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This proposal sets out CUASA's bargaining position on the individual articles included as of this date. CUASA reserves the right to amend its position, including the right to add, modify or delete any component of each individual article if not accepted in its entirety. This proposal sets out CUASA's bargaining position on the individual articles included as of this date. CUASA reserves the right to amend its position, including the right to add, modify or delete any component of each individual article if not accepted in its entirety.

Article 10: Tenure and Promotion

10.1 Tenure and Promotion for Faculty Employees

(a) Appointments without Tenure

- (i) An appointment without tenure shall be made as a term appointment, or a preliminary (tenure-track) appointment at the rank of Lecturer, Assistant Professor, Associate Professor or Full Professor.
- (ii) A faculty term appointment is one made without expectation of renewal (subject to Article 37). A term appointment may, however, be renewed and a faculty member employed under successive term appointments must in the fifth year of such employment be considered for tenure. In any case successive term appointments must not exceed a period of six years.
- (iii) A preliminary (tenure-track) appointment at the rank of Lecturer is one made where there is a specific requirement to complete the doctoral degree or the terminal degree for the discipline. Such requirements will be clearly stated in the letter of appointment. The length of a preliminary appointment as a lecturer shall normally be for three (3) years. If the requirement is successfully met, the appointment will be converted to the rank of Assistant Professor, and the appointee may choose to start the time to tenure from their initial appointment or their date of conversion to the new rank.
- (iv) Members being offered employment within disciplines where professional accreditation is necessary for the viability of the program may be required to, within five (5) years of the commencement of employment, obtain the required credentials and shall maintain these credentials during their employment. When a member is required to achieve and maintain this credential, this requirement shall be outlined in the letter of appointment and any subsequent renewal.
- (v) The Employer shall refund the employees in programs where professional accreditation is necessary for the fees incurred to initially obtain these credentials.

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- (vi) A preliminary (tenure-track) appointment at the rank of Assistant Professor is one made with the expectation that, subject to successful ~~pre-tenure annual pre-tenure annual~~ reviews as per Article 10.1(c), it will be renewed and at some point succeeded by an appointment with tenure. The purpose of a preliminary (tenure-track) appointment is to allow sufficient time to successfully transition to a tenured appointment. Normally, an initial preliminary (tenure-track) appointment shall be for three (3) years and renewal of a preliminary (tenure-track) appointment shall be for three (3) years. The maximum time in a preliminary (tenure-track) appointment shall not normally be for more than a total of ~~seven (7) years~~ ~~eight (8) years~~ ~~seven (7) years, including any years served on a preliminary appointment at the rank of Lecturer, including any years served on a preliminary appointment at the rank of Lecturer,~~ but exclusive of extensions granted for other reasons, such as parental leave and pursuant to relevant legislation (see Article 5), and not counting periods of unpaid leave, from the date of the preliminary (tenure-track) appointment.
- (vii) A preliminary (tenure-track) appointment at the rank of Associate Professor or Full Professor is one made with the expectation that, subject to successful reviews, it will result in consideration for tenure within three (3) years exclusive of extensions granted for other reasons, such as parental leave, periods of unpaid leave, and pursuant to relevant legislation (see Article 5). Normally, a preliminary (tenure-track) appointment at the rank of Associate Professor or Full Professor shall not be renewable. However, a short extension of not more than six (6) months may be granted by the Provost and Vice-President (Academic) on recommendation of the Dean.
- (viii) Each faculty member in a preliminary appointment shall receive a half-credit course release from the unit teaching load in their first year of appointment.
- (ix) On commencing a preliminary (tenure track) appointment candidates will be provided a startup research grant as appropriate to the faculty member's ~~disciplinere~~research.
- (b) **Mentorship and Review of Preliminary Faculty Members**
- (i) The Dean (or designate) will meet with each faculty member on a preliminary appointment, within the faculty member's first semester of appointment and will discuss the approved criteria with respect to the granting of tenure and promotion. A written statement indicating that the meeting has taken place and including the criteria will be signed by the Dean and the faculty member and placed in the faculty member's file.

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- (ii) If the requirements, as stated in the letter of appointment pursuant to Article 10.1(a)(iii), have been met prior to or at the end of the preliminary appointment, the employee shall be converted to a preliminary (tenure-track) appointment at the rank of Assistant Professor. Normally a preliminary appointment at the rank of Lecturer shall not be extended if the requirements have not been met. A short extension of not more than six (6) months exclusive of extensions granted for other reasons, such as parental leave, periods of unpaid leave, and pursuant to relevant legislation (see Article 5), may be granted by the Provost and Vice-President (Academic) on recommendation of the Dean and where there is a clear plan for completion of the requirement(s) within the period of the extension.
- (c) **Pre-Tenure Pre-Tenure Annual Progress Review of Preliminary Faculty Members**

- (i) All faculty members on preliminary appointments will have a written ~~pre-tenure~~ **pre-tenure** annual ~~progress~~ **progress** review in order to help them prepare for tenure and promotion. ~~The pre-tenure~~ **This The pre-tenure annual progress** review shall consist of 1-67 below.

The responsibilities of the Chair/Director in the ~~pre-tenure pre-tenure~~ **pre-tenure** annual ~~progress~~ **progress** review of preliminary appointments ~~include~~ **are defined as follows:**

- (1) a review of a faculty ~~members'~~ **member's** annual ~~progress~~ **progress** report (as part ~~exclusive~~ of the CDI ~~process~~ **review process**), as well as;
- (2) **an annual meeting with the faculty member;**
- (2) (3) a written report that is submitted to the Dean (**a copy of this report shall be provided to the faculty member**).

The responsibilities of the Dean in the ~~pre-tenure pre-tenure~~ **pre-tenure** annual ~~progress~~ **progress** review of preliminary appointments **are defined as follows:**

- (3) (4) ~~include~~ a review of the faculty **member's** annual ~~progress~~ **progress** report (as part ~~exclusive~~ of the CDI ~~process~~ **review process**);
- (4) (5) ~~as well as~~ a review of the written report submitted by the Chair/Director; ~~and one to one faculty member meetings where applicable~~
- (6) **should the Dean add comments to the written report submitted by the Chair/Director, a copy shall be provided to the faculty member and to the Chair/Director (the faculty member will have the right to provide a written response);**

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- (7) **at the request of the Dean or the faculty member, a one-to-one meeting with the faculty member (the written record of this meeting shall be provided to the member). The faculty employee shall have a right to CUASA representation at any such meeting.**
- ~~(5) annually, the Dean shall meet the faculty member to discuss the file, and;~~
- ~~(6) the written record of this meeting shall be provided to the member.~~
- (ii) All faculty members on preliminary appointments shall submit **an pre-tenure pre-tenure annual progress report** that includes:
- (1) progress towards meeting the requirements of the appointment as stated in the letter of offer; **and**
 - (2) **performance and progress towards meeting the criteria for tenure and/or promotion; performance and progress towards meeting the University criteria and the unit standards for tenure and/or promotion and/or promotion; and, where applicable, promotion to Associate Professor; and, where applicable, promotion to Associate Professor; and**
 - ~~(3)~~ **(3) an up-to-date CV and any additional materials the appointee faculty member may wish to submit.**
- ~~The report will be reviewed by their Chair/Director and the Dean.~~
- (iii) **The Chair/Director will submit a written report to the Dean. The appointee shall receive a copy of this report. The Dean will review the report as per Article 10.1(e)(i) and may add comments, including any areas where the member needs to show improvement. In the event that comments are added the Dean must provide a written report of the annual review and send a copy to the faculty member. The faculty member will have the right to provide a written response. Documents from this exchange shall not be placed in the employee's official file. The Dean may ask to meet with the faculty employee and discuss any issues arising from the report. Also the member may request a meeting with the Dean to discuss the report. shall meet with the faculty employee and discuss any issues arising from the report. The faculty employee shall have a right to CUASA representation at any such meeting.**
- (iii) **By June 15 of every year, tThe Dean willshall sign the report and a copy will be placed in the employee'sfaculty member's employee's official file and shall be included in the file dossier with a copy to the member following the process outlined in 10.1 (c)(i)and (iii). This report shall be included in the file used to**

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assess the employee for tenure ~~and, where applicable, promotion to Associate Professor. and promotion and promotion.~~ **The Dean will indicate by written acknowledgment that the documents have been provided to the member by June 15th.**

- (iv) ~~A~~ **The template that has been developed by JCAA to facilitate these reviews shall be reviewed annually** and approved by ~~developed to facilitate these reviews and shall be approved by JCAA as necessary.~~
- ~~(vi)~~(v) With the permission of individual tenured faculty members, units shall maintain a catalogue of successful research and teaching dossiers and make these available to all ~~pre-tenure preliminary pre-tenure faculty employees members employees~~ for consultation.

(d) **Tenure**

- (i) Tenure and academic freedom are related to each other. Academic freedom is a right of all faculty members. The right to freedom is, generally, the right not to be interfered with. A faculty member's right to academic freedom is their right not to be interfered with in the discharge of their academic role. That role includes the acquisition of knowledge and skills and the guidance of others in the acquisition of these. The right to academic freedom includes, accordingly, the right of a faculty member to criticize the university in any respect in which it is an environment unfavourable to these ends in order to advocate changes which will make it a more favourable one, and in order to oppose changes which will make it a less favourable one. It also includes the right of a faculty member to investigate, to teach and to publish as well as to criticize any aspect of learning or society insofar as doing so is compatible with their academic obligation to discharge the academic role in a responsible way. The principle of appointments with tenure is an important safeguard of the right to academic freedom, thus understood.
- (ii) The term "tenure" means permanency of appointment including the right to fair consideration for increases of responsibility and salary, ~~and for promotions in rank,~~ and the right of a faculty member to continue as such subject only to dismissal for just cause, except as described under the conditions of Article 17.

10.2 University Criteria for Tenure and Promotion

The work of an academic member of a modern university falls into a number of categories - teaching, scholarly studies or research, professional activities, the corporate work of the

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department, faculty and university, and activities related to the community. It is generally accepted that contributions to teaching and scholarly studies should receive paramount consideration in any tenure or promotion decision but that recognition must also be given for valuable contributions to the university, for professional achievement, and for contributions to the community.

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 and maturity. 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 their subject. In addition, individuals may make contributions to the administration and development of the University and its programs of study, to CUASA, to the community, and to their professions. These contributions should be considered when evaluating individuals for tenure and promotion at all levels.

