

1 FINAL DRAFT (v042117-2) Proposed Amendments to current Rule 5.86 (Performance Evaluation)
2 and to Rule 5.90 (Promotion and Tenure), restructured as Rules 5.85 through 5.91, to be referred
3 to as the NMSU Rules on Faculty Evaluation, Promotion and Tenure. The proposal also re-numbers
4 current 5.87 to Rule 5.91 (Post-Tenure Review).

5
6 **5.85 Overview of Faculty Evaluation, Promotion and Tenure Rules; Definitions; Periodic**
7 **Rules Review**
8

9 This rule, together with Rules 5.86 through 5.91, collectively referred to as the NMSU Rules on Faculty Evaluation,
10 Promotion, and Tenure, establish the rules relating to the faculty annual performance evaluation process, and relating
11 to promotion and/or tenure criteria and procedures for review. These rules clarify the roles and responsibilities of the
12 candidate applying for promotion and/or tenure, as well as the roles and responsibilities of the promotion and tenure
13 committees and academic administrators involved in each review stage. These rules set forth the requirements for the
14 department and college promotion and tenure committees, and the common elements which must be include in their
15 respective promotion and tenure policies. Procedural guidelines, including a suggested timeline for the promotion
16 and tenure review processes are also provided.

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18 For quick reference, a listing of the rules with subparts is provided below:
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20 **Rule 5.85 - NMSU Rules on Faculty Evaluation, Promotion and Tenure; Definitions; Periodic Rules Review**
21

22 **Part 1** Overview of NMSU Rules on Faculty Evaluation, Promotion, and Tenure

23 **Part 2** Glossary of Terms used in NMSU Rules on Faculty Evaluation, Promotion and Tenure (Rules 5.85-5.91)

24 **Part 3** Implementation of 2017 Revised Rules; Coordination amongst Principal Units; Periodic Rules Review
25

26 **Rule 5.86 - Annual Performance Evaluation - Regular Faculty**
27

28 **Part 1** Purpose for Annual Performance Evaluation (*See Also* Rule 5.87 Part 2; Rule 5.91 Part 2)

29 **Part 2** Guiding Principles for Annual Performance Evaluation

30 **Part 3** The Four Areas of Faculty Effort: Teaching and Advising, Scholarship and Creative Activity, Extension and
31 Outreach, and Service

32 **Part 4** Requirements for Principal Units' Evaluation Policies

33 **Part 5** Procedural Guidelines for Annual Performance Evaluation
34

35 **Rule 5.87- Promotion and Tenure: Purpose and Guiding Principles**
36

37 **Part 1** Purpose

38 **Part 2** Nature of Promotion and Tenure Reviews, Generally (*See Also* Rule 5.86 Part 2; Rule 5.20.20)

39 **Part 3** Faculty Participation

40 **Part 4** Transparency of Process

41 **Part 5** Avoidance of Conflict of Interest

42 **Part 6** Statement on Value of Diversity, paired with Non-Discrimination

43 **Part 7** NMSU Community Colleges

44 **Part 8** University Library Faculty

45 **Part 9** College and Research Faculty
46

47 **Rule 5.88 - Promotion and Tenure: The Professorial Ranks**
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49 **Part 1** Instructor

50 **Part 2** Assistant Professor

51 **Part 3** Associate Professor

52 **Part 4** Professor
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54 **Rule 5.89 - Promotion and Tenure Committees; Common Elements Required in the Principal Unit Policies**
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56 **Part 1** Principal Unit Committees

57 **Part 2** Principal Unit Policies

58 **Part 3** Common Elements for Principal Units' Promotion and Tenure Policies
59

60 **Rule 5.90 - Promotion and Tenure Reviews; Procedural Guidelines and Timeline**

- 61
- 62 **Part 1** Pre-Tenure Probationary Period
- 63 **Part 2** Flexibility in Tenure-Track
- 64 **Part 3** Mid-Probationary Review
- 65 **Part 4** Joint Appointment (With Dual Primary Responsibilities)
- 66 **Part 5** Roles and Responsibilities in Promotion or Tenure Reviews
- 67 **Part 6** Portfolio Preparation by Candidate
- 68 **Part 7** Withdrawal of Portfolio by Candidate from Further Consideration
- 69 **Part 8** Outcomes
- 70 **Part 9** Right to Seek Redress for Violation of Evaluation, Promotion, or Tenure Rules
- 71 **Part 10** Timeline of Procedural Steps for Promotion and Tenure Review Processes
- 72

73 **Rule 5.91 Post-Tenure Review**

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- 75 **Part 1** Purpose
- 76 **Part 2** Annual Performance Evaluation (First Level Review)
- 77 **Part 3** Second Level Review
- 78 **Part 4** Third Level Review
- 79 **Part 5** Involuntary Revocation of Tenure/Termination of Employment
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81 **PART 2: GLOSSARY OF TERMS USED IN NMSU RULES ON FACULTY EVALUATION, PROMOTION**
 82 **AND TENURE (RULES 5.85-5.91)**

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- 84 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 categories of teaching and advising, scholarship and creative activity, service, extension, outreach and other assigned duties. (See Rule 5.20.20 Assignments - Teaching Load)
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- 89 B. Annual Performance Evaluation: (See Rule 5.86 -Annual Faculty Performance Evaluation)
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- 91 C. College Faculty: A faculty member on a regular (0.5 FTE or greater) appointment, who is not eligible for tenure, but is eligible for advancement in faculty rank (promotion). (See Rules 4.30.10 - “Hiring Definitions” and 5.15.40 - Appointments - Nontenure Track)
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- 95 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, external reviews and, for community colleges, letters of support. (See Rule 5.86- Annual Faculty Performance Evaluation and Rule 5.90, Part 6, (Portfolio Preparation).
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- 101 E. Department Head: Department head refers to the academic department head or equivalent supervisor, which may include program coordinator or superintendent, depending upon the unit and as determined by the cognizant dean or community college chief academic officer.
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- 104
- 105 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.
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- 108
- 109 G. Executive Summary: A summative report and personal statement by the faculty member that addresses the faculty member’s activities in and philosophies regarding teaching and advising, scholarship and creative activity, service, extension and outreach, and other assigned areas.
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- 112
- 113 H. Extension and Outreach: Extension involves 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. Outreach involves an organized and planned program of activities which are offered to representative groups of citizens of New Mexico and the nation or internationally; these activities bring the resources of the university to bear in a coherent and strategic fashion for the benefit of the receiving entity.
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- 120 I. External Reviewer: A person from outside NMSU who writes a letter of evaluation of a candidate’s Portfolio. (See Rule 5.89, Part 3. AA. ; Rule 5.90, Part 5, B. 9.)
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- 122

- 123 J. NMSU Rules on Faculty Evaluation, Promotion, and Tenure: Rules 5.85-5.91 are collectively referred to as the
124 NMSU Rules on Faculty Evaluation, Promotion, and Tenure.
125
- 126 K. Four Areas of Faculty Effort: As used in this rule and the other rules governing promotion and tenure at NMSU,
127 the Four Areas of Faculty Effort refers to: teaching and advising, scholarship and creative activity, extension and
128 outreach, and service. (*See* Rule 5.86, Part 3)
129
- 130 L. Joint Appointment: A faculty line shared between two departments or colleges; the appointee enjoys all the
131 privileges and incurs all the responsibilities normally given in each area.
132
- 133 M. Letters of Support: Letters submitted to support a candidate’s application for promotion or tenure that are distinct
134 from external reviews (*See* Definition I. above), but serve a similar purpose at the community colleges. (*See* Rule
135 5.89, Part 3. A.A. 6. ; Rule 5.90, Part 10, C.)
136
- 137 N. Mid-Probationary Review: A formal, non-mandatory mid-term assessment requested by a Tenure-Track Faculty
138 member of their professional development and progress toward tenure. The Mid-Probationary Review is in
139 addition to the annual performance evaluation.
140
- 141 O. NMSU Rules on Faculty Evaluation, Promotion, and Tenure: Rules 5.85 through 5.81 of the Administrative
142 Rules and Procedures of NMSU posted at <https://manual.nmsu.edu/policies-and-procedures/>
143
- 144 P. Peer Evaluation: Assessment of teaching style, content, and effectiveness gained through observation by
145 colleagues; the observations may come in such forms as classroom visits, participation in web-based courses,
146 review of videotaped teaching, or reviews of course materials collected/created by the faculty member being
147 reviewed.
148
- 149 Q. Performance Evaluation: An annual report prepared by the faculty member documenting activities in the areas
150 of teaching and advising, scholarship and creative activity, extension and outreach, service, and other assigned
151 areas. The department head provides the faculty member with a written appraisal of the faculty member’s
152 performance.
153
- 154 R. Portfolio: Consists of the Core Document and Documentation File that supports the candidate’s case for
155 promotion or tenure. A Portfolio is also sometimes referred to as a dossier.
156
- 157 S. Post-tenure Review: An annual review designed to identify strengths and weaknesses of the tenured faculty
158 member in the areas of teaching and advising, scholarship and creative activity, service, extension, outreach and
159 other assigned areas. The Performance Evaluation generally serves the above aim; however, if deemed necessary
160 due to deficiencies, a more extensive review may be initiated. (*See* Rule 5.91 - Post Tenure Review.)
161
- 162 T. Principal Unit: A tenure home unit responsible for conducting annual faculty performance evaluations and making
163 promotion and tenure recommendations. This definition includes Departments, Colleges, Community Colleges,
164 Cooperative Extension Service, and the University Library, but not centers, clusters, or institutes.
165
- 166 U. Probationary Period: The cumulative amount of time spent under term appointments while on the “tenure-track.”
167 (*See* Rule 5.90, Part 2 (Flexibility in Tenure Track)).
168
- 169 V. Research: *See* Scholarship.
170
- 171 W. Research Faculty: A faculty member on a regular (0.5 FTE or greater) appointment, who is not eligible for tenure,
172 but is eligible for promotion among the faculty ranks. (*See* Rules 4.30.10 - “Hiring Definitions” and 5.15.40 -
173 Appointments - Nontenure Track)
174
- 175 X. Scholarship: Both creative activity and product, scholarship includes discovery through original research;
176 integration through synthesizing and reintegration of knowledge; application through professional practice; and
177 teaching through transformation of knowledge. (*See* Boyer, 1990 and Rule 5.86 Part 4. C. 2. “Scholarship and
178 Creative Activity”.)
179
- 180 Y. Service: Contribution to the institution and development of the university, as well as provision of service to local,
181 state, national, or international agency or other organization in need of the faculty member’s professional
182 expertise.
183

