ranks of extension associate professor or extension professor without tenure. The criteria for the award of tenure are the same as those in 405.4.2 above. A written statement attesting to the length of the pre-tenure probationary period is negotiated at the time of appointment and is approved by the supervisor, vice president of extension, and the provost.

4.4 Criteria for Promotion from Extension Associate Professor to Extension Professor

In addition to the criteria for promotion to extension associate professor, promotion to the rank of extension professor shall require an established outstanding reputation for excellence in teaching, development of programs relevant to the identified population, and extension, according to the role statement. Excellence is measured by national standards for extension professors within the professional peer group.

405.5 TENURE AND PROMOTION: CRITERIA FOR PROFESSIONAL CAREER AND TECHNICAL EDUCATION FACULTY RANKS

5.1 Criteria for Promotion from Professional Career and Technical Education Instructor to Professional Career and Technical Education Assistant Professor

Professional career and technical education faculty will be initially appointed to the rank of professional career and technical education instructor when they have not yet completed the associate of science or associate of applied science degree but have six years of applicable work experience at the journeyman level. Up to three years of academic training from an accredited college may be substituted for up to three years work experience. Promotion to professional career and technical education assistant professor requires completion of the associate of science or an associate of applied science degree from an accredited college plus basic industry qualifications; three years full-time teaching experience at an accredited college and evidence of progressive professional development.

5.2 Criteria for the Award of Tenure and for Promotion from Professional Career and Technical Education Assistant Professor to Professional Career and Technical Education Associate Professor

Tenure and promotion from professional career and technical education assistant professor to professional career and technical education associate professor are awarded on the basis by which a faculty member performs his or her assignment. Although professional career and technical education faculty are expected to carry out the major university functions of teaching, research or creative endeavors, and service responsibilities assigned to them, individual emphasis

will vary as described in the faculty member's role statement. Each candidate must present evidence of effectiveness in all of the professional domains in which he or she performs and must present evidence of excellence in the major emphasis of his or her role statement.

The criteria for the award of tenure and for promotion from professional career and technical education assistant professor to professional career and technical education associate professor are the same. These criteria include, but are not limited to: all of the qualifications prescribed for an professional career and technical education assistant professor; a bachelor's degree from an accredited university; a minimum of seven years of full-time teaching at an accredited college; an established reputation based upon a balance of teaching, research or creative endeavors, and service; broad recognition for professional success in the field of appointment; evidence of effectiveness in all of the professional domains in which the faculty member performs; and evidence of excellence in the major emphasis of his or her role statement. Excellence is measured by national standards within the professional peer group.

The foregoing criteria are to be applied to the following areas:

(1) Teaching.

Teaching includes, but is not limited to, all forms of career and technical education instructional activities: classroom performance, student advising and supervision, oversight of independent learning, mentoring students inside and outside the classroom, and curriculum development. Documentation supporting teaching performance must include student and peer evaluations, and may include, but is not restricted to: proficiency in identifying the needs of the identified audience; curriculum development as demonstrated through imaginative or creative use of up-to-date instructional methods materials such as workshops, conferences, classes, lectures, newsletters, syllabi, instructional manuals, assigned readings, case studies, media presentations, packages and computer-assisted instruction, programs; authorship of extension bulletins, self-instruction textbooks or other instructional materials; program development teaching and/or advising awards; authorship of refereed articles on teaching; evidence of mentoring inside and outside the classroom, including work with graduate or undergraduate researchers, graduate instructors or undergraduate teaching fellows, applicants for major scholarships or grants, and Honors or other independent study work; success of students in post-instructional licensing procedures or employment placements; service on professional committees, panels and task forces; and invited presentations or panel participation and professional lectures or consultations.

(2) Service.

Service activities include but are not restricted to: membership in, and leadership of community, state, and/or departmental, college/school and university committees and organizations; active participation in regional and national committees relevant to the role statement; professional organizations as evidenced by committee participation in state, regional, and national professional organizations; membership and/or holding elective or appointive office; consulting activities in local, state, regional, and national and international organizations and agencies; public speaking and/or information dissemination involving professional expertise; engagement in local communities. Tenure-eligible faculty must participate in service activities. Although

such activities are vital to the mission of the university, they are not expected to constitute a major emphasis in the role statement for tenure-eligible faculty.

5.3 Initial Appointment at the Professional Career and Technical Education Associate Professor or Professional Career and Technical Education Professor Ranks without Tenure

Faculty members who are qualified for initial appointment at the ranks of professional career and technical education associate professor or professional career and technical education professor may be appointed without tenure. The criteria for the award of tenure are the same as those in 5.2 above. A written statement attesting to the length of the pre-tenure probationary period is negotiated at the time of appointment and is approved by the department head, academic dean and where appropriate, the chancellor or regional campus dean, and the provost.

5.4 Criteria for Promotion from Professional Career and Technical Education Associate Professor to Professional Career and Technical Education Professor

In addition to the criteria for promotion to professional career and technical education associate professor, promotion to the rank of professional career and technical education professor shall require a master's degree or higher from an accredited university; a minimum of twelve years of full-time teaching experience at an accredited college; an outstanding reputation based upon a balance of scholarship, teaching, and service; national recognition for professional success in professional and technical education; evidence of effectiveness in all of the professional domains in which the faculty member performs; and evidence of excellence in the major emphasis of his or her role statement. Excellence is measured by national standards within the respective professional peer groups.

405. 6 TENURE, PROMOTION AND REVIEW: GENERAL PROCEDURES

6.1 Role Statement and Role Assignment

A role statement will be prepared by the department head or supervisor, and agreed upon between the department head or supervisor and the faculty member at the time he or she accepts an appointment, as indicated by their signatures. The role statement should also be, approved by the academic dean and the provost and where applicable, the chancellor, vice president for extension or regional campus dean, prior to the faculty member's signature, and then signed by the academic dean, and the chancellor, vice president for extension or regional campus dean where applicable. The role statement shall include percentages for each area of professional domains (404.1.2). These percentages will define the relative evaluation weight to be given to performance in each of the different areas of professional domains. Role statements serve two primary functions.

First, the faculty member can gauge his or her expenditure of time and energy relative to the various roles the faculty member is asked to perform in the university. Second, role statements provide the medium by which the assigned duties of the faculty member are described, including

the campus or center location, and by which administrators and evaluation committees can judge and counsel a faculty member with regard to his or her allocation of effort. During the search process, the department head or supervisor will discuss with each candidate his or her prospective role in the academic unit as defined by the role statement.

The role statement shall be reviewed, signed and dated annually by the faculty member and department head or supervisor and academic dean, or, where appropriate, the vice president for extension, chancellor, or regional campus dean and revised as needed. Any subsequent revision may be initiated by either the faculty member or the department head or supervisor. Any revision of the role statement, including the campus or center location, should be mutually agreed to by the faculty member and department head or supervisor and approved by the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean. If agreement cannot be reached, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements before transmitting revised role statements to promotion advisory committee and tenure committees. At the time of the appointment a copy of the role statement, and any later revisions, will be provided to the faculty member, the department head or supervisor, the academic dean or vice president for extension and the provost, and, where applicable, the chancellor or regional campus dean, and the members of the tenure and/or promotion advisory committee.

