

**CUASA reserves the right to make editorial changes necessary to ensure consistency internal to document and with the undertakings of the parties.**

**Any employee hired or who accept an offer of employment at Carleton University before the ratification of this agreement shall have the right to determine whether their tenure and promotion considerations rely on the criteria and processes in the 2009-2010 collective agreement or the new Collective Agreement. As department (or equivalent) level criteria are revised, an employee shall have the right to determine whether their tenure and promotion considerations rely on the criteria and processes in place at the time of his/her acceptance of offer of employment or the new approved tenure criteria.**

**CUASA proposes moving all term appointment clauses to Article 37 and will table an Article 37 proposal in future. CUASA also proposes moving academic freedom discussion from Appendix A to Article 4.**

**CUASA reserves on promotion and dismissal.**

## **Article 10: Tenure**

### **10.1 Appointments in the Tenure Stream**

- 10.1.1. An appointment in the tenure stream shall be either a tenure-track appointment or an appointment with tenure. Tenure can only be awarded following the process in Articles 10.1 to 10.7 and Article 30.
- 10.1.2. A tenure-track appointment is a continuous appointment that can only be terminated upon the conclusion of the tenure review process. There shall be no establishment of a fixed proportion of tenured to non-tenured faculty. The application for tenure must occur no later than the 5<sup>th</sup> year, excepting extensions granted under the terms of this Collective Agreement or with the agreement of the parties. Extension to the tenure time-line are granted for all leaves specified in this Collective Agreement.
- 10.1.3. The parties agree that there is a reasonable expectations that a person appointed to a tenure-track position will be awarded tenure. To that end the following shall be granted to a tenure-track faculty member:
  - 10.1.3.1. in every year prior to receiving tenure , one full course teaching release, or equivalent;
  - 10.1.3.2. in every year prior to receiving tenure, the cumulative registration of all students in assigned course(s) shall not be greater than 100;
  - 10.1.3.3. in every year prior to receiving tenure, the opportunity to enrol in an Education Development Centre's Certificate courses;

- 10.1.3.4. in every year prior to receiving tenure , an annual research support account equivalent to 125% of annual Graduate tuition, in the student's program, for the exclusive support of a graduate students including related expenses.
- 10.1.3.5. a start-up grant at least the value of the national average Tri-Council grant in the faculty member's discipline.
- 10.1.3.6. where professional certification is required, the employer shall pay for all related costs incurred by the member;
- 10.1.3.7. in every year prior to receiving tenure , reduced administrative duties;
- 10.1.4. All applicable approved tenure criteria and duration of appointment must be communicated in the letter of appointment. There can be no requirements for tenure other than those specified in this collective agreement. A copy of the letter of appointment shall be sent to CUASA.
- 10.1.5. The Dean will meet with each faculty employee on a tenure-track appointment, within the faculty employee's first six months of appointment and will discuss the applicable approved tenure criteria. A written statement indicating that the meeting has taken place will be signed by the Dean and the faculty employee and placed in the faculty employee's file. A copy of the approved tenure criteria will be given to the employee and placed in his/her file.
- 10.1.6. **Annual Review for Faculty Employees on tenure-track appointments**
- 10.1.6.1. All faculty employees on tenure-track appointments shall submit an annual report to their Dean. It shall include an up-to-date CV and any additional materials the faculty employee may wish to submit that indicates progress toward meeting the approved tenure criteria. The Dean shall perform a formative review and shall send the faculty employee a written response to their annual report which provides a detailed assessment of the member's progress. If the Dean has concerns about the faculty employee's progress, the Dean may request a meeting with the faculty employee. If the faculty employee has concerns about the Dean's assessment, the employee may request a meeting with the Dean. Minutes of meetings shall be signed by both the Dean and the member. A copy of the written assessment and minutes of any meetings shall be put in the employee's file.
- 10.1.6.2. The template for the annual report is found in Appendix (template to be negotiated and reference added)
- 10.1.6.3. Deans and Department Chairs, or equivalent, shall publicize the CUASA workshops that give advice about preparation for tenure and promotion.