- 184 Z. Supporting Documents: Material available to the Promotion and Tenure Committee in the Documentation File
 185 that serves to further support, explain, or clarify the Core Document.
 186
- 187 AA. Tenure: Continuous contract granted after a probationary period to a faculty member candidate that gives
 188 protection from dismissal without due process; the primary purpose of tenure is to protect academic freedom and
 189 offer economic security.
 190
- 191 BB. Tenure Home: The Principle Unit where tenure and rank resides or will reside.
 192
- 193 CC. Tenure-Track Faculty: A faculty member in their pre-tenure probationary period, eligible for tenure but who has
 194 not yet been granted tenure, sometimes also referred to as “candidate” (as are faculty members seeking
 195 promotion).
 196
- 197 DD. Tenured Faculty: A faculty member who has been awarded tenure by the executive vice president and provost.
 198

199 **PART 3: IMPLEMENTATION OF 2017 REVISED RULES; PRINCIPAL UNIT COORDINATION;**
 200 **PERIODIC RULES REVIEW**

201 The revised NMSU Rules on Faculty Evaluation, Promotion, and Tenure will become effective August 13, 2018.
 202 Prior to this effective date, each Principal Unit must update its promotion and tenure policies and forms consistent
 203 with Rules 5.85 through 5.90. At the discretion of the executive vice president and provost, the deadline for the NMSU
 204 Rules on Faculty Evaluation, Promotion and Tenure may be extended pending completion of the Principal Units’
 205 Promotion and Tenure Policies.

206 **5.86 - Annual Performance Evaluation -Regular Faculty**

207 **PART 1: PURPOSE**

208
 209 This Rule affirms that the regular faculty are to be evaluated based on their performance in the Four Areas of Faculty
 210 Effort (*See* Part 3 below), and in accordance with their respective assigned workload’s Allocation of Effort. (*See Also*
 211 the Professorial Ranks, Rule 5.88) This Rule also provides guiding principles (Part 2), the elements required to be in
 212 each Principal Unit’s Performance Evaluation policies (Part 4), and procedural guidelines relating to annual
 213 performance evaluation of the regular faculty (Part 5). (*See Also* Rule 5.45 - Department Head - Review, Rule 5.35 -
 214 Deans- Review, and 5.15.40 Appointments - Nontenure-Track.)
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218 **PART 2: GUIDING PRINCIPLES RELATING TO ANNUAL PERFORMANCE EVALUATION** (*See Also*
 219 Rule 5.20.20 - Assignments - Teaching Workload)
 220

- 221 A. Service to Mission: The amount of effort that faculty members regardless of rank or position devote to the various
 222 aspects of their duties necessarily varies, and any promotion and tenure process will recognize these variations.
 223 A successful process considers whether the faculty member is effectively serving the mission of the university,
 224 as defined by a department’s criteria and the individual’s agreed upon goals and objectives. This means, for
 225 example, that the efforts of a faculty member made in response to administrators or committees are taken into
 226 account during promotion and tenure evaluation.
 227
- 228 B. Consideration for Variance in Duties: The efforts of two faculty members may vary at the same points in their
 229 careers according to their particular strengths and department needs. Faculty assignments in different departments
 230 will also vary. For example, a department or program must not impose similar expectations for scholarship and
 231 creative activity, service, extension, or outreach from a faculty member teaching one class a semester as from
 232 another faculty member teaching three classes a semester or several large lecture classes.
 233
- 234 C. Equitable Treatment: In order to ensure equitable treatment, every faculty member will complete an Allocation
 235 of Effort statement (*See* Part 4. B.1 below) as part of the Annual Performance Evaluation process. When
 236 determining the Allocation of Effort, decisions must be made without regard to race, national origin, gender,
 237 gender identity, age, disability, political beliefs, religion, marital status, sexual orientation, special friendships, or
 238 animus towards candidates. Further, for the Allocation of Effort statement to be accurate and useful,
 239 administrators at all levels must understand and take an active role in avoiding institutional factors that could
 240 produce an undue burden on untenured faculty members.
 241

242 **PART 3: THE FOUR AREAS OF FACULTY EFFORT: TEACHING AND ADVISING, SCHOLARSHIP**
 243 **AND CREATIVE ACTIVITY, EXTENSION AND OUTREACH, AND SERVICE**
 244

- 245 A. Evaluation Emphasizes Four Areas of Faculty Effort: Serious attention must be given to performance in the Four
246 Areas of Faculty Effort: teaching and advising, scholarship and creative activity, service, and extension and
247 outreach. The relative importance of each of these areas varies according to the cumulative Allocation of Effort
248 statements. Each area is vital to the university's ability to achieve its mission, and the performance of a faculty
249 member will be viewed as an indication of future contributions.
250
- 251 B. Leadership May Be Considered in Each Area of Faculty Effort: While a faculty member's performance must be
252 evaluated through their contributions to the Four Areas of Faculty Effort, leadership is an important component.
253 Leadership must not be considered as a separate area to be evaluated. Rather, when applicable, its value should
254 be considered in how they affect performance in one or more of the Four Areas of Faculty Effort.
255
- 256 C. Teaching and Advising:
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- 258 1. Description of Teaching and Advising Activities:
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- 260 a. Elements of Teaching as Essential Criterion: Teaching is central to NMSU's mission. For those who
261 teach, effectiveness in teaching and advising is an essential criterion for tenure and for advancement in
262 rank. The teaching and advising category includes all forms of university-level instructional activity, as
263 well as advising undergraduate and graduate students, both within and outside the university community.
264 Such activities are commonly characterized by the dissemination of knowledge within a faculty
265 member's area of expertise; skill in stimulating students to think critically and to apply knowledge to
266 human problems; the integration and application of relevant domestic and international, social, political,
267 economic, and ethical implications into class content; the preparation of students for careers in specific
268 fields of study; and the creation and supervision of appropriate field or clinical practica.
269
- 270 b. Responsibilities of Teaching and Advising: Teaching and advising responsibilities may include, but are
271 not limited to, preparation for and teaching of a variety of courses, seminars, and other academic learning
272 experiences; non-credit workshops and informal instructional activities; course and program
273 development; team or collaborative teaching; web-based instruction, both on and off campus;
274 supervision of student research, performances, or productions; service on graduate student program and
275 research committees; field supervision and administration of field or clinical experiences; production of
276 course materials, textbooks, web pages and other electronic aids to learning; and others.
277
- 278 c. Forms of Faculty Advising: Faculty advising may take the form of assisting undergraduate or graduate
279 students in the selection of courses or careers, assisting learners in educational programs on and off
280 campus, mentoring students, serving as faculty adviser to student groups, research and teaching advising,
281 as well as other forms.
282
- 283 *See Also Rule 5.87, Part 8 (University Library Faculty)*
284
- 285 2. Evaluation Criteria for Teaching and Advising:
286
- 287 a. Evidence to Assess Teaching Effectiveness: Teaching is a complex and multifaceted activity. Therefore,
288 several forms of evidence should be used to assess comprehensively teaching effectiveness. Each form
289 of evidence will be weighted according to appropriate to its importance in evaluating teaching. Such
290 documentation must demonstrate command of subject matter, the ability to organize material and convey
291 it effectively to students, and assessment of student learning. It may also demonstrate revision and
292 updates of curricula, and the integration of scholarship (for faculty who produce scholarship) and service
293 with teaching. Materials appropriate for evaluating teaching should include: (a) evidence from the
294 instructor, (b) evidence from other professionals, (c) evidence from students, and (d) evidence of student
295 learning. It is not necessary for all four types of evidence to be used, but in accordance with state law, at
296 a minimum, student evaluations and one other form of evidence must be used.
297
- 298 b. Principal Units to Develop Guidelines: Each Principle Unit is to create clear guidelines for its teaching
299 faculty that define teaching responsibilities and specify required evidence documenting teaching
300 effectiveness. Specific data to be included in the evaluation packet will be determined by each Principle
301 Unit.
302
- 303 c. Evaluation of Advising: For evaluation promotion and tenure considerations, performance in such
304 activities must be documented and evaluated. Each Principle Unit is to create clear guidelines regarding
305 the responsibilities and documentation requirements for its faculty who advise or mentor.
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307 D. Scholarship and Creative Activity:

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1. Description of Scholarly and Creative Activities:

a. Rationale: This understanding is grounded in Boyer’s concept of the four scholarships:

- i. The scholarship of discovery involves processes, outcomes, and the passionate commitment of the professoriate and others in the university to disciplined inquiry and exploration in the development of knowledge and skills;
- ii. The scholarship of teaching involves dynamic, reciprocal, and critically reflective processes among teachers and learners at the university and in the community in which their activity and interaction enriches and transforms knowledge and skills, taught and learned;
- iii. The scholarship of engagement refers to the many and varied ways to responsibly offer and employ knowledge and skills to matters of consequence to the university and the community; and
- iv. The scholarship of integration is the process by which knowledge and skills are assessed, interpreted, and applied in new and creative ways to produce new, richer, and more comprehensive, insights, understanding, and outcomes. *Boyer, Ernest L. (1990).*

Scholarship reconsidered: Priorities of the Professoriate. New York: Carnegie Foundation for the Advancement of Teaching.

b. NMSU Definition of Scholarship and Creative Activity: Products developed through these processes, are typically public, open to peer review, and available for use by others, but may also include classified projects, protected intellectual property or other confidential materials. Scholarship and creative activity can take many forms, including but not limited to refereed publications and patented intellectual property. At NMSU’s community colleges, scholarship and creative activity includes scholarship that is also evidenced by professional development activities that disseminate knowledge to the college’s learning communities.

c. Acknowledgement of Land Grant Mission: This definition reflects the university’s mission as the state’s land-grant university, serving the needs of New Mexico’s diverse population through comprehensive programs of teaching and advising, scholarship and creative activity, extension and outreach, and service. It addresses the breadth and diversity of scholarly and creative activity among faculty, staff, and students through which this mission is fulfilled.