Some academic units, such as Extension and the Regional and Eastern campuses, may find it useful to employ an annual work plan or “role assignment”. The faculty member's role assignment provides for the detailed implementation of the professional domains of the faculty member described in the role statement. During the annual review, the role assignment may be adjusted within the parameters of the role statement. Major changes in the role assignment may prompt review and revision of the role statement.

6.2 Advisory Committees

(1) Tenure advisory committee (TAC).

For each new tenure-eligible faculty member who is appointed, the faculty member's department head or supervisor shall, in consultation with the faculty member and with the approval of the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, appoint a tenure advisory committee. A tenure advisory committee must be appointed during the faculty member's first semester of service. The committee shall consist of at least five members, one of whom must be from outside the academic unit. The department head or supervisor will designate the chair of the committee. The dean of the college will appoint a tenure advisory committee for department heads appointed without tenure in academic departments. The provost will appoint a tenure advisory committee for deans, vice presidents, or chancellors (where applicable) appointed without tenure.

The tenure advisory committee members shall be tenured and hold rank higher than that held by the faculty member under consideration unless that faculty member is an untenured full professor, librarian, extension professor, or professional career and technical education professor. If there are fewer than five faculty members in the academic unit with higher rank than the

candidate, then the department head or supervisor shall, in consultation with the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, complete the membership of the committee with faculty of related academic units. The department head or supervisor of the candidate shall not serve on the tenure advisory committees, and no committee member may be a department head or supervisor of any other member of the committee. A department head or supervisor may only be appointed to the TAC with the approval of the faculty member under consideration. The department head or supervisor for each committee shall fill vacancies on the committee. In consultation with the faculty member, academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, the department head or supervisor may replace members of the tenure advisory committee. The candidate may request replacement of committee members subject to the approval of the department head or supervisor, and the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean.

The role and responsibility of the TAC is to provide an annual evaluation of a faculty member's progress toward tenure and promotion. The TAC is responsible for providing feedback to the faculty member with regard to progress toward tenure and promotion, and shall recommend (a) to renew the appointment or (b) not to renew the appointment (407.2.1(5)). In the final year of the pre-tenure probationary period, the committee shall recommend (a) awarding promotion and tenure or (b) denying promotion and tenure (407.2.1(5)). At any time during the pre-tenure probationary period, the committee can be asked to render judgment on an administrative proposal to grant promotion and tenure in accordance with Section 405.7.3(1) of the USU Policy Manual. Under those circumstances, the TAC shall recommend (a) to award promotion and tenure or (b) to continue the pre-tenure probationary period.

(2) Promotion advisory committee (PAC).

When a faculty member without tenure is to be considered for promotion, the tenure advisory committee shall also serve as a promotion advisory committee. The term of this committee shall expire when the faculty member is awarded tenure.

Following tenure, if a faculty member so desires, he or she may request in writing to the department head or supervisor that a promotion advisory committee be formed and meet with the faculty member. This shall be done by the department head in consultation with the faculty member and academic dean, or vice president for extension, and, where appropriate, the chancellor or regional campus dean, within 30 days of receipt of the written request. The promotion advisory committee must be formed by February 15th of the third year following tenure and it is recommended that the informational meeting outlined in 405.8.2(1) below be held at this time.

The promotion advisory committee shall be composed of at least five faculty members who have tenure and higher rank than does the faculty member. The department head or supervisor shall appoint a chair other than him or herself. Normally, two academic unit members of higher rank who have served on the candidate's tenure advisory committee shall be appointed to the promotion advisory committee, and at least one member shall be chosen from outside the academic unit. If there are fewer than four faculty members in the academic unit with higher

rank than the candidate, then the department head or supervisor shall, in consultation with the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, complete the membership of the committee with faculty of related academic units. Department heads and supervisors of the candidate shall not serve on promotion advisory committees, and no committee member may be a department head or supervisor of any other member of the committee. A department head or supervisor may only be appointed to the promotion advisory committee in unusual circumstances and with the approval of the faculty member under consideration. The appointing authority for each committee shall fill vacancies on the committee as they occur. In consultation with the faculty member and academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, the department head or supervisor may replace members of the promotion advisory committee. The candidate may request removal of committee members subject to the approval of the department head or supervisor and the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean.

When a department head or supervisor is being considered for promotion, the appropriate dean, or vice president for extension shall appoint the promotion advisory committee; when a dean, vice president, or chancellor is being considered for promotion, the provost shall appoint the promotion advisory committee.

6.3 Candidate's File

The candidate is responsible for keeping his or her professional file current and complete. This file is the primary source of information for the tenure advisory committee or promotion advisory committee. The file should include thorough documentation related to the responsibilities outlined in the role statement.

Other materials that provide information or data of consequence to the formal review of the candidate should be added to the candidate's file as supplementary material before the tenure advisory committee's annual meeting. The candidate is entitled to review this supplementary material upon request, with the exception of peer review letters. If a candidate wishes to comment on any item in this supplementary material, the candidate's written comment must be added prior to the annual meeting of the tenure advisory committee. The same will hold true for files of faculty submitted for promotion.

6.4 University Records: Access

A faculty member has the right to examine, upon request, university records maintained or retrievable under his or her name or identifying number. University records maintained or retrievable under a faculty member's name or identifying number shall be open to inspection only by the president and administrative officers or persons to whom the president delegates in writing the power to inspect such records. Other persons shall not be permitted to examine such records except as required by law.

6.5 Ombudspersons

All academic units will appoint ombudspersons to serve in the promotion, tenure, and post-tenure review processes. Ombudspersons will be tenured faculty members (as defined in section 401.2.1) and elected or appointed in their respective academic units. The provost's office will develop and implement a plan for the ombudsperson program that defines the election or appointment process, the terms of office, the training, and the implementation of the ombudsperson program.

An ombudsperson must be present in person or by electronic conferencing at all meetings of a promotion advisory committee or a tenure advisory committee. Ombudspersons must receive adequate advance notice of a committee meeting from the chairperson.

For post-tenure review meetings and for meetings held between either the department head or supervisor and the tenure, promotion, or review candidate to review the committee's evaluation and recommendation, the candidate or department head or supervisor may request the presence of an ombudsperson.

The ombudsperson is responsible for ensuring that the rights of the candidate and the university are protected and that due process is followed according to section 400 of the USU Policy Manual. Ombudspersons shall not judge or assess the candidate, and therefore is not a member of the promotion, tenure, or review committee, or a supervisor of the candidate.

Ombudspersons who observe a violation of due process during a committee meeting should immediately intervene to identify the violation. Committee reports shall be submitted to the department head or supervisor only if they include the ombudsperson's signed statement that due process has been followed. If the ombudsperson cannot sign such a statement, then the ombudsperson shall report irregularities to the department head or supervisor and the appropriate dean or other administrator. After conferring with the ombudsperson, the department head or supervisor, dean or other administrator will determine what, if any, actions should be taken.

