



**FOR APPROVAL**

**PUBLIC**

**OPEN SESSION**

**TO:** Governing Council

**SPONSOR:** Cheryl Regehr, Vice-President & Provost

**CONTACT INFO:** 416-978-2122, [provost@utoronto.ca](mailto:provost@utoronto.ca)

**PRESENTER:** See above.

**CONTACT INFO:**

**DATE:** January 28, 2015 for February 26, 2015

**AGENDA ITEM:** 5(d.)

**ITEM IDENTIFICATION:**

Proposed changes to Sections II and III of *Policy and Procedures on Academic Appointments* (PPAA) regarding the tenure stream faculty appointment category

**JURISDICTIONAL INFORMATION:**

Under Section 4 of its Terms of Reference, the Academic Board “is concerned with matters affecting the teaching, learning, and research functions of the University.” In addition, “matters having significant impact on the University as a whole...will normally require the approval of the Governing Council.”

Under Section 5.2.1 (a), “policies on the nature of academic employment are assigned to the Academic Board. These encompass policies on the appointment, promotion, tenure, suspension and removal of teaching staff, as well as policies on the conduct of academic work, such as the policies on research leave and on academic freedom and responsibilities.”

Section 31(b) of Governing Council By-Law Number 2 also specifies that issues pertaining to academic employment are reviewed by Academic Board.

**GOVERNANCE PATH:**

1. Academic Board [for recommendation] (January 29, 2015)
2. Executive Committee [for endorsement and forwarding] (February 9, 2015)
3. **Governing Council [for approval] (February 26, 2015)**

**PREVIOUS ACTION TAKEN:**

The Governing Council of the University of Toronto first approved a Memorandum of Agreement (MOA) between the University and the University of Toronto Faculty Association

(UTFA) on June 28, 1977, as amended from time to time, last consolidated on December 31, 2006. Article 2 of the MOA states that the University will not change the policies and practices listed except by the mutual consent of the parties. The *Policy and Procedures on Academic Appointments (PPAA)* is listed in Article 2(a) of the MOA.

## **HIGHLIGHTS:**

As described in more detail in the attached *Informational Memo on Special Joint Advisory Committee (SJAC)*, in the Spring of 2013, a Special Joint Advisory Committee (SJAC) was established with representatives of the University of Toronto and UTFA to discuss potential changes to the *Memorandum of Agreement between The Governing Council of the University of Toronto and The University of Toronto Faculty Association (MOA)*. The SJAC and its subcommittees met regularly between March 2013 and December 2014 in order to reach the tentative agreement summarized in the attached Informational Memo, including two elements regarding changes to the PPAA. The SJAC process was extended several times in order to accommodate further collegial discussion and was expertly facilitated by the Honourable Frank Iacobucci.

UTFA's Council ratified the tentative agreement at its scheduled meeting on December 15, 2014, and the Governing Council is now being asked to approve the tentative agreement as per the terms of reference of its various boards and committees. The agreement consists of four elements, which will be considered for approval by the relevant bodies and will be subject to final approval of the tentative agreement as a whole by Governing Council.

The University administration recommends for approval the element of the tentative agreement attached here – a set of proposed changes to Sections II and III of the PPAA, as amended in the attached agreement (signed and dated April 12, 2014). The proposed changes will make significant amendments to tenure and promotion procedures that we believe are to the benefit of our colleagues and better align with peer institutions around the world. For example, the changes will extend the normal tenure clock from five to six years. Following successful interim review, pre-tenure faculty will be provided with an academic term with reduced workload prior to their tenure review to permit them to address issues identified during their interim review. Other more minor amendments are intended to provide additional clarity to timelines and procedures within the tenure consideration process.

If the proposed policy changes are approved as a part of the Governing Council's approval of the tentative agreement as a whole, all new tenure stream appointments will be governed by the revised PPAA and current pre-tenure faculty members will have a one-time opportunity to elect to transition into the new policies or to remain under the existing policies. More details are found in the Summary document attached here.

**FINANCIAL IMPLICATIONS:**

N/A

**RECOMMENDATION:**

Be It Resolved

THAT the proposed changes to Sections II and III of the *Policy and Procedures on Academic Appointments* as contained in the *University Administration Proposal*, dated April 12, 2014, and as tentatively agreed to by the University of Toronto Faculty Association (UTFA) and the University Administration be approved, effective immediately.