2. Evaluation Criteria for Scholarship and Creative Activity: All scholarly activity and outcomes, regardless of funding source, must consider the following criteria adapted from Diamond:

- a. The activity’s purposes, goals, and objectives are clear. The objectives are realistic and achievable. It addresses important questions in the field.
- b. The activity reveals a high level of discipline-related expertise. The scholar brings to the activity a high level of relevant knowledge, skills, artistry, and reflective understanding.
- c. Appropriate methods are used for the activity, including principles of honesty, integrity, and objectivity. The methods have been chosen wisely, and applied effectively. It allows for replication or elaboration.
- d. The activity achieves its goals and its outcomes have significant impact. It adds consequentially to the field. It breaks new ground or is innovative. It leads to further exploration or new avenues for exploration for the scholar and for others.
- e. The activity and outcomes have been presented appropriately and effectively to its various audiences.
- f. The activity and outcomes are judged meritorious and significant by one’s peers.
- g. The scholar has critically evaluated the activity and outcomes and has assessed the impact and implications on the greater community, the community of scholars and on one’s own work. The scholar uses this assessment to improve, extend, revise, and integrate subsequent work.

Diamond, Robert M. (2002). Serving on promotion, tenure, and faculty review committees: A faculty guide, 2nd ed. Bolton, MA: Ankar Publishing.

E. Extension and Outreach:

1. Description of Extension and Outreach Activities:

a. The central role of extension and outreach is recognized in that several Principle Units are dedicated to these functions. There are also numerous faculty members in other units for whom extension and outreach are major components of their duties.

- 369 b. Collaborative Effort: Extension and outreach work is collaborative by nature. Faculty should provide
370 evidence of collaboration with whomever necessary to identify local needs, garner resources, discover
371 and adapt new knowledge, design and deliver programs, assess clientele skill changes, and communicate
372 program results. Collaborative effort should also include networking with other university faculty in
373 identified areas of program discovery, development, and delivery, including applications to teaching and
374 advising where appropriate.
375
- 376 2. Evaluation Criteria for Extension and Outreach: Faculty must provide evidence of the collaborative and other
377 efforts to receive recognition in this Area of Faculty Effort.
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- 379 a. The documentation should provide evidence that the work is:
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- 381 i. creative and intellectual;
 - 382 ii. communicated to stakeholders; and
 - 383 iii. have a beneficial effect on stakeholders and the region.
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- 385 b. Components of extension include:
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- 387 i. developing programs based on locally identified needs, concerns, and/or issues; targeting specific
388 audiences;
 - 389 ii. setting goals and objectives for the program;
 - 390 iii. reviewing current literature and/or research for the program;
 - 391 iv. planning appropriate program delivery;
 - 392 v. documenting changes in clientele knowledge, behaviors, attitudes, and/or skills;
 - 393 vi. conducting a reflective critique and/or evaluation of the program;
 - 394 vii. validation of the program by peers and/or stakeholders; and
 - 395 viii. communicating results to stakeholders and decision makers.
396
- 397 F. Service:
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- 399 1. Description of Service Activities: Service is an essential component of the university's mission and requires
400 the faculty member to contribute to the organization and development of the university, as well as to provide
401 service to local, state, national, or international agencies, organizations or institutions which may benefit
402 from the faculty member's professional knowledge and skills.
403
- 404 2. Evaluation Criteria for Service Activities: The type and amount of service that a faculty member performs
405 should be determined in consultation with the appropriate administrator(s). All relevant activities in which
406 a faculty member participates should receive appropriate consideration for promotion and tenure decisions.
407 Service contributions should be evaluated based on how they are applied and how they draw upon the
408 professional expertise of the faculty member.
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410 **PART 4: REQUIREMENTS FOR PRINCIPAL UNITS' EVALUATION POLICIES**

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412 A. Policies: Performance evaluation policies of the Principle Units must:

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- 414 1. State that Performance Evaluations are conducted annually.
415
- 416 2. Include a timeline consistent with the timeline for promotion and for tenure as described in Rule 5.90 Part P
417 "University Timeline for Promotion and Tenure."
418
- 419 3. Require that each faculty member meet with their department head or comparable administrator annually
420 regarding progress toward promotion and tenure as appropriate, the recording of objectives and goals, and
421 the department faculty evaluation format.
422
- 423 4. Describe the process for the faculty member to submit a written statement in response to the annual
424 performance evaluations.
425
- 426 5. Outline process for transmitting the performance evaluation, along with any supporting material, from the
427 faculty member to the faculty member's department head.
428
- 429 6. Describe a process for transmitting a written copy of the department head review to the individual being
430 reviewed and, along with the faculty member's written statement, if any, to the dean or equivalent

- 431 administrator.
- 432
- 433 7. Include a certification from the department head indicating that the Annual Performance Evaluation
- 434 meeting with the faculty member occurred. The performance evaluation will not be considered final until
- 435 the meeting has occurred and been documented, typically by the signatures of the Department Head and the
- 436 faculty member.
- 437
- 438 B. Performance Evaluation Forms: Performance evaluation forms in the Principle Units must include the
- 439 following elements:
- 440
- 441 1. Allocation of Effort Statement:
- 442
- 443 a. Use of Allocation of Effort Statement: Each college shall develop and use an Allocation of Effort
- 444 statement as specified here and in ARP Rule 5.20. These statements shall also be a part of the
- 445 candidate/faculty member's tenure and/or promotion Portfolio, and all aspects of the agreed upon
- 446 efforts shall be factored into the recommendation made at each step of the process.
- 447
- 448 b. The allocation percentages will be negotiated by the faculty member and the department head in
- 449 alignment with the departmental workload policy and policy 5.20, and will be approved annually by the
- 450 faculty member's department head and dean. If agreement cannot be reached, the dean or
- 451 equivalent administrator may assign the Allocation of Effort, and the faculty member may appeal
- 452 through existing university procedures.
- 453
- 454 c. The Allocation of Effort statement and assigned percentages may be altered during the year with the
- 455 mutual agreement of the faculty member, department head, and dean to reflect changing
- 456 circumstances, such as service on a particularly time-consuming committee or grant, time for
- 457 scholarship and creative activity, emergency teaching and advising assignments, etc.
- 458
- 459 d. At the minimum, the Allocation of Effort statement will contain the following elements:
- 460
- 461 i. Percentage of effort to be devoted to the Four Areas of Faculty Effort. The total percentage shall
- 462 be 100%, but any category may be zero percent.
- 463 ii. A statement of what the Principle Unit considers a full teaching and advising load.
- 464 iii. If the Principle Unit utilizes a weighting, ranking, or scoring system, the value assigned to each
- 465 category must be indicated. The values must be calculated proportionately to the faculty
- 466 member's Allocation of Effort.
- 467
- 468 2. Current Position Description.
- 469
- 470 3. Submission from Faculty Member: A written section submitted by the faculty member detailing and citing
- 471 accomplishments in relation to the Four Areas of Faculty Effort.
- 472
- 473 4. Written Review by Department Head: A written review from the department head including specific
- 474 commendations, concerns, and recommendations in each of the areas of performance, as well as separate
- 475 comments about progress toward promotion and tenure.
- 476

477 **PART 5: PROCEDURAL GUIDELINES FOR ANNUAL PERFORMANCE EVALUATION**

- 478
- 479 A. The performance of each regular faculty member, including College Faculty, Research Faculty, and library
- 480 faculty, must be reviewed at least once a year. The Annual Performance Evaluation provides documentation of
- 481 expectations and a record of faculty performance relative to stated expectations in Allocation of Effort documents.
- 482
- 483 B. Each college and community college determines and uses its own performance evaluation form (*See* Part 4.B.
- 484 above, "Performance Evaluation Forms"). Early in each fall semester the department head supplies each faculty
- 485 member with a form. At this time the department head confers with new faculty members concerning the
- 486 recording of objectives and goals and the general use of the form. In the case of continuing faculty members, the
- 487 department head or faculty may request a conference for the purpose of revising or updating objectives previously
- 488 agreed upon. Department heads will share the above agreements in writing with the faculty member.
- 489
- 490 C. Department heads are expected to meet with all new faculty members regarding progress toward promotion and
- 491 tenure and to certify in writing to the appropriate dean that these meetings have occurred. Returning faculty
- 492 members or their department heads may request an annual meeting regarding progress toward promotion and

493 tenure. Specific evaluative comments in each of the three areas of performance are required, as well as separate
494 comments about progress toward tenure and toward promotion.