(a) **University Criteria for Tenure**

(i) Consideration for the awarding of tenure shall be based on the following criteria:

(1) Academic and Professional Credentials – possession of the normal credentials as defined for the position of Assistant Professor; usually an earned Ph.D. (or equivalent) or the degree that is determined as the terminal degree for the discipline and any additional credentials required for the specific position that were stated in the letter of appointment.

(2) Teaching Effectiveness – a record of successful and effective performance as a university teacher at Carleton University at all levels including advising and supervision of undergraduate and graduate students (as appropriate for the candidate and their academic unit).

(2) (3) Research, Scholarly and/or Creative Work – a record of research, scholarship, and/or creative achievement as defined by the standards developed by the candidate's unit(s) ~~which shall include unit specific expectations around published work assessed by peer review, external research funding, and other forms of scholarly productivity, which shall include unit specific expectations around published work assessed by peer review, external research funding application for application for external research funding, and other forms of scholarly productivity,~~ which shall include unit specific expectations around published work assessed by peer review, applications for and/or awards of external research funding (as appropriate to each unit's discipline(s)), and other forms of scholarly productivity.

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- (4) ~~Service to the University -- as defined in Article 13.5 an appropriate record of service to Carleton University (and other institutions where appropriate), such as administrative and committee duties and other professional activities which contribute to the operations of the University.~~ **an appropriate record of service to Carleton University (and other institutions where appropriate), such as administrative and committee duties and other professional activities which contribute to the operations of the University.** It is expected that assigned service, ~~pre-tenure for preliminary faculty members pre-tenure~~ shall be below the average service levels of ~~tenured~~ **tenured** faculty members in the same unit.
 - (5) Where there is a significant record of service to society relevant to the employee's disciplinary expertise such as but not limited to consultancies or collaborations with governments, international development agencies, communities, or the private sector or participation in scholarly and professional organizations and other activities, which further the University's mission of service to society, this shall be recognized.
 - (ii) The application of the above criteria will be assessed within the context of approved unit standards developed in accordance with Article 10.3 below.
- (b) **University Criteria for Promotion to Associate Professor**
- (i) Consideration for the awarding of promotion to Associate Professor shall be based on the following criteria assessed over the candidate's career achievements to date:
 - (1) Academic and Professional Credentials – possession of the normal credentials as defined for the position of Assistant Professor; usually an earned PhD (or equivalent) or the degree that is determined as the terminal degree for the discipline, and any additional credentials required for the specific position that were stated in the letter of appointment.
 - (2) Teaching Effectiveness – a strong record of successful and effective performance as a university teacher at all levels including advising and supervision of undergraduate and graduate students (as appropriate for the candidate and their academic unit).
 - (3) Research, Scholarly and/or Creative Work – a strong and sustained record of research, scholarship, and/or creative achievement as defined by

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~~standards developed by the candidate's unit(s) which shall include unit specific expectations around published work assessed by peer review, external research funding, and other forms of scholarly productivity. which shall include unit specific expectations around published work assessed by peer review, external research funding application for application for external research funding, and other forms of scholarly productivity, which shall include unit specific expectations around published work assessed by peer review, applications for and/or awards of external research funding (as appropriate to each unit's discipline(s)), and other forms of scholarly productivity.~~

- (4) Service to the University ~~(as per Article 13.5)~~ – an appropriate record of service to Carleton University (and other institutions where appropriate), such as administrative and committee duties and other professional activities which contribute to the operations of the University. It is expected that assigned service, ~~pre-tenure for preliminary faculty members pre-tenure~~ shall be below the average service levels of ~~tenured~~ faculty members in the same unit.
- (5) Where there is a significant record of service to society ~~(as per Article 13.5)~~ relevant to the employee's disciplinary expertise such as consultancies or collaborations with governments, international development agencies, communities, or the private sector or participation in scholarly and professional organizations and other activities, which further the University's mission of service to society, this shall be recognized.
- (ii) The application of the above criteria will be assessed within the context of Unit Approved Standards developed in accordance with Article 10.3 below.
- (c) **University Criteria for Promotion to Full Professor**
- (i) Promotion to the rank of Full Professor is based primarily on:
- intellectual maturity;
 - outside recognition of the candidates as an authority in their chosen field and
 - significant contributions to research, scholarship and the profession and to the University.

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Scholarship and significant contributions to one's professional field would be of paramount importance; teaching and other activities would receive less weight.

- (ii) The criteria for assessing promotion to the rank of Full Professor are:
- (1) Teaching Effectiveness – a sustained record of successful and effective performance as a university teacher at all levels including advising and supervision of undergraduate and graduate students (as appropriate for the candidate and their academic unit).
 - (2) Research, Scholarly and/or Creative Work – a significant record of sustained and productive research, scholarship, and/or creative achievement as appropriate for the field of expertise, including published work assessed by peer review that has resulted in national and preferably international recognition and high standing in the discipline or field of expertise as defined in the approved standards developed by the candidate's unit(s).
 - (3) Service to the University, the Profession and Society – a significant record of service to Carleton University (and other institutions where appropriate), such as administrative and committee duties and other professional activities which contribute to the operations of the University;
 - (4) Where there is a significant record of service to the profession and society relevant to the employee's disciplinary expertise such as but not limited to consultancies or collaborations with governments, international development agencies, communities, or the private sector or participation in scholarly and professional organizations and other activities which contributes to the University's mission of service to society, this shall be recognized.
- (iii) Only in rare and exceptional cases would long years of valued service to teaching and to the University be expected to constitute sufficient grounds on their own for promotion to Full Professor.

10.3 Unit Approved Standards for the Application of the University Criteria for Tenure and Promotion

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All members of faculty are scholars who are dedicated to preserving and developing knowledge and who are committed to communicating the results of their work. Faculty members do this as teachers, researchers and in other aspects of their role as a member of the University community. These varied contributions should be considered when evaluating a faculty member for tenure and for promotion at all levels within the framework of the University Criteria for tenure and promotion to Associate and Full Professor.

However, it is recognized that there may be different components to the evaluation of candidates, depending on their discipline or field. Similarly, there may be different patterns for career progress or promotion across disciplines and academic units. Approved unit standards for tenure and promotion are intended to respect these differences while maintaining the principle that tenure and progression through the ranks are based on the common set of attributes established at the university level.

An examination of the disciplines represented at Carleton leads to the conclusion that there must be some flexibility in the nature, assessment and weighting of the Unit Approved Standards for tenure and promotion. The characteristics of research and scholarly work 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 work to the publication 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.

In the interests of achieving a degree of uniformity and some comparability, however, the developments of Unit Approved Standards are to be couched in the overarching protections afforded by University level Criteria. Each Unit at Carleton shall, in essence, consider a discipline's academic and professional credentials and whether there is anything in a particular Unit that would alter and shape the Unit Approved Standards. The purpose of the Unit Approved Standards is to specify how each of the University Criteria for tenure and promotion will be applied in the case of faculty members in the unit concerned. In essence, each unit must look at academic and professional credentials and whether there is anything in a particular unit that would alter and shape the approved standards. In developing Unit Approved Standards, units shall consider the factors listed in Appendix B.

- (a) ~~The Faculty Dean and the Association may at their discretion make a presentation to the units regarding the general nature of the Unit Standards prior to the units' deliberation. Once unit deliberations are under way the Faculty Dean and the Association shall not interfere with this process at the Unit level until it is complete.~~
- (a) Each academic unit/s (Department/s or equivalent) will by way of a regularly constituted committee, representing all the areas of specialization in the unit, develop and approve by the majority of all tenured and tenure-track CUASA faculty members in the unit/s a

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detailed specification of what would satisfy the above criteria for: i) Tenure, ii) Promotion to Associate Professor and iii) Promotion to Full Professor in the discipline/s in question. **A vote by secret ballot open to the total number of CUASA faculty members in the unit at a regularly scheduled meeting at a regularly scheduled meeting shall be deemed to constitute approval if the recommendations pass with a simple majority <of ballots cast>. Proxy votes are acceptable.** The specification will take into account the workload allocations within the Department/Unit. The Unit Approved Standards shall be consistent with the Collective Agreement.

- (b) ~~Upon development completion,~~ (b) These Unit Approved Standards are then subject to a two-person peer review by tenured CUASA faculty members (with the rank of at least Associate Professor) appointed from outside the unit and by JCAA. The peer reviewers shall submit to the Unit ~~and to~~ **with a copy to** the Dean a report on the unit standards with any suggested recommendations for revision. The unit shall review the recommendations of the peer reviewers and vote to reject, accept in part or accept in whole such recommendations.

~~If the recommendations of the peer reviewers are accepted in part (or rejected) by the Unit, an iterative process between the Unit and the peer reviewers shall determine the outcome. If no agreement is reached within a period of 45 days of the referral the final recommendations of each party are forwarded to the Dean, with a copy to CUASA. The Dean shall then act as mediator subject to the provision of Art. 10.3(d).~~

~~When agreement has been reached between the peer reviewers and the Unit the document is forwarded to the Dean for final approval.~~

Once the standards have been approved by the Unit, these standards shall be reviewed by the Dean and the Provost and Vice-President (Academic). ~~(i) Once the standards have been approved by the Unit, these standards shall be reviewed accepted reviewed by the Dean and the Dean and the Provost and Vice-President (Academic).~~

If considered acceptable, the standards shall be signed by the Unit and the Provost and Vice-President (Academic) and copies distributed to and kept by each party, and a copy forwarded to the Dean and to CUASA. ~~(ii) If considered acceptable,~~ ~~+~~ ~~(ii) If considered acceptable,~~ (ii) If considered acceptable, the standards shall be signed by the Unit and the Provost and Vice-President (Academic) and copies distributed to and kept by each party, and a copy forwarded to the Dean and to CUASA.

