

collective agreement

1 may 2015 – 30 april 2018

**Tenure/Continuing
Appointments
and Promotion Documents
for Faculty and
Librarians and Archivists**

York University
Faculty Association

and

York University
Board of Governors

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Tenure and Promotions Policy, Criteria and Procedures

A. Preamble

The modern university is a paradoxical institution, for it is part of society but belongs to posterity. The university is ideally valued as a place where the best that humankind has thought and done is kept alive, but it is often valued for its power to create thousands of skilled professionals and technicians, to generate new forms of industry, to stimulate the Gross National Product and to raise the standard of living.

If the university's role were not paradoxical, tenure would not be needed. Universities tenure their members precisely because they feel the need to preserve their responsibility to the past and the future, as well as to today's society. In an institution devoted to the pursuit of truth and the communication of knowledge, it is necessary to protect the scholar's right to search for the truth and to serve the truth as a responsible critic of both the university and society. It follows then that not only must the scholar be protected through tenure; the very process of tenuring itself must be protected.

Thus the continuing members of a university must be those individuals whose achievements as teachers and scholars have proven that they are worthy of holding the university in trust for the society to which it truly belongs.

To hold the university in trust in an age of overwhelming technological change is no simple matter. In an age when knowledge doubles every decade, knowledge becomes the most dynamic feature of our lives. Thus the scholar now serves his or her profession in a variety of ways that cannot be simply set down in some monolithic form. Nevertheless, one can recognize that there are three general areas of activity associated with university scholars: teaching, professional achievements and service to the institution. Inside the university, members of faculty teach, do research, and create the structures that help their colleagues to teach and do research. Outside the university, members of faculty perform their professional duties in an enormously extended range of activities, e.g., government and public service, scholarly publication, lecturing, consulting, communication through the media, and even the creation of new media of communication. All these activities are essential to the university's life in society, although these activities should not be permitted to turn the university into a place where men and women simply develop their professional careers indifferent to the problems and needs of the academic community.

Thus, to evaluate a candidate for tenure and promotion, it is necessary to consider the total contribution the individual has made to the University. Given the range of activities in modern scholarship, it is foolish to establish a single linear scale on which to measure all the members of all the Faculties of the University. Since individuals are individual, there is no formula for weighting the three areas of achievement that could result in a number that would be above or below the automatic tenuring level. It is more reasonable to assume that candidates for tenure in any Faculty will have demonstrated those qualities that have earned them the respect of their colleagues at York and abroad. No committee on tenure and promotions could honestly expect that after three to six years of service all candidates for tenure would have achieved excellence in their careers; however, no committee

on tenure and promotions could seriously entertain the notion that a grey competence is sufficient for tenure. Each faculty member will have to be assessed on his or her own merits but with an eye to the fullness of an individual's presence within the University.

The conferring of tenure is, therefore, one of the most important relationships between the University and the individual faculty member. And although the criteria for tenure are sometimes identical with those for promotion (in that a candidate's performance in teaching, professional contribution, and service to the University will be assessed in each instance), the nature of tenure is distinct from that of promotion. Tenure is primarily concerned with the scholar's right to pursue and communicate knowledge and express opinions in an atmosphere free of reprisal and with the University's right to entrust its institutional life to its best men and women. Thus the decision to grant tenure to a candidate is more critical than the decision to promote; in granting a continuing career appointment to a candidate, the University is entrusting itself to his/her care in concert with his/her tenured colleagues; in granting a promotion, however, the University recognizes the personal achievement of a meritorious candidate.

These observations are made as an introduction to the description of the criteria that follow for tenure and promotion. They also indicate the spirit in which the criteria should be taken. These criteria are guidelines proposed by the Senate Committee on Tenure and Promotions for its own guidance and for the information of the University as a whole. They are intentionally flexible, and require application and amplification according to the explicit standards that are expected to be provided by each and every Faculty and department/division/school. In light of the many and different types of academic progress co-existing in a complex university like York, the Senate Committee's criteria can reflect only those standards common to the University as a whole. The Senate Committee must rely on the individual Faculties and departments/divisions/schools to supplement these general criteria with specific applications to their particular disciplines. It is implicit, however, that the particular stand-

ards of each Faculty will be in accord with the University criteria. Only in this way may the Senate Committee perform its mandate to ensure that the procedures and criteria used in the evaluation were applied fairly and equitably and in accordance with University standards.

B.

The Description of Criteria for Tenure and Promotion

Set out below is a description of the criteria which reflects the University standards:

The Senate Committee requires explication of the standards employed in the evaluation of candidates by individual departments/divisions/schools and Faculties. In keeping with the University's commitment to foster a climate of respect for equity and diversity, standards for tenure and promotion must recognize research and professional contributions in an equitable way. This includes acknowledging diverse career paths, traditions and values, ways of knowing, ways of engaging the community through community-engaged scholarship, and forms of communicating knowledge.

Because promotion and tenure primarily affect junior members of the academic community, the following criteria are described so that they may constitute not only a basis for evaluation after performance, but also a means of encouraging junior faculty before and during performance.

B.1. Teaching

Members of faculty perform many functions, but all are teachers. At the level of the university, teaching is itself an expression of scholarship. In an age of intense specialisation generating an information explosion, the scholar who can take information and synthesise it into coherent structures of knowledge is performing an essential and sophisticated task. To be able to create an intelligible and intelligent university course is a very significant accomplishment. The facile distinction between teachers and researchers comes from

another era when a graduate education conferred upon the teacher a long-lasting competence in a single field. Today disciplines interpenetrate to such a degree that the researcher cannot rest tranquilly secure in his or her area of expertise, and the teacher cannot rest secure that a gentle summer's preparation will be sufficient scholarship for a good introductory course.

To assess the quality of a candidate's teaching, there are certain standards which can and should be applied within the University. The content of the teaching must be evaluated — whether it is conventional and routine, or whether scholarship is revealed through research, analysis, reflection, synthesis and the expression of original work. The effectiveness of communication must also be considered, since communication is the essence of good teaching. The performance of the candidate must be assessed in terms of specific situations — i.e., with undergraduate or with graduate students, in groups and tutorials, in the laboratory or in the field or in the community, in small or large lectures. A candidate may be more effective in one situation than in others. While no one situation should be given a premium value to the detriment of others, a candidate should be superior in at least one area of teaching.

The judgement of colleagues must be brought to bear on the assessment of teaching performance; reliance on mere hearsay should be avoided. The direct expression of students' evaluation of teachers should be solicited. Without a concrete, highly specific and well-supported evaluation of a teacher's performance, the Senate Review Committee will return a dossier with a request for more information.

B.2. Professional Contribution and Standing

In most cases distinction within a profession arises from the communication of knowledge or skills through public service and community engagement, scholarly publication, or the production of works of art. Although publication and performance are not in themselves a guarantee of excellence, one recognises that these kinds of professional activity are

addressed to communities larger than York University and that, therefore, they must be judged in this larger professional context. In certain cases a distinguished public expression constitutes *prima facie* evidence that the quality of the work has been assessed and found to be of a high standard; in other cases it may be necessary to solicit assessments from specialists in the same field.

When the candidate has written or produced a work as part of a team or group in a research project, including in the context of community-engaged scholarship, the nature of his or her contribution must be assessed.

Intellectual achievement may also be manifested by studies or activities that have been commissioned by governments or by private institutions. Contributions of this kind are significant, but they can be uneven and should always be evaluated by a recognised authority in the same field.

Generally, the quality of a candidate's scholarship will be evaluated in the light of judgements by reputable scholars, augmented where relevant by the judgement of community experts; in cases where there may be division within a discipline, the File Preparation Committee should describe the nature of the conflict among schools of thought and present the Adjudicating Committee with a wider range of professional opinion. Where the candidate is relatively junior, judgement should point not only to immediate achievement, but to the promise or lack of promise for further development.

The work performed by members of faculty for public and private institutions and for community constituencies or organizations is indeed an integral part of the relationship between the University and the community. Communication with the general public in a variety of forms and media will be a continuing necessity for the modern university, and outstanding contributions of faculty in this area must be recognised. Service in the context of community-engaged scholarship to various public agencies or organizations,

presentation of lectures and talks to other than professional audiences, performances with radio and television networks — all such activity should be documented as evidence of any special capacity to enhance the intellectual relationship between the University and the community.

These activities must not be separated from the other criteria; they will be weighed in relation to the central core of responsibility which belongs to every member of faculty not only to transmit but to extend the boundaries of perception, understanding and knowledge.

B.3. Service to the University

Service to the University will take many forms. Service to the University is performed by faculty members through participation in the decision-making councils of the University and through sharing in the necessary administrative work of departments/divisions/schools, Faculties, the University or the Faculty Associations not otherwise counted under professional contribution and standing. Reviewers will attempt to discriminate among the kinds of administrative work in which a faculty member has participated. Contributions through committees and administrative offices should be assessed as an area for the display of knowledge and good judgement in the creation of new courses, programs, Faculties and Colleges.

The work of some committees is routine; obligations to serve on them from time to time are implicit in being a member of faculty and deserve no special weight. Committees relevant to the making of academic policy, or major duties assumed at the request of the University or assumed on behalf of the Associations which have led to its improvement, are clearly more important and will be given proper consideration.

In exceptional cases the University must recognise its responsibility for the fact that the growth of a candidate's

scholarly and academic development may have lagged because of the large demands which important administrative work has made upon his/her time. In such circumstances the Senate Committee will require full information from persons familiar with the extent and nature of the candidate's participation in a major service activity.

B.4.

Application of the Tenure and Promotion Criteria

The Senate Committee requests explication of the standards employed in the evaluation of candidates by individual departments/divisions/schools and Faculties in accordance with these criteria. All recommendations for tenure and promotion to the rank of Associate Professor require either demonstrated superiority (excellence) in a minimum of one of the three categories outlined above, with at least competence demonstrated in teaching and in professional contribution and standing, or at least high competence in all three categories.¹

Without diminishing or detracting from existing scholarly expectations, standards for tenure and promotion must, as relevant, recognize and provide an appropriate basis for the assessment of community-engaged scholarship encompassing all three areas of professional responsibility, where *community* may be local, national or international.