- 495
- 496 D. Each faculty member completes a written form or digital database detailing and citing accomplishments in Four
497 Areas of Faculty Effort, of teaching, research and/or creative scholarship, service, and extension and outreach
498 during the performance evaluation period. The type, method of collection, and disposition of evidence regarding
499 effectiveness of teaching is of particular importance, and faculty should consult their with department head
500 concerning collection of this evidence. The performance evaluation form, along with any supplemental material,
501 is submitted by each faculty member to the faculty member's department head.
- 502
- 503 E. The department head reviews the faculty performance forms, prepares a written evaluation based upon
504 accomplishments reported as compared with previously set goals and objectives (a copy of this report will be
505 shared with the faculty member), and confers with appropriate deans on the written recommendation and the
506 prepared summary to be discussed with the faculty member. Following the conference with the dean, the
507 department head meets with the faculty member to discuss all aspects of the performance evaluation, addressing
508 separately the person's progress toward promotion, progress toward tenure, strengths, and weaknesses. This
509 conference also serves to set goals and objectives for the ensuing year. These goals and objectives will be placed
510 in writing, with a copy to the faculty member. At community colleges with program coordinators, the coordinator
511 performs the duties of a department head in the evaluation process.
- 512
- 513 F. Department heads, along with departmental promotion and tenure committees, college dean, and college
514 promotion and tenure committees formulate independent recommendations where appropriate regarding
515 evaluation on the basis of policies stated in this manual. These are communicated to the Executive Vice President
516 and Provost.
- 517
- 518 G. Each college generates its own time schedule for accomplishing the above items within the parameters of the
519 university calendar.

522 **5.87 - Purpose and Guiding Principles Relating to Promotion and Tenure**

524 **PART 1: PURPOSE**

525 Promotion and tenure decisions are the means by which NMSU rewards and retains its most valued scholars, sustains
526 excellence in its instructional disciplines, and fulfills its mission to advance knowledge. The quality of faculty
527 accomplishments in teaching and advising, scholarship and creative activity, extension and outreach, and service,
528 (collectively referred to as the Four Areas of Faculty Effort), largely determines the quality of the university as a
529 whole. The processes involved in promotion and tenure must be fair, transparent, and participatory. For additional
530 rules and principles relating to promotion and tenure, *See* Cross References listed in the box at end of this Rule.

532 **PART 2: NATURE OF PROMOTION AND TENURE REVIEWS**

- 533
- 534 A. The integrity of the promotion and tenure processes relies upon consultation by and between groups and
535 individuals with successively broader views of the mission of the university, participation by the involved faculty
536 member, who has an opportunity to seek redress for perceived violations of policy or procedure which might
537 unfairly affect the outcome. (*See* Rule 5.89, Part 1 - Principal Unit Committees; Rule 5.90, Part 5, Roles and
538 Responsibilities in Promotion and Tenure Reviews and Part 9, Right to Seek Redress for Violation of Faculty
539 Evaluation, Promotion and Tenure rules.) In order to achieve fairness, transparency, and broad-based
540 participation, all of the parties must base decisions on the documentation described in the NMSU Rules on Faculty
541 Evaluation, Promotion and Tenure.
- 542
- 543 B. The NMSU Rules on Faculty Evaluation, Promotion and Tenure are based in large part on the four types of
544 scholarship defined by Ernest L. Boyer¹, namely, the scholarships of discovery, of teaching, of integration, and
545 of engagement. At NMSU, Boyer's definition of scholarship has been broadened to reflect the changing roles of
546 faculty members in teaching and advising, scholarship and creative activity, extension and outreach, and service.
547 *See* [Rule 5.86 Part 3.D. \(Scholarship and Creative Activity\)](#)
- 548

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

- 549 C. Applicants for tenure or promotion must be reviewed on their performance of the duties assigned to them,
550 following agreed-upon allocations of effort. (See Rule 5.86 Part 2; Rule 5.20.20 - Assignments - Teaching Load)
551

552 **PART 3: FACULTY PARTICPATION**

553 The selection and retention of faculty members are of utmost importance to the quality of the university, the
554 achievement of university goals, and the future of the institution. In order to ensure a fair process for recognition of
555 excellent faculty, it shall be the policy of the university to allow faculty members to vote on the promotion or tenure
556 of departmental colleagues, exercising collegial judgment based on criteria established for promotion and tenure by
557 the Principal Units and consistent with the NMSU Rules on Faculty Evaluation, Promotion and Tenure.
558

559 **PART 4: TRANSPARENCY OF PROCESS**

560 Faculty members are entitled to know what is expected of them, how they will be evaluated, and the rules of each
561 applicable process.
562

- 563 A. Promotion and Tenure Information to be Provided to Eligible Faculty: Upon hiring of a regular faculty member,
564 the department head or head of the Principle Unit, will provide the faculty member with electronic copies of
565 applicable promotion and tenure policies, including departmental, college (or comparable equivalent) and
566 university. The department head, or head of the Principle Unit, will provide, electronically, a similar packet of
567 materials to faculty members eligible to be considered for promotion and/or tenure during the spring semester
568 prior the academic year in which the application for promotion and/or tenure will be made.
569
- 570 B. Notice of Principal Unit Functions and Criteria Statement or Equivalent: Each departmental Principal Unit shall
571 post on its website its current statement of goals, objectives, and expectations as these relate to promotion and
572 tenure (sometimes called a functions and criteria statement). These shall be agreed upon by the faculty in each
573 department and approved by the responsible dean or comparable administrator.
574
- 575 C. Notice of Principal Unit Promotion and Tenure Policies and Procedures: Each Principal Unit shall post on its
576 website its written promotion and tenure policy document, which must be in alignment with the NMSU Rules on
577 Faculty Evaluation, Promotion and Tenure. In addition, they must post the link to the Office of the Provost's
578 website.
579
- 580 D. Notice of NMSU Rules on Faculty Evaluation, Promotion and Tenure: The Office of the Executive Vice President
581 and Provost will post the current and previous editions of the NMSU Rules on Faculty Evaluation, Promotion and
582 Tenure on its website. It will also post other relevant information pertaining to the annual promotion and tenure
583 review processes, including but not limited to forms, to explain and facilitate the process for candidates and
584 academic administrators alike.
585

586 **PART 5: AVOIDANCE OF CONFLICT OF INTEREST**

587 University faculty and academic administrators involved in the review and recommendation or decision making
588 processes relating to an application for promotion or tenure shall not have any conflict of interest that would render
589 them unable to perform their duties in a fair, impartial and equitable manner. See Also Rules 3.19 - Conflicts of
590 Interest - Ethical Conduct; 3.20 - Conflicts of Interest and Conflicts of Commitment in General; and 3.22 - Conflicts
591 of Interest Arising from Consensual Relationships; and 3.25 - Discrimination, Harassment and Sexual Misconduct on
592 Campus.
593

594 **PART 6: STATEMENT ON VALUE OF DIVERSITY; COMMITMENT AGAINST DISCRIMINATION**

595 NMSU values the richness that inquiry based upon intellectual and cultural differences brings to the university
596 community. NMSU administrators recognize that all employment decisions must be made without regard to race,
597 national origin, gender, gender identity, age, disability, political beliefs, religion, marital status, sexual orientation,
598 special friendships, or animus towards candidates, taking care to avoid conflicts of interest, structural, institutional, or
599 habitual thoughts and patterns that could lead to disparate treatment, including prohibited discrimination and undue
600 preferential treatment. (See Also Rule 3.19 - Conflicts of Interest - Ethical Conduct; Rule 3.22 - Conflicts of Interest
601 Arising from Consensual Relationships and Rule 3.25 - Discrimination, Harassment and Sexual Misconduct on
602 Campus)
603

604 **PART 7: COMMUNITY COLLEGES**

605
606 The mission of the NMSU community colleges is to provide open access to quality education and support economic
607 and cultural life in prescribed service areas. Community colleges provide traditional liberal arts education, vocational
608 and technical training, contract training, community interest classes, and developmental education. Every effort is
609 made to keep programs and curricula flexible, in order to accommodate varied and expanding community educational
610 needs. Since the community college's primary role is the dissemination of information, more emphasis is placed on

611 teaching and advising, in the evaluation process. Due to their size, the organizational structure for tenure review at
612 the Alamogordo, Carlsbad, and Grants campuses consists of one tenure committee instead of two. (*See* Rule 5.89,
613 Part 1 below)

614
615 **PART 8: UNIVERSITY LIBRARY FACULTY**
616

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

622
623 **PART 9: COLLEGE AND RESEARCH FACULTY**
624

625 College and Research faculty may hold ranks as described in Rule 5.88 and are eligible to be considered for promotion.
626 The distinct roles of the College and Research Faculty should be recognized in the promotion process, and the
627 standards and criteria for promotion should be appropriately adjusted. Committees for promotion of College and
628 Research Faculty must include college faculty representation. (*See* Rule 5.89, Part 1 C. (College Faculty
629 Representation))
630

631
632 **Rule 5.88 - The Professorial Ranks**
633

634 College and Research Faculty will be eligible to be considered for advancement in rank, but are not eligible for
635 consideration for tenure. Generalized descriptions of the professorial ranks as they relate to the promotion and tenure
636 time table are described below. (*See* Rules 5.86, Part 3 and 5.87, Part 2 for standards and evaluation criteria)
637

638 **PART 1: INSTRUCTOR**
639

- 640 A. Demonstrates expertise within their discipline through practical, applied, and/or related experience.
641
642 B. Individuals new to this rank may not have demonstrated ability to conduct independent scholarship and creative
643 activity, but there must be substantive evidence of likely success at university teaching or its equivalent.
644
645 C. Instructors may be working toward a terminal degree.
646
647 D. An instructor's job description primarily relates to teaching or its equivalent and usually does not include
648 scholarship and creative activity.
649
650 E. An instructor is not eligible for tenure.

