

## **NJIT FACULTY APPROVED FINAL VERSION (May 11, 2011)**

### **2x. POLICIES AND PROCEDURES REGARDING FACULTY AND INSTRUCTIONAL STAFF**

#### **2x.1 GENERAL STATEMENTS ON FACULTY**

##### **2x.1.1 Maintenance of Academic Standards**

The role of the Faculty is integral to shared university governance. It is the Faculty's responsibility to oversee and maintain appropriate academic curricular standards. In cooperation with the university administration, the Faculty assures stakeholders that students are held to standards commensurate with the degrees they pursue. Working within the structure of degree programs, Faculty members maintain, and periodically adjust, requirements and standards for degrees.

##### **2x.1.2 Expectations for Instruction, Scholarly Research, and Service**

Effective instruction, scholarly research, and community service are the responsibility of the Faculty. To this end, Faculty members are expected to perform appropriate instruction by helping students understand current practice within their disciplines. As members of the larger academic community, Faculty members are expected to contribute through research and scholarly activities to the advancement of their disciplines. Faculty members are also expected to participate in varied service activities which strengthen the university.

To ensure that the activities of Faculty are known and recognized, Faculty members are required to file annual reports. University administration is responsible for designing the reporting process so that Faculty contributions are recognized.

##### **2x.1.3 Faculty Rights**

In order for Faculty to fulfill the expectations that derive from their positions within the university, they should be provided with an environment conducive to teaching, scholarly research, and service. Faculty should expect to undertake a level of teaching, scholarly research, and service comparable to that of Faculty in benchmark universities.

Faculty members work within an environment of academic freedom, including freedom from external pressures to conform to restricted intellectual, pedagogical, or political orientations to their duties. Faculty should be able to participate in governance activities, such as membership in Faculty Council and collective bargaining through the Professional Staff Association, without hindrance.

Faculty members should have access to privileges traditionally associated with research universities. Such privileges include sabbatical leaves and leaves of absence, as well as support for grant applications, grant administration, and travel related to conferences and research activities.

#### **2x.2 MEMBERSHIP IN THE FACULTY AND DEFINITION OF FACULTY RANKS**

##### **2x.2.1 Membership**

The Faculty consists of all full-time positions with the tenure-track ranks of Assistant Professor, Associate Professor, Professor, and Distinguished Professor. As presiding university officer, the President is a member of the Faculty. Administrators designated by the President may also be members of the Faculty. Only members of the Faculty have the privilege to vote in Faculty meetings.

##### **2x.2.2 Tenure-Track Faculty Ranks**

#### 2x.2.2.1 Assistant Professor

This position is intended primarily for individuals near the start of their academic careers, who are expected to make substantial contributions to the university in teaching, scholarly research, and service. Assistant Professors serve a period of time, not to exceed seven years, while being considered for promotion and tenure. An Assistant Professor may be recommended for promotion before becoming eligible for tenure. The recommendation for tenure of an Assistant Professor is traditionally accompanied by a recommendation for promotion to Associate Professor.

#### 2x.2.2.2 Associate Professor

This position is intended for individuals who have established a record of excellence in teaching, scholarly research, and service. An individual may be appointed as an untenured Associate Professor with a tenure eligibility date specified or as a tenured Associate Professor. An Associate Professor may be recommended for promotion in any year subsequent to initial appointment.

#### 2x.2.2.3 Professor

This position is intended for individuals who have built a sustained record of excellence in teaching, scholarly research, and service, and whose accomplishments are nationally recognized in their field(s) of expertise.

#### 2x.2.2.4 Distinguished Professor

This position is intended for individuals whose accomplishments significantly exceed those of Professors, and include a sustained record of nationally and internationally recognized preeminence in their field(s) of expertise.

Note: The term “scholarly research” may be taken to include alternative demonstrations of individual achievement in disciplines and sub-disciplines in which different standards prevail, such as the production of a body of original, creative, and professionally recognized work by Faculty with fields of expertise in architecture, theater, creative writing, and the arts.

### **2x.2.3 Sponsored/Endowed Chairs**

These externally-funded positions are intended for individuals with notable records and expertise in a specific field of academic research. The holder of a sponsored chair may or may not be tenured at the university.

### **2x.2.4 Professors Emeriti**

Faculty members who have served the university for an extended period of time may be granted the honorary title of Professor Emeritus (or Professor Emerita) upon retirement. Recommendations for awarding this title originate in the primary academic Department of the retiree and are sent to the appropriate Dean and then to the Provost for consideration. The title itself is conferred by action of the Board of Trustees upon recommendation of the President. Professors Emeriti do not have voting privileges.

### **2x.2.5 Associate Faculty Members**

This designation is granted to all Faculty from other universities who are members of Federated Departments, as defined in section 2x.4.3. Associate Faculty Members have the right to attend NJIT Faculty meetings with voice, but not vote. However, Faculty from

other universities who serve as Chairpersons of Federated Departments are full voting members of the NJIT Faculty for the duration of their terms as Chairpersons.

## **2x.3 STAFF**

### **2x.3.1 General Statements on Instructional Staff**

The Instructional Staff consists of members of the university community who hold non-tenure track positions, including University Lecturers, Visiting Professors, Research Professors, Research Associates, Post-Doctoral Fellows, Adjunct Instructors, and Affiliated Faculty Members. The extent of their role in departmental governance is determined by the bylaws of the administrative unit of appointment. Members of the Instructional staff do not have voting privileges in Faculty meetings.

### **2x.3.2 Instructional Staff Positions**

*University Lecturer.* This full-time, non tenure-track position is designed to support the instructional role of the Faculty and to provide a degree of flexibility allowing the university to achieve its goals. Intended primarily as a teaching position, the position of University Lecturer can be used to fill an administrative position in special circumstances. Both evaluation and consideration for advancement are managed by the administrative unit of appointment.

*Senior University Lecturer.* This full-time non tenure-track position is reserved for University Lecturers whose record of sustained instructional excellence warrants advancement to a senior rank. Both evaluation and consideration for advancement are managed by the administrative unit of appointment.

*Visiting Professor (including Visiting Assistant Professor, Visiting Associate Professor, Visiting Professor, and Visiting Distinguished Professor).* These full-time positions are temporary appointments, normally designed for individuals who hold academic appointments at other universities or research centers. Appointments are managed by the host administrative unit.

*Research Professor/Research Associate (including Distinguished Research Professor, Research Professor, Research Associate Professor, Research Assistant Professor, Senior Research Associate, Research Associate, Research Assistant, Post-Doctoral Fellow).* These full-time positions support the research role of the Faculty. Both evaluation and consideration for advancement are managed by the administrative unit of appointment.

*Adjunct Instructor.* Adjuncts are hired on a term-by-term, part-time basis to fill specific teaching needs. Both evaluation and consideration for advancement are managed by the administrative unit of appointment.

*Affiliated Faculty Member.* This honorific designation is reserved for individuals who are not NJIT employees and are not paid for their services by NJIT, but rather participate voluntarily in Faculty-directed activities involving research or instruction, such as serving on thesis and dissertation committees, mentoring students, participating in curriculum review and strategic planning activities, and assisting with international programs. Affiliated Faculty Members are appointed to three-year, renewable terms on the recommendation of the Chairperson of an academic Department or the Director of a degree program, subject to the approval of the appropriate School or College Dean and the Provost. At the discretion of the university, Affiliated Faculty Members may appear

on Department or program websites, may identify themselves as Affiliated Faculty Members outside NJIT, and may be granted access to specific resources at NJIT, such as library privileges and guest parking privileges when they are on campus for relevant activities.

## **2x.4 ACADEMIC UNITS**

As a research university, NJIT is structured into traditional academic units: Colleges (or Schools) and Departments. There are six Colleges, five of which are the locus of regular Faculty appointments. Each College is led by a Dean, reporting to the Provost. Newark College of Engineering (NCE), the College of Science and Liberal Arts (CSLA), and the College of Computing Sciences (CCS) contain a number of academic Departments, each headed by a Department Chairperson. The College of Architecture and Design (CoAD) consists of NJ School of Architecture and the School of Art and Design. The School of Management (SoM) consists of a single Faculty unit. The Albert Dorman Honors College (ADHC) is designed to meet the needs of Honors students. Though it is led by a Dean, there are no Faculty appointments within ADHC.

