

UA partial proposals Presented 8/31/21

~~rejected language from current~~

UNAC Proposal 1 Presented 10/5/21

~~rejected language from UA~~

## ARTICLE 9

### *Faculty Status: Appointment, Evaluation, Promotion, Tenure, and Termination*

#### 9.1 Faculty Appointment

There shall be three categories of appointment applicable to UNAC members: appointment with tenure, tenure track appointment, and non-tenure track ~~term~~ appointment. The appointment of UNAC members to these categories shall be at the sole discretion of the University. The initial appointment of UNAC members to one of these categories shall not be subject to the dispute resolution processes provided in this Agreement.

##### 9.1.1 Appointment with Tenure

Tenure denotes the status of holding a nine-month appointment on a continuing basis. Such appointments shall be renewed annually unless terminated as provided by the terms of this Agreement.

A tenured appointment may be made at less than 100 percent, but no less than 51 percent, of full-time equivalent (FTE) status. Any increase in the UNAC member's percent of FTE status from that held at the time the UNAC member was appointed with tenure shall be made only upon consent of the UNAC member with recommendation through the tenure evaluation process and approval of the chancellor. Any decrease in the UNAC member's percent of FTE status from that held at the time the UNAC member was appointed with tenure shall be made with the consent of the UNAC member and the approval of the chancellor.

The titles of associate professor and professor shall be used to denote the rank held by tenured UNAC members.

##### 9.1.2 Tenure Track Appointment

A tenure track appointment is one that leads to eligibility for consideration for appointment with tenure. Time spent in a tenure track appointment in the academic unit within which tenure is sought shall count toward the time for mandatory review for tenure. Notification of the year of mandatory review shall be made in the initial appointment letter. Non-retention of a tenure track appointment shall be made in accordance with the notification time periods required by this Agreement.

A tenure track appointment may be made at less than 100 percent, but no less than 51 percent, of full-time equivalent (FTE) status.

The titles of assistant professor, associate professor, and professor shall be used to denote rank of tenure track UNAC members.

### 9.1.3 Non-tenure Track ~~Term~~ Appointment

A non-tenure track ~~term~~ appointment may be made at less than 100 percent, but no less than 51 percent, of FTE status, for a specific length of time. Performance expectations shall be specified by individual appointment letters and workload.

A non-tenure track ~~term~~ appointment shall not lead to consideration for tenure. Except as otherwise agreed between the UNAC member and the hiring authority in writing at the time of hire into a tenure track position, time spent in a non-tenure track ~~term~~ appointment shall not count in the calculation of the time for promotion or mandatory review for tenure in any subsequent tenure track appointment in the University of Alaska.

Non-tenure track ~~term~~ appointments may be made for a period up to but no longer than five (5) years. ~~After three (3) years of continuous service, non-tenure track UNAC members will receive a renewable two (2) year contract. After five (5) years of continuous service, non-tenure track UNAC members will receive a renewable three (3) year contract. After eight (8) years of continuous service, non-tenure track UNAC members will receive a renewable four (4) year contract. If the non-tenure track UNAC member is funded by an external grant/contract, the UNAC member will receive a contract with duration commensurate with the duration of the grant/contract, up to five (5) years, and no less than the schedule above.~~

Non-tenure track ~~term~~ appointments shall expire at the end of the specified period of appointment, unless renewed or provided notice in accordance with Article 9.4.2. ~~In addition to provisions for termination provided in this Agreement, a non-tenure track term appointment may be terminated early if the terms of the performance assignment are not fulfilled, if the duration of the funded activity has expired, or if the program has been discontinued or reduced.~~ Because non-tenure track ~~term~~ appointments are expected to end at the completion date of the ~~contract assignment~~, non-tenure track UNAC members may not challenge a decision not to reappoint them.

The titles of instructor, ~~lecturer~~, assistant professor, associate professor, and professor may be used to denote rank of non-tenure track UNAC members. In addition, qualified titles of rank, as specified below, may be used.

The titles of research assistant professor, research associate professor, or research professor shall be used to denote rank of non-tenure track UNAC members conducting research as a primary assignment and supported primarily by research funds.

The titles of clinical lecturer, clinical instructor, clinical assistant professor, clinical associate professor, or clinical professor shall be used for UNAC members who are also practitioners in health care delivery professions or in other professions to which such titles would be applicable.

#### 9.1.4 Appointment Duration

A UNAC member's base appointment shall be for the academic year (nine-month) as determined by the campus or for an alternative nine-month period. A nine-month appointment may be extended by up to three months at the discretion of the University. Such an extension may be included in the base assignment letter, but in any event an extension does not modify the tenured or tenure-track base appointment period of nine months.

