

UNIVERSITY OF MINNESOTA MEDICAL SCHOOL
FACULTY REVIEW POLICY

I. ANNUAL FACULTY REVIEW

All Full Time (including Affiliate and WOS) Medical School Faculty (Tenure Track [N], Tenured [P], Clinical Scholar [I], Teaching Track [K], Research Track [W]) at all ranks must undergo an Annual Review. This process is key in allowing the faculty member and the department to assess individual progress. It also helps to protect the faculty member, the department, and the school, in case of any misunderstanding or conflict that may arise. For any questions about this process, please do not hesitate to call the Office of Faculty Affairs.

- 1) During the spring of each academic year, all Department Heads will schedule an annual review conference with each full-time or affiliate faculty member. This responsibility may be delegated to Division Chiefs, Departmental Review Committee, Center Directors or other designee. All reviews must receive final approval and signature of the Department Head.
- 2) Prior to this conference, the individual faculty member will provide the requisite information, following the department's annual review reporting format, as well as an updated Curriculum Vitae.
- 3) Annual reviews may be carried out in the format preferred by each department but must, at a minimum, include the following:
 - a. Accomplishments of the previous year, particularly in relation to goals set for the year.
 - b. Detailed accomplishments in each domain relevant to the faculty member (as applicable: scholarship, teaching, service, clinical activity):
 - i. Evaluation of quality and quantity of teaching, attitude towards learners, knowledge of subject matter, and specific contributions to continuing education.
 - ii. Evaluation of research and/or scholarly activity including current projects, grants applied for or funded, publications, and papers presented or submitted.
 - iii. Evaluation of clinical activity when applicable, including volume of patients served, breadth of referrals, incorporation of patient care into teaching program, activity in local and national professional organizations.
 - iv. Evaluation of service.
 - c. Percentage of effort in each domain – updated annually.
 - d. Agreed upon goals for the up-coming year.
 - e. Plans for subsequent year:
 - i. Specific recognition of outstanding accomplishments etc and plans to maintain high performance level.
 - ii. Detailed faculty development plans for areas of deficiency.
- 4) The annual review conference should emphasize frank discussion concerning the faculty member's past and present performance in given areas of responsibility, noting progress in achieving previously established goals and objectives. In particular, it is important to frame the evaluation in the context of the proposed distribution of responsibilities in the 4 domains of Teaching, Research/Scholarly Activity, Service, and Clinical activity (if applicable). If the faculty member is working towards advancement or tenure, the Department Head and the faculty member should assure themselves that year-by-year progress, consistent with the departmental 7.12 or other track statement, has been appropriate to date and specific goals for the coming year should be agreed upon.
- 5) Following the annual review conference, the Department Head or designee will complete Form 12, or 12a (as applicable), summarizing the conference and stating the agreed upon goals for the up-coming year. The Summary

form must be signed by the faculty member, the evaluator and the Department Head, if the evaluator is a third individual.

- 6) The signed Summary form is sent to office of Associate Dean for Faculty Affairs – who also signs. The Summary will be handled confidentially by the Dean and the Associate Dean and will assist them in supporting recommendations for promotion, tenure, special recognition, or salary adjustments.

II. PERIODIC CAREER REVIEW (Non Triggered Review)

1. Timeline

A “Periodic Career Review” for Tenured [P] faculty at the Associate or Professor Rank occurs after every five years of service.

2. Timeline Exceptions

- a. If there has been a promotion during that time, the clock restarts (ex: if an Associate Professor with 2 years to go before the next Periodic Career Review is promoted to Professor, the review clock resets to 5 years).
- b. When the review period ends in a sabbatical (or other leave) year, the Periodic Career Review shall be deferred until the next academic year.

3. Criteria

The expectation is for *proficiency* in all areas included in the distribution of effort, as outlined in the goals for the period under review. The review process shall not extend beyond the office of the Dean of the Medical School, but the results of such reviews shall be reported annually to the office of the Senior Vice President for Health Sciences for transmission to the Provost.

4. Review Levels

- a. Panel: a different panel is appointed for each review- composed of members at the same rank as the faculty member or above, with at least some members holding the same type of appointment (track).
 - i. Members are appointed (not elected).
 - ii. Members (at least 5) are selected by the department head (2), the faculty member (1) and the Dean’s office (2).
 - iii. Members may be in the department or outside, if appropriate – case by case. If the faculty member has a secondary appointment in another department, that department should be represented on the panel.
- b. Department Head: reviews the entire dossier, including the panels’ findings and recommendations, and formulates his/her own findings and recommendations.
- c. Associate Dean for Faculty Affairs: reviews the entire dossier, including the panel and Department Head’s findings and recommendations, concurs or disagrees on the proposed rating and action (if applicable), and prepares a summary report.
- d. Dean: reviews the dossier and finalizes outcome and report. The report is sent to the faculty member and the Department Head for further action (if applicable).

