

## 2014: MERIT, PROMOTION, APPRAISAL REVIEW

The following policies and procedures have been developed to support the University's goal of retaining high quality faculty. It is the policy of the University to evaluate objectively and thoroughly each candidate for promotion or merit increase.

In 1977 (revised in 1992), the University adopted policies to ensure fairness in the academic review process. These policies are contained in **APM 160**, including Appendices A and B; **APM 200**, **APM 220**, and in the UC Merced **Procedural Safeguard Statement**. Unit Chairs are responsible for adherence to these policies and procedures and should provide copies of the pertinent APM and MAPP sections to each candidate. Unit Chairs are required to complete the Procedural Safeguard Statement with each candidate.

### ELIGIBILITY FOR REVIEW

Faculty members are eligible for advancement or promotion each year; however, advancement usually occurs in conjunction with completion of "normal" time in step (see **Chart 2014-I** below). Throughout this document, the term "eligible" refers to the completion of normal time in step with the understanding that nothing precludes submission of a file during any review cycle.

The Academic Personnel Office maintains the Eligibility List, which indicates the time at rank and step for each faculty member. Prior to March 1st of each year, APO sends out notification letters to those faculty members who are eligible for an Academic Personnel action.

The Unit Chair is responsible for making certain that there is an annual informal review of the status and performance of each faculty member in the Unit with regard to her or his time at rank and step (**APM 220-80.b**). Each faculty member is required to submit a current academic record (e.g., curriculum vitae, Bio-bibliography form, etc.) to her or his Dean's Office each **July 15**, which will in part form the basis for this review.

Units are encouraged to review each faculty member who is at normal time in step and to make a recommendation for or against advancement. Tenured faculty members may request to defer review, but a deferral request will not be considered as fulfilling the mandatory quinquennial review (see section F below). Such requests must be approved by the Dean. Assistant Professors may not defer.

*Note: **Appendix 2014-A** provides a description and information regarding the Mid-Career Appraisal (MCA), also known as the Formal Review, which is an assessment of an Assistant Professor's progress toward tenure and is separate from the merit or advancement review. See **Appendix 2014-B** for information regarding Career Equity Reviews, which do not fall under the category of normal advancement actions.*

### A. SPECIAL CONSIDERATIONS

Service in an "Acting" or a "Visiting" title does not technically count toward years at rank and step, though it does count in determining years toward the eight-year limit to tenure (**APM 133**). This service, however, should be considered in any full-career review.

Regarding periods of leave, the issue of whether or not a particular leave counts towards time at rank or step, and/or towards the eight-year limit, needs to be resolved in consultation with APO and the Provost/EVC at the time the leave is requested. (**MAPP 2015, APM 200-19**) Relevant information regarding approved leaves will be recorded on the Faculty History Cards provided to the School and CAP by APO.

### B. NORMAL TIME AT STEP

"Normal" time refers to the standard rate at which the majority of faculty will progress through the ranks and steps. Normal merit increases within Assistant Professor, Associate Professor and Professor I-V ranks, although less critical than promotions, are not automatic and do require demonstrated merit. See **Appendix 2014-C** below for information regarding use of the **Short Form for Normal Merits**.

Chart 2014-I - Normal Time in Step					
Assistant Professor	Associate Professor	Full Professor		Distinguished Professor Above Scale	Normal Period of Service at Step
Step	Step	Step	Step	Step	Period
I					2 years
II					2 years
III					2 years
IV*					2 years
V	I				2 years
VI	II				2 years
	III				2 years
	IV	I			3 years
	V	II			3 years
		III			3 years
		IV			3 years
		V			3 or more years
			VI		3 or more years
			VII		3 or more years
			VIII		3 or more years
			IX		4 or more years
				No Steps/just merits	4 or more years between merit advancements

\*See Section E below "Postponement of Tenure Review" below for timing of the tenure review. Visiting Assistant Professor and Acting Assistant Professor appointments count toward the eight-year rule.

**C. ACCELERATION**

Advancement to a higher step before normal eligibility constitutes an "acceleration." The campus encourages Units to put forward deserving candidates for acceleration. Advancement to a higher rank must meet the appropriate criteria for promotion (**APM 210-1 and APM 220-18-b**). The minimum criterion for acceleration within rank is excellence in all areas of review during the abbreviated review period. In addition, for one-year acceleration within rank, the record for the abbreviated review period must reflect a level of accomplishment commensurate with the normal on-time merit.

For multiple-year accelerations within rank, the record for the abbreviated review period must reflect excellence in all areas of review commensurate with the proposed step, as well as performance deemed to be especially outstanding in at least one area as the driving force for the acceleration.