The Senate Committee will review the standards set forth by Faculties and departments/divisions/schools; it will also undertake to ensure that standards are uniformly applied

1

It is the Senate Committee's interpretation of Senate's action on 27 May 1976 that Senate wished to downplay service slightly when excellence in teaching or professional contribution and standing is involved, but that Senate did not wish to eliminate it completely as a consideration in such cases. Even when a claim for excellence is made in teaching or professional contribution, it is essential that the area of service be fully documented and evaluated. (24 June 1976)

throughout the University.

The level of achievement required for the granting of tenure and promotion is identical for first, second and third year Candidacy consideration.

C.
Eligibility for Professorial Ranks and Tenure

A university scholar is a professional person devoted to the pursuit of excellence in teaching, research, and service to the University. Promotion, although it may be associated with seniority within the University, must in its essential nature be related to the University's recognition of a scholar's real achievements.

In keeping with the University's commitment to foster a climate of respect for equity and diversity, standards for tenure and promotion must recognize research and professional contributions in an equitable way. This means acknowledging diverse career paths, traditions and values.

The following outline of promotion through the ranks is a mere average profile; it is put forth to give members of faculty a general notion of what is to be expected; it is not, however, a set of rules. Candidates for tenure and promotion will move at varying rates, according to their own patterns of professional growth.

C.1.
Professorial Ranks

C.1.1.
Assistant Professor

In some Faculties promotion to this rank is seen as automatic upon the completion of a Ph.D; in other Faculties this degree is not an appropriate indication of achievement. Clearly, it is possible for junior scholars to demonstrate that they are

already mature professionals who have completed their training and have embarked upon their careers. The Committee is sensitive to the different indications of this level of achievement prevailing in the different departments/divisions/schools and Faculties. The Committee will not use a single scale to judge all candidates, but will be guided by the initiating unit's and the Faculty's own criteria. Nevertheless in all the Faculties of the University, an Assistant Professorship should mean that the years of apprenticeship are over and that the student has now become a scholar.

C.1.2.

Associate Professor

An Associate Professor is a matured scholar whose achievements at York and/or elsewhere have earned his or her colleagues' respect as an individual of superior qualities and achievements. A normal expectation of promotion to Associate Professor would be between three to six years of service in the rank of Assistant Professor.

C.1.3.

Professor

A Professor is an eminent member of the University whose achievements at York and/or in his/her profession have marked him or her as one of the scholars from whom the University receives its energy and strength. Clearly this level of achievement cannot be identified with serving several years as an Associate Professor; nevertheless, the rank should not be considered a form of apotheosis. The rank of Professor should be within the expectancy of all Associate Professors.

C.2.

The Relation of Promotion to Tenure

The Preamble has expressed the distinction between the principle of tenure and the principle of promotion. The decision to grant tenure is one of the most important relationships between the faculty member and the University, since

it confers upon the scholar a continuing career appointment. It is, therefore, reasonable to assume that a candidate who has been judged to have met the standards for tenure, normally will also merit promotion to the rank of Associate Professor.

An exceptional case, where tenure may be granted and promotion delayed, may involve individual circumstances such as one or more of the following, for example:

- (a) medical circumstances — where certain extended and severe medical problems have delayed a candidate from realising his/her promise;
- (b) major change in field of academic concentration;
- (c) documented high promise of excellence or high competence in the three criterion categories to be realised in the immediate future (i.e., no longer than two years);
- (d) exceptional conditions where extraordinary service was rendered by a candidate.

Granting tenure and delaying promotion shall normally be reserved for candidates in their final year of Candidacy.

D. Appointments Leading to Tenure

D.1. Classes of Full-Time Appointments

Full-time appointments to the faculty of York University fall into the following classes:

- (a) those that confer probationary status, implying that the University will give serious consideration to the granting of tenure;
- (b)

those which place the faculty member in a “Separate Stream” of faculty, under the terms of Senate legislation approved 22 June 1972;²

(c)

those which confer tenure, which is awarded only to faculty members of professorial rank or at the senior levels of the Separate Stream;

(d)

those made in exceptional cases, where the University finds it necessary to make appointments with a contractually limited term, carrying no implication of renewal or continuation beyond the stated term and no implication that the appointee is on probation for a permanent appointment.

D.2.

Probationary Appointments

Most initial appointments at York are probationary. The purpose of the probationary appointment is to provide the University and the candidate an opportunity for mutual appraisal. Probation does not imply that tenure and promotion will be granted, but it does imply that the University gives serious consideration to such an appointment during that period.

Two sequential probationary periods are used at York:

D.2.1.

Pre-Candidacy

Assistant Professors and Lecturers normally become pre-candidates upon appointment. The period of Pre-Candidacy will not normally exceed three years. The purpose of Pre-Candidacy is to allow the adjudicating unit time to determine whether it wishes the individual’s appointment to be continued into Candidacy. Normally, an individual will successfully

2

For purposes of this document, “Separate Stream” and “Alternate Stream” are equivalent.

move from Pre-Candidacy to Candidacy. This transition allows the unit to assess and advise the candidate. Units will review a candidate's performance in the areas of teaching, professional contribution and standing, and service. Procedures to be followed in making this determination are to be found in the "Procedures Governing Decisions on Advancement to Candidacy". The Dean³ of the Faculty shall inform the Secretary of the University of the final decision in each case.

D.2.2. Candidacy

During the period of Candidacy, which extends up to three years beyond Pre-Candidacy, the eligibility of the person for a continuing appointment, i.e., tenure, must be determined by the adjudicating unit by 1 November of the year in which the candidate's file comes forward. Under no circumstances can a faculty member be required to come up for consideration for tenure (and/or promotion) in the first year of Candidacy if he or she does not wish so to be considered. The adjudicating unit must prepare a complete file for all members of faculty not later than their second year of Candidacy. The decision of the Adjudicating Committee must be sent to the candidate by 1 November. The complete file shall be forwarded to the Review Committee, regardless of the recommendation, which may be positive, negative or delay. A recommendation to delay is realistic only if substantial change is necessary to allow a positive recommendation. Where a delay recommendation is first made, the candidate shall be informed of the reasons for that recommendation by that body. For those candidates for whom a final decision has not been made in the second year of Candidacy, a positive or negative recommendation must come forward from the adjudicating unit and be sent to the candidate before 1 December of the third year of Candidacy. In any reconsideration of cases where a previous delay or negative decision has been made, all the material contained in the previous file

3

For purposes of this document, "Dean" refers to Faculty Deans and the Principal of Glendon.

shall be retained and brought before each committee that reconsiders the case.

Except in extraordinary circumstances, any promotion and tenure decision must be based solely on information contained in the candidate's file.

D.2.3.

Length of Probationary Period

The two phases, Pre-Candidacy and Candidacy, may not total more than six years. In the exceptional case of Pre-Candidacy lasting four years and the individual then being moved into Candidacy, the period of Candidacy shall be two years, those years being, in the terms of this document, the first year and the final year of Candidacy.

D.2.4.

Extension of Probationary Period for Pregnancy or Primary Care Giver Leave

For those faculty members appointed in the probationary/tenure stream, candidates who qualify for pregnancy or primary care giver leave shall, upon request, receive an extension of their probationary period for one year. Normally, candidates must have qualified for pregnancy or primary care giver leave and must have made the request for an extension prior to the adjudicating unit's decision on their Candidacy 3 application. The Secretary of the University must be informed of all such extensions.

D.2.5.

Termination of a Probationary Appointment

The termination of a probationary appointment is not the specific concern of the Senate Committee on Tenure and Promotions. Candidacy is a protected period, during which a faculty member's appointment may be terminated only for cause, by a negative decision on tenure, or for budgetary reasons. In any event, for candidates for tenure, and for fac-

ulty who have served as full-time probationary appointees for three years or more, notice that a probationary appointment is not to be renewed shall be given no later than one calendar year before the appointment is to terminate.

**D.3.
Initial Appointment as Lecturer**

The status of Lecturer varies in the University from department to department and from Faculty to Faculty. It represents an initial appointment and temporary status, subject to the following guidelines:

(a)
Each person appointed to the rank of Lecturer shall be informed in writing at the time of appointment as to what conditions and length of service are expected to be fulfilled for subsequent promotion to the Assistant Professor rank. A faculty member shall not remain in the Lecturer rank for longer than three years.

(b)
Promotion from Lecturer to Assistant Professor is not a matter for express action by the Senate Committee on Tenure and Promotions. Such promotions shall be made using the standard appointment form.

**D.4.
Initial Appointment as Assistant Professor**

Persons appointed initially at the rank of Assistant Professor will enter into the Pre-Candidacy period. Progression through Pre-Candidacy and Candidacy will be governed by performance and by the norms governing progress in the particular departments/divisions/schools and Faculty, provided that the decision regarding tenure is taken before the end of the sixth year of service. It is possible that the Pre-Candidacy and Candidacy periods may be shortened in the case of persons with service elsewhere. *The Dean shall inform the Faculty Tenure and Promotions Committee and the Secretary of the University of the decision in each case.*

D.5.

Initial Appointment as Associate Professor or Professor

In the case of candidates whose initial appointment at York was made at the level of Associate Professor or Professor, the first year of service would initiate the Candidacy phase unless an agreement to the contrary has been reached between the University and the candidate. Thus, it is the responsibility in such cases for the initiating unit to forward a recommendation for tenure not later than the second year of Candidacy whether the recommendation be positive, negative, or delay. Normally, a faculty member appointed at this level should have completed one year of service with the University before being proposed for tenure.

D.6.

Denial of Tenure

A faculty member denied tenure during the Candidacy phase of a probationary appointment shall be given notice of termination on or before 30 June in the year in which the decision to deny tenure is made, that the next academic year commencing 1 July and concluding 30 June shall be the terminal year of employment. Reappointment for a subsequent period would be most unusual and would only be made subject to conditions governing contractually limited appointments.