651
652 **PART 2: ASSISTANT PROFESSOR**
653

- 654 A. Tenure-Track Assistant professors normally holds the highest terminal degree in their field of expertise.
655
656 B. Outstanding experience and recognition in a professional field may be considered the equivalent of the terminal
657 degree.
658
659 C. An assistant professor is expected to have a thorough command of the subject matter of some segment of the
660 discipline, in addition to a comprehension of the whole.
661
662 D. Assistant professors are Tenure-Track Faculty members hired on a yearly, renewable contract for a maximum of
663 seven years.
664
665 E. During the sixth year, assistant professors typically are evaluated for promotion and tenure simultaneously, having
666 submitted their Portfolio at the beginning of that year.
667
668 F. However, an assistant professor may elect to apply for tenure or promotion at any time with the written approval
669 of department head and dean or their equivalents.
670
671 G. A faculty member may only apply for tenure once.

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PART 3: ASSOCIATE PROFESSOR

- A. An associate professor is often a mid-career faculty member who has been awarded tenure.
- B. 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.
- C. Once tenured, associate professors may hold this rank indefinitely or apply for promotion.
- D. 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.
- E. In accordance with the Principal Unit’s timelines, a faculty member may present a promotion Portfolio in any given year.
- F. An associate professor must demonstrate competence, continuous progress, and a command over a large part of the academic field.
- G. It is expected that evidence showing high quality of teaching and advising, scholarship and creative activity and/or extension and outreach or service has been provided and is current.

PART 4: PROFESSOR

- A. A professor, sometimes referred to as a “full professor,” has established disciplinary, intellectual, and institutional leadership.
- B. The professor demonstrates command of the disciplinary field as evidenced by teaching and advising, scholarship and creative activity, extension and outreach, and service.
- C. Faculty members initially hired at the rank of professor are often awarded service credit or awarded tenure on appointment.

Rule 5.89 - Promotion and Tenure Committees; Common Elements Required in the Principal Unit Policies

PART 1: PRINCIPAL UNIT COMMITTEES

- A. Department Promotion and Tenure Committees: At NMSU-Las Cruces, each academic department or unit utilize a department promotion and tenure committee. At the Doña Ana Community College, divisions are treated as equivalent to departments for this rule and therefore its “department promotion and tenure committees” are elected from the regular faculty from each division.
- B. College Promotion and Tenure Committee: Each college at the NMSU-Las Cruces campus will utilize a college promotion and tenure committee, consisting of elected faculty members. The community colleges other than Doña Ana Community College, NMSU- Alamogordo, NMSU- Carlsbad and NMSU- Grants, and the University Library utilize only one promotion and tenure committee which functions as a college promotion and tenure committee.
- C. College Faculty Representation: Principal Unit Committees considering the promotion of College and Research Faculty must include college faculty representation of at least one college faculty member. (*See Also* Rule 5.87, Part 9)

PART 2: PRINCIPAL UNIT POLICIES

- A. Department Promotion and Tenure Policy: Each NMSU-Las Cruces department or DACC division shall have a written policy for promotion and for tenure referred to as a Department Promotion and Tenure policy. The Department Promotion and Tenure policies shall include criteria and procedures for promotion and tenure, developed collaboratively by the faculty and department/division head, and approved by the college dean or community college Associate Vice President for Academic Affairs, as appropriate. The Department Promotion

733 and Tenure Policy shall be consistent with their respective college or community college criteria and procedures
734 for promotion and tenure. It shall also be consistent with the NMSU Rules on Faculty Evaluation, Promotion,
735 and Tenure, Rules 5.85-5.91.

736
737 B. College Promotion and Tenure Policy: Each college, community college and the University Library must have a
738 written policy for promotion and for tenure, developed collaboratively by the tenure and Tenure-Track Faculty
739 and college academic administration, and approved by the executive vice president and provost. The college
740 promotion and tenure policies must be consistent with the NMSU Rules on Faculty Evaluation, Promotion, and
741 Tenure (Rules 5.85-5.91).

742
743 C. Development of Promotion Procedures: Colleges must develop specific promotion procedures for their College
744 and Research Faculty. The protections for College and Research Faculty must be the same as those given Tenure-
745 Track Faculty and tenured faculty in [Rule 5.85 “Performance Evaluations”](#) and Rule 5.89 - Promotion and Tenure
746 Committees; Common Elements for Promotion and Tenure Policies.

747
748 **PART 3: COMMON ELEMENTS FOR PRINCIPAL UNITS’ PROMOTION AND TENURE POLICIES**
749

750 To facilitate consistency with the NMSU Rules on Faculty Evaluation, Promotion, and Tenure (Rules 5.85-5.91), each
751 department and college promotion and tenure policy must contain the following:

752
753 A. A statement that university policies regarding promotion and tenure supersede department and college policies.

754
755 B. Statements describing the criteria for promotion and tenure consistent with performance evaluation criteria. (See
756 Rule 5.85-Faculty Annual Performance Evaluation).

757
758 C. A provision permitting a candidate to temporarily suspend the promotion and tenure time process in accordance
759 with the procedure provided in Rule 5.90 - Procedures and Timelines for Promotion and Tenure.

760
761 D. A statement regarding confidentiality of records and all committee procedures, including the manner in which
762 confidentiality is ensured. Exceptions must be clearly indicated.

763
764 E. A commitment to review for potential update the Principle Units’ respective policies and procedures for
765 evaluation, promotion and tenure, including but not limited to those occasions when the NMSU Rules on Faculty
766 Evaluation, Promotion and Tenure are amended, to maintain consistency. A standing committee of the Faculty
767 Senate will review the NMSU Rules on Faculty Evaluation, Promotion, and Tenure. College rules and procedures
768 for promotion and tenure will be reviewed by a college committee which will include Faculty Senators.
769 Department rules and procedure for evaluation, promotion and tenure will be reviewed by a departmental
770 committee including faculty from the department and the department head.

771
772 F. A statement to the effect that if the NMSU Rules on Faculty Evaluation, Promotion, and Tenure (Rules 5.85-5.91)
773 should change during a faculty member’s pre-tenure or pre-promotion period, the faculty member may elect
774 whether to be evaluated by the former Rule or the revised Rule, and this election shall be documented in writing
775 to clearly specify which standards, criteria, etc will be applied in accordance with the faculty member’s election.

776
777 G. A procedure for the conduct of a Mid-Probationary Review. Faculty who choose to participate in the review
778 process must submit their Portfolio to their department head by mid-January. The Portfolio shall be prepared in
779 accordance with Rule 5.90, Part 6 (Portfolio Preparation) and be reviewed by the department promotion and
780 tenure committee, the department head, and the college promotion and tenure committee. The college committee
781 will provide to the department head and faculty member a written formative evaluation of progress. The review
782 is conducted in accordance with the Principle Unit’s promotion and tenure policy. (See Rule 5.90, Part 3 (Mid-
783 Probationary Review)

784
785 H. A procedure for electing the college promotion and tenure committee. All tenure and Tenure-Track Faculty are
786 eligible to vote during the election. When colleges choose to include college faculty on this committee, college
787 faculty are eligible to vote for college faculty membership on the college committee.

788
789 I. Procedure for selecting members of the department promotion and tenure committee.

790
791 J. Definition of eligibility for serving on the promotion and tenure committees. Only tenured faculty members are
792 eligible to vote for tenure and promotion. College-track faculty who serve on the college committee are eligible
793 to vote on promotion of college-track faculty. In instances of promotion, committee members must hold a rank at
794 least equal to the rank for which the candidate is applying.

- 795
796 K. Provisions for term limits if desired for serving on the department promotion and tenure committee.
797
798 L. Provisions for term limits for serving on the college promotion and tenure committee are required, except at the
799 Alamogordo, Carlsbad, and Grants community colleges.
800
801 M. The provision that in no case will a promotion and tenure committee be comprised of fewer than three eligible
802 members.
803
804 N. A provision for addressing cases where there are inadequate numbers of eligible faculty to constitute a committee.
805 The department and/or the college promotion and tenure committees may have members from outside the
806 department.
807
808 O. The provision that the dean, department head, or comparable administrator may meet with the Principle Units'
809 promotion and tenure committees to discuss procedural matters.
810
811 P. The provision that the deliberations and voting of promotion and tenure committees will be conducted in closed
812 session only among committee members. Committee members can attend sessions by a confidential electronic
813 method with permission of the committee chair. Committee members must take part in the deliberations in order
814 to vote.
815
816 Q. A method for surveying the committees' recommendations regarding each candidate(s) via secret written ballot.
817 Committee members may vote in person, or by an appropriate confidential electronic method with the permission
818 of the committee chair. Absentia and proxy ballots are not permitted. All vote counts must be recorded.
819
820 R. A method for the Principle Units' promotion and tenure committees to submit a letter summarizing its
821 recommendations and the numerical vote count on each candidate to the department head and college dean or
822 comparable administrator. The recommendation must:
823
824 1. Reflect the majority view.
825
826 2. Contain specific commendations, concerns, and recommendations addressing the department's criteria in
827 each of the areas required for promotion and tenure.
828
829 3. Allow for dissenting opinions containing specific commendations, concerns, and recommendations
830 addressing the criteria in each of the areas required for promotion and tenure.
831
832 S. A method for informing each candidate in writing of the Principle Units' recommendations and numerical vote
833 count, the department head's letter, and/or the dean's or comparable administrator's letter.
834
835 T. The provision that a candidate may withdraw from further consideration in accordance with 5.90.5.6 Withdrawal
836 of Rights and Procedures.
837
838 U. Guidelines for preparing the Portfolio. (*See* Rule 5.90, Part 6, Portfolio Preparation) The parties shall refer to
839 the individual college policies for additional guidelines.
840
841 V. A mechanism to provide candidates with sample Portfolios. If the Portfolios of actual persons are used, written
842 permission must be obtained from the owner of the Portfolio.
843
844 W. A procedure for indicating how and when a candidate may change, add, or delete materials from the Portfolio
845 after the Portfolio is submitted to the committee for review.
846
847 X. A statement regarding the location where the Documentation File will be stored and accessed for review.
848
849 Y. A procedure for indicating how and when evaluators may request additional information. All requests must be
850 made in writing and transmitted to the candidate.
851
852 Z. A procedure allowing the candidate to review all items included in the Portfolio assembled prior to the review by
853 appropriate committees, administrators, and/or External Reviewers.
854
855 AA. A procedure for soliciting external letters of review which incorporates the following:
856

