Proposed Changes to Rule 5.90 (formerly Policy 5.90)

NOTE: Sections referred to as Policy refer the prior version of this document. Sections referred to as Rule refer to proposed revision to prior Policy now contained in the Administrative Rules and Procedures (ARP). Sections referred to as Part refer to the proposed revisions to this Rule. This change, and the associated change in formatting and numbering, is due to the separation of the former Policy Manual into the Regents Policy Manual (RPM) and the accompanying ARP. This proposed revision is to Rule 5.90 (along with the concomitant changes to Rules 5.86 and 5.91).

NOTE: The "mark-up" version of this document will not show the formatting changes made nor corrections to previous typographical errors in an effort to make the revised version easier to read.

General, Rule-wide changes include:

1) Aspects of Annual Performance Review (APR) procedures that were in Policy 5.90 have been moved to Rule 5.86 "Performance Evaluation" to more clearly elucidate the annual evaluation process. Sections moved include 5.90.3.3 "Performance Evaluation", 5.90.3.4 "Allocation of Effort", 5.90.4 "Criteria for Promotion and Tenure", and 5.90.5.1 "Annual Performance Evaluation and the Promotion and Tenure Process" (which are now Part 2 "Procedures for the Faculty Performance Evaluation System" and 3 "Allocation of Effort", respectively, in Rule 5.86).
2) Policy 5.87 "Post-Tenure Review" has been renumbered and reformatted in its entirety to Rule 5.91 to provide better organization to this section of the ARP.
3) Throughout the Rule, all actions taken by Departmental P&T Committees, Department Heads, College P&T Committees, and Deans are now referred to as "recommendations" and not as "decisions" as it is only the EVPP who makes a decision on a candidate's application for promotion and/or tenure.
4) Policy 5.90.4.5 "Leadership" and Policy 5.90.4.5.1 "Evaluation of Leadership" have been moved to the start of Rule 5.86 Part 4.C "Criteria for Annual Performance Evaluation." Leadership is not a separate area of evaluation, and this change is intended to make that more clear.

Specific Rule changes include:

1) In Part 1 "Introduction" a new paragraph was added to outline the contents of the Rule.
2) Part 1.E was added to reference other relevant parts of the ARP.
3) Part 2.I was added to provide a definition for "External Reviewer."
4) Part 2.M was added to provide a definition of "Leadership" based on outcomes.
5) Part 3.2.B was clarified with respect to what was expected on the college websites with respect to links to pertinent promotion and tenure documents and policies.
6) Part 5.C.3 was clarified to include notification of the EVPP when early application for promotion and/or tenure was approved by the candidate, department head, department P&T

committee and dean so that H&R would automatically be notified of the change in status.

7) Part 9.B was expanded to clarify that department P&T policies must be consistent with all sections of this Rule.
8) Part 9.D was expanded to clarify that college P&T policies must be consistent will all sections of this Rule.
9) Part 9.D was expanded to clarify that college P&T policies must be approved by the EVPP subsequent to review by a Faculty Senate standing committee.
10) Part 10.A.4 was added to explicitly require the candidate to submit their portfolio in the spring a year prior to the end of the probationary period and clarified that a de facto early withdrawal from the tenure process if the candidate does not submit a portfolio.
11) Part 10.A.5 was expanded to allow the candidate to submit a list of people who they did not want to serve as external reviewers.
12) Part 10.A.7 and Part 10.A.8 were added to allow the candidate the correct any factual error in the recommendations of the Department P&T committee, Department Head, College P&T Committee, or College Dean.
13) Part 10.B.1 was changed so that a tenured faculty member would serve as a mentor to tenure-track faculty instead of a tenure-track faculty serving as the mentor.
14) Part 10.B.2 was expanded to require the Department Head to ensure that the candidate's core document was consistent in format with Part 12 "Portfolio Preparation" of this Rule.
15) Part 10.B.9 was added to clarify the role of the Department Head in selecting external reviewers.
16) Part 10.B.12 was expanded to require that the recommendations of the Department Head and Department P&T Committee be provided to the candidate in both writing and electronic forms.
17) Part 10.C.1 was rewritten to clarify what documents the College P&T Committee should consider.
18) Part 10.C.2 was rewritten to clarify that the College P&T Committee should base their recommendation on the College policy and not the Department policy.
19) Part 10.E.1 was rewritten to clarify that the College P&T policy must be approved by the EVPP.
20) Part 10.E.6.a was rewritten to clarify that the Dean would consider the Core Document and, only if the Dean requested it, would the Documentation File be forwarded to the Dean instead of the entire Portfolio (i.e. both documents) being routinely forwarded.
21) Part 10.E.7 12 was expanded to require that the recommendations of the Dean and College P&T Committee be provided to the candidate in both writing and electronic forms.
22) Part 10.F.4.a was rewritten to clarify that the EVPP would consider the Core Document and, only if the EVPP requested it, would the Documentation File be forwarded to the EVPP instead of the entire Portfolio (i.e. both documents) being routinely forwarded.
23) Part 11.E was changed so that Colleges and Departments are required to review their policies

every 5 years instead of every 3 years.

24) Part 11.E was expanded to required that Colleges and Departments review their P&T policies within 1 and 2 years, respectively, of the any changes to ARP Rule 5.90.

25) Part 11.E was expanded to require Faculty Senate review of any changes to ARP Rule 5.90.

26) Part 11.E was expanded to require college and Faculty Senate review of any changes to a College's P&T policy.

27) Part 11.O was expanded to allow P&T committee members to participate using "confidential electronic methods" in lieu of in-person participation.

28) Part 11.P was expanded to allow P&T committee members to vote using "confidential electronic methods" in lieu of in-person voting.

29) Part 11.Z.1 was expanded to indicate that "at least three [external] letters should be included in the P&T portfolio."

30) Part 11.Z.2 was expanded to indicate that the Department Head was required to solicit the external letters of review.

31) Part 11.Z.7 was expanded to limit the timeframe in which unsolicited letters could be accepted and also provided that such letters were not to be accepted unless the principal unit had a policy which stated otherwise.

32) Part 11.4 was added to clarify the criteria for external reviewers.

33) Part 11.5 was added to clarify real and potential conflict of interest with respect to external reviewers.

34) Part 12 Introduction was expanded to allow electronic submissions when agreed to by all parties involved when there is a secure method of doing so.

35) Part 13.B was expanded to include a de facto early withdrawal from the tenure process if the candidate does not submit a portfolio at the end of the fifth (or as appropriate) year.

36) Parts 14.A, 14.B, and 14.C were rewritten to replace "recommendation" with "decision" since this part deals with the final decision by the EVPP.

Excerpt from Regents Policy Manual, also replicated in the ARP

ADMINISTRATIVE RULES AND PROCEDURES

5.90 Promotion and Tenure

Deleted: (for listing of specific topics, *See* Regents Policy Manual Table of Contents) *(See also* NMSU Policies website for postings of Procedural Clarifications from the Office of the Provost relating to this policy) *[Amendment (FS Proposition 18-06/07 to be effective 08.01.08)passed by the Faculty Senate 05.03.07 and Amendment (FS Proposition 16-07/08 to be effective 08.01.08) passed by the Faculty Senate 03.06.08; ratified by the Board of Regents 07.15.08]*

PART 1: Introduction

The following Administrative Rules and Procedures are adopted pursuant to the authority granted in Regents' Policy 5.00 Parts B.5-B.7. They establish the guiding principles for the process and criteria for promotion and tenure, the implementation of the promotion and tenure process (including the roles and responsibilities of the various parties), the common elements that must be in every unit's Promotion and Tenure Policy, the nature and order of material in the Promotion and Tenure Portfolio (including both the core document and the documentation file), and the University timeline for the promotion and tenure process. (*See also* NMSU Policies website for postings of Procedural Clarifications from the Office of the Provost relating to this policy) *[Amendment (FS Proposition 18-06/07 to be effective 08.01.08) passed by the Faculty Senate 05.03.07 and Amendment (FS Proposition 16-07/08 to be effective 08.01.08) passed by the Faculty Senate 03.06.08; ratified by the Board of Regents 07.15.08]*

A. Promotion and tenure decisions are the means by which NMSU rewards and retains its most valued scholars, sustains excellence in its instructional disciplines, and fulfills its mission to advance knowledge. The quality of faculty accomplishments in teaching and advising (or its equivalent), scholarship and creative activity, extension, outreach and service largely determines the quality of the university as a whole. The granting of tenure or promotion to associate or full professor represents a prediction by the university that the individual concerned will continue to make substantial contributions to the profession and the university.

