

**Proposed Changes to UGA's University Council Bylaws
Submitted by Barbara A. Biesecker, Chair of the Committee on Statutes, Bylaws, and
Committees**

Proposed Revisions:

Part 1, Section XVIII University Promotion and Tenure Appeals Committee

Rationale: The following changes to Part I, Section XVIII of the bylaws of the University Council are recommended by unanimous vote by the Committee on Statutes, Bylaws, and Committees. The aim of the proposed changes to the University Promotion and Tenure Appeals Committee is to bring our bylaws and practices into closer alignment with the American Association of University Professors' recommended protocols. Per the American Association of University Professors' *Recommended Institutional Regulations on Academic Freedom and Tenure*,

“Faculty status and related matters are *primarily a faculty responsibility*; this area includes appointments, reappointments, *decisions not to reappoint*, promotions, the granting of tenure, and dismissal. The primary responsibility of the faculty for such matters is based upon the fact that its judgment is central to general educational policy. Furthermore, scholars in a particular field or activity have the chief competence for judging the work of their colleagues; in such competence it is implicit that responsibility exists for both adverse and favorable judgments. Likewise, there is the more general competence of experienced faculty personnel committees having a broader charge. Determinations in these matters should first be by faculty action through established procedures, reviewed by the chief academic officers with the concurrence of the board. The governing board and president should, on questions of faculty status, as in other matters where the faculty has primary responsibility, concur with the faculty judgment except in rare instances and for compelling reasons which should be stated in detail (emphasis added, <https://www.aaup.org/report/recommended-institutional-regulations-academic-freedom-and-tenure>).”

According to the Bylaws, the University Promotion and Tenure Appeals Committee makes *its* recommendation (the recommendation of the voting faculty) in any given case *to* the Senior Vice President for Academic Affairs and Provost (administration). Therefore, the Senior Vice President for Academic Affairs and Provost should neither be a member (even if non-voting) nor chair of the committee but, instead, receive the faculty's recommendation.

Part 1, Section XVIII University Promotion and Tenure Appeals Committee

CHANGE 1

Current

A. Membership Faculty with academic rank: One voting member of the University Promotion and Tenure Appeals Committee shall be elected by the tenured faculty of each School or College. Faculty elected shall be tenured and hold the rank of Professor. Faculty shall serve three-year terms. While serving on this committee, faculty cannot serve on other promotion and tenure committees at the School, College, or University levels.

Administration: The Senior Vice President for Academic Affairs and Provost shall serve as a non-voting member of the University Promotion and Tenure Appeals Committee.

University Promotion and Tenure Appeals Committee Chair: The Chair of the University Promotion and Tenure Appeals Committee shall be the Senior Vice President for Academic Affairs and Provost.

Proposed

A. Membership

Faculty with academic rank: One voting member of the University Promotion and Tenure Appeals Committee shall be elected by the tenured faculty of each School or College. Faculty elected shall be tenured and hold the rank of Professor. Faculty shall serve three-year terms. While serving on this committee, faculty cannot serve on other promotion and tenure committees at the School, College, or University levels.

~~Administration: The Senior Vice President for Academic Affairs and Provost shall serve as a non-voting member of the University Promotion and Tenure Appeals Committee.~~

University Promotion and Tenure Appeals Committee Chair: The Chair of the University Promotion and Tenure Appeals Committee shall be the immediate past Chair-Elect of the University Promotion and Tenure Appeals Committee. Each year the University Promotion and Tenure Appeals Committee shall choose a new Chair-Elect from among the elected faculty members of the Committee who have at least one year of previous service on the University Promotion and Tenure Appeals Committee (which could be from a previous term) and will not simultaneously be serving in any administrative position for which they receive compensation or teaching release, and at least two years remaining on their committee term.

CHANGE 2

Current

B. Duties

1. To conduct all their deliberations in confidence; they may not discuss an appeal with anyone who is not a member of the committee. An exception to this confidentiality relates to discussions with staff assisting the committee.
2. To review the dossiers that are required to come before the committee and advise the Senior Vice President for Academic Affairs and Provost in accordance with the University's Guidelines for Appointment, Promotion and Tenure.

Proposed:

C. Procedures (Copied and Pasted verbatim from *The Guidelines for Appointment, Promotion and Tenure of Academic Rank Faculty*, last revision Spring 2020, University of Georgia, Provost's Website)

1. The responsibility of the University Appeals Committee is to make its best judgment as to (1) the existence of material failures, inaccuracies or procedural irregularities; (2) whether or not these failures, inaccuracies or irregularities significantly impaired an appropriate review of the candidate's qualifications for promotion and/or tenure. At its option, the committee may interview the candidate, the PTU head or the dean, as well as any other individuals who are in a position to provide useful information about the review.

2. *Voting Procedures for University Appeals:* Faculty from the candidate's PTU will refrain from participating in any form of evaluation at all higher levels of review.

Quorum - Consists of at least two-thirds of the membership. State that a quorum was present in the cover letter.

Abstentions - No abstentions are allowed. Once a quorum is declared, all members in attendance must vote. Any ballot not clearly marked approve or deny will be considered a "NO" vote.

Recusal – Only allowed if a conflict of interest exists. Faculty members who recuse themselves are not considered eligible voters and may not participate in the discussion or consideration of the candidate's dossier.

Absentee Ballots – No absentee ballots are allowed.

Recommendations – A simple majority vote of eligible voting faculty members present at the meeting. A tie vote of eligible voting members present at the meeting is considered a negative recommendation.

By a simple majority vote of eligible voters present at the meeting, the University Appeals Committee will advise (with supporting rationale) the Senior Vice President for Academic Affairs and Provost on the following:

1. Whether or not material failures, inaccuracies or irregularities existed for a given candidate; and if so
2. Whether or not these failures, inaccuracies or irregularities appear to have interfered with an appropriate vote on the performance record.