- 857 1. The number of letters that shall be solicited for each candidate. At least three letters should be included in a
858 tenure or promotion Portfolio.
859
- 860 2. Specifications regarding how the letters will be placed into the candidate’s Portfolio. The department head
861 will contact reviewers to solicit the letters.
862
- 863 3. Specifications regarding how much and what type of material is supplied to reviewers. The department
864 and/or college policies and criteria for tenure and promotion must be provided to reviewers.
865
- 866 4. Specifications regarding the criteria for serving as an External Reviewer. A reviewer will be a highly regarded
867 expert in one or more aspects of the candidates work and must be able to offer an objective assessment of the
868 candidate’s work. When a reviewer holds a tenured position, it should be at or above the rank sought by the
869 candidate. Departmental rules and procedures should be precise about who is or is not appropriate to serve
870 as an External Reviewer. It is recommended that a candidate has a diverse set of reviewers to get the most
871 complete picture of the candidate’s performance.
872
- 873 5. Conflicts of interest, either real or perceived, must be avoided when selecting External Reviewers. *See* Rules
874 3.19 through 3.22 relating to Conflicts of Interest and Ethical Conduct for more information.
875
- 876 6. Instructions to Reviewers (authors of external review letters and Letters of Support), including:
877 a. A request for a brief statement regarding the individual’s qualifications for serving as a reviewer.
878 b. A request that the reviewer indicate the relationship between the candidate and reviewer.
879 c. Notification that the candidate will have an opportunity to read the letter of assessment.
880 d. Notification that third parties in the event of an EEOC or other investigation into a tenure or promotion
881 decision may review letters.
882
- 883 7. A statement addressing the role, if any, of unsolicited letters. If a Principle Unit decides to accept unsolicited
884 letters, such letters must be included in the Portfolio prior to review by the Department Promotion and Tenure
885 Committee. If the Principle Unit does not have an explicit statement regarding unsolicited letters, such letters
886 will not be accepted nor included in the Portfolio.
887
- 888 BB. A statement regarding post-tenure review in accordance with the university policy manual [Rule 5.91 “Post Tenure](#)
889 [Review”](#).
890
- 891 CC. Reference to the appeals process as outlined in [Rules 3.25 “Discrimination, Harassment and Sexual Misconduct](#)
892 [on Campus”](#) and [4.05.50 “Faculty Grievance Review and Resolution”](#).
893
- 894 DD. Develop a procedure for reviewing the university’s Conflict of Interest Policy with the promotion and tenure
895 review committee(s).
896

897 **Rule 5.90 - Promotion and Tenure Review Procedural Guidelines and Timeline**

898

899 **PART 1: PRE-TENURE PROBATIONARY PERIOD**

900 Before being considered for tenure at NMSU, eligible faculty members with or without previous experience from
901 other institutions of higher education serve five years of the pre-tenure probationary period prior to applying for tenure
902 during the sixth year of the probationary period. The six year probationary period may be reduced or extended, in
903 accordance with the guidelines in Part 2, and with the proper approvals. The probationary period begins with the first
904 contract for a full academic year. See Also Rule 5.98 - Tenure Track and Tenure.
905

906 **PART 2: FLEXIBILITY IN TENURE-TRACK**

907 This Part describes the circumstances which may justify modification of the six year term of the pre-tenure
908 probationary period.
909

- 910 1. **Credit for Prior Service:** Faculty members with previous teaching and advising, service, extension, outreach,
911 scholarly, and/or administrative experience at another institution may have some or all of that experience taken
912 into consideration on appointment at NMSU, provided that the department head, dean and executive vice-
913 president and provost and faculty appointee agree at the time of the appointment. The details of any agreed upon
914 credit for prior service shall be documented unambiguously in the appointment letter, including but not limited
915 to: the years of prior service being credited, the resulting length of the probationary period, the timing for any
916 Mid-Probationary Review, and the expectation relating to the timing for the tenure application process.

- 917 Dependent upon the nature of the prior experience or the qualifications of the faculty applicant, examples which
918 would justify granting credit for prior service include and are not limited to:
919
- 920 1. When tenure has been granted to a candidate at another institution, tenure may be accorded at the time of
921 initial appointment to the university.
922
 - 923 2. Up to three years of prior probationary service at another institution may count towards the six-year
924 probationary period at NMSU.
925
- 926 B. Extension of the Probationary Period: When requested in writing within one year of the qualifying event by the
927 faculty member, leaves of absence can lead to postponement of the tenure decision date; however, modifications
928 in that date require the recommendation of the department head and dean and the approval of the executive vice-
929 president and provost. Faculty responsibilities may be negotiated when the extension is requested. An extension
930 may be granted up to two times, so long as the total pre-tenure probationary period does not exceed eight years.
931 Exceptions to this limit can be made under extraordinary circumstances if approved by the executive vice-
932 president and provost. Candidates must be held to the same standards of performance when the probationary
933 period has been extended as candidates whose probationary period was not extended. The probationary period
934 may be extended, upon written request, under the following circumstances:
935
- 936 1. Leave of Absence without Pay: Probationary faculty members may request in writing a leave of absence
937 without pay, usually not to exceed one academic or fiscal year. Prior to initiating the leave, affected faculty
938 may request in writing a probation extension of one year.
939
 - 940 2. Military Leave of Absence: Involuntary induction into the armed forces entitles the faculty member to a
941 leave of absence to cover the term of military service. Such leave constitutes valid grounds for requesting
942 an extension of the tenure decision date. Similarly, a faculty member's voluntary participation in a military
943 reserve program may lead to periodic or prolonged absence sufficient to affect the faculty member's
944 performance (e.g., annual active duty training, or active duty training or participation when a reserve unit is
945 called to active duty) that constitutes valid grounds for extension of the tenure decision date.
946
 - 947 3. Medical Leave of Absence: Probationary faculty members with a serious personal illness or providing
948 prolonged, substantive care for a chronically ill family member may request in writing an extension of the
949 tenure decision date, usually for one year.
 - 950 4. Family Leave of Absence or Exceptional Family Responsibilities: Upon written request, probationary faculty
951 members who become parents will receive a one-year automatic extension of the tenure decision date. Such
952 an extension does not require that the faculty member take a leave of absence.
953
 - 954 5. Catastrophic Events: Probationary faculty who have experienced a catastrophic event such as a fire or flood
955 or who must aid family members in such situations may request in writing an extension of the tenure decision
956 date.
957
 - 958 6. Jury Duty: Prolonged jury service, when significantly affecting a faculty member's performance, constitutes
959 a valid reason to petition for extension of the tenure decision date.
960
 - 961 7. Other, as Negotiated: Extensions for other reasons may be negotiated.
962
- 963 C. Faculty Request for Early Tenure Review: A Request for Early Tenure Review is initiated in writing by the
964 faculty member, and requires positive recommendations from the Department Promotion and Tenure Committee
965 (as determined in the review of progress toward promotion and/or tenure), department head, and dean; followed
966 by approval by the Executive Vice President and Provost. If an Early Tenure Review application is not successful,
967 the candidate's contract will not be renewed, consistent with the provisions of [Rule 5.98 - Tenure Track and](#)
968 [Tenure](#).
969
- 970 D. Changes Between Full and Part Time Employment:
971
- 972 1. Tenure track faculty members whose regular appointments are less than 0.50 FTE do not accumulate
973 probationary time toward tenure.
974
 - 975 2. When a full-time, tenure-track position becomes part-time, the time in rank is prorated based on full-time
976 equivalent (FTE). As with full-time faculty, the maximum probationary period for part-time faculty members
977 is the equivalent of six FTE years, with the tenure decision to be made before the end of the six full-time
978 years of service. For example, a tenure-track candidate with a 0.50 FTE appointment must apply for tenure

979 at the end of the 11th year. Part-time Tenure-Track Faculty must be held to the same standards of performance
980 relative to FTE as full-time faculty. If denied tenure, a faculty member on part-time appointment has only
981 one year of continued part-time employment beyond the denial.
982

983 3. When recurring state funding is available, a tenure-track, part-time faculty member may apply for a full-time
984 tenure track position and, if hired, apply earned tenure-track FTE from prior years toward tenure and
985 promotion in the full-time position.
986

987 4. Tenured, full-time faculty members approved to move to part-time status may retain tenure. Retention of
988 tenure in such a case requires the written request of the faculty member, positive recommendations from the
989 department head and dean; followed by approval of the executive vice-president and provost. While this
990 policy encourages departments to accommodate reasonable requests for part-time appointment, part-time
991 appointments are not an entitlement, and requests may be turned down. Pending availability of funding and
992 the approval of the department head, dean and executive vice-president and provost, the faculty member may
993 return later to full-time tenured status.
994

995 **PART 3: MID-PROBATIONARY REVIEW**

996
997 Tenure-track faculty members may request, or individual units may require, a formal Mid-Probationary Review. The
998 Mid-Probationary Review is an opportunity for feedback on the Tenure-Track Faculty member/future candidate's
999 performance and is used to identify specific activities to enhance the candidate's progress toward promotion and
1000 tenure. The review is formative, intended to assist Tenure-Track Faculty in achieving promotion and tenure and
1001 should take into account the allocation of work effort during the three years reviewed and be based upon the Principle
1002 Unit's criteria. The outcome must not be used as a determinant for setting merit pay or for contract continuation
1003 decisions. Principal units should refer to Rule 5.89, Part 3 for additional information
1004