---

**DOCUMENTATION PROVIDED:**

- Proposed changes to Sections II and III of PPAA regarding tenure stream, contained within tentative agreement between UTFA and the University Administration (dated April 12, 2014)
- *Summary of Proposed Changes to the Tenure Review Process*
- *Informational Memo on Special Joint Advisory Committee (SJAC)* (January 2015)

**April 12, 2014 Confidential and Without Prejudice  
University Administration Proposal via Facilitator Frank Iacobucci**

The procedures of the review committee should be made known to the appointee, but they cannot be rigidly defined for the University as a whole. Rather the procedures should be flexibly designed by each division or department with the aim of eliciting and considering all possible relevant information. Course evaluation should be considered and also signed opinions of individual students if these are available. Written comments from other department members, formally or informally acquainted with the appointee's teaching or scholarship, should be solicited. Normally no later than 30<sup>th</sup> June, The the appointee should be asked to submit an account of research or creative professional activity which has been completed or undertaken since the time of initial appointment; however, lack of substantial achievement in this area since appointment should not, in itself, be a cause for non-renewal of contract. The appointee will not normally be required to complete the submission prior to August 31. Notice that the contract will or will not be renewed on the following July 1 must be given in writing no later than ~~September 25~~ November 30. If requested, a written statement of reasons for a decision to recommend that a contract not be renewed shall be supplied, within one week of such a request, by the chair of the review committee.

Emu

9. A decision not to renew a contract may be appealed by a member of the teaching staff holding an initial appointment as Assistant Professor in the tenure stream only on one or more of the following grounds:
- a) a significant irregularity in the procedure followed by the review committee;
  - b) an unreasonable inconsistency in the application of the current standards of the division or department; or
  - c) improper bias or motive on the part of a member of the review committee.

In the multi-departmental divisions, the appeal will be considered by the principal or dean. In other divisions, the appeal will be considered by a principal or dean designated for this purpose by the Vice-President and Provost. Where the appellant is cross-appointed, the person to hear the appeal will be determined according to the division in which the appellant holds his or her primary appointment. In a case where the person who would otherwise hear the appeal was a member of the review committee, the Provost should designate another principal or dean (not a member of that committee) to hear the appeal. Appeals must be made in writing within fifteen (15) working days of written notice of non-renewal and the appellant informed of the decision within twenty (20) working days of the appeal. A person appealing a non renewal of contract shall have a right to a summary of any written evidence which must be described in enough detail to enable him or her to make a particular response to all the significant components, and to appear and present arguments on any of the three grounds listed above. The decision of the principal or dean may be appealed to the Vice-President and Provost within ten days. The Vice-President and Provost's decision will be final, and cannot be grieved.

If an Assistant Professor in the tenure stream is granted a renewal of his or her contract, that renewal should be for a period of up to two years, and he or she must be considered for tenure in the terminal year of this contract. Appointees who have been granted a renewal of their initial contract are entitled to an adjustment to their workload assignment for one academic term in order to allow them to focus on preparing for their tenure consideration and to address any advice from the review of their initial appointment. Normally this term will not include assigned teaching or service; but the term may include assigned teaching, with the candidate's agreement, in order to address advice from their review. The candidate should be notified of the result of the tenure consideration not later than April 15 of that year. The length of the contract may vary from case to case, particularly if previous service at the rank of Assistant Professor (Conditional) at this University or at an equivalent rank at another university is to be taken into account in establishing an earlier date for consideration of tenure. At the time of making an appointment to the Assistant Professor rank, it is the responsibility of the division head, or of the department chair in the multi- departmental divisions to reach an explicit understanding with the member of the teaching staff as to the time at which tenure will be considered; where the initial appointment involves a cross- appointment, the responsibility for reaching this understanding will rest with the head, or chair, as the case may be, of the division or department of the primary appointment.

10. In exceptional circumstances, with the approval of the division head and the Vice-President and Provost, a candidate may be considered for tenure earlier than provided for in (9) above but only if the

EMI

## II. THE PROBATION PERIOD

6. The Assistant Professor rank should be the normal starting point for a person beginning a University career of research and teaching. Evidence of candidates' teaching ability or potential and assessments of their promise of future intellectual and professional development, should be sought and considered when making such appointments.

To qualify for appointment to the rank of Assistant Professor or above, the candidate should be required to show evidence of his or her ability to undertake independent scholarly activity, such as the successful completion of a doctoral programme or other scholarly or professional work regarded by the division or department as equivalent. A candidate who does not so qualify should not be appointed to the rank of Assistant Professor or above, but should receive appointment as an Assistant Professor (Conditional).

7. Any member of the teaching staff enrolled in a doctoral programme at any university and appointed with the expectation that the Ph.D. degree or its equivalent will be conferred must remain at the Assistant Professor (Conditional) rank until the degree is conferred or until he or she indicates that the formal doctoral programme has been abandoned and is able to show evidence of satisfactory scholarly work. Successful completion of a doctoral programme or other scholarly or professional work regarded by the division or department as equivalent would make the member of the teaching staff eligible for an appointment at the rank of Assistant Professor. Where a member of the teaching staff is expected to enter the tenure stream, he or she should not serve more than six years, including a terminal year, at the Assistant Professor (Conditional) rank. Assistant Professors (Conditional) should receive annual contracts terminable on not less than six months written notice.