The Unit and Dean are expected to explicitly address the acceleration recommendation in their letters. Multiple-year accelerations and those at the senior Professor and Above-Scale steps should be particularly well-justified.

A promotion is not considered an acceleration, regardless of years at rank or step when a candidate is advancing to the "normal" step in the next rank. The Case Analysis for promotions, however, must clearly demonstrate unusual or exceptional achievement (**APM 210**).

Chart 2014-II: Promotion from Assistant Professor to Associate Professor (Tenure)					
		To Associate Professor			
Steps		I	II	III	IV
From Assistant Professor	I, II, III, IV	Normal	2-year acceleration	4-year acceleration	6-year acceleration
	V	Lateral	Normal	2-year acceleration	4-year acceleration
	VI		Lateral	Normal	2-year acceleration

Chart III: Promotion from Associate Professor to Full Professor					
		To Full Professor			
Steps		I	II	III	IV
From Associate Professor	I, II, III	Normal	3-year acceleration	6-year acceleration	9-year acceleration
	IV	Lateral	Normal	3-year acceleration	6-year acceleration
	V		Lateral	Normal	3-year acceleration

**D. OVERLAPPING STEPS**

The normal periods of service are described in **APM 220-18-b**. Overlapping steps are those in which the published salaries vary by \$100. The following are overlapping steps in the Professor series:

- Assistant Professor V → Associate Professor I
- Assistant Professor VI → Associate Professor II
- Associate Professor IV → Professor I
- Associate Professor V → Professor II

**E. POSTPONEMENT OF TENURE REVIEW**

Per **APM 133-0.a** (the so-called **"Eight-Year Rule"**), an Assistant Professor shall not be continued after the eighth year of service unless promoted to the rank of Associate Professor with tenure. **How to calculate eight years of service.**

The following UC Merced policy shall be applied beginning with those candidates who are eligible for formal appraisal ("Mid-Career Appraisal" or "MCA;" see **Appendix 2014-A** below) during the academic year 2011-12:

In the latter half of an Assistant Professor's fifth year, the Academic Unit should determine whether the tenure review should take place, as normal, in the sixth year or whether circumstances exist which warrant postponement of the tenure review until the seventh year. Postponement of the tenure review is rarely granted, but may be justified if the candidate has significant work in progress which will be evaluated within a year but not in time to be included in a sixth-year review.

To request postponement, the Assistant Professor should provide tangible evidence to his or her Dean that the record will change significantly during the sixth year. The Academic Unit should discuss the evidence and vote for or against the postponement of tenure review. The Dean shall add his or her argument for or against postponement in a Dean's Memo to be added to the Case File. Form **UCM-AP 151** itemizes the documentation required for the postponement of tenure request. Requests for postponement of tenure are due to APO by **September 15** of each year. APO will route the file to CAP which will provide a recommendation to the Provost/EVC who will make a final determination.

Should the postponement request be denied, the full tenure review file will be due to APO as usual on **December 15**. The candidate's materials, therefore, should be submitted to the School within ten days of the candidate being notified that the request has been denied.

Should a postponement be granted, the candidate will not be eligible for any other personnel actions (e.g., merit review) during the postponement period.

#### **F. MANDATORY QUINQUENNIAL REVIEW**

All faculty members must be reviewed at least every five years (**APM 200-0**) if not reviewed at normal time in step. The purpose of this mandatory quinquennial review is to ensure that the performance of a faculty member is appraised at regular intervals, to assess the faculty member's productivity, and to identify what more needs to be accomplished for advancement. The focus of this review should be to provide constructive feedback aimed at supporting the candidate's future success in all areas of assessment.

Quinquennial Reviews will follow the general procedures outlined in **APM 220-80** and MAPP 2014. Candidates will be notified of the requirement to undergo review via a Letter of Eligibility issued by APO on or about **March 1** of the fourth year of service since the last review, and will follow the **Schedule for AP Actions** in preparing and submitting review materials. The review is to take place **during** the fifth year. If the candidate does not provide materials upon request, the review will proceed with the documentation available to the Unit and contained in the faculty member's personnel file, as assembled and submitted by the Unit Chair. It is acknowledged that this documentation might not be current and could therefore affect the outcome of the review.

