

FAM, AAUP-AFT Counter to Miami University

July 8, 2024

APPOINTMENT, RENEWAL, AND PROMOTION OF TCPL FACULTY

- I. This Article shall apply only to bargaining unit faculty members appointed as Teaching and Clinical Professors and Lecturers (“TCPL faculty”).

II. Qualifications:

1. A Lecturer must hold a hold a master’s (non-terminal) degree from an accredited college or university or the equivalent thereof
2. A Teaching/Clinical Professor must hold a Ph.D. or other terminal degree from an accredited college or university or the equivalent thereof

III. Appointment of TCPL Faculty

1. Appointment to a TCPL position requires a competitive search.
2. Length of TCPL faculty appointments shall be as follows:
  - i. Appointments at the rank of Assistant shall be for one (1) academic year.
  - ii. Appointments at the rank of Associate shall be for three (3) academic years.
  - iii. Appointments at the rank of Senior Lecturer/Clinical Lecturer and Teaching/Clinical Professor shall be for five (5) academic years.
  - iv. At the time of hire, upon approval of the Provost, TCPL Faculty may receive up to two (2) years credit towards promotion. A TCPL faculty member with full-time service in the same department of the University in the one or two academic years immediately preceding hire shall receive credit for such service, unless notified in writing of a specific deficiency or deficiencies in their progress towards promotion and given ten (10) business days to respond before the University makes its decision
    1. This credit must be noted in the original appointment letter, along with the anticipated date of review for promotion.
    2. However, at the request of the candidate, this grant of credit or a portion thereof shall be rescinded subsequently during the probationary period.
  - iii.v. In some circumstances, upon the written recommendation of the department/program or department chair/program director, the Provost may hire TCPL faculty with an initial appointment at the Associate or Full rank.
  - iv.vi. Time towards promotion shall begin at the start of the person’s first full academic year of service in rank.

III.IV. Renewal and Non-Renewal

1. Assistant TCPL Faculty

- i. Appointments of Assistant TCPL faculty may be renewed annually for a maximum of five (5) years.
- ii. If not renewed, Assistant TCPL faculty shall receive one full academic year's notice of non-renewal by July 1. ~~notice of non-reappointment by February 15 of the current academic year, except as provided in Section III.1.iii of this Article. Assistant TCPL faculty are eligible to receive, but not entitled to expect, annual renewal of their appointment.~~
- iii. In the TCPL faculty member's first year at Assistant or Lecturer rank, the department chair will assist the faculty member to develop a philosophy of teaching and service, and a two-page professional development plan (PDP). Detailed guidelines for the PDP are delineated in Article [XX]: Faculty Evaluations.
- ~~iii.iv.~~ Beginning in their second year, departmental promotion committees and chairs must provide a cumulative annual assessment of the dossier, TCPL faculty member's strengths and weaknesses and specific recommendations for improvement. The second and third year assessments must be submitted to the dean for review. Promotion and Tenure Committees that evaluate TCPL faculty must have TCPL representation (i.e., at or above the rank being sought). If no TCPL at the appropriate rank is able to serve within the Department or Division, then the Chair or Dean must secure an appropriate TCPL member from a cognate discipline to join the committee.
- ~~iv.v.~~ Assistant TCPL faculty shall be reviewed in their fourth (4<sup>th</sup>) year for promotion to Associate TCPL faculty.
- ~~v.vi.~~ Assistant TCPL faculty who are not renewed following their fourth (4<sup>th</sup>) year shall receive one full academic year's notice of non-reappointment before July 1. A TCPL faculty member who failed to achieve promotion in their 4th year may reapply for promotion during their terminal 5th year. In the event the TCPL faculty member does not achieve promotion during their terminal 5th year, their employment will cease at the end of their terminal year.