## **10.2 Criteria for Tenure**

- 10.2.1. Tenure means permanency of appointment. Such appointment can only be terminated by voluntary retirement and dismissal for just cause according to the procedures described in Article (reference to be added).
- 10.2.2. The work of an academic member of a modern university falls into a number of categories - teaching, scholarly and/or creative activities, professional activities, the corporate work of the department, faculty and university, and activities related to the

community. It is generally accepted that contributions to teaching and scholarly and/or creative and/or professional activity should receive paramount consideration in any tenure consideration but that recognition must also be given for valuable contributions to the university, for professional achievement, and for contributions to the community. It is understood by the parties that the actual composition of workload may vary from member to member and from year to year for a member. If the proportions of a faculty employee's workload differ from that specified in Article 10.1.3. and Article 13 then the relative weighting of the tenure criteria shall be adjusted accordingly.

An examination of the disciplines represented at Carleton flexibility in the nature, assessment and weighing of the criteria for tenure. The characteristics of scholarly and/or creative and/or professional activities and the relationships of these to teaching, the degree to which work related to professional activities is involved and its relative importance, the opportunity to publish, the time required to develop a scholarly and/or creative work to the publication and/or display stage, the relationship between research and the supervision of graduate students and other factors differ from one discipline to another making inequitable if not impractical any single evaluation scheme.

Additionally there will be cases of different individuals within the same discipline properly belonging to different groups and even some individuals whose work puts them partially into two groups.

Given this diversity of disciplines and individuals within disciplines, it is difficult to set down a single pattern for career progress or tenure and in what follows it should be understood that the emphasis placed on the criteria for tenure and the mode of evaluation may be somewhat different depending on the candidate.

It is assumed that all members of faculty are scholars and will communicate their knowledge, and that advancement in this University must be based on a person's intellectual development. As a teacher a faculty member has a vital function to play in the proper preparation and stimulation of students, and as a research worker a responsibility for extending the frontiers of knowledge of his subject. To suggest that one is more important than the other is unwise as both are necessary contributions should be considered when evaluating individuals for tenure. the development of students. In addition, individuals may make contributions to the administration and development of the University and its programs of study, to the community, and to their professions. These contributions should be when evaluating individuals for tenure.

While discipline specific and department (or equivalent) criteria are necessary such criteria must in all instances be demonstrably fair, equitable, and reasonable. Discipline specific and department (or equivalent) criteria must be based on consideration of a level of performance that can be reasonably expected of a new faculty member who has

recently taken on the work and responsibilities of a university career, and must recognize both potential and promise. Specifications of these guidelines are not a rigid set of rules to be applied mechanically. In particular student teaching evaluations, bibliometrics, other publications metrics and quantitative measures cannot replace judgement of disciplinary peers. Equal and full consideration shall be given to work over the candidates entire career.

10.2.3. There can be no requirements for tenure other than those specified in this collective agreement. Accordingly in evaluating a member for tenure, the following general criteria must be further defined within each academic department (or equivalent) in a manner that reflects and respects diversity within that department, in a process set out within this agreement. (by an MOU to be negotiated). The criteria in Articles 10.2.3.1.to 10.2.3.3. and the department (or equivalent) specification of them, once approved, are referred to as the approved tenure criteria

10.2.3.1. Teaching Effectiveness:

A record of efforts to create the best possible learning environment for students as a university teacher at all levels including advising and supervision of undergraduate and graduate students, as appropriate for the candidate and their academic department (or equivalent) .

10.2.3.2. Scholarly and/or creative and/or professional activity:

An established program of scholarly and/or creative and/or professional activity as appropriate for the field of expertise.

10.2.3.3. Service:

A successful record of service to Carleton University and/or the member's discipline and/or the community.

### 10.3 **Demonstration of satisfaction of tenure criteria.**

10.3.1. It is the responsibility of the candidate to prepare the tenure application file which is the sole basis for the tenure assessment process. Normally the file will include at least a current C.V., copies of all annual reports, evidence of scholarly and/or creative and/or professional activity, and any other materials the candidate deems relevant to the assessment of the tenure application file. Article 10.3.4. serves to illustrate examples of evidence a candidate could rely on and are not intended to be exclusive.

10.3.1.1. Letters from referees shall be added to the tenure application file. Where these referees are academics, they shall have received tenure. The Dean will request letters from three

referees selected, in consultation with the DTPC, as defined in Article 10.4.6., from a list of at least five possible referees provided by the candidate.