Based on review of the submitted materials, the reviewing entities will recommend one of three outcomes:

- **Advancement** (merit or promotion): Performance Satisfactory
- **No Advancement:** Performance Satisfactory
- **No Advancement:** Performance Unsatisfactory

If the Quinquennial Review outcome from the Committee on Academic Personnel (CAP) is Performance Unsatisfactory, the faculty member is considered to be not in good standing for the duration of the performance improvement period, and will not be eligible for any academic leaves until the final outcome of the review has been determined by CAP to be Satisfactory. In the case of an outcome of Performance Unsatisfactory, CAP will provide information on the area(s) in which the performance is not consistent with the series, rank and step of the candidate. The Unit Chair and the candidate will be required to submit a Performance Improvement Plan (PIP) that sets forth performance expectations to address those areas which have been identified as unsatisfactory. It is assumed that satisfactory performance will be maintained in all other areas. The PIP shall generally be one year in duration, and must be submitted to the Vice Provost for Academic Personnel (VPAP) within thirty calendar days of notification of the review outcome.

The candidate under review must submit a progress report to his or her Unit Chair one year after the PIP is approved. The Chair prepares an assessment of the progress to date and submits the entire report to the Dean's Office. The Dean provides an assessment and submits the report to CAP via APO. CAP shall make a summary recommendation based on the accomplishments and activities during the improvement plan period. CAP's recommendation shall consider whether the candidate, upon re-review, should be given a rating of Performance Satisfactory or Performance Unsatisfactory. CAP's recommendation will be forwarded to the VPAP who will make

**PROFESSORIAL SERIES (PROFESSOR, ASSOCIATE, ASSISTANT)**

a recommendation to the Provost/EVC, who has final authority on all Quinquennial Reviews. If performance is Satisfactory, then the Quinquennial Review is considered complete and the candidate will be eligible for academic review in the next appropriate review cycle for his or her rank and step. If performance is Unsatisfactory, then further action that is consistent with **APM 075** will be undertaken.

Upon discussion between the Unit Chair and the candidate, a change in series may be considered during the review period or subsequent period of improvement if it is determined that the candidate's performance would satisfactorily meet the criteria in a different series (**APM 075-II.A**). A change of series must meet all of the relevant policy requirements such as faculty vote and academic search as appropriate. Upon approval of this request by the Provost/EVC, a Case File for the new appointment would be prepared and submitted for review.

## PREPARATION OF THE CASE REVIEW FILE

*Note: For “normal” merit reviews, use of the so-called **Short Form** is permissible. See **Appendix 2014-C** below for information.*

Once a faculty member has been informed of her or his eligibility for an Academic Personnel action, he or she is expected to assemble a file of documentation supporting the proposed action. (In some cases the faculty member may be permitted to defer review; see **Eligibility for Review** above). This file includes: summary bio-bibliographies from the period to be reviewed; curriculum vitae; self-statement; publications or other creative work; and teaching evaluations and syllabi.

It is the candidate’s and the Unit Chair’s responsibility to prepare a file that presents the scholarly and intellectual contributions of the candidate in each area of review. Review will be based only on what is contained in the file. It is in the candidate’s interest to provide all pertinent material and information to the Unit and to be certain that the file is complete.

It is the expectation of the Deans, CAP and the VPAP that all faculty having advancement cases will provide their updated material to the Unit/Dean’s Office as early as possible. Deadlines for submission of materials are established by the Schools and must be adhered to in order to meet Academic Personnel **deadlines**. Cooperation in providing information for one’s personnel file is a professional obligation without which the review process cannot be initiated.

### A. BIO-BIBLIOGRAPHY AND DIGITAL MEASURES

**Digital Measures** is an online faculty database which assists faculty in tracking teaching, research and service activities. Once a faculty member’s data are entered into the system, she or he can extract from the database a subset of information to produce a Bio-bibliography in the format required by CAP. Use of Digital Measures, while not mandatory, is strongly encouraged. In any case, **use of the CAP-approved format is required**.

The Bio-bibliography should clearly indicate which new activities and publications should be credited since the last review. Articles “in press” are credited as accepted for publication and cannot be counted in later reviews as new activities. If there are joint publications, it is important that the role of the faculty member in the research be described and defined.

### B. PUBLICATIONS AND OTHER SUPPORTING DOCUMENTS

Copies of all publications, reviews and/or exhibits, including work in press, should be included for the period under review. Abstracts, book reviews, and letters published in professional journals should be grouped separately. In the case of “in press” or “accepted” work, an acceptance letter from the publisher should be included. For easy reference, publications must be numbered the same on the bio-bibliography as on the curriculum vitae.

For actions that do not require a career review, the general rule is that evidence may only be counted once and only in the review period to which the evidence pertains. In some instances, determining the review period is fairly straightforward; for example, a grant should be included in the review period in which it was awarded. For publications, the relevant review period can be less apparent because a research manuscript can be described in four stages: “in preparation,” “submitted,” “accepted (or in press),” and “published (or in print).” The Case File should never pay attention to or count manuscripts that are in the “in progress” or “submitted” status. Both “accepted” and “published” statuses can be relevant to a review period, but any given manuscript can only be referred to or counted in one review period. In other words, if a Case Analysis or other materials in the Case File refer to or count a manuscript when it is “accepted” in one review cycle, it may not be referred to or counted in the next, even if its status has changed to “published.”