5. Portfolio materials include:

- a. Personal Statement by faculty member.
- b. Current annotated curriculum vitae.
- c. All annual reviews with goals and effort distribution since the last review.
- d. Teaching evaluations since the last review.
- e. Reprints of papers published since the last review.
- f. Supporting documentation, including, but not limited to, letters of acceptance for articles in press, and acknowledgement by journal or funding agency of manuscript or proposal receipt.
- g. Separate recommendations by the panel and department head.
- h. Summary letter by the Associate Dean for Faculty Affairs, with Dean’s comments/approval.

6. Review Criteria and Methodology

- a. A Periodic Career Review requires only *proficiency* in each area of involvement (as opposed to *excellence* in certain areas for Promotion and Tenure). More specifically, the faculty member should continue to meet the standards set for that rank in the department's official statement (7.12 statement).
- b. The only required area of involvement is teaching.
- c. All reviews originate in the faculty member's home department with notification to the dean's office that a review is scheduled. The Associate Dean for Faculty Affairs will assist in selecting a review panel.
- d. Faculty undergoing review may examine any substantive material in their file at any time.
- e. Faculty performance will be evaluated as either:
 - i. Outstanding: exceeding Department and/or Medical School criteria.
 - ii. Satisfactory: meeting Department and/or Medical School criteria.
 - iii. Unsatisfactory: not meeting Department and/or Medical School criteria.

7. Outstanding Evaluation

- a. Faculty members evaluated as outstanding will begin the next 5 year review cycle in the following academic year.
- b. Where evidence of **outstanding performance** over the entire review period is identified, recognition may be recommended in the form of salary increase, bonus or other method.

8. Satisfactory Evaluation

- a. Faculty members evaluated as satisfactory will begin the next 5 year review cycle in the following academic year.

9. Unsatisfactory evaluation

- a. Within the first thirty days after receiving the Periodic Review Report, the faculty member will prepare a development plan in collaboration with, and approved by, the Department or Division Head, which must ultimately be approved by the Associate Dean for Faculty Affairs. The plan includes specific and measurable requirements to be met within one year, although in special cases a longer period may be approved by the Associate Dean and the Department Head.
- b. The plan should include:
 - i. Clearly stated objective goals to be met, related to the area of deficiency.
 - ii. Faculty member participation in appropriate and specified developmental activities.
 - iii. Institutional commitment to providing agreed-on resources and opportunities for the faculty member.
 - iv. The date (month) of the follow-up review (1 year later).
- c. Considerable effort should be made to provide agreed upon resources to the faculty member to meet the requirements of a successful review.

10. Follow Up Review

- a. After the year of enhanced faculty development, the faculty member undergoes a follow-up review. The same panel that provided the first review may be asked to serve for this purpose. The process is similar to the first Periodic Review, except that it will concentrate on the area(s) of deficiency identified during the previous review.
 - i. If the follow-up review is satisfactory, the next five-year review cycle begins with the following year.
 - ii. If the review is again evaluated as unsatisfactory, the Department head will initiate proceedings for a **Special Review**

From the experience at other Medical Schools: Potential Benefits of Program

- *Reinvigoration of the careers of key faculty who had deficiencies*
- *Reaffirmation felt by faculty when departments and school gives, in effect, a "stamp of approval" for a job well done.*
- *Faculty with waning research careers may be willing to take on heavier responsibilities in other areas, not wanting to be perceived as not carrying their weight.*
- *Benefits to the non triggered component:*
 - ◆ *Formal peer-generated reaffirmation of productive faculty (would not have occurred with exclusively triggered model of review).*
 - ◆ *By mandating that all faculty undergo review, the process gently encourages faculty to seek opportunities to become more involved in the medical school in different productive ways*
 - ◆ *Key to success of the program is its overall non punitive nature with a main focus on faculty development*

III. SPECIAL REVIEW (Triggered Review) – Tenured Faculty

1. Initiation

In compliance with Section 7.a.3 of the University Tenure Code (Appendix III), a Special Review may be initiated at the request of the Department Head, a Departmental Review Committee, and/or a Periodic Review Panel:

- a. After a 2nd consecutive unsatisfactory Annual Review for a Tenured [P] Associate Professor or Professor.
- b. After an unsatisfactory rating following completion of a Periodic Career Review.