E.

Sabbaticals and Leaves of Absence

The period spent on sabbatical leave will count as service even though the faculty member is not engaged at York in teaching and other normal activities of University life. On the other hand, leaves of absence other than sabbaticals may extend from short to very long periods of time. In every case of leave of absence, provision for credit or non-credit of such time to the years of service to York University should be arranged in advance by written agreement between the candidate, the Chair of the department/division/school and the Dean.

F.
Procedures for Tenure and Promotion

F.1.
Overview of the Process

1.

Proceedings to assess a candidate for tenure and/or promotion will normally be initiated by the Dean or department/division/school Chair of the candidate's home unit (the initiating unit). Proceedings may also be initiated by the candidate or by other interested parties within the academic body of the University. Except for applications for tenure in Candidacy 2 or 3, which are required to be prepared and assessed, no file will be prepared without the consent of the candidate.

2.

A file will be prepared for each candidate under the direction of a File Preparation Committee and assessed in the first instance by an Adjudicating Committee.

3.

The complete file will proceed from the Adjudicating Committee, via the Dean of the candidate's home Faculty, to a Review Committee involving Senate. The file will then pass to the President for his/her recommendation to the Board of Governors. A candidate may ask for reconsideration of his/her file by any committee tendering a negative or delay recommendation.

F.2.
General Rules

1.

Deliberations of all adjudicating or reviewing committees shall be *in camera* and completely confidential.

2.

The candidate shall have the right to appear in person, with or without a representative, before any adjudicating or reviewing body in the tenure and promotion process, for the purpose of making a statement or providing clarification with respect to substantive or procedural matters concerning his or her file. A written record of the statement and/or information so obtained shall be added to the file and forwarded to the candidate.

3.

Candidates shall have the right to review their complete file at any stage subject to the exceptions outlined in F.3.1.6. *Confidentiality and the Candidate's Right to Know.*

4.

Whenever it is required that a report or letter be copied to a candidate, it shall be sent by priority post (or such alternative service as will guarantee secure delivery within two business days).

5.

The candidate shall be kept informed in writing about the progress of his/her case at each point where a recommendation is made to the next higher committee, and shall be given 15 days from the date of mailing of the notification at each point to provide additional material before the file is forwarded to the next committee.

6.

To the extent possible, those responsible for nominating members to adjudicating and reviewing committees will strive to ensure broad representation of disciplines or sub-disciplines and to ensure representation of both men and women. No person shall serve simultaneously on tenure and promotions committees (including the Senate Tenure and Promotion Appeals Committee) at different levels.

7.

Each Faculty shall have a Tenure and Promotions Committee, elected in accordance with its normal procedures.

8.

In Faculties without departments, divisions or schools, the Faculty Committee will serve as the Adjudicating Committee.

9.

Where files are prepared and adjudicated in departments, divisions or schools, the Faculty Committee, augmented by two members seconded from the Senate Committee on Tenure and Promotions, will act as a Review Committee. In addition, they will review standards applied in local units to ensure that they are in accordance with Faculty standards and criteria.

10.

If a member of the Review Committee has considered a file as a member of an adjudication committee he/she shall not take part in consideration of the file at the review level.

11.

Before the adjudication of a file at the Faculty or Senate level,

a candidate may challenge the participation of a member of the Adjudicating or Senate Review Committees on the grounds of a reasonable apprehension of bias. Such a challenge must be supported by facts constituting grounds. The Senate Tenure and Promotion Appeals Committee will rule on the challenge, and if it is upheld, the committee member in question shall recuse him/herself from consideration of the file.

12.

In all Faculties, the Faculty Committee will deliberate on Faculty tenure and promotion policy and make recommendations on such policy to Faculty Council and the Dean.

13.

The Senate Committee on Tenure and Promotions will review adjudication in Faculties which do not have departments, divisions or schools.

14.

The Senate Committee will also review changes in standards for tenure and promotion in Faculties and advise on ways to ensure that local standards are in accord with University criteria and procedures.

F.3.

Procedures

F.3.1.

File Preparation

F.3.1.1.

General

(a)

Files shall be prepared in the initiating unit by a committee of no fewer than three persons: one named by the candidate (ordinarily, but not necessarily, from his/her home unit) and two named by, and normally from, the Adjudicating Committee. All members of the File Preparation Committee shall be probationary or tenured members of faculty.

(b)

The File Preparation Committee has the responsibility of assembling a file which is complete and which fairly and accurately reflects the candidate's academic career at York and/or elsewhere. It will be responsible for presenting diverse career paths fairly and effectively, so that candidates'

professional contribution and standing, teaching and service can be equitably assessed. Where a candidate is appointed at the level of Pre-Candidacy 3 or later in the probationary period, the File Preparation Committee will make reasonable efforts to obtain teaching evidence from the candidate's previous institution, consistent with the terms of Section F.3.1.2. The File Preparation Committee will not adjudicate the file.

(c)

The only commentary provided by the File Preparation Committee shall be factual information required to contextualize the evidence in the file (e.g., background information on external referees). The candidate will be given the opportunity of reviewing any such contextualizing commentary before the file goes to the Adjudicating Committee.

F.3.1.2.

Teaching

(a) Evaluation by Collegial Referees

(i)

Two referees will be selected by the File Preparation Committee and one by the candidate. Such referees will be internal to York; however there may be cases where it is appropriate to solicit the opinions of referees outside the University.

(ii)

Referees for teaching shall be provided with copies of course outlines, assignments and handouts, and such other materials as the candidate deems relevant.

(iii)

Candidates may wish to prepare a teaching dossier for the use of referees, encompassing course materials, a statement of teaching philosophy, reflections on pedagogical strategies and other relevant information. The teaching dossier shall not ordinarily become part of the tenure/promotion file. Candidates should consult the Senate Committee on Teaching and Learning's *Guide to Teaching Assessment and Evaluation* and *Teaching Documentation Guide* for more details and may seek advice from the Centre for the Support of Teaching.

(iv)

The three referees shall visit classes taught by the candidate and observe his/her teaching, taking care to ensure coverage

of all relevant teaching formats (e.g., lecture, seminar, studio, etc.).

(v)

When the File Preparation Committee determines it is appropriate, the Committee will solicit letters of reference on teaching from those faculty members and teaching assistants with whom the candidate has taught.

(b) Evaluation by Students

(i)

The File Preparation Committee will:

(a)

ensure that teaching evaluation is conducted wherever the candidate teaches;

(b)

compile a random sample of student names from the candidate's most recently taught graduate and undergraduate classes and solicit letters from the students commenting on the candidate's teaching;

(c)

invite graduate students who have previously been supervised by the candidate to write letters of reference concerning the candidate's teaching.

(ii)

The candidate may add additional names to comprise up to one-third of the students solicited.

(iii)

Only signed letters and comments shall be included in the file.

(iv)

Units are encouraged to ensure that student evaluations of teaching are collected in each year for probationary faculty. Such evaluations shall include an opportunity for students to provide confidential signed comments.

F.3.1.3.

Professional Contribution and Standing

(a)

The File Preparation Committee shall compile a list of potential referees for professional contribution and standing, and the candidate will be permitted to add further names not to exceed one quarter of the total names on the list.

(b)

The File Preparation Committee shall solicit references from a minimum of three referees, external to York and at “arm’s length” from the candidate. Referees are not at “arm’s length” if the candidate has had a prior professional involvement with them (e.g., as thesis supervisor, co-author, close colleague within the field, etc.) or has had a significant personal relationship with them.

(c)

Exceptions to the “arm’s length” rule shall be made only if, in the opinion of the File Preparation Committee, the only referees available to assess work done in a particular field are persons with whom the candidate has had a prior professional involvement. The reasons for choosing such referees should be explained in the file.

(d)

It will rarely be the case that references should be sought from more than five or six referees. However, applications for promotion to senior ranks may require more external references than those for tenure and promotion. When the breadth or interdisciplinarity of a candidate’s work is such that few, if any, referees will be expert in all areas of the candidate’s scholarship, it may be necessary to share responsibility for the assessment of professional contribution and standing among more than the minimum number of referees.

(e)

The File Preparation Committee shall solicit comment from co-authors/co-investigators on the nature of the candidate’s contribution to joint work (or work produced as part of a team or group).

(f)

Although no maximum number of references is specified, the File Preparation Committee shall endeavour, to the extent consistent with fairness to the candidate and with an accurate assessment of his/her scholarly or creative work, to limit the number of references sought.

(g)

Candidates will be advised what material is being sent to external referees and may add such other material as they believe is relevant.

F.3.1.4.

Service

(a)

The File Preparation Committee shall compile a selection of referees (from both units, where a candidate is joint or cross-appointed) familiar with the candidate's service to the University, and the candidate may add up to one-third more names (up to one-quarter of the total names on the list). Normally such referees will be internal to York; however there may be cases where it is appropriate to solicit the opinions of referees outside the University.

(b)

When it determines that it is appropriate to do so, the File Preparation Committee may solicit the opinions of referees outside of the University.

(c)

Unless the File Preparation Committee is of the opinion that the candidate has an extraordinary breadth of service that should be reflected in full in the file, references need not be solicited from more than three referees.

(d)

Candidates shall advise the File Preparation Committee of any material they believe is relevant and must be sent to referees, and provide such material to the File Preparation Committee who shall in turn provide copies to referees.

F.3.1.5.