### **2x.4.1 Policy on Change of Department Affiliation**

Non-tenured and tenure-track Faculty members may request to change their Department affiliation. To be implemented, this request must be approved by the Promotion and Tenure Committee of the receiving Department, by the Dean of the College as well as the Dean of the receiving College if the change involves two Colleges, and the Provost. In the case of non-tenured Faculty, this request must be made before the time of tenure eligibility.

In the case of tenured Faculty, the request for a change of departmental affiliation must be approved by the Promotion and Tenure Committee of the receiving Department, by the appropriate Dean(s) and by the Provost.

### **2x.4.2 Joint Appointments**

In most cases Faculty appointments are made to a specific Department within a specific College, with promotion and tenure being considered exclusively within that single unit. However, in pursuit of multidisciplinary activities, either in teaching, scholarly research, or both, a Faculty member may seek a joint appointment in more than one academic unit. Unless unusual circumstances indicate otherwise, the request for a joint appointment should be honored.

#### 2x.4.2.1 Policies and Procedures on Joint Appointments

General procedures: The request for a joint appointment is initiated by the Faculty member and should be addressed to the Chairperson of each academic unit involved. To be implemented, the request must be supported by both Chairpersons, by both Promotion and Tenure Committees, by the Dean of the College (both Deans, if more than one College is involved), and by the Provost.

Specific implications of joint appointments:

- Each joint appointment involves a primary and secondary status. The primary Department is responsible for evaluation for sabbatical leave, performance-based salary increases, and promotion and tenure. The secondary Department is expected to contribute to these processes through recommendations to the primary Department.

- Teaching assignments and research programs are negotiated between the Faculty member and the Chairpersons of both Departments. A Faculty member is expected to serve on committees within the primary Department, but not in the secondary Department unless the Faculty member asks to serve on a particular committee. Joint appointees are expected to attend Department meetings of the primary Department and should be invited to meetings of the secondary Department.
- Continuation of a joint appointment is by common agreement of all the parties involved. When conflicts arise which cannot be resolved within the Departments, the appropriate Dean(s) and the Provost will make a final determination.
- A Faculty member may also request a joint appointment with a Research Center or with an interdisciplinary program. In such cases the Chairperson of the primary Department consults with the Director of the Center or program to determine the responsibilities of the Faculty member and solicits input regarding promotion and tenure and performance-based salary increases.
- Where a Federated Department or program has been created between NJIT and another university, the Faculty members retain full membership in their Departments at the primary University. Recommendations regarding promotion and tenure and performance-based salary increases are made through the Promotion and Tenure process at the home University, with input from the other University. Teaching assignments, committee activity, scholarly research, leaves, support for publication and for travel to conferences are all based in the Department of the primary University.
- A request for a joint appointment with a Department or Program at another College not Federated with NJIT will be reviewed and negotiated on an individual basis.

### **2x.4.3 Federated Departments**

Upon the recommendation of the Faculty, and with the approval of the administration, an academic Department or other Faculty unit, such as a division within a Department, may federate with an academic Department or Faculty unit of another university (e.g., Rutgers-Newark) in order to offer an expanded program, provide better services to students and Faculty, and improve overall service. The resulting "Federated Department" exists as a full-fledged academic Department at both universities.

#### 2x.4.3.1 Formation and Dissolution of Federated Departments with Rutgers-Newark

- Definition: The appellation "Federated Department" recognizes that each such Department has been created out of two separate Departments or Faculty units, one at NJIT and one at Rutgers-Newark.
- Procedure for Forming Federated Departments: Whenever a majority of the Faculty in an academic Department or Faculty unit at NJIT and a majority of

the Faculty in an academic Department or Faculty unit at Rutgers-Newark each vote to establish a Federated Department with each other, a proposal to federate will be brought to the Committee on Academic Affairs and, upon approval, to a meeting of the NJIT Faculty. The recommended federation will be presented to the administrations of both universities for final approval.

- Procedure for Dissolving Federated Departments: Federated Departments will review the issue of federation every three years. If, during a review, either a majority of the members of any one unit comprising a Federated Department, or a two-thirds majority of the full membership of a Federated Department, vote in favor of dissolution, the administrations of NJIT and Rutgers-Newark will meet to discuss the merits of, and steps to dissolve, the federation as quickly as feasible. Further, NJIT and Rutgers-Newark retain their independent managerial right to dissolve a Federated Department.

#### 2x.4.3.2 Promotion and Tenure Procedures for Federated Departments with Rutgers-Newark

- The Committee Chairperson: The Chairperson of each Federated Department shall be the Chairperson of that Department's Promotion and Tenure Committee at NJIT and Personnel Committee at Rutgers-Newark. However, a Chairperson from Rutgers-Newark shall not vote when NJIT Faculty members are under consideration, just as a Chairperson from NJIT shall not vote when Rutgers Faculty members are under consideration.
- Committee Composition and Procedures
  - NJIT Faculty: When NJIT Faculty members are under consideration by a Federated Department, the membership, duties, and procedures of the Federated Department's Promotion and Tenure Committee shall be in accordance with section 2x.6.5.2, using the criteria in sections 2x.2.2 and 2x.6. In addition to the P&T Committee, tenured Rutgers Faculty in the Federated Department who are of equal or higher rank than that proposed for a candidate for appointment, reappointment, or promotion shall be non-voting participants in the promotion and tenure process. Their evaluation of the candidate will be recorded in the form of a memorandum that will accompany the Committee's formal recommendation.
  - Rutgers-Newark Faculty: When Rutgers-Newark Faculty members are under consideration by a Federated Department, the membership, duties, and procedures of the Federated Department's Personnel Committee (i.e., P&T Committee) shall be in accordance with Section V of the Faculty Bylaws of Rutgers-Newark. Tenured NJIT Faculty in the Federated Department who are of equal or higher rank than that proposed for a candidate for appointment, reappointment, or promotion shall be non-voting participants in the personnel process; their evaluation of the candidate will be recorded in the form of a memorandum that will accompany the Committee's formal recommendation.

- Determination of Promotion and Tenure/Personnel Committee and Procedures
  - Faculty members who are tenure-track at the inception of the Federated Department shall have the choice at the beginning of tenure evaluation of being evaluated only by Faculty members who would have evaluated them if federation had not occurred, with or without vote as set forth above. If the Faculty member chooses the latter method and the Chairperson of the Federated Department is not a tenured member of his or her home institution, the Dean of the College in which the federated Faculty member was appointed shall select one of the tenured members of the home institution to act as Chairperson of the P&T Committee.
  - With regard to all other members of a Federated Department, including tenure-track Faculty hired after the inception of a Federated Department, the P&T Committee and procedures of the Federated Department shall be in effect.

#### 2x.4.3.3 Federated Department Bylaws

- Creation of Federated Department Bylaws: Each Federated Department shall devise Department bylaws, which may not contradict the NJIT Faculty Handbook, the corresponding document at the other academic institution, or the applicable collective bargaining agreements of either university.
- Approval of Federated Department Bylaws: The bylaws of a Federated Department will be considered to be in effect when they have fulfilled the stipulations in Section [insert section #] and the equivalent regulations for approval of Department bylaws at the other university.

#### 2x.4.3.4 Status of Federated Departments and Their Faculties

- Faculty Status in the Event of Dissolution: Should a Federated Department be dissolved, NJIT Faculty shall retain full Faculty status in the NJIT Department out of which the Federated Department was formed, or in another appropriate Department as determined by NJIT.
- Policies: All NJIT policies applicable to Faculty, including collective bargaining agreements, will be fully retained for NJIT Faculty in Federated Departments.

**[Note: all the preceding text was passed by the Faculty in May 2010 and approved by the Board of Trustees in April 2011 without the tracked changes.]**

## **2x.5 APPOINTMENTS OF FACULTY, DEPARTMENT CHAIRPERSONS, & ADMINISTRATORS**

### **2x.5.1 Faculty Appointments**

#### **2x.5.1.1 Search Process**

When a Faculty position becomes available in a Department, the Department Chairperson oversees the hiring process, which includes establishing an appropriately diverse Department search committee; searching for candidates; screening applicants; inviting promising candidates to the campus for presentations and meetings with appropriate members of the Department,

Faculty outside the Department, and the administration (normally including the Dean); obtaining external references; soliciting opinions from members of the Department and others; and convening the Department P&T Committee to determine appropriate Faculty rank and tenure status of finalists. (Department Bylaws may specify the roles of the Chairperson and other Faculty in the Department in this process.) At the end of the process, the Department sends the Dean a recommendation, along with a ranked list of other acceptable candidates from the search. After the Dean has conferred with the Department Chairperson and approved one or more candidates for hire, a recommendation is sent to the Provost.