8. On initial appointment to a position in the tenure stream an Assistant Professor should receive a ~~three~~four-year contract and it should be clearly understood that the University is under no obligation to renew the contract when it expires. The performance of a member of the teaching staff holding such a contract should be reviewed no earlier than May 1 of the ~~second~~third year of the contract, by a committee appointed by the division head or, in the multi-departmental divisions, by the department chair. For compelling academic reasons such as the need to set up new research facilities, and with the approval of the Vice-President and Provost, an Assistant Professor may be given an initial appointment of up to five years, with a performance review no earlier than May 1 of the penultimate year. Those raised from the Assistant Professor (Conditional) rank to Assistant Professor after the beginning of the regular appointment year, and who are in the tenure stream, shall be deemed to have received a ~~three~~four-year contract from the following July 1.

In the case of staff members appointed to graduate departments covering more than one campus, the review committee shall be appointed by the relevant campus department chair, in consultation with the graduate chair where the graduate chair is not also the relevant campus department chair. For faculty cross-appointed to other departments or divisions and where such cross-appointments carry a commitment to at least one quarter of the candidate's salary, the review committee shall be appointed jointly by the respective division heads or department chairs. In the case of staff members who are cross-appointed to New College, Innis College, Woodsworth College or University College, the College principal does not participate in the appointment of the review committee. In these cases the review committee must obtain from the College principal an appraisal of the candidate's College contribution to be considered along with other relevant evidence of the candidate's scholarly ability.

The review of such an initial appointment should be essentially different in purpose and procedures from a tenure review. The committee should consider two questions.

- a) Has the appointee's performance been sufficiently satisfactory for a second probationary appointment to be recommended?
- b) If reappointment is recommended, what counselling should be given to the appointee to assist him or her to improve areas of weakness and maintain areas of strength?

**April 12, 2014 Confidential and Without Prejudice  
University Administration Proposal via Facilitator Frank Iacobucci**

consent of the candidate is obtained in writing. However, no Assistant Professor should be granted tenure until he or she has served a minimum of three years at this University at the Assistant Professor rank except in extraordinary circumstances upon the approval of the Vice- President and Provost. No later than April 15 of the final year of the probationary period, the candidate should be considered for tenure and notified of the result.

~~With the consent of the candidate and the approval of the Vice-President and Provost, consideration for tenure may be delayed for one year but not more than two years, to accommodate a maternity, or for reasons of a severe personal circumstance such as a serious illness. Candidates may make a written request for a delay in the interim review or consideration for tenure based on pregnancy and/or parental or adoption leave or serious personal circumstances beyond their control such as illness or injury or damage to their research facilities. Delays may be granted for one year but not more than 2 years with the approval in writing of the Vice-President and Provost. Written requests by a candidate for further delays based on the provisions of Ontario Human Rights Code as amended from time to time (the "Code") will be considered by the Vice-President and Provost on a case-by-case basis, it being understood and agreed that such requests must be made by the candidate in writing at the earliest opportunity in the interim review or consideration for tenure process (i.e. as soon as a candidate knows or reasonable ought to know that their interim year review or consideration for tenure may warrant a delay based on the provisions of the Code.)~~

Lau

11. A member of the teaching staff appointed initially at the rank of Associate Professor, with the exception of those appointed under Section 29, either should be considered for tenure at the time of appointment or should receive a three-year contract. In the latter case, he or she should be considered for tenure in the third year of the contract and should be notified of the result not later than April 15 of that year. If the candidate's consent is obtained in writing, he or she may be considered for tenure earlier. In any case, the regular procedures and composition of committees for consideration of tenure shall be followed.

If the initial appointment is at the rank of Professor, that appointment should be with tenure, with the exception of those appointed under Section 29. Before the offer of such an appointment is made, the proposal must be approved by the division head, the Dean of the School of Graduate Studies and the Office of the Vice-President and Provost.

When an academic administrator is recommended for appointment from outside this University under the "Policy on Appointment of Academic Administrators", he or she must also be recommended for tenure in the appropriate department or division, by a duly constituted tenure committee if at the rank of Associate Professor or by the provisions of the preceding paragraph if at the rank of Professor.

In the case of a member of the teaching staff of a clinical department in the Faculty of Medicine who is also a licensed clinician on the staff of a teaching hospital, the term of the University contract of appointment during the probationary period should normally be made concurrent with his or her corresponding contractual arrangement with the teaching hospital. However, the term of the University appointment during the probationary period should in no case exceed the term of the contract which the member of the teaching staff would otherwise have received under this section or in 8, 9, or 10 above.

**Note:** The Academic Affairs Committee approved the following on May 1, 1975 "That,

pending the receipt of further advice from the Faculty of Medicine, the implementation of (6) to (11) of the academic appointments policy be delayed for clinical staff. For the purposes of this recommendation, clinical staff are staff in the following departments of the Faculty of Medicine who also hold active staff appointments in an affiliated teaching hospital:

Anaesthesia  
Clinical Biochemistry  
Family and Community Medicine  
Medicine

**April 12, 2014 Confidential and Without Prejudice  
University Administration Proposal via Facilitator Frank Iacobucci**

Medical Microbiology Obstetrics  
and Gynaecology Ophthalmology  
Otolaryngology  
Paediatrics  
Pathology  
Psychiatry  
Radiology  
Rehabilitation Medicine, and  
Surgery

*Emu*

Full-time staff in these departments who do not hold active staff appointments in the affiliated teaching hospitals should remain subject to the same tenure procedures as other full-time University staff members.