(iii) If there are any concerns ~~whatsoever on the part of the Dean~~ regarding regarding ~~over~~ the consistency of the unit standards with the University Criteria ~~or over the resolution of an impasse between the peer reviewers and a unit,~~ on the part of either the Dean and/or the Provost and Vice-President (Academic) on the part of either the Dean and/or the Provost and Vice-President (Academic) ~~on the part of either the Dean and/or~~

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either the Dean and/or the Provost and Vice-President (Academic), the Dean ProvostDean shall consolidate these concerns and communicate them to the Unit. The Unit shall review the concerns in an iterative process with the Dean. ~~until agreement is reached. Any concerns regarding compliance with the collective agreement, the Dean shall notify and consult with CUASA.~~

- (d) (iv) If no agreement can be reached within a time period not exceeding ~~45-30~~ **thirty (30) working days**, the ~~Deaneither the Unit or the Provost and Vice-President~~ (Academic) shall refer the matter to the ~~Unit Standards Review Committee JCAA~~ **Unit Standards Review Committee** who shall conduct a review within forty-five (45) working days of the referral. ~~The concerns must be resolved by mutual negotiation at JCAA until the revised standards are deemed acceptable and compliant with this collective agreement.~~ The Unit Standards Review Committee shall be constituted of five (5) tenured CUASA faculty members at the rank of Associate and Full Professor representing each faculty appointed by JCAA from lists provided by each Dean. There shall be at least three ~~(3) Full Professors on the Committee. Members shall be appointed to this committee after the ratification of this agreement or by January 1 of each year for a maximum three-year term. The committee chair shall be elected by the members of the committee. The Unit Standards Review Committee shall be constituted of five (5) tenured CUASA faculty members at the rank of Associate and Full Professor representing each faculty appointed by JCAA from lists provided by each Dean. There shall be at least three (3) Full Professors on the Committee. Members shall be appointed to this committee after the ratification of this agreement or by January 1 of each year for a maximum three-year term. The committee chair shall be elected by the members of the committee.~~

~~Reviews shall be conducted in the following manner. A representative from the Unit shall make an oral presentation. The Unit may request a CUASA observer to be present at the review. The Provost and Vice-President (Academic) or designate shall make an oral presentation. The committee shall have time for questions of either party. Each party shall have an opportunity to make a final statement. The Unit Standards Review Committee shall issue a report to the parties with a recommendation on the disposition of the matter. The Provost and Vice-President (Academic) will make the final decision regarding the standards to be in effect for the Unit, taking into account all prior information produced under this article and exchanged between the parties. Reviews shall be conducted in the following manner. A representative from the Unit shall make an oral presentation. The Unit may request a CUASA observer to be present at the review. The Provost and Vice-President (Academic) or designate shall make an oral presentation. The committee shall have time for questions of either party. Each party shall have an opportunity to make a final statement. The Unit Standards Review Committee shall issue a report to the parties with a recommendation on the disposition of the matter. The Provost and Vice-President (Academic) will make the final decision~~

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~~regarding the standards to be in effect for the Unit, taking into account all prior information produced under this article and exchanged between the parties.~~

- ~~(d) (c) Reviews shall be conducted in the following manner. A representative from the Unit shall make an oral presentation. The Unit may request a CUASA observer to be present at the review. The Provost and Vice-President (Academic) Dean or designate shall make an oral presentation. The committee shall have time for questions of either party. Each party shall have an opportunity to make a final statement. The Unit Standards Review Committee (USRC) shall issue a report decision report to the parties with a recommendation on the disposition of the matter with a recommendation on the disposition of the matter. The Provost and Vice-President (Academic) will make the final decision regarding the standards to be in effect for the Unit, taking into account all prior information produced under this article and exchanged between the parties. Upon receipt of the determination of the USRC report, the Provost and Vice-President (Academic) shall accept the determination of the USRC will make the final decision regarding the standards, taking into account all prior information produced under this article and exchanged between the parties accept the determination and inform the unit of this decision within fifteen (15) calendar days of receiving the written report of the USRC.~~
- ~~(e) Once considered acceptable, the standards shall be signed by the Dean and by the Provost and Vice-President (Academic), with a copy to the Provost. The Provost shall be the final signing authority with signing refusal only on procedural grounds.~~ (d) Upon final signing, copies shall be distributed to and kept by each party, and a copy forwarded to the Dean and to CUASA.

~~Once signed by the Unit, the Dean and the Dean and the Provost and Vice-President (Academic), standards will be in place for a Minimum may be reviewed after a period will be in place for a minimum of three (3) years but must be reviewed at least every seven (7) five (5) six (6) years. Upon approval by the Dean, in In exceptional cases, unit standards may be reviewed for cause after a period of less than (3) three years. If When a unit decides to revise its standards, the procedure for approval shall be the same as above. A copy of the signed standards shall be provided to CUASA within ten (10) working days of the completion of the review process.~~

~~Unit standards signed at the time of ratification of this Collective Agreement by all three parties (the Unit, the Provost and Vice-President (Academic), and the Dean), under the provisions of the 2012-2014 CUASA Collective Agreement, shall remain in effect for a minimum of three (3) years from the time of signature by the Dean. Units with standards that have not been signed by all three parties Units with standards that have not been signed by all three parties at the time of ratification of this Collective Agreement at the time of ratification of this by the expiration~~

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~~date of the 2014-2017 Collective Agreement by May 1st, 2017, will have a one-year period to complete the process outlined above. will have a one-year period to complete the process outlined above following ratification of this Collective Agreement. following the signing of this Collective Agreement.~~

~~(e) No unit standard shall be amended or rejected for reasons prohibited by the collective agreement, such as, but not limited to, the requirement for receiving external research funding or prejudice for loss of such funding, changing the use of teaching evaluation scores contrary to the intent of Article 26, or prohibiting alternate standards for the purposes of accommodations made under the *Human Rights Code*.~~

10.4 Procedures for Application for Tenure and Promotion

~~At any stage of the process, candidates shall have the right to review their complete the dossier, at any stage subject to the process in which This includes copies of the external letters of reference, once received, have been redacted so that in which the writer's name, address, and all identifying information has have been removed. and been redacted.~~

- (a) **Procedures for application for Tenure and Promotion to Associate Professor**
- (i) The holder of a preliminary (tenure-track) appointment at the rank of Assistant Professor will be simultaneously considered for tenure and promotion to Associate Professor in the fifth year of the preliminary appointment at the rank of Assistant Professor. However, the holder of a preliminary (tenure-track) appointment at the rank of Assistant Professor may apply to be considered for tenure and promotion to Associate Professor in their 3rd or 4th years of service. Normal practice may vary from unit to unit. If a faculty employee applies for tenure and promotion in their third or fourth year of service and at the unit level Tenure and Promotion committee there is a negative decision, the candidate may withdraw their application without prejudice. If the candidate proceeds to the Faculty level, then the full process, including appeals, will continue to a final decision except as described in Article 10.6(k) for the Sprott School of Business.
 - (ii) Simultaneous consideration for tenure and promotion is undertaken at the unit (the Departmental Tenure and Promotion Committee) and at the Faculty level (the Faculty Tenure and Promotion Committee). At the University level, recommendations for tenure are assessed by the Provost and Vice-President (Academic) and recommendations for promotion are assessed by the University Promotions Committee.
 - (iii) In all cases letters from external referees shall be available for consideration for promotion to Associate Professor at the ~~Departmental, Departmental,~~ **Departmental**, Faculty, and University levels in accordance with the procedures

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specified at Articles 10.4(a)(iv)(1 – 4); 10.4(b)(iii)(1 – 4); or 10.7(b) as applicable.

- (iv) Each candidate for tenure and promotion to Associate Professor will submit the names and contact information for three external referees to the Dean by July 1 of the year of application. The Dean will likewise select the names and gather contact information for three external referees chosen by him/herself. Where these referees are academics, they shall hold or have held at least the rank of Associate Professor. Where the referees are not academics, a justification for their inclusion and their ability to judge the scholarly merits of the file must be included.
- (1) The list of names supplied by the candidate shall include a description of the qualifications of each referee, and of any previous interactions with the referee that might lead to a perception of bias in the referee's assessment of the candidate's performance in research and scholarly and/or creative activity.
 - (2) The Dean shall provide each referee with the candidate's dossier, along with the criteria for promotion as described in Article 10.2(b) and the approved standards developed by the candidate's unit. The Dean shall ask for the referee's judgment on whether the candidate has met those criteria and Unit Approved Standards. The letter from the Dean soliciting referees' judgments will become part of the candidate's dossier for consideration at Faculty and University level committees.
 - (3) External referee letters shall comment on the candidate's performance in research and scholarly and/or creative activity in relation to the University Criteria and to the approved standards developed by the candidate's unit(s).
 - (4) The dossier must contain all letters received. The dossier should normally contain at least three (3) letters and at least one (1) of these must be from names chosen by the candidate and at least one (1) must be an academic.
- (v) Each candidate will submit one (1) electronic copy and one (1) hard copy of their ~~tenure dossier, and one (1) electronic copy and one (1) hard copy of their promotion dossier~~, to the Chair of the Departmental Tenure and Promotion Committee (DTPC) by September 15 of the year of application. The ~~tenure dossier~~ will include a current CV, copies of all ~~Annual Pre-Tenure progress pre-tenure reports and other related written reports~~ as referred to in Article 10.1(c), a teaching dossier including teaching evaluations, copies of publications,

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and any additional materials to support the assessment of the candidate in meeting the University Criteria and approved standards of the unit. ~~The promotion dossier will include a current CV, a teaching dossier including teaching evaluations, copies of publications, and any additional materials to support the assessment of the candidate in meeting the University Criteria and approved standards of the unit.~~ The candidate has the right to discuss their dossiers with the Chairperson of the DTFC before submitting ~~it them~~ to the committee.

- ~~(1) The Chair of each committee shall ensure that tenure and promotion dossiers are kept separate, deliberated on separately, and separate decision reports are issued.~~

~~The Chair of each committee shall ensure that tenure and promotion decisions recommendations decisions recommendations are deliberated on separately, and separate decision reports decisions reports are issued.~~

- ~~(2) All tenure dossiers shall be decided on prior to any decisions on promotion. Recommendations on All tenure dossiers shall be made decided on prior to any decisions recommendations on promotion. All tenure dossiers shall be decided on prior to any decisions on promotion. Recommendations on tenure shall be made prior to any recommendations on promotion.~~

- (vi) No anonymous material may be considered at any level, and with the exception of the external letters of reference nothing may be added to the dossier at any time without the candidate's knowledge and consent.

(b) **Procedures for Tenure for Associate and Full Professors**

- (i) **The holder of a preliminary appointment at the rank of Associate or Full Professor shall be formally considered by departmental and Faculty committees for an appointment with tenure in the fall term of their third year of service.**
- (ii) **University Criteria and Unit Approved Standards for tenure for Associate and Full Professors shall be the same as they are for promotion to Associate Professor respectively.**
- (iii) **Each candidate will submit one (1) electronic copy and one (1) hard copy of**

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their dossier to the Chair of the Departmental Tenure and Promotion Committee (DTPC) by September 15 of the year of application. The dossier will include a current CV, copies of all Annual Reports as referred to in Article 10.1(c), teaching evaluations, copies of publications, and any additional materials to support the assessment of the candidate in meeting the criteria. The candidate has the right to discuss their dossier with the Chairperson of the DTPC before submitting it to the committee.