#### **2x.5.1.2 Appointment Letter**

An offer of a Faculty position becomes official only when an appointment letter is sent to a candidate from the Provost. The appointment letter contains important details on the offer, including Faculty rank, tenure status (see section 2x.5.1.3), departmental affiliation(s), salary, and additional resources that may be made available to the candidate upon hire. In the event that—after a reasonable and specified period of time, during which the terms in the appointment letter may be renegotiated to the mutual agreement of both parties—a candidate declines to accept an offer, or does not reply within a specified period of time, the Provost may send a new appointment letter to the next candidate in the ranked list approved by the Department and the Dean—and so on until a candidate accepts an offer by signing the original or a revised appointment letter from the Provost and returning it to NJIT.

#### **2x.5.1.3 Tenure Status upon Appointment**

When a new Faculty member is hired without tenure, the appointment letter from the Provost specifies the year in which the new Faculty member becomes eligible for tenure. A new Faculty member hired at the rank of Associate Professor or Professor may be appointed with tenure with the approval of the Department P&T Committee, the Dean, and the Provost. In such cases, the appointment letter from the Provost specifies that the appointment is being offered with tenure, although (as in all cases) the award of tenure is ultimately made by the Board of Trustees upon the recommendation of the President.

#### **2x.5.1.4 Appointment at the Rank of Distinguished Professor**

Appointment at the rank of Distinguished Professor requires the approval of the Distinguished Professors Committee (see section 2x.6.4.4).

### **2x.5.2 Selection and Appointment of Department Chairpersons**

#### **2x.5.2.1 Principle of Chair Selection**

Department Chairpersons are nominated by their Departments and appointed by the Dean of the College, with the approval of the Provost.

#### **2x.5.2.2 Term of Department Chairpersons**

The term of a Department Chairperson is three years and may be renewed through the procedures described in 2x.5.2.5.1.4.

#### **2x.5.2.3 Eligibility to Serve as Department Chairperson**

All tenured Faculty in a Department at or above the rank of Associate Professor

are eligible to serve as Department Chairperson.

#### **2x.5.2.4 Eligibility to Participate in the Chair Selection Process**

All faculty (as defined in Section 2x.2.1) in a Department are eligible to vote, exclusive of Department Faculty who hold administrative appointments at the level of Associate Dean or above. Faculty with joint appointments are only able to vote in the Chair Selection Process in his/her primary Department.

#### **2x.5.2.5 Procedures for Selecting a Department Chairperson**

##### 2x.5.2.5.1 Standard Procedure

The Standard Procedure is used unless the Alternative Procedure (as outlined in Section 2x.5.2.5.2) has been authorized by the Dean of the College, in consultation with the Department.

##### 2x.5.2.5.1.1 Preparation of the List of Eligible Candidates

When the position of Department Chairperson is about to become vacant—either because the term of the current Chairperson is expiring or because the current Chairperson is unable to complete his/her term—the Dean of the College notifies the Provost, who selects an Elections Coordinator (EC) to oversee the process.

The EC circulates to all eligible voting Faculty in the Department a list of all Faculty who are eligible to serve as Department Chairperson. Eligible Faculty who do not wish to be considered as Department Chairperson notify the EC, who removes their names from the list of candidates.

If a Department wishes to select its Chairpersons by means of rotation, this objective can be achieved by consensus among eligible candidates at this stage in the process (i.e., if all eligible faculty members remove their names from the list of candidates except the person whose turn it is to serve as Department Chairperson, and the ordered list of successors is approved at a faculty meeting by a process described in departmental by-laws).

##### 2x.5.2.5.1.2 Selection of the Nominee by the Department

Within two weeks of notification by the Dean, the EC distributes the final list of candidates to all Faculty in the Department who are eligible to vote. The EC supervises a general election by secret ballot.

The candidate who receives a majority of the eligible votes is declared the Department's nominee for Chairperson, and the EC forwards his/her name to the Dean of the College for approval. If the voting ends in a tie, both names are submitted to the Dean who makes the final decision between the two candidates. If, in the case of three or more candidates, no candidate wins a majority of the eligible votes, the EC promptly conducts a run-off election between the two candidates with the highest number of eligible votes.

#### 2x.5.2.5.1.3 Appointment by the Dean

The Dean receives the nominee(s) of the Department and, with the approval of the Provost, appoints the new nominee as the chair or, in the case of a tie, one of the two nominees. If the Dean chooses not to appoint the department's nominee, the case is remanded to the Provost.

#### 2x.5.2.5.1.4 Reelection of a Current Department Chairperson

Within two months of the expiration of his/her term, a Department Chairperson who seeks reappointment conveys this intention to the Dean, who, if in favor of reappointment, notifies the Provost and an EC is selected. The EC circulates a ballot to all eligible voting faculty in the Department. Reelection to a second term requires a 50% majority, while reelection to a third or subsequent consecutive term requires a 2/3 majority of the voting members in the Department. If the current Department Chairperson achieves this result, the EC forwards his/her name to the Dean for approval. If the current Department Chairperson is not reappointed, either by failing to secure the required majority of the voting members in the Department or because reappointment is not made by the Dean, a general election is conducted in accordance with the procedures outlined in 2x.5.2.5.1.1-2x.5.2.5.1.3 The current Department Chairperson is not eligible to stand in the general election.

#### 2x.5.2.5.1.5 Departmental Failure to Nominate a Candidate

If a Department fails to nominate a candidate through the procedures outlined in Sections 2x.5.2.5.1.1-2x.5.2.5.1.4, the Dean appoints a Chairperson, with the approval of the Provost.

#### 2x.5.2.5.2 Alternative Procedure

The Alternative Procedure is only used when the Dean, in consultation with the Department, has authorized a search for a new Department Chairperson. In such searches, both internal and external candidates are eligible to apply. Except where noted below, such searches follow the guidelines for faculty searches set down in Section 2x5.1.

##### 2x.5.2.5.2.1 Formation of a Search Committee

The Department elects a Search Committee, normally consisting of five faculty members. Faculty from other Departments and representatives from other stakeholder groups may be included in the Search Committee, but the Search Committee should include at least one faculty member from the Department at the ranks of Assistant Professor, Associate Professor, and Professor/Distinguished Professor unless the small size of the Department precludes doing so. The Dean makes up to two additional appointments to the committee.

##### 2x.5.2.5.2.2 The Search Process

###### 2x.5.2.5.2.2.1 Identification of Candidates

The Dean of the College charges the Search Committee and provides a budget for advertising and for bringing finalist candidates to the campus. Finalist candidates meet with the Search Committee; the current Department Chairperson or Interim Chairperson; the Department Promotion and Tenure Committee (DPTC); directors and coordinators of the Department's programs; other Department Faculty; the Dean of the College; and, if possible, the Provost.

#### 2x.5.2.5.2.2 Recommendation of Candidates

After the finalist candidates have visited the campus, the Search Committee must ascertain from the DPTC that candidates from outside the university qualify to be recommended for tenure upon appointment at the rank of Associate Professor or above. The Search Committee then makes its recommendations to the dean, who convenes a Department meeting. The Department receives the Search Committee's recommendation(s) and, after thorough consideration, determines the acceptable candidate(s) for the appointment. If any of the recommended candidates are from outside the University, the DPTC also sends the Dean a recommendation to make a hire at the appropriate faculty rank (Associate Professor or higher), with tenure, in accordance with section 2x.5.1.3.

#### 2x.5.2.5.2.3 Appointment of the Chairperson

With the approval of the Provost, the Dean of the College selects the successful candidate from the Department's list of nominees. If the successful candidate is already a member of the Faculty of NJIT, the Provost issues an appointment letter to the Chair position. If the successful candidate is from outside NJIT, the Provost issues an appointment letter both to the Faculty and to the Chair position. An appointment to the Faculty is made under the same terms as other Faculty appointments (see Section 2x.5.1). Appointment to the Chair position includes the condition of appointment to a three-year, renewable term as Department Chairperson.

