



31 October 1997

MEMORANDUM

TO Members, University Senate

FROM University Senate Council

RE AGENDA ITEM: University Senate Meeting, Monday, 10 November 1997 at 3:00 PM. Proposal to modify the Governing Regulations relative to interruption of service during probationary period. A recommendation from the University Senate to the Administration.

Action Item

Proposed modifications to Governing Regulations (GR X-3ff) relative to interruption of service during probationary period (interruption of the tenure clock for up to one year).

Recommendation

Modifications to the Governing Regulations of the University of Kentucky (1/12/92), Page X-3ff. are proposed at this time which specify the following understandings relative to probationary periods and the granting of tenure. Material to be added is underlined; material to be deleted is in brackets:

2. Probationary Periods

2. Probationary periods (or maximum non-tenure periods) are not applicable in cases where faculty members are appointed (1) in the research, Medical Center clinical, adjunct, visiting, or voluntary series of academic ranks and titles, or (2) on a part-time or temporary basis. In all such appointments, faculty members are ineligible for tenure.

Probationary periods are applicable, however, to non-tenured appointments of faculty members on a full-time year-to-year basis in the regular, special title, extension, or librarian series of academic ranks and titles. Such non-tenured appointments may be for one year or for other stated periods, subject to renewal. The total non-tenure period, however, shall not exceed [seven] eight years, including previous full-time service with the rank of instructor or higher in other independently accredited institutions of higher learning, provided that in the case of a faculty member with more than three years in the academic profession, who is called from another independently accredited institution and appointed at the rank of associate professor or below, it may be required that the individual serve in a probationary status for a period not to exceed four years, even though thereby the individual's total non-tenure period in the academic profession is extended beyond [seven] eight years. However, in any case where a period of prior service of a prospective faculty member involves significantly different institutional objectives or significantly different professional activity, all or part of the period of prior service may be eliminated from consideration in determining the maximum non-tenure period in the University System or the Community College System of the University of Kentucky. Except as provided in Part X.C.7, time spent on leave of absence shall count as probationary period service unless the University in granting the leave and the individual in accepting it agree to the contrary. In such circumstances, the process of tenure review may reasonably be extended by one full academic or calendar year consistent with the appointment, contract, rank and prior service of the individual member. That is, rather than being reviewed in the sixth year, the review would occur no later than the seventh year of an appointment. In the event that tenure is not awarded following review in the seventh year, the terminal contract would occur in the eighth year. The ordinary review of faculty remains in the sixth year of the seven year probationary period. However, during the probationary period, faculty members, in consultation with appropriate administrators (Division Director, Department Chair, or Dean), may elect to interrupt their University service WITHOUT PREJUDICE, for a period of time not to exceed one full year of appointment. discretionary decision-making relative to the granting of such interruption of University service shall remain between the individual faculty member and the appropriately authorized administrator. (Division Director, Department Chair, or Dean). It is recognized that the University and its units are subject to all appropriate state and federal laws, including but not limited to the Family Medical Leave Act and any and all other such laws as may apply.

Rationale

This proposal is one of the recommendations made in the report of the Senate Council Task Force on Promotion and Tenure. The Task Force reviewed the

promotion and tenure system during the 1996-97 academic year. It is forwarded with the recommendation of the Senate Council with the following specific rationale.

The purpose of a specified period of probationary review is to provide a time frame that permits faculty to demonstrate scholarly productivity in order that an accurate assessment by the institution can be made relative to the individual's professional competencies. That is, accurate assessment by the institution of the individual's professional competencies are essential to the granting of a lifetime position within the organization. An arbitrary time frame that does not acknowledge the impact of life events may lead the organization to dismiss a scholar of great potential. The flexibility offered in this proposal does not affect the right of the organization to make these assessments of faculty potential in a timely fashion and does not prohibit meritorious faculty from moving forward toward tenure in a timely fashion (that is, this is a "budget neutral" proposal). It does provide equal opportunity to ALL faculty members, regardless of their life circumstances, to demonstrate their scholarly competencies. There is nothing inherently "magical" about a six year probationary time frame. In fact, rigid application of that requirement may limit the growth of the Institution by untimely release of talented scholars who have experienced "life intrusion". The proposal is consistent with decisions of major Fortune 500 companies and other business entities which acknowledge the complexities of life circumstances that often affect the most valuable resource of an organization -- the employee.

Note: If approved, the proposed recommendation will be forwarded to the President for appropriate administrative consideration.