- (iv) **No anonymous material may be considered at any level, and with the exception of the external letters of reference nothing may be added to the dossier at any time without the candidate's knowledge and consent.**

(b)(c) Procedures for Promotion to Associate Professor

- (i) Promotion to the rank of Associate Professor may be considered after the lesser of five (5) years in the rank of Assistant Professor or six (6) years from the doctorate (or its equivalent). Such consideration will normally take place in the fifth (5th) or sixth (6th) year as appropriate.
- (ii) Faculty members holding a preliminary appointment at the rank of Assistant Professor will be simultaneously considered for tenure or promotion unless they signal to the departmental- or school-level committee in writing that they wish to be considered for promotion solely in a particular year. These committees shall ensure that the deadline for application for promotion is communicated in writing to all faculty employees each year.
- (iii) Each candidate for promotion to Associate Professor will submit the names and contact information for three external referees to the Dean by July 1 of the year of application. The Dean will likewise select the names and gather contact information for three external referees chosen by him/herself. Where these referees are academics, they shall hold or have held at least the rank of Associate Professor. Where the referees are not academics, a justification for their inclusion and their ability to judge the scholarly merits of the file must be included.
- (1) The list of names supplied by the candidate shall include a description of the qualifications of each referee, and of any previous interactions with the referee that might lead to a perception of bias in the referee's assessment of the candidate's performance in research and scholarly and/or creative activity.
- (2) The Dean shall provide each referee with the candidate's dossier, along with the University Criteria for promotion as described in Article 10.2(b) and the Unit Approved Standards developed by the candidate's unit. The

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Dean shall ask for the referee's judgment on whether the candidate has met those criteria and Unit Approved Standards. The letter from the Dean soliciting referees' judgments will become part of the candidate's dossier for consideration at Faculty and University level committees.

- (3) External referee letters shall comment on the candidate's performance in research and scholarly and/or creative activity in relation to the University Criteria and to the approved standards developed by the candidate's unit(s).
- (4) The dossier must contain all letters received. The dossier should normally contain at least three (3) letters and at least one (1) of these must be from names chosen by the candidate and at least one (1) must be an academic.
- (iv) (iv) Each candidate will submit one (1) electronic copy and one (1) hard copy of their **promotion** dossier to the Chair of the Departmental Tenure and Promotion Committee (DTPC) by September 15 of the year of application. The dossier will include a current CV, ~~copies of all Annual Pre-Tenure Reports as referred to in Article 10.1(e)~~ **copies of all Annual Pre-Tenure Reports as referred to in Article 10.1(e), copies of all annual progress reports and other related written reports referred to in Article 10.1(e), copies of all annual pre-tenure reports referred to in Article 10.1(e)**, a teaching dossier including teaching evaluations, copies of publications, and any additional materials to support the assessment of the candidate in meeting the University Criteria and Unit Approved Standards. The candidate has the right to discuss their dossier with the Chairperson of the DTPC before submitting it to the committee.
- ~~(1) The Chair of each committee shall ensure that tenure and promotion decisions recommendations decisions recommendations are deliberated on separately, and separate decision reports decisions reports are issued.~~
- (v) No anonymous material may be considered at any level, and with the exception of the external letters of reference nothing may be added to the dossier at any time without the candidate's knowledge and consent.

~~(e) Procedures for Tenure for Associate and Full Professors~~

- ~~(i) The holder of a preliminary appointment at the rank of Associate or Full Professor shall be formally considered by departmental and Faculty committees for an appointment with tenure in the fall term of their third year of service.~~
- ~~(ii) University Criteria and Unit Approved Standards for tenure for Associate and~~

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Full Professors shall be the same as they are for promotion to Associate Professor respectively.

- (v) ~~(iii) Each candidate will submit one (1) electronic copy and one (1) hard copy of their tenure dossier to the Chair of the Departmental Tenure and Promotion Committee (DTPC) by September 15 of the year of application. The dossier will include a current CV, copies of all Annual Reports as referred to in Article 10.1(e), teaching evaluations, copies of publications, and any additional materials to support the assessment of the candidate in meeting the criteria. The candidate has the right to discuss their dossier with the Chairperson of the DTPC before submitting it to the committee.~~

~~(1) The Chair of each committee shall ensure that tenure and promotion dossiers are kept separate, deliberated on separately, and separate decision reports are issued.
The Chair of each committee shall ensure that tenure and promotion dossiers recommendations recommendations dossiers are kept separate, kept separate, deliberated on separately, and separate decision reports decisions are issued.~~

~~(2) All tenure dossiers shall be decided on prior to any decisions on promotion.
All tenure dossiers shall be decided on prior to any decisions on promotion.
Recommendations Decisions on tenure shall be made prior to any recommendations decisions on promotion.~~

- ~~(iv) No anonymous material may be considered at any level, and with the exception of the external letters of reference nothing may be added to the dossier at any time without the candidate's knowledge and consent.~~

(d) **Procedures for Promotion to Full Professors**

- (i) Promotion to the rank of Full Professor will usually not be considered before the lesser of seven (7) years in the rank of Associate Professor or thirteen (13) years from the conferring of the doctorate (or its equivalent). Such consideration will normally take place in the seventh (7th) or thirteenth (13th) year as appropriate.
- (ii) Faculty members will be considered for promotion only if they signify to the departmental- or school-level committee in writing that they wish to be considered for promotion in a particular year. These committees shall ensure that the deadline for application for promotion is communicated in writing to all faculty employees each year.

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- (iii) In the case of applications for promotion to Full Professor, letters from external referees shall be available for consideration at the Faculty and University levels. Each candidate for promotion to Full Professor will submit the names and contact information for three (3) external referees to the Dean by July 1 of the year of application. The Dean will likewise select the names and gather contact information for three (3) external referees chosen by him/herself. Where these referees are academics, they shall hold or have held the rank of Full Professor. Where the referees are not academics, a justification for their inclusion and their ability to judge the scholarly merits at the Full Professor level must be included.
- (1) Where suitable, the list of names supplied by the candidate shall include at least one referee from outside of Canada. Referees must be at arm's length from the candidate and any professional or personal relationship must be fully disclosed.
 - (2) The Dean shall provide each referee with the candidate's dossier, along with the criteria for promotion as described in Article 10.2(c) and the approved standards developed by the candidate's unit(s). The Dean shall ask for the referee's judgment on whether the candidate has met those criteria. The letter from the Dean soliciting referees' judgments will become part of the candidate's dossier for consideration at Faculty and University level committees.
 - (3) External referee letters shall comment on the candidate's performance in research and scholarly and/or creative activity in relation to the University Criteria and to the approved standards developed by the candidate's unit(s). External referees for candidates applying for promotion to Full Professor will also be asked to speak to the intellectual standing of the candidate within the discipline or field of expertise.
 - (4) The dossier must contain all letters received. The dossier should normally contain at least four (4) letters and at least two (2) of these must be from names chosen by the candidate and at least two (2) must be academics.
- (vi) (iv) Each candidate will submit one (1) electronic copy and one (1) hard copy of their **promotion** dossier to the Chair of the Departmental Tenure and Promotion Committee by September 15 of the year of application. The dossier will include a current CV, copies of all Annual Reports (as defined by the Faculty), teaching evaluations, copies of publications, and any additional materials to support the assessment of the candidate in meeting the University Criteria and Unit Approved Standards. The candidate has the right to discuss their dossier with the Chairperson (or equivalent) before submitting it to the

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committee.

~~(1) The Chair of each committee shall ensure that tenure and promotion dossiers are kept separate, deliberated on separately, and separate decision reports are issued.~~

~~The Chair of each committee shall ensure that tenure and promotion dossiers recommendations dossiers are kept separate, kept separate, deliberated on separately, and separate decision reports decisions are issued.~~

~~(2) All tenure dossiers shall be decided on prior to any decisions on promotion.~~

~~All tenure dossiers shall be decided on prior to any decisions on promotion.~~

~~Recommendations Decisions on tenure shall be made prior to any recommendations decisions on promotion.~~

(v) No anonymous material may be considered at any level, and with the exception of the external letters of reference nothing may be added to the dossier at any time without the candidate's knowledge and consent.

10.5 Levels and Guidelines for Assessment

- (a) The diversity of academic and professional disciplines at Carleton University make inequitable if not impractical any single interpretation of the evaluation criteria for tenure and promotions. Evaluators must be flexible in their assessment and weighting of the candidate's accomplishments, especially for tenure and promotions to the rank of Associate Professor. This includes acknowledging diverse career paths, ways of knowing, and forms of communicating knowledge.
- (b) As described in Article 10.3, each academic unit at Carleton University will develop disciplinary specifications of how the University Criteria and approved unit standards in Articles 10.2 and 10.4 are interpreted for their disciplines or fields of study.
- (c) There are three levels of assessment in the tenure and promotion process:
 - (i) The Departmental/Unit level assesses the candidate relative to the University Criteria and the approved unit standards relative to the discipline and/or fields of the candidate. This is undertaken by the Departmental Tenure and Promotion Committee (DTPC).
 - (ii) The Faculty level is more arm's length and stresses assessment from a more diverse and academically broader perspective. This is undertaken by the Faculty

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Tenure and Promotion Committee (FTPC).

- (iii) The University level brings a broader and more diverse perspective ~~yet~~ assessing the candidate on the basis of the assessments and recommendation of the previous levels within the context of the approved unit standard(s), and with a view to ensuring that unreasonable disparities do not develop across the university. ~~In the case of tenure, this is undertaken by the Provost and Vice-President (Academic); and in the case of promotion it is undertaken by the University Promotions Committee (UPC). In the case of tenure, this is undertaken by the Provost and Vice-President (Academic); and in the case of promotion it is undertaken by the University Promotions Committee (UPC).~~

10.6 Departmental/School Tenure and Promotion Committees

~~All tenure and promotion committees shall be composed in accordance with principles of anti-discrimination as per Article 5.~~

- (a) ~~By September 30~~ **October 15** ~~September 30~~ of each year, each department (including Schools) shall establish a Tenure and Promotion Committee comprised as follows:
- (i) ~~The department Chairperson or school director as appropriate, and at least four other faculty members. Five faculty members, representative of each of the faculty ranks within the unit. The committee must include a faculty member from another department or school with appropriate research expertise to the members file. Furthermore the committee's composition shall be consistent with Article 5.4. The department Chairperson or school director as appropriate, and at least an additional four other faculty members~~ **CUASA CUASA faculty members.**
- (ii) ~~It shall be as representative as possible of the ranks and areas of interest in the department, including non-tenured members but a majority shall be tenured faculty at the rank of Associate Professor or above. It shall be as representative as possible of the ranks and areas of interest in the department, including non-tenured members~~ **CUASA CUASA faculty members but a majority shall be tenured faculty** ~~CUASA CUASA faculty members at the rank of Associate Professor or above.~~
- ~~(iii)~~ **(iii)** The Chairperson of the committee shall be **distinct from the department Chairperson or School Director** and chosen through a procedure specified by the department/school.