405.7 PROCEDURES SPECIFIC TO THE TENURE PROCESS

7.1 Annual Event

(1) Meetings of the tenure advisory committee.

An initial meeting of the committee shall be held to acquaint the candidate with the members, to discuss the professional plans of the candidate, to review the role statement, and to initiate an annual review of the candidate's progress. An ombudsperson must be present in person or by electronic conferencing at all meetings of the tenure advisory committee in accordance with policy 405.6.5. All tenure advisory committee members shall participate interactively in all committee meetings, either physically or by electronic conferencing, at the appointed date and time.

(2) Evaluation and recommendation by the tenure advisory committee.

After the initial meeting, the tenure advisory committee shall meet with the candidate at least annually and review the candidate's file to evaluate progress toward tenure. An ombudsperson must be present in person or by electronic conferencing at all meetings of the tenure advisory committee in accordance with policy 405.6.5. The committee will submit, each year, a written report to the department head or supervisor. This report shall be submitted by December 1 for first-year and second-year appointees, by October 26 for third-year appointees, and by December 1 during subsequent years. Except in the year in which the tenure decision must be made, the report shall include an evaluation of the candidate's progress toward tenure and identify areas for improvement in the candidate's performance as necessary. The report shall also contain a recommendation regarding the renewal or nonrenewal of the appointment (405.6.2(1); 407.7). Copies of all reports signed by the committee members shall be provided to the candidate, the department head or supervisor, the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean. A copy shall be placed in the candidate's file.

(3) Evaluation and recommendation by the department head or supervisor.

The department head or supervisor shall, after receiving the tenure advisory committee report, meet annually with the candidate to review fulfillment of the role statement and evaluate progress toward tenure. For meetings held between either the department head or supervisor and the candidate to review the committee's evaluation and recommendation, the candidate or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. Subsequently, the department head or supervisor shall submit in writing to the academic dean, or vice president for extension, chancellor or regional campus dean, an evaluation of the candidate indicating where satisfactory progress is being made and where improvement is needed. The department head or supervisor may recommend the nonrenewal of the appointment of the faculty member. This report shall be submitted by December 18 for first-year and second-year appointees, by November 10 for third-year appointees, and by December 18 during subsequent years. Copies will be provided to the candidate and the tenure advisory committee. A copy shall be placed in the candidate's file.

7.2 Additional Events During the Year in which a Tenure Decision is to be Made

(1) External peer reviews.

Prior to September 15, the department head or supervisor will make a solicitation of letters from at least four peers of rank equivalent to or higher than that sought by the candidate. If fewer than four letters arrive, additional letters will be solicited only to attain the minimum of four letters. The reviewers must be external to the university and must be held with respect in academe. The candidate will be asked to submit the names of potential reviewers and to state the nature of his or her acquaintance with each of them. The number of names should be at least equal to the number of letters to be solicited. At least one-half of the reviewers must be selected from the candidate's list. The candidate may also submit names of potential reviewers that he or she does not want contacted, although this list is not binding on the department head or supervisor.

The department head or supervisor and the tenure advisory committee shall mutually agree to the peer reviewers from whom letters will be solicited. A summary of the pertinent information in

his or her file initially prepared by the candidate and a cover letter initially drafted by the department head or supervisor with final drafts mutually agreed upon by the candidate, the tenure advisory committee, and the department head or supervisor shall be sent to each reviewer by the department head or supervisor. Each external reviewer should be asked to state, the nature of his or her acquaintance with the candidate and to evaluate the performance, record, accomplishments, recognition and standing of the candidate in the major area of emphasis of his or her role statement. If the candidate, department head, and tenure advisory committee all agree, external reviewers may be asked to evaluate the secondary area of emphasis in the role statement as well. Copies of these letters will become supplementary material to the candidate's file (see Code 405.6.3).

Under exceptional circumstances, a waiver of the external review process may be granted by the president when such a process is operationally not feasible for a particular set of academic titles and ranks.

(2) Evaluation and recommendation by the tenure advisory committee.

The tenure advisory committee shall review and evaluate the candidate for tenure, based on the information in his or her file including external peer reviews. The committee shall make a decision with respect to its tenure recommendation by a majority vote and the names of those for and against shall be recorded. The committee members will support this decision with a letter to the department head or supervisor, and shall include in that letter a report of the committee vote by name along with appropriate summaries and interpretations of the documents, and may include both majority and minority views, if any, on which their decision was made. The letter is to be prepared by the chair of the tenure advisory committee, presenting the committee's decision, and is to be signed by the committee, and sent to the department head or supervisor prior to December 1, except that for third-year appointees the date is October 26. Minority positions, if any, may be documented in separate letters. A copy of the tenure advisory committee's letter(s) shall be sent to the candidate at the same time that it is sent to the next level of review and placed in his or her file.

(3) Evaluation and recommendation by the department head or supervisor.

After reviewing the candidate's dossier and the recommendation of the tenure advisory committee, the department head or supervisor shall prepare a separate recommendation. For meetings held between either the department head or supervisor and the candidate to review the committee's evaluation and recommendation, the candidate or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. The recommendations of the department head or supervisor and the tenure advisory committee shall be transmitted to the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean by December 15, except that for third-year appointees the date is November 10. A copy of the department head or supervisor's letter shall be provided to the tenure advisory committee, sent to the candidate, and placed in his or her file at the time that his or her recommendation is transmitted to the next level of review.

(4) Evaluation and recommendation by the academic dean or vice president for extension, and,

where applicable, the chancellor or regional campus dean.

The academic dean or vice president for extension will send his or her own recommendation, the department head's recommendation, and the tenure advisory committee's recommendation to the provost on or before January 11, except that for third-year appointees the date is November 20. The regional campus dean will also submit a recommendation for each regional campus candidate, and likewise, the chancellor of USU-Eastern will submit a recommendation for each USU-Eastern candidate. These recommendations may be submitted jointly with the academic dean's recommendation. Copies of letters from the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean shall be sent to the tenure advisory committee and the candidate, department head or supervisor, and placed in his or her file at the time that these recommendations are transmitted to the next level of review.

Should the academic dean, vice president for extension, chancellor, or regional campus dean choose to convene an ad hoc advisory committee to review tenure and promotion recommendations under his or her purview, the members of this committee shall have tenure and rank equal to or greater than that sought by the candidate. The department head or supervisor, of the candidate shall not serve on this committee. The academic dean, director, vice-president for extension, chancellor, or regional campus dean, shall chair the committee. Any such advisory committee formed shall also utilize an ombudsperson, and the names of the members of the committee shall be made known to the faculty of the academic unit.

(5) Further evaluation and recommendation.

The provost shall convene a committee including the vice president for research and dean of the school of graduate studies, the vice president for extension, and others of his or her choosing. The president may attend and participate in meetings of the committee. All members must hold the rank of professor with tenure.