The Associate Dean for Faculty Affairs will be notified and asked to initiate a Special Review. The Associate Dean for Faculty Affairs will independently review the file to determine that special peer review is warranted, and if in agreement, will assist with the process.

2. Review Levels

- a. A Special Review Panel composed of tenured members at the same rank or above the rank of the faculty member under review:
 - i. Members are elected independently for each Special Review, by the tenured faculty of the department.
 - ii. Members (at least 5) include:
 - (1) 1 member appointed by the faculty member being reviewed.
 - (2) 2 members elected from a slate of 4 candidates nominated by Department Head.
 - (3) 2 members elected from a slate of 4 candidates nominated by the Associate Dean for Faculty Affairs.
 - iii. Members may be in the department or outside, if appropriate – case by case. If the faculty member has a secondary appointment in another department, that department should be represented on the committee.
 - iv. Members should not be the same as any previous review committee for that faculty member (ex: Periodic Review panel, if Special Review is the result of that process).
 - v. The Panel sends findings and recommendations to the Department Head and Associate Dean for Faculty Affairs.
- b. Associate Dean for Faculty Affairs: reviews findings and concurs or disagrees, and makes recommendations to the Dean.
- c. Dean: finalizes and implements action.

3. Portfolio materials include:

- a. Department Chair and/or previous Review Committee statement(s) requesting Special Review.
- b. Annual reviews with goals and effort distribution (at least 5 years).
- c. Outcome and documentation from previous review(s) (Annual &/or Periodic Career Review) that indicate need for Special Review (with separate recommendations by the Department Head and previous review committee or panel if available).
- d. Previous recommendations for faculty development and outcomes.
- e. Personal statement by the faculty member.
- f. Current annotated curriculum vitae.
- g. Teaching evaluations.
- h. Reprints.
- i. Supporting documentation, including, but not limited to, letters of acceptance for articles in press, and acknowledgement by journal or funding agency of manuscript or proposal receipt.

4. Review Criteria and Methodology

- a. All reviews originate in the faculty member's home department with approval by the dean's office.
- b. The main focus of the Special Review are the area(s) of deficiency identified in previous review(s).
- c. Due process procedures, as defined in University documents, will be applied to address disagreements at different levels of the review and to offer protection for academic freedom.
- d. Faculty members undergoing review may examine any substantive material in their file together with a member of the panel or the Associate Dean for Faculty Affairs.
- e. Faculty member's performance will be evaluated as either:

- i. Satisfactory: meeting department and/or Medical School criteria.
- ii. Unsatisfactory: not meeting department and/or Medical School criteria.
- f. The actions that the panel may recommend, listed in section 7a.3 of the Tenure Code, include:
 - i. Terminate review if the panel finds that the faculty member's performance meets the goals and expectations of the department.
 - ii. Alter allocation of effort if the panel determines that the faculty member's strengths are not being fully utilized: it might suggest that the allocation of effort between teaching, research, and service be altered so as to maximize the faculty member's contributions to the University.
 - iii. Suggested improvements: if the faculty member's performance is likely to be improved by specific steps, and that process can adequately be monitored by further regular annual reviews, the panel may suggest that those steps be taken and remit the case to the annual review process.
 - iv. Continued Special Review: if specific steps might improve the faculty member's performance, but active monitoring of that progress is needed, the panel may suggest that those steps be taken and that a follow up Special Review panel be convened at a later date (usually one year later).
 - v. Salary reduction if the faculty member's performance has declined in such a way as no longer to warrant the base salary that is attached to the position, the panel may recommend a reduction in base salary of up to 10% (see details below).
 - vi. Dismissal: if the faculty member's performance has fallen below the standard of Tenure Code Section 10.21(a), "sustained refusal or failure to perform reasonably assigned duties adequately," the Panel can recommend the commencement of proceedings for termination of appointment, or involuntary leave of absence (see details below).
 - vii. The panel may also recommend a combination of these measures.
- g. The recommendations of the Panel will be implemented by the Department, the Dean's office or other administrative body, as appropriate, depending on the specific recommendation.

5. Satisfactory Evaluation

- a. Faculty members evaluated by the panel as satisfactory (III.4.f.i) shall outline an activity plan for the following year, that must be approved by the Department Head, and will then resume the normal schedule of review (annual review & restart 5 year cycle for Periodic Career Review).