#### 9.1.5 Method of Appointment

All appointments other than those of Distinguished and University Professor shall be made by the chancellor or the chancellor's designee, under the appointment authority of the president of the University of Alaska.

#### 9.1.6 Appointments of Distinction

Tenured appointments as Distinguished Teaching Professor, Distinguished Research Professor, Distinguished Service Professor, or University Professor may be given by action of the Board of Regents on recommendation of the appropriate academic unit peer review committee and concurrence of the chancellor and the president.

Appointment as Distinguished Visiting Professor shall be made by the chancellor, following consideration of recommendations of the appropriate academic unit peer review committee. Such appointment shall be reported to the president and shall be a non-tenure track appointment for a period of time not to exceed three years. These appointments may be renewed, following consideration of recommendations of the appropriate academic unit peer review committee.

#### 9.1.7 Professional and Ethical Standards

UNAC members have a responsibility to maintain high standards of professional and ethical performance and conduct.

#### 9.2 Evaluation

UNAC members shall be evaluated regularly and in writing in accordance with this Agreement. Such evaluation shall be the responsibility of the chancellor or the chancellor's designee.

Evaluations shall appraise the extent to which each UNAC member has met the workload assignment and professional responsibilities as identified in Article 13, the extent to

which the UNAC member's professional growth and development has proceeded, and the prospects for the UNAC member's continued professional growth and development. Evaluations shall also identify changes, if any, in emphasis required for promotion, tenure, and continued professional growth and may result in the initiation of processes to improve performance. MAU rules and procedures shall identify processes available to assist UNAC members in the improvement of performance.

All reviewers have an ethical responsibility to maintain the confidentiality of evaluation materials. Breaches of confidentiality by a UNAC member will be subject to disciplinary action as outlined in Article 11. Breaches of confidentiality by other university personnel will be subject to the grievance procedure as outlined in Article 7.

The nonprocedural aspects of the evaluation of UNAC members shall be considered substantive academic judgments.

#### 9.2.1 Annual ~~Activity Report~~/Review

~~UNAC members subject to review will follow processes and procedures for file preparation as outlined in this Article and MAU-specific guidelines.~~

**Review** ~~Evaluation~~ of UNAC members shall be conducted annually by the dean, director or designee. The UNAC member shall submit, by September 12 a current CV and ~~Annual Activity Report including~~ a brief self-evaluation narrative unless the UNAC member is undergoing a fourth-year comprehensive review, tenure review, promotion review, or post tenure review. The UNAC member may submit additional documentation at **their** ~~his or her~~ discretion. The dean, director, or designee may consider additional information contained within the UNAC member's academic record file and other files as defined in Article 12.2.

The dean, director, or designee of the respective academic unit(s) ~~may~~ **will** provide by January 15 a brief written statement regarding ~~whether~~ the UNAC member's **satisfactory** performance; **however, for tenure track UNAC members the dean, director, or designee must provide a written statement on the UNAC member's progression towards tenure annually. The dean, director, or designee of the respective academic unit(s) must provide by January 15 a brief written statement regarding unsatisfactory performance. Lack of a response from the dean, director, or designee for a tenured or non-tenure track faculty member will be considered as a satisfactory review. A response from the dean, director, or designee does not imply an unsatisfactory review.** ~~was satisfactory or unsatisfactory unless the UNAC member is receiving a fourth-year comprehensive review, tenure review, promotion review, or post tenure review.~~

#### 9.2.2 **Comprehensive Reviews**

**In addition to annual reviews, all UNAC members regularly undergo comprehensive evaluation as outlined in this article.**

### 9.2.2.1 Comprehensive Review Files

The UNAC member shall submit a file including the following documents:

1. Current CV;
2. Annual workload assignments for the period under review;
- ~~3. A cumulative activity report for the period under review;~~
4. Feedback from the dean, director, or designee in response to the Annual Reviews ~~Activity Reports~~ for the period under review;
5. Evidence of teaching effectiveness for the years under review, where applicable, as defined by appropriate MAU criteria;
- ~~6. Summarized teaching evaluations for the years under review, where applicable;~~
7. Self-evaluation that summarizes the UNAC member's scholarly contributions and accomplishments in other areas included in their workload agreements for the period under review;
8. If the dean, director, or designee's feedback to previous evaluations noted areas for improvement, then the self- evaluation shall include a summary of progress made to address those areas.
- ~~9. External review letters;~~
10. Other materials as specified in academic unit peer review and MAU criteria;
11. Other materials at the discretion of the UNAC member.