The provost shall make available to all members of the committee the candidate's file. After a thorough review and discussion of the dossier, the provost will report the collective recommendation of this committee to the president.

The president shall review the committee's recommendations prior to making his or her recommendations. The president shall submit any recommendation to award tenure to the Board of Trustees prior to the April Board of Trustees meeting. The president shall inform the candidate in writing upon approval of tenure by the Board of Trustees. The academic dean or vice president for extension, department head or supervisor, tenure advisory committee, and, where appropriate, the chancellor or regional campus dean, will also be notified of the action.

The president shall notify the provost, director (where applicable), academic dean or vice president for extension, department head or supervisor, tenure advisory committee, and, where appropriate, the chancellor or regional campus dean, and the candidate in writing of the president's decision to deny tenure no later than April 15. For candidates in their third year, the deadline is December 10th.

Once a decision has been reached, the provost will meet with the tenure advisory committee and with those administrators whose recommendations were not accepted. The provost will also, at the request of the candidate, meet collectively with the candidate, the chair of the tenure advisory committee, the department head or supervisor, academic dean, vice president for extension, and, where appropriate, the chancellor or regional campus dean, to discuss the candidacy and the decision.

7.3 Exceptional Procedure

(1) Administrative nominations for tenure.

The department head or supervisor, academic dean, vice president for extension, and, where appropriate, the chancellor or regional campus dean, provost or president may propose the granting of tenure. Such a proposal shall be referred to the tenure advisory committee for consideration and all procedures of policy 405.6 and 405.7.2 shall be followed with the exception that the timetable therein may be waived.

(2) Transfers of tenured faculty.

A faculty member with tenure who transfers permanently from one academic unit to another forfeits tenure in the unit from which he or she has transferred. The academic unit to which the faculty member transfers determines the rank with which the faculty member will transfer and may require service for a pre-tenure probationary period appropriate to the faculty member's academic rank or may accept any or all of the years of satisfactory service completed toward tenure in the former academic unit, provided that in no case shall the pre-tenure probationary period exceed three years. Credit for service in the former academic unit to be accepted toward tenure in the new academic unit must be agreed upon in advance of the transfer by the faculty member, the department head or supervisor, academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, and the provost.

405.8 PROCEDURES SPECIFIC TO THE PROMOTION PROCESS

8.1 Faculty without Tenure

(1) Instructors, affiliate librarians, extension instructors, and professional career and technical education instructors.

Instructors, affiliate librarians, extension instructors, and professional career and technical instructors, shall be promoted to the ranks of assistant professor, assistant librarian, extension assistant professor, professional career and technical education assistant professor, respectively, once the criteria in 405.2.1, 405.3.1, 405.4, or 405.5.1 have been met.

(2) Assistant professors, assistant librarians, extension assistant professors, and professional career and technical education assistant professors

Assistant professors, assistant librarians, extension assistant professors, and professional career and technical education assistant professors shall be promoted to the ranks of associate professor, associate librarian, extension associate professor, and professional career and technical education associate professor, respectively when tenure is granted.

8.2 Faculty with Tenure

The promotion advisory committee shall meet upon request of the faculty member, or in no case later than February 15 of the third year following tenure, to consider a recommendation for promotion.

The department head or supervisor, academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean, provost, or president may propose promotion. Such a proposal shall be referred to the promotion advisory committee for consideration and all procedures of 405.8.3 shall be followed.

(1) Meetings of the promotion advisory committee

When the promotion advisory committee, formed by the department head or supervisor in consultation with the faculty member and with the approval of the chancellor or regional campus dean (where applicable) and the academic dean, meets for the first time, the purpose of this meeting, similar to the first tenure meeting, will be to ensure that an appropriate role statement is in place and to provide information to the faculty member about promotion to the rank of professor. This information could include historical information about the records of the last several department members promoted to professor or information about the committee's understanding of what is necessary for promotion to professor. All promotion advisory committee members shall participate interactively in all committee meetings, either physically or by electronic conferencing, at the appointed date and time. Ombudspersons must be present in person or by electronic conferencing. Subsequent to this first meeting the faculty member may request additional meetings with the promotion advisory committee if desired.

When the faculty member is ready to be considered for promotion to professor, the promotion advisory committee shall meet, upon request of the faculty member, to consider a recommendation for promotion to professor the following fall. This initial meeting shall take place by February 15, approximately six months before the faculty member submits materials for consideration and review.

(2) Report of the promotion advisory committee

After meeting with the faculty member for the first time, the promotion advisory committee shall write a letter in which it reports on the guidance given to the faculty member. The primary purpose of this report is not to evaluate the faculty member but to inform the department head or supervisor of the information and guidance provided to the faculty member about promotion to professor. Department heads, supervisors, academic deans, the vice president for extension, or, where appropriate, the chancellor or regional campus dean, may not use this letter as an evaluation of a faculty member's progress towards professor unless the faculty member

explicitly requests that the meeting be evaluative and chooses to provide a curriculum vita to the committee. Copies of the report signed by the committee members shall be provided to the faculty member, the department head or supervisor, the academic dean, or vice president for extension, and, where appropriate, the chancellor or regional campus dean. If this meeting occurs in the fifth year, the letter should cover both the requirements of post tenure review (see policy 405.12) and the summary of the guidance given to the faculty member as outlined above.

(3) Report of the department head or supervisor

Subsequently, the department head or supervisor shall submit in writing to the academic dean, vice president for extension, and, where appropriate, the chancellor or regional campus dean, a summary of the information and guidance provided to the faculty member about promotion to professor. If the faculty member has asked to be considered for promotion to professor, then this letter would also include an evaluation of the candidate's progress towards promotion to professor and identify any areas of improvement in the candidate's performance, as necessary. Copies will be provided to the faculty member and the promotion advisory committee. This letter should be delivered to the faculty member, academic dean or vice president of extension, and, where appropriate, the chancellor or regional campus dean, no later than 30 days following the meeting with the promotion advisory committee.

8.3 Procedures for Promotion

(1) External peer reviews.

Prior to September 15, the department head or supervisor will solicit letters from at least four peers of rank equivalent to or higher than that sought by the candidate. If fewer than four letters arrive, additional letters will be solicited only to attain the minimum of four letters. The reviewers must be external to the university and must be held with respect in academe. The candidate will be asked to submit the names of potential reviewers and to state the nature of his or her acquaintance with each of them. The number of names should be at least equal to the number of letters to be solicited. At least one-half of the reviewers must be selected from the candidate's list. The candidate may also submit names of potential reviewers that he or she does not want contacted, although this list is not binding on the department head or supervisor.