For actions that require a career review, all scholarly, teaching and service evidence are pertinent to the review and may be addressed in the Case File. This includes materials prior to an individual’s appointment at UC Merced

as well as research that has not yet been published or grants that are not yet funded. Candidates should be cautioned, however, that individual items may only be counted in one review and may not be submitted for evaluation in subsequent reviews (until the next career review). Careful consideration, therefore, should be given when determining whether to put forth materials that are in the “submitted” or “in progress” stages. Should the status of these items change to “in press,” “published,” or “funded” during the next or subsequent review period, the items will not be viewed as new work by CAP and thus will not be given any credit until the next full career review.

### **C. SELF-STATEMENT**

The self-statement is a narrative summary of the candidate’s accomplishments in the four evaluative areas (teaching, research or creative activity, professional activity and University and public service) **(APM 210-1.d)** during the review period. It should be viewed as a supplement to or enhancement of the information contained in the Bio-bib and curriculum vitae, not merely a recap of material provided elsewhere.

### **D. TEACHING MATERIALS**

Student evaluations and course syllabi for the period under review should be included in the Case File. Other evidence of teaching such as peer evaluations, assessment of learning outcomes, or other assessments may be included.

### **E. EXTRAMURAL LETTERS**

If the proposed action requires solicitation of extramural letters of reference from experts in the candidate’s field, the eligible faculty member should submit a list of proposed referees to the School’s AP staff by the end of Spring Semester. Letters of reference are required for all appointments and promotions, and for advancement to Professor, Step VI and Professor, Above Scale. The School staff shall then solicit letters from the candidate-suggested list as well as from a list of School-suggested reviewers. Schools should obtain, at the very least, three letters from the candidate’s list of potential external reviewers and three letters from the School’s own list of potential external reviewers. [Note: letters from School-suggested reviewers are not required for appointments to Assistant Professor I-III]

Extramural reviewers should be selected from academic or research institutions with standards comparable to the University of California. Preferably, at least two to three letters should come from individuals at UC campuses. The reviewers should normally be full Professors or of equivalent stature, although occasionally it may be appropriate to ask an Associate Professor to provide a letter for an Assistant Professor coming up for tenure. For promotions to the highest levels, such as Professor Step VI and Above Scale, as well as for accelerations, it is helpful to have some letters from within the UC system that speak directly to the issue of the appropriateness of the step and/or the magnitude of the acceleration proposed. Individuals outside the system may not be familiar with the criteria for the highest levels in the UC system. Of course, non-UC letters are also expected because the highest levels require distinction at the national and international level. For normal merit increases up to Professor Step V, the Case Analysis is the primary source of essential evaluative information and letters of reference are generally inappropriate and unnecessary.

Letters soliciting such external evaluations, sent from the School, should contain the following: 1) explanation of the proposed action (essential with Step VI and Above Scale); 2) request for analytical review of the candidate’s performance under the applicable criteria and comparison with other scholars in the field at similar rank; and 3) the following confidentiality statement:

*Although the contents of your letter may be passed on to the candidate at prescribed stages of the review process, your identity will be held in confidence. The material made available will lack the letterhead, the signature block, and material below the latter. Therefore, material that would identify you, particularly your relationship to the candidate, should be placed below the signature block. In any legal proceeding or other situation in which the source of confidential information is sought, the University does its utmost to protect the identity of such sources.*

Samples of all solicitation letters sent should be included in the case materials forwarded to APO. **Sample Solicitation Letters.**

The selection of extramural referees for candidates above the Assistant Professor level requires considerable care. Initiators should keep in mind that letters from former mentors, collaborators, or other persons with whom the candidate has had close associations tend to carry less weight than those from less closely-tied persons. Reviewers should not be individuals who are known family members or who are business or professional partners. Contact between the Unit Chair and individuals from whom letters are being solicited is permissible in order to encourage response, but care must be taken not to bias or influence the judgment of the referee.

Extramural reviewers who have provided confidential letters of evaluation should not be identified in the case materials except by means of a coded list, included in the Case Review File, which indicates the names and qualifications of all those from whom letters were solicited. It is important to also list potential letter writers who were asked to supply an evaluation but did not respond. When a particular letter is evaluated in the Case Analysis or any other case materials, the letter writer should only be identified by the code assigned on the list (e.g., "Reviewer A"). Sample Lists of Reviewers may be found **here** and **here**.