## 2. Associate TCPL Faculty

- i. Appointments at the rank of Associate are ~~renewable automatically renewed~~ in three (3) year increments, with exceptions referenced in section V, VI, and VII of this article.
- ii. If non-renewed in accordance with V and VII, Associate TCPL faculty shall receive ~~one two~~ full academic year's notice of non-renewal by July 1.
- iii. TCPL faculty may apply for promotion to the rank of full Teaching Professor/Clinical Professor or Senior Lecturer/Clinical Lecturer no sooner than December 1st of their fourth year as Associate TCPL faculty.

## 3. Senior Lecturer/Clinical Lecturer and Teaching Professor/Clinical Professor

- i. Appointments at the rank of Senior Lecturer/Clinical Lecturer or Teaching Professor/Clinical Professor are ~~renewable automatically renewed~~ in five

(5) year increments, with exceptions referenced in sections V, VI, and VII of this article.

- ii. If non-renewed in accordance with V and VII, Senior Lecturer/Clinical Lecturer and Teaching Professor/Clinical Professor shall receive ~~one~~ two full academic year's notice of non-renewal by July 1.

V. Non-renewal of TCPL Faculty for Failure to Perform Duties

1. TCPL faculty may be non-renewed at the end of any appointment term, with notice as provided for in this Section. TCPL faculty at the rank of Associate or higher may be non-renewed for failure to perform the duties and associated responsibilities of the position as defined in their Professional Development Plan, determined by the department's Promotion and Tenure Committee and department chair, and based upon existing departmental and divisional evaluation standards and procedures. TCPL faculty members will first be given written notice of the deficiencies in performance and given the remainder of their contract, or one full academic year notice, whichever is greater, in which to demonstrate progress toward overcoming the deficiency, in which case their appointment shall then be renewed. Whether the faculty member has overcome the deficiencies shall be determined by the department's Promotion and Tenure Committee and department chair, based on existing departmental and divisional evaluation standards.

VI. Termination of TCPL Faculty

1. TCPL faculty may only be terminated for the following reasons:
  - i. TCPL faculty may be terminated during the term of their contract as provided in the Financial Exigency article of this Agreement.
  - ii. TCPL faculty may be terminated during the term of their contract as provided in the Discipline and Discharge article of this Agreement.

VII. Position Elimination

1. Upon the written recommendation of the chair/program director and with the written approval of the dean and Provost, TCPL faculty may be non-renewed due to their position being eliminated for lack of work. Position Elimination is not Program Elimination. If a program/department is being eliminated then the Program Elimination article of this Agreement governs. In the event of Position Elimination, the following must occur:
  - i. Non-Bargaining unit faculty, e.g. visiting faculty (VAPs), part-time faculty, and per credit hour faculty within a department or program must be non-renewed before a TCPL faculty position is eliminated.
  - ii. The University must work with the affected TCPL faculty member(s) to locate another position within the university where the affected member(s) would be capable of performing the duties and associated responsibilities of the position, and in all cases of reassignment requiring retraining or retooling the University shall provide the affected persons with financial assistance, time-release, or both, as appropriate.
  - iii. If the affected TCPL faculty member cannot be relocated/retrained, then the TCPL faculty member must be provided with a written letter providing the

evidence to support this conclusion. This letter must be provided at least one full academic year in advance of position elimination.

iv. In the event that more than one TCPL position is being eliminated simultaneously within the same department/program, the following must occur:

1. Rank takes precedence

2. After rank, seniority takes precedence

v. If the University restores a previously-eliminated TCPL position within three (3) years then the TCPL faculty member affected by the same position elimination must be given a right of first refusal and thirty (30) days to accept or decline the position. If they accept then they will return to work with the same rank and number of years of prior service.