The department head or supervisor and the promotion advisory committee shall mutually agree to the peer reviewers from whom letters will be solicited. A summary of the pertinent information in his or her file initially prepared by the candidate and a cover letter initially drafted by the department head or supervisor with final drafts mutually agreed upon by the candidate, the promotion advisory committee, and the department head or supervisor shall be sent to each reviewer by the department head or supervisor. Each external reviewer should be asked to state the nature of his or her acquaintance with the candidate, and to evaluate the performance, record, accomplishments, recognition and standing of the candidate in the major area of emphasis of his or her role statement. If the candidate, department head, and promotion advisory committee all agree, external reviewers may be asked to evaluate the secondary area of emphasis in the role statement as well. Copies of these letters will become supplementary material to the candidate's file.

Under exceptional circumstances, a waiver of the external review process may be granted by the president when such a process is operationally not feasible for a particular set of academic titles and ranks.

(2) Evaluation and recommendation by the promotion advisory committee.

The promotion advisory committee shall review and evaluate the candidate for promotion, based on the information in his or her file including external peer reviews. An ombudsperson must be present in person or by electronic conferencing at all meetings of the promotion advisory committee in accordance with policy 405.6.5. The committee members shall make a decision with respect to its promotion recommendation by a majority vote and the names of those for and against shall be recorded. The committee will support this decision with a letter to the department head or supervisor, and shall include in that letter a report of the committee vote by name along with appropriate summaries and interpretations of the documents, and may include both majority and minority views, if any, on which their decision was made. The letter is to be prepared by the chair of the committee, presenting the committee's decision, and is to be signed by the committee, and sent to the department head or supervisor prior to December 1. Minority positions, if any, may be documented in separate letters. A copy of the tenure advisory committee's letter(s) shall be sent to the candidate at the same time that it is sent to the next level of review and placed in his or her file.

(3) Evaluation and recommendation by the department head or supervisor.

After reviewing the candidate's dossier and the recommendation of the promotion advisory committee, the department head or supervisor shall prepare a separate recommendation. For meetings held between either the department head or supervisor and the candidate to review the committee's evaluation and recommendation, the candidate or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. The recommendations of the department head or supervisor and the promotion advisory committee shall be transmitted to the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean by December 15. A copy of the department head or supervisor's letter shall be provided to the promotion advisory committee, sent to the candidate, and placed in his or her file at the time that his or her recommendation is transmitted to the next level of review.

(4) Evaluation and recommendation by the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean.

The academic dean or vice president for extension will send his or her own recommendation, the department head's or supervisor's recommendation, and the promotion advisory committee's recommendation to the provost on or before January 11. The regional campus dean will also submit a recommendation for each regional campus candidate, and likewise, the chancellor of USU-Eastern will submit a recommendation for each USU-Eastern candidate. These recommendations may be submitted jointly with the academic dean's recommendation. Copies of letters from the academic dean or vice president for extension, and, where applicable, the

chancellor or regional campus dean shall be sent to the promotion advisory committee and the candidate, department head or supervisor, and placed in his or her file at the time that these recommendations are transmitted to the next level of review.

Should the academic dean, vice president for extension, chancellor, or regional campus dean choose to convene an ad hoc advisory committee to review promotion recommendations under his or her purview, the members of this committee shall have tenure and rank equal to or greater than that sought by the candidate. The department head or supervisor, of the candidate shall not serve on this committee. The academic dean, director, vice-president for extension, chancellor, or regional campus dean, shall chair the committee. Any such advisory committee formed shall also utilize an ombudsperson, and the names of the members of the committee shall be made known to the faculty of the academic unit.

(5) Further evaluation and recommendation.

The provost shall convene a committee including the vice president for research and dean of the school of graduate studies, the vice president for extension, and others of his or her choosing. The president may attend and participate in meetings of the committee. All members must hold the rank of professor with tenure.

The provost shall make available to all members of the committee the candidate's file. After a thorough review and discussion of the dossier, the provost will report the collective recommendation of this committee to the president.

The president shall review the committee's recommendations prior to making his or her recommendations. The president shall submit any recommendation to promote to the Board of Trustees prior to the April Board of Trustees meeting. The president shall inform the candidate in writing upon approval of promotion by the Board of Trustees. The academic dean or vice president for extension, department head or supervisor, promotion advisory committee, and, where appropriate, the chancellor or regional campus dean, will also be notified of the action. The president shall notify the provost, academic dean or vice president for extension, department head or supervisor, promotion advisory committee, and, where appropriate, the chancellor or regional campus dean, and the candidate in writing of the president's decision to deny tenure no later than April 15.

Once a decision has been reached, the provost will meet with the promotion advisory committee whose recommendations were not accepted in order to review the reasons for the decision. The provost will also, at the request of the candidate, meet collectively with the candidate, the department head or supervisor, academic dean vice president for extension, and, where appropriate, the chancellor or regional campus dean, to discuss the reasons for the decision.

405.9 TERM APPOINTMENTS: ELIGIBILITY

Only individuals holding ranks as defined in policy 401.4 are eligible for term appointments.

405.10 TERM APPOINTMENTS AND PROMOTION: CRITERIA

10.1 Criteria for Promotion to the Penultimate Ranks:

Clinical or Research Assistant Professor, Assistant Professor (Federal Cooperator), Assistant Professor (Federal Research), Lecturer, Professional Practice Instructor to Clinical or Research Associate Professor, Associate Professor (Federal Cooperator), Associate Professor (Federal Research), Senior Lecturer, and Professional Practice Associate Professor

Promotion to the penultimate ranks is awarded on the basis by which a faculty member performs his or her role statement. Each candidate must present evidence of effectiveness in all of the professional domains in which he or she performs and must present evidence of excellence in the major emphasis of his or her role statement.

For promotion to the penultimate ranks, faculty members must demonstrate their ability to fulfill the following criteria, appropriate to their appointment:

(1) Teaching.

Teaching includes all forms of instructional activities: classroom performance, mentoring students inside and outside the classroom, student advising, clinical supervision, thesis and dissertation direction, and curriculum development. Evidence supporting teaching performance must include student and peer evaluations where appropriate, and may include, but is not restricted to: proficiency in curriculum development as demonstrated through imaginative or creative use of up-to-date instructional materials such as syllabi, instructional manuals, edited readings, case studies, media packages, and computer programs; authorship of textbooks; teaching and/or advising awards; authorship of refereed articles on teaching; success of students in post-graduate endeavors; evidence of mentoring inside or outside the classroom, including work with graduate or undergraduate researchers, graduate instructors or undergraduate teaching fellows, applicants for major scholarships or grants, and Honors or other independent study work; recognition by peers of substantive contributions on graduate committees; service on professional committees, panels, and task forces; invited lectures or panel participation.

(2) Research or Creative Endeavors.

Research encompasses a wide variety of scholarly activities that lead to the advancement of knowledge. Evidence supporting such activities must include peer recognition of their value and may include, but is not restricted to: publication of books, monographs, or articles in peer-reviewed media; invitations to participate in symposia and to write chapters in state-of-the-art review volumes; and success in competition for extramural funding.

(3) Service (applicable to all ranks).

Although service activities are vital to the mission of the university, they are not expected to constitute a major percentage of his or her role statement for term appointment faculty. Service

activities include: membership in, and leadership of, departmental, college, and university committees and organizations; committee participation in regional and national professional organizations; consulting activities in local, regional, national, and international, organizations and agencies; public speaking and/or education involving professional expertise; engagement in local communities.