### 9.2.2.2 Evaluation of Tenure Track UNAC Members for Progression Towards Tenure

#### a. Annual Review

Tenure track UNAC members will undergo review following the procedures and timelines in Article 9.2.1 to assess progress toward tenure and retention.

#### b. Fourth-Year Comprehensive Review

During the fourth year of a tenure-track appointment, the UNAC member shall receive a comprehensive and diagnostic review by the appropriate academic unit peer review committees and administrators in accordance with the procedures for evaluation provided in this ~~a~~ Article. The purpose of the comprehensive review is to assess progress toward tenure and promotion. The review will proceed to the provost; it may proceed to the chancellor at the written request of the UNAC member. A UNAC member who commences a fourth-year review may not convert to a tenure or promotion review. If a

UNAC member chooses to stand for promotion and tenure during the fourth-year review period, the UNAC member may not withdraw the file from consideration at any step in the process. If the decision of the chancellor is to deny tenure, the UNAC member may continue to serve as a tenure track unit member but may not stand again for tenure and promotion prior to the mandatory year of review.

~~The UNAC member shall submit a file including the following documents:~~

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- ~~1. Current CV;~~
- ~~2. Annual workload assignments for the period under review;~~
- ~~3. A cumulative activity report for the period under review;~~
- ~~4. Feedback from the dean, director, or designee in response to the Annual Activity Reports for the period under review;~~
- ~~5. Evidence of teaching effectiveness for the years under review, where applicable, as defined by appropriate MAU criteria;~~
- ~~6. Summarized teaching evaluations for the years under review, where applicable;~~
- ~~7. Self-evaluation that summarizes the UNAC member's scholarly contributions and accomplishments in other areas included in their workload agreements for the period under review;~~
- ~~8. If the dean, director, or designee's feedback to previous evaluations noted areas for improvement, then the self-evaluation shall include a summary of progress made to address those areas.~~
- ~~9. External review letters;~~
- ~~10. Other materials as specified in academic unit peer review and MAU criteria;~~
- ~~11. Other materials at the discretion of the UNAC member.~~

### 9.2.2.3 Evaluation of Tenure Track and Tenured UNAC Members for Promotion

#### a. Evaluation Process

Tenure track and tenured UNAC members shall be evaluated for promotion according to the procedures provided in this ~~a~~ Article. After considering the recommendations of the appropriate academic unit peer review committees, appropriate administrators, and other relevant sources, the chancellor may promote qualified UNAC members when promotion would be consistent with institutional need, mission, and resources.

~~The UNAC member shall submit a file including the following documents:~~

~~12. Current CV;~~

~~13. Annual workload assignments for the period under review;~~

~~14. A cumulative activity report for the period under review;~~

~~15. Feedback from the dean, director, or designee in response to the Annual Activity Reports for the period under review;~~

~~16. Evidence of teaching effectiveness for the years under review, where applicable, as defined by appropriate MAU criteria;~~

~~17. Summarized teaching evaluations for the years under review, where applicable;~~

~~18. Self-evaluation that summarizes the UNAC member's scholarly contributions and accomplishments in other areas included in their workload agreements for the period under review;~~

~~19. If the dean, director, or designee's feedback to previous evaluations noted areas for improvement, then the self-evaluation shall include a summary of progress made to address those areas.~~

~~20. External review letters;~~

~~21. Other materials as specified in academic unit peer review and MAU criteria;~~

~~22. Other materials at the discretion of the UNAC member.~~

#### b. Denial of Promotion

If the decision of the chancellor is to deny promotion, the UNAC member shall retain current academic rank. A UNAC member denied promotion to the rank of professor may not reapply for promotion for at least one year from the date of the chancellor's decision.

#### c. Withdrawal of Promotion File

A UNAC member may withdraw the file from consideration at any step in the process prior to review by the chancellor except in cases where the unit member otherwise would have been required to undergo a fourth-year comprehensive review or a mandatory review for tenure. If a UNAC member withdraws their file prior to the ~~dDean/dDirector or dDesignee's~~ evaluation, the UNAC member must submit an Annual ~~Review~~ **Activity Report** by November 1.

#### d. ~~Dispute resolution~~ **Appeal** process regarding award for promotion

The dispute resolution process provided in Article 7:3.1 of this Agreement is applicable only either when the promotion recommendation has been made by the provost or the promotion decision has been made by the chancellor and communicated to the unit member. If the appeal is lodged after the recommendation of the provost, the decision of the chancellor is final and not subject to further appeal. An appeal can only be made one time, either before or after the evaluation by the chancellor.