Contents of the File

The contents of a candidate's application file for tenure and/or promotion will be determined by the File Preparation Committee, in consultation with the candidate and according to Faculty and (where relevant) department/division/school guidelines, and as a minimum will include:

(a)

Copies of tenure and promotion guidelines of the candidate's Faculty and (where relevant) department/division/school;

(b)

(Candidates for Tenure) A copy of the letter advising the candidate of his/her advancement to Candidacy for tenure

(or letter of appointment, if the candidate was appointed in Candidacy) which normally shall indicate the standards that the candidate is expected to meet if tenure and promotion are to be granted;

(c)

A *curriculum vitae* designed to provide a comprehensive record of the candidate's teaching, professional contribution and standing, and service;

(d)

A list of referees whose letters are included (with an indication which referees were selected by the candidate);

(e)

Sample copies of letters sent to solicit references;

(f)

Letters of reference;

(g)

Reviews (if available) of published scholarship or creative production;

(h)

Statements from co-authors/collaborators on the nature of the candidate's contributions to joint work;

(i)

Statistical summaries and analysis of all quantifiable material, together with any signed comments, from student teaching evaluations;

(j)

A candidate's personal statement, if any. Candidates will be encouraged to include a brief personal statement (normally not more than 2000 words). Such a statement will normally provide an assessment of one's career progress and an explanation of any anomalies (e.g., career interruptions);

(k)

If applicable, any other material about his/her joint or cross-appointment that the candidate thinks is appropriate should be included.

F.3.1.6.

Confidentiality and the Candidate's Right to Know

(a)

The candidate shall be apprised of the names of all referees solicited on his/her file. (Referees are to be identified in the file as being nominated by the candidate or the initiating unit.)

(b)

The candidate may review all material in his/her file, except for original copies of letters of reference from colleagues or students, or original copies of signed student comments from course evaluation questionnaires.

F.3.1.7.

Letters of Reference and Evaluations

(a)

The File Preparation Committee shall inform referees that letters of reference must be written in such a form that the writer's name, address and all contextual information will be contained in a header and shall inform referees that the header and signature will be removed or masked and the remaining text of the letter will be photocopied and provided to the candidate.

(b)

In order to be used as part of the tenure/promotion file, comments on teaching evaluation forms shall be signed. The comments will be presented in their entirety to the candidate, minus contextual identifiers and student signatures. Comments included in tenure/promotion files will indicate from which courses they were drawn. Teaching evaluation forms shall inform students of this procedure.

F.3.2.

Adjudication of the File

F.3.2.1.

Adjudication

(a)

The principal substantive assessment of a candidate's file takes place in an Adjudicating Committee within the candidate's home unit.

(b)

In Faculties with departments/divisions/schools, files will be assessed by a committee constituted at the level of the department/division/school. In Faculties without departments/divisions/schools, files will be assessed by a committee constituted at the Faculty level.

(c)

For tenure files, the Adjudicating Committee will review the

evidence in the file and include in a report the detailed results of votes on professional contribution and standing, teaching and service rated as excellence, high competence, competence or competence not demonstrated, and the vote on the recommendation for tenure and promotion. For promotion to Full Professor files, the Adjudicating Committee will review the evidence in the file and vote only to promote or delay.

(d)

An Adjudicating Committee will consist of a minimum of six and a maximum of eight probationary/tenured faculty and normally two, but not more than three students. A majority of faculty members on the Adjudicating Committee shall have tenure.

(e)

In units where the size of the unit makes it impossible to appoint enough members to the Adjudicating Committee, and in such other circumstances as they and the candidate agree are appropriate, the Chair (where applicable) and Dean of the unit, in consultation with the candidate, will strike a special Adjudicating Committee on an ad hoc basis.

(f)

Small Faculties with departments/divisions/schools may elect to constitute the Adjudicating Committee at the Faculty level, in order to avoid the problem of finding enough people to make up the Committee in very small units.

(g)

The level of achievement required for the granting of tenure and promotion is identical for first, second and third year Candidacy consideration.

F.3.2.2.

Adjudicating Committee's Recommendations

(a)

The Adjudicating Committee report shall contain a decision to recommend tenure and promotion, tenure without promotion, promotion (in the case where a candidate already has tenure), delay, or rejection, with detailed reasons for the decision. In exceptional cases tenure without promotion may be recommended (see *C.2. The Relation of Promotion to Tenure*).

(b)

The Adjudicating Committee shall make a recommendation

of delay in the second year of Candidacy only when a file falls significantly short of the required standard. When the Adjudicating Committee concludes that the file falls short of the required standard but the shortfall is not significant and there is clear evidence that the file will be of satisfactory strength by the following year, it shall weigh that evidence against the disadvantage to the candidate of a delay and determine whether tenure and promotion should be recommended. However, a shortfall in meeting the standards for tenure and promotion is not grounds for recommending tenure but delaying promotion which, in accordance with Section C.2., is to be recommended in exceptional circumstances and is normally reserved for candidates in their final year of Candidacy.

**F.3.2.3.
Adjudicating Committee's Report**

(a)

The Adjudicating Committee's written report of its determination shall be sent to the Dean of the Faculty, setting forth a decision to recommend one of tenure and promotion, tenure without promotion, delay or rejection, or in cases where the candidate already has tenure, promotion or delay with clear and detailed reasons for the decision.

(b)

The report will be added to the file and copied to the candidate.

**F.3.2.4.
Reconsideration**

(a)

The Adjudicating Committee's report will constitute notice of recommendation and the candidate will have 15 days from the date of mailing to add material in writing to the file for consideration by a Review Committee and/or, in the event of a negative or delay recommendation, to request reconsideration by the Adjudicating Committee.

(b)

Following any reconsideration, the Adjudicating Committee will add its recommendation to the file, copy it to the candidate, and send the file to the Dean for transmittal to the Senate Committee.

F.3.3.
Dean's Letter

1.

The Dean will write a letter of transmittal to the Senate Committee, in which he/she will either concur in the judgement of the Adjudicating Committee or dissent from that judgement. In the latter instance, the Dean will give reasons for his/her recommendation.

In cases where the file has been referred back to the Adjudicating Committee by the Senate Committee for reconsideration pursuant to F.3.4. the Dean will write a letter of transmittal to the Senate Committee as follows:

(a)

if the Adjudicating Committee did not change its judgement on reconsideration he/she will simply note without reasons concurrence or dissent in the judgement of the Adjudicating Committee on reconsideration;

(b)

If the Adjudicating Committee changed its judgement on reconsideration he/she will either concur in that judgement of the Adjudicating Committee or dissent from that judgement. In the latter instance, the Dean will give reasons for his/her recommendation.

2.

The Dean's letter will be copied to the candidate.

3.

The candidate will have 15 days from the date of mailing to add material in writing to the file for consideration by a Review Committee and/or, in the event of a negative or delay recommendation, to ask the Dean to reconsider his/her recommendation.

F.3.4.
Review of Adjudication by a Senate Review Committee

1.

Where the Adjudicating Committee is constituted at the level of department, division or school, the Review Committee will be constituted as a sub-committee of the Senate Committee on Tenure and Promotions and composed of the Faculty Tenure and Promotion Committee with the addition of two

members of the Senate Committee on Tenure and Promotions.

2.

Where the Adjudicating Committee is constituted at the Faculty level, the Review Committee will be a duly constituted panel of the Senate Committee on Tenure and Promotions. Quorum for a panel will be the panel less one.

3.

The Senate Committee on Tenure and Promotions will consist of at least six members, elected by Senate in accordance with Senate's general procedures for election to committees and particular criteria for election to this Committee, as they may be amended from time to time by Senate.

[Note: *For purposes of reviewing files, two members of the Senate Committee will be seconded to each Faculty in which files are adjudicated at the department/division/school level. Those members will also take part in review of files from non-departmentalized Faculties by the Senate Committee.*]

4.

In reviewing recommendations from the Adjudicating Committee, the Review Committee will not consider a file *de novo* but will evaluate the recommendation of the Adjudicating Committee to ensure that the procedures set out herein have been followed and that the criteria used in the evaluation of the file have been applied fairly and in accordance with University standards.

5.

When material is added to the file after a recommendation of the Adjudicating Committee, the Review Committee shall determine whether the additional information constitutes *substantive new evidence* which might affect the Adjudicating Committee's assessment and recommendation. If the Review Committee determines that the material may affect the assessment and recommendation, it shall return the file with the additional material to the Adjudicating Committee for reconsideration.

6.

When the Review Committee determines that the procedures have been followed in all material respects, that the appropriate criteria have been fairly applied and that the judgement of the Adjudicating Committee concerning application of University standards is correct, it will concur in the judgement and forward the file to the President.

7. (a)

If the Review Committee concludes that the criteria and procedures have been fairly applied, but that the evidence in the file does not support the judgement of the Adjudicating Committee in that the candidate recommended for tenure and/or promotion has not met the University's standards, or that the candidate recommended for rejection or delay has in fact met the University's standards, it will add its recommendation to the file and forward it to the President.

(b)

Where the Review Committee dissents from the recommendation of the Adjudicating Committee, it will provide reasons in writing.

8.

When the Review Committee determines that procedures have not been followed and/or that the appropriate criteria have not been fairly applied, it shall send the file back to the Adjudicating Committee and require that the proper procedures be followed and the file be reconsidered with the criteria being fairly applied. Upon receipt of a file from the Review Committee for reconsideration, the Adjudicating Committee will meet as soon as is possible and reconsider the file in accordance with the directions of the Review Committee, make a decision, report, and return the file to the Review Committee who will review it and act in accordance with the procedures above.

9.

When the Review Committee finds that there are procedural irregularities but they were not such as may reasonably be determined to affect the outcome in the particular case, it will concur in the recommendation, forward the file to the President and convey its procedural concerns to the Adjudicating Committee for its information.

10.

The Review Committee will copy the candidate on its report to the President. The candidate will have 15 days from date of mailing to, in the event of a negative or delay recommendation, request a reconsideration, to appeal where permitted (see F.3.6.) to the Senate Tenure and Promotion Appeals Committee and/or to add material to the file before the file is considered by the President.

F.3.5.

Senate Committee Report to Senate

The Committee shall report to Senate on its work, and that of its Sub-Committees, at least three times each year.

F.3.6.

Appeals to the Senate Tenure and Promotion Appeals Committee

1.

Appeals against recommendations of a Review Committee shall be heard by the Senate Tenure and Promotion Appeals Committee in the following circumstances: a negative recommendation by the Review Committee for tenure, or a delay decision for promotion to full professor.

2.