10.3.1.2. Referees shall be asked to evaluate the candidate's tenure application file with respect to the approved tenure criteria. The referees shall be sent the approved tenure criteria and a copy of the candidates tenure application file. The template for the request letter to an referee is given in Appendix (to be negotiated and reference added).

10.3.2. No material may be added to or withdrawn from the tenure application file prepared by the candidate, at any time, without the candidate's knowledge and consent . No anonymous material can be included in the tenure application file. At any stage in the process, the member may add material relevant to the tenure evaluation process to the tenure application file.

10.3.3. All formal documentation and correspondence produced by the terms of the tenure evaluation process described in Article 10 shall be added to the tenure application file and, with the exception of confidential letters of reference, a copy sent to the candidate and CUASA.

10.3.4. In demonstrating satisfaction of the applicable approved tenure criteria, a faculty member's tenure application file will provide evidence of achievement in teaching, scholarly and/or creative and/or professional activity and service. The following lists illustrate examples of the sort of material which a member could include in the tenure application file as evidence but they are neither prescriptive nor exhaustive.

10.3.4.1. Teaching

- Course syllabus and sufficient material to permit an evaluation of the contents of the course, the teaching/learning process, and the means of assessing the performance of the students.
- Course notes, assignments, examinations;
- student workbooks;
- laboratory teaching materials;
- written comments of colleagues who have observed the candidate's teaching first-hand;
- written comments provided by colleagues regarding the candidate's reputation in the area of teaching and learning among peers and the basis for that reputation;
- written comments of students about the candidate's teaching;

- student requests to engage with the faculty member in undergraduate/graduate research or independent studies;
- statement of candidate's teaching philosophy;
- multimedia materials developed by candidate;
- video recording of candidate's teaching;
- teaching awards and recognitions;
- supervision of the work of graduate and undergraduate students at Carleton and other universities;
- contributions to seminars and colloquia relevant to teaching and learning;
- innovative methods in teaching and other contributions to the teaching activities of the University;
- supervision of student practica and/or internships where specific professional credentials are required of the supervisor to allow students to obtain certification or licensure.

10.3.4.2. Scholarly and/or creative and/or professional activity

- Peer-reviewed publications;
- papers delivered at professional meetings;
- attempting to secure funding for research scholarship and creative activities as appropriate for a discipline or field;
- grants and contracts;
- research or scholarly awards;
- editorial and/or refereeing duties for journals/monographs/books;
- The writing or editing and publication of books, monographs, textbooks, journals and of articles;

- The earning of additional appropriate academic and/or professional qualifications;
- Research carried out on research contracts;
- The writing of case studies;
- The development of teaching/library materials, of an innovative sort which have a wider application than the Member's own teaching/library activities;
- The compilation and publication of scholarly bibliographies, or literary work.
- The translation and publication of scholarly or literary work;
- Literary and artistic works, including recordings and public performances;
- the creation, performance, direction, programming, design, and staging of literary , artistic and/or creative works, or curation of exhibitions, particularly when recognized by competent peers;
- Demonstrated leadership in the area of professional education, including workshops;
- Creative application of existing knowledge through such activities as consulting or workshops.
- contributions to edited books;
- the judgements of scholars through letters of reference, particularly of senior scholars in the same and cognate disciplines;
- contributions to panels, workshops, and clinics;
- consulting with government, related professionals, and agencies, or preparation of instructional, clinical, curriculum or policy materials for such agencies;
- adjudicating festivals and competitions, master classes, consulting on curricula, workshops at the post-secondary level or with professional orchestras, choirs, theatres, galleries, or professional residencies;
- the development of software, hardware or equipment;

- scholarly contributions to pedagogy;
- scholarly contributions to agencies, communities, governments, or organizations and the extent to which the faculty member's professional services are in demand by such organizations outside the University;
- scholarship as evidenced by the candidate's depth and breadth of knowledge and general contributions to the research life of the University;
- other publications demonstrating a high quality of scholarship with significant public impact.

10.3.4.3. Service

- memberships in provincial, national or international academic associations;
- involvement in a community activity directly related to the work of the University;
- participation in University, Faculty, Departmental and Union committees;
- counselling students;
- service in and recognition by regional, national and international committees and other organizations, including professional/learned organizations;
- general administrative duties and administrative duties unique to a candidate's Faculty;
- community service where the individual has made an essentially non-remunerative contribution by virtue of special academic competence;
- administrative and non-teaching/research responsibilities within the University and the Union.