### **2x.5.2.6 Acting and Interim Department Chairpersons**

When the position of Department Chairperson becomes vacant, either for a fixed period of time (e.g., due to illness or a sabbatical leave) or indefinitely (e.g., due to resignation or long-term disability), the Dean of the College, in consultation with the Department, appoints an Acting or Interim Chairperson respectively. The Acting Chairperson serves until the Chairperson reassumes the post. The Interim Chairperson serves until appointment of a new Department Chairperson, but for no longer than one year. Both Interim and Acting Chairpersons perform all the duties of the office, including chairing the DPTC. If unforeseeable circumstances require the extension of an Interim Chairperson's term of office, the Dean, in consultation with the Department and with the approval of the Provost, may

renew the appointment for up to one additional year from the date of original appointment as Interim Chairperson.

#### **2x.5.2.7 Implementation**

Each Department, in consultation with the Dean, will implement the provisions contained in Section 2x.5.2 within three years of the date of its approval by the Board of Trustees.

[note: the preceding section, 2x.5.2, was approved by the Faculty on April 13, 2011]

#### **2x.5.3 Role of Faculty in Appointments of Senior Administrators**

In accordance with the objectives of shared governance, the following policies and procedures define the involvement of Faculty in the selection of academic and university-wide administrators.

##### **2x.5.3.1 Selection of Academic Deans, Provost, Senior Vice President for Research and Development, President**

###### 2x.5.3.1.1 Selection of Academic Deans

###### 2x.5.3.1.1.1 Constitution of the Dean Search Committee

A Dean Search Committee, reporting to the Provost, is appointed by the Provost in consultation with Faculty Council. The committee is normally appointed prior to the actual vacancy, but not later than three months after formal notification or creation of the vacancy.

The committee consists of at least seven voting members, chosen as follows: At least five Faculty members are selected by the Provost from a list of no fewer than ten nominations provided by Faculty Council. The list should be broadly representative of the College or School, with nominees from all constituent units and all Faculty ranks. The Provost selects two additional voting members from the University, including at least one academic Dean. The Provost may also appoint additional non-voting members of the committee, including members of staff and students. The Chairperson of the Dean Search Committee is appointed by the Provost.

###### 2x.5.3.1.1.2 The Search Procedure

The search committee invites promising candidates to the campus to meet and discuss issues with the Provost and President, and with the College community as a whole. At least one session is devoted to meeting with the Faculty, whose input is solicited and considered. When the search committee has completed its work, it sends an unranked list of acceptable candidates to the Provost.

###### 2x.5.3.1.1.3 Appointment by the Provost

Before making the appointment, the Provost consults with the Department P&T Committee of the Department in which the nominee will be appointed, to determine the Faculty rank and tenure status of the appointment. The appointment must be made with tenure, at or above the rank of Professor. If appointment at the rank of Distinguished Professor is under consideration, the

approval of the Distinguished Professors Committee must be obtained.

#### 2x.5.3.1.2 Selection of the Provost

##### 2x.5.3.1.2.1 Constitution of the Provost Search Committee

The Provost Search Committee is appointed by the President in consultation with Faculty Council, normally prior to the actual vacancy, but not later than three months after formal notification or creation of the vacancy. The President determines the size and constitution of the search committee, but it must include at least six voting members chosen by the President from a list of no fewer than twelve Faculty members formulated by Faculty Council. The list of nominees must be broadly representative of the diverse University community and must include Faculty members from all ranks and from all Colleges and Schools. The President also selects three voting committee members from the University community, including at least one academic Dean. The President may also appoint additional non-voting members. The Chairperson of the search committee is appointed by the President.

##### 2x.5.3.1.2.2 The Search Procedure

The search committee invites promising candidates to the campus to meet and discuss issues with the President and with University community as a whole. At least one session is devoted to meeting with the Faculty, whose input is solicited and considered. When the search committee has completed its work, it sends an unranked list of acceptable candidates to the President.

##### 2x.5.3.1.2.3 Appointment by the President

Before making the appointment, the President consults with the Dean and the Department P&T Committee of the Department in which the nominee will be appointed, to determine the Faculty rank and tenure status of the appointment. The appointment must be made with tenure, at or above the rank of Professor. If appointment at the rank of Distinguished Professor is under consideration, the approval of the Distinguished Professors Committee must be obtained.

#### 2x.5.3.1.3 Selection of Senior Vice President for Research and Development

##### 2x.5.3.1.3.1 Constitution of the Senior Vice President for Research and Development Search Committee

The Senior Vice President for Research and Development Search Committee is appointed by, and reports to, the President. The search committee is normally appointed prior to the actual vacancy, but not later than three months after formal notification or creation of the vacancy. The Faculty component of the search committee is appointed by the President in consultation with Faculty Council. Faculty Council nominates no fewer than twelve research-active Faculty members, at least four of whom are

Distinguished Professors. The list of nominees must be broadly representative of the diverse university research community and must include nominees from all Colleges and Schools. The President chooses no fewer than six of these nominees, at least two of them Distinguished Professors, to serve on the search committee. The Chairperson of the search committee is appointed by the President. The President also selects three voting members of the search committee from the University community, including at least one academic Dean. The President may also appoint additional non-voting members.

#### 2x.5.3.1.3.2 The Search Procedure

The search committee invites promising candidates to the campus to meet and discuss issues with the President and with the University community as a whole. At least one session is devoted to meeting with research-active Faculty, whose input is solicited and considered. When the search committee has completed its work, it sends an unranked list of acceptable candidates to the President.

#### 2x.5.3.1.3.3 Appointment by the President

Before making the appointment, the President consults with the Provost, the Dean, and the Department P&T Committee of the Department in which the nominee will be appointed to determine the Faculty rank and tenure status of the appointment. The appointment must be made with tenure, at or above the rank of Professor. If appointment at the rank of Distinguished Professor is under consideration, the approval of the Distinguished Professors Committee must be obtained.

### 2x.5.3.1.4 Selection of the President of the University

#### 2x.5.3.1.4.1 Constitution of the President Search Committee

The President Search Committee is appointed by the Board of Trustees and includes representatives from Faculty, administration, alumni, students, and the Board itself. The Faculty members on the search committee are appointed from a list of nominees submitted by Faculty Council. This list should be broadly representative and include nominees from all Colleges and Schools.

#### 2x.5.3.1.4.2 The Search Procedure

The search committee invites promising candidates to the campus to meet and discuss issues with the Board of Trustees and with the University community as a whole. At least one session is devoted to meeting with the Faculty, whose input is solicited and considered. When the search committee has completed its work, it sends an unranked list of acceptable candidates to the Board of Trustees.

#### 2x.5.3.1.4.3 Appointment by the Board of Trustees

Before making the appointment, the Board of Trustees consults with the Provost, the Dean, and the Department P&T Committee of the Department in which the nominee will be appointed, to determine the Faculty rank and tenure status of the appointment. The appointment of the President must be made with tenure, at or above the rank of Professor. If appointment at the rank of Distinguished Professor is under consideration, the approval of the Distinguished Professors Committee must be obtained.

### **2x.5.3.2 Selection of Other University-Wide Administrators**

In the selection of all other vice Presidents and university-wide administrators, the President and Provost seek input and feedback from Faculty Council and appropriate Faculty members.

### **2x.5.3.3 Interim and Acting Positions**

#### 2x.5.3.3.1 Interim Positions

Until a permanent replacement takes office, a vacant Provost, Dean, or Senior Vice President for Research and Development position shall be filled by an interim officer appointed by the President (in the cases of Provost and Senior Vice President for Research and Development positions) or Provost (in case of a Dean position). The President or Provost shall consider nominations as provided by the Faculty Council and/or by members of the Faculty. Interim appointments are not normally made for more than one academic year. When an interim administrator is needed for a longer period, Faculty Council should be consulted concerning such an extension.

#### 2x.5.3.3.2 Acting Positions

Acting positions are short-term appointments made by the President or Provost, in consultation with Faculty Council. Acting appointments are made when the permanent appointee expects to return following a period of temporary absence due to an emergency, temporary assignment of a permanent appointee to another assignment, or sabbatical or other leave. Acting appointees normally should not hold office for more than one year. An acting appointment may be extended only once and only if the process for appointment of a permanent or an interim administrator, as defined above, has been initiated.