This delay in implementation also applies to any subsequent policy statements arising out of the Appointment Task Force Report, concerning tenured appointments."

### III. CRITERIA FOR GRANTING TENURED APPOINTMENTS

#### The Nature of Tenure

Tenure, as understood herein, is the holding by a member of the professorial staff of the University of a continuing full-time appointment which the University has relinquished the freedom to terminate before the normal age of retirement except for cause and under the conditions specified in Sections 27 and 28 below. Lmm

Tenure provides a necessary safeguard for free enquiry and discussion, the exercise of critical capacities, honest judgment, and independent criticism of matters both outside and within the University.

Tenure entails acceptance by a member of the University of the obligation to perform conscientiously his or her functions as a teacher and a scholar.

Tenure shall be granted only by a definite act, under stipulated conditions on the basis of merit.

12. The set of general criteria outlined below should be used as the basis for a decision on the granting of tenure. It is, however, recognized that significant differences among divisions and disciplines in the University will lead to some differences in the detailed application of these criteria. Nevertheless there should be a high degree of uniformity across the University, in standards and procedures for granting tenure. It is also recognized that the tenure committee's recommendation should be made on the evidence that is available to the committee at the time of their recommendation and should be reasonable in light of the standards that were generally applied in the division in recent years.
13. Tenured appointments should be granted on the basis of three essential criteria: achievement in research and creative professional work, effectiveness in teaching, and clear promise of future intellectual and professional development. Contributions in the area of university service may constitute a fourth factor in the tenure decision but should not, in general, receive a particularly significant weighting.
  - a) Achievement in research or creative professional work is evidenced primarily, but not exclusively, by published work in the candidate's discipline; in this context, published work may include books, monographs, articles and reviews and, where appropriate, significant works of art or scholarly research expressed in media other than print. It may also be evidenced by various other types of creative or professional work, including community service, where such work is comparable in level and intellectual calibre with scholarly production and relates directly to the candidate's academic discipline. Research also encompasses unpublished writings and work in progress. Scholarly achievement may be demonstrated by consideration of theses or other material prepared or written under the candidate's direct supervision. In some exceptional cases, weight should be given to "unwritten scholarship" of the type displayed in public lectures, formal colloquia and informal academic discussions with colleagues.
  - b) Effectiveness in teaching is demonstrated in lectures, seminars, laboratories and tutorials as well as in more informal teaching situations such as counselling students and directing graduate students in the preparation of theses. It is, however, recognized that scholarship must be manifested in the teaching function and that a dogmatic attempt to separate "scholarship" and "teaching" is somewhat artificial. Three major elements should be considered in assessing the effectiveness of a candidate's teaching: the degree to which he or she is able to stimulate and challenge the intellectual capacity of students; the degree to which the candidate has an ability to communicate well; and the degree to which the candidate has a mastery of his or her subject area.
  - c) An assessment of promise of future intellectual and professional development will inevitably be based on the vitality and progress the candidate has demonstrated as a teacher and scholar during his or her probationary years at this University. A positive judgment on this criterion

**April 12, 2014 Confidential and Without Prejudice  
University Administration Proposal via Facilitator Frank Iacobucci**

means that the members of the tenure committee are reasonably convinced that, following the granting of tenure and the long-term commitment that it implies, the candidate will continue to make a valuable contribution to his or her discipline.

- d) University service primarily means university, divisional or departmental committee or administrative work.

Clear promise of future intellectual and professional development must be affirmed for tenure to be awarded. Demonstrated excellence in one of research (including equivalent and creative or professional work) and teaching, and clearly established competence in the other, form the second essential requirement for a positive judgment by the tenure committee. Only outstanding performance with respect to University service should be given any significant weight and, even then, only if there are no substantial reservations relating to the research, teaching and future promise criteria.

*Emu*

**14. Detailed Procedures for Tenure Consideration**

Each division head or chair of the department in the multi-departmental divisions shall have the responsibility:

- i) ~~i)~~ to ensure that those members of the teaching staff who must be considered for tenure in the spring term of an academic year are identified in the previous ~~September~~ May;
- ii) ~~to notify formally the candidate, normally no later than June 30<sup>th</sup>, that he or she will be considered for tenure in the following spring and when the process of review, including assembling of documentation, is about to begin and when it will be completed. Candidates should normally be provided with a period of at least 6 weeks in which to assemble and prepare the documentation required from them as set out below and will not normally be asked to submit their research dossier prior to July 1.~~
- iii) to notify formally the candidate as to the individuals whom he or she intends to ask to serve on the tenure committee. This notification will normally happen in the fall. If the staff member has reason to believe that any member of the committee, including the division head or chair, cannot make his or her decision solely on the basis of the evidence available at the time of the tenure committee meeting, he or she should indicate this to the division head or the appropriate Vice-Provost. The division head or chair shall then formally notify the staff member of the final composition of the tenure committee and when the process of review, including assembling of documentation, is about to begin and when it will be completed.
- iiiiv) in consultation with the graduate chair, to complete and to present the documents to the tenure committee, and to ensure that the fullest possible documentation is made available. Each member of the teaching staff being considered for tenure shall prepare a curriculum vitae as indicated in Section 15 below and shall make available to the division head or chair all papers and documents as indicated below. The division head or chair shall obtain the necessary appraisals of the candidate's work and the evaluation of the internal reading committee with respect to the documentation provided for the tenure committee. The division head or chair shall prepare and provide a brief-written summary of the content of the above appraisals and evaluation, without identifying their source, to the candidate at the time of submission of the dossier to the tenure committee normally at least one week prior to the first meeting of the tenure committee. It is important that the summary be sufficiently detailed that the candidate knows the evidence before the committee and could, if desired, supplement the dossier with a written response, or by appearing before the committee to make a statement. The summary should include extracts of any significant information from all letters and reports while maintaining confidentiality.

The tenure committee shall have the following composition:

- i) For the multi-departmental divisions, the chair of the tenure committee shall be the chair of the department, except in exceptional circumstances and with the approval of the division head and

**April 12, 2014 Confidential and Without Prejudice  
University Administration Proposal via Facilitator Frank Iacobucci**

the Vice-President and Provost. The committee shall, in addition to the chair, consist of the head of the division or his or her representative, the Dean of the School of Graduate Studies or his or her representative, as well as four members of the professorial staff having tenure, at least two of who should be from the department involved and the graduate department chair where the department chair and the graduate department chair are not the same person. Any members of the tenure committee who are not members of the department involved should come from cognate departments or divisions.

- ii) For non-departmental divisions, the chair of the tenure committee shall be the division head or his or her representative. The committee shall, in addition to the chair, consist of the Dean of the School of Graduate Studies or his or her representative, as well as five members of the professorial staff having tenure, at least two of whom should be from the division involved. Any members of the tenure committee who are not members of the division involved should come from cognate departments or divisions.
- iii) The provisions below in Sections 17 and 18 must also be followed.
- iv) In unusual circumstances, and with the approval of the division head and the Vice-President and Provost, a tenured professor from another university whose discipline is similar to that of the individual under review may be substituted for one of the members representing the departmental professorial staff or the cognate university unit.

**15. Documentation for Tenure Consideration**

The documentation to be made available to the tenure committee shall include the following:

**i) The Candidate's Curriculum Vitae**

The preparation of the curriculum vitae shall be the responsibility of the candidate with appropriate assistance and advice from the division or department head.

The curriculum vitae should be in four parts:

- a) The academic history of the candidate giving name, date of birth, institution at which each degree was obtained together with the date obtained, titles of graduate theses and supervisors' names (where applicable), list of all teaching and research appointments held and other relevant experience quoting dates and institutions, any honours, prizes, etc., received since the first degree was obtained, the present appointment, and all other activities related to the candidate's work at the University. In addition, there should be a list of all research or other grants obtained, together with the name of the granting agency, the date, the duration, the amount of award and any research contracts entered into.
- b) A list of the candidate's scholarly and professional work including work published, completed but not yet published, in press, submitted for publication, and in progress. This would include books, chapters in books, articles, and review articles written by the candidate and also any work in non-print media as well as the presentation of papers at meetings and symposia. In the case of work which has not yet been published, the candidate should give a brief account of the stage of progress reached at the time the list is prepared.
- c) A list of all courses, graduate and undergraduate, taught by the candidate. If the candidate has had major responsibility for the design of a course, this should be stated; a course outline and reading list and set of essay topics should be supplied, where these give evidence as to the candidate's ability in designing the course. A list of senior undergraduate students and graduate students supervised, indicating whether primary or sole supervision or else secondary or joint supervision, together with their thesis topics and the dates indicating the period of supervision for each candidate should also be included.
- d) A list of committees and organizations within the University on which the candidate has served. The candidate may also include a similar list of committees and organizations outside the University together with the period of service and the candidate's function on

**April 12, 2014 Confidential and Without Prejudice  
University Administration Proposal via Facilitator Frank Iacobucci**

them, where those committees or organizations closely relate to the candidate's academic discipline or scholarly activities.

**ii) Assessment of the Candidate's Scholarly & Professional Accomplishments**

Copies of the work that the candidate has completed, or has nearly completed, should be given or in the case of non-written work, made known in appropriate form, to the division head or chair who should arrange for its assessment by specialists in the candidate's field. These referees should be invited to assess the candidate's work against the published criteria for the granting of tenure. However, the candidate's permission is required before unpublished work may be communicated outside the tenure committee. An internal assessment should be provided by the reading committee specified in iv) below, and additional internal assessments may be obtained from individual specialists.