10.3.5. Units shall keep a catalogue of successful tenure application files available to all members when the faculty member agrees.

## **10.4 Tenure application process**

10.4.1. The candidate must apply for tenure no later than the fall of their fifth year of their

appointment, subject to any extensions described in Article 10.1.2.

- 10.4.2. Notwithstanding the deadline in Article 10.4.1., a tenure-track faculty member may apply for tenure at any time. No matter when a application for tenure is made it shall be subject to the same procedures, approved tenure criteria, and expectations for evidence.
- 10.4.3. At any time prior to the deadline from Article 10.4.1., and at any stage in the process, a member may withdraw their application for tenure without prejudice.
- 10.4.4. Each candidate for tenure will submit the names and contact information for referees to the Dean by October 15 of the year of application.
- 10.4.5. Each candidate will submit one electronic copy and hard copy of their tenure application file to the Chair of the DTTPC by October 15 of the year of application. It is understood that the candidate may attach a clear and detailed description of these works when the works are such that their electronic and/or physical submission is not practical. Any costs of reproduction of tenure application files shall be born by the employer.

**10.4.6. Department Tenure and Promotion Committee**

- 10.4.6.1. The Committee shall use the approved tenure criteria, and follow the procedures defined in Article 10 to evaluate the candidate's tenure application file , and the DTTPC Chair shall include a report on these approved tenure criteria and the procedures when the Committee's recommendation is forwarded to the University Tenure and Promotion Committee.
- 10.4.6.2. The parties recognize the paramount importance and centrality of peer review in career decisions.
- 10.4.6.3. By September 30 of each year, each department (or equivalent) shall establish a Department Tenure and Promotion Committee (DTTPC) comprised of:
- 10.4.6.3.1. Only faculty employees;
- 10.4.6.3.2. At least five faculty employees;
- 10.4.6.3.3. Where the department (or equivalent) has fewer than six (6) members, the Dean, in consultation with the Chair of the committee and the candidate, may appoint up to two (2) academic peers from cognate disciplines as substitutes for colleagues from within the department; The Committee members from cognate disciplines are regular members of the Committee, with no special responsibilities, and no special authority from or obligations to the Dean.
- 10.4.6.3.4. The DTTPC shall be as representative as possible of the ranks and areas of interest in the department/school, including non-tenured faculty employees, but a majority shall be tenured faculty employees;
- 10.4.6.3.5. For the deliberation of each candidate for tenure, the candidate must be satisfied that the committee posses both sufficient expertise in the candidate's area and appropriate diversity to evaluate the candidate's tenure application file properly. A candidate who is not so satisfied may request that the Dean suitably augment the committee.
- 10.4.6.3.6. The chair of the DTTPC shall be chosen through a procedure specified by the department and shall be a voting member of the committee;

- 10.4.6.3.7. The DTPC may include faculty employees from other departments/schools;
- 10.4.6.3.8. Quorum for the DTPC shall be two-thirds of the membership of the committee.
- 10.4.6.3.9. No member of the committee can vote unless that member has attended all meetings during which the candidate's file is being considered.
- 10.4.6.4. In the event the committee is considering a negative recommendation, it must provide the candidate with the grounds for that negative consideration at least three weeks before a recommendation is formally adopted and provide the candidate an opportunity to respond in writing and/or in person at a special meeting of the committee. In any meeting which the candidate attends, he/she has the right to CUASA representation.
- 10.4.6.5. All voting shall be on a "yes" or "no" basis by secret ballot. A positive recommendation, is one in which a candidate receives a majority of votes of those eligible voters present at the consideration of that candidate. The committee shall vote and make one of the following recommendations:
- Tenure be granted;
  - Tenure be denied;
  - In the event of an application in the final year of the tenure-track appointment, that tenure be deferred, that the appointment be renewed for an additional two-years, and that reconsideration of tenure can occur both in first or the second year of the extension.
- 10.4.6.6. Once the DTPC has made its recommendation, the chair of the DTPC shall so advise the candidate in writing by November 30. In the case of a recommendation against tenure the written communication will indicate to the candidate the criterion or criteria he or she did not meet at the expected level. In the case of a deferral of tenure, the written communication will indicate to the candidate precisely which area or areas of performance further evidence of development is required before the candidate receives a positive tenure recommendation. Any disagreement within the committee concerning its recommendation shall also be described in the statement
- 10.4.6.7. The Chair of the DTPC will submit the list of candidates to the chair of the UTPC together with the candidate's tenure application file and the DTPC recommendation by November 30.
- 10.4.6.8. The DTPC and its members shall act in accordance with Article 15.6(b).
- 10.4.6.9. In the case of cross-appointed faculty employees the following procedures apply:
- 10.4.6.9.1. Where the appointment is between departments in the same Faculty, a joint departmental DTPC shall be constituted in accordance with the following. The joint DTPC shall have membership proportional to the weighting of the cross-appointment. When the appointment is more than 50% in one department, the joint DTPC shall be chaired by a member of the majority department. Where there is no majority department, the Dean shall designate a chairperson from within the committee.
- 10.4.6.9.2. Where the appointment is in more than one faculty and more than 50% in one faculty, (the 'majority faculty'), the joint departmental committee shall have membership proportional to the weighting of the cross-appointment, and shall be chaired by a member