6. Unsatisfactory evaluation

- a. If the panel finds the overall evaluation to be unsatisfactory, it will recommend one of the options above (III.4.f.ii-vii). For conclusions ii and iii, implementation is delegated to the Department, with notification to the Associate Dean for Faculty Affairs.
- b. If the panel concludes that a further attempt at monitored remediation is indicated (III.4.f.iv), and all parties are in agreement, a further plan may be outlined by the faculty member, panel, Department Head and Associate Dean for Faculty Affairs. The plan is individualized. In general, positive results from any remedial program will be expected within one year.
 - i. Increased effort should be made to provide agreed upon resources to the faculty member to meet the requirements of a successful review.
 - ii. As with the previous review, the plan must include:
 - (1) Clearly stated objective goals to be met, related to the area of deficiency.
 - (2) Faculty member participation in appropriate and specified developmental activities.
 - (3) Institutional commitment to providing agreed-on resources and opportunities for the faculty member
 - (4) The date of the follow-up Review.
- c. If the panel does not recommend further remediation (III.4.f.v & vi), its recommendations are forwarded to the Dean's office for action.

7. Follow up Review (if recommended by the initial Special Review – III.4.f.iv)

- a. The follow-up review will take place following the same guidelines as the initial Special Review. The panel may be composed of the same or newly appointed members.
- b. If the follow-up review is satisfactory, the normal schedule of review will resume.
- c. If the review is again evaluated as unsatisfactory, the recommendations of the panel and

the career record of performance are forwarded to the Associate Dean for Faculty Affairs and the Dean for appropriate action, which according to university guidelines, may include the options outlined in par III.4.f.ii-vii.

8. Procedures for Salary Reduction:

- a. The Department Head may reduce pay if the special review panel recommends this action and the dean concurs in this recommendation. University policy (Tenure Code, Section 7a.4) limits pay reductions to 10% on the basis of any one Special Review, and a 25% overall maximum. Six months' notice of the reduction must be given. If the performance is restored to appropriate levels, the head of the Academic Unit may restore the pay to the original level.

9. Procedures for pursuing dismissal include:

- a. The panel may recommend that the Dean begin proceedings under Sections 10 and 14 of the Tenure Code for dismissal or suspension (or for involuntary leave of absence). The dean will follow the process described in Section 14 of the Tenure Code. The process includes:
 - i. Attempt to discuss and resolve the matter with the faculty member involved.
 - ii. Presentation of the case to the tenured faculty of the department for their recommendation (If another body has been involved in the preliminary recommendation, the dean must submit the matter to that body for its recommendation instead).
 - iii. Both the dean and the faculty member may submit their views, in person or in writing, to the body making the recommendation.
 - iv. The body making the recommendation does so by secret ballot and makes a written report to the dean within 40 days of submission of the issue to it.
 - v. A copy of the report shall be sent to the senior academic administrator and to the faculty member.
 - vi. The dean must give written notice to the faculty member. The notice must specify the action proposed, identify the specific ground upon which it has been taken, and summarize the evidence in support. It must inform the faculty member of the right to file an appeal and advise the faculty member of the applicable time limits for making such requests.
 - vii. If the faculty member does not request a hearing within 30 days, the president may take the action proposed in the dean's notice, without further right to a hearing.