## **2x.6 POLICIES AND PROCEDURES REGARDING TENURE AND PROMOTION**

### **2x.6.1 General Principles Governing the Promotion and Tenure Process**

The promotion and tenure process is governed by the principles of collegiality, professionalism, and integrity. Faculty under review have the right to be treated respectfully throughout the process, to be told clearly and regularly what is expected of them in order to obtain promotion and tenure, and to be judged fairly at each stage of review. Faculty have the responsibility to submit all necessary materials in a timely fashion, including annual summaries of scholarly research, service, and teaching activities and accomplishments, and more comprehensive dossiers or portfolios that document all achievements and contributions by the Faculty member at the time of the Third Year Review, during the period of tenure eligibility, and whenever a Faculty member is under consideration for promotion.

## **2x.6.2 Criteria and Grounds for Assessment**

### **2x.6.2.1 General Considerations**

To be considered for promotion to a higher rank, or for tenure, a Faculty member must meet the criteria stated in sections 2x.2.2 and 2x.6.2.2. Additional discipline-specific criteria for promotion and tenure will be determined by the Department P&T Committees, as described in section 2x.6.5.2.4.1.

All evaluations and all recommendations to the Provost shall be made by the Department and University Committees on Promotion and Tenure (P&T Committees) and the Deans, in accordance with the current procedures adopted by the Faculty.

### **2x.6.2.2 Teaching Effectiveness, Scholarly Research, and Service**

#### 2x.6.2.2.1 Teaching Effectiveness

As teaching is central to the purpose of the New Jersey Institute of Technology, its effective practice is an essential and primary criterion in the evaluation of the qualifications of every Faculty member.

The principal grounds for assessment include student evaluations; peer evaluations; development of new courses, curricula, and course materials; nominations and awards for teaching excellence; evidence of successful mentoring of students, as demonstrated by senior theses and projects, master's theses, doctoral dissertations, and other student academic accomplishments; and letters from former students that have been solicited by the Department Chairperson (see 2x.6.2.3 below).

#### 2x.6.2.2.2 Scholarly Research

As a research university, NJIT expects all Faculty to make substantial contributions to scholarly research\* in their fields of expertise.

The principal grounds for assessment include peer-reviewed books, articles, book chapters, and creative works; other publications and performances that are not peer-reviewed; citations and published reviews of a Faculty member's scholarly research; honors and awards that recognize a Faculty member's scholarly research; prestigious, competitive fellowships and grants; invited lectures; conference talks and posters; professional practice; and external peer review letters, solicited by the Department Chairperson, which testify to a Faculty member's accomplishments in scholarly research (see 2x.6.2.3 below).

\* See the definition of "scholarly research" in the note appended to section 2x.2.2.

#### 2x.6.2.2.3 Service

In addition to teaching and research, all Faculty members are expected to make substantial contributions to their Departments and degree programs, their Colleges or Schools, and the university as a whole, as well as to their professional disciplines. Relevant service to the community is also valued.

The principal grounds for assessment include membership on Department, College/School, and university committees; achievements relating to establishing and running academic programs, including program administration and recruiting; contributions to NJIT student activities, such as career mentoring, athletics, and serving as advisor of a student society; participation in NJIT pre-College programs; professional service to one's discipline(s) (especially in a leadership capacity); including involvement with professional societies, service to scholarly journals, providing evaluations of manuscripts or applications for grant agencies (e.g., NSF, NIH, NEH) or publishers; professional consulting that contributes to the reputation of a Faculty member and NJIT; and public or community service, such as contributions to public agencies; and letters from Faculty, administrators, and/or former students, solicited by the Department Chairperson, which testify to a Faculty member's accomplishments in service (see 2x.6.2.3 below).

### **2x.6.2.3 Reference Letters**

Two categories of reference letters are used in the promotion and tenure process: (1) external peer review letters, which mainly evaluate a Faculty member's contributions to scholarly research, and (2) additional reference letters, which mainly evaluate a Faculty member's contributions to teaching and service.

#### 2x.6.2.3.1 External Peer Review Letters

Documentation of accomplishments in scholarly research requires reference letters from recognized experts in a Faculty member's field(s). Such letters should be solicited by the Chairperson of the Department P&T Committee in consultation with the members of the Department P&T Committee. Some of the peer reviewers should be chosen from a list submitted by the candidate, while others should be selected by the Department P&T Committee. None should be colleagues at NJIT. A Faculty member under review may request that certain potential reviewers not be chosen.

If the Department P&T Committee recommends a Faculty member for promotion and/or tenure, all peer review letters that have been received must be included with the materials that the Department transmits to the Dean (i.e., the Department P&T Committee may not include some reference letters and exclude others). The letters should be accompanied by information about the professional qualifications of each of the peer reviewers and by copies of all communications with them in regard to this matter. Peer reviewers should be assured that their letters are kept confidential, shown only to those directly involved in the P&T process (with exceptions only in response to lawfully executed and issued subpoenas), and not shown to the candidate. After the P&T process is complete, the letters are held in safe keeping by the Provost.

#### 2x.6.2.3.2 Additional Reference Letters

The Department P&T Committee may solicit additional reference letters from among Faculty and administrators with whom a Faculty member has interacted closely, at NJIT or another institution. Such letters are mainly

intended to testify to a Faculty member's contributions to institutional and professional service activities.

The Department P&T Committee may also solicit additional reference letters from a Faculty member's former students, in order to provide evidence about a Faculty member's contributions to teaching and student-related service activities.

All additional reference letters must be solicited by the Chairperson of the Department P&T Committee, not by Faculty members under review. However, Faculty members under review may provide the Chairperson with the names and addresses of, and the nature of his/her interaction with, the individuals whom they would like the Chairperson to contact for this purpose. If a Department P&T Committee recommends a Faculty member for promotion and/or tenure, all additional reference letters solicited in this manner—along with copies of all communications in regard to them— must be included among the materials sent to the Dean (i.e., the Department P&T Committee may not include some reference letters and exclude others).

Additional reference letters from students must be kept confidential, and students should be assured that this is the case. Other additional reference letters may or may not be considered confidential, depending on Department policy and arrangements with the writer of each reference letter.

### **2x.6.3 Tenure**

#### **2x.6.3.1 Tenure Policy**

Academic tenure is granted to Faculty members who have demonstrated their fitness for permanent membership on the Faculty by means of a record of excellence in teaching, scholarly research, and service. Such Faculty are characterized not only by their past accomplishments but also by the promise of outstanding future achievement.

Although tenured Faculty members may serve as administrators, their tenure applies only to their Faculty position, not to their administrative position.

#### **2x.6.3.2 Awarding of Tenure**

The Board of Trustees grants tenure on the recommendation of the President of the University. Although tenure may sometimes be granted at the time of appointment, to well-qualified Faculty who join the university at or above the rank of Associate Professor (see section 2x.5.1.3), tenure is more commonly granted only after a series of rigorous reviews and evaluations by Department P&T Committees, Deans, the University Committee on Promotion and Tenure, and the Provost. Tenure becomes effective on the first day of the academic year following the granting of tenure by the Board of Trustees.

#### **2x.6.3.3 Tenure-Track Period (TTP)**

The term TTP shall refer to the period during which the Faculty member holds a tenure-track appointment at NJIT prior to being tenured. During the TTP, the Faculty member is evaluated for tenure.

Appointment during the TTP shall normally be for a period of one year at a time and is subject to renewal. The TTP always begins at the start of the academic year in the fall. For persons hired at mid-year, the TTP will commence at the start of the following academic year.

Unless the TTP has been extended according to the procedures discussed below, the TTP shall not exceed seven years, which is the standard TTP for an Assistant Professor. During the TTP, a decision must be reached to either award tenure or terminate appointment. In the latter case, a terminal-year appointment would be within the allowed TTP period.

#### 2x.6.3.3.1 Shortened Tenure-Track Period

The TTP of untenured Faculty who are appointed with a prior record of teaching and research may be the standard seven years or a shorter period, but not less than four years. In such cases, the duration of the TTP is determined at the time of hire by mutual agreement of the Provost—acting on the recommendation of the hiring Department P&T Committee and the College Dean—and the candidate for a Faculty position.