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- ~~(iii)(iv) Members of the committee, other than the department Chairperson or School Director, should be elected by, and from, all full-time CUASA bargaining unit members of the department/school, selected through a process identified by each department/school. CUASA faculty members, CUASA faculty members selected through a process identified by each department/school.~~
- ~~(iv)(v) The committee may include CUASA CUASA faculty members from other departments or schools. If there are concerns about the participation of a member of the Departmental Tenure and Promotion Committee or its composition, the parties agree to resolve the matter pursuant to Article 30.~~
- ~~(v) The candidate has the right to be provided with the departmental recommendation of the tenure and promotion committee and may offer a reply to any statements made. The candidate's response is to be included in the tenure and promotion dossiers when they are forwarded to the Faculty and University tenure and promotion committees.~~
- (b) All voting shall be by secret ballot. Abstentions, blank or spoiled ballots do not count for or against the candidate. If the committee has substantive questions regarding the dossiers, the candidate shall be invited to respond in writing to the committee's concerns. The Chairperson shall keep a record of the number of votes cast for and against each candidate, and the reasons for any no votes or abstentions. In the event of an appeal the candidate concerned shall be informed of the vote on their candidacy. The appropriate committee shall vote and ~~may make one of one of the following two~~ recommendations, **one for tenure, and one for promotion:**
- (c) **For Tenure and Promotion to Associate Professor:**
- ~~• Tenure and promotion be and promotion granted.~~
 - ~~• Tenure and Tenure and promotion be denied granted not granted.~~
 - ~~• Tenure granted and Tenure granted and promotion denied deferred not granted.~~
 - Promotion be granted and tenure be deferred and the preliminary appointment be renewed for two years and that reconsideration of tenure occur in the second year of the extension (this can only be granted to a candidate once).
 - ~~• Tenure and Promotion and promotion be deferred and the preliminary appointment be renewed for two years and that reconsideration of tenure and promotion and promotion occur in the second year of the extension (this can may can only be granted to a candidate once).~~

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~~• Tenure not granted~~

(i) For tenure:

- **Granted**
- **Not granted**
- **Deferred for two years and the preliminary appointment be renewed for two years and that reconsideration of tenure and promotion (as needed) occurs in the second year of the extension (this can only be granted to a candidate once)(this can only be granted to a candidate once)**

(ii) For promotion to Associate Professor:

- **Granted**
- **Not granted**
- ~~• Deferred for two years and that reconsideration occurs in the second year of the extension~~ **Deferred for two years and that reconsideration occurs in the second year of the extension**

(d) For Associate and Full Professors Applying For Tenure:

- ~~• Tenure be granted.~~
- ~~• Tenure be deferred and the preliminary appointment be renewed for two years and that reconsideration of tenure occur in either the first or second year of the extension (this may only be granted to a candidate once).~~
- ~~• Tenure be denied. not granted.~~
- **Granted**
- **Not granted**
- **Deferred for two years and the preliminary appointment be renewed for two years and that the reconsideration of tenure occurs in the second year of the extension (this can only be granted to the candidate once)(this can only be granted to the candidate once)**

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~~(e)~~ **For Promotion to Associate Professor:**

- ~~• Promotion be g~~Granted.
- ~~• Promotion be denied deferred n~~Not granted.

(e) **For Promotion to Associate Professor:**

- **Granted**
- **Not granted**

~~(f)~~(f) **For Promotion to Full Professor:**

- ~~• Promotion be g~~Granted.
- ~~• Promotion be denied deferred n~~Not granted.

~~(g)~~(g) The committee Chairperson will submit the list of candidates to the appropriate Dean(s) together with for each candidate a curriculum vitae and the complete dossier, an evaluation of each of the categories identified in the relevant University Criteria and the Approved Standards developed by Unit(s) for tenure and/or promotion, and the Departmental Tenure and Promotion Committee's vote and recommendation by November 15³⁰.

~~(h)~~(h) Once the appropriate committee has made its recommendation, **Once the appropriate committee has made its recommendation, the committee Chairperson shall provide a copy of the recommendation of the Departmental Tenure and Promotion Committee to the candidate.** shall so advise the candidate in writing within two weeks. In the case of a recommendation against tenure and/or promotion the written communication will indicate to the candidate how they did not meet the relevant University Criteria as explicated by the Approved Unit Standards. In the case of a deferral of tenure and/or promotion, the written communication will indicate to the candidate the area or areas of performance the committee would expect evidence of further development before recommending in favour of tenure and/or promotion. **shall so advise the candidate in writing within two weeks. In the case of a recommendation against tenure and/or promotion the written communication will indicate to the candidate how they did not meet the relevant University Criteria as explicated by the Approved Unit Standards. In the case of a deferral of tenure and/or promotion, the written**

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communication will indicate to the candidate the area or areas of performance the committee would expect evidence of further development before recommending in favour of tenure and/or promotion. A candidate may at this time submit additional information to the Dean(s) if they believe their case not to have been adequately represented.

(i)(h)(i) Up to two weeks prior to the commencement of the meetings of the UPC where the candidate is being considered, the candidate shall have the right to add material not previously available. Prior to the commencement of the meetings of the UPC, the candidate shall have the right to transmit information to their Dean about acceptance of publications, awards and successful grant applications that were not included at the time of the original submission of the vitae.

(j)(i)(j) Procedure for Cross-Appointed Faculty Members

- (i) In the case of cross-appointed faculty members the following procedures apply:
- (ii) Where the appointment is more than 50% in one Faculty (the "majority faculty"), the joint Departmental Committee shall be constituted in accordance with the following:
 - (1) Where the appointment is more than 50% in one department (the "majority department"), the joint Departmental Tenure and Promotion Committee shall have membership proportional to the weighting of the cross-appointment, and shall be chaired by a member of the majority department. The Committee shall make its recommendation to the Faculty Tenure and Promotion Committee of the majority faculty.
 - (2) Where the appointment is divided equally between two units, the joint Departmental Tenure and Promotion Committee shall be representative of each of the pertinent departments (or equivalent) and shall be comprised of the Chairperson of each of the appropriate committees and at least one (1) other representative from each of the departments (or equivalent). The Dean of the majority faculty shall designate a Chairperson who shall be responsible for forwarding a written recommendation together with supporting evidence to the Faculty Tenure and Promotion Committee of the majority faculty.
- (iii) Where the appointment is divided equally between two Faculties, the employee seeking tenure and/or promotion shall designate their "home Faculty." The joint Departmental Tenure and Promotion Committee shall be representative of each of the pertinent departments (or equivalent) and shall be comprised of the Chairperson of each of the appropriate committees and at least one (1) other

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representative from each of the departments (or equivalent). The appropriate Deans shall designate a Chairperson who shall be responsible for forwarding a written recommendation together with supporting evidence to the "home Faculty" Tenure and Promotion Committee.

- (viiiv) In the case of cross-appointed faculty members, the approved unit standards of the "home" or "majority" unit will be used to assess performance in meeting the approved unit standards **adjusted appropriately for the cross-appointment and the duties assigned**. Although eContributions that meet the approved unit standards of the other unit or units will be ~~seriously~~ considered when reaching a final vote.

~~(k)(j)(k)~~ **Process for the Sprott School of Business: Cluster-Level Tenure and Promotion Committees**

- (i) For the purposes of tenure and promotion, the faculty and instructors in the Sprott School of Business shall be divided into clusters as defined in the Sprott faculty procedures.
- (ii) Each faculty or instructor member shall be assigned to a cluster depending upon their teaching area.
- (iii) By ~~September 30th~~ ~~October 15~~ **September 30** of each year, the Dean shall constitute a Tenure and Promotion Committee for each cluster via election.
- (iv) The committee shall be comprised of ~~CUASA~~ **CUASA** faculty members and shall be as broadly representative of the teaching areas and ranks in the cluster as possible. The committee shall include (a) non-tenured ~~CUASA~~ **CUASA** faculty member(s) when possible, but a majority shall be tenured ~~CUASA~~ **CUASA** faculty members at the rank of Associate Professor or above.
- (v) Each cluster-level committee shall be constituted of five ~~CUASA~~ **CUASA** faculty members elected from Sprott faculty and instructors. The committee members shall choose their Chair.
- ~~(vii)~~ (vi) The committee may include ~~CUASA~~ **CUASA** faculty members from other clusters if a particular cluster does not have enough faculty as members to ensure fairness of the proceedings.