10.2 Criteria for Promotion Beyond the Penultimate Rank

In addition to the criteria for promotion to the penultimate ranks, further promotion shall require an established reputation for excellence in teaching, and/or research and service, according to the role statement. Excellence is to be judged by national standards within the professional peer group.

10.43 Promotion of Faculty with Term Appointment

Faculty with term appointments may request promotion to the next highest rank at any time.

405.11 TERM APPOINTMENT: GENERAL PROCEDURES FOR PROMOTION

11.1 Role Statement and Role Assignments

A role statement will be prepared by the department head or supervisor, agreed upon between the department head or supervisor and the faculty member at the time he or she accepts an appointment, and approved by the academic dean and the provost and, where applicable, the chancellor, vice president for extension or regional campus dean. In determining the role statement, consideration shall be given to all forms of professional service (policy 404.1.2). Role statements provide the medium by which the assigned duties of the faculty member are described and by which administrators and promotion evaluation committees can judge a faculty member with regard to his or her performance. During the search process, the department head or supervisor will discuss with each candidate his or her prospective role in the academic unit as defined by the role statement.

The role statement shall be reviewed annually and shall be revised as needed. The process of revision may be initiated by either the faculty member or the department head or supervisor. Any revision of the role statement should be mutually agreed to by the faculty member and department head or supervisor and approved by the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean. If agreement cannot be reached, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements before transmitting revised role statements to promotion advisory committees. A copy of the role statement, and any later revisions, will be provided to the faculty member, the department head or supervisor, the academic dean or vice president for extension and the provost, and where applicable, the chancellor or regional campus dean, and the members of the tenure and/or promotion advisory committee.

Some academic units may find it useful to employ an annual work plan or “role assignment”.

The faculty member's role assignment provides for the detailed implementation of the professional services domains of the faculty member described in the role statement. During the annual review, the role assignment may be adjusted within the parameters of the role statement. Major changes in the role assignment may prompt review and revision of the role statement.

11.2 Promotion Advisory Committee

When a faculty member with term appointment is being considered for promotion, the department head or supervisor shall, in consultation with the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean appoint a promotion advisory committee of at least five faculty members who have higher rank than does the candidate for promotion, a majority of whom are tenured. The department head or supervisor shall appoint a chair other than him or herself. The promotion advisory committee shall be appointed during the fall semester of the year upon the request of the faculty member who seeks promotion. At least one member shall be chosen from outside the academic unit. If there are fewer than five qualified faculty members in the academic unit, the department head or supervisor shall, in consultation with the academic dean, or vice president for extension, and, where applicable, the chancellor or regional campus dean, fill the vacancies with qualified faculty of related academic units. The department head or supervisor for each committee shall fill vacancies on the committee. The department head or supervisor may, with the approval of the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean, replace members of the promotion advisory committee. The candidate may request removal of committee members subject to the approval of the department head or supervisor and the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean.

11.3 Candidate's File

The candidate is responsible for keeping his or her professional file current and complete. This file is the primary source of information for the promotion advisory committee. The file should include thorough documentation of all domains of professional service, in accord with the role statement.

Any other written statements, from whatever source, which are intended to provide information or data of consequence to the formal review of the candidate, should be added to the candidate's file as supplementary material before the promotion advisory committee's meeting. The candidate is entitled to review this supplementary material upon request, with the exception of peer review letters designated confidential by the author(s). If a candidate wishes to comment on any item in this supplementary material, the candidate's written comment must be added prior to the meeting of the promotion advisory committee.

11.4 Events During the Year in which a Promotion Decision is to be Made

(1) External peer reviews

Prior to September 15, the department head or supervisor will make a single solicitation of letters

from at least four peers of rank equivalent to or higher than that sought by the candidate. If less than four letters arrive, additional letters will be solicited to attain the minimum of four letters. The reviewers must be external to the university and must be respected in their fields. The candidate will be asked to submit the names of potential reviewers and to state the nature of his or her acquaintance with each of them. The number of names should be at least equal to the number of letters to be solicited. At least one-half of the reviewers must be selected from candidate's list. The department head or supervisor and the promotion advisory committee shall mutually agree to the peer reviewers from whom letters will be solicited. A summary of the pertinent information in his or her file initially drafted by the department head or supervisor, with final drafts agreed upon by the candidate, the promotion advisory committee, and the department head or supervisor, shall be sent to each reviewer by the department head or supervisor. Each reviewer should be asked to state at the very least the nature of his or her acquaintance with the candidate, and to evaluate the candidate's work, recognition, and standing among his or her peers. Copies of these letters will become supplementary material to the candidate's file. The external review process is not required for those seeking promotion in the lecturer ranks.

Under exceptional circumstances, a waiver of the external review process may be granted by the president when such a process is operationally not feasible for a particular set of academic titles and ranks.

(2) Evaluation by the promotion advisory committee.

The promotion advisory committee shall review and evaluate the candidate for a promotion, based on the information in his or her file including external peer reviews where applicable. An ombudsperson must be present in person or by electronic conferencing at all meetings of the promotion advisory committee in accordance with policy 405.6.5. The committee shall make a decision with respect to its recommendation for promotion by a recorded vote. The committee will support this decision with a letter to the department head or supervisor, and shall include in that letter a report of the committee vote by name along with appropriate summaries and interpretations of the documents, and may include both majority and minority views, if any, on which their decision was made. The letter is to be prepared by the chair of the committee, presenting the committee's decision, and is to be signed by the committee and sent to the department head or supervisor prior to December. Minority views, if any, may be documented in separate letters. A copy of the promotion advisory committee's letter(s) shall be sent to the candidate at the same time that it is sent to the next level of review and placed in his or her file.

(3) Evaluation and recommendation by the department head or supervisor.

After reviewing the candidate's dossier and the recommendation of the promotion advisory committee, the department head or supervisor shall prepare a recommendation. For meetings held between either the department head or supervisor and the candidate to review the committee's evaluation and recommendation, the candidate or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. The recommendations of the department head or supervisor and the promotion advisory committee shall be transmitted to the academic dean or vice president for extension, and where applicable, the chancellor or regional campus dean by December 15. A copy of the department head or

supervisor's letter shall be provided to the promotion advisory committee, sent to the candidate, and placed in his or her file at the time that his or her recommendation is transmitted to the next level of review.

(4) Evaluation by the academic dean, or vice president for extension, and, where applicable, the chancellor or regional campus dean.