1005 **PART 4: JOINT APPOINTMENT (WITH DUAL PRIMARY RESPONSIBILITIES)**

1006 In appropriate circumstances, a faculty member may be appointed in two departments or in two colleges. The faculty
1007 member seeking a joint appointment must obtain a signed Memorandum of Understanding (MOU) signed by the
1008 department head and dean of each involved unit. The MOU must state the agreement between the involved units in
1009 the following areas:
1010

1011 A. The units involved and the intended tenure home. It must identify the Principle Unit where tenure resides or will
1012 reside if applicable. In joint appointments with centers or institutes, the tenure home must reside in a Principle
1013 Unit. In joint appointments with two or more academic units, one unit must be designated, by mutual agreement,
1014 as the tenure home.
1015

1016 B. Expectations for workload and Allocation of Effort, including specific responsibilities distributed between the
1017 involved units.
1018

1019 C. The term of appointment and any other conditions of employment.
1020

1021 D. Provisions explaining the process for the annual performance evaluation and promotion and tenure reviews,
1022 renewal of the joint appointment, and salary increases. Each unit must provide recommendations in annual,
1023 probationary, tenure, and promotion reviews.
1024

1025 **PART 5: ROLES AND RESPONSIBILITIES IN PROMOTION OR TENURE REVIEWS**

1026 A. Candidate:

1027
1028
1029 1. Maintains a curriculum vitae and a cumulative personal record of the activities and accomplishments
1030 affecting the application for promotion and/or tenure.
1031

1032 2. Reviews the personal Portfolio (organized per Part 12 of this Rule) in relation to the criteria for promotion
1033 and/or tenure and seeks guidance from senior faculty and the department head.
1034

1035 3. In accordance with college procedures, requests and provides materials required in the mid-probationary
1036 period review.
1037

1038 4. Applies for tenure by submitting to the department head in the spring of the candidate's fifth year, or other
1039 time as previously negotiated, their Portfolio including both the Core Document and Documentation File in
1040 the format as specified in Rule 5.90, Part 6. If a faculty member/candidate does not apply for tenure in the

- 1041 fifth year, or extended year as appropriate, and does not submit a resignation letter as contemplated by this
1042 policy, the faculty member's employment will terminate with the expiration of the current annual "Temporary
1043 Contract".
- 1044
- 1045 5. Provides the department head with a written list of potential External Reviewers from which letters of
1046 evaluation may be requested. The candidate may provide the department head with a list of people they wish
1047 not to be reviewers. This item only applies to tenured and Tenure-Track Faculty.
- 1048
- 1049 6. Requests extensions of the probationary period in accordance with Part 2. B. above.
- 1050
- 1051 7. Has, upon receipt of the recommendation of the Department Promotion and Tenure Committee and of the
1052 head, five working days to add to the Portfolio any correction of factual errors in either recommendation.
- 1053
- 1054 8. Has, upon receipt of the recommendations of the College Promotion and Tenure Committee and of the dean,
1055 five working days to add to the Portfolio any correction of factual errors in either recommendation.
- 1056
- 1057 9. In accordance with Part 7 below, requests that the review process be terminated at any time prior to review
1058 by the executive vice-president and provost.
- 1059
- 1060 B. Department Head:
- 1061
- 1062 1. Establishes and monitors a process for a tenured faculty to mentor the candidate in developing the best case
1063 for promotion and/or tenure.
- 1064
- 1065 2. Provides leadership in the collaborative writing and maintenance of department promotion and tenure policy.
- 1066
- 1067 3. Provides initial information, timelines, and copies of all written guidelines regarding promotion and tenure
1068 expectations and policies to all new and continuing faculty members on a regular basis. Also informs Tenure-
1069 Track Faculty of the rights to due process, appeal and informal processes for conflict resolution in promotion
1070 and tenure.
- 1071
- 1072 4. In the annual performance reviews of Tenure-Track Faculty, includes written details relating to assigned
1073 duties (i.e. the teaching and advising, scholarship and creative activity, service, extension and outreach and
1074 apportionment). The reviews also include separate statements addressing progress toward tenure and toward
1075 promotion including steps that should be taken to strengthen the faculty member's case.
- 1076
- 1077 5. Provides leadership in establishing agreed upon department guidelines for an annual review of Tenure-Track
1078 Faculty by the department's promotion and tenure committee. This review is separate from, and independent
1079 of, the department head's annual review of each faculty member.
- 1080
- 1081 6. Assists Tenure-Track Faculty who have completed five academic semesters or its part-time equivalent in
1082 preparing for an optional Mid-Probationary Review.
- 1083
- 1084 7. In mitigating circumstances, explores with the candidate the need for a time extension. (*See Part 2. B. above*)
1085 With the approval of the candidate, seeks permission from the dean to extend the probationary period.
- 1086
- 1087 8. Provides assistance and guidance to faculty who are applying for promotion and/or tenure. Reviews the
1088 Portfolio of applicants to ensure its completeness and compliance with Rule 5.90, Part 6, and, where needed,
1089 makes recommendations for improvement.
- 1090
- 1091 9. The department head, in consultation with the Promotion and Tenure Committee, will select a list of potential
1092 External Reviewers and will contact them. The department head must contact at least one reviewer from the
1093 candidate's list provided that they are qualified to be reviewers based on the unit's policy. The department
1094 head must ensure those contacted to review the candidate's Portfolio do not have a conflict of interest. If
1095 there is a perceived conflict of interest the department head needs to justify why the reviewer has no conflict.
1096 If the department head contacts somebody on the candidate's list of people they wish not to be a reviewer,
1097 the head needs to justify the importance of selecting the reviewer.
- 1098
- 1099 10. Sees that the department promotion and tenure committee submits recommendations for tenure and for
1100 promotion for all candidates.
- 1101

- 1102 11. Writes an independent evaluation/recommendation concerning each candidate's case for promotion and/or
1103 tenure in relation to the criteria for promotion and tenure. This recommendation may be in support of or
1104 against supporting either promotion or tenure, or both. It should address the strengths and weaknesses, and
1105 level and nature of accomplishments of the candidate.
1106
- 1107 12. Provides candidates written or electronic copies of the recommendation of the department promotion and
1108 tenure committee and of the recommendation of the department head. This notification must occur prior to
1109 passing the promotion and/or tenure application on to the dean and college promotion and tenure committee.
1110
- 1111 13. Places the department head's recommendation in the candidate's Portfolio.
1112
- 1113 C. Department Promotion and Tenure Committee:
1114
- 1115 1. Examines and reads the Portfolio of each candidate.
1116
- 1117 2. Evaluates the candidate according to department promotion and/or tenure standards.
1118
- 1119 3. Considers the candidate's department assignment and role apportionment as specified in the candidate's
1120 position description and Allocation of Effort Forms.
1121
- 1122 4. Performs an annual review of Tenure-Track Faculty following departmental guidelines and forwards results
1123 to department head and dean or equivalent administrator. This review is separate from, and independent of,
1124 the department head's annual review of each faculty member.
1125
- 1126 5. Makes recommendations to the department head pertaining to faculty members who are seeking promotion
1127 and/or tenure based on the candidate's Portfolio and departmental criteria.
1128
- 1129 6. Records in each candidate's Portfolio the committee's vote totals. (See Rule 5.89, Part 3 Q. and S.)
1130
- 1131 7. Places the committee's recommendation in the candidate's Portfolio.
1132
- 1133 8. Participates in the optional Mid-Probationary Review process, providing formative feedback to candidates.
1134
- 1135 D. College Promotion and Tenure Committee:
1136
- 1137 1. Examines and reads the Portfolio of each candidate, including the department head's letter and the
1138 department's promotion and tenure committee's recommendation.
1139
- 1140 2. Evaluates the candidate according to the department's promotion and tenure standards, in conjunction with
1141 those of the college.
1142
- 1143 3. Considers the candidate's department assignment and role apportionment as specified in the candidate's
1144 position description and Allocation of Effort forms.
1145
- 1146 4. Makes recommendations to the dean pertaining to faculty members who are seeking promotion and/or tenure.
1147
- 1148 5. Records in each candidate's Portfolio the committee's vote totals. (See Rule 5.89, Part 3 Q. and S.)
1149
- 1150 6. Places the committee's recommendation in the candidate's Portfolio.
1151
- 1152 7. Participates in the optional Mid-Probationary Review process, providing formative feedback to candidates.
1153
- 1154 E. Dean, Community College President:
1155
- 1156 1. Ensures that a college-specific promotion and tenure policy is written and periodically revised and that the
1157 policy complies with university policy and has been approved by the Executive Vice President and Provost.
1158
- 1159 2. Assures that each department has:
1160
- 1161 a. Current promotion and tenure guidelines that comply with college and university policies and include
1162 date of version.
1163
- 1163 b. A mentoring process for Tenure-Track Faculty.