#### **F. UNSOLICITED LETTERS**

Unsolicited letters of evaluation that are added to the file by the candidate are not considered confidential and should be classified as "supplemental material." Unsolicited letters not submitted by the candidate shall not be part of the case discussion nor placed in the appointment case file. In rare instances where unsolicited letters may be viewed as relevant to the case, they shall be reviewed by the Vice Provost for Academic Personnel on a case-by-case basis.

#### **G. REQUESTS TO EXCLUDE REVIEWERS**

The UC Merced **Procedural Safeguard Statement** allows candidates for review to request the exclusion of certain persons who might not provide objective evaluations. According to **APM 220-80-c**, "any such statement provided by the candidate shall be included in the personnel review file." Due to UC Merced's small faculty base and unique campus climate, however, the following directives are to be followed on this campus with regards to this process:

In the vast majority of cases, the Unit honors the request to exclude a certain number of potential letter writers or reviewers. In rare circumstances, when the Unit is not able to honor this request, the list will be forwarded to CAP. For example, a faculty member may be in a field of research represented by a small nationwide community, and the Unit may have no option but to request an evaluation from a person on the list. The list provided by the faculty member would become part of the review file and would go to CAP for information.

A request to exclude an internal faculty member will be sent to the next highest level of review. For example, if the faculty member lists his or her Unit Chair as a person who may not provide an objective evaluation, then the request is shared with the school Dean or EVC. The list would not become part of the review file or go to CAP but, depending on the circumstances, the EVC may decide to discuss the list with the CAP Chair.

#### **H. CASE ANALYSIS**

The Case Analysis is prepared by the AP Review Committee, whose members should consult the **"Instructions to the Review Committee" (APM 210)** for the appropriate series. For "normal" merit cases that use the Short Form, the AP Review Committee may when necessary consist of only one member, though this is not preferable. For all other actions (merits which do not use the Short Form, accelerations, MCA cases and promotions), AP Review Committees should consist of more than one member. If a Unit has only one eligible voter for a particular case, then the Committee can be expanded with members from other Bylaw 55 Units at UC Merced or from other UC campuses.



The Case Analysis should 1) set out and explain the recommendation of the Review Committee for action on a personnel case, and 2) support the recommendation by evaluating analytically, not merely describing, the candidate's performance in each of the areas of responsibility: teaching; research and creative activity; professional competence and activity; and University and public service. The Case Analysis should be objective, professional, balanced, and concise, avoiding the use of rhetorical statements. The assessment put forth in the Case Analysis should be supported by evidence from the extramural letters, if any, as well as from all of the materials submitted by the candidate, although excessive quotation is to be avoided.

The candidate's scholarly and/or creative activities should be critically evaluated. The evaluation should provide a careful assessment of the craftsmanship, originality, significance and impact of the candidate's work. The Analysis should not merely state that the work is significant or has had impact; it should indicate what is significant about the work and the nature and extent of the impact. Writers should also indicate the relative stature of the candidate in his or her field. **APM 210-1-d-2** provides specific guidance on discussing and evaluating creative works in particular.

If there is collaborative research, the Case Analysis should describe the relative contributions of the person under review. In addition, the placement of publications should be addressed. The quality of journals or presses in which work appears can be an important measure of the impact and quality of a candidate's work. In cases in which the placement is unusual, or may seem so to reviewers outside the discipline, the Case Analysis should discuss the implications of this. For those works that appear in conference proceedings, information about the publication is needed as there is great variation within and amongst the disciplines. The information may include, as appropriate, the conference's acceptance and publication rates, whether the paper was accepted on the basis of title or abstract only, and the archival status of the conference proceedings.

In assessing the types of contracts, grants or fellowships awarded to the candidate, the Case Analysis should address the importance and the expectations of support for the particular discipline.

Any Case Analysis proposing Professor, Step VI or above must include a discussion of the candidate's professional impact and stature, including national and/or international honors received, election to distinguished societies, and other evidence of the candidate's outstanding leadership in the profession. Proposals for accelerated actions must likewise explicitly address the grounds for the acceleration.

#### **I. TRANSMITTAL LETTER**

The Case Analysis and supporting materials are made available to the appropriate Unit's faculty for a length of time specified in each Bylaw 55 Unit's voting procedures (typically five days). At the conclusion of this review period, the Unit Chair (or designee) presents the Case Analysis to the faculty and allows for a full discussion. This discussion should focus only on the merits of the case materials provided. The discussion culminates in a vote of all eligible voting members, according to the Unit's bylaws and voting procedures.

The vote and the faculty discussion are recorded in the Transmittal Letter. The Transmittal Letter is a critical component of the Case File and should include any pertinent arguments regarding the strengths and weaknesses of the case, as well as a recommendation for the step and effective date of the proposed action. Dissenting Bylaw Unit members have the right to have a minority report included with the Transmittal Memo; however, a minority report should not be submitted unless, after good-faith efforts by all parties, the minority believes that its views are not accurately represented in the Transmittal Memo.