of the majority department.

10.4.6.9.3. Where the appointment is divided equally between two Faculties, the DTPC shall be representative of each of the pertinent departments (or equivalent) and shall be comprised of the Chair of each of the appropriate DTPC and at least one other representative from each of the Departments/Schools at the invitation of the appropriate Deans. The appropriate Deans shall designate a chairperson.

10.4.6.9.4. All other procedures described in Articles 10.4.6.1. to 10.4.6.8. apply.

10.4.6.10. Procedures for the Sprott School of Business:

Until the Sprott School of Business establishes departments within the Faculty, tenure and promotion applications will be dealt with by a School-wide Tenure and Promotion Committee that shall be constituted as described in Article 10.4.6.3. and procedures described in Articles 10.4.6.1. to 10.4.6.8..

## 10.5 The University Tenure and Promotions Committee (UTPC)

The role of the UTPC is to provide oversight at the university level for the tenure process, and to either endorse or refer back DTPC recommendations. Specifically, the committee shall ensure that the recommendations emerging from the DTPC are fair, equitable, and reasonable, and that they are free from bias and that recommendations are consistent with the approved tenure criteria. Additionally the UTPC will ensure that the approved tenure criteria were consistently applied over time and over the whole pool of candidates.

10.5.1. The University Tenure and Promotions Committee (UTPC) consists of ten tenured full professor faculty employees, one male and one female from each Faculty, elected by the relevant Faculty Board. It shall choose a chair from among its members, and the chair shall be permitted to vote.

10.5.2. No faculty member may serve on the UTPC for more than two consecutive years.

10.5.3. The parties commit to principles of diversity as defined by the Ontario Human Rights Code in representation on the UTPC and every 4 years will review success of meeting diversity objectives.

10.5.4. CUASA has a right to have an observer at all UTPC meetings and CUASA's observer shall be provided with a complete copy of the candidates' tenure application files.

10.5.5. All voting shall be on a "yes" or "no" basis by secret ballot. The UTPC shall vote on each recommendation and by majority vote:

10.5.5.1. Endorse the DTPC recommendation; or

10.5.5.2. refer the DTPC recommendation back to the DTPC.

10.5.6. In the event the UTPC refers a recommendation back to the DTPC, the UTPC must provide a detailed written account of the reasons for its refusal to endorse the DTPC recommendation within 2 weeks of its vote. Within two weeks of receipt of the referral back the DTPC will meet and provide a written response to the UTPC. The UTPC will then meet within two weeks to consider the DTPC response and then decide, by voting as described in Article 10.5.5., to endorse or not to endorse the DTPC recommendation.

10.5.7. The UTPC's review is written and together with the DTPC's recommendation and

- the candidate's tenure application file, forwarded to the President by January 15.
- 10.5.8. The UTPC and its members shall act in accordance with Article 15.6(b).