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B. The processes involved in promotion and tenure rely upon basic principles in order to be effective. Above all, the promotion and tenure processes must be fair, transparent, and participatory. These values mean that decisions must be made without regard to race, national origin, gender, gender identity, age, disability, political beliefs, religion, marital status, sexual orientation, special friendships, or animus towards candidates, taking care to avoid conflicts of interest, structural, institutional, or habitual thoughts and patterns that could lead to discrimination. NMSU values the richness that inquiry based upon intellectual and cultural differences brings to the university community.

C. Each principal unit must develop written standards by the end of the Spring Semester of 2017, based on criteria developed by that principal unit subject to the approval of the dean or equivalent administrator. Criteria and procedures must be clear and readily available to all participants and must be followed by all participants at each level of the process. Therefore, it is imperative that clear standards for annual performance evaluation, promotion, and tenure be articulated and broadly publicized. Applicants for tenure or promotion must be judged on their performance of the duties assigned to them, following agreed-upon allocations of effort. The process needs to involve broad consultation by groups and individuals with successively broader views of the mission of the university, and provide the opportunity for appeal. In

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order to achieve fairness, transparency, and broad-based participation, all of the parties must base decisions on the documentation called for by this policy.

D. This policy relies on the four types of scholarship defined by Ernest L. Boyer (1990) in his book "Scholarship Reconsidered"[1], namely, the scholarships of discovery, of teaching, of integration, and of engagement. Broadening the definition of scholarship (*See* Rule 5.86 Part 4.C.2 "Scholarships and Creative Activity") reflects the changing roles of faculty members in teaching and advising, scholarship and creative activity, extension, outreach and service.

E. Additional rules and procedures relevant to this Rule are given in Rule 5.98 "Tenure Track and Tenure."

F. This policy takes effect at the beginning of the Fall Semester, 2016.

G. The following are the parts in this Rule:

PART 1: Introduction
PART 2: Glossary
PART 3: Guiding Principles
PART 4: The Professorial Ranks
PART 5: Flexibility in Tenure-Track
PART 6: Joint Appointment (with Dual Primary Responsibilities)
PART 7: Mid-Probationary Review
PART 8: Community Colleges, Library, and College Faculty
PART 9: Implementation of the Promotion and Tenure Process
PART 10: Roles and Responsibilities during the Promotion and Tenure Process
PART 11: Common Elements to be Included in the Principal Unit's Promotion and Tenure Policy
PART 12: Portfolio Preparation
PART 13: Withdrawal
PART 14: Outcomes
PART 15: Appeals
PART 16: University Timeline for Promotion and Tenure
PART 17: Forms Relating to Promotion and Tenure

PART 2: Glossary

Key terms used throughout this document are defined here.

A. Allocation of Effort: The percentage of effort, agreed upon by the faculty member and department head or supervisor, that the faculty member will devote to each of the major

[1] *Boyer, Ernest L. (1990). Scholarship reconsidered: Priorities of the Professoriate. New York: Carnegie Foundation for the Advancement of Teaching.*

categories of teaching and advising (or its equivalent), scholarship and creative activity, service, extension, outreach and other assigned duties.

B. Annual Performance Review: *See* Rule 5.86 "Performance Evaluation."

C. College Faculty: A faculty member on a regular (0.5 FTE or greater) appointment, who is not eligible for tenure. (*See* Rules 4.30.10 "Hiring Definitions" and 5.15.40 "Appointments-Nontenure Track.")

D. Core Document: A document submitted in the portfolio for promotion or tenure that includes several specific elements: a routing form, cover sheet, table of contents, curriculum vitae, executive summary, department head and dean letters, prior and current allocation of effort statements, annual performance evaluations, summary of teaching evaluations, and letters of support. (*See* Rule 5.86 "Performance Evaluations" and Part 12 "Portfolio Preparation" of this Rule.)

E. Curriculum Vitae: A detailed summary that reflects the candidate's educational and academic experiences that are relevant to the position.

F. Documentation File: An organized collection of supplemental documents and other materials that supports, explains, or clarifies the quality and significance of the candidate's work. Administrators and committee members must have access to this file, which is stored by the Principal Unit.

G. Executive Summary: A summative report and personal statement by the candidate that addresses their activities in and philosophies regarding teaching and advising (or its equivalent), scholarship and creative activity, service, extension, outreach, and other assigned areas.

H. Extension: The process of defining and building relationships between communities and the university to extend university resources and intellectual expertise through coalition building, non-formal educational programs, and applied research designed to address locally identified needs.

I. External Reviewer: A person from outside the NMSU system who writes a letter of evaluation of a candidate's portfolio.

J. Flexibility in Tenure-Track: The extension or reduction of the pre-tenure probationary period under certain circumstances.

K. Formative Evaluation: Evaluation that allows for continuous feedback and improvement.

L. Joint Appointment: A faculty line shared between two departments or colleges; the appointee enjoys all the privileges and incurs all the responsibilities normally given in each area.

M. Leadership: Leadership can be characterized by: (1) contributions to achieving the mission of the college or university and to enhancing the faculty member's profession; (2)

participation in the distribution of responsibility among the members of a group; (3) empowering and mentoring group members; and (4) aiding the group's decision-making process.

N. Mid-probationary Review: A formal, non-mandatory mid-term assessment requested by a tenure-track faculty member of their professional development and progress toward tenure. The mid-probationary review is in addition to the annual performance evaluation.

O. Outreach: Entails an organized and planned program of activities which are offered to citizens of New Mexico and the nation; these activities bring the resources of the university to bear in a coherent and strategic fashion for the benefit of the receiving entity.

P. Peer Evaluation: Assessment of teaching style, content, and effectiveness gained through observation by colleagues; the observations may come in such forms as classroom visits, participation in web-based courses, review of videotaped teaching, or reviews of course materials collected/created by the faculty member being reviewed.

Q. Performance Evaluation: An annual report prepared by the faculty member documenting activities in the areas of teaching and advising (or its equivalent), scholarship and creative activity, service, extension, outreach, and other assigned areas. The department head (or other assigned supervisor) provides the faculty member with a written appraisal of the faculty member's performance.

R. Portfolio: Consists of the core document and documentation file that supports the candidate's case for promotion or tenure.

S. Post-tenure Review: An annual review designed to identify strengths and weaknesses of the tenured faculty member in the areas of teaching and advising (or its equivalent), scholarship and creative activity, service, extension, outreach and other assigned areas. The Performance Evaluation generally serves the above aim; however, if deemed necessary due to deficiencies, a more extensive review may be initiated. (*See* Rule 5.91, "Post Tenure Review".)

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T. Probationary Period: The cumulative amount of time spent under term appointments while on the "tenure-track." (*See* Part 5 "Flexibility in Tenure Track of this Rule.)

U. Principal Unit: A tenure home unit responsible for conducting annual faculty performance evaluations and making promotion and tenure recommendations. This definition includes Departments, Colleges, Community Colleges, Cooperative Extension Service, and the Library, but not centers, clusters, or institutes.

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V. Research: *See* Scholarship.

W. Scholarship: Both activity and product, scholarship includes discovery through original research; integration through synthesizing and reintegration of knowledge; application through professional practice; and teaching through transformation of knowledge. (*See* Boyer, 1990 and Rule 5.86 Part 4.C.2 "Scholarship and Creative Activity".)