~~(j)(k)(l)~~ All voting shall be by secret ballot. Abstentions, blank or spoiled ballots do not count for or against the candidate. If the committee has substantive questions regarding the dossier, the candidate shall be invited to respond in writing to the committee's concerns. The chairperson shall keep a record of the number of votes cast for and against each

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candidate, and the reasons for any no votes or abstentions. The Chairperson shall only vote in the case of a tie. In the event of an appeal the candidate concerned shall be informed of the vote on their candidacy. The committee shall vote and make one of the following two recommendations: **one for tenure, and one for promotion:**

~~(m)(4)(m)~~ **For Tenure and Promotion to Associate Professor:**

- ~~• Tenure and promotion be and promotion granted.~~
- ~~• Promotion granted~~
- ~~• Tenure and Tenure and promotion be denied deferred not granted.~~
- ~~• Tenure granted and promotion denied Tenure granted and promotion denied not granted.~~
- ~~• Promotion be granted and tenure be deferred and the preliminary appointment be renewed for two years and that reconsideration of tenure occur in the second year of the extension (this can only be granted to a candidate once).~~
- ~~• Tenure and Promotion and promotion be deferred and the preliminary appointment be renewed for two years and that reconsideration of tenure and promotion and promotion occur in the second year of the extension (this can may only be granted to a candidate once).~~
- ~~• Tenure not granted.~~

(i) For tenure:

- **Granted**
- **Not granted**
- **Deferred for two years and the preliminary appointment be renewed for two years and that reconsideration of tenure and promotion (as needed) occurs in the second year of the extension (this can only be granted to a candidate once) (this can only be granted to a candidate once)**

(ii) For promotion to Associate Professor:

- **Granted**
- **Not granted**

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- **Deferred for two years and that reconsideration occurs in the second year of the extension**

~~(n)(m)(n)~~ **For Associate and Full Professors Applying For Tenure**

- ~~Tenure be granted.~~
- ~~Tenure be deferred and the preliminary appointment be renewed for two years and that reconsideration of tenure occur in either the first or second year of the extension (this may only be granted to a candidate once).~~
- ~~Tenure be denied not granted.~~
- **Granted**
- **Not granted**
- **Deferred for two years and the preliminary appointment be renewed for two years and that reconsideration of tenure occurs in the second year of the extension (this can only be granted to the candidate once) (this can only be granted to the candidate once)**

~~(o)~~ **For Promotion to Associate Professor:**

- ~~Promotion be gGranted.~~
- ~~Promotion be denied deferred nNot granted.~~
- ~~Deferred for two years and that reconsideration occurs in the second year of the extension~~

(o) For Promotion to Associate Professor:

- **Granted**
- **Not granted**

~~(p)(n)(p)~~ **For Promotion to Full Professor:**

- ~~Promotion be gGranted.~~

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- ~~Promotion be denied deferred n~~Not granted.
- ~~Deferred for two years and that reconsideration occurs in the second year of the extension~~

~~(q)(o)(q)~~The committee Chairperson will submit the list of candidates to the Dean together with for each candidate a curriculum vitae and the complete dossier, an evaluation of each of the categories identified in the relevant University Criteria and the Approved Standards for tenure and/or promotion, and the cluster-level Tenure and Promotion Committee's vote and recommendation by November 15³⁰.

~~(r)(p)(r)~~Once the appropriate committee has made its recommendation, the Chairperson of the committee shall so advise the candidate in writing within two weeks. In the case of a recommendation against tenure and/or promotion the written communication will indicate to the candidate how they did not meet the relevant University Criteria as explicated by the Approved Unit Standards. In the case of a deferral of tenure and/or promotion, the written communication will indicate to the candidate the area or areas of performance the committee would expect evidence of further development before recommending in favour of tenure and/or promotion. A candidate may at this time submit additional information to the Dean if they believe their case not to have been adequately represented.

~~(s)(q)(s)~~Up to two weeks prior to the commencement of the meetings of the UPC where the candidate is being considered, the candidate shall have the right to add material not previously available. Prior to the commencement of the meetings of the UPC, the candidate shall have the right to transmit information to their Dean about acceptance of publications, awards and successful grant applications that were not included at the time of the original submission of the vitae.

10.7 Faculty Tenure and Promotion Committees

~~All tenure and promotion committees shall be composed in accordance with principles of anti-discrimination as per Article 5.~~

- (a) By November 15 of each year, each Dean shall establish a Faculty Tenure and Promotion Committee (FTPC) comprised as follows:
 - (i) The Dean who shall be the Chairperson.
 - (ii) The Chair/Director of each sub-unit.
 - (iii) One (1) ~~CUASA~~CUASA faculty member selected by the DTPC in each sub-unit.

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- (iv) ~~Up to three additional members appointed by the Dean. Up to one additional member appointed by the Dean.~~

~~If there are concerns about the participation of a member of the Faculty Tenure and Promotion Committee or its composition, the parties agree to resolve the matter pursuant to Article 30.~~

- (b) All letters of reference solicited become part of the candidate's official dossier and are considered by the Faculty Tenure and Promotion Committee.
- (c) All voting shall be by secret ballot. Abstentions, blank or spoiled ballots do not count for or against the candidate. The Chairperson shall keep a record of the number of votes cast for and against each candidate, and the reasons for any no votes or abstentions. In the event of an appeal the candidate concerned shall be informed of the vote on their candidacy. The appropriate committee shall vote and make one of the following two recommendations: **one for tenure, and one promotion:**
- (d) **For Tenure and Promotion to Associate Professor:**
- ~~Tenure granted. Tenure and promotion granted.~~
 - ~~Tenure and Tenure and promotion be denied not granted.~~
 - ~~Tenure and promotion be denied.~~
 - ~~Tenure granted and Tenure granted and promotion denied deferred not granted.~~
 - ~~Promotion be granted and tenure be deferred and the preliminary appointment be renewed for two years and that reconsideration of tenure occur in the second year of the extension (this can only be granted to a candidate once).~~
 - ~~Tenure and Promotion and promotion be deferred and the preliminary appointment be renewed for two years and that reconsideration of tenure and promotion and promotion occur in the second year of the extension (this can may can only be granted to a candidate once).~~
 - ~~Tenure not granted~~
- (i) **For tenure:**
- **Granted**

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- **Not granted**
- **Deferred for two years and the preliminary appointment be renewed for two years and that reconsideration of tenure and promotion (as needed) occurs in the second year of the extension (this can only be granted to a candidate once) (this can only be granted to a candidate once)**

(ii) **For promotion to Associate Professor:**

- **Granted**
- **Not granted**
- **Deferred for two years and that reconsideration occurs in the second year of the extension**

(e) **For Associate and Full Professors Applying For Tenure:**

- ~~Tenure be granted.~~
- ~~Tenure be deferred and the preliminary appointment be renewed for two years and that reconsideration of tenure occur in either the first or second year of the extension (this can may can only be granted to a candidate once).~~
- ~~Tenure be denied. not granted.~~
- **Granted**
- **Not granted**
- **Deferred for two years and the preliminary appointment be renewed for two years and that reconsideration of tenure occurs in the second year of the extension (this can only be granted to the candidate once) (this can only be granted to the candidate once)**

(f) ~~For Promotion to Associate Professor:~~

- ~~Promotion be gGranted.~~
- ~~Promotion be denied deferred nNot granted.~~
- ~~Deferred for two years and that reconsideration occurs in the second year of the~~

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extension**(f) For Promotion to Associate Professor:**

- **Granted**
- **Not granted**

~~(g)~~(g) For Promotion to Full Professor:

- ~~Promotion be g~~Granted.
- ~~Promotion be denied. Deferred n~~Not granted.
- ~~Deferred for two years and that reconsideration occurs in the second year of the extension~~

~~(h)~~(g)(h) Recommendations of the Faculty Tenure and Promotion Committee

- (i) Recommendations for tenure only and for simultaneous consideration of tenure and/or promotion to Associate Professor shall be submitted to the Provost and Vice-President (Academic) by ~~December 15~~ **December 20**.
- (ii) Recommendations for promotion only (whether to Associate Professor or Full Professor) shall be submitted to the Provost and Vice-President (Academic) as Chair of the University Promotion Committee by January 31.
- (iii) The findings of the committee along with the complete dossier (including the letters from the referees) of each candidate are submitted to the Provost and Vice-President (Academic). Following consideration by the Faculty Committee, the Dean shall advise each candidate in writing, within one week, whether the Faculty Committee agrees or disagrees with the departmental recommendation. If the Faculty Committee disagrees with a positive departmental recommendation, the written communication shall indicate to the candidate at least in which area or areas of performance in relation to the relevant approved unit standards that the committee would expect as evidence of further development before recommending in favour of tenure and/or promotion.
- (iv) The Dean shall also write their own assessment of the candidate, and shall indicate whether or not they agree with the recommendation of the Faculty Tenure and Promotion Committee. The Dean must consult the Faculty Tenure

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and Promotion Committee before adding their assessment to the dossier and cannot substitute their judgment for the recommendations of the Faculty Tenure and Promotion Committee. A copy of the Dean's assessment shall be provided to the candidate.

- (v) In the event of perceived deficiencies with respect to the approved unit standards for tenure, a candidate may not be denied tenure unless there have been annual pre-tenure reviews of performance as detailed in Article 10.1(c). If that has not been done, the candidate must be given an extension adequate to rectify the deficiencies before a final decision on tenure is taken.

~~(i)(h)~~(i) **Procedures for the Sprott School of Business: Faculty-Level Tenure and Promotion Committee**

- (i) By November 15th of each year, the Dean shall constitute a Faculty-Level Tenure and Promotion Committee via election.
- (ii) The faculty-level committee shall be as broadly representative as possible of the teaching areas and ranks in the clusters as possible. **The election shall be called by the Dean and a notice sent to all cluster Chairs. All non-tenured and tenured members shall be eligible for nominations.** ~~The committee shall include (a) non-tenured member(s) when possible but a majority shall be tenured faculty at the rank of Associate Professor or above. It shall be constituted of:~~
 - ~~Three CUASA~~**CUASA** faculty members elected from each cluster
 - The Dean who shall serve as Chair
 - The Chairs of the cluster-level tenure and promotion committees
 - ~~One member appointed by the Dean~~**One member appointed by the Dean.**

~~(k)(j)~~(j) Members elected to one of the cluster-level committees shall not be eligible for election to the faculty-level committee. Chairs of cluster-level committees shall not cast a vote at the FTPC concerning an applicant if they have cast a vote on the candidacy of the same applicant at the cluster-level.