Academic Units should develop policies that encourage the maximum number of faculty members to participate in the evaluation of candidates (See **MAPP 1005** for policy on physical presence for voting). Participation in shared governance is a primary expectation of University of California faculty members, and excessive abstentions or a small number of votes relative to the total number of faculty eligible to vote are likely to raise concerns in other reviewers evaluating the file. In cases of abstentions or recusals, the Transmittal Letter should provide a reason for these actions whenever possible.

#### **J. DEAN'S RECOMMENDATION LETTER**

After the faculty vote, the Dean assesses the Transmittal Letter, Case Analysis and other evidence provided in the Case File to ensure that the Unit's review is fair and rigorous in maintaining University standards. The Dean's Letter should be an independent assessment of the case. In the Letter, the Dean provides his or her recommendation regarding the proposed action and supplies additional analysis as needed.

## K. SALARY JUSTIFICATION

In a separate memo, the Dean provides a recommendation as to the salary associated with the proposed appointment or advancement, including any off-scale increment, based on the **University of California Academic Salary Scales**. This salary should be justified in terms of prevailing norms within the Unit, School, University and discipline. Proof of any competing offers should be provided with the case.

## L. HIGHER LEVELS OF REVIEW

Upon completion of the Case File, it is forwarded to the Academic Personnel Office where it is reviewed for completeness, accuracy, and compliance with policy. APO then routes the File to the Committee on Academic Personnel (CAP) via the Academic Senate Office. After careful and rigorous review, CAP prepares a recommendation regarding the proposed action, which is then forwarded to the VPAP and Provost/EVC. Should the Provost/EVC disagree with CAP's recommendation, he or she will consult with CAP before issuing a final decision. The Provost/EVC has final authority on all merit, promotion and appraisal actions except for non-reappointment of an Assistant Professor (see section A. Non-Reappointment below) and advancement to Above Scale salary beyond the Regental compensation threshold (see **APM 220-85.d**).

## UNFAVORABLE OUTCOMES

### A. NON-REAPPOINTMENT

A proposal for non-reappointment of an Assistant Professor may originate with the Unit Chair as a result of Unit review during consideration of reappointment or promotion to tenure (**APM 220-84**). Should the Unit vote for non-reappointment:

1. The candidate will be apprised of the Unit's recommendation by the Unit Chair during the second **Procedural Safeguard** meeting.
2. The candidate will have five business days to notify the Unit Chair of his or her intention to appeal the decision, and an additional five business days to submit the written appeal to the Unit.

Should the recommendation for non-reappointment be issued by the Dean after a positive or negative recommendation by the Unit:

1. The Dean shall notify the Unit Chair and the candidate and provide redacted copies of all confidential materials, if any, added to the candidate's personnel file after the Unit's recommendation.
2. After receipt of the notice of a negative recommendation from the Dean, the candidate will have five business days to notify the Unit of his or her intention to appeal the decision, and an additional five business days to submit the written appeal to the Dean's Office.

Should the recommendation for non-reappointment be issued by CAP after a positive or negative recommendation from the School and the preliminary assessment by the Provost/EVC is for non-reappointment:

1. The Dean shall be notified of the CAP recommendation and preliminary assessment by the Vice Provost for Academic Personnel.
2. The Unit Chair and the candidate will be notified in writing by the Provost/EVC of the CAP recommendation and preliminary assessment and redacted copies of all confidential materials, if any, added to the candidate's personnel file after the School's recommendation will be provided.
3. After receipt of the notice of a negative CAP recommendation and preliminary assessment, the candidate will have five business days to notify the Provost/EVC or Unit Chair of his or her intention to appeal the decision, and an additional ten business days to submit the written appeal to the Provost/EVC.

In cases in which non-reappointment is considered, the appeal, if any, shall be considered by CAP. An *ad hoc* committee shall be appointed if the Provost/EVC or CAP requests it.

The Chancellor is responsible for a decision not to reappoint an Assistant Professor. This authority may not be redelegated.

#### **B. APPEAL OF MERIT DECISION**

If a candidate should wish to appeal the final decision in a merit review, she or he will have ten calendar days after notification of the decision to submit the written appeal to the Unit Chair with a copy to the Dean. The appeal shall consist of the candidate's written statement and any relevant additional materials. The appeal shall follow the normal process of merit review, with a vote from the Unit, a recommendation from the Dean, a recommendation CAP, and a final decision from the Provost/EVC.