- 1164 c. A system of annual faculty performance evaluations.
 1165
 1166 3. In consultation with college faculty establishes policy for the constitution of a College Faculty Promotion
 1167 Committee.
 1168
 1169 4. Recommends extensions of the probationary period.
 1170
 1171 5. Provides oversight for the optional Mid-Probationary Review program.
 1172
 1173 6. Makes independent recommendations pertaining to promotion and tenure. To do this, considers:
 1174
 1175 a. Candidate's Core Document and the Documentation File
 1176 b. Recommendations of the department promotion and tenure committees
 1177 c. Recommendations of the department heads
 1178 d. Recommendations of the college promotion and tenure committees.
 1179
 1180 7. Notifies candidates, in writing and electronically, of the recommendations of the College Promotion and
 1181 Tenure Committee and of the dean. This notification must occur prior to passing the promotion and tenure
 1182 applications and associated recommendations on to the executive vice-president and provost.
 1183
 1184 8. Places the dean's recommendation in the candidate's Portfolio.
 1185
 1186 9. Meets with the executive vice-president and provost regarding promotion and tenure cases.
 1187
 1188 F. Executive Vice-President and Provost:
 1189
 1190 1. Ensures that each college and each department has, and periodically updates, promotion and tenure policies
 1191 that comply with university policy.
 1192
 1193 2. Approves requests to extend the probationary period.
 1194
 1195 3. Meets with deans regarding promotion and tenure cases.
 1196
 1197 4. Makes an independent decision pertaining to promotion and tenure. To do this, consider:
 1198
 1199 a. Candidate's Core Document and, if requested, the Documentation File
 1200 b. Recommendations of the department promotion and tenure committees
 1201 c. Recommendations of the department heads
 1202 d. Recommendations of the college promotion and tenure committees
 1203 e. Recommendations of the dean.
 1204
 1205 5. Passes promotion and tenure decisions on to the Chancellor.
 1206
 1207 6. Notifies candidates in writing of the decision.
 1208
 1209 7. Provides for annual training sessions for promotion and tenure committee members, department heads, and
 1210 deans.
 1211

1212 **PART 6: PORTFOLIO PREPARATION BY CANDIDATE**

1213 In accordance with department and college guidelines, the candidate is responsible for submitting a promotion and
 1214 tenure Portfolio. (*See* Rule 5.85, Part 2, Definition R.) When appropriate and agreed to by the candidate and all
 1215 reviewing committees and officials, the Portfolio maybe submitted as an electronic pdf formatted file(s), provided a
 1216 method for secure transmission of confidential documentation has been established.
 1217

- 1218 A. Core Document: The college guidelines shall specify the inclusion of the following Core Document elements in
 1219 this order. The combination of items 4-6 shall not exceed 50 pages:
 1220
 1221 1. A routing form developed by the college with spaces for the required signatures.
 1222
 1223 2. A cover sheet indicating the candidate's name, current rank, department and college.
 1224

- 1225 3. Any written documentation generated throughout the promotion and tenure process, including the numerical
1226 vote counts of the promotion and tenure committee(s).
1227
1228 4. A table of contents.
1229
1230 5. Candidate’s executive summary.
1231
1232 6. A curriculum vitae.
1233
1234 7. Annual performance evaluations for the period under review, including the Allocation of Effort statements,
1235 the goals and objectives forms, written statements submitted by the faculty member as a part of the annual
1236 performance evaluations, the supervisor’s written comments, and any response made by the candidate to the
1237 supervisor’s written comments. Numerical rankings, ratings, or vote counts should be removed. (*See Also*
1238 Rule 5.86 -Annual Performance Evaluations - Regular Faculty)
1239
1240 8. Principal Units’ mission statements.
1241
1242 9. Letters from External Reviewers.
1243
1244 B. Documentation File: Supplementary materials provided by the candidate related to the areas of faculty activity.
1245 This material is not routed beyond the College Promotion and Tenure Committee, but is available for review.
1246 If this is an application for tenure, the candidate is to include evidence of contributions since starting at NMSU,
1247 plus evidence from other institutions if credit for prior service is applicable. If this is an application for
1248 promotion, then the candidate is to include evidence of contributions since the last promotion or tenure review.
1249

1250 **PART 7: WITHDRAWAL OF PORTFOLIO BY CANDIDATE FROM FURTHER CONSIDERATION**

- 1251
1252 A. Voluntary Withdrawal from Consideration: A candidate may withdraw from consideration at any time prior to
1253 the final signature of the executive vice-president and provost. A candidate shall prepare a letter requesting
1254 withdrawal from further consideration. The letter shall be transmitted to the dean or comparable administrator.
1255 All documents shall be returned to the candidate and nothing relating to the application for promotion and/or
1256 tenure shall be placed in the candidate’s personnel file.
1257
1258 B. Withdrawal in Fifth Year of Service: If the candidate is in the fifth year of service, withdrawal from consideration
1259 for tenure must be accompanied by a letter of resignation submitted to the dean or comparable administrator no
1260 later than the end of the fifth-year contract period. The resignation shall be effective no later than the end of the
1261 sixth-year contract period. If a faculty member does not apply for tenure in the fifth year, or extended year as
1262 appropriate, and does not submit a resignation letter as contemplated by this policy, the faculty member’s
1263 employment will terminate with the expiration of the current annual (“Temporary”) contract.
1264

1265 **PART 8: OUTCOMES**

- 1266
1267 A. For full-time tenure-track candidates:
1268
1269 1. If the decision is to award tenure, the executive vice-president and provost will send a Contract of
1270 Employment (Continuous Appointment) Form through the dean or comparable administrator and the
1271 department head to the candidate.
1272
1273 2. If the decision is to not award tenure, the department head will give a signed Contract Status Form to the
1274 candidate for signature acknowledging notification of non-renewal.
1275
1276 B. For part-time tenure-track candidates, in addition to the provisions for full-time tenure-track candidates:
1277
1278 1. If the decision is to award tenure, it is for the FTE as stated in the initial contract or as negotiated.
1279
1280 2. If the decision is to not award tenure, a faculty member has only one year of continued part-time employment
1281 beyond the denial.
1282
1283 C. For all candidates:
1284
1285 1. If the decision is in favor of promotion, the effective date is at the beginning of the ensuing contract year.
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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.
 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.

1308 **PART 9: RIGHT TO SEEK REDRESS FOR VIOLATION OF EVALUATION, PROMOTION, OR**
1309 **TENURE RULES**

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- A. A faculty member who believes that the university, college or department's promotion and tenure policy or procedures have been violated, adversely affecting the faculty member's evaluation, promotion, or tenure may file a grievance pursuant to Rule 4.05.50 - Faculty Grievance Review and Resolution.
 - B. Rule 4.05.50 provides an opportunity for mediation, and in the event mediation is not successful, review by a panel of faculty peers which hears evidence presented and issues factual findings and recommendations on the issue of whether or not the rules governing evaluation, promotion or tenure were violated.
 - C. A finding that there was not substantial compliance with the applicable Rules on Faculty Evaluation, Promotion, and Tenure (Rules 5.85-5.91), or a finding that any violation materially and adversely affected the outcome for a faculty member will be grounds for relief.
 - D. If the grievance involves actions taken by the executive vice president and provost due to the provost's role in the promotion and tenure process, the grievance decision will be issued by the NMSU system chancellor; otherwise, the executive vice president and provost issues the final decision in faculty grievance matters.

1327 **PART 10: TIMELINE OF PROCEDURAL STEPS FOR PROMOTION AND TENURE REVIEW**
1328 **PROCESSES**

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- Each college shall determine a timeline for conducting promotion and tenure reviews compatible with due dates issued by the executive vice president and provost. The dates indicated here are suggested guidelines; the provost may alter these by further directives; and/or 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 and provides electronic copies of departmental, college, and university policies, rules and procedures related to promotion and tenure. 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* Rule 5.90, Part 6, Portfolio Preparation)
The Portfolio must be completed by the end of July to allow for review by External Reviewers in August.

- 1348 C. September:
1349 The department head makes the completed Portfolio, including letters from External Reviewers (or Letters of
1350 Support at the community colleges) available to the Department Promotion and Tenure Committee. The Portfolio
1351 can only be amended hereafter in accordance with department and college guidelines.
1352
- 1353 D. October:
1354 The Department Promotion and Tenure Committee considers the completed Portfolio of the candidate.
1355
- 1356 E. October - December:
1357 The college dean or comparable administrator transmits the Department Promotion and Tenure Committee and
1358 department head reports and numerical ballot results to the College Promotion and Tenure Committee.
1359 The College Promotion and Tenure Committee reviews the department head's and the Department Promotion and
1360 Tenure Committee's recommendations.
1361 The College Promotion and Tenure Committee informs the dean or comparable administrator if a department fails
1362 to follow department and/or college procedures.
1363 The College Promotion and Tenure Committee reviews the Portfolios of all Tenure-Track Faculty members no
1364 later than their sixth year of service unless Rule 5.90, Part 2 (Flexibility in Tenure Track) of this Rule applies.
1365 The College Promotion and Tenure Committee submits a written recommendation on the candidate to the
1366 department head, candidate, and dean or comparable administrator in accordance with the college's promotion
1367 and tenure policy.
1368
- 1369 F. January - February:
1370 The college dean or comparable administrator reviews the candidate's Portfolio, makes a recommendation, and
1371 informs the candidate in writing of the recommendations of the College Promotion and Tenure Committee and
1372 the dean or comparable administrator.
1373 The college dean or comparable administrator transmits to the executive vice-president and provost all
1374 recommendations including numerical votes.
1375
- 1376 G. March - April:
1377 The college dean or comparable administrator meets with the executive vice-president and provost to review each
1378 candidate. The executive vice-president and provost's decision is indicated in writing.
1379 The executive vice-president and provost informs the Chancellor of the recommendations of the department head,
1380 college dean, or comparable administrator and the decision of the executive vice-president and provost.
1381
- 1382 H. April - May:
1383 Final notifications of decisions are sent through the executive vice-president and provost, dean or comparable
1384 administrator, and department head to the candidate.
1385 The executive vice-president and provost prepares an official list of promotion and tenure decisions for
1386 distribution to relevant deans, comparable administrators, the vice-president for administration and finance, and
1387 the assistant vice president for human resource services.
1388 The dean or comparable administrator notifies the department head, who in turn notifies the faculty member.
1389
- 1390 I. July:
1391 Promotion and tenure decisions become effective.
1392

1393 **5.91 - Post-Tenure Review** *[content of current Rule 5.87 will be inserted here as Rule 5.91]*