X. Supporting Documents: Material available to the Promotion and Tenure Committee in the *Documentation File* that serves to further support, explain, or clarify the *Core Document*.

Y. Tenure: Continuous contract granted after a probationary period to a faculty member that gives protection from dismissal without due process; the primary purpose of tenure is to protect academic freedom and offer economic security.

Z. Tenure Clock: *See* Part 5 "Flexibility in Tenure Track" of this Rule.

AA. Tenure Home: The principal unit where tenure and rank resides or will reside.

BB. Tenure-Track Faculty: A faculty member who is eligible for tenure but who has not yet been granted tenure.

CC. Tenured Faculty: A faculty member who has been granted a continuous contract by the university.

PART 3: Guiding Principles

The following guiding principles are critical underpinnings to the promotion and tenure process at NMSU.

A. Faculty Participation

The selection and retention of faculty members are of utmost importance to the quality of the university, the achievement of university goals, and the future of the institution. In order to ensure a fair process for recognition of excellent faculty, it shall be the policy of the university to allow faculty members to vote on the promotion or tenure of departmental colleagues, exercising collegial judgment based on an established set of criteria.

B. Transparency of Process

1. Access to Promotion and Tenure Policies/University Posting: For faculty members to trust the promotion and tenure process, they need to have a clear idea of what is expected of them, how they will be evaluated, and the rules of the process. To this end, the university website will include a specific link to the university-wide promotion and tenure policy, professional ethics related to promotion and tenure, the appeals process, and links to college**,** department, or division policy statements.

2. Departmental and Principal Unit Postings:

   a. To promote the transparency of the process, each principal unit shall post on its website its written policy document aligned with the Guiding Principles, Criteria, and Policies outlined in this Rule.

   b. College websites will also contain links to the university's promotion and tenure documents, as well as to the website containing the promotion and tenure policies of each department in the college.

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c. In addition, each department shall post on its website its current statement of goals, objectives, and expectations as these relate to promotion and tenure (sometimes called a functions and criteria statement). These shall be agreed upon by the faculty in each department and approved by the responsible dean or comparable administrator.

3. Policies to be Provided to Eligible Faculty: A written copy of promotion and tenure policies, including departmental, college, and university (or equivalent), will be given to all tenure-track, tenured, college and research faculty who are eligible for consideration for promotion or tenure.

C. Conflict of Interest – *See* Rules 3.19 "Conflicts of Interest - Ethical Conduct" and 3.22 "Conflicts of Interest Arising from Consensual Relationships".

PART 4: The Professorial Ranks

A. Instructor:

1. Demonstrates expertise within their discipline through practical, applied, and/or related experience.

2. Individuals new to this rank may not have demonstrated ability to conduct independent scholarship and creative activity, but there must be substantive evidence of likely success at university teaching or its equivalent.

3. Instructors may be working toward a terminal degree.

4. An instructor's job description primarily relates to teaching or its equivalent and usually does not include scholarship and creative activity.

5. An instructor is not eligible for tenure, except at the community colleges.

B. College Faculty: A person holding a college faculty appointment is eligible for advancement in rank but not eligible for tenure.

C. Assistant Professor:

1. Normally holds the highest terminal degree in their field of expertise.

2. Outstanding experience and recognition in a professional field may be considered the equivalent of the terminal degree.

3. An assistant professor is expected to have a thorough command of the subject matter of some segment of the discipline, in addition to a comprehension of the whole.

4. Assistant professors are tenure-track faculty members hired on a yearly, renewable contract for a maximum of seven years.

5. During the sixth year, assistant professors typically are evaluated for promotion and

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The annual performance evaluation is a component of the promotion and tenure process. This multi-layered evaluation system relies on consistency at each level of review. The performance of each faculty member, including college faculty, will be reviewed at least once a year. The performance evaluation provides documentation of expectations and a record of faculty performance relative to stated expectations. The form of the evaluation is determined by the college or community college and shall align with promotion and tenure expectations. (See 5.90.5.1 Performance Evaluations and 5.90.6 Post Tenure Review)¶
5.90.3.4 - Allocation of Effort¶
Service to Mission: The amount of effort that faculty members regardless of rank or position devote to the various aspects of their duties necessarily varies, and any fair promotion and tenure process will recognize these variations. A successful process considers whether the faculty member is effectively serving the mission of the university, as defined by a department's criteria and the individual's agreed upon goals and objectives. This means, for example, that the efforts of a faculty member made in response to administrators or committees are taken into account during promotion and tenure evaluation and are not discredited.¶
Fairness Despite Variance in Duties: One faculty member may devote more time to teaching at one point than at another. The efforts of two faculty members may vary at the same points in their careers according to their particular strengths and department needs. Faculty assignments in different departments will also vary. It is fundamentally unfair, for example, to expect the same amount of scholarship and creative activity, service, extension, or outreach from a faculty member teaching one class a semester as from another faculty member teaching three classes a semester or several large lecture classes.¶
Equitable Treatment: In order to ensure equitable treatment, every faculty member will complete an allocation of effort statement as part of the annual evaluation process. (See also 5.20.20 Assignments - Teaching Load) When determining the allocation of effort, decisions must be made without regard to race, national origin, gender, gender identity, age, disability, political beliefs, religion, marital status, sexual orientation, special friendships, or animus towards candidates. Further, for the allocation of effort statement to be accurate and useful, administrators at all levels must understand and take an active role in avoiding institutional factors that could produce an undue burden on untenured faculty members and those from underrepresented groups in the allocation of effort process.¶
Use of Allocation of Effort Statement: Each college shall develop and use an allocation of effort statement as specified in 5.90.5.1 Performance Evaluations. These statements shall be a part of the faculty member's tenure and/or promotion portfolio, and all aspects of the agreed upon efforts shall be factored into the recommendation made at each step of the process.¶

tenure simultaneously, having submitted their portfolio at the beginning of that year.

6. However, an assistant professor may elect to apply for tenure or promotion at any time with the written approval of department head and dean or their equivalents.

7. The application for tenure may occur only one time.

D. Associate Professor:

1. An associate professor is often a mid-career faculty member who has been awarded tenure.

2. If a faculty member is initially employed at the rank of associate professor without tenure, the probationary period may vary depending upon agreements stipulated in writing at the time of initial hire.

3. Once tenured, associate professors may hold this rank indefinitely or apply for promotion.

4. Promotion to professor should not be considered to be forthcoming merely because of years of service to the university, or because tenure has previously been awarded.

5. In accordance with the principal unit's timelines, a faculty member may present a promotion portfolio in any given year.

6. An associate professor must demonstrate competence, continuous progress, and maturity over a large part of the academic field.

7. It is expected that evidence showing high quality of teaching and scholarship and creative activity has been provided and is current.

E. Professor:

1. A professor, sometimes referred to as a "full professor," has established disciplinary, intellectual, and institutional leadership.

2. The professor demonstrates command and a mature view of the disciplinary field as evidenced by teaching and advising (or its equivalent) or similar experience, scholarship and creative activity, service, extension, or outreach.

3. Faculty members initially hired at the rank of professor are often given tenure on appointment.

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PART 5: Flexibility in Tenure-Track

Normally, before being considered for tenure, eligible faculty members serve six consecutive probationary years. The probationary period begins with the first year of the contract. Note that according to Rule 5.98 Part C.3 "Tenure Track and Tenure", "New tenure-track faculty reporting

for duty after the last Friday in September (12-month employees) or the second Friday in October (9-month employees) will not receive a temporary contract.…" The first contract will be issued at the beginning of the next contract period, which will constitute the first year of the probationary period toward tenure. During the sixth year, a case for tenure and/or promotion is made by the faculty member and considered by the university. Those achieving tenure are awarded a continuous contract at the end of their sixth year, while those not awarded tenure are given a one-year terminal contract for their seventh and final year of employment at NMSU. There may be exceptions, however, to shorten or lengthen the normal six-year probationary period.

