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December 12, 2008

Dear David:

The SACPT met on November 5<sup>th</sup> and 19<sup>th</sup> to discuss the proposed changes to the Administrative Regulations. In general, these changes were viewed positively by the committee. However, a few modifications are recommended as follows. 1) Faculty members who are being considered for early promotion and tenure have the right to withdraw their application before it reaches the Board of Trustees. 2) Negative decisions at the college level should be accompanied by written notification by the dean of the college that explains why promotion and tenure was denied. 3) It is the view of the SACPT that this written notification by the dean is substantive. With this in mind, the SACPT recommends that the statement (AR II-1.0-1, VIIC) ***“It is University policy not to provide written reasons in cases of non-renewal of appointment”*** be eliminated. 4) Please include a reference of the right to appeal in section IV. 5) The SACPT recommends that wording pertaining to notification of the candidate be added to sections VI.C.4 and VII.C.4. 6) The SACPT recommends that the changes to the Administrative Regulations should apply to all existing and new faculty members as soon as possible, but on the condition that these modifications recommended by the SACPT have been incorporated. Our specific changes are indicated as follows.

III. A Comprehensive Tenure Review

A tenure-eligible faculty employee is entitled to one (1) comprehensive tenure review, which shall be conducted no later than the next-to-last year of the probationary period. In a comprehensive tenure review, the dossier is reviewed at all levels of the University (educational unit, college advisory committee and dean, academic area advisory committee and Provost, and the President), irrespective of the judgment, favorable or not, at the previous level of review. Considerable deference in tenure cases shall be shown by the Provost to the judgments emanating from the college, especially in cases where those college-level judgments (unit faculty, educational unit administrator, college advisory committee and dean) are nearly unanimous, either for or against the granting of tenure. In [his1] the case of a negative decision, the dean must provide the faculty member with written notification and the rationale that underlies the decision. Faculty members who are considered for promotion and tenure prior to the next-to-

Comment [his1]  
The SACPT recommends that this language be added.

last year of the probationary period have the right to terminate the process at both the College (Dean) and University (Provost) levels prior to final action by the Board of Trustees and to have the comprehensive a comprehensive tenure review in the next-to-last year of the probationary period. Final action by the Board of Trustees, upon the recommendation of the President, shall result either in the granting of tenure and, where appropriate, promotion to the rank of Associate Professor, or the issuance of a terminal (one-year) reappointment contract. A comprehensive tenure review shall not affect a faculty person's right to appeal a tenure decision on procedural grounds as codified in the *Governing and Administrative Regulations*.

Comment [his2]  
The SACPT requests that the right to appeal be added here.

#### IV. Reconsideration in the Terminal Year of a Negative Decision on Tenure

Reconsideration in the terminal year of a negative decision on tenure may occur at the discretion of the dean and shall be limited to those instances in which the preponderance of evidence against the award of tenure in the prior year has substantively shifted.

The terms of a comprehensive tenure review, as described in section III above, do not apply to a reconsideration of tenure in the terminal year. A[his2] reconsideration of the negative decision shall not affect a faculty person's right to appeal a tenure decision on procedural grounds as codified in the *Governing and Administrative Regulations* If, in the terminal-year review, the dean approves a positive recommendation from the educational unit administrator or overturns a negative recommendation from the educational unit administrator, the dean's recommendation and the candidate's dossier, including the written recommendation of the college advisory committee, shall be forwarded to the Provost. If the dean disapproves the positive recommendation or supports the negative recommendation of the educational unit administrator, the dean shall terminate the review process of the dossier and inform the candidate in writing of the action taken, with a copy to the educational unit administrator.

[his3]

Comment [his3]  
The SACPT considers this verbiage to be contradictory and confusing, please omit.

#### Section VI.C.

4. In cases involving a comprehensive tenure review, the dean shall obtain the written recommendation from the college's advisory committee, render a judgment on the recommendation from the educational unit administrator, and ~~forwa~~forward to the Provost the dean's recommendation and the candidate's dossier, including the dean's recommendation of the college advisory committee.

rd to the Provost the dean's recommendation and the candidate's dossier, including the dean's recommendation of the college advisory committee. The Dean shall also forward copies of the

**Dean's recommendation and the recommendation of the college advisory committee to the candidate with a copy to the educational unit administrator.**

Section VII.C.

4. "...including any recommendation from the area committee. **The Provost shall also forward copies of the Provost's recommendation and the recommendation from the area committee to the candidate with a copy to the educational unit administrator.**"

On behalf of the participating members, including Jodelle Deem, Deborah Hill, Robert McKenzie, David Royse, Susan Straley, Jeffrey Suchanek, Peter Sawaya and Grzegorz Wasilkowski.

Sincerely yours,

Hollie I. Swanson, Associate Professor  
Chair, SACPT