Emu

Normally, written specialist assessments of the candidate's work should also be obtained from outside the University; the candidate should be invited to nominate several external referees, and the division head or chair should solicit letters of reference from at least one of them and from one or more additional specialists chosen by himself or herself. These referees should be invited to assess the candidate's work against the published criteria for the granting of tenure and advise whether or not the candidate's work demonstrates the achievement of excellence in research (including equivalent and creative or professional work); or if not, whether or not it clearly establishes competence. In addition members of the department, including students, may be invited to submit written opinions of the candidate's qualifications. All referees' letters should be submitted in confidence to the tenure committee with, if appropriate, the chair's comments on the status and competence of the referees.

**iii) Assessments of the Candidate's Teaching Ability**

Written assessments of the candidate's teaching ability shall be prepared in accordance with guidelines approved for the relevant department or division. These guidelines specify the manner in which the division will provide the committee with evidence from the individual's peers and from students and will offer the candidate the opportunity to supplement his or her files. Changes to divisional guidelines must be approved by the Vice-President and Provost and reviewed by the Academic Board.

When a member of the teaching staff is or has been cross-appointed, assessments should be sought from all of the divisions in which he or she has taught, and should be taken fully into account by the tenure committee.

**iv) Evaluations by Internal Departmental or Divisional Committees**

Divisions and departments shall establish internal reading and evaluation committees to assess and prepare written evaluations of material presented by candidates with respect to their scholarly and professional accomplishments. Such committees may also gather and provide information concerning a candidate's qualifications with respect to any of the published criteria for the granting of tenure. Such committees should state their evaluation of the candidate's work against the published criteria and advise whether or not the candidate's work demonstrates the achievement of excellence in research (including equivalent and creative or professional work), or if not, whether or not it clearly establishes competence. However, there should be no formal recommendation, in favour of tenure or opposed to tenure, from the department or division or from any group in the department or division, to the tenure committee.

**16. Approval Procedures for Tenure Decisions**

The tenure committee shall meet and consider all the evidence put before it. The quorum of the committee shall be the full membership. The candidate shall be given an opportunity to make a written statement and/or to appear before and make an oral statement to the tenure committee, but is not entitled to be present throughout or otherwise participate in the tenure consideration. In cases where the committee finds it difficult to reach a clear-cut recommendation on the basis of the evidence available, it may recess for a short period, normally no longer than a month, to

**April 12, 2014 Confidential and Without Prejudice  
University Administration Proposal via Facilitator Frank Iacobucci**

obtain additional or supplementary information from the candidate or other sources.

The meetings of the tenure committee shall be held in camera, and each person accepting appointment to the committee shall agree to treat as confidential all information given to the committee, and all matters pertaining to and deliberations of the committee.

The tenure committee shall have the power to take only one of two possible decisions: to recommend that tenure be granted or that tenure be denied. A recommendation to grant tenure must be approved by at least five of the seven members of the committee, or six of eight members of the committee in cases where the department chair and the graduate chair are not the same person. Voting is to be by private ballot. When the voting is concluded, the chair of the tenure committee will announce to the committee how each member of the committee voted, and the total number of votes for and against the granting of tenure. If there are more than two negative votes or abstentions, this constitutes a decision to recommend that tenure not be granted. The decision must be taken on the basis of the evidence available at the time of the meeting and should be reasonable in light of the standards that were generally applied in the division in recent years. Where the committee is unable to reach a decision promptly, a new committee shall be established immediately to take one of the two decisions required unless the Office of the Vice-President and Provost is convinced that the circumstances are unusual enough to justify delaying the appointment of a new committee for a period of up to one year. For the purposes of this section, a new committee is one in which all of the members, except the ex officio members, are new.

EMM

Reasons for a proposed negative recommendation shall be given to the candidate who shall have an opportunity to respond to them, either orally or in writing, within fifteen days of notification. Thereafter, the committee shall make its final decision on the recommendation for communication to the head of the division and shall prepare and adopt a statement of the reasons for the decision, and, in the case of a negative decision, a summary of the evidence. The summary of the evidence should be prepared in sufficient detail to enable the candidate to make a particular response to all of the significant components if he or she appeals to the Tenure Appeal Committee in Section 23 below.

As soon as practicable after the tenure committee's decision, the head of the division should inform the candidate whether or not tenure has been recommended and so inform the President through the Office of the Vice-President and Provost. At this point, in the event of a negative recommendation the candidate should be furnished with the statement of reasons for the decision and the summary of evidence.

After the President has made his or her decision on the recommendation of the tenure committee he or she shall notify the head of the division and the candidate. Where tenure has been denied, the division head or the chair of the department in consultation with the division head should recommend the duration of the candidate's terminal contract which should be for either one or two years followed by automatic termination with no further review.

Approved awards of tenured appointments shall be reported to the Academic Board of the Governing Council for information.

**17. Cross-Appointments from Externally Controlled Institutions**

Members of the teaching staff may hold cross-appointments to externally controlled institutions and to other academic units in the University according to the following regulations set out below and in Section 18.