A. Credit for Prior Service

1. Faculty members with previous teaching and advising (or its equivalent), service, extension, outreach, scholarly, and/or administrative experience at another institution may have some or all of that experience taken into consideration on appointment at NMSU.

2. With executive vice-president and provost approval, and particularly when tenure has been granted to a candidate at another institution, tenure may be accorded at the time of initial appointment to the university.

3. Prior probationary service at another institution may count towards the six-year probationary period at NMSU, but usually only up to a maximum of three years.

4. Any expedited schedule must be recommended by the department head and dean and agreed to by both the executive vice-president and provost and the faculty member at the time of appointment.

5. The details of such credit for prior service, the resulting length of the probationary period, the timing of any third-year review, and the period for the tenure application process, shall all be stated unambiguously in the appointment letter.

B. Extension of the Probationary Period

When requested in writing within one year of the qualifying event by the faculty member, leaves of absence can lead to postponement of the tenure decision date; however, modifications in that date require the recommendation of the department head and dean and the approval of the executive vice-president and provost. Faculty responsibilities may be negotiated when the extension is requested. An extension may be granted up to two times, so long as the total pre-tenure probationary period does not exceed eight years. Exceptions to this limit can be made under extraordinary circumstances if approved by the executive vice-president and provost. Candidates must be held to the same standards of performance when the probationary period has been extended as candidates whose probationary period was not extended. The probationary period may be extended, upon written request, under the following circumstances:

1. Leave of Absence without Pay: Probationary faculty members may request in writing a leave of absence without pay, usually not to exceed one academic or fiscal year. Prior to

initiating the leave, affected faculty may request in writing a probation extension of one year.

2. Military Leave of Absence: Involuntary induction into the armed forces entitles the faculty member to a leave of absence to cover the term of military service. Such leave constitutes valid grounds for requesting an extension of the tenure decision date. Similarly, a faculty member's voluntary participation in a military reserve program may lead to periodic or prolonged absence sufficient to affect the faculty member's performance (*e.g.*, annual active duty training, or active duty training or participation when a reserve unit is called to active duty) that constitutes valid grounds for extension of the tenure decision date.

3. Medical Leave of Absence: Probationary faculty members with a serious personal illness or providing prolonged, substantive care for a chronically ill family member may request in writing an extension of the tenure decision date, usually for one year.

4. Family Leave of Absence or Exceptional Family Responsibilities: Upon written request, probationary faculty members who become parents will receive a one-year automatic extension of the tenure decision date. Such an extension does not require that the faculty member take a leave of absence.

5. Catastrophic Events: Probationary faculty who have experienced a catastrophic event such as a fire or flood or who must aid family members in such situations may request in writing an extension of the tenure decision date.

6. Jury Duty: Prolonged jury service, when significantly affecting a faculty member's performance, constitutes a valid reason to petition for extension of the tenure decision date.

7. Other, as Negotiated: Extensions for other reasons may be negotiated.

C. Reduction of the Probationary Period

1. Tenure Upon Initial NMSU Appointment: Faculty members who have worked in a teaching and advising (or its equivalent), service, extension, scholarly, and/or administrative role at another institution may have some or all of that work taken into consideration on appointment at NMSU. With executive vice-president and provost approval, and particularly when tenure has been granted to a candidate at another institution, tenure may be accorded at the time of initial appointment to the university.

2. Expedited Tenure Schedule: Prior probationary service at another institution may count towards the six-year probationary period at NMSU, but usually only up to a maximum of three years. Any expedited schedule must be recommended by the department head and dean and agreed to by both the executive vice-president and provost and the faculty member at the time of appointment. The details of such credit for prior service, the resulting length of the probationary period, the timing of any third-year review, and the period for the tenure application process, shall all be stated unambiguously in the

appointment letter. In such instances, no extension of the probationary period will be granted unless the request falls in one of the categories mentioned in Section E.2. above.

3. Committee, Department Head and Dean Supported Appeal for Early Tenure Review: Current faculty may request the length of the probationary period be shortened. Such an appeal requires the written request of the faculty member, positive recommendations of the department promotion and tenure committee as determined in the spring review, department head, and dean and notification of the Executive Vice President and Provost. If this tenure application is not successful, the candidate's contract is not renewed according to the provisions of Rule 5.98 "Tenure Track and Tenure".

D. Part-Time Faculty and Tenure

1. Retention of Tenure Upon Move from Full-Time to Part-Time: Tenured, full-time faculty members who move to part-time status may retain tenure.

   a. Retention of tenure in such a case requires the written request of the faculty member, positive recommendations of the department head and dean, and approval of the executive vice-president and provost.

   b. While this policy encourages departments to accommodate reasonable requests for part-time appointment, part-time appointments are not an entitlement, and requests may be turned down.

   c. Pending availability of funding and the approval of the department head, dean and executive vice-president and provost, the faculty member may return later to full-time tenured status. (*See* subsection D. below)

2. Procedural Guidelines:

   a. When a full-time, tenure-track position becomes part-time, the time in rank is prorated based on full-time equivalent (FTE).

   b. As with full-time faculty, the maximum probationary period for part-time faculty members is the equivalent of six FTE years, with the tenure decision to be made before the end of the six full-time years of service. For example, a tenure-track candidate with a 0.50 FTE appointment must apply for tenure at the end of the 11th year.

   c. Part-time tenure-track faculty must be held to the same standards of performance relative to FTE as full-time faculty.

   d. If denied tenure, a faculty member on part-time appointment has only one year of continued part-time employment beyond the denial.

3. Regular Part-Time Appointment Defined: Faculty members whose regular appointments are less than 0.50 FTE do not accumulate probationary time toward tenure.

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4. Return from Part-Time to Full-Time: When recurring state funding is available, a tenure-track, part-time faculty member may apply for a full-time tenure track position and, if hired, apply earned tenure-track FTE from prior years toward tenure and promotion in the full-time position.

PART 6: Joint Appointment (with Dual Primary Responsibilities)

In appropriate circumstances, a faculty member may be appointed in two departments or colleges. The faculty member with a joint appointment has a memorandum of understanding from all involved units. The memorandum of understanding stipulates the expected workload and allocation of effort distributed between the two departments; identifies the principal unit where tenure resides or will reside if applicable; defines the responsibilities of the faculty member in each unit; and indicates the term of appointment. The memorandum must explain the process for performance and promotion and tenure reviews, renewal of the joint appointment, and salary increases. Each unit must provide recommendations in annual, probationary, tenure, and promotion reviews. In joint appointments with centers or institutes, the tenure home must reside in a principal unit. In joint appointments with two or more academic units, one unit must be designated, by mutual agreement, as the tenure home.

PART 7: Mid-Probationary Review

Tenure-track faculty members may request a formal mid-probationary review by those principal units that make such an option available. The mid-probationary review is an optional opportunity to obtain feedback on the tenure-track faculty member's performance and is used to identify specific activities to enhance the candidate's progress toward promotion and tenure. The review is formative, intended to assist tenure-track faculty in achieving promotion and tenure and should take into account the allocation of work effort during the three years reviewed and be based upon the principal unit's criteria. The outcome must not be used as a determinant for setting merit pay or for contract continuation decisions. Principal units should see Part 11 "Common Elements" of this Rule for additional information

PART 8: Community Colleges, Library, and College Faculty

The community colleges (other than Doña Ana Community College, whose division committees function as department committees), and the library faculty should begin their promotion and tenure deliberations with a committee that acts as a college-level committee. Specific variations are described below.

A. Community Colleges

1. Mission and Corresponding Emphasis in Evaluation Process: The mission of NMSU's community colleges is to provide open access to quality education and support economic and cultural life in prescribed service areas. Community colleges provide traditional liberal arts education, vocational and technical training, contract training, community interest classes, and developmental education. Every effort is made to keep programs and curricula flexible, in order to accommodate varied and expanding community educational needs. Since the community college's primary role is the dissemination of

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information, more emphasis is placed on teaching and advising (or its equivalent), in the evaluation process.