#### 2x.6.3.3.2 Extended Tenure-Track Period

In special circumstances, such as an event that severely impedes a Faculty member's ability to perform his/her professional duties for a period of time (including an illness to a Faculty member or a member of his/her family, or primary care given to a newborn or newly adopted child), the TTP may be extended by an authorized leave of absence. However, such an extension can occur only once during the TTP and can last no more than one year. Thus, the maximum duration of the TTP is eight years, during which time a decision must be reached to either award tenure or terminate the appointment.

In order to receive an extension of the TTP through an authorized leave of absence, a Faculty member must submit a written request to the Department P&T Committee in a timely fashion, explaining the reason(s) for the request in detail. The Department P&T Committee reviews the request and makes a recommendation to the Dean. The Dean forwards the Faculty member's request and the Department P&T Committee's recommendation, along with the Dean's own recommendation, to the Provost, who either authorizes or denies the extension.

If a request for an extension of the TTP is made during the Third Year Review, no extension will be granted unless the review results in reappointment. A request for an extension of the TTP cannot be made after the start of the period of tenure eligibility (see section 2x.6.3.5).

Application for a leave of absence for personal reasons, or election to use the University's Active-Service Modified-Duties Policy to care for a newborn or newly adopted child (see section ??? [note: Active-Service Modified-Duties Policy is currently in section 2.2.6 Tenure but will be moved to a more appropriate place later in the Faculty Handbook]), does

not obligate an untenured Faculty member to apply for an extension of the TTP, nor does it replace the requirement for a formal, written request, should the Faculty member desire a TTP extension.

#### **2x.6.3.4 Tenure in Relation to Promotion during the Tenure-Track Period**

Untenured Faculty members who hold the rank of Assistant Professor are also evaluated for promotion to Associate Professor (see sections 2x.2.2.1–2) during the TTP. The award of tenure and promotion to the rank of Associate Professor normally occur simultaneously. In exceptional circumstances, an Assistant Professor may be promoted to Associate Professor prior to receiving tenure, but an Assistant Professor cannot receive tenure prior to being promoted to Associate Professor.

#### **2x.6.3.5 Eligibility for Tenure**

The period of eligibility for tenure refers to the specific year(s) within the TTP in which a Faculty member can be considered for, and granted, tenure.

##### 2x.6.3.5.1 Faculty with a Standard (7-Year) Tenure-Track Period

###### 2x.6.3.5.1.1 Tenure Consideration during the Fifth Year

A Faculty member with a 7-year TTP will be first eligible for tenure consideration during the fifth year. If the Department P&T Committee decides not to recommend a Faculty member for tenure during the fifth year, no tenure recommendation shall be forwarded to the Dean at this time. In general, recommendation for tenure in the fifth year should be reserved for Faculty members who have exceptional credentials by this time. It should not be viewed as a trial period for consideration during the sixth year, and there should be no stigma attached to not being recommended for tenure in the fifth year.

###### 2x.6.3.5.1.2 Tenure Consideration during the Sixth Year

If a Faculty member has not been tenured in the fifth year or had his/her TTP extended according to the stipulations in section 2x.6.3.3.2, the Department P&T Committee must forward a recommendation to the Dean in the sixth year, either for or against tenure. The sixth year is the last year of tenure eligibility.

###### 2x.6.3.5.1.3 Right of Appeal and Terminal Year

If a Faculty member in the sixth year of tenure eligibility has not been recommended for tenure by his/her Department P&T Committee, the Faculty member may appeal the decision to the Department P&T Committee, and then, if necessary, to the Dean (see section 2x.6.5.2.4.5). If tenure is denied, a terminal one-year appointment shall be given for the subsequent year. That is, the last year of the TTP becomes the terminal year.

##### 2x.6.3.5.2 Faculty with an Extended (8-year) Tenure-Track Period

In the case of a Faculty member whose TTP has been extended through the process stated in section 2x.6.3.3.2 above, tenure consideration follows the same pattern as in section 2x.6.3.5.1, except that the sixth year is the first year of tenure eligibility; the seventh year is the second

year of tenure eligibility; and if tenure is not granted, the eighth year becomes the terminal year.

#### 2x.6.3.5.3 Faculty with a Shortened (4–6 year) Tenure-Track Period

In the case of a Faculty member whose TTP has been shortened through the process stated in section 2x.6.3.3.1, the first year of tenure eligibility will be the penultimate year of the TTP (e.g., if the TTP is four years, tenure eligibility occurs during the third year). A formal review for tenure must be conducted at this time, and the recommendation of the Department P&T Committee shall be forwarded to the Dean. If tenure is denied, a terminal one-year appointment shall be given for the subsequent year, subject to the right of appeal stated in section 2x.6.5.2.4.5. That is, the last year of the TTP becomes the terminal year.

### **2x.6.3.6 Evaluation of Untenured Faculty**

#### 2x.6.3.6.1 Annual Review

A review of the progress of untenured Faculty shall be made each year by the Department Chairperson, in consultation with the Department P&T Committee. The result of that review must be communicated to the Faculty member in writing. The Faculty member should be made aware of the Department P&T Committee's expectations for tenure and promotion, and every effort should be made to suggest strategies for helping the Faculty member to attain that goal.

#### 2x.6.3.6.2 Third Year Review

During the third year of the TTP, the Department P&T Committee carries out an intensive, documented review of a Faculty member's progress toward tenure and promotion. The Third Year Review evaluates all aspects of a Faculty member's professional activities and accomplishments and is similar to a tenure review during the period of Tenure Eligibility, except that no reference letters are sought from outside or inside the university. The Faculty member under review shall be formally apprised of the results of the Third Year Review by the Department Chairperson, who sends the written review to the Dean of the College, who forwards it to the Provost.

If the Third Year Review establishes that satisfactory progress is being made, the review normally includes a recommendation to the Dean for retaining the Faculty member until the period of Tenure Eligibility. If the Third Year Review concludes that a Faculty member's progress is unsatisfactory, the Department P&T Committee may recommend to the Dean either to terminate the appointment or to re-appoint with conditions that must be met in order to continue the appointment until the period of Tenure Eligibility.

#### 2x.6.3.6.3 Tenure Eligibility Review

During the period of tenure eligibility, the Department P&T Committee shall conduct an intensive documented review of a Faculty member's qualifications for tenure—including external peer review letters and additional reference letters—and shall make a recommendation to the Dean, in accordance with section 2x.6.5.2.4.

### **2x.6.3.7 Non-Reappointment and Appeal Prior to the Tenure Eligibility Period**

#### **2x.6.3.7.1 Non-Reappointment**

Every untenured Faculty member shall be considered for reappointment by his or her Department P&T Committee on an annual basis. The Department recommendation is then submitted to the appropriate Dean, and by the Dean to the Provost. If the Department recommendation is for non-reappointment, due to a failure of the Faculty member to meet the Department's performance standards regarding teaching, scholarly research, and service, and if the Dean and Provost concur, the Faculty member shall receive a notice of terminal assignment consistent with the controlling collective bargaining agreement.

#### **2x.6.3.7.2 Notification and Appeal**

If a Department P&T Committee makes a preliminary decision to recommend an untenured Faculty member for non-reappointment, the Department Chairperson must inform the affected Faculty member prior to taking any further action. At that time the Chairperson must also inform the Faculty member that he or she has the right to submit a written appeal. If, after considering an appeal, the Department P&T Committee votes to recommend non-reappointment, this recommendation is forwarded by the Chairperson to the Dean and then to the Provost in a file containing a written statement of the reasons for the recommendation and any appeal letter of the Faculty member. This file must be reviewed by both the Dean and the Provost before a terminal appointment letter is sent to the Faculty member.

### **2x.6.3.8 Staff Reduction**

Should reduction in the full-time teaching staff become necessary, those holding tenure shall be given preference for continued employment over those not holding tenure and shall be retained as far as practicable according to seniority. In the event staff is rehired, tenured staff shall be rehired first, according to seniority. No individual reductions in base salary are to be made for persons on tenure unless fiscal exigencies warrant a salary decrease for all members of the staff, and then such reduction in salary shall be on an equitable basis.