#### 9.2.2.4 Evaluation of Non-tenure Track UNAC Members for Promotion

##### a. Annual Evaluation

Evaluation of non-tenure track UNAC members shall be conducted annually by the dean, director or designee based on the UNAC member's annual activity report. The UNAC member may submit additional documentation at his or her discretion. The dean, director, or designee may consider additional information contained within the UNAC member's academic record file or other files as defined in Article 12.2. The written review by the dean or director or designee shall be completed no later than January 15.

##### a. Evaluation Process for Promotion

Non-tenure track UNAC members with five or more years of continuous service at rank may request to be evaluated for promotion. This includes instructors who may apply for promotion to the rank of non-tenure track Assistant Professor. The evaluation process shall be parallel to that of tenure track and tenured UNAC members. The procedural processes and dates will be the same as in Article 9.2.2.5:6 with the exception of the composition of the academic unit peer review and MAU peer review committees, as which is described below. This process is the sole means for promotion for non-tenure track UNAC members.

The unit peer review and MAU peer review committees for review of non-tenure track UNAC members for promotion will be constituted as described in Article 9.2.6 with the addition of a non-tenure track UNAC member at equal or higher rank. The non-tenure track UNAC member on the unit peer-review committee will be appointment by the Dean/Director or Designee with the consent of the UNAC members of the department/cluster/academic unit in accordance with procedures established at each MAU. Absent such consent, the provost shall resolve issues over the composition of the unit peer review committee. The non-tenure track UNAC member on the MAU peer review committee will be appointed by the provost per MAU faculty evaluation guidelines.

A successful promotion will result in a ten percent (10%) increase to the base salary of the non-tenure track UNAC member in addition to all other base salary adjustments.

##### b. Denial of Promotion

If the decision of the chancellor is to deny promotion, the non-tenure track UNAC member shall retain current academic rank. A UNAC member denied promotion may not reapply for promotion for at least one year from the chancellor's decision.

Promotion does not imply future employment. Academic rank and salary increase of a promoted non-tenure track UNAC member would only be guaranteed if the UNAC member had a renewed appointment in the same position, and at the same academic unit.

**c. Withdrawal of Promotion File**

A UNAC member may withdraw the file from consideration at any step in the process prior to review by the chancellor. If a UNAC withdraws their file prior to the dean/director or designee's evaluation, the UNAC member must submit an Annual Review by November 1.

**d. Dispute resolution process regarding award for promotion**

The dispute resolution process provided in Article 7 of this Agreement is applicable only when the promotion decision has been made by the chancellor and communicated to the unit member.

**9.2.2.5 Evaluation of Tenure Track UNAC Members for Tenure**

**a. Evaluation Process**

Untenured UNAC members shall be evaluated for tenure in accordance with the terms and conditions of appointment and the procedures for evaluation provided in this Article. The chancellor may award tenure to UNAC members whom the chancellor judges to be qualified, when tenure would be consistent with the need, mission, and resources of the MAU and the unit in which the UNAC member would be tenured. The chancellor shall consider the recommendations of the appropriate academic peer review committees, and appropriate administrators, and other relevant sources.

~~The UNAC member shall submit a file including the following documents:~~

- ~~1. Current CV;~~
- ~~2. Annual workload assignments for the period under review;~~
- ~~3. A cumulative activity report for the period under review;~~
- ~~4. Feedback from the dean, director, or designee in response to the Annual Activity Reports for the period under review;~~

- ~~5. Evidence of teaching effectiveness for the years under review, where applicable as defined by appropriate MAU criteria;~~
- ~~6. Summarized teaching evaluations for the years under review, where applicable;~~
- ~~7. Self-evaluation that summarizes the UNAC member's scholarly contributions and accomplishments in other areas included in their workload agreements for the period under review;~~
- ~~8. If the dean, director, or designee's feedback to previous evaluations noted areas for improvement, then the self-evaluation shall include a summary of progress made to address those areas;~~
- ~~9. External review letters;~~
- ~~10. Other materials as specified in academic unit peer and MAU criteria;~~
- ~~11. Other materials at the discretion of the UNAC member.~~

b. Denial of Tenure

If the decision of the chancellor is to deny tenure to a UNAC member in the mandatory year for review, the UNAC member shall be offered a one-year terminal appointment. If tenure is denied as a result of a review process prior to the mandatory year, the UNAC member will continue in the UNAC member's appointment, but will not be eligible to apply for tenure until the mandatory year. The process following denial of tenure shall be in accordance with this Article.

c. Withdrawal of Tenure File

A UNAC member may withdraw the file from consideration at any step in the process prior to review by the chancellor, except in cases where the tenure review is mandatory or the UNAC member otherwise would have been required to undergo a fourth-year comprehensive review. If a UNAC member withdraws their file prior to the ~~dDean/dDirector~~ or ~~dDesignee's~~ evaluation, the UNAC member must submit an Annual ~~Review~~ Activity Report by November 1.