2. Tenure Committees: Due to their size, the organizational structure for tenure review at the Alamogordo, Carlsbad, and Grants campuses consists of a tenure committee at each campus that evaluates and makes recommendations to the campus executive officer.

B. The Library

The NMSU library faculty is expected to meet university requirements for academic appointment and promotion and tenure considerations. For these purposes, the category of librarianship is equivalent to the teaching and advising category. The NMSU Library places the highest value on the element of librarianship. Librarianship includes, but is not limited to the organization of knowledge, the understanding and use of technology as it relates to the information field, teaching, library management, service delivery, and building collections.

C. College Faculty

College faculty may hold ranks as described in Part 4 "Professorial Ranks" of this Rule and are eligible for promotion. A college faculty position can be converted to a tenure-track position when sufficient recurring funds are available and a national search is conducted. In relation to the promotion of college faculty, an understanding of the following guiding principles is necessary:

1. Criteria for Promotion: College Faculty should be evaluated for promotion based on the allocation of their effort to the areas of teaching and advising, service, scholarship and creative activity, or extension and outreach, service, and the relative mix of these duties.

2. Development of Promotion Procedures: Colleges must develop specific promotion procedures for their college faculty. The protections for College Faculty are the same as those given tenure-track faculty and tenured faculty in Rule 5.86 "Performance Evaluations" and Parts 11 - 15 "Common Elements" - "Appeals" of this Rule.

3. Representation on Committee: Committees for promotion of college faculty must include college faculty representation.

4. Appropriate Standards for Promotion: The different role played by college faculty should be recognized in the promotion process, and the standard for promotion should be appropriate given the role of college faculty.

PART 9: Implementation of the Promotion and Tenure Process

A. Requirement for Departmental Promotion and Tenure Committee: Each department shall have a department promotion and tenure committee except as follows: the University Library, as well as the Alamogordo, Carlsbad, and Grants community colleges, do not use department promotion and tenure committees; rather, promotion and tenure actions in these units begin with the college promotion and tenure committee. In the Doña Ana Community

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When considering applicants for promotion and tenure, serious attention will be given to performances in the applicable areas of teaching and advising (or its equivalent), scholarship and creative activity, service, extension and outreach, and where applicable, leadership. The relative importance of each of these areas varies according to the cumulative allocation of effort statements. Each area is vital to the university's ability to achieve its mission, and the performance of a faculty member will be viewed as an indication of future contributions.¶
5.90.4.1 . Teaching and Advising¶
Elements of Teaching as Essential Criterion: Teaching is central to NMSU's mission. For those who teach, effectiveness in teaching and advising is an essential criterion for tenure and for advancement in rank. The teaching and advising category includes all forms of university-level instructional activity, as well as advising undergraduate and graduate students, both within and outside the university community. Such activities are commonly characterized by the dissemination of knowledge within a faculty member's area of expertise; skill in stimulating students to think critically and to apply knowledge to human problems; the integration and application of relevant domestic and international, social, political, economic, and ethical implications into class content; the preparation of students for careers in specific fields of study; and the creation and supervision of appropriate field or clinical practicum's.¶
Responsibilities of Teaching and Advising: Teaching and advising responsibilities may include, but are not limited to, preparation for and teaching of a variety of courses, seminars, and other academic learning experiences; non-credit workshops and informal instructional activities; course and program development; team or collaborative teaching; web-based instruction, both on and off campus; supervision of student research, performances, or productions; service on graduate student program and research committees; field supervision and administration of field or clinical experiences; production of course materials, textbooks, web pages and other electronic aids to learning; and others.¶
Forms of Faculty Advising: Faculty advising may take the form of assisting undergraduate or graduate students in the selection of courses or careers, assisting learners in educational programs on and off campus, mentoring students, serving as faculty adviser to student groups, research and teaching advising, as well as other forms.¶
5.90.4.1.1 . Evaluation of Teaching¶ ...

Deleted: 5.90.5 . Policies¶

Deleted: 5.90.5.1 . Annual Performance Evaluation and the Promotion and Tenure Process¶
5.90.5.1.1 . Performance evaluation policies in the principal units shall include the following elements:¶
A statement that Performance Evaluations are conducted annually.¶
A timeline consistent with the timeline for promotion and for tenure as described in 5.90.5.9 University Timeline for Promotion and Tenure.¶
The requirement that a department head or comparable administrator annually meet with all faculty members regarding progress toward promotion and tenure, the recording of objectives and goals, and the department faculty evaluation format.¶
An opportunity for the faculty member to submit a written statement in response to annual performance evaluations.¶
A procedure for transmitting the performance evaluation, along with any supporting material, from the faculty member to the faculty member's department head¶
A procedure for transmitting a written copy of the department head's or comparable administrator's review to the individual being reviewed and to the dean or equivalent administrator.¶ ...

College, a division promotion and tenure committee functions in the same manner as a department committee.

B. Requirement for Departmental Promotion and Tenure Policy: Each department shall have a written policy for promotion and for tenure. This policy shall be in accordance with Part 4 "Guiding Principles" and all other parts of this Rule, shall include criteria and procedures for promotion and for tenure, and shall be consistent with its college's criteria and procedures for promotion and tenure. The department's criteria and procedures shall be determined collaboratively by the faculty and department head subject to approval by the college dean.

C. Requirement for College Promotion and Tenure Committee: Each college shall have an elected College Promotion and Tenure Committee.

D. Requirement for College Promotion and Tenure Policy: Each college shall have a written policy for promotion and for tenure. These shall be in accordance with Part 4 "Guiding Principles" and all other parts of this Rule and shall include criteria and procedures for promotion and for tenure. The college's criteria and procedures shall be determined collaboratively by the tenure and tenure-track faculty and administration in each college and must be approved by the Executive Vice President and Provost after review and recommendation by a standing committee of the NMSU Faculty Senate.

PART 10: Roles and Responsibilities during the Promotion & Tenure Process

A. Candidate:

1. Maintains a curriculum vitae and a cumulative personal record of the activities and accomplishments affecting the application for promotion and/or tenure.

2. Reviews the personal portfolio (organized per Part 12 of this Rule) in relation to the criteria for promotion and/or tenure and seeks guidance from senior faculty and the department head.

3. In accordance with college procedures, requests and provides materials required in the mid-probationary period review.

4. Applies for tenure by submitting to the department head in the spring of the candidate's fifth year, or other time as previously negotiated, their portfolio including both the core document and documentation file in the format as specified in Part 12 of this Rule. If a faculty member does not apply for tenure in the fifth year, or extended year as appropriate, and does not submit a resignation letter as contemplated by this policy, the faculty member's employment will terminate with the expiration of the current annual ("Temporary") contract.

5. Provides the department head with a written list of potential external reviewers from which letters of evaluation may be requested. The candidate may provide the department head with a list of people they wish not to be reviewers.

