

II.D. Appointments and Promotions

(Source: Office of the Provost, 1979; Statutes of the Trustees, Article 9, 1983; revised as Article 10, November 2, 2001)

All appointments and promotions to the ranks of Professor, Associate Professor, or Assistant Professor whether in the Standing Faculty, the Standing Faculty-Clinician-Educator or in comparable ranks in the Associated Faculty, are made, upon recommendation of the Faculty, the President and Provost, by positive action of the Trustees. The minutes of the Trustees are the official record of such actions.

No officer of the University has authority to bind the University to appointment or promotion in the ranks of Assistant Professor or above without the positive action of the Trustees.

Power to appoint and reappoint to positions below the rank of Assistant Professor and not in tenure probationary status may be delegated by the President and Provost to the Deans.

(Statutes of the Trustees, Article 10, November 2, 2001)

II.D.1. Procedures for Academic Appointments and Promotions

(Source: Standing Resolution of the Trustees, September 9, 1983)

Uniformity of Procedures

The diversity of professions and disciplines within the academic community of the University and the valued traditional customs of the several faculties preclude wholly uniform procedures for appointments and promotions at the school level. The primary responsibility for developing and maintaining a high quality faculty rests with the individual discipline. Each faculty shall adopt bylaws prescribing procedures for review of proposals for appointments or promotions within the faculty. Each faculty shall also establish procedures for the appointment of a school personnel committee. Uniform procedures should be followed when appointments and promotions are considered at the University level under the aegis of the President and Provost. Consistent with policies adopted by the Trustees, additional procedures concerning academic appointments and promotions may be promulgated by the President and Provost.

Where the President and Provost propose to recommend an appointment or grant of tenure without the approval of the faculty concerned, they shall inform the dean, the body responsible for articulating the opinion of that faculty in personnel matters and the Committee on Academic Freedom and Responsibility of that faculty. These bodies shall be provided an opportunity to respond before the proposed appointment is submitted to the Trustees.

Every recommendation for Trustee action shall specify the date of commencement and the duration of the employment relationship thereby created; whether the faculty member is a

member of the Standing Faculty, the Standing Faculty—Clinician-Educator, or the Associated Faculty; and whether the faculty member already has tenure, is receiving tenure by this action, is in a tenure probationary position, or is in a position without tenure significance.

Every recommendation for Trustee action of appointment or promotion of a faculty member to a tenure probationary position shall indicate the date (month, day and year) that the probationary period began and the latest date by which such faculty member shall be reviewed for purposes of a timely tenure decision (hereafter referred to as the date of mandatory review).

The Secretary of the University and the Provost shall arrange for suitable means of notifying each faculty member and the respective dean of such action. The notice shall contain the minutes entered in the records of the Trustees.

Reappointments and Promotions

1. Reappointments and Promotions of Faculty Members on Term Appointments in the Standing Faculty and Standing Faculty-Clinician-Educator.

When a faculty member's initial term appointment is for three years or more and has not been previously modified, consideration of the faculty member's continued employment on a new term appointment should occur no later than the penultimate year of the term. Renewal of such term appointments should be made only after systematic serious evaluation of the faculty member's qualifications, the programmatic needs to be met by continuation, and the resources available.

Occasionally term appointments are made in the Standing Faculty for terms of less than three years. Consideration of such a faculty member's continued employment on a new term appointment should occur as soon as practicable in light of the nature of the faculty member's role and responsibilities to the faculty concerned.

No single term appointment or combination of such appointments shall exceed the appropriate maximum period of time permitted in a tenure-qualifying position in the Standing Faculty. Where a faculty member's total years of actual service in one or more term appointments approaches the maximum period, a timely decision on promotion to tenured status shall be made. Such consideration shall be no later than the date of mandatory review; that is, at the end of the academic year preceding the last year of the permitted period.

If a faculty and its dean determine not to recommend continued employment of a faculty member on a term appointment, the faculty member should be so advised as soon as possible, in order to enable him/her to explore other employment opportunities. A faculty member who has served more than two years in the Standing Faculty should be given by the dean one full year's notice of non-reappointment. A faculty member who has served fewer than two years in the Standing Faculty should be so informed by the Dean on or before March 1 of the final academic year of the term. In the rare instances where certain time limits on notification of termination are not followed, a faculty member may acquire tenure. A faculty member who is in tenure probationary status approved by the Trustees, if not notified on or before the date of mandatory

review that the appointment will be terminated, will be granted tenure in his or her present rank after the date, provided that the faculty member has been notified in writing not later than November 1 that he/she is due for mandatory review prior to the following July 1, or, if this does not occur, the faculty member has notified the dean and the Provost in writing no later than February 1 that he/she believes that review is required before the following July 1.

A faculty member who is not notified of forthcoming tenure review, as in the above, and who does not notify the dean and Provost as in the above, and who does not receive notification of a tenure decision, shall not receive tenure after the date of mandatory review. Such a faculty member shall automatically receive an additional one-year appointment still in tenure probationary status at his or her current rank. The above procedures and obligations of notification shall then again apply in this additional year, and if not observed, still another year in tenure probationary status shall be automatically granted. If, however, the faculty member is not notified either of tenure or termination within two years after the expiration of the normal probationary period (i.e., by the end of nine years for Assistant Professor, or Associate Professor with no previous academic experience, and twelve years for faculty with substantial clinical responsibilities in tenure probationary status) the faculty member will receive tenure at the current rank.