The academic dean or vice president for extension will send his or her own recommendation, the department head's or supervisor's recommendation, and the promotion advisory committee's recommendation to the provost on or before January 11. The regional campus dean will also submit a recommendation for each regional campus candidate, and likewise, the chancellor of USU-Eastern will submit a recommendation for each USU-Eastern candidate. These recommendations may be submitted jointly with the academic dean's recommendation. Copies of letters from the academic dean or vice president for extension, and, where applicable, the chancellor or regional campus dean shall be sent to the promotion advisory committee and the candidate, department head or supervisor, and placed in his or her file at the time that these recommendations are transmitted to the next level of review. The academic dean, vice president for extension, chancellor, or regional campus dean may convene an ad hoc advisory committee to review promotion recommendations for faculty with term appointments. The members of this committee shall not have appointments that are primarily administrative, including that of department head or supervisor. The majority of the committee members shall be tenured. The academic dean or vice president for extension, chancellor, or regional campus dean shall chair the committee.

(5) Further evaluation and recommendation.

The provost shall convene a committee including the vice president for research and dean of the school of graduate studies, the vice president for extension, and others of his or her choosing. The president may attend and participate in meetings of the committee. All members must hold the rank of professor with tenure. The provost shall make available to all members of the committee the candidate's file. After a thorough review and discussion of the dossier, the provost will report the collective recommendation of this committee to the president.

The president shall review the committee's recommendations prior to making his or her recommendations. The president shall submit any recommendation to promote to the Board of Trustees prior to the April Board of Trustees meeting. The president shall inform the candidate in writing upon approval of promotion by the Board of Trustees. The academic dean or vice president for extension, department head or supervisor, promotion advisory committee, and where appropriate, the chancellor or regional campus dean, will also be notified of the action. The president shall notify the provost, academic dean or vice president for extension, department head or supervisor, promotion advisory committee, and, where appropriate, the chancellor or regional campus dean, and the candidate in writing of the president's decision to deny a promotion no later than April 15. For candidates in their third year, the deadline is December 10th.

Once a decision has been reached, the provost will meet with the promotion advisory committee whose recommendation was not accepted in order to review the application and the decision. The

provost will also, at the request of the candidate, meet collectively with the candidate, the chair of the promotion advisory committee, the department head or supervisor, academic dean, vice president for extension, and, where appropriate, the chancellor or regional campus dean, to discuss the candidacy and the decision.

11.5 Exceptional Procedures

The department head or supervisor, academic dean or vice president for extension, and, where appropriate, chancellor, or regional campus dean, provost or president may propose the granting of a promotion for a term appointment faculty member. Such a proposal shall be referred to the promotion advisory committee for consideration.

405.12 REVIEW OF FACULTY

There is one additional review of faculty performance other than those for tenure-eligible faculty and for promotion. This annual review shall be used for evaluation of faculty for salary adjustments and for term appointment renewal, and for post-tenure review of tenured faculty.

Tenure (see Section 405.1) is a means to certain ends, specifically; freedom of teaching, research and other academic endeavors, and a sufficient degree of economic security to make the profession attractive to men and women of ability. Academic freedom and economic security for faculty are indispensable to the success of a university in fulfilling its obligation to its students and to society. With tenure comes professional responsibility, the obligation conscientiously and competently to devote one's energies and skills to the teaching, research, extension and service missions of the university. A central dimension of academic freedom is the exercise of professional judgment in such matters. The intent of post-tenure review is to support the principles of academic freedom and tenure through the provision of effective evaluation, useful feedback, appropriate intervention, and timely and affirmative assistance to ensure that every faculty member continues to experience professional development and accomplishment during the various phases of his or her career. Useful feedback should include tangible recognition to those faculty who have demonstrated high or improved performance. It is also the intent of this policy to acknowledge that there will be different expectations in different disciplines and changing expectations at different stages of faculty careers.

12.1 Annual Review of Faculty

Each department shall establish procedures by which all faculty shall be reviewed annually. This evaluation shall review the work of each faculty member in a manner and frequency consistent with accreditation standards. In the case of tenured faculty, this evaluation shall encompass a multi-year window of performance that covers a five-year span. Such reviews shall, at a minimum, incorporate an analysis of the fulfillment of the role statement. The basic standard for appraisal shall be whether the faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with his or her position. The

department head or supervisor shall meet with the faculty member annually to review this analysis of the fulfillment of the role statement and, subsequently, provide a written report of this review to the faculty member. A copy of this report shall be sent to the academic dean or vice president for extension, and, where appropriate, chancellor or regional campus dean. The annual evaluation and recommendation letter by the department head or supervisor developed for tenure-eligible faculty as part of the promotion and tenure process (405.7.1 (3)) may not serve as a substitute for this annual review letter for salary adjustment. For faculty with term appointments, the annual review shall also include a recommendation regarding renewal of the term appointment.

12.2 Post-Tenure Review of Tenured Faculty

Beginning the year after a faculty member's tenure or post-tenure decision, the annual review process (405.12.1) shall also provide formal assessment on the post-tenure performance of tenured faculty. The review will be discipline and role specific, as appropriate to evaluate post-tenure performance. The basic standard for post-tenure review shall be whether the faculty member under review discharges conscientiously and with professional competence the duties appropriately associated with his or her position as specified in the role statement. It is the intent of this policy to acknowledge that there will be different expectations in different disciplines and changing expectations at different stages of faculty careers. The criteria for the award of tenure or promotion to the most senior ranks shall not be employed for the review of the tenured faculty.

To fulfill this requirement, and beginning no earlier than 5 years after a faculty member is promoted or awarded tenure, the department head or supervisor will be required in writing to indicate as part of the annual review letter whether or not the faculty member is meeting the formal standard for post-tenure review outlined above. If a department is concerned that a faculty member is not meeting the post-tenure review standards, the department head or supervisor must indicate this concern with regards to post-tenure performance initially by providing a formal written warning to the faculty member. To serve as the formal written warning, this letter must state: "The department is concerned that, if performance does not improve, the department is likely to request the formation of a Peer Review Committee (PRC) to conduct a review of post-tenure performance" as outlined below. If in the next annual review after issuing a formal written warning the department again determines that the faculty member is not meeting the post-tenure review standard, the department head or supervisor must formally request in writing that a Peer Review Committee (PRC) be formed to provide an independent evaluation of whether the faculty member has met the post-tenure review standard.

A tenured faculty member may optionally request the formation of a PRC to provide feedback on post-tenure performance, but such a request may not be made more than once every five years nor earlier than five years after being promoted in rank or granted tenure. The PRC will meet and review materials related to the 5-year performance of the faculty member. The PRC role in this case is only to provide post-tenure performance feedback in writing to the faculty member requesting the review.

The PRC shall consist of at least three tenured faculty members who hold rank equal to or

greater than the faculty member being reviewed, and shall be formed by mutual agreement of the department head or supervisor, and the faculty member being reviewed. The PRC must include at least one member from outside the academic unit of the faculty member being reviewed. If there are fewer than two faculty members in the academic unit with equal to or higher rank than the candidate, the committee members may be selected from faculty of related academic units. Department heads and supervisors of the faculty member being reviewed, and any other faculty members formally involved in the departmental annual review decision that triggered the review, shall not serve on the PRC without the faculty members consent, and no committee member may be a department head or supervisor of any other member of the PRC. An administrator may only be appointed to the PRC with the approval of the faculty member under consideration.