### **10.6 The President's Decision**

- 10.6.1. The President shall receive the DTTPC recommendation, the review from the UTPC and the candidate's tenure application file and communicate his/her decision to the candidate by January 31.
- 10.6.2. The President shall review recommendations with respect to ensuring that they are consistent with the Ontario Human Rights Code, and that they are free of any discrimination on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or disability.
- 10.6.3. The President shall ensure that the Collective Agreement has been followed including protection of academic freedom.
- 10.6.4. If the President intends to overturn the DTTPC recommendation, the President must request reconsideration by the DTTPC on specified grounds communicated in writing to the chair of the committee, copied to the candidate. Within twenty one days of receipt of the request for reconsideration the DTTPC will meet to consider the President's request. Within five days of this meeting the chair of the DTTPC will communicate the committee's decision with respect to the request for reconsideration. Within ten days of receipt of the DTTPC's decision the President will communicate the decision regarding tenure to the chair of the DTTPC and the candidate with a copy to CUASA.
- 10.6.5. A decision to deny or defer tenure shall be subject to appeal and/or grievance and arbitration.
- 10.6.6. In the case of a deferral of tenure, the candidate, the Chair/Director, and the Dean will meet to review and identify the areas that require improvement. The Dean will communicate the conclusions reached during this meeting to the candidate in writing with a copy to the Chair/Director and CUASA. The Dean shall be explicit and precise in identifying what is required of the candidate to satisfy the approved tenure criteria and what steps the university is taking to assist the candidate to satisfy them including reduced responsibilities in areas where the candidate's file demonstrates satisfactory performance.
- 10.6.7. Where a candidate is denied tenure, the candidate shall be offered a further one-year, non-renewable term appointment.

### **10.7 Appeals and Grievance/Arbitration**

- 10.7.1. There shall be established a standing committee of Senate, to be known as the **Tenure and Promotion Appeal Committee**, consisting of five members who are as representative as possible of the major divisions of the University. Deans, directors and departmental chairmen are not eligible to be appointed to or to serve on the Committee.
- 10.7.2. Any candidate who has been denied tenure may appeal this ruling by giving written notice to the **Tenure and Promotion Appeal Committee** at any time within ten days after receipt by him/her of the statement referred to in Article 10.6.1. and 10.6.4..

The appellant shall be allowed a reasonable time in which to prepare his appeal. The Committee shall hear any representations and evidence that the appellant indicates he wishes to present if, in so doing, consideration of the appeal is not unduly prolonged. The Committee may call for, and is entitled to receive, any other information that is relevant to the appeal. A department, through its chairperson or the appropriate Dean, may also appeal a ruling on the candidacy of one of its members for tenure. The foregoing procedures for a candidate's appeal shall apply to a departmental appeal.

- 10.7.3. The Tenure **and Promotion** Appeal Committee whose decisions shall be final and binding on the University shall send a copy of its decisions and a statement of the reasons for these to the President and the appellant as soon as the Committee has reached its decision and in any event, not later than ~~January 31~~ February 28. Within fourteen days of receiving the report of the Tenure **and Promotion** Appeal Committee, the President shall provide the appellant, the departmental committee, and the faculty committee concerned, with a written statement of the decisions taken.
- ~~10.7.4. Consideration of the non-renewal of a preliminary appointment shall follow the procedure described in paragraphs B1 to B11.~~
- 10.7.5. Except insofar as the foregoing procedures require the communication of information from one committee to another and to the President, the documents and deliberations of every committee dealing with tenure cases shall be treated as confidential to its members.

## 10.8 Committee Membership Rules

- 10.8.1. Faculty employees will recuse themselves from voting on any file in which they served as a voting member at a lower level of review.
- 10.8.2. Faculty employees shall not serve on Tenure and Promotion committees in any year in which they have applied for tenure and/or promotion.
- 10.8.3. Faculty employee members of the DTPC or UTPC shall not serve on the TPAC in the same academic year.
- 10.8.4. The President of the Association and the Association's Grievance Officers shall not sit on any DTPC, UTPC or TPAC.
- 10.8.5. Faculty employees shall not take part in the assessment of a candidate with whom they have a professional and/or personal relationship that would cause a reasonable apprehension of bias. Any such relationship shall be declared by the faculty employee, and the Committee shall determine whether or not the relationship creates a reasonable apprehension of bias.. In such determinations the Committee will err on the side of caution. A faculty employee may request that a apprehension of bias decision be made by JCAA.