d. ~~Dispute resolution~~ Appeal process regarding award of tenure

The dispute resolution process provided in Article ~~7.3.1~~ of this Agreement is applicable only ~~either when the tenure recommendation has been made by the provost or the tenure decision has been made by the chancellor and communicated to the UNAC member. If the appeal is lodged after the recommendation of the provost, the decision of the chancellor is final and not subject to further appeal. An appeal can only be made one time, either before or after the evaluation by the chancellor.~~

### 9.2.2.6 Post-Tenure Review

Tenured UNAC members shall be evaluated comprehensively every six (6) years in accordance with the procedures set forth by this Article.

The post-tenure review process is generally intended to be a formative rather than a summative process of faculty evaluation, focused on faculty development. It is not intended to be the equivalent of the probationary evaluation of tenure track faculty. The process should review and encourage ongoing development, scholarship, and productivity, including feedback concerning progress toward promotion where applicable. Alleged violation of this intent language is subject solely to the **dispute resolution** ~~complaint~~ process in Article 7.3.

#### a. Post-Tenure Review Process

~~Every six years, tenured UNAC members shall be evaluated comprehensively. A~~ scheduled review will occur six years from the date of the UNAC member's most recent post-tenure review or successful promotion review was initiated. A successful promotion "resets the clock" and the next post-tenure review will occur six years after the initiation of the review process.

These evaluations shall be conducted in accordance with the procedures set forth in this ~~a~~Article. ~~The UNAC member shall submit a file including the following documents:~~

- ~~1. Current CV;~~
- ~~2. Annual workload assignments for the period under review;~~
- ~~3. A cumulative activity report for the period under review;~~
- ~~4. Feedback from the dean, director, or designee in response to the Annual Activity Reports for the period under review;~~
- ~~5. Evidence of effective teaching for the years under review, where applicable, as defined by appropriate MAU criteria;~~
- ~~6. Summarized teaching evaluations for the years under review, where applicable;~~
- ~~7. Self-evaluation that summarizes the UNAC member's scholarly contributions and accomplishments in other areas included in their workload agreements for the period under review;~~
- ~~8. If the dean, director, or designee's feedback to previous evaluations noted areas for improvement, then the self-evaluation shall include a summary of progress made to address those areas;~~

~~9. Other materials as specified in academic unit peer and MAU criteria;~~

~~10. Other materials at the discretion of the UNAC member.~~

A post-tenure review is satisfactory if it concludes that during the period under review the UNAC member's performance has met expectations appropriate to **their** ~~his or her~~ current rank as defined by the evaluation criteria in place for the UNAC member's MAU, college, and discipline. If the overall evaluation of the post-tenure review by the academic unit peer review committee and dean, director, or designee is satisfactory, the review proceeds no further and is complete.

An unsatisfactory review by the peer review committee or the dean, director, or designee will proceed to the university-wide evaluation committee and the provost. The review may proceed to the chancellor only at the written request of the UNAC member.

UNAC members who receive an unsatisfactory post-tenure review from the provost or chancellor shall produce a professional development plan, approved by the dean, director, or designee, that identifies specific objectives and outcomes ~~and shall be scheduled for a post-tenure review the following academic year~~. UNAC members who receive an unsatisfactory comprehensive post-tenure review by the provost (unless the chancellor's review overrides the decision) are ineligible for merit and market salary adjustments. The UNAC member will again be eligible for merit and market salary adjustments following a satisfactory annual or post-tenure review.

A scheduled review will occur six years from the date that the unit member's most recent promotion, tenure or post-tenure review was initiated. A successful promotion "resets the clock" and the next post-tenure review will occur six years after the initiation of the review process.

At any time prior to a scheduled evaluation, the UNAC member's dean, director, or designee may, as a result of other evaluations, initiate the post-tenure review process. If a dean, director, or designee initiates an early review, a UNAC member shall be notified no later than the end of the appointment period. In addition, a post-tenure review shall be conducted upon the request of a UNAC member.

~~A second consecutive unsatisfactory post-tenure review will constitute just cause for termination.~~

b. Dispute Resolution

The dispute resolution process provided in Article ~~7-3.1~~ of this Agreement is applicable only **either** when ~~the recommendation has been made by the provost or the decision has been made by the chancellor and communicated to the UNAC member.~~ ~~If the appeal is lodged after the recommendation of the provost, the decision of the~~

~~chancellor is final and not subject to further appeal. An appeal can only be made one time, either before or after the evaluation by the chancellor.~~

#### 9.2.2.7 Evaluation Procedures

Except as specifically provided otherwise, evaluation of UNAC members for annual review, progression towards tenure review, comprehensive fourth-year review, promotion, tenure, and post-tenure review shall be conducted according to the procedures provided below.