Membership of the Senate Tenure and Promotion Appeals Committee shall be six members, elected by Senate in accordance with Senate's general procedures for elections to committees and particular criteria for election to this Committee, as they may be amended from time to time by Senate. Normally nominations for election to this Committee should be of persons who have previously served on the Senate Tenure and Promotions Committee or Sub-Committees.

3.

Upon receipt of the Review Committee's recommendation, a candidate may appeal to the Senate Tenure and Promotion Appeals Committee and shall have 15 days from mailing of the Review Committee's recommendation to give notice in writing of such an appeal to the Secretary of the Senate Tenure and Promotion Appeals Committee.

4. (a)

Upon receiving notice of an appeal, the Senate Tenure and Promotion Appeals Committee shall expeditiously meet and consider the candidate's file and the decisions and reasons of the preceding committees and make a decision as to the disposition of the appeal.

(b)

The Senate Tenure and Promotion Appeals Committee may concur in the judgement of the Review Committee or may substitute its judgement as to the recommendation for that of the Review Committee.

(c)

The Senate Tenure and Promotion Appeals Committee will provide the appellant, the Review Committee and the Adjudicating Committee with a letter setting out the disposition of the appeal and the reasons for its decision, and will report its finding to the President.

5.

The Senate Tenure and Promotion Appeals Committee shall consider and rule on challenges to the participation of a member of the Adjudicating or Senate Review Committees on the basis of reasonable apprehension of bias.

G. President

The President may exercise discretion to seek advice as she/he deems appropriate prior to making the final decision on a tenure and/or promotion application.

H.

Temporal Equity

1.

Any changes to the procedures set out herein, or to the University's criteria or standards, shall of necessity evolve slowly and incrementally. Every Faculty and (where appropriate) department/division/school shall from time to time establish explicit written standards on the basis of which the University criteria for tenure and/or promotion shall be amplified and applied.

2.

The initiating unit shall advise faculty members in writing of the standards expected of members of the initiating unit, at the time of their appointment and again when they are advanced to Candidacy for tenure. The Chair of each department/division/school, or the Dean of the Faculty in non-departmentalized Faculties, shall write to each candidate advising of his/her advancement to Candidacy and shall, in that correspondence, assess the candidate's career to that time and indicate as specifically as possible what expectations will have to be met if tenure and promotion are to be awarded.

Alternate Stream Document

A. Preamble

In the large multifaceted institution that York University has become, it is apparent that the duties required of some members of faculty are significantly different from those required of most faculty members. In contrast to the functions performed by members of the Professorial Stream – teaching, research, and service to the University – the main responsibility of faculty in the Alternate Stream is teaching. Thus, extensive preparation and a large number of contact hours per week in the classroom, laboratory or studio are required of individuals in this stream.

In addition, it is expected that these individuals will participate in related activities in the undergraduate program, such as serving on committees and engaging in administrative work including, perhaps, the supervision of other persons engaged in teaching. Because of their specific responsibilities and their time commitment to teaching, it is not expected that members of the Alternate Stream will engage in basic research, that is, research that is not directly related to their teaching responsibilities. It may be that some individuals in the Alternate Stream will, without prejudice to their other duties, find time to engage in basic research. Since it is basic research which is the very essence of the differentiation between members of the Professorial and Alternate Streams, these individuals should be advised that the requirements for advancement in the Alternate Stream will not normally be met by basic research. Of course, any research related to the Alternate Stream member's course work will be considered with his/her teaching performance.

Although the qualifications for appointment and the career aspirations of individuals in the Alternate Stream differ from those in the Professorial Stream, and although the only common element in the streams is the procedure of evaluation for tenure and promotion, it is the wish of the University that both streams be afforded full dignity and recognition.

Appropriate procedures and criteria have been developed over the years to enhance and protect the dignity of the Professorial Stream. The University hopes that this document will do the same for individuals in the Alternate Stream.

Since the Alternate Stream sets up a career orientation that is substantially different from that of the Professional Stream, this document does not foresee the possibility of transfers or joint appointments between the streams. In those cases where qualifications and aspirations change, movement across the streams would, of course, be possible on the basis of a new appointment in competition with other qualified applicants. It must be stressed, however, that neither stream can be permitted to be a holding place for the other. The use of the Alternate Stream as a staging ground for individuals to attempt to become qualified for the Professional Stream would be antithetical to the spirit of this document and, indeed, would undermine the very integrity of the Alternate Stream that this document wishes to promote.

The University's need for specialized teaching skills in certain areas is the *raison d'être* of the Alternate Stream, and thus the consequent emphasis on teaching therein is reflected in the criteria for evaluating members of the stream. Indeed, this need is the basis for requiring that nothing less than excellence (superiority) in teaching and competence in service to the University be the required standard for the granting of tenure to an individual in the stream.

This document establishes one Alternate Stream in the University and provides the foundation for sub-units of the University to build upon it. In this way York may strive for a high standard across the University while allowing for some flexibility at the local level. Each sub-unit with persons in the Alternate Stream is asked to submit a statement of its guidelines in this respect to the Senate Committee on Tenure and Promotions through its Faculty Council periodically, to ensure that such guidelines, as they are revised from time to time, are consistent with this document.

B.
Eligibility for Appointment to the Alternate Stream

The minimum requirement for appointment to the Alternate Stream is the Master's degree or equivalent background, normally with teaching experience. Units with faculty members in the Alternate Stream must develop hiring criteria through their Faculty Councils that will ensure that the highest standards possible are maintained in appointments to the Alternate Stream.

B.1.
Ranks and Patterns of Appointment in the Alternate Stream

The academic ranks in the Alternate Stream are:

- Assistant Lecturer
- Associate Lecturer
- Senior Lecturer

(In the French Department at Glendon College the ranks are *Chargé d'enseignement*, *Chargé de cours* and *Maître de cours*, which are equivalent to the ranks of Assistant, Associate and Senior Lecturer respectively.)

B.1.1.
Assistant Lecturer

All persons appointed to the Alternate Stream will normally be appointed at the rank of Assistant Lecturer. An Assistant Lecturer is one who has achieved proficiency in one of the areas of specialty of the particular unit to which he/she is appointed and who has some proficiency in imparting that special knowledge to students. In a normal appointment an individual would remain at this rank for his/her probationary period.

B.1.2.
Associate Lecturer

An Associate Lecturer is a superior teacher who has also demonstrated a competent level of service to the University that one would expect from a colleague in whose hands the care of the University has been placed by the granting of tenure.

It is because of this trust and because of its desire to give instruction of the highest quality that the University establishes a minimal threshold over which individuals in the Alternate Stream must pass to become part of that trust. In recognition of attainment of a level of distinction as a superior teacher whom it wishes to retain, the University grants a promotion to the rank of Associate Lecturer with tenure. It is expected that the Associate Lecturer will maintain, enhance and perhaps broaden his/her capabilities as a teacher over time. As a tenured member of the faculty of York University, an Associate Lecturer is governed by the general rules of the University relating to tenured faculty.

B.1.3.
Senior Lecturer

The rank of Senior Lecturer denotes an individual who exhibits leadership and makes a substantial contribution as a teacher and colleague.

Promotion to the rank of Senior Lecturer is not coincident with a minimum period of time at the Associate level, nor is it a routine progression. The promotion is granted in recognition of distinguished accomplishments in teaching and service.

B.2.
Procedures

The procedures and levels of consideration given to tenure

and/or promotion cases in the Alternate Stream shall duplicate exactly those used in the Professorial Stream, including the concepts of Pre-Candidacy and Candidacy. See the *Tenure and Promotion Policy, Criteria and Procedures* approved 21 March 2002, as amended 24 May 2007 and 28 June 2007, for more information.

B.2.1. Letters of Reference and Evaluations

(Excerpted from the *Tenure and Promotion Policy, Criteria and Procedures*, Section F.3.1.7.)

(a)

The File Preparation Committee shall inform referees that letters of reference must be written in such a form that the writer's name, address and all contextual information will be contained in a header and shall inform referees that the header and signature will be removed or masked and the remaining text of the letter will be photocopied and provided to the candidate.

(b)

In order to be used as part of the tenure/promotion file, comments on teaching evaluation forms shall be signed. The comments will be presented in their entirety to the candidate, minus contextual identifiers and student signatures. Comments included in tenure/promotion files will indicate from which courses they were drawn. Teaching evaluation forms shall inform students of this procedure.

B.2.2. Evaluation of Teaching

Since teaching is the prime responsibility of members of the Alternate Stream, it is essential that teaching performance be evaluated both in terms of content and presentation. Because the relative emphasis of some of the essential elements of teaching will vary from unit to unit in the University, the responsibility for defining the criteria and the methods for evaluating the criteria are left to the various sub-units. The lists of criteria and methods must be submitted to the Senate Committee on Tenure and Promotions for ap-

proval prior to implementation.

The evaluation of teaching is a difficult, complex process that must involve both colleagues and students. Because colleagues have expertise, previous experience and an overview of the curriculum of the unit, their evaluations will be given the most weight in addressing the question of the teaching proficiency of the candidate. Student evaluations by class questionnaires can be very helpful in assessing the candidate's ability to communicate the content of the course. The opinions of former students who have had time to assess the value of the course are also valuable in assessing the quality of the teaching.

The evaluation of teaching should be an annual process. This annual process is valuable in determining the strengths and weaknesses of a candidate's teaching abilities, forming a basis for the potential award of merit pay and arriving at decisions with respect to contract renewals, as well as forming the basis of a case for the University to consider the question of awarding tenure and giving recognition to its best people.

B.2.2.1. Evaluation by Colleagues

The File Preparation Committee of the initiating unit is responsible for obtaining independent collegial evaluations of the candidate's teaching abilities. The teaching should be judged, of course, by those colleagues who are most familiar with the candidate's area. In addition, the File Preparation Committee will normally solicit evaluations from the department or program coordinator and course directors. The detailed, confidential reports of the evaluators must satisfy the basis of the evaluation (for example, class visitation, examination of course materials) and must be submitted to the File Preparation Committee.

B.2.2.2.
Evaluation by Students

The File Preparation Committee of the initiating unit must solicit confidential letters of evaluation from randomly selected students in the candidate's class and from former students, preferably those who have graduated.