Comment [a1]: Depends on whether we have a Medical School appeal first

10. Appeal Process

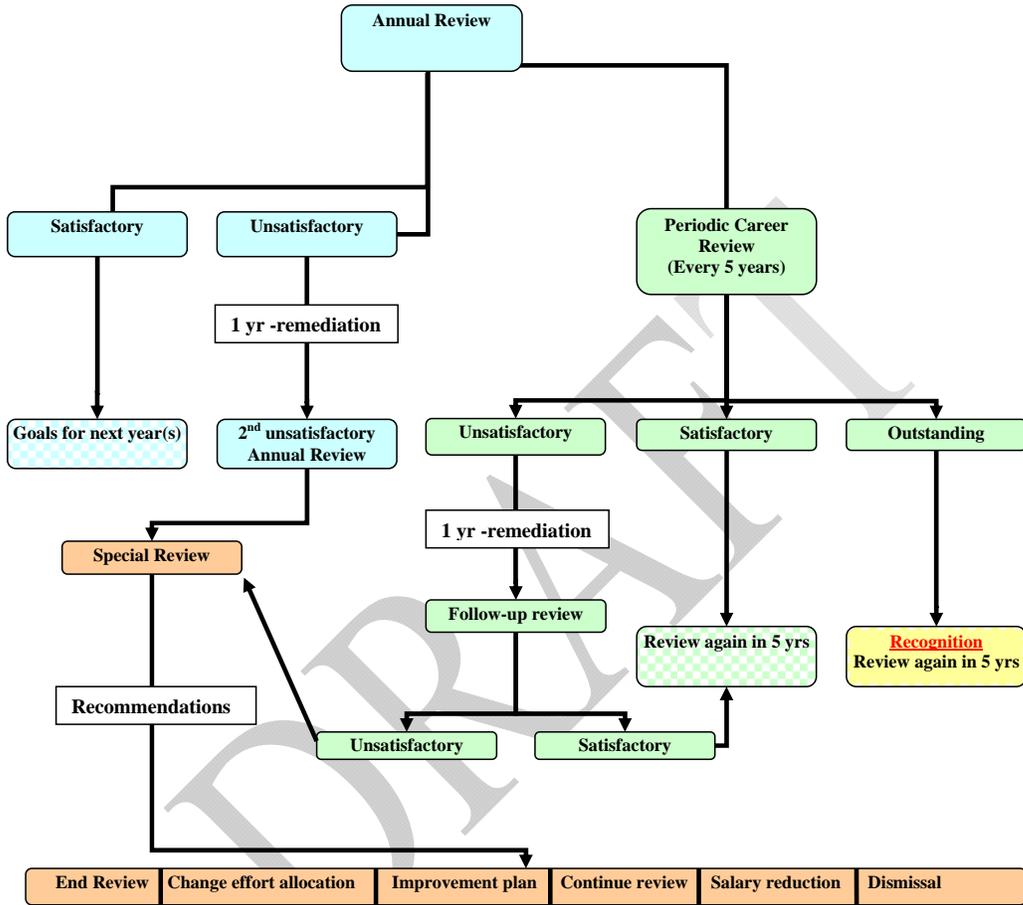
The faculty member may appeal the recommendation of the Special Review Panel and/or the action proposed by the Dean.

- a. Medical School Appeal
 - i. Within 30 days of receiving notice of the action from the Dean, the faculty member may appeal the action to a Medical School-Wide Appeal Panel.
- b. **Judicial Committee** - The faculty member may request a hearing before the Judicial Committee by written request to the chair of the committee, filed within 30 days of the notice:
 - i. The Medical School will follow the process outlined in the Tenure Code, Section 14 (Appendix III):
 - (1) Within 40 days after receiving the recommendation, the dean must decide whether to proceed with formal action and must give written notice to the faculty member.
 - (2) The faculty member may file an appeal with the Judicial Committee within 30 days after the report. The Judicial Committee will hear the case in a manner analogous to the hearing of a tenure denial appeal. It will not substitute its judgment for that of the Special Review Panel, but will examine whether due process was provided and required procedures were followed.
 - (3) The faculty member may also appeal a separate proposed action to the Judicial Committee by filing an appeal within 30 days after being given notice of the separate action by the Dean or Department Head. The Judicial Committee will not, however, hear the same issues twice; issues decided in a previous Judicial Committee hearing will not be decided again.
 - (4) If the faculty member does not request a hearing within 30 days, the president may take the action proposed in the dean's notice, without further right to a hearing.
 - ii. **Judicial Committee Hearing** - as described in the Tenure Code, section 14.
 - iii. **Action By The President** - as described in the Tenure Code, section 14.
 - iv. **Appeal To The Board Of Regents** - as described in the Tenure Code, section 14.

Comment [a2]: Do we want to have an internal Medical School appeal process first? This would be consistent with how we handle P&T appeals.