- a. A UNAC member who plans to stand for tenure and/or promotion in the next academic year, shall, by the end of the current appointment period, advise the dean, director, or designee in writing of the intent to stand. ~~At the same time, the UNAC member shall submit to the dean, director, or designee a complete CV and a list of two external reviewers. (External reviews are required only for tenure or promotion reviews.)~~
- b. ~~The dean, director, or designee shall, when external reviews have been requested, distribute the UNAC member's CV to external reviewers by June 30. Two external reviewers are selected by the UNAC member and up to two additional external reviewers may be selected by the dean, director, or designee. The external reviews selected by the dean, director, or designee will be included in the file with annotation that they were requested by the dean, director, or designee before the file goes into the review process. The reviewers shall be asked to submit their reviews to the dean, director, or designee no later than September 1. The reviews will be forwarded by September 8 to the candidate, accompanied by a written notice from the dean, director or designee of the number of reviews requested and the number of reviews received, for inclusion in the file.~~
- c. The UNAC member shall, by September 12, submit to the appropriate dean, director, or designee, a file for evaluation following MAU-specific guidelines and procedures. The file shall contain materials as specified in this Article.
- d. The dean, director, or designee shall, by September 15, submit appropriate files to a peer review committee representing a department/cluster/academic unit as determined by the dean, director, or designee, with the consent of members from that department/cluster/academic unit. Absent such consent, the provost shall resolve issues over the composition of the peer review committee.

The peer review committees **for review of tenured and tenure-track UNAC members** shall be composed of at least five tenured **tenured** faculty, with at least three **tenured** at the rank of full professor. At UAS these minimums shall be four tenured **tenured** faculty including two **tenured** full professors. The dean, director, or designee recommends tenured committee members at the appropriate rank, with the consent of members from that department/cluster/academic unit and in accordance with procedures established at each MAU. Any disagreement about committee

membership shall be resolved by the provost. UNAC members with a conflict of interest as outlined in BOR Policy and Regulation 04.10 with respect to the faculty member under review shall recuse themselves from participation.

The unit peer review and MAU peer review committees for review of non-tenure track UNAC members for promotion will be constituted as described above in Article 9.2.6 with the addition of a non-tenure track UNAC member at equal or higher rank. The non-tenure track UNAC member on the unit peer-review committee will be appointed by the Dean/Director or Designee with the consent of the UNAC members of the department/cluster/academic unit in accordance with procedures established at each MAU. Absent such consent, the provost shall resolve issues over the composition of the unit peer review committee. The non-tenure track UNAC member on the MAU peer review committee will be appointed by the provost per MAU faculty evaluation guidelines.

~~Committees may determine whether discussions will be open or closed to the public and the candidate. The discussions and vote of the peer review committee, however, shall be closed to the public and the candidate.~~

The committee discussions will be open or closed to the public and the candidate. The vote of the peer review committee, however, shall be closed to the public and the candidate. The peer review committee's review and recommendation, without individual attribution, shall be provided to the dean, director, or designee, with a copy to the UNAC member, no later than October 15.

- e. The UNAC member shall submit any written comments, in response to the unit peer review, to the dean, director, or designee not later than October 22.
- f. The dean, director, or designee shall complete a review and prepare written recommendations to the provost with a copy to the UNAC member, no later than December 20. The dean, director, or designee shall forward the file and recommendation to the provost's office.
- g. The unit member shall submit to the provost any written comments in response to the review of the dean, director, or designee no later than January 3.
- h. The provost shall, by January 3, submit the file to an MAU Peer Review Committee appointed by the provost per MAU faculty evaluation guidelines. The MAU Peer Review Committee may determine whether discussions will be open or closed to the public and the candidate. The vote of the MAU Peer Review Committee, however, shall be closed to the public and the candidate. The MAU Peer Review Committee shall provide its review and written recommendation without individual attribution to the provost, with a copy to the UNAC member, no later than February 20.