#### **C. NEGATIVE MERIT REVIEW**

Should a merit review have an unfavorable outcome, the next review will consider all materials from the review periods since the most recent successful advancement review. The Case Analysis should address the most recent CAP recommendation as well as the record from the latest review period.

After a negative merit review, a new letter of eligibility will not be issued by APO until the normal period of service has passed for another merit review. Should the faculty member choose to put forward a case for advancement before the normal period has elapsed, this will not in itself be considered an acceleration.

#### **D. DENIAL OF TENURE**

Should promotion to Associate Professor with tenure be denied in an Assistant Professor's sixth or seventh year, this decision is final and no further tenure reviews will be allowed. Those who do not achieve tenure are given a final year notice, during which they may pursue an appeal of the decision. The appeal process is the same as that detailed in A. Non-Reappointment above.

#### **APPENDIX 2014-A: MID-CAREER APPRAISALS**

The **Mid-Career Appraisal (APM 220-83)**, or "MCA," is a formal evaluation, which is conducted in order to arrive at a preliminary assessment of an Assistant Professor's prospect for eventual promotion to Associate Professor with tenure. Normally occurring in the fourth year of service to the University under the **Eight-Year Rule**, the purpose of the MCA is to provide the Assistant Professor with a careful, considered analytical evaluation of his or her performance to date in the areas of teaching, research and creative work, professional competence and activity, and University and public service, and to make a candid prediction concerning the probability or improbability of a favorable promotion decision based upon the evidence.

The list of case materials for the MCA is analogous to that provided for other types of personnel actions, although the MCA is a substantially different type of assessment from that done for the normal merit review and this should be reflected in the content of the documents prepared. All scholarly, teaching and service evidence pertains to the MCA and all relevant materials may be included, regardless of status. Confusion on the part of reviewers may result, however, when materials for a merit review and an MCA are submitted together, as is typically the case since these reviews normally occur simultaneously. In the case of a merit review, only work published or in press is counted. Maintaining a distinction between the MCA and merit reviews will allow Units/Deans/CAP to properly consider the full range of ongoing research activities as part of the mid-career assessment, and to make recommendations on merit increases based on review of in-press and published papers. Outside letters may be obtained for the MCA but are not required if members of the Unit have sufficient expertise to make the assessment.

The case for the MCA, therefore, should examine the complete record-to-date (including work in progress), and it should carefully and frankly assess the prospects for the individual to achieve promotion based on continuation of the current trajectory. The appraisal should note specific areas of weakness, if any, and should recommend actions to be taken by the individual and/or the Unit and Chair.

The MCA should clearly designate an outcome of "Good," "Fair" or "Poor." These categories are broadly defined as follows:

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- **Good:** promotion is likely, contingent on maintaining the current trajectory of excellence and on appropriate external evaluation
- **Fair:** promotion is likely, if identified weaknesses, deficiencies, or imbalances in the record are corrected
- **Poor:** substantial deficiencies are present; promotion unlikely

Because the MCA is directed primarily toward the candidate, it is in the best interest of the candidate and the Unit that the appraisal be careful, cautious and candid, addressing problems where they exist while there is still time for adjustment and improvement. It is important that the faculty member is made thoroughly aware, in a formal way, of her or his situation with regard to eventual promotion.

The MCA file should be forwarded to the Academic Personnel Office through the appropriate Dean's Office. The Committee on Academic Personnel will review the file and forward its recommendation to the Provost/EVC for final approval.

## **APPENDIX 2014-B: CAREER EQUITY REVIEWS**

Career Equity Reviews (CERs) permit tenured faculty members to request a special review to determine whether they are correctly calibrated at rank and step. They are intended to supplement regular academic reviews, and they neither replace nor affect existing procedures for regular reviews.

### **A. OBJECTIVE**

On rare occasions, a Senate faculty member may be at a rank and step seriously inconsistent with his or her attainments. For example, an appointment may have been made at a rank or step lower than suggested based on merit, and/or accomplishments that would warrant accelerated advancement may not have been identified. The CER is designed to examine those cases in which normal personnel actions, from the initial hiring onward, may have resulted in an inappropriate rank and/or step, and, when warranted, to allow placement of faculty members at the appropriate rank and step consistent with prevailing UCM standards.

A CER is not a substitute for a normal merit, promotion, or acceleration review. It functions as a supplemental process to correct a substantial inequity, typically a product of multiple past actions, not as a means of appeal for, or expression of disagreement with, a single personnel decision.

Because the purpose of a CER is to assess rank and step, recommendation of a bonus off-scale salary award in lieu of recalibration is inappropriate.