Comment [a3]: Process to be developed if we decide to include

Appendix I – Schematic of Review Process



Appendix II – Forms 12 and 12a

UNIVERSITY OF MINNESOTA President Form 12 Rev 8/89	APPRAISALS OF PROBATIONARY FACULTY As required by Regulations Concerning Faculty Tenure (effective July 1, 1985)	Copies to: <input type="checkbox"/> Senior VP Academic Affairs <input type="checkbox"/> Dean <input type="checkbox"/> Department Head <input type="checkbox"/> Faculty Member <input type="checkbox"/> Department Retain
Appraisal during academic year 20__ - 20__		
Name _____		Years credited for probationary service: _____
Current Rank _____ Effective _____		Prior service credit _____
Department in which probationary appointment is held _____		Institution _____
College _____		Rank _____ From _____ To _____
Beginning date of probationary appointment: _____ Appointment term and percent time: _____		Cumulative University of Minnesota probationary years. Include the current year in computation. _____
		Total number of probationary years _____
Academic unit's appraisal of the candidate's teaching, research, and service according to Section 7.11 of the Tenure Regulations and the unit's Section 7.12 statement (use reverse side if necessary)		
Academic unit's recommendation: <input type="checkbox"/> Continuation of probationary appointment <input type="checkbox"/> Senior Vice President to send certified written notice of terminal appointment <input type="checkbox"/> Continuous appointment <input type="checkbox"/> Signed and dated resignation letter attached <input type="checkbox"/> Promotion		
Have appropriate members of the academic unit participated in the above recommendation in accordance with the Regulations Concerning Faculty Tenure? <input type="checkbox"/> Yes <input type="checkbox"/> No		
This appraisal has been reviewed by the probationary faculty member.		
_____ Probationary Member Date		_____ Department Head Date
Dean's comments and recommendation		
		_____ Dean Date
Senior Vice President's recommendation		
		_____ Senior Vice President Date
BOARD OF REGENTS' ACTION		Date of notice of terminating appointment if such action is taken _____
Approval Date _____	Indefinite Tenure Effective _____	Promotion Effective _____
		Letter of resignation _____ Effective Date _____ Senior Vice President's letter posted _____ Effective Date _____

UNIVERSITY OF MINNESOTA MEDICAL SCHOOL <small>[Form 12a - 08/08]</small>		SUMMARY APPRAISALS OF ALL NON PROBATIONARY FULL TIME FACULTY*		Track <input type="checkbox"/> Tenured <input type="checkbox"/> Clinical Scholar <input type="checkbox"/> Teaching <input type="checkbox"/> Research	
Appraisal during academic year 20__ - 20__					
Name			Years credited for service:		
Current Rank			Effective		
Academic unit in which appointment is held			_____ Cumulative University of Minnesota years. Include the current year in computation.		
Beginning date of appointment:		Appointment term and percent time:		Percent effort	Scholarship/Teaching/Service/Clinical
Academic unit's appraisal of the candidate's teaching, research, and service according to specific track criteria.					
Academic unit's recommendation (check all that apply):					
<input type="checkbox"/> Continuation of appointment		<input type="checkbox"/> Faculty Development Plan Needed		<input type="checkbox"/> Notice of Termination will be sent**	
<input type="checkbox"/> Ready for Promotion		<input type="checkbox"/> Special Review Requested			
Have appropriate members of the academic unit participated in the above recommendation? <input type="checkbox"/> Yes <input type="checkbox"/> No					
<i>Signature indicates that this appraisal has been reviewed by the faculty member. Signature does not imply agreement.</i>					
Signatures:					
_____		_____		_____	
Faculty Member Date		Reviewer (other than Dept Head) Date		Department Head Date	
Dean's comments and recommendation			_____		_____
			Dean		Date
SVP for Health Sciences comments and recommendation					

				SVPHS Date	

* Includes Affiliate and WOS faculty

** Not applicable to tenured faculty

Appendix III – Excerpts from University Tenure Code

Section Section 7a. Review Of Faculty Performance

7a.2. Annual Review. Each academic unit, through its merit review process (established in accordance with the standards adopted by the senate), annually reviews with each faculty member the performance of that faculty member in light of the goals and expectations of the academic unit established under section 7a.1. This review is used for salary adjustment and faculty development. The faculty member will be advised of the evaluation and, if appropriate, of any steps that should be taken to improve performance and will be provided assistance in that effort. If the head of the unit and a peer merit review committee elected for annual merit review within that unit both find a faculty member's performance to be substantially below the goals and expectations adopted by that unit, they shall advise the faculty member in writing, including suggestions for improving performance, and establish a time period (of at least one year) within which improvement should be demonstrated.

7a.3: Special Peer Review In Cases Of Alleged Substandard Performance By Tenured Faculty If, at the end of the time period for improvement described in the previous paragraph, a tenured faculty member's performance continues to be substantially below the goals and expectations of the unit and there has not been a sufficient improvement of performance, the head of the academic unit and the elected peer merit review committee may jointly request the dean to initiate a special peer review of that faculty member. Before doing so, the dean shall independently review the file to determine that special peer review is warranted. (in the case of an academic unit that is also a collegiate unit, the request shall be made to and the review conducted by the responsible senior academic administrator.) The special peer review shall be conducted by a panel of five tenured faculty members of equal or higher rank, selected to review that individual. The faculty member under review shall have the option to appoint one member. The remaining members shall be elected by secret ballot by the tenured faculty of the unit. The members of the special review panel need not be members of the academic unit. The special review panel shall provide adequate opportunity for the faculty member to participate in the review process and shall consider alternative measures that would assist the faculty member to improve performance. The tenure subcommittee may adopt rules and procedures regulating the conduct of such reviews. The special review panel shall prepare a report on the teaching, scholarship, service, governance, and (when appropriate) outreach performance of the faculty member. It will also identify any supporting service or accommodation that the University should provide to enable the faculty member to improve performance. Depending on its findings, the panel may recommend:

