

To: Ruth V. Watkins, President

From: A. Lorris Betz, Interim Senior Vice President for Health Sciences
Amy J. Wildermuth, Acting Senior Vice President for Faculty for Academic Affairs

Subject: Exception to Policy 6-303: Student Input in Faculty Retention, Promotion, and Tenure Process

Date: April 23, 2018

On April 2, 2018, the Office for Equal Opportunity and Affirmative Action expressed concern that the current practice of voting by the student groups in the retention, promotion, and tenure (RPT) process has a disparate impact on underrepresented faculty. This does not comply with our legal and policy obligations to provide equal treatment. As a result, OEO Director Sherrie Hayashi recommended:

[T]he Senior Vice Presidents create an exception to the policy for the upcoming RPT review process as a short-term, temporary solution to ensure there is no disruption to the RPT process. The exception should preclude faculty files from being referred to UPTAC based upon negative and tied votes that are only from SAC. I further recommend that the University take steps to ensure that the RPT process is consistent with the University's goals related to its Affirmative Action Plan and commitment to ensuring equal opportunity for all.

You then directed us to craft an exception, which is below. Our recommendation is that you implement this exception for at least the next two RPT cycles, which will be in process during 2018-19, unless a new policy that responds to the OEO's concerns is in place by January 1, 2019. The sincere hope is that, with this exception as a pilot run or experiment, working with both ASUU and the Academic Senate, a new policy responsive to OEO's concerns will be in place no later than January 1, 2020.

In order to create this exception, we met with ASUU officers and had further discussions with the Office for Equal Opportunity and Affirmative Action and other stakeholders who have been part of this process. With the support of those groups, the exception to be made to Policy 6-303 is as follows:

1. Student input into the RPT process will be led by a group identified by ASUU after a meeting facilitated by Vice President Wildermuth is held between ASUU representatives and each dean. The group may be a department or college SAC; it may be a College Student Council; it may have some other structure. The determination of the appropriate group for performing the task will not be based on how ASUU has decided to make funding determinations. It will be

designated based on who is best able to represent and reflect student views, to analyze information carefully, and to devote the time necessary for the task.

2. An online training will be created for all students participating in the student group that is designated to provide input in the RPT process. The training will include materials on implicit bias, an explanation of the RPT process, and information about the role of the student group in the process.
3. General student feedback on any candidate can be solicited by the student group through a process set up in the Office for Faculty. The process will be open for 15 calendar days sometime between April and September of each year for students to provide non-anonymous feedback to the student group. Only members of the student group providing input will have access to the general student feedback.
4. The student group so designated will be provided access to the following materials:
 - (1) A candidate's CV;
 - (2) A candidate's teaching and mentoring materials, including any teaching and mentoring statement or philosophy;
 - (3) Course feedback materials;
 - (4) Information collected during the general feedback period.
5. The student group report will follow the form attached to this memo. There will be no voting on a candidate by the student group for the report. The report is due no later than three weeks after the close of the 15-day period for feedback, which in no event shall be later than October 1. The report will be included in a candidate's RPT file and must be acknowledged and discussed by the next level of review, which is the department advisory committee or, in single-department colleges, the college advisory committee.

As with all reports in the RPT process, the report's persuasiveness will depend on its thoroughness as well as the quality and depth of its analysis. Student groups should carefully assess the materials they are provided, which includes being attentive to issues of implicit bias.

6. In order to know whether the new structure and training are responsive to and addressing the concerns raised in the OEO letter, we will collect data about the RPT process, including the student recommendations on retention, promotion, and tenure for each candidate, to share with the OEO. After the student group report is submitted, each student will receive a request by email to complete a survey form on each candidate, which will include questions about the process and training as well as their recommendation for the proposed action, i.e., retention, promotion, and/or tenure. This information will be collected in the Office for Faculty on each candidate and shared with the OEO for its evaluation and recommendation.

The OEO will review the data and make recommendations in an update to the President on this issue as soon as the data on each candidate during the cycle is available. We hope the information can be provided in sufficient time to inform University policy-making.

7. Finally, to the extent that a candidate were to receive no negative votes from any level of review but the student input report articulates serious and significant concerns about that candidate, the Senior Vice President in the area may exercise their ability to seek UPTAC's consideration of the file under Policy 6-303.III.H.1 ("The cognizant senior vice president, in his/her sole discretion, may also send any other RPT case to UPTAC for its review and recommendations.").