- i. The UNAC member shall submit to the provost any written comments in response to the MAU Peer Review Committee's review, no later than February 26.
- j. The provost shall review the file and make a written recommendation. The provost shall provide a completed review and recommendation to the chancellor, with a copy to the UNAC member, no later than March 30.
- k. The UNAC member shall submit any written comments in response to the provost's review to the chancellor no later than April 5. ~~If United Academics opts to appeal the provost's recommendation, the dispute resolution process (complaint) as outlined in Article 7.3.1 will be followed, and the chancellor~~ Subsequent deadlines will be mutually agreed upon by United Academics and the University. ~~will convene the Appeals Board within ten (10) working days.~~
- l. The chancellor shall review the file, recommendation of the provost, ~~and the recommendation of the Appeals Board (if applicable) and make the final decision regarding the UNAC member's performance (i.e. whether to retain, promote and/or tenure, or whether the UNAC member's performance is satisfactory). The UNAC member shall be notified in writing of the chancellor's decision no later than May 1. If United Academics opts to dispute appeal the chancellor's decision (and if there was no appeal of the provost's recommendation), the dispute resolution process (complaint) as outlined in Article 7.3.1 will be followed, and the chancellor will convene the Appeals Board within ten (10) working days.~~
- m. ~~The parties will meet and confer regarding the adjustment of dates at each MAU and reduce any agreed modifications to a memorandum of agreement (MOA).~~ If a date in this article ~~or related MOA~~ falls on a Saturday or Sunday it shall be treated as falling on the following Monday. If a date in this article ~~or related MOA~~ falls on a holiday it shall be treated as the first immediate business day following the holiday.
- n. Timelines in this article ~~or related MOAs~~ may be extended by mutual consent of the parties, and such consent shall not be withheld unreasonably.

### 9.3 Tenure

#### 9.3.1 Locus of Tenure

UNAC members shall be tenured within their discipline at an MAU within the University of Alaska. UNAC members may transfer with tenure to another academic unit in the same or another MAU only upon the mutual agreement of the UNAC member and the chancellor of the receiving MAU. For purposes of this Agreement, "discipline" shall be defined as the traditional academic field and recent teaching and research record as demonstrated in workload agreements, annual ~~reviews activity reports~~, and evaluations.

#### 9.3.2 Method of Appointment to Tenure

Tenure shall not be awarded automatically. It is awarded only after careful consideration in accordance with the process set forth above. The chancellor must have approval from the president to award tenure at the time of initial appointment of a UNAC member, or of an academic administrator awarded faculty rank, if the unit members of the academic unit within which tenure would be held recommend against it.

### 9.3.3 Conditions for Consideration for Award of Tenure

Tenure may be awarded to faculty holding a tenure-track appointment. Tenure shall not be awarded to non-tenure track UNAC members.

A UNAC member may submit a file and request an evaluation for award of tenure during any year of service but no later than the mandatory year for tenure review. UNAC members evaluated for tenure prior to the mandatory year for review shall be evaluated on the basis of performance expectations that would exist at the time of mandatory tenure review.

The following considerations affect the determination of the mandatory year.

#### a. Initial Appointment to Full or Associate Professor

An initial appointment to the rank of professor may be made with or without tenure. However, UNAC members receiving such appointments without tenure shall be reviewed for tenure no later than the third consecutive year of service. Appointments to full professor may continue beyond the fourth year only with tenure.

Initial appointment to the rank of associate professor also may be made with or without tenure. UNAC members receiving such appointments without tenure shall be reviewed for tenure no later than the fourth consecutive year of service. Appointments to associate professor may continue beyond the fifth year only with tenure.

#### b. Promotion to Associate Professor

Tenure track UNAC members undergoing review for promotion to associate professor shall also be reviewed for tenure. Promotion of tenure track UNAC members to associate professor shall not be made without prior or simultaneous award of tenure. Tenure shall not be granted at the assistant professor rank.

#### c. Review of Assistant Professor

All tenure track UNAC members appointed at the rank of assistant professor shall be reviewed for promotion and tenure no later than the seventh consecutive year of service. Service may continue beyond the eighth year only with tenure, unless covered elsewhere in this contract.

d. Years of Service Computation

All consecutive years of service, including periods of leave of absence at full salary and sabbatical leave, shall be counted in the determination of the time of mandatory tenure review. Periods of leave of absence at partial or no salary and partial years of service shall also be included unless exception is requested in writing by the UNAC member and approved at the time the leave is granted by the chancellor or chancellor's designee. Periods of parental leave shall be excluded. No more than two academic years or two alternative nine month periods may be excluded from counting toward the mandatory year of tenure review.

Regardless of inclusion in the computation of total years, leave of absence shall not be deemed an interruption of otherwise consecutive service. Years of service preceding a break in consecutive years of university employment may be counted only upon agreement between the UNAC member and the chancellor or chancellor's designee at the time of re-employment.