### **2x.6.3.9 Removal Procedures**

If conditions arise that, in the opinion of the President, may warrant removal of a tenured person, the person has the option of bringing the case before a special committee of five faculty members chosen by the faculty. This committee will report to the faculty, which will act on the report. The faculty action will then be forwarded to the Board of Trustees, which will make a final determination.

## **2x.6.4 Promotion**

### **2x.6.4.1 Awarding of Promotion**

All academic promotions are conferred by the Board of Trustees on the recommendation of the President, after a series of rigorous reviews and evaluations by Department P&T Committees, Deans, the University Committee on Promotion and Tenure, and the Provost.

#### **2x.6.4.2 Promotion to Associate Professor**

As stated in sections 2x.2.2.1 and 2x.6.3.4 above, the process of promotion from Assistant Professor to Associate Professor is normally identical to the process of earning tenure, although in exceptional circumstances a Faculty member may be promoted to Associate Professor before receiving tenure.

#### **2x.6.4.3 Promotion to Professor**

##### 2x.6.4.3.1 Annual Review

Faculty at the rank of Associate Professor are eligible for consideration for promotion each year and shall be reviewed annually by their Department P&T Committees.

##### 2x.6.4.3.2 Recommendation for Promotion to Professor

If, after a full, intensive, and documented review—including external peer review letters and additional reference letters—a Department P&T Committee determines that an Associate Professor meets the criteria for the rank of Professor (see section 2x.2.2.3), it may make a recommendation for promotion to the Dean, in accordance with the procedures stated in section 2x.6.5.2.4.

#### **2x.6.4.4 Promotion to Distinguished Professor**

Nominations for promotion to the rank of Distinguished Professor may be made directly to the Provost by any member of the Faculty or by a Department P&T Committee. The Provost transmits such nominations to the Distinguished Professors Committee, consisting of all Faculty members who hold the rank of Distinguished Professor except the Provost and the President. The Distinguished Professors Committee processes and reviews all such nominations and sends its recommendations to the Provost, who confers with the President. The President then makes recommendations for promotion to the Board of Trustees.

### **2x.6.5 Promotion and Tenure Procedures**

#### **2x.6.5.1 Guidelines and Notifications**

Not later than September 15 each year, the Provost shall transmit to all Faculty and Instructional Staff, academic Departments, Colleges and Schools—as well as post in an accessible location—guidelines, including any changes in procedures that may have resulted from Faculty or Administrative action, the PSA Contract, or Affirmative Action, concerning:

- Promotion and Tenure
- Reappointment and termination or non-renewal of contract
- Third Year Review of tenure-track Faculty

These guidelines shall specify the procedures to be followed, and the deadlines to be met, in the preparation and submission of dossiers containing the credentials of each Faculty member under review, the solicitation of external reference letters, the formulation of discipline-specific criteria for promotion and tenure, the processes for reappointment and termination or non-renewal of contracts, and other relevant information. No material in support of recommendations for any category shall be due before October 15.

Also not later than September 15, the office of the Provost shall notify Faculty of the procedure and deadline for completing the Faculty Annual Report,

documenting their research, service, and teaching activities and accomplishments for the previous academic year.

## **2x.6.5.2 The Department Promotion and Tenure (P&T) Committee, and the Role of the Deans**

### 2x.6.5.2.1 Membership

The Department P&T Committee shall consist of the Department Chairperson who, regardless of rank, chairs the Department P&T Committee, and all tenured Faculty at the rank of Professor or higher. In a College or School without Departments, the College or School P&T Committee performs the duties of the Department P&T Committee, and the Dean serves as its Chairperson.

### 2x.6.5.2.2 Composite Department P&T Committee

In the event that a Department has fewer than three Faculty members at or above the rank of Professor, the Dean and the Department Chairperson jointly recommend to the Provost one (or if necessary, two or three) Faculty members at or above the rank of Professor from outside the Department to make up the requisite three members, normally serving three-year renewable terms. In the case of Federated Departments, one of these individuals may be a colleague of appropriate rank in the Federated Department at Rutgers University, Newark. All Composite Department P&T Committees must be approved by the Provost.

### 2x.6.5.2.3 Duties

The Department P&T Committee jointly makes all decisions regarding recommendations for Faculty hiring, evaluation, promotion, tenure, and termination or non-renewal of contract within the Department. Specifically the Department P&T Committee will

- Provide advice and concurrence to the Department P&T Committee Chairperson in the hiring of Faculty.
- Communicate through its Chairperson each case of termination or non-renewal of contract with the Dean of the College or School concerned before sending a recommendation to the Dean.
- Review the records, including Faculty Annual Reviews, of all Department members who are candidates for promotion and/or tenure, to determine who meets the requirements for promotion and/or tenure.
- Assist the Chairperson in evaluating each Faculty member who is not a member of the Department P&T Committee.
- Conduct a Third Year Review of each non-tenured Faculty member during his/her third year since hire.
- Make promotion and tenure recommendations to the Dean of the College or School, who sends them to the University Committee on P&T.

### 2x.6.5.2.4 Procedures

#### 2x.6.5.2.4.1 Compliance, Criteria and Confidentiality

All decisions on promotion and tenure must be in compliance with Department and university goals. Affirmative action considerations shall be a component of these decisions. Each Department P&T Committee will determine criteria for promotion and tenure consistent with the discipline(s) represented in the Department and with the general university criteria specified in the Faculty Handbook, and those criteria will be transmitted with each candidate's dossier to the Dean, according to the guidelines distributed by the Provost (see 2x.6.5.1). The Department P&T Committee must maintain adequate written records of its deliberations. In view of the sensitive nature of the proceedings of the Department P&T Committee, confidentiality shall be maintained by the members of the committee. All communications shall be made through the Department P&T Committee Chairperson. During the period of committee deliberations, it is deemed inappropriate for candidates to discuss their status except with the Department P&T Committee Chairperson or the full committee.

#### 2x.6.5.2.4.2 Voting

##### 2x.6.5.2.4.2.1 Standard Voting Procedure

The Department P&T Committee Chairperson shall not vote on recommendations for persons whose rank exceeds his or her own. After discussions of the qualifications of all candidates for promotion, tenure, reappointment and termination, the committee will vote on the candidates in accordance with the established criteria. Candidates for promotion and tenure receiving a majority or tie vote will be recommended, with the numerical vote recorded. The vote, if any (see above), of the Chairperson will be specified and included in any recommendation sent to the Dean. The individual votes of other members of the Department P&T Committee will not be identified.

##### 2x.6.5.2.4.2.2 Advisory Voting by Tenured Associate Professors

If specified in its Department Bylaws, a Department may enable tenured Faculty members in the Department at the rank of Associate Professor (besides an Associate Professor who may be serving as Department Chairperson) to participate fully with the Department P&T Committee in promotion and tenure deliberations concerning Assistant Professors in the Department. In such cases, the votes of tenured Associate Professors are recorded separately and considered advisory.

##### 2x.6.5.2.4.3 Submission of Recommendations

Recommendations for tenure and for promotion to the ranks of Associate Professor or Professor are submitted to the Dean. In cases where more than one person is recommended for promotion or tenure, the Department P&T Committee shall give the order of preference in each category. Before any reports are submitted to the Dean, the Department P&T Committee Chairperson must notify each Faculty member being considered, in writing, of the Department P&T Committee's decision, and

each Faculty member shall be given an opportunity to meet with the Department P&T Committee to review his or her case (see section 2x.6.5.2.4.5).

The Department P&T Committee Chairperson shall submit recommendations and supporting material to the Dean no later than the dates specified for the various categories by the Provost (section 2x.6.5.1). Any material submitted by the candidate to the Department P&T Committee Chairperson after the dates specified by the Provost will be accepted, but with no assurance that it will affect the deliberations of the University Promotion and Tenure Committee. A minority report supported by at least one third of the Department P&T Committee may accompany any recommendation. All reports, both majority and minority, will be available to every member of the Department P&T Committee before submission to the Dean.

#### 2x.6.5.2.4.4 Action by the Dean

After receiving the supporting material from the Department Promotion and Tenure Committee, the Dean makes an evaluation in writing, which is included in the candidate's dossier. The Dean then submits the dossier to the University P&T Committee and sends a copy of his/her evaluation to the Chairperson of the candidate's Department P&T Committee, for distribution to the entire committee.