~~4. TCPL faculty at the rank of Associate or higher may be terminated during the term of their appointment for failure to perform duties and associated responsibilities in a satisfactory manner. The TCPL faculty member will first be given written notice of the deficiencies in performance and one (1) full academic year (two (2) full semesters) in which to demonstrate that the problem or deficiency has been overcome. The University may issue the notice of deficiencies and a contingent notice of non-reappointment concurrently. Whether the TCPL faculty member has overcome the deficiencies shall be determined by the University, in its sole discretion.~~

~~5. TCPL faculty at the rank of Associate or higher may be terminated for cause at any time by the Provost, in accordance with University policy.~~

~~6. TCPL faculty positions may also be eliminated due to insufficiency of enrollment, curriculum change, restructuring, reorganization or discontinuance of academic programs, lack of work, lack of funding for funding contingent programs, financial resources, misconduct and performance, upon written recommendation of the Chair or Program Director, with the written approval of the Dean or Provost. TCPL faculty at the rank of Associate or higher shall receive one full academic year's notice of position elimination.~~

#### IV.VIII. Promotion

1. Each candidate for promotion is judged individually, not relative to other candidates.

2. TCPL faculty who wish to be considered for promotion are responsible for assembling and submitting a dossier of accomplishments and relevant supporting materials to their department/program, in accordance with the Dossier Guidelines for Teaching Professors, Clinical Professors, Lecturers and Clinical Lecturers. Qualifications for each rank and Criteria for promotion are set forth below and in University policy (~~“Teaching, Clinical Professors and Lecturers (TCPLs)”~~), and

177 supplemented by local governance documents for the faculty member's division  
178 or department, as applicable.

- 179 3. The promotion dossier is evaluated by the Promotion and Tenure Committee of  
180 the faculty member's department/-or program (when appropriate), their chair/  
181 and/or program director (when appropriate), their divisional Promotion and  
182 Tenure Committee, and the appropriate academic dean. If there is a positive  
183 recommendation for promotion from the department/-or program (when  
184 appropriate), the chair/~~and/or~~ program director (when appropriate) or the  
185 academic dean, the dossier will advance to the Provost for consideration and  
186 decision. Promotion and Tenure Committees that evaluate TCPL faculty must  
187 have TCPL representation (i.e., at or above the rank being sought). If no TCPL at  
188 the appropriate rank is able to serve within the Department or Division, then the  
189 Chair or Dean must secure an appropriate TCPL member from a cognate  
190 discipline to join the committee.
- 191 4. Criteria for Promotion: Enumerated below is an outline of the core criteria;  
192 detailed guidelines for promotion are delineated in University policy on Dossier  
193 Guidelines for Teaching Professors, Clinical Professors, Lecturers and Clinical  
194 Lecturers.
- 195 i. Promotion to the rank of Associate:
- 196 1. Faculty who wish to be considered for promotion to the rank of  
197 Associate should demonstrate the following criteria:
- 198 a. High quality teaching; and  
199 b. Academic advising (as assigned); and  
200 c. Service.
- 201 ii. Promotion to the rank of Full:
- 202 1. Faculty who wish to be considered for promotion to the rank of  
203 Full should demonstrate the following criteria:
- 204 a. Cumulative record of high quality teaching; and  
205 b. Cumulative record of academic advising (as assigned); and  
206 c. Continued service; and  
207 d. Distinction or excellence in some area of pedagogy or  
208 service.
- 209 5. Upon ratification of this Agreement, and for a nine (9) month period following  
210 ratification, Assistant TCPL faculty who previously opted out of the promotion  
211 process will have the opportunity to opt in by submitting written notice to their  
212 chair.

#### 213 IX. Extension of Time for Application to Rank of Associate

##### 214 1. Automatic extensions:

- 215 i. A TCPL faculty member shall be automatically approved for a one (1)  
216 year extension (pending the filing of the required documentation) in the  
217 event that they:

- 218 1. Have or share primary responsibility for the care of an infant or a  
219 newly-adopted child, a parent in hospice, or a severely disabled  
220 family member,  
221 2. Face similar responsibilities caring for another person,