A formal questionnaire must be distributed to all the candidate's classes, laboratories or studio groups and must be returned to the initiating unit.

The initiating unit must provide the candidate annually with a summary of the teaching evaluations, together with constructive comments where appropriate, and shall make the questionnaires available to the File Preparation Committee.

B.2.3.
Evaluation of Service

It is expected that each faculty member in the Alternate Stream will be involved in serving the University. Thus, the candidate may fulfill service responsibilities to the University in a manner which best meets the needs of each particular sub-unit, but will probably involve one or more of the following:

- (1)
service on committees at the Department, Faculty, Senate or Presidential level;
- (2)
fulfilment of administrative responsibilities.

Procedures Governing Decisions on Advancement to Candidacy

Background

Probationary Appointments

Most initial appointments at York are probationary. The purpose of the probationary appointment is to provide the University and the candidate an opportunity for mutual appraisal. Probation does not imply that tenure and promotion will be granted, but it does imply that the University gives serious consideration to such appointments during that period.

Normally, Assistant Professors and Lecturers become pre-candidates upon appointment. The period of Pre-Candidacy will not normally exceed three years. The purpose of Pre-Candidacy is to allow the adjudicating unit time to determine whether it wishes the individual's appointment to be continued into Candidacy. Normally, an individual will successfully move from Pre-Candidacy to Candidacy. This transition allows the unit to assess and advise the candidate on progress in the three criterion areas of teaching, professional contribution and standing, and service.

Normal Progress through Pre-Candidacy and Candidacy

Procedures

1.

The faculty member is normally appointed to the probationary/tenure stream as a pre-candidate, and normally in Pre-Candidacy 1. At the time of appointment, the Dean's letter of appointment shall specify the year of Pre-Candidacy or Candidacy to which the faculty member has been appointed. The initiating unit shall advise faculty members in writing of the standards for tenure and promotion expected of members of their initiating unit at the time of their appointment and again when they are advanced to Candidacy for tenure.

2.

The home unit⁴ shall make a decision on whether to advance a pre-candidate to Candidacy, although the process of advancement to Candidacy may be initiated by the Chair or Dean of the home unit (as applicable). Normally the decision on advancement to Candidacy shall be made in the third year of Pre-Candidacy, or earlier with the consent of the pre-candidate. The decision shall be made by the Adjudicating Committee of the home unit.

3.

The decision to advance a pre-candidate to Candidacy shall be based on an assessment of the pre-candidate's progress in teaching, professional contribution and standing and service. The evidence to be assessed by the Adjudicating Committee shall include as a minimum:

- a *curriculum vitae* which documents clearly the candidate's current record in each of the three areas noted above;
- available course evaluations (from York and/or previous institution);
- a candidate's statement (if provided by the candidate).

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Department, Division or School in departmentalised Faculties, or Faculty in non-departmentalised Faculties.

4.

The chief academic-administrative officer of the home unit (Chair or Dean, as applicable) may make a recommendation to the Adjudicating Committee on whether the individual should be advanced to Candidacy. This recommendation shall be based on a review of the material on which the Adjudicating Committee is basing its decision. The Chair's or Dean's recommendation shall be considered by the Adjudicating Committee before it renders its decision. In the event of a negative recommendation by the Chair or Dean to the Adjudicating Committee, the pre-candidate shall be advised of this in writing and afforded the opportunity to answer any or all of the reasons for the negative recommendation before the Adjudicating Committee makes its decision.

5.

Extensions of Pre-Candidacy: If the home unit has not made a decision on whether to advance an individual to Candidacy by the end of the third year of Pre-Candidacy, this shall result in an extension of Pre-Candidacy for one year. Nevertheless, the Pre-Candidacy and Candidacy periods together shall not exceed six years.⁵

6.

The Adjudicating Committee shall make a decision by considering the probability that the pre-candidate will satisfy, or fail to satisfy, the University tenure and promotion criteria and the unit standards. The decision shall include an assessment of the candidate's progress in the three criterion areas, a copy of the home unit's standards for tenure and promotion, and clear guidance to the candidate on meeting the standards for tenure and promotion.

7.

The Chair of the Adjudicating Committee shall forward the decision to the Dean of the Faculty. The Dean shall ensure that the decision is adequately documented; decisions lacking required information shall be referred back to the Chair

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The *Tenure and Promotions Policy, Criteria and Procedures* (Section D.2.3.) notes that in *exceptional* cases a fourth year of Pre-Candidacy may be allowed, which is followed by Candidacy 1 (may be considered for tenure – voluntary) and Candidacy 3 (must be considered for tenure) so that the total probationary period does not exceed six years.

of the Adjudicating Committee for revision. Once finalized, the decision shall be referred to the Dean for communication to the pre-candidate by 1 November, with a copy to the University Secretary.⁶

8.

The Dean of the Faculty shall inform the Secretary of the University of the final decision in each case.

Substantive Appeal

9.

If the decision is not to advance a pre-candidate to Candidacy, the faculty member, Chair or Dean may appeal the Adjudicating Committee's decision to an appeal committee constituted as follows:

(a)

In departmentalised Faculties, the appeal committee will be the Faculty Tenure and Promotions Committee.

(b)

In non-departmentalised Faculties, the Faculty shall determine (via its usual governance mechanisms) whether all such appeals shall be made to a Faculty level committee or to the Senate Committee on Tenure and Promotions.

(i)

If the Faculty elects to constitute a standing committee to hear all such appeals, that committee shall consist of no fewer than three tenured faculty members (and normally, nominees for election to the committee will have served on the Faculty Tenure and Promotions Committee). Service on the committee is for three years and normally a third of the membership retires annually. Members are not eligible for successive re-election to the committee.

(ii)

If no standing process is put in place to handle such appeals, substantive appeals against decisions not to advance a pre-

6

See the YUFA Collective Agreement clause 12.29 which states, in essence, that letters of reappointment, termination or non-renewal shall be sent to probationary faculty in the pre-candidacy period by 1 November, and that failure to observe the deadline shall automatically entitle the appointee to an additional year of appointment.

candidate to Candidacy shall automatically be to the Senate Committee on Tenure and Promotions.

10.

No member of a committee considering appeals against decisions not to advance to candidacy may also be (or have been) a member of the Adjudicating Committee which considered the candidate for advancement.⁷

11.

The request for appeal shall be given to the appeal committee within one month of the notification of the decision not to advance to Candidacy. When material is added to the file after a decision of the Adjudicating Committee, the appeal committee shall determine whether the additional information constitutes *substantive new evidence* which might have affected the Adjudicating Committee's assessment and decision. In which case, the appeal committee shall forward the additional material to the Adjudicating Committee for comment prior to the appeal committee making its final decision.

Procedural Appeal

12.

If the decision of the appeal committee is not to advance the individual to Candidacy, he/she may appeal, on procedural grounds **only**, to the Senate Tenure and Promotion Appeals Committee (STAPAC) within one month of notification of the Review Committee decision.

13.

STAPAC shall expeditiously meet and consider the material and shall make a decision as to the disposition of the appeal on or before 30 June.

STAPAC shall find either:

(a)

7

The Tenure and Promotion Policy, Criteria and Procedures state that no person shall serve simultaneously on tenure and promotions committees (including the Senate Tenure and Promotion Appeals Committee) at different levels [Section F.2.6].

that proper procedures were followed by the initiating unit in making the decision, in which case the appeal will be denied; **or**

(b)

that proper procedures were not followed by the initiating unit in making the decision, in which case the appeal will be upheld and the matter returned to the Adjudicating Committee for reconsideration using proper procedures. A decision by STAPAC to uphold an appeal on procedural grounds does not constitute a positive evaluation of the appellant, but is a ruling that proper procedures were not followed.

14.

Where the appeal is upheld, the pre-candidate shall have one further year of Pre-Candidacy during which time the appropriate Adjudicating Committee will reassess the case according to approved procedures.

15.

Appeal procedures shall be completed by 30 June. A faculty member should consider himself or herself dismissed as of 30 June, regardless of appeal procedures, once he or she has been informed by the chief academic-administrative officer of the initiating unit of a decision to terminate the individual's appointment, with reasons specified, by 1 November of the Pre-Candidacy 3 year. If the appeal of a decision to terminate succeeds between 1 November and 30 June, the termination decision is automatically repealed.

Note: Decisions to terminate appointments are always subject to the authority of the President and the Board of Governors under *The York University Act*.

Criteria and Procedures for Promotion and Continuing Appointments of Professional Librarians and Archivists

(Article 13)

25 September 1978

Renewed 21 September 2009

Preamble

The following criteria and procedures for promotion and continuing appointments of librarians and archivists were developed to reflect the spirit of the *Report of the Senate Committee on Tenure and Promotion* (10 December 1971), and to set out criteria and procedures for librarians and archivists analogous to those applied in the tenure and promotion of faculty members.

Because librarians and archivists' functions within the academic community are not the same as those of faculty members and because Senate does not govern on the promotion and continuing appointments of librarians and archivists as it does with faculty, the criteria for promotion and continuing appointments of librarians and archivists outlined in this document are more detailed than those contained in the Senate Committee's *Report*.

1.0 Criteria

Because promotion and continuing appointments affect junior members of the Library staff, the criteria below are described so that they may constitute not only a basis for evaluation *after* performance, but also a means for encouraging junior librarians and archivists *before* and *during* performance.