- * (a) that the performance is adequate to meet standards and that the review be concluded;
- * (b) that the allocation of the faculty member's expected effort among the teaching, research, service and governance functions of the unit be altered in light of the faculty member's strengths and interests so as to maximize the faculty member's contribution to the mission of the University;
- * (c) that the faculty member undertake specified steps to improve performance, subject only to future regular annual reviews as provided in Section 7a.2;
- * (d) that the faculty member undertake specified steps to improve performance subject to a subsequent special review under Section 7a.3, to be conducted at a specified future time;
- * (e) that the faculty member's performance is so inadequate as to justify limited reductions of salary, as provided in Section 7a.4;
- * (f) that the faculty member's performance is so inadequate that the dean should commence formal proceedings for termination or involuntary leave of absence as provided in Sections 10 and 14; or

* (g) some combination of these measures.

The panel will send its report to the dean, the head of the academic unit, and the faculty member. Within 30 work days of receiving the report, the faculty member may appeal to the Judicial Committee, which shall review the report in a manner analogous to the review of tenure decisions (see Section 7.7).

7a.4. Salary Reductions. If the special review panel recommends that the faculty member's performance is so inadequate as to justify limited reductions of recurring salary, the head of the academic unit, with the approval of the dean, may reduce the faculty member's recurring pay, subject to the following limitations:

* (a) the amount of the decrease will not exceed 10% of the faculty member's recurring salary on the basis of any one special review;

* (b) recurring salary may not be reduced by more than 25% from the highest level of recurring pay ever held by the faculty member;

* (c) at least six months' notice of the decrease must be given;

* (d) any decrease in recurring salary may be restored by the annual review process provided in Section 7a.2.

Within 30 work days of notice of the decrease, the faculty member may appeal this action to the Judicial Committee, which shall review the action and the recommendation leading to it in a manner analogous to the review of tenure decisions (see Section 7.7). This review may not reconsider matters already decided by the Judicial Committee under Section 7a.3. Any decrease in recurring pay beyond the limits specified in this subsection can only be imposed pursuant to Sections 4.5, 10, 11, and 14.

7a.5. Peer Review Option. Upon application to it by the dean and faculty (or the elected faculty assembly) of a collegiate unit, the Faculty Senate may adopt a system of peer review of performance of faculty of that unit different from the system set forth in Sections 7a.1 through 7a.4 if in the Faculty Senate's judgment so proceeding is in the University's interest.

Section 14. Procedures In Cases Of Unrequested Leave Of Absence Or Termination Or Suspension Of A Faculty Appointment For Cause.

14.1 Preliminary Proceedings. Only a dean or an academic administrator specially designated by the senior vice president for academic affairs and provost or by the senior academic administrator may initiate preliminary proceedings under this section leading to unrequested leave of absence or to suspension or removal or to temporary or permanent reduction in rank. The dean [10] must first attempt to discuss and resolve the matter with the faculty member involved.

The dean must then submit the matter to the tenured faculty of the academic unit involved for their recommendation.

If the senior vice president for academic affairs and provost and the Faculty Senate have expressly approved the submission of allegations of the violation of a specified policy to another body for preliminary recommendation, in place of submission to the tenured faculty of the academic unit, the dean must submit the matter to that body for its recommendation.

Both the dean and the faculty member may submit their views, in person or in writing, to the body making the recommendation, but neither of them may participate in the deliberation or vote. The body making the recommendation does so by secret ballot and makes a written report to the dean within 40 days of submission of the issue to it, indicating the number of votes for

and against the proposed action and the reasons articulated. A copy of the report shall be sent to the senior academic administrator and to the faculty member.

14.2 Formal Action. Within 40 days after receiving the recommendation of the tenured faculty or other body, the dean must decide whether to proceed with formal action. Before taking formal action, the dean must consult with the senior academic administrator. If the dean does not proceed within 40 days, the charges are dropped and the faculty member and the academic unit are so notified in writing. If the dean decides to proceed with formal action, the dean must give written notice to the faculty member. The notice must specify the action proposed, identify the specific ground upon which it has been taken, and summarize the evidence in support. It must inform the faculty member of the right to request a hearing before the Judicial Committee and advise the faculty member of the applicable time limit for making such a request.