Members of the teaching staff who are cross-appointed from externally controlled institutions, including other universities, the Royal Ontario Museum, and the Ontario College of Art and Design, shall be deemed to hold part-time appointments making them ineligible for tenured status in the University. Those members of staff now cross-appointed from these institutions, and already holding tenured appointments, shall continue to do so.

**18. Cross-Appointments within the University**

- i) Members of the teaching staff may hold cross-appointments to University College, New College,

**April 12, 2014 Confidential and Without Prejudice  
University Administration Proposal via Facilitator Frank Iacobucci**

Innis College, the School of Continuing Studies, and Woodsworth College, but such appointments should not be designated as the primary or secondary appointment unit for the purposes of this document, no matter what share of the salary may be carried by the budget of any of these colleges. Such units shall not be entitled to representation on the tenure committee, or to participate in deciding on committee membership or in the preparation of documentation. Where a candidate is under consideration for tenure and holds such a cross-appointment the chair of the tenure committee must secure from the college principal an evaluation of the candidate's contribution to the college and such evidence shall be considered by the tenure committee.

*Emu*

- ii) In the case of a member of the teaching staff who holds a cross-appointment within the University, duties and salary should be divided in such a way that there is always a primary appointment, carrying more than fifty per cent of salary and a secondary appointment carrying the salary balance. If a faculty member is appointed to more than two academic divisions or departments within the University, that unit which carries the largest salary share should be designated as the primary appointment unit. For purposes of tenure consideration the operative division of salary leading to the definition of the primary appointment should be that in effect in the month of September immediately preceding the spring in which the tenure decision is to be made. The division in which the primary appointment is held will take responsibility for endeavouring, as far as it is within its power and control, to see that the appointee's rights are protected.

The head of the division in which the primary appointment is held shall through such officers (e.g., departmental chairs) as are appropriate, be responsible for notifying the candidate and for the preparation of the documentation for the candidate's tenure consideration.

The preparation of documentation must be done in collaboration with the appropriate officers of other divisions in which the candidate holds or has held cross-appointments, and the evidence of this collaboration must be placed before the tenure committee; its absence shall be grounds for a request for a review of the decision. The officer of the division or department of primary appointment and the officer of the division or department of secondary appointment should submit recommendations for members of the teaching staff to be appointed to the tenure committee to the head of the primary division, who should appoint the teaching staff members. The tenure committee shall then be enlarged by one member, the chair of the department or other academic officer of the division in which the secondary appointment is held. Six votes shall then be required to recommend tenure. If there are more than two negative votes or abstentions this constitutes a decision to recommend that tenure not be granted. The quorum of the committee shall still be the total membership.

Where the candidate holds or has held more than one cross-appointment, the head of the division of primary appointment shall appoint the additional member from one of the departments or divisions of secondary appointment after consultation with the heads of divisions and chairs concerned. Other divisions where secondary appointments are held shall be asked for their evaluation of the candidate, but shall not be entitled to representation on the committee, or to participate in deciding on committee membership, or in the preparation of documentation. In no case, regardless of the number of cross-appointments, should more than eight people serve on the tenure committee.

- iii) All faculty appointed to a tenure-stream position shall hold a non-budgetary cross-appointment to an appropriate graduate department. Decisions regarding such cross-appointments shall be made jointly by the appointing unit and the graduate department.
- iv) Members of the teaching staff may hold cross-appointments even without salary in undergraduate or graduate departments other than the principal graduate department appointment under para (iii), as appropriate, regardless of campus. Such cross-appointments must have the consent of all departments and divisions involved, and will not confer primary

**April 12, 2014 Confidential and Without Prejudice  
University Administration Proposal via Facilitator Frank Iacobucci**

or secondary appointment unit status, or any review or tenure committee rights and responsibilities, upon the departments to which these other cross-appointments are made.

- v) Those current (as of 30 June 2003) UTM and UTSC faculty who are non-budgetary members of St. George campus departments may continue their membership in those departments, if they so choose, through non-budgetary cross-appointments. Such cross-appointments will have the status, for the purposes of this document, of those described in (iv) above. The same provision holds for any current St. George faculty with non-budgetary cross-appointments to UTM and/or UTSC.

**19. Appointments Authority of Centres and Institutes of the University**

The following multi-disciplinary centres and institutes of the University, which have both master's and doctoral programmes, shall be granted authority to initiate appointments and to recommend tenure and promotion:

Centre for Medieval Studies Centre for

the Study of Drama Centre for

Comparative Literature

Institute for the History and Philosophy of Science and Technology

Centre of Criminology

Canadian Institute for Theoretical Astrophysics

Such appointments, although initiated by a multi-disciplinary unit, should still be cross-appointments since they should always include a divisional or departmental component. The multi-disciplinary centre or institute should, however, be the unit of primary appointment.