- 222                                   3. Have a serious health condition,  
223                                   4. Have one or more of any Family and Medical Leave Act  
224                                   qualifying events resulting in a leave of at least eight (8) weeks  
225                                   duration, or  
226                                   5. Have been called to active military duty or jury duty for a single  
227                                   period of at least eight (8) weeks duration.  
228                                   ii. In any such case, the Provost shall approve the request.  
229                                   2. Discretionary extensions:  
230                                   i. There may be other circumstances (e.g., the death of a parent, spouse, or  
231                                   child, a natural calamity, loss or uninhabitability of primary residence, etc)  
232                                   that would justify granting an extension of one year.  
233                                   ii. In any such case, the Provost shall consider the situation and the Dean's  
234                                   recommendation and issue their decision accordingly.  
235                                   3. Process  
236                                   i. The request for extension should be made in writing by the faculty  
237                                   member to their respective Chair/Director and the Dean concurrently. The  
238                                   Dean shall consult with the faculty member's Chair/Director to discuss the  
239                                   request and then forward a recommendation to the Provost within five (5)  
240                                   business days of receiving the request. The Dean's recommendation shall  
241                                   be based on the circumstances surrounding the request, such as the  
242                                   magnitude and duration of the actual or potential disruption to the faculty  
243                                   member.  
244                                   ii. Requests to extend time should include appropriate evidence (e.g. legal  
245                                   notifications, certifications, documents, support letters, etc.) of the  
246                                   circumstances and appropriate care must be made to protect confidential  
247                                   medical records.  
248                                   iii. If a faculty member is incapacitated by an event that would allow for an  
249                                   extension then the Chair/Program Director will initiate an extension on the  
250                                   faculty member's behalf.  
251                                   iv. The faculty member shall be notified in writing of the decision to grant or  
252                                   deny an extension, with appropriate evidence and reasons, within five (5)  
253                                   business days of the Provost's receipt of the request. The faculty  
254                                   member's Chair/Program Director and FAM/AAUP-AFT shall receive a  
255                                   copy of the decision.  
256                                   v. The faculty member has the right to respond in writing to any denial of  
257                                   extension and require a formal review of the decision by the Provost (and  
258                                   by the Dean in the case of a negative recommendation by the Dean). Such  
259                                   a request must be made within ten (10) business days of receipt of the  
260                                   denial and statement of reasons. Reconsideration shall be completed  
261                                   within ten (10) business days of such a request, and shall include a second  
262                                   statement addressing points raised in the faculty member's response to the  
263                                   original statement, with copies provided to the Dean, the faculty member's  
264                                   Chair/Director, the faculty member, and FAM, AAUP-AFT.  
265                                   vi. Extensions are granted whether or not sick leave, personal leave, or family  
266                                   and medical leave has been taken.



- vii. Extensions may be requested at any point between the start of the initial appointment and submission of the promotion dossier.
- viii. An extension of time has no bearing on the promotion decision other than its timing.
- ix. A prior leave of absence shall not preclude a faculty member from requesting an extension of time.
- x. Each request to extend time to promotion shall be limited to one academic year. If twofour extensions have already been granted, the granting of further extensions is at the discretion of the Provost.
- ~~i~~.xi. All communications regarding extension of time become part of the faculty member's record and may be referenced in their promotion dossier.

~~1. Promotion from Assistant to Associate TCPL Faculty~~

- ~~a. TCPL faculty may be promoted to Associate following review in their fourth (4<sup>th</sup>) year as Assistant TCPL faculty.~~
- ~~b. If TCPL faculty do not achieve promotion to Associate before their fifth (5<sup>th</sup>) year, their appointment shall terminate at the end of the fifth (5<sup>th</sup>) year.~~
- ~~c. A one time extension of time for application to Associate may be granted, at the University's discretion and in accordance with University Policy.~~
- ~~d. Upon ratification of this Agreement, and for a ninesix (96) month period following ratification, Assistant TCPL faculty who previously opted out of the promotion process will have the opportunity to opt in by submitting written notice to their chair.~~

~~2. Promotion from Associate to Senior Lecturer/Clinical Lecturer or Teaching Professor/Clinical Professor~~

- ~~a. TCPL faculty may apply for promotion to the rank of full Teaching Professor/Clinical Professor or Senior Lecturer/Clinical Lecturer no sooner than December 1st of their fourth year as Associate TCPL facultyafter a minimum of three (3) years as Associate TCPL faculty.~~