If mutual agreement about membership for the PRC cannot be reached within 2 weeks, the college faculty appeals committee (CFAC) will be asked to form the PRC. If a CFAC does not exist, individual department, college, and/or University appeal or hearing procedures should be used to resolve disagreements.

To carry out its review, the PRC shall be provided with a copy of the documentation used by the department to evaluate the five-year performance of the faculty member in question. The documentation provided to the PRC shall at a minimum contain: the department head or supervisor's negative annual evaluation letter of the faculty member (405.12.1) and the warning letter that led to the forming of the PRC; the previous five annual written evaluations; the faculty member's current role statement and curriculum vitae; other professional materials deemed necessary by the faculty member; and any professional development plan in place. The PRC may also receive a written statement from the department head or supervisor citing the reasons for determining that the faculty member is not meeting the post-tenure review standard, as well as a written statement from the faculty member under post-tenure review, outlining his or her response to the department head or supervisor's negative post-tenure evaluation. These materials should be provided to the PRC within 3 weeks of the appointment of the committee. Within 4 weeks after receiving these materials, the PRC shall meet to discuss their evaluation of the faculty member's post-tenure performance. At this meeting, the faculty member should be allowed to make oral presentations to the committee. For any meeting held between the faculty member, the department head or supervisor, and/or the PRC for the purposes of post-tenure performance review an ombudsperson may be requested by the faculty member, the department head or supervisor, and/or the PRC in accordance with policy 405.6.5.

Upon completion of its review, the PRC shall submit its written findings outlining the PRC's decision and rationale for determining whether the faculty member in question is, or is not, discharging conscientiously and with professional competence the duties appropriately associated with his or her position, as specified in the role statement. This written report shall be provided to the faculty member in question, and to the department head or supervisor who shall forward a copy to the academic dean or vice president for extension, and, where appropriate, chancellor or regional campus dean. If the PRC determines that the faculty member is meeting the standard for post-tenure performance, a written summary of the reasons for their decision shall be provided to the faculty member, department head, and appropriate academic dean, vice-president for extension, regional campus dean, or chancellor, and no further action shall be required. If the PRC agrees with the recommendation of the department that the faculty member

in question is not meeting the standard for post-tenure performance, a professional development plan shall be initiated as outlined in policy 405.12.3.

If a PRC is formed at the request of a faculty member, and not because of a formal negative departmental evaluation, it shall be formed according to procedures outlined above.

12.3 College Faculty Appeals Committee (CFAC)

The College Faculty Appeals Committee (CFAC) committee shall consist of five tenured faculty members, each representing different departments within the college or unit, where possible. Three members of the CFAC will constitute each appeals panel. Members of the CFAC serve three year staggered terms. Members may run for subsequent terms. The five members of the CFAC select a chair (and a co-chair, if desired). To fill vacancies in the CFAC, the chair solicits nominations from across the college or unit and runs the election while striving to keep broad representation across departments.

When mutual agreement on the initial committee membership of the Peer Review Committee cannot be reached (405.12.2), a College Faculty Appeals Committee (CFAC) shall decide membership. Either the faculty member and/or the department head (or equivalent) can initiate an appeal by written request to the CFAC chair. Each side submits a one page document outlining their concerns and suggestions regarding committee membership. Within three weeks of receiving the request for an appeal, a meeting shall be held, a decision made and delivered to both the faculty member and department head. At the meeting each side may present their rationale for their request. Neither the department head nor the faculty member is required to attend, but both shall have the opportunity to voice their request. A simple majority of the three CFAC appeals panel members decides the membership of the committee in question and the decision is binding.

12.4 Professional Development Plan

(1) A determination by a Peer Review Committee (PRC) that a faculty member is not discharging conscientiously and with professional competence the duties appropriately associated with his or her position as specified in their role statement shall lead to the negotiation of a professional development plan to help the tenured faculty member more fully meet role expectations. The plan shall respect academic freedom and professional self-direction, and shall permit subsequent alteration. The professional development plan shall be mutually agreed to and signed by the faculty member and the department head or supervisor, and approved by the academic dean or vice president for extension, and, where appropriate, the chancellor or regional campus dean. At the request of the faculty member, department head or supervisor, the professional development plan may be reviewed by the PRC, who shall conduct an in-depth evaluation, as described in policy 405.12.2, including an analysis of the of the goals or outcomes, or any other features of the professional development plan. Upon completion of its review, the PRC shall submit its written findings outlining the PRC's decision and rationale for determining whether the professional development plan is appropriate. This written report shall be provided to the faculty member in question, and to

the department head or supervisor who shall forward a copy to the academic dean or vice president for extension, and, where appropriate, chancellor or regional campus dean.

(2) The professional development plan should include elements which: (i) identify the faculty member's specific strengths and weaknesses (if any), and relate these to the allocation of effort assigned in the role statement; (ii) define specific goals or outcomes needed to remedy the identified deficiencies; (iii) outline the activities that are necessary to achieve the needed outcomes; (iv) set appropriate time lines for implementing and monitoring the activities and achieving the outcomes; (v) indicate appropriate criteria for progress reviews and the evaluation of outcomes; and (vi) identify any institutional commitments in the plan.

(3) The faculty member shall meet with the department head or supervisor, at times indicated as appropriate in the professional development plan, to monitor progress toward accomplishment of the goals or outcomes included in the plan. The department head or supervisor shall, at the conclusion of the professional development plan, evaluate the fulfillment of the goals or outcomes described in the plan, in terms of the criteria established by the plan. The department head or supervisor shall meet with the faculty member to review this analysis and subsequently, the department head or supervisor shall provide a written report of this review to the faculty member. A copy of this written report shall also be forwarded to the PRC members, the academic dean or vice president for extension and, where appropriate, the chancellor or regional campus dean. For meetings held between either the department head or supervisor and faculty member to discuss the report, the faculty member or department head or supervisor may request the presence of an ombudsperson in accordance with policy 405.6.5. At the request of the faculty member, department head, or supervisor, this report may be reviewed by the PRC, who shall conduct an in-depth evaluation as described in 405.12.2, including an analysis of the fulfillment of the goals or outcomes, or any other features included in the professional development plan. Upon completion of its review, the PRC shall submit a written report of its findings to the faculty member, to the chancellor or campus dean, and to the academic dean or vice president for extension.

12.5 Academic Process

Evaluations, conducted pursuant to Policy 407, may reveal continuing and persistent problems with a faculty member's performance that call into question the faculty member's ability to function in his or her position. If such problems have not been rectified by efforts at improvement as prescribed in a professional development plan, the outcomes of which have been judged (405.12.3.(3)) by the review committee (405.12.2), then other nonpunitive measures, should be considered in lieu of a sanction as per policy 407.1.1. The standard for sanction (policy 407.2) remains that of adequate cause, namely conduct contrary to the standards set forth in policy 403. Successive negative reviews do not in any way diminish the obligations of the university to show such adequate cause pursuant to policy 407.4.