

Policy Statement on Criteria and Procedures in Renewal, Tenure and Promotion Decisions

Tenure constitutes a safeguard of academic freedom sustaining intellectual liberty and high standards in postsecondary education.¹ Procedures governing the granting of tenure, as well as renewal and promotion, ~~should~~ ~~must~~ ensure that natural justice and due process prevail. Such procedures ~~should~~ ~~must~~ as well be consistent with the equity provisions of the collective agreement. Academic staff associations ~~should~~ ~~must~~ negotiate criteria and procedures into the collective agreement which ensure that in career decisions priority is given to academic judgments and peer review while protecting the member's right to fair, consistent and equitable treatment. Collective agreements should provide:

1. a definition of tenure which recognizes that it involves a continuing appointment which can only be terminated either voluntarily through retirement or resignation or for just and sufficient cause or reasons of financial exigency;
2. definitions of academic ranks which are clear and easy to interpret;
3. reasonable criteria and standards which acknowledge the diversity of scholarship² and which avoid difficult to interpret qualifiers such as "excellent" in favour of descriptions of tasks such as "has established a record of independent scholarship;"
4. a protection that the criteria and standards to be applied in individual renewal and tenure cases should be those in force at the time of the member's initial appointment, unless modified in the collective agreement with the academic staff association;
5. evidence-driven decision-making which relies exclusively on relevant material provided by the applicant, additional relevant material drawn from the personnel file with written consent of the applicant, and upon internal and, where appropriate, external peer assessment;
6. procedural and evidential openness and transparency which restricts the use of confidential materials and prohibits the use of unattributed or anonymous materials or hearsay, including student opinion surveys of teaching;
7. recognition of the unfettered right of the applicant to access and comment on all of the evidence being considered by persons or committees charged with making recommendations and decisions as well as the right to address directly those charged with making recommendations or decisions prior to their final determination of the issue;
8. a requirement that all persons charged with assessing the academic work of a member and/or making a recommendation or decision have appropriate training on the application of the collective agreement, and relevant equity and other policies;
9. a requirement that all persons charged with assessing the academic work of a member and/or making a recommendation or decision have demonstrated competence and knowledge relevant to the assessment and act impartially, without bias and with no conflict of interest;
10. a requirement that all persons or committees making recommendations or decisions provide full and sufficient written reasons for their recommendations and decisions;

11. a requirement that all recommendations and decisions, including reasons, be made available to the applicant and ensure adequate time for the applicant to respond and/or comment before the application moves to the next stage of the process;
12. reasonable deadlines together with proper protections for the member should the employer fail to meet a deadline for a decision;
13. recognition of the unfettered right of the academic staff association to be fully informed at all times as well as the right of the association to represent the member at every stage of the process; and
14. recognition that renewal, tenure and promotion decisions, like all other terms and conditions of employment, are subject to the grievance/arbitration provisions of the collective agreement, and that the academic staff association has carriage rights for all renewal, tenure and promotion grievances.

A “tenure-track” appointment is an appointment which ensures access to a tenure hearing with the expectation of a positive result based upon satisfactory performance. A denial of renewal or tenure constitutes a finding of unsatisfactory performance over an extended period. For this reason the burden of proof in renewal and tenure decisions should be on the employer.

Budgetary considerations are not valid reasons for denial of renewal, tenure or promotion. In addition, there must be no limit on the proportion of the academic staff who may be tenured nor on the proportion of academic staff at any given rank.

Approved by the CAUT Council, November 2010.
Revised by the CAUT Executive Committee, February 2020.

Endnotes

1. See CAUT, Policy Statement on Tenure, Approved by the CAUT Council, November ~~2005~~2015.
2. The CAUT Policy Statement on Equity reminds us that in career decisions “recognition must be given to different and diverse experiences of various marginalized groups. Diverse substantive contributions to knowledge must be welcomed in the university or college. Diversity demands representation of difference in terms of vision, values, cultural mores, lived experience, methodologies and epistemologies in critical analysis.” See CAUT, Policy Statement on Equity, Approved by the CAUT Council, November ~~2002~~2018.