### **B. ELIGIBILITY FOR AND INITIATION OF REVIEW**

A Senate faculty member who has held an eligible title (e.g., an academic employee in the Professor, In Residence, or Lecturer SOE series, excluding those at the LPSOE, Assistant, or Above Scale levels) for at least four years may initiate a CER at the time of his/her regular, on-cycle review by submitting a written request to the appropriate Unit Chair or Dean. If the request is submitted to a Unit Chair, a copy should also be submitted to the Dean. The decision to initiate a CER rests with the candidate.

### **C. CONTENT AND CRITERIA**

A request for CER must contain justification for recalibration. Possible justification for a CER may include, but is not limited to, the following assessments: 1) the cumulative record warrants higher placement on the academic ladder even though no one review period did; 2) the rank/step was inappropriately low at the time of initial hiring; 3) particular work and contributions have been overlooked or undervalued by the Unit and/or other reviewing bodies.

The candidate must identify the specific area(s) of the record that he or she believes were not previously evaluated properly, or the area(s) of the record that indicate that he or she was not hired at a rank and step commensurate with his or her accomplishments. This process will be supported by an "expanded file" in which the candidate's entire record, up to and including the last review, may be considered. The candidate may submit selected publications from earlier review periods that he or she considers relevant to the CER request.

The Unit Chair will develop an academic review file that will address the candidate's entire academic record. The file will include the request for a CER. If the CER request involves advancement to or through a "barrier" step (promotion to Full Professor or advancement to Professor, Step VI, or to Professor, Above Scale), the Unit must seek external letters addressing the barrier step advancement for inclusion in the file. **[Sample Solicitation Letter]**

#### D. TIMING OF THE CAREER EQUITY REVIEW

The CER review shall be separate from a normal review, but should address the candidate's overall record using the University's established criteria for the rank and step requested.

#### E. FILE REVIEWERS

The appropriate Dean and CAP will consider all CERs. There are two ways in which consideration of a CER may proceed:

- If the candidate submits the request for a CER to a Unit Chair, following Unit review/analysis and vote, the Chair (or designee) will write the Unit Transmittal Memo regarding the CER request. It will subsequently be forwarded to the Provost/EVC via the Academic Personnel Office, which will refer the file to CAP for its recommendation.
- If the candidate submits the request for a CER to the Dean, the Dean may recommend someone other than the Unit Chair to interact with the Unit Reviewers and write the Case Analysis. The Provost/EVC must approve the Dean's selection. Further review of the file will then proceed as described above. (In rare cases, if it is believed that there is insufficient expertise at any level of review, the Provost/EVC may recommend to CAP that an *ad hoc* committee be formed to advise CAP.)

#### F. FREQUENCY

A CER may be requested once at the Associate Professor level, once at the Full Professor level prior to advancement to Professor, Step VI, and once after advancement to Professor, Step VI, up to Above Scale, but no more than once every six years.

#### G. FINAL DETERMINATION

If the CER decision leads to an adjustment of rank and/or step, the candidate's salary at the new rank and/or step will include the same off-scale increment as the salary before the review. Any decision for an adjustment to rank and/or step will be effective the following July 1. Another possible outcome is the confirmation that the candidate has been appropriately placed at rank and step. This outcome will in no way affect current or future actions proposed during the regular academic personnel process. Retroactive action to the original action will not be approved. All CER actions become part of the academic personnel file.

Should the candidate wish to appeal the final determination, he or she will have five business days to notify the Provost/EVC and Unit Chair of his or her intention to appeal the decision, and an additional ten business days to submit the written appeal to the Unit. After consideration and vote by the Unit, the appeal will be considered by the Dean and then routed through APO to CAP. An *ad hoc* committee shall be appointed if the Provost/EVC or CAP requests it. The Provost/EVC shall make the final determination on the appeal.

#### APPENDIX 2014-C: SHORT FORM FOR NORMAL MERIT REVIEWS

Normal merit increases within Assistant Professor, Associate Professor and Professor I-V ranks, although less critical than promotions, are not automatic and do require demonstrated merit.

For many merit reviews where the record seems clear and there is expected to be essentially unanimous agreement in the Unit regarding the proposed action, UC Merced has adopted the **"Short Form for Normal Merit Review"** to simplify the preparation of the Case File. It should be noted that a Case File that reveals issues

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of concern or potential controversy regarding the proposed action will not be indicative of a “normal merit,” and thus is ineligible for use of the Short Form. The Short Form should likewise not be used for accelerated actions. Use of the Short form is not mandatory and is subject to the discretion of the AP Chair.

The Short Form may be used for the following normal merit reviews:

Assistant Professor: First and second merit reviews (does not include MCA)

Associate Professor: Every other merit review within rank, exclusive of promotion

Full Professor: Every other merit review within rank, exclusive of barrier steps or promotion

Above Scale: Every other merit review

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