~~(k)(j)~~(k) All voting shall be by secret ballot. Abstentions, blank or spoiled ballots do not count for or against the candidate. If the committee has substantive questions regarding the dossier, the candidate shall be invited to respond in writing to the committee's concerns. The Chairperson shall keep a record of the number of votes cast for and against each candidate, and the reasons for any no votes or abstentions. In the event of an appeal the

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candidate concerned shall be informed of the vote on their candidacy. The committee shall vote and make one of the following two recommendations: **one for tenure, and one for promotion:**

(ml)(k)(l) For Tenure and Promotion to Associate Professor:

- ~~Tenure and promotion be **and promotion granted.**~~
- ~~Tenure and **Tenure and promotion be denied not granted.**~~
- ~~Tenure granted and **Tenure granted and promotion denied deferred not granted.**~~
- ~~Promotion be granted and tenure be deferred and the preliminary appointment be renewed for two years and that reconsideration of tenure occur in the second year of the extension (this can only be granted to a candidate once).~~
- ~~Tenure and Promotion **and promotion be deferred** and the preliminary appointment be renewed for two years and that reconsideration of tenure and promotion **and promotion** occur in the second year of the extension (this can **may can only be granted to a candidate once.**~~
- ~~Tenure **not granted**~~

(i) For tenure:

- **Granted**
- **Not granted**
- **Deferred for two years and the preliminary appointment be renewed for two years and that reconsideration of tenure and promotion (as needed) occurs in the second year of the extension (this can only be granted to a candidate once) (this can only be granted to a candidate once)**

(ii) For promotion to Associate Professor:

- **Granted**
- **Not granted**

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- **Deferred for two years and that reconsideration occurs in the second year of the extension**

~~(nm)~~**(t)(m) For Associate and Full Professors Applying For Tenure:**

- ~~Tenure be granted.~~
- ~~Tenure be deferred and the preliminary appointment be renewed for two years and that reconsideration of tenure occur in either the first or second year of the extension (this may only be granted to a candidate once).~~
- ~~Tenure be denied not granted.~~
- **Granted**
- **Not granted**
- **Deferred for two years and the preliminary appointment be renewed for two years and that reconsideration of tenure occurs in the second year of the extension (this can only be granted to a candidate once) (this can only be granted to a candidate once)**

~~(on)~~ **For Promotion to Associate Professor:**

- ~~Promotion be gGranted.~~
- ~~Promotion be denied deferred nNot granted.~~
- ~~Deferred for two years and that reconsideration occurs in the second year of the extension~~

~~(on)~~ **For Promotion to Associate Professor:**

- **Granted**
- **Not granted**

~~(po)~~**(m)(o) For Promotion to Full Professor:**

- ~~Promotion be gGranted.~~

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- ~~Promotion be denied. deferred nNot granted.~~
- ~~Deferred for two years and that reconsideration occurs in the second year of the extension~~

~~(qp)-(n)(p)~~ **Recommendations of the Faculty-Level Tenure and Promotion Committee**

- (i) Recommendations for tenure only and for simultaneous consideration of tenure and/or promotion to Associate Professor shall be submitted to the Provost and Vice-President (Academic) by December 15th 2020.
- (ii) Recommendations for promotion only (whether to Associate Professor or Full Professor) shall be submitted to the Provost and Vice-President (Academic) as Chair of the University Promotion Committee by January 31.
- (iii) The findings of the committee along with the complete dossier (including the letters from the referees) of each candidate are submitted to the Provost and Vice-President (Academic). Following consideration by the Faculty Committee, the Dean shall advise each candidate in writing, within one week, whether the Faculty Committee agrees or disagrees with the departmental recommendation. If the Faculty Committee disagrees with a positive departmental recommendation, the written communication shall indicate to the candidate at least in which area or areas of performance in relation to the relevant approved unit standards that the committee would expect as evidence of further development before recommending in favour of tenure and/or promotion.
- (iv) The Dean shall also write their own assessment of the candidate, and shall indicate whether or not they agree with the recommendation of the Faculty Tenure and Promotion Committee. The Dean must consult the Faculty Tenure and Promotion Committee before adding their assessment to the dossier and cannot substitute their judgment for the recommendations of the Faculty Tenure and Promotion Committee. A copy of the Dean's assessment shall be provided to the candidate.
- (v) All procedures and decisions regarding tenure and promotion shall be consistent with this Collective Agreement.
- (vi) In the event of perceived deficiencies with respect to the Approved Unit Standards for tenure, a candidate may not be denied tenure unless there have been annual pre-tenure reviews of performance as detailed in Article 10.1(c). If that has not been done, the candidate must be given an extension adequate to rectify the deficiencies before a final decision on tenure is taken.

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10.8 University Promotions Committee

~~All promotion committees shall be composed in accordance with principles of anti-discrimination as per Article 5.~~

- (a) The University Promotions Committee (UPC) consists of the Provost and Vice-President (Academic) as Chairperson, ~~eight (8) eight (8) and sixteen (16) full-time CUASA faculty members at least eight (8) of which~~ and to be chosen by the President a ~~eight (8) full-time faculty members holding and to be chosen by the President a eight (8) full-time faculty members holding~~ hold the rank of Full Professor, ~~chosen by election, distributed as follows: eight (8) members to be chosen by the President and eight (8) full-time CUASA~~ CUASA faculty members holding the rank of Full Professor, distributed as follows:

- ~~Two~~ ~~Four~~ ~~Two~~ members from the Faculty of Arts and Social Sciences
- ~~Two~~ ~~Four~~ ~~Two~~ members from the Faculty of Public Affairs
- ~~Two~~ ~~Four~~ ~~Two~~ members from the Faculty of Engineering & Design
- ~~One~~ ~~Two~~ ~~One~~ members from the Faculty of Science
- ~~One~~ ~~Two~~ ~~One~~ members from the Sprott School of Business

The latter ~~eight~~ ~~sixteen~~ ~~eight~~ members shall be elected by a vote of the tenured and tenure track employees of the respective Faculties. **If there is an insufficient number of electees candidates, the parties shall fill any vacancies at JCAA by mutually agreed appointment.**

Nominations shall be coordinated by Senate. ~~which is also responsible to distribute a widely promulgated call for nominations. an election of these sixteen (16) members.~~ All eligible candidates shall be informed of the dates and deadlines for this election. ~~Faculty members chosen by the President are not eligible to run for these positions.~~ **Faculty members chosen by the President are not eligible to run for these positions.**

If there are concerns about the participation of a member of the University Promotions Committee or its composition, the parties agree to resolve the matter pursuant to Article 30.

- (b) The President may attend as an observer during the meetings of this Committee.

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- (c) ~~An~~**At least one but at most two** observers shall be appointed by CUASA to the University Promotions Committee.
- (d) The Dean of each Faculty shall present the cases of all the candidates from that Faculty to the University Promotions Committee.
- (e) All voting shall be by simple majority on a "yes" or "no" basis by secret ballot. Abstentions, blank or spoiled ballots do not count for or against the candidate. The Chair shall vote only in case of a tie. The UPC shall vote on each candidate and make one of the following recommendations:
- (ef) **For Promotion to Associate Professor:**
- ~~(i) In cases of simultaneous consideration for tenure and promotion:~~
 (i) **In cases of simultaneous consideration for tenure and promotion:**
- ~~Promotion be g~~Granted.
 - ~~Promotion be denied deferred n~~Not granted.
 - **Deferred for two years and that reconsideration occurs in the second year of the extension**
- ~~(ii) In cases of consideration for promotion only:~~
- ~~Granted~~
 - ~~Not granted~~
- (ii) **In cases of consideration for promotion only:**
- **Granted**
 - **Not granted**
- (fg) **For Promotion to Full Professor**
- ~~Promotion be g~~Granted.
 - ~~Promotion be denied deferred n~~Not granted.

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• ~~Deferred for two years and that reconsideration occurs in the second year of the extension~~

- (h) The Chairperson shall keep a record of the number of votes cast for and against each candidate, and the reasons for any no votes or abstentions. In the event of an appeal the candidate concerned shall be informed of the vote on their candidacy.
- (i) **Recommendations of the UPC**
 - (i) The UPC will consider all recommendations emanating from the Faculty levels for promotion. By April 15 of each year, the UPC shall recommend for promotion to Associate Professor and Full Professor any candidate receiving a majority of the "yes" and "no" votes of those present at the consideration of that candidate and the Provost shall advise each candidate in writing of the decision by May 1. In the case of a recommendation against promotion the written communication shall indicate to the candidate at least in which area or areas of performance (in relation to the relevant Unit Approved Standards) the Committee would expect evidence of further development before recommending in favour of promotion. In order to enable a candidate to appeal, if they so wish, the reasons for the decision to recommend against promotion shall be given in writing to the candidate.
 - (ii) A candidate who is not promoted has recourse to the appeal procedures described herein.
- (j) **Notification of University Decisions**
 - (i) By February 20 the Provost and Vice-President (Academic) shall advise each candidate in writing of the tenure decision.
 - (ii) The written communication shall indicate to the candidate how they failed to meet the relevant Unit Approved Standards in order to enable a candidate to appeal, if they so wish. When tenure is denied, the candidate's preliminary appointment will end on June 30 or after all appeals, grievance or arbitration processes under the Collective Agreement have been exhausted or two (2) years, whichever occurs first. The candidate will be offered a one-year non-renewable term appointment at the rank they held upon completion of the preliminary appointment.
 - (iii) In the case of a decision to defer consideration of tenure, the written communication shall indicate at least in which area or areas of performance in relation to the relevant approved unit standards the candidate would be expected

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to demonstrate evidence of further development before reconsideration. Within one month of the decision to defer consideration of tenure, the candidate, the department Chair, and the Dean will meet to determine an appropriate and reasonable workload that will permit the candidate the opportunity to address the concerns identified in the deferral. The candidate has a right to have a CUASA representative present at such a meeting and this representative's participation shall be without prejudice.

- (iv) For decisions on promotion to Associate Professor or Full Professor: by May 1 the Provost and Vice-President (Academic) shall advise each candidate in writing of the decision.
- (v) In the case of a decision to deny promotion the written communication shall indicate to the candidate at least in which area or areas of performance the Committee would expect evidence of further development before recommending in favor of promotion in the future. In order to enable a candidate to appeal, if they so wish, the reasons for the decision to deny promotion shall be given in writing to the candidate.