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When considering applicants for promotion and tenure, serious attention will be given to performances in the applicable areas of teaching and advising (or its equivalent), scholarship and creative activity, service, extension and outreach, and where applicable, leadership. The relative importance of each of these areas varies according to the cumulative allocation of effort statements. Each area is vital to the university's ability to achieve its mission, and the performance of a faculty member will be viewed as an indication of future contributions.¶
5.90.4.1 Teaching and Advising¶
Elements of Teaching as Essential Criterion: Teaching is central to NMSU's mission. For those who teach, effectiveness in teaching and advising is an essential criterion for tenure and for advancement in rank. The teaching and advising category includes all forms of university-level instructional activity, as well as advising undergraduate and graduate students, both within and outside the university community. Such activities are commonly characterized by the dissemination of knowledge within a faculty member's area of expertise; skill in stimulating students to think critically and to apply knowledge to human problems; the integration and application of relevant domestic and international, social, political, economic, and ethical implications into class content; the preparation of students for careers in specific fields of study; and the creation and supervision of appropriate field or clinical practicum's.¶
Responsibilities of Teaching and Advising: Teaching and advising responsibilities may include, but are not limited to, preparation for and teaching of a variety of courses, seminars, and other academic learning experiences; non-credit workshops and informal instructional activities; course and program development; team or collaborative teaching; web-based instruction, both on and off campus; supervision of student research, performances, or productions; service on graduate student program and research committees; field supervision and administration of field or clinical experiences; production of course materials, textbooks, web pages and other electronic aids to learning; and others.¶
Forms of Faculty Advising: Faculty advising may take the form of assisting undergraduate or graduate students in the selection of courses or careers, assisting learners in educational programs on and off campus, mentoring students, serving as faculty adviser to student groups, research and teaching advising, as well as other forms.¶
5.90.4.1.1 Evaluation of Teaching¶
Evidence By Which Teaching Effectiveness is Assessed: Teaching is a complex and multifaceted activity. Therefore, several forms of evidence should be used to assess comprehensively teaching effectiveness. Each form of evidence should carry a weight appropriate to its importance in evaluating teaching. Such documentation must demonstrate command of subject matter, continuous growth, and ...

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Deleted: 5.90.5.1 Annual Performance Evaluation and the Promotion and Tenure Process¶
5.90.5.1.1 Performance evaluation policies in the principal units shall include the following elements:¶
A statement that Performance Evaluations are conducted annually.¶
A timeline consistent with the timeline for promotion and for tenure as described in 5.90.5.9 University Timeline for Promotion and Tenure.¶
The requirement that a department head or comparable administrator annually meet with all faculty members regarding progress toward promotion and tenure, the recording of ...

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6. Requests extensions of the probationary period in accordance with Part 5.B "Extension of Probationary Period" of this Rule.

7. Has, upon receipt of the recommendation of the Department Promotion and Tenure Committee and of the head, five working days to add to the portfolio any correction of factual errors in either recommendation.

8. Has, upon receipt of the recommendations of the College Promotion and Tenure Committee and of the dean, five working days to add to the portfolio any correction of factual errors in either recommendation.

9. In accordance with Part 13 "Withdrawal of Rights and Procedure" of this Rule, requests that the review process be terminated at any time prior to review by the executive vice-president and provost.

B. Department Head:

1. Establishes and monitors a process for a tenured faculty to mentor the candidate in developing the best case for promotion and/or tenure.

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2. Provides leadership in the collaborative writing and maintenance of department promotion and tenure policy.

3. Provides initial information, timelines, and copies of all written guidelines regarding promotion and tenure expectations and policies to all new and continuing faculty members on a regular basis. Also informs tenure-track faculty of the rights to due process, appeal and informal processes for conflict resolution in promotion and tenure.

4. In the annual performance reviews of tenure-track faculty, includes written details relating to assigned duties (i.e. the teaching and advising (or its equivalent), scholarship and creative activity, service, extension and outreach and apportionment). The reviews also include separate statements addressing progress toward tenure and toward promotion including steps that should be taken to strengthen the faculty member's case.

5. Provides leadership in establishing agreed upon department guidelines for an annual review of tenure-track faculty by the department's promotion and tenure committee. This review is separate from, and independent of, the department head's annual review of each faculty member.

6. Assists tenure-track faculty who have completed five academic semesters or its part-time equivalent in preparing for an optional mid-probationary review.

7. In mitigating circumstances, explores with the candidate the need for a time extension (*See* Part 5.B "Extension of Probationary Period" of this Rule). With the approval of the candidate, seeks permission from the dean to extend the probationary period.

8. Provides assistance and guidance to faculty who are applying for promotion/tenure. Reviews the portfolio of applicants to ensure its completeness and compliance with Part 12 of this Rule and, where needed, makes recommendations for improvement.

9. The department head, in consultation with the Promotion and Tenure Committee, will select a list of potential external reviewers and will contact them. The department head must contact at least one reviewer from the candidate's list provided that they are qualified to be reviewers based on the unit's policy. The department head needs to ensure those contacted to review the candidate's portfolio do not have a conflict of interest. If there is a perceived conflict of interest the department head needs to justify why the reviewer has no conflict. If the department head contacts somebody on the candidate's list of people they wish not to be reviewers, the head needs to justify the importance of selecting the reviewer.

10. Sees that the department promotion and tenure committee submits recommendations for tenure and for promotion for all candidates.

11. Writes an independent evaluation/recommendation concerning each candidate's case for promotion and/or tenure in relation to the criteria for promotion and tenure. This recommendation may be in support of or against supporting either promotion or tenure, or both. It should address the strengths and weaknesses, and level and nature of accomplishments of the candidate.

12. Provides candidates, written and electronic copies of the recommendation of the department promotion and tenure committee and of the recommendation of the department head. This notification must occur prior to passing the promotion and/or tenure application on to the dean and college promotion and tenure committee.

13. Places the department head's recommendation in the candidate's portfolio.

C. Department Promotion and Tenure Committee:

1. Examines and reads the portfolio of each candidate.

2. Evaluates the candidate according to department promotion and/or tenure standards.

3. Considers the candidate's department assignment and role apportionment as specified in the candidate's position description and Allocation of Effort Forms.

4. Performs an annual review of tenure-track faculty following departmental guidelines and forwards results to department head and dean or equivalent administrator. This review is separate from, and independent of, the department head's annual review of each faculty member.

5. Makes recommendations to the department head pertaining to faculty members who are seeking promotion and/or tenure based on the candidate's portfolio and departmental criteria.

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6. Records in each candidate's portfolio the committee's vote totals. (*See* Part 12 "Common Elements" of this Rule.)

7. Places the committee's recommendation in the candidate's portfolio.

8. Participates in the optional mid-probationary review process, providing formative feedback to candidates.

D. College Promotion and Tenure Committee:

1. Examines and reads the portfolio of each candidate, including the department head's letter and the department's promotion and tenure committee's recommendation.

2. Evaluates the candidate according to the college's promotion and/or tenure standards.

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3. Considers the candidate's department assignment and role apportionment as specified in the candidate's position description and Allocation of Effort forms.

4. Makes recommendations to the dean pertaining to faculty members who are seeking promotion and/or tenure.

5. Records in each candidate's portfolio the committee's vote totals. (*See* Part 12 "Common Elements" of this Rule.)

6. Places the committee's recommendation in the candidate's portfolio.

7. Participates in the optional mid-probationary review process, providing formative feedback to candidates.

E. Dean, Community College President:

1. Ensures that a college-specific promotion and tenure policy is written and periodically revised and that the policy complies with university policy and has been approved by the Executive Vice President and Provost.

2. Assures that each department has:

   a. Current promotion and tenure guidelines that comply with college and university policies and include date of version.

   b. A mentoring process for tenure-track faculty.

   c. A system of annual faculty performance evaluations.

3. In consultation with college faculty establishes policy for the constitution of a College Faculty Promotion Committee.

4. Recommends extensions of the probationary period.

5. Provides oversight for the optional mid-probationary review program.

6. Makes independent recommendations pertaining to promotion and tenure. To do this, consider:

   a. Candidate's core document and, if requested, the documentation file

   b. Recommendations of the department promotion and tenure committees

   c. Recommendations of the department heads

   d. Recommendations of the college promotion and tenure committees.

7. Notifies candidates, in writing and electronically, of the recommendations of the College Promotion and Tenure Committee and of the dean. This notification must occur prior to passing the promotion and tenure applications and associated recommendations on to the executive vice-president and provost.

8. Places the dean's recommendation in the candidate's portfolio.

9. Meets with the executive vice-president and provost regarding promotion and tenure cases.

F. Executive Vice-President and Provost:

1. Ensures that each college and each department has, and periodically updates, promotion and tenure policies that comply with university policy.