If the faculty member does not request a hearing within 30 days, the president may take the action proposed in the dean's notice, without further right to a hearing.

14.3 Judicial Committee Hearing. The faculty member may request a hearing before the Judicial Committee by written request to the chair of the committee, filed within 30 days of the notice. The Judicial Committee may extend the 30 day period for good cause. The dean will be responsible for presenting the case. The dean has the burden of proving the case for the proposed action by clear and convincing evidence and also has the burden of demonstrating the appropriateness of the proposed action, rather than some lesser measure.

The Judicial Committee makes written findings of fact, conclusions, and a recommendation for the disposition of the case. If the committee finds that action is warranted, it may recommend action that is less severe than that requested in the written notice, including but not limited to, permanent or temporary reduction in salary or rank. It may not recommend more severe measures than those proposed in the dean's notice.

The Judicial Committee sends its report to the president with copies to the faculty member, the dean and the senior administrator.

14.4 Action By The President. The president shall give the faculty member and the dean the opportunity to submit written comments on the report. In determining what action to take, the president may consult privately with any administrators, including attorneys, who have had no previous responsibility for the decision at issue in the case and have not participated in the presentation of the matter to the Judicial Committee. The president may not discuss the case with any administrator who was responsible for the decision at issue in the case or who participated in the presentation of the matter to the senate Judicial Committee. Such administrators may communicate with the president in writing, but only if the full text of the communication is given to the faculty member and the faculty member is given a reasonable opportunity to respond to it.

The president shall not take action materially different from that recommended by the panel unless, prior to the action, the president has consulted with the committee. Parties and their representatives shall not be present at any meeting between the president and the committee nor shall their consent be required for such meeting.

In addition, the president may request the Judicial Committee to make further findings of fact, to clarify its recommendation or to reconsider its recommendation. The reconsideration will be made by those who have heard of all of the evidence in the case, but the full Judicial Committee may consult with them on questions of general policy.

The president may impose the action recommended by the committee, or any action more favorable to the faculty member. The president may impose action less favorable to the faculty member only for important substantive reasons, which must be stated in writing, with specific detailed reference to the report of the Judicial Committee, the evidence presented, and the policies involved. The president's written statement must be given to the parties and to the

Judicial Committee. If the Judicial Committee decides that the president has imposed an action that is less favorable to the faculty member than it had recommended, it shall inform the faculty by publication of the president's action in the docket of the Faculty Senate. If the faculty member waives rights to confidentiality, the full text of the statement will be published. Otherwise a summary of the statement will be published without identification of the faculty member or information that may indirectly identify the faculty member.

14.5 Appeal To The Board Of Regents. If the action involves removal or if the action involves a sanction more severe than that recommended by the Judicial Committee, the faculty member may appeal to the Board of Regents. In cases in which the president imposes a sanction more severe than that recommended by the Judicial Committee, the faculty member and the president may present to the board evidence with respect to issues on which the president differs from the recommendation of the Judicial Committee. The request for a hearing must be made to the secretary of the board within ten days of the president's action.

14.6 Temporary Suspension During Proceedings. The dean may temporarily suspend a faculty member during the proceedings, but only if there is clear evidence that the faculty member is likely to cause serious harm or injury or is not available for work. The suspension will be with full pay, unless the faculty member is not available for work. Before ordering such suspension, the dean must present the evidence to a special panel of the Faculty Consultative Committee and receive their written report. The faculty member must be given the opportunity to contest the suspension before the panel.

If no final decision has been rendered one year after the commencement of formal proceedings, the faculty member shall be temporarily suspended without pay, unless the parties agree otherwise, or unless the hearing panel of the Judicial Committee extends the time period because of undue delays in the procedure attributable to the action of the University. This provision applies only in a case in which the majority of the tenured faculty of the academic unit concurred in the recommendation to terminate the appointment. If the faculty member is reinstated or if the president determines that the temporary suspension without pay was not warranted, then the president shall order the repayment of back pay to the faculty member with interest thereon from the date it would originally have been paid.

In case of any suspension under this section, the faculty member shall continue to receive full medical insurance and disability benefits without regard to the suspension.

14.7 Resignation During Proceedings. A faculty member may submit a written notice of resignation to the president at any time during Judicial Committee proceedings pursuant to this section. Upon the effective date of such resignation, the proceedings will be discontinued unless the faculty member concurrently files a written request with the Judicial Committee that they be carried to completion.