If requested in writing at the time of appointment, a partial year of service that includes at least one semester of full-time UNAC member service (e.g., a mid-year appointment) may be approved by the chancellor or chancellor's designee as a full year of service and counted toward both the time of mandatory tenure review and eligibility for sabbatical leave.

e. Failure to Receive Tenure

A candidate standing for tenure prior to the mandatory year of review may proceed through all steps in the process. If the decision of the chancellor is to deny tenure, the UNAC member may continue to serve as a tenure track UNAC member but may not stand again for tenure prior to the mandatory year of review. The decision of the chancellor in this instance is final.

A UNAC member must stand for tenure no later than the mandatory review year. If tenure is not awarded in the mandatory review year, the UNAC member shall be offered a terminal appointment for one additional academic year, or alternative ninth month period. See Article 9.4.3.

f. Rejection of Tenure

A UNAC member who is offered tenure by an MAU pursuant to the terms of this Agreement, but who declines to accept it, may continue to be employed in a manner to be determined by the chancellor in consultation with the UNAC member.

9.4 Termination of Appointment

Termination, which severs the employment relationship of a UNAC member, shall be based on a considered decision to discontinue an existing employment relationship. A

UNAC member's appointment may be terminated in accordance with the provisions of this Agreement, including the following:

#### 9.4.1 Non-retention of Tenure Track Unit Members

Non-retention follows a decision not to continue the employment of a tenure track UNAC member.

The chancellor or the chancellor's designee shall provide written notification of non-retention to the UNAC member. The following schedule of notification shall be based upon consecutive years of uninterrupted service as a tenure track UNAC member within the University of Alaska.

- a. Within the first year, regardless of contract extensions, the UNAC member shall be notified no later than February 15 for appointments based on the academic year, or three months prior to the end of the base appointment for appointments based on an alternative nine month period.
- b. Within the second year, regardless of contract extensions, the UNAC member shall be notified no later than November 15, for appointments based on the academic year, or six months prior to the end of the base appointment for appointments based on an alternative nine month period.
- c. After two or more years, the UNAC member shall be notified not less than ~~twelve~~ **twenty-four (24)** months prior to the expiration of the final appointment.

#### 9.4.2 Non-renewal of Non-tenure Track UNAC Members

Non-renewal follows a decision not to continue the employment of a non-tenure track UNAC member. Written notification of termination shall be provided to the UNAC member. Failure to provide notice as provided below shall not result in renewal of appointment. If notice is provided after the dates prescribed below, the University shall pay the UNAC member, in lieu of the applicable notice, a prorated amount based on the number of work days by which the notice period was short. The following schedule of notification shall be based upon consecutive years of uninterrupted service as a non-tenure track UNAC member within the University of Alaska.

- a. Within the first year, regardless of contract extensions, the UNAC member shall be notified no later than February 15 for appointments based on the academic year, or three months prior to the end of the base appointment for appointments based on an alternative nine month period.
- b. Within the second year, regardless of contract extensions, the UNAC member shall be notified no later than November 15, for appointments based on the academic year, or six months prior to the end of the base appointment for appointments based on an alternative nine month period.

c. After two or more years, the UNAC member shall be notified not less than twelve (12) months prior to the expiration of the final appointment.

~~a. Within the first two years, regardless of contract extensions, the UNAC member shall be notified no later than seven days prior to the expiration of the appointment.~~

~~b. From the third through the sixth years, regardless of contract extensions, the UNAC member shall be notified not less than 45 days prior to the expiration of the appointment.~~

~~e. After seven years, the UNAC member shall be notified not less than 90 days prior to the expiration of the appointment.~~

#### 9.4.3 Failure to Receive Tenure

Following denial of tenure in the mandatory year for tenure review, the chancellor or chancellor's designee shall provide written notification to the UNAC member no less than twelve months prior to the expiration of the final appointment.

#### 9.4.4 Resignation or Retirement

UNAC members intending to resign or retire from employment with the University of Alaska are expected to provide three months' notice. UNAC members shall notify the dean, director, or designee, as soon as possible, and provide a signed written resignation stating the effective date.

#### 9.4.5 Just Cause

Any UNAC member may be dismissed for just cause. Just cause shall include, but not be limited to, incompetence, neglect of duty, failure to perform assignment, unprofessional conduct, or other conduct or condition that interferes substantially with the continued performance of duties. UNAC members may be suspended immediately while proceedings are in progress for dismissal for just cause if their continued presence poses the threat of harm to themselves, others, or to the interests of the University, as determined by the University. Just cause terminations shall be conducted in accordance with Article 11.

#### 9.4.6 United Academics Notice

The University shall provide United Academics written notice of all terminations or non-retentions concurrent with the written notice to the UNAC member.