2. Approves requests to extend the probationary period.

3. Meets with deans regarding promotion and tenure cases.

4. Makes an independent decision pertaining to promotion and tenure. To do this, consider:

   a. Candidate's core document and, if requested, the documentation file

   b. Recommendations of the department promotion and tenure committees

   c. Recommendations of the department heads

   d. Recommendations of the college promotion and tenure committees

   e. Recommendations of the dean.

5. Passes promotion and tenure decisions on to the Chancellor.

6. Notifies candidates in writing of the decision.

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7. Provides for annual training sessions for promotion and tenure committee members, department heads, and deans.

PART 11: Common Elements To Be Included In The Principal Units' Promotion And Tenure Policy

A. A statement that university policies regarding promotion and tenure supersede department and college policies.

B. Statements referencing the criteria for promotion and tenure as stated in Rule 5.86 Part 3 Criteria for Annual Performance Review.

C. A provision permitting a candidate to temporarily suspend the promotion and tenure time process in accordance with Part 5.B "Extension of Probationary Period" of this Rule.

D. A statement regarding confidentiality of records and all committee procedures, including the manner in which confidentiality is ensured. Exceptions must be clearly indicated.

E. A method to review and update at least every five years the written promotion and tenure policies and procedures of the principal unit. A statement to the effect that if the policy should change during a faculty member's pre-tenure or pre-promotion period, the faculty member may choose one of the policies for evaluation purposes. A procedure for the faculty member to indicate the preferred criteria must be clearly delineated. If the university's Promotion and Tenure policy is reviewed in a given year, then the Colleges will review the following year and the Departments the year after that. For example, if the University reviews and edits the promotion and tenure Rules in the 2016-2017 academic year, then the Colleges will review their policy in 2017-2018 and departments in 2018-2019. A standing committee of the Faculty Senate will review Rule 5.90 of the university's Administrative Rules and Procedures. College rules and procedures for promotion and tenure will be reviewed by a college committee which includes all the Faculty Senate members from the college.

F. A procedure for the conduct of a mid-probationary review, if the college provides this option. Faculty who choose to participate in the review process must submit their portfolio to their department head by mid-January. The portfolio shall be prepared in accordance with Part 12 "Portfolio Preparation" of this Rule and be reviewed by the department promotion and tenure committee, the department head, and the college promotion and tenure committee. The college committee will provide to the department head and candidate a written formative evaluation of progress. The review is conducted in accordance with the principal unit's promotion and tenure policy. (*See* Part 7 "Mid Probationary Review" of this Rule.)

G. A procedure for electing the college promotion and tenure committee. All tenure and tenure-track faculty are eligible to vote during the election. When colleges choose to include college faculty on this committee, college faculty are eligible to vote for college faculty membership on the college committee.

H. Procedure for selecting members of the department promotion and tenure committee.

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I. Definition of eligibility for serving on the promotion and tenure committees. Only tenured faculty members are eligible to vote for tenure and promotion. College-track faculty who serve on the college committee are eligible to vote on promotion of college-track faculty. In instances of promotion, committee members must hold a rank at least equal to the rank for which the candidate is applying.

J. Provisions for term limits if desired for serving on the department promotion and tenure committee.

K. Provisions for term limits for serving on the college promotion and tenure committee are required, except at the Alamogordo, Carlsbad, and Grants community colleges.

L. The provision that in no case will a promotion and tenure committee be comprised of fewer than three eligible members.

M. A provision for addressing cases where there are inadequate numbers of eligible faculty to constitute a committee. The department and/or the college promotion and tenure committees may have members from outside the department.

N. The provision that the dean, department head, or comparable administrator may meet with the principal units' promotion and tenure committees to discuss procedural matters.

O. The provision that the deliberations and voting of promotion and tenure committees will be conducted in closed session only among committee members. Committee members can attend sessions by a confidential electronic method with permission of the committee chair. Committee members must take part in the deliberations in order to vote.

P. A method for surveying the committees' recommendations regarding each candidate(s) via secret written ballot. Committee members may vote in person, or by an appropriate confidential electronic method with the permission of the committee chair. Absentia and proxy ballots are not permitted. All vote counts must be recorded.

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Q. A method for the principal units' promotion and tenure committees to submit a letter summarizing its recommendations and the numerical vote count on each candidate to the department head and college dean or comparable administrator. The recommendation must:

1. Reflect the majority view.

2. Contain specific commendations, concerns, and recommendations addressing the department's criteria in each of the areas required for promotion and tenure

3. Allow for dissenting opinions containing specific commendations, concerns, and recommendations addressing the criteria in each of the areas required for promotion and tenure.

R. A method for informing each candidate in writing of the principal units' recommendations and numerical vote count, the department head's letter, and/or the dean's or comparable administrator's letter.

S. The provision that a candidate may withdraw from further consideration in accordance with 5.90.5.6 Withdrawal of Rights and Procedures.

T. Guidelines for preparing the portfolio. (See 5.90.5.5 Portfolio Preparation.) The parties shall refer to the individual college policies for additional guidelines.

U. A mechanism to provide candidates with sample portfolios. If the portfolios of actual persons are used, written permission must be obtained from the owner of the portfolio.

V. A procedure for indicating how and when a candidate may change, add, or delete materials from the portfolio after the portfolio is submitted to the committee for review.

W. A statement regarding the location where the documentation file will be stored and accessed for review.

X. A procedure for indicating how and when evaluators may request additional information. All requests must be made in writing and transmitted to the candidate.

Y. A procedure allowing the candidate to review all items included in the portfolio assembled prior to the review by appropriate committees, administrators, and/or external reviewers.

Z. A procedure for soliciting external letters of review (See 5.90.7 Example) which incorporates the following:

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1. The number of letters that shall be solicited for each candidate. At least three letters should be included in a tenure or promotion portfolio.

2. Specifications regarding how the letters will be placed into the candidate's portfolio. The department head will contact reviewers to solicit the letters.

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3. Specifications regarding how much and what type of material is supplied to reviewers. The department and/or college policies and criteria for tenure and promotion must be provided to reviewers.

4. Specifications regarding the criteria for serving as an external reviewer. A reviewer will be a highly regarded expert in one or more aspects of the candidates work and must be able to offer an objective assessment of the candidate's work. When a reviewer holds a tenured position, it should be at or above the rank sought by the candidate. Departmental rules and procedures should be precise about who is or is not appropriate to serve as an external reviewer. It is recommended that a candidate has a diverse set of reviewers to get the most complete picture of the candidate's performance.

5. Conflicts of interest, either real or perceived, should be avoided when selecting external reviewers.

a. A potential reviewer has a conflict of interest if:

i. Has a family relationship with the candidate.

ii. Has a business or working relationship with the candidate.

iii. Is a former thesis or post-doctoral advisor of the candidate.

b. A potential reviewer may have a conflict of interest if:

i. Is a former departmental colleague of the candidate.

ii. Has collaborated on a book, article, report, paper, or grant proposal in the past 24 months.

iii. Has co-edited a journal or conference proceeding in the past 24 months.

6. Instructions to reviewers including:

a. A request for a brief statement regarding the individual's qualifications for serving as a reviewer.

b. A request that the reviewer indicate the relationship between the candidate and reviewer.

c. Notification that the candidate will have an opportunity to read the letter of assessment.

d. Notification that third parties in the event of an EEOC or other investigation into a tenure or promotion decision may review letters.

7. A statement addressing the role, if any, of unsolicited letters. If a principal unit decides to accept unsolicited letters, such letters must be included in the portfolio prior to review by the Department Promotion and Tenure Committee. If the principal unit does not have an explicit statement regarding unsolicited letters, such letters will not be accepted nor included in the portfolio.

AA. A statement regarding post-tenure review in accordance with the university policy manual Rule 5.91 "Post Tenure Review".

BB. Reference to the appeals process as outlined in Rules 3.25 "Discrimination, Harassment and Sexual Misconduct on Campus" and 4.05.50 "Faculty Grievance Review and Resolution".