Recommendations concerning promotion and continuing appointments are based on a librarian and archivist's total contribution to the Library and the academic community. For purposes of assessing that contribution, there are three general areas associated with a librarian and archivist's performance which will be evaluated:

1.
Professional performance and knowledge
- 2.

Professional development

3. Service

The Promotion and Continuing Appointments Committee (PCAC) will review all candidates in accordance with these guidelines and ensure that the guidelines are applied uniformly and fairly to all cases under consideration. Librarians and archivists under review will be evaluated in each of the three areas above on the following scale:

- Excellent
- Highly competent
- Competent
- Not satisfactory

1.1 Professional Performance and Knowledge

There are many functions performed by librarians and archivists in varied contexts, but, of necessity, the primary responsibilities of librarians and archivists are to build sound collections in the Libraries, to establish effective bibliographic control over those collections and to assist students and faculty members in making effective use of the Libraries' resources as they are required to support academic and research pursuits. Since effective library service to the York community is the primary function of the Libraries, it follows that every librarian and archivist's foremost responsibility is to provide a high standard of service to the community of users. Therefore, every librarian and archivist being evaluated for promotion to any rank, or for continuing appointment, must achieve at least high competence in this area. To determine a librarian and archivist's effectiveness, the content of an individual's job is considered in relation to the following factors: knowledge and application of bibliographic techniques; initiative and resourcefulness in problem-solving whether bibliographic or managerial; quality of judgement in decision-making; understanding of library operations and purposes; ability to utilize current library techniques and theories; interaction with library personnel at all levels; effectiveness of contact with library users; degree of flexibility in accepting responsibility; adapting to and integrating new methods and technology to provide better library service; ability to plan

and evaluate library services, resources and functions; level of knowledge of subject or foreign languages, if relevant to responsibilities; and ability to communicate effectively both in verbal and written form.

1.2 Professional Development

In this area, a librarian and archivist's activities above and beyond the assigned responsibilities are considered. Since distinction within the library profession arises from research and scholarly work, this area of assessment includes an evaluation of the following factors: an assessment of the research and scholarly work; sharing of professional skills and knowledge with others through publications and lectures; leadership roles in professional and scholarly associations.

A librarian and archivist's ability to achieve distinction both inside of York as well as in the larger professional context, often relates to the systematic pursuit of further knowledge. Therefore, consideration will also be given to a candidate's efforts to continue to extend or develop the level of knowledge of librarianship and/or of specific subjects, through either formal or informal educational programs.

1.3 Service

Librarians and archivists are expected to serve on some committees as part of their professional responsibilities. Contributions to other committees, however, especially those which shape library or academic policies and/or serve the whole University community, are assessed as an area where a candidate can have displayed sound judgment and knowledge of library and information science.

2.0 Eligibility

Ranks for librarians and archivists exist so that the profession may be internally responsible for administering its own standards of achievement. Although there is no absolute

relation between ranks and length of service within the University, there is an association between ranks and a general pattern of professional development.

A university librarian and archivist is a professional devoted to the pursuit of excellence in the provision of library service, research, pursuit of continuing self development and service to the institution. Promotion is therefore related to the University's recognition of a librarian and archivist's achievements. The decision to grant continuing appointment to a librarian and archivist, however, is more critical than the decision to promote, in that continuing appointment is concerned with the librarian and archivist's right to pursue and communicate knowledge and express opinions in an atmosphere free of reprisals and with the University's right to entrust its institutional life to its best men and women. Thus librarians and archivists eligible for promotion and continuing appointments will move at varying rates, according to their own pattern of professional growth.

2.1 Years in Rank

Time in rank is based upon a year which begins on 1 July of the calendar year of an individual's appointment. A "year" for purposes of this document therefore extends from 1 July to 30 June. Thus for individuals appointed in the last six months of a calendar year, the first "year" ends on 30 June of the following calendar year; for those appointed in the first six months of a calendar year, the first "year" ends on 30 June of the following calendar year.

2.2 Patterns of Advancement

The following outline of advancement is an average profile to indicate what might be expected by librarians and archivists. It is not, however, a set pattern.

Years	Rank	Classification
1 - 3	Assistant Librarian	Probationary

(Pre-Candidacy)

4 – 6
Assistant Librarian Probationary
(Candidacy)

6 & on Associate Librarian
Continuing Appointment

10 & on Senior Librarian
Continuing Appointment

Promotions and conferral of continuing appointments are effective the beginning of the next appointment year.

Minimum time requirements for advancement or promotion are normally as follows:

- From Pre-Candidacy to Candidacy — three years' professional experience including at least one year at York;

- to Associate Librarian and Continuing Appointment — five years' professional experience and at least one year at York;

- to Senior Librarian — at least ten years' professional experience including two years of outstanding performance as an Associate Librarian at York.

As stated above, continuing appointment is one of the most important relationships between a librarian and archivist and the University since it confers upon the librarian and archivist a continuing career appointment. Therefore, it is reasonable to assume that a candidate who has been judged worthy of continuing appointment is normally worthy of being promoted to the rank of Associate Librarian. Nevertheless, there may be exceptional cases in which promotion is warranted without the conferral of continuing appointment and in which continuing appointment may be granted but

promotion to Associate Librarian delayed.

In such exceptional cases, the Pre-Candidacy and Candidacy terms may be extended or delayed by one year to ensure a fair appraisal of a candidate for either promotion or continuing appointment. The circumstances under which such an extension could occur may involve one or more of the following:

- (i) medical circumstances — where extended and severe medical problems have delayed a candidate from realising his/her promise;
- (ii) major change in field of professional responsibility;
- (iii) documented high promise of excellence or high competence in the three areas to be realized in the immediate future (i.e., no longer than two years);
- (iv) exceptional conditions where extraordinary service was rendered by the candidate;
- (v) extended leave of absence, where provision for credit or non-credit of such time to the years of service has been arranged in advance of the leave between the candidate and the University Librarian/Dean, Faculty of Law.

A candidate may request such an extension or delay by applying in writing to the PCAC within 15 calendar days of receipt of the University Librarian's/Dean, Faculty of Law's notification of the initiation of proceedings.

In cases where PCAC recommends delay of promotion, a candidate may reapply in the following year. If he/she does not reapply, the candidate will automatically be reconsidered in the second year after the delay recommendation.

2.3 Librarians and Archivists with Previous Experience

Librarians and archivists may be appointed at any rank. Except in unusual circumstances, a candidate should complete at least one year of service at York before being considered for a continuing appointment. The Pre-Candidacy and Candidacy periods may be shortened for librarians and archivists with service elsewhere. Librarians and archivists appointed as Associate or Senior Librarians will enter Candidacy upon appointment, unless an agreement to the contrary has been reached between the University Librarian/Dean, Faculty of Law and the candidate.

3.0 Progression of Ranks and Appointment Status

Most initial appointments at York are probationary. The purpose of the probationary appointment is to provide the University and the candidate an opportunity for mutual appraisal. Probation does not imply that tenure and promotion will be granted, but it does imply that the University gives serious consideration to such an appointment during that period.

There are two sequential probationary periods: *Pre-Candidacy* and *Candidacy*. The two phases may not total more than six years. In the exceptional case of Pre-Candidacy lasting four years and the individual then being moved into Candidacy, the period of Candidacy shall be two years.

3.1 Pre-Candidacy

All Assistant Librarians become pre-candidates upon appointment. The period of Pre-Candidacy will not normally exceed three years. A librarian and archivist shall not remain in the Pre-Candidacy rank for more than three years. During this three-year period, it will be determined whether an individual's appointment will be continued to Candidacy. Proceedings concerning the promotion and advancement of an Assistant Librarian, or the non-renewal of a probationary appointment, may be initiated at any time during the three-year Pre-Candidacy period, but must be initiated by 1 May of the second year of service.

3.1.2 Criteria for Advancement

The criteria below apply to advancement of a pre-candidate to candidate. To advance, an individual must be assessed as highly competent in the area of professional performance and knowledge, and at least competent in the other two areas. Evidence of the levels of competence required would include, but not be limited to, the following characteristics of performance:

- a)
Demonstrated fulfilment of assigned responsibilities and duties;
- b)
Indications of increasing ability to act independently and creatively;
- c)
Increasing interest in and capacity for improving the overall effectiveness of a unit's operations;
- d)
Demonstrated potential for long-range planning and the ability to identify problems, assess alternative solutions and consequences of recommendations;
- e)
Demonstrated capacity to work harmoniously with colleagues and Library users;
- f)
Some evidence of increasing competence in a subject area;
- g)
Successful completion of and/or participation in work-related courses and/or institutes;
- h)
Dependability and reliability in the execution of responsibilities;
- i)
Need for a decreasing amount of direction as experience increases;
- j)
Understanding of Library policies and ability to interpret those policies when required;
- k)
Effective participation in Library task forces, committees, etc.; effective representation of Library interests and prob-

lems to non-Library groups, committees or University officials;

l)

Membership in a professional or subject-related association;

m)

Promise of further growth in a specific position, in general professional knowledge and, if pertinent, in a subject area.

3.2 Candidacy

During the period of Candidacy, which normally extends up to three years beyond Pre-Candidacy, the eligibility of a librarian and archivist for continuing appointment is determined. Librarians and archivists appointed at the rank of Associate or Senior Librarians will enter Candidacy upon appointment, unless an agreement to the contrary has been reached between the University Librarian/Dean, Faculty of Law and the candidate upon appointment. Proceedings concerning consideration for continuing appointment of a librarian and archivist may be initiated at any time after one year of Candidacy, but must be initiated by 1 March of the second year of Candidacy.

Librarians and archivists who are in the Candidacy period and hold the rank of Assistant Librarian may also normally be reviewed for promotion to the rank of Associate Librarian during the Candidacy period. A normal expectation of promotion to the rank of Associate Librarian would be after three to six years in the rank of Assistant Librarian.

3.2.1 Criteria for Advancement

The criteria below apply to advancement of a librarian and archivist from Candidacy to continuing appointment, as well as promotion from the rank of Assistant Librarian to Associate Librarian. To qualify for a continuing appointment or for promotion to the rank of Associate Librarian, an individual must be assessed to have at least high competence in the area of professional performance and knowledge and at least high competence in one other area.