#### 2x.6.5.2.4.5 Appealing a Negative Recommendation

A member of the Faculty who has held the rank of Assistant Professor or Associate Professor for at least five years and who has been eligible for consideration for promotion for at least two years, or who is in his/her last year of eligibility for consideration for tenure but has failed to receive a majority recommendation from his/her Department P&T Committee, may request and must be granted an opportunity to meet with the Department P&T Committee prior to the submission of its recommendations to the Dean. At this meeting, the Faculty member may present orally and in writing an appeal stating reasons why he/she believes a recommendation for tenure, and/or promotion is warranted.

If, after further deliberation, the Department P&T Committee upholds its original decision and if, upon notification (which shall be within one week), the affected Faculty member does not accept this decision, he/she may submit an appeal in writing, along with any pertinent material, to the Dean, who transmits it to the University Committee on P&T with an evaluation. This shall be done no sooner than one week and no later than eight weeks after the meeting with the Department P&T Committee, which must be advised of the Faculty member's action. The Department P&T Committee may forward a report supporting its decision to the Dean, who transmits it to the University Committee on P&T with an evaluation. A minority report of one or more members may also be submitted. For promotion, the Faculty member may exercise the appeal procedure described above once every three years; for tenure, only in the last year of eligibility for consideration for tenure.

## **2x.6.5.3 The University Committee on Promotion and Tenure (P&T)**

### 2x.6.5.3.1 Membership

The University Committee on P&T is to be constituted so as to have three members directly appointed by the Provost and four members chosen by the Provost from a slate nominated by Faculty Council. The Provost will strive for a maximum range of disciplines and Departments to be represented on this Committee. All members must have tenure at the rank of Professor or higher. Two rules will be applied to determine the composition of the University Committee on P&T: (1) there shall be at least one representative from each of the five Colleges or Schools, and (2) there shall be two representatives from each of the two Colleges or Schools with the largest numbers of tenured and tenure-track Faculty. The University Committee on P&T will select its Chairperson each year.

Members will serve three-year terms and will not be eligible to serve more than three years in any consecutive six-year period. This shall not include time served as a replacement for a member who was unable to complete his or her term. In March of every year, or whenever necessary, each Department will nominate a candidate for each Faculty Council-designated Committee vacancy. The name of the nominee is then to be submitted to the Faculty Council. By May 1, the Faculty Council will recommend to the Provost, from among the names submitted to it, two persons for each available position. The Provost will make the final choice from these recommendations. In the event that a committee member is unable to complete his or her term, the same procedure will be employed to secure a replacement, who will serve only to the end of the unexpired term.

A member of the University Committee on P&T shall not sit on a Department P&T Committee while serving on the University Committee on P&T, except to participate in deliberations not related to promotion and tenure. He or she shall not be a party to any deliberations by a Department P&T Committee which might involve discussions and decisions on matters that have to be reported to the University Committee on P&T.

### 2x.6.5.3.2 Duties

The University Committee on P&T will receive and consider the recommendations from the Department P&T Committees and the Deans' evaluations pertaining to promotion and tenure, and will pass along to the Provost any Department P&T Committee recommendations in addition to its own recommendations. The University Committee on Promotion and Tenure may also serve as an advisory body to the President if requested. The University Committee on P&T must maintain adequate written records of its deliberations.

### 2x.6.5.3.3 Procedures

#### 2x.6.5.3.3.1 Confidentiality

Members of the University Committee on Promotion and Tenure must maintain strict confidentiality. Any questions regarding committee business shall be directed to its Chairperson alone.

#### 2x.6.5.3.3.2 Voting

The University Committee on P&T will discuss and vote on all the candidates recommended for promotion or tenure. Department P&T Committee

recommendations supported by a majority of the University Committee are sent directly to the Provost.

#### 2x.6.5.3.3.3 Submission of Recommendations

The University Committee on P&T Chairperson is responsible for passing on the Committee's decisions to the Provost, and to each candidate's Dean and Department Chairperson. The latter, in turn, will inform each person recommended by the Department P&T Committee of the status of his or her candidacy.

#### 2x.6.5.3.3.4 Appealing a Recommendation

##### 2x.6.5.3.3.4.1 Appeals by the Department

In the event of a difference of opinion between the two committees, the Department P&T Committee may, if it wishes, submit additional materials and written arguments supporting its position to the Dean, who reviews these materials and arguments and submits them to the University Committee on P&T with an evaluation of their merit. If, after consideration of this new information, the University Committee on P&T votes to sustain its original decision, the Department P&T Committee's recommendation, the Dean's evaluation, and the University Committee on P&T's decision will be sent to the Provost. If the University Committee votes to reverse its decision, a positive recommendation will at this point be sent to the Provost.

##### 2x.6.5.3.3.4.2 Appeals by a Candidate

The University Committee will consider the merit of all appeals by individual Faculty members (see section 2x.6.5.2.4.5) and will transmit its findings to the Dean, who will in turn transmit them to the Department P&T Committee Chairperson, who informs the individual Faculty member concerned. If a majority of the University Committee finds an appeal to have merit, the Dean will ask the Department P&T Committee to reconsider its original decision. If the Department P&T Committee reverses its decision, the name of the affected Faculty member will be added to, and ranked with, any others recommended in the same category.

If the Department P&T Committee reaffirms its original decision, the University Committee on P&T will evaluate the Faculty member's credentials in the same way it would evaluate those of Faculty members recommended in the ordinary way for promotion, tenure, or both. However, at least five of the seven members of the University Committee on P&T must support any recommendation before it may be construed as a positive recommendation to be sent to the Provost.

#### **2x.6.5.4 Final Recommendations by the Provost and the President**

Upon receiving the recommendations from the University Committee on P&T and the appeals from Department P&T Committees (see section 2x.6.5.3.3.4.1), the Provost may confer with the University Committee on P&T for clarification, if necessary, and confers with the President. The President makes the final recommendations for promotion and tenure to the Board of Trustees for approval.

[Note: Sects. 2x. through 2x.6.5.4 above replace sects. 2. through 2.4.4 and sect. 2.23 in the current Faculty Handbook.]

[Note: the following text has been removed from the Tenure section of the Faculty Handbook but will be reinserted later in the Handbook:]

### **Active-Service Modified-Duties Policy for Tenured and Tenure-Track Faculty**

NJIT is committed to providing policies and resources to facilitate the opportunity for faculty to strike an appropriate balance between academic and family life. Often, leave policies find their origins in the illness of an employee, the desire to take a leave of absence without pay, or the Family Medical Leave Act but do not adequately address the unique circumstances of the birth or adoption of a child by tenured or tenure-track faculty. Career demands can place faculty members beginning a family, particularly women faculty, at a potential disadvantage with respect to their peers. No one should be in a position to have to choose between family and profession. Consequently, it is important to have special policies that address the birth or adoption of a child by a tenured or tenure-track faculty member as compared to leave policies that serve different purposes.

Eligibility: Following the event of an adoption or birth of a child by a tenured or tenure-track faculty member or their spouse, and if the primary caregiver is an NJIT tenured or tenure-track faculty member, he or she has the option of using the Active-Service Modified-Duties Policy. Under this policy, the faculty member is relieved of university service assignments and scheduled teaching (e.g., classroom) responsibilities for up to only one semester, without reduction in pay and with continuation of all rights and benefits of regular employment, as follows:

- If the birth or adoption takes place during Fall semester, the modified duties period can extend into the Spring Semester for a total of no more than one semester only.
- If the birth or adoption takes place in the Spring semester, the modified duties period can extend through that Spring semester only.
- If the birth or adoption takes place in the Summer before the start of Fall semester, the modified-duties period can extend through the Fall semester only.

In addition, if the primary care giver is a tenure-track faculty member, the Tenure-Track Period (TTP) will be automatically extended by one year. An individual can only be on Active-Service Modified-Duties under this policy twice during his or her career at NJIT. During the Modified-Duties period, the primary care faculty member is expected to fulfill student research, advising, and other research responsibilities. The use of the Active-Service Modified-Duties Policy obligates the recipient to serve as a member of the university faculty for at least one year following the completion of the leave or to reimburse the university for all salary paid during the Active-Service Modified-Duties period.