CC. Develop a procedure for reviewing the university's Conflict of Interest Policy with the promotion and tenure review committee(s).

PART 12: Portfolio Preparation

In accordance with department and college guidelines, the candidate is responsible for submitting a promotion and tenure portfolio comprised of a core document and documentation file. When appropriate and agreed to by the candidate, the Department Head, the Department

Promotion and Tenure Committee, the Dean, the College Promotion and Tenure committee and the EVPP, the portfolio (both the core document and/or the documentation file) maybe submitted as an electronic pdf formatted file(s) provided that a secure method for such submission is in place.

A. Core Document

The college guidelines shall specify the inclusion of the following core document elements in this order. The combination of items 4-6 shall not exceed 50 pages:

1. A routing form developed by the college with spaces for the required signatures.
2. A cover sheet indicating the candidate's name, current rank, department and college.
3. Any written documentation generated throughout the promotion and tenure process, including the numerical vote counts of the promotion and tenure committee(s).
4. A table of contents.
5. Candidate's executive summary.
6. A curriculum vitae.
7. Annual performance evaluations for the period under review, including the allocation of effort statements, the goals and objectives forms, written statements submitted by the faculty member as a part of the annual performance evaluations, the supervisor's written comments, and any response made by the candidate to the supervisor's written comments. Numerical rankings, ratings, or vote counts should be removed. (*See also* Rule 5.86 "Performance Evaluations".)
8. The most recent complete conflict of interest form.
9. Principal units' mission statements.
10. External reviews.

B. Documentation File

Supplementary materials provided by the candidate related to the areas of faculty activity. This material is not routed beyond the College Promotion and Tenure Committee, but is available for review.

If this is an application for tenure, the candidate is to include evidence of contributions since starting at NMSU, plus evidence from other institutions if credit for prior service is applicable. If this is an application for promotion, then the candidate is to include evidence of contributions since the last promotion or tenure review.

PART 13: Withdrawal

A. Voluntary Withdrawal from Consideration: A candidate may withdraw from consideration at any time prior to the final signature of the executive vice-president and provost. A candidate shall prepare a letter requesting withdrawal from further consideration. The letter shall be transmitted to the dean or comparable administrator. All documents shall be returned to the candidate and nothing relating to the application for promotion and/or tenure shall be placed in the candidate's personnel file.

B. Withdrawal in Fifth Year of Service: If the candidate is in the fifth year of service, withdrawal from consideration for tenure must be accompanied by a letter of resignation submitted to the dean or comparable administrator no later than the end of the fifth-year contract period. The resignation shall be effective no later than the end of the sixth-year contract period. If a faculty member does not apply for tenure in the fifth year, or extended year as appropriate, and does not submit a resignation letter as contemplated by this policy, the faculty member's employment will terminate with the expiration of the current annual ("Temporary") contract.

PART 14: Outcomes

A. For full-time tenure-track candidates:

1. If the decision is to award tenure, the executive vice-president and provost will send a Contract of Employment (Continuous Appointment) Form through the dean or comparable administrator and the department head to the candidate.

2. If the decision is to not award tenure, the department head will give a signed Contract Status Form to the candidate for signature acknowledging notification of non-renewal.

B. For part-time tenure-track candidates, in addition to the provisions for full-time tenure-track candidates:

1. If the decision is to award tenure, it is for the FTE as stated in the initial contract or as negotiated.

2. If the decision is to not award tenure, a faculty member has only one year of continued part-time employment beyond the denial.

C. For all candidates:

1. If the decision is in favor of promotion, the effective date is at the beginning of the ensuing contract year.

2. If the decision is in favor of promotion, it shall be the policy of the university that all promotions shall include a salary increase, irrespective of other salary increases.

3. In the decision is not in favor of promotion, the executive vice-president and provost will inform the candidate in writing.

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4. The executive vice-president and provost is responsible for informing the Chancellor of the recommendations of the department head, college dean, or comparable administrator and the decision of the executive vice-president and provost.

5. The executive vice-president and provost will prepare an official list of promotion and tenure decisions for distribution to relevant deans, comparable administrators, the vice-president for administration and finance, and the assistant director of human resource services.

6. Tenure-track faculty members whose probationary contract is not renewed and who have another year before the termination of that contract do not submit a promotion and tenure portfolio during their final year. If the non-renewal is being appealed on the basis of failure to follow procedure or discrimination, then the appellant may complete a packet and have it held in suspension until the grievance is resolved. If the individual is successful in the appeal, the portfolio will be considered by the parties involved in the promotion and tenure process.

PART 15: Appeals

See Rules 3.25 "Discrimination, Harassment and Sexual Misconduct on Campus" (for complaints of discrimination; 4.05.50 "Faculty Grievance Review and Resolution" (for faculty grievances, including violation of policies or procedures); and 5.47 "Faculty Discipline and Appeal Processes" (for appeals from disciplinary action, including involuntary termination)

PART 16: University Timeline for Promotion and Tenure

Each college shall determine a timeline for conducting promotion and tenure reviews. The dates indicated here are suggested guidelines as 12-month appointments may require a different time schedule.

A. Spring:

The department head notifies potential candidate of eligibility for promotion and/or tenure review. Department promotion and tenure committee reviews the portfolio of each faculty member and in accordance with college policies reports to the department head indicating the progress towards promotion and/or tenure as well as the strengths and weaknesses in each of the areas required for promotion and tenure.

Department head informs the candidate in writing of the department promotion and/or tenure committee recommendations.

B. June, July, August:

The candidate with support from the department and college prepares the candidate's portfolio. (*See also* Part 12 "Portfolio Preparation" of this Rule.)

C. September:

The candidate provides the completed portfolio to the department head.

The department head makes the completed portfolio available to the Department Promotion and Tenure Committee. The portfolio can only be amended hereafter in accordance with department and college guidelines.

D. October:

The Department Promotion and Tenure Committee considers the completed portfolio of the candidate.

E. October - December:

The college dean or comparable administrator transmits the Department Promotion and Tenure Committee and department head reports and numerical ballot results to the College Promotion and Tenure Committee.

The College Promotion and Tenure Committee reviews the department head's and the Department Promotion and Tenure Committee's recommendations.

The College Promotion and Tenure Committee informs the dean or comparable administrator if a department fails to follow department and/or college procedures.

The College Promotion and Tenure Committee reviews the portfolios of all tenure-track faculty members no later than their sixth year of service unless Part 5 "Flexibility in Tenure Track" of this Rule applies.

The College Promotion and Tenure Committee submits a written recommendation on the candidate to the department head, candidate, and dean or comparable administrator in accordance with the college's promotion and tenure policy.

F. January - February:

The college dean or comparable administrator reviews the candidate's portfolio, makes a recommendation, and informs the candidate in writing of the recommendations of the College Promotion and Tenure Committee and the dean or comparable administrator.

The college dean or comparable administrator transmits to the executive vice-president and provost all recommendations including numerical votes.

G. March - April:

The college dean or comparable administrator meets with the executive vice-president and provost to review each candidate. The executive vice-president and provost's decision is indicated in writing.

The executive vice-president and provost informs the Chancellor of the recommendations of the department head, college dean, or comparable administrator and the decision of the executive vice-president and provost.

H. April - May:

Final notifications of decisions are sent through the executive vice-president and provost, dean or comparable administrator, and department head to the candidate.

The executive vice-president and provost prepares an official list of promotion and tenure decisions for distribution to relevant deans, comparable administrators, the vice-president for administration and finance, and the assistant vice president for human resource services.

The dean or comparable administrator notifies the department head, who in turn notifies the faculty member.

I. July:

Promotion and tenure decisions become effective.

PART 17: Forms Relating to Promotion and Tenure

See http://provost.nmsu.edu/faculty-and-staff-resources/promotion-and-tenure-2/.

Deleted: 5.90.6 - **Post Tenure Review (*See* 5.87 Post Tenure Review)**¶
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Deleted: See Promotion and Tenure Documents