Evidence of the levels of competence required would include, but not be limited to, the following characteristics of performance:

a)

Demonstrated excellence in fulfilment of position responsibilities and duties;

b)

Obvious ability to act independently and creatively in the position and by so doing to enhance the ability of the Library to fulfill its objectives;

c)

Clear understanding of policies; ability to justify and interpret Library policies to staff and users;

d)

Significant contributions in the form of analysis, evaluation, planning, advice and/or counsel, suggestions, and actions which improve the operations of a specific Library unit;

e)

Provides leadership in fostering effective interpersonal relationships both within the Library and within the community of users; consistently sensitive to user needs and coordinates execution of responsibilities with others affected;

f)

Demonstrated planning ability; long-range planning ability and/or the ability to define Library objectives and goals will be considered in terms of ability to set objectives, to allocate resources consistent with system-wide goals and resources, and to shape Library policies, i.e., planning ability based on thorough analyses and evaluations of needs and constraints as well as the ability to gain commitment of persons affected by the changes planned for;

g)

Evidence of growth in librarianship and/or subject area; awareness of trends in the profession;

h)

Successful completion and/or participation in job-related courses, institutes and the like;

i)

Publications or other presentations in librarianship or other subject areas. When publications or other presentations are being considered, the content and form of such materials is considered rather than the number of titles or descriptive

phrases on any *curriculum vitae*;

j)

Representing York or providing leadership in local, regional, national or international organizations devoted to librarianship and/or subject areas;

k)

Effective participation in Library and University task forces, committees and the like. When assessing a candidate's contribution in service, mere membership on committees or service in a position is not enough. The quality of service is considered in terms of thoroughness and consistency of planning and performance, originality of ideas, leadership and quality of end product;

l)

Effective representation of Library interests and problems to non-Library groups, committees or University officials, when such representation is normally not part of position responsibilities;

m)

Other professional contributions to the academic or general community.

3.3 Continuing Appointment: Promotion to Senior Librarian

Librarians and archivists with continuing appointment and the rank of Associate Librarian may apply to the University Librarian/Dean, Faculty of Law for promotion to the rank of Senior Librarian. While this level of achievement cannot be identified with serving a fixed number of years as an Associate Librarian, it is nevertheless considered that most librarians and archivists will be eligible for promotion to Senior Librarian after ten years of professional experience.

The rank of Senior Librarian is one to which all professional librarians and archivists may aspire. A Senior Librarian is an eminent member of the Library whose achievement at York or in another institution has marked that individual as one of the persons from whom the Library receives its energy and strength.

This promotion is not in recognition of long service but is rather a recognition of distinguished service, senior levels of responsibilities or outstanding professional achievement.

3.3.1 Criteria

Assessment of eligibility for promotion to Senior Librarian is not made on the basis of evaluation of performance in the three areas of professional performance and knowledge, professional development, and service. For a Senior Librarian, these areas cannot be separated, but rather intertwine and overlap to produce an overall quality of excellence. Thus, an individual's achievements as a whole are assessed.

Evidence of the level of achievement required for promotion to Senior Librarian are illustrated by the following:

a)

Performance of work which is consistently outstanding and above the norm;

b)

Innovative work in designing and implementing new procedures and systems; acceptance of an increasing amount of responsibility and effective coordination of the work of others. These qualities may be demonstrated in bibliographic, administrative, service, instructional or collection development activities;

c)

Leadership in interdepartmental work, committees, or projects;

d)

Superior service to the Library community through improvement in the relationship between the Library and its users, such as improving communications, increasing use of Library services by means of lectures, effective contact with students and faculty, etc. Scholarship as evidenced by original research and publications;

e)

Professional expertise, including evidence of growth of self as well as contributions to the continuing education of other librarians and archivists and Library staff.

4.0 Procedures for Promotion and Continuing Appointments

4.1 Initiation of Proceedings

It is the responsibility of the Office of the University Librarian/Dean, Faculty of Law to initiate proceedings at appropriate times by notifying the candidate and the PCAC on the standard form. Proceedings may also be initiated by the candidate provided that the established time requirements have been met. In the case of promotion to Senior Librarian, proceedings are always initiated by the individual.

When the Office of the University Librarian/Dean, Faculty of Law initiates procedures, the following deadlines shall be adhered to:

a)

Pre-Candidacy to Candidacy — by 1 May of the second year of Pre-Candidacy;

b)

Candidacy to continuing appointment — by 1 March of the second year of Candidacy.

4.2

Processing by the Promotion and Continuing Appointments Committee (PCAC)

4.2.1

Upon initiation of proceedings, either by an individual or the Office of the University Librarian/Dean, Faculty of Law, the PCAC will prepare a file on a candidate as follows:

(i)

by requesting an up-to-date *curriculum vitae* from the candidate (required);

(ii)

by requesting a letter from the candidate's department head or equivalent (required);

(iii)

obtaining copies of the candidate's job description and annual performance evaluations, both of which the candidate

has had the opportunity to read, comment upon and sign. (Note: the methods of preparing job descriptions and carrying out annual performance appraisals are not specified; however, they must be previously agreed upon by the candidate and the department head or equivalent; not required until such time as job descriptions and performance evaluations are consistently available for all librarians and archivists at York University);

(iv)

obtaining reports, publications, external assessments, letters from colleagues or Library users, or conducting interviews with knowledgeable co-workers, etc., as requested by the PCAC or the candidate (optional);

(v)

confidential letters of reference from at least four referees: two referees knowledgeable about the candidate's professional performance and knowledge and two referees knowledgeable about the candidate's contribution to either one or both of the other areas (optional for promotions; required for continuing appointment);

(vi)

letter of University Librarian/Dean, Faculty of Law (optional).

4.2.2

It is the responsibility of the candidate to supply the information requested by the PCAC so that it is able to proceed with its deliberations. The complete file will proceed from the PCAC to the University Librarian/Dean, Faculty of Law, who will pass the file to the President for his/her recommendation to the Board of Governors.

When a file is complete, the PCAC will notify the candidate.

All documents in a candidate's file for promotion and/or continuing appointment will be open to the candidate at all levels of consideration, except for confidential letters of reference. Confidential letters must be communicated in writing to the candidate by the PCAC without identifying the referee/colleague.

All files for continuing appointment must contain letters of reference solicited as confidential (e.g., from colleagues within the Libraries and outside referees). Unsolicited confidential letters may not be included in the files on which recommendations concerning promotion and continuing appointments are made. Copies of official letters of recommendation which are forwarded from the PCAC, as well as University Librarian's/Dean, Faculty of Law's letters which are forwarded, must be sent to the candidate.

Should either the candidate or the PCAC so request, a meeting will be scheduled to discuss the file. The candidate may be accompanied by a colleague at such a meeting.

4.3 Recommendations

4.3.1

On the basis of material in the file, the PCAC will make a recommendation to the University Librarian/Dean, Faculty of Law according to the following schedule:

Pre-candidate to candidate — within one year of the initiation of proceedings

Candidate to continuing appointment — within one year of the initiation of proceedings

Assistant Librarian to Associate Librarian — within one year of the initiation of proceedings

Associate Librarian to Senior Librarian — within one year of the initiation of proceedings

4.3.2

The Promotion and Continuing Appointments Committee will recommend all files to the University Librarian/Dean, Faculty of Law under the categories of positive, negative, or delay with respect to promotion from one rank to another, award of continuing appointment, renewal of appointment

in the Pre-Candidacy phase of probation, and appointment to the Candidacy phase. In the case of promotion to Senior Librarian, the recommendations shall be positive or delay. If the latter, the individual may reapply not earlier than two years from the date of the previous recommendation. There is no appeal for recommendations concerning promotions.

4.3.3

In the event of either a negative or a delay recommendation, the PCAC will notify both the University Librarian/Dean, Faculty of Law and the candidate of the reasons in writing and will supply a detailed statement of the reasons for their recommendation. Such statements will be added to the candidate's file.

If the recommendation of the University Librarian/Dean, Faculty of Law differs from the recommendation of the PCAC, the University Librarian/Dean, Faculty of Law shall give the candidate reasons in writing.

If the recommendation is negative or delay, such notification shall be sent to the candidate by registered mail.

5.0 Appeals

5.1

A candidate shall have 15 days from the date of receipt of the notice of recommendation from the PCAC to appeal to the University Librarian/Dean, Faculty of Law in writing. Upon receipt of such an appeal, the University Librarian/Dean, Faculty of Law shall refer the file to an Appeals Committee.

5.2

The Appeals Committee shall review the recommendation of the PCAC on the basis of the file of the candidate as it stood when the final recommendation of the PCAC was made.

5.3

A candidate appealing on a recommendation respecting continuing appointment shall be permitted, if he/she wishes, to nominate a file which was before the PCAC, preferably in the same year, or if necessary in the previous year, which the

PCAC felt was worthy of continuing appointment and to which the candidate wishes to be compared.

5.4

The Appeals Committee shall be permitted access to files which come before the PCAC.

5.5

The Appeals Committee shall review the file of the appellant and report to the University Librarian/Dean, Faculty of Law with its recommendation within two months of its notification of appeal.

6.0

Membership of the Promotion and Continuing Appointments Committee

A standing committee on Promotion and Continuing Appointments shall advise the University Librarian/Dean, Faculty of Law on promotions and continuing appointments; its deliberation shall be *in camera* and completely confidential.

Normally, the PCAC shall consist of five members, at least two of whom shall be librarians and archivists with continuing appointment, one to be a non-librarian and archivist and one librarian and archivist without continuing appointment.

When considering the file of a librarian and archivist appointed in the Law Library, at least one member of the PCAC shall be a librarian and archivist appointed in the Law Library with continuing appointment, if possible. If necessary to meet this requirement, the PCAC shall, for the purpose of reviewing such a file, add one member.

No person may serve on a committee to consider an appeal relating to continuing appointment if he/she was a member of the PCAC which made the original recommendation.

6.1 Membership of Appeals Committee

Appeals committees are struck on an *ad hoc* basis when required and shall consist of three members, as follows: two librarians and archivists — one named by the appellant and one named by the PCAC or the University Librarian/Dean, Faculty of Law, depending on the stage at which the appeal is made — and a third member chosen by the two designated librarians and archivists. At least one member should have continuing appointment; the third member may be an external designate.

As per clause 13.06 of the Collective Agreement between York University and the York University Faculty Association, amendments to this document require the approval of both parties to the Agreement.

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