10.9 Tenure and Promotions Appeal Committee

- (a) Candidates receiving a decision of **tenure not granted and/or promotion not granted**, communicated by the Provost and Vice-President (Academic), ~~to deny or defer not to grant tenure and/or promotion~~ may appeal **either** the decision by making a written submission to the Tenure and Promotion Appeal Committee (TPAC) within fifteen (15) working days after receipt of the letter from the Provost and Vice-President (Academic).
- (b) Appeals may be based upon one or more of the following grounds:
 - (i) Procedural irregularity or failure to apply the tenure and promotion procedures; procedural grounds may include but are not limited to failure to ensure the integrity of appellant's dossier (for example, having anonymous material included in dossier), failure to provide the appellant with proper information regarding tenure or promotion criteria, failure to provide the appellant with regular annual reviews, and unduly large ~~administrative~~ service duties **to the University (as per Article 13.5)** prior to tenure and promotion;
 - (ii) Discrimination within the meaning of ~~Article 5 (No Discrimination Article); the collective agreement and the relevant laws and regulations;~~
 - (iii) A violation or violations of academic freedom within the meaning of Article 4 (Academic Freedom Article);

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- (iv) Substantive grounds based on the application and/or interpretation of any of the criteria for teaching, research, and service ~~(as per Article 13.5)~~; substantive grounds may include but are not limited to improper weighting or discounting of scholarly activity and/or teaching in critical, marginal and/or new areas of specialization and their methods and/or sites of dissemination.
- (c) The TPAC shall be established by December 1 each year using the following procedures. By no later than October 30, Senate shall issue a ~~widely promulgated~~ call for nominations for membership on the TPAC. ~~All~~ **Only** CUASA faculty members at the rank of Associate or Full Professor shall be eligible for nomination ~~or membership appointment. The~~ **Of the** ten (10) members ~~(one delegate and one alternate from each of the five Faculties)~~ **(one delegate and one alternate from each of the five Faculties) representing two from each faculty, at least six (6) shall be at the Full Professor rank. The ten (10) members** shall be elected by the tenured and tenure track employees of the respective Faculties. At least one member from each Faculty shall be a Full Professor. ~~For appeals of the denial of promotion to the rank of Full Professor the committee must be constituted of a majority of Full Professors. For appeals of the denial of promotion to the rank of Full Professor the committee must be constituted of a majority of Full Professors. Membership of the TPAC shall follow Article 10.11(b). If an elected delegate and their alternate are unavailable, the parties shall mutually agree on an appointee to serve on the TPAC at the JCAA. If an elected delegate and their alternate are unavailable, the parties shall mutually agree on an appointee to serve on the TPAC at the JCAA. If an elected delegate and their alternate are unavailable, the parties shall mutually agree on an appointee to serve on the TPAC at the JCAA. If an elected delegate and their alternate are unavailable, the Provost and Vice-President (Academic) and the President of CUASA shall, acting reasonably and expeditiously, mutually agree on an appointee to serve on the TPAC.~~
- (d) The appellant may make an oral presentation to the TPAC in addition to the written submission. The candidate has a right to representation and advocacy from CUASA. Both parties may call witnesses. Both parties to the appeal must be present throughout and pertinent information shall be made available to both parties by the committee prior to the hearing. The Employer will report on the process and considerations that resulted in ~~the denial or deferral decision non-granting~~ of tenure **not granted** or the decision of promotion **not granted**. Then the appellant or representative will lay out the grounds for the appeal of this decision. The appellant or representative and the representative of the university shall have an opportunity to ask questions of the other and any witnesses called and members of the TPAC shall have the opportunity to put questions. Once the two sides have presented, the TPAC has the right to request further submissions, oral or written, as it sees fit.
- ~~(e) Where the appeal is based upon substantive grounds, academic freedom, discrimination, or teaching effectiveness, the TPAC shall reach a decision by majority vote. Where the~~

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~~appeal is based either in whole or in part upon anything other than teaching effectiveness, the TPAC may establish an external review committee. The external review committee shall be comprised of at least two external experts who hold the rank of Full Professor. The appellant shall provide the names of two (2) external experts, at least one of whom must be used. These external reviewers will be asked to review the file and make recommendations to the TPAC on the substantive merits of the appeal. The recommendations of the external review committee shall be shared with both parties.~~

- (fe) The appellant shall have the right to enter new evidence that was not available at the time of the previous hearings (such as updates of the status of articles submitted for publication). The TPAC shall not accept any new evidence from the Employer unless it is in response to new information raised by the appellant in their appeal. New material will be made available to all those making presentations as far in advance as possible and in any case not less than ~~two full~~ **five (5) working** days before the hearing begins.
- (gf) Both parties have a right to have an observer present throughout.
- (hg) The TPAC shall reach a decision by majority vote.
- (ih) The TPAC will select one of the following determinations, which shall be binding upon the parties (except as provided in Article 10.10 below regarding grievance and arbitration):
 - (i) Uphold the appeal on substantive grounds, academic freedom or discrimination and determine that the President grant ~~or defer~~ tenure and/or promotion;
 - (ii) In the case of promotion, if the TPAC upholds the appeal on procedural grounds, the TPAC shall rule that the candidate be reconsidered by ~~the a~~ **a *de novo*** committee

In the case of tenure, if the TPAC upholds the appeal on procedural grounds, the TPAC shall rule that the candidate be reconsidered by ~~the a~~ **a *de novo*** committee.

If a ***de novo*** committee is required, the composition of two members appointed by CUASA and two members appointed by the Provost and a Chair agreed upon by both parties.

The decision of the ***de novo*** committee shall be final and binding.
 - (iii) Reject the appeal and uphold the decision communicated by the Provost and Vice-President (Academic);
 - (iv) In the case of an appeal of denial of tenure ~~not granted and/or promotion and/or~~

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promotion not granted, the TPAC may determine that a deferral of consideration of tenure ~~and/or promotion and/or promotion~~ for up to two years ~~for up to up to two years~~ be granted provided the limits described in Article 10.1(a)(vi) are respected. **provided the limits described in Article 10.1(a)(vi) are respected.** ~~provided the limits described in Article 10.1(a)(vi) are respected.~~, notwithstanding any exceptional circumstances.

- (ji) ~~The TPAC shall make its decision within three working days after the hearing of the appeal has concluded.~~ The report of the TPAC to the President shall be accompanied by a written statement prepared by the Chair presenting the reasons for the determinations. A copy of the report shall be provided to the candidate. ~~and the CUASA representative.~~ Normally the date for the completion of the report will be March 31 for cases involving tenure and May 31 for cases not involving tenure. **Normally the date for the completion of the report will be April 30 for cases involving tenure and May 31 for cases not involving tenure.** However, where an external review committee is required for appeals based upon substantive grounds, these dates shall be extended as reasonably required for the external reviews to be completed and the TPAC to review those recommendations. ~~In the event of a simultaneous application for tenure and promotion where the University Promotion Committee has yet to complete its promotion review processes of a candidate's dossier, the TPAC shall not schedule the process provided for in Article 10.9(d) for a tenure denial before the expiration of the timelines expressed in Article 10.9(a). Matters of a tenure denial and a promotion denial shall be joined together but decided on separately by the TPAC. The parties shall be provided no less than 20 working days notice of a hearing.~~
- (kj) **President's Communication of the TPAC decision**
- (i) Upon receipt of the determination of the TPAC, the President shall accept the determination and inform the candidate within fifteen (15) calendar days of receiving the written report of the TPAC.

10.10 Grievance/Arbitration

- (a) In the case of a decision to ~~deny~~ ~~not to grant~~ of tenure **not granted** and/or promotion **not granted**, the candidate may consult with CUASA on whether or not the Association will grieve the decision.
- (b) A grievance may be filed by ~~the employee or~~ the Association only on one or more of the following grounds:
- (i) Procedural irregularity or failure to apply the tenure and promotion procedures;

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- (ii) Discrimination within the meaning of ~~Article 5 (No Discrimination);~~ **the collective agreement and/or the relevant laws and regulations;** or
- (iii) A violation or violations of academic freedom within the meaning of Article 4 (Academic Freedom).
- (c) A grievance cannot be filed ~~exclusively~~ on the basis of substantive grounds involving the application or interpretation of the criteria for tenure and/or promotion.
- (d) If CUASA decides to grieve the decision the grievance shall proceed directly to Arbitration. Expedited arbitration shall not be an option in the case of a grievance on tenure and/or promotion, and the choice of the arbitrator must follow the order of the roster in Article 30.12.
- (e) **(e) An arbitrator appointed to hear a grievance under this process shall have the same remedies to consider as those made available to the TPAC, including reinstatement of an employee in the event of an award granting tenure or deferral, jurisdiction to examine and grant a remedy on aspects of the process or decision leading to the grievance. The arbitrator shall not have the power to award tenure and/or promotion. In such circumstances, the arbitrator may prescribe remedies, including, but not limited to, extension of the probationary period and/or remitting the case for reconsideration by TPAC.**

10.11 General Committee Rules

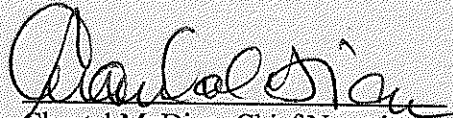
All committees established as part of the tenure and promotion review process shall be in compliance with Article 5.4.

- (a) Members must not serve on any Tenure and Promotion committee in any year in which they have applied for tenure and/or promotion.
- (b) Members of the Tenure and Promotion Committees at the Department, Faculty, and University levels cannot serve on the TPAC in the same academic year.
- (c) The Presidential Officers of the Association and the CUASA Grievance Chair shall not serve on any DTPC, FTPC, UPC or TPAC.
- (d) Any person taking part in the assessment of a candidate will disclose any relationship which could be a cause for a conflict of interest. The Committee shall determine whether or not the relationship constitutes a conflict of interest. In such decisions, the Committee will err on the side of caution. A person may request that a conflict of interest decision be made by JCAA.


- (e) All committees established as part of the tenure and promotion review process must have at least one male and one female member and ~~reasonable efforts~~ **best efforts** shall be ~~made to seek diversity on the committees to reflect the diversity of the academic community~~ **these committees** they are representing.
- (f) ~~A member has the right to appear before any Tenure and/or Promotion Committee considering their dossier(s).~~ In any meeting between a candidate and any Tenure and Promotion Committee, Chairperson (or equivalent) or Dean, involving tenure or promotion, the member may have a representative of CUASA present ~~shall have a right to representation and advocacy from CUASA, and shall be so advised in advance by the Committee, Chairperson (or equivalent), or Dean.~~
- (g) ~~A faculty member hired before the ratification of this language may choose which tenure and promotion procedures apply to them. If there are no approved unit standards in place at the time of hire or application for tenure or promotion, Article 10.3 shall not apply to the candidate. Unit approved standards remain in effect until the unit replaces them.~~
- (h) All participants in the tenure and promotion review process, including members of review committees, academic administrators, and observers and representatives of CUASA, shall be bound by the confidentiality of the proceedings and procedures of the tenure and promotion review process.
- (i) An observer nominated by the Carleton University Academic Staff Association may be invited to attend any meeting of any level Committee to which any candidate is invited if the Committee or the candidate so requests.
- (j) Other than described herein, there shall be no restriction on the operation of established tenure policies and procedures. Establishment of a fixed proportion of tenured to non-tenured faculty shall be considered such a restriction.
- (k) The procedures set out in this document are designed to ensure that the decision will be rendered by an impartial body which has no interest either in the silencing of unwelcome opinions or in the protection of incompetence or neglect.


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The parties agree that one delegate of each team will meet to review and make mutually agreeable editorial or formatting changes that do not substantively alter the Article.


Chantal M. Dion - Chief Negotiator
CUASA/the Union


Date


Wayne Jones - Chief Negotiator
Carleton University/the Employer


Date