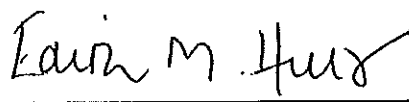
Other centres and institutes which develop both master's and doctoral programmes may be granted similar authority but only with the written agreement of the Dean of the School of Graduate Studies and the Vice-President and Provost, and on the recommendation of the Academic Board to the Governing Council. All such applications should be dealt with on an individual basis. Unless approval is granted as outlined above, such units shall not be regarded as the primary appointment unit for the purposes of this document.

The University's policies and procedures for academic appointments shall be followed for primary appointments by multi-disciplinary centres and institutes. However, before approving such appointments, the Vice-President and Provost and the Dean of the School of Graduate Studies should ensure that there is an academic need in terms of teaching and research, and also that a suitable cross-appointment cannot be arranged from within the University. The Dean should also ascertain that a prospective appointee will meet the appointment standards of the unit of secondary appointment.

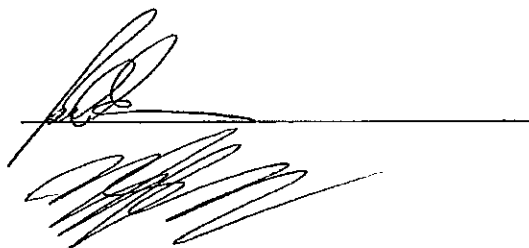
[COMMENT: Section 20 and 21 have been deleted. They dealt with cross-appointments and tenure specifically for Brindale and Scarborough teaching staff as differing from St. George teaching staff. They have now been

PROVISIONALLY AGREED IN THE FACILITATION PROCESS APRIL 12, 2014

For the University Administration

  
\_\_\_\_\_

For the University of Toronto Faculty Association

  
\_\_\_\_\_



## Summary of Changes to the Tenure Review Process

On October 27, 2014 the Office of the Provost and the University of Toronto Faculty Association (UTFA) were pleased to announce that representatives from UTFA and the University administration had reached a tentative agreement regarding changes to the Memorandum of Agreement (MOA) as well as changes to the *Policy and Procedures on Academic Appointments* regarding tenure and promotion for tenure stream faculty. These changes to the tenure and promotion process are summarised below:

	Original	Revised
<b>Initial Contract</b>	3 years	4 years
<b>Interim Review</b>	Begins at the end of the 2 <sup>nd</sup> year with notification of contract renewal by September 25 of the 3 <sup>rd</sup> year.	Begins at the end of the 3 <sup>rd</sup> year with notification of contract renewal by November 30 of the 4 <sup>th</sup> year.
<b>Result of Successful Review</b>	Additional 2 year contract.	Additional 2 year contract and an adjustment to workload assignment for one academic term in order to focus on preparing for the tenure review and to address any advice from the interim review.
<b>Interim Review/Tenure Delay</b>	Requests for delays may be made on the basis of maternity or severe personal circumstances for up to two years.	Requests for delays may be based on pregnancy and/or parental or adoption leave or serious personal circumstances beyond their control such as illness or injury or damage to their research facilities, for up to two years. Further delays based on the provisions of the <i>Ontario Human Rights Code</i> will be considered on a case-by-case basis. Requests must be made in writing by the candidate at the earliest opportunity.
<b>Tenure Procedures</b>	Notification of tenure review in September preceding their review.	Notification of tenure review no later than June 30 <sup>th</sup> preceding their review. Candidates will be provided with a period of at least 6 weeks in which to assemble and prepare documentation and this will not normally be before July 1.
<b>Summary of Evidence</b>		Will be provided to the candidate at least one week prior to the first meeting of the tenure committee.

Revised Tenure Clock Timetable	
<i>Academic Year 1 (1<sup>st</sup> July to 30<sup>th</sup> June)</i>	<ul style="list-style-type: none"> <li>Receive initial 4 year contract.</li> </ul>
<i>Academic Year 2</i>	
<i>Academic Year 3</i>	<ul style="list-style-type: none"> <li>In May, the candidate will receive notification of the Interim Review.</li> <li>No later than June 30, candidate will be advised of the materials to be submitted.</li> </ul>

<i>Academic Year 4</i>	<ul style="list-style-type: none"> <li>• Submission of Interim Review materials no earlier than August 31.</li> <li>• Notification of the outcome of the review by November 30.</li> <li>• A successful review will result in an additional 2 year contract.</li> </ul>
<i>Academic Year 5</i>	<ul style="list-style-type: none"> <li>• Following a successful review, candidates would be entitled to an adjustment to their workload assignment for one academic term in order to allow them to focus on preparing for tenure and addressing advice from the Interim Review.</li> <li>• No later than June 30, the candidate will be informed of their upcoming tenure review.</li> </ul>
<i>Academic Year 6</i>	<ul style="list-style-type: none"> <li>• Research and teaching dossiers are submitted no earlier than July 1.</li> <li>• In the fall the candidate will be notified of those to serve on the committee.</li> <li>• At least one week prior to the tenure committee meeting, the candidate will receive the summary of evidence.</li> <li>• Candidate will be informed of the tenure committee's recommendation by April 15.</li> </ul>