2. Reappointments and Promotions of Faculty Members in the Standing Faculty-Clinician-Educator Rank

There shall be a limit of ten years on the length of full-time service as Assistant Professor-Clinician-Educator in accordance with procedures set by the faculty. Clinician-Educators with the rank of Professor or Associate Professor shall have continuing appointments, subject to their generation of income to support their appointments and subject to satisfactory performance of their responsibilities. Action to terminate members of the Standing Faculty-Clinician-Educator at the rank of Professor and Associate Professor for failure to generate appropriate levels of practice funds shall be carried out according to policies and procedures promulgated by the President and Provost.

3. Reappointments and Promotions of Faculty Members in the Associated Faculty or Academic Support Staff

The University assumes no obligation of continuing appointment to faculty members in the Associated Faculty or Academic Support Staff. Some appointments in these categories are self-limiting with no expectation of renewal. Others are expressly conditional on the availability of funds such as research grants or clinical practice funds, or are subject to changing plans of the school or department. In all appropriate cases, the University through the deans of the faculties should seek to provide notice as soon as possible to any faculty member whose employment will not be continued. The timing of such notice of termination depends in part on the nature of the reason for the decision. Where the basis is loss of funding for a project of research or service, the length of notice to affected faculty members is dependent on the date of the announcement of the decision of the funding agency.

(See page 16 - Standing Resolution of the Trustees, September 9, 1983)

The Appointments Process.

(Source: Resolution of the University Council, February, 1973; the practices of the Provost's Staff Conference since 1973 and subsequent Provost's memoranda)

The procedure for making all appointments to and/or promotions within the Standing Faculty at the University of Pennsylvania involves the following steps:

1. In the case of a new appointment, a search conducted in compliance with the University's policy on affirmative action.
2. Initiation of a proposal for appointment or promotion by an academic department (or school, if without department structure) after review of its faculty needs, academic plans, and objectives.
3. Review by the school personnel committee to determine the academic qualifications of the candidate for membership on the faculty at the rank proposed.
4. Evaluation of the qualified candidate's credentials by the dean for consistency with the academic standards, plans, priorities, and budget of the school.
5. Review by the Provost's Staff Conference to advise the Provost that University-wide academic standards are being met, that the proposal is consistent with approved academic and financial plans of both the school and the University, and that it is in accord with statutory provisions.
6. Approval by the University Trustees, upon the recommendation of the President, and following approval by the Provost.

In general, the appointments and promotions process is initiated by the department (or school, if without departmental structure). A department can initiate the process on the basis of consultation within the department and with other knowledgeable persons in its faculty and in the University. The initial decision as to whether a particular person is to be appointed or promoted should be made by faculty members having rank equal to or higher than the position being considered; faculty members without tenure cannot vote on appointments or promotions to tenured ranks. Whenever the department does not have at least three faculty eligible to vote, the dean can establish a school-wide or University-wide faculty *ad hoc* committee to initiate the process. Departmental review committees should provide mechanisms to obtain student opinion on the candidate's teaching performance. The department chair is obligated to forward to the Dean any positive recommendations of the review committee even when he or she might be personally opposed to it. In such a case, of course, the department chair can also transmit his or her personal opinion on the merits of the case. The department chair should also communicate to the dean any minority opinion that dissents from the positive recommendation. The dean and, at his/her request, the school personnel committee can review any negative decision of a department that would have the effect of terminating an individual's appointment.

The department's recommendations for appointments and promotions should be reviewed by a personnel committee appointed according to procedures established by the faculty of the

school in which the department is situated. The committee should be composed entirely of faculty members, with none currently serving in an administrative position. The vote required for a positive recommendation should be established by each school. The positive recommendations of the school personnel committee should be forwarded to the Provost's Staff Conference by the dean, who may choose to concur with or dissent from the proposal.

The overriding objective of the faculty appointment and promotion policy and procedures should be the recruitment and retention of a distinguished faculty. While the means to this end may vary, particularly in some of the professional schools, generally the objective will be met by stressing intellectual leadership as the chief criterion. Accordingly, a high degree of excellence is expected in both research and teaching. The relative weight given to research and teaching varies from case to case and should be determined by the individual faculties, but always with significant achievements in research if they are to be assigned teaching responsibilities. An acceptable standard of competence in research should be required even of outstanding teachers, and at a research institution such as the University of Pennsylvania an acceptable standard in research is very high indeed. The initial determination of competence in research should be made by scholars in the same or closely related disciplines, subject to review at the school and University levels. In identifying good teaching, it is essential to make use both of carefully tested forms for evaluation by current and former students and also of some type of peer evaluation. Teaching evaluation forms may differ from school to school.

In matters of appointment and promotion, some weight should also be given to unusual service in such "citizenship" activities as University governance, curriculum development, service to the profession, editing of professional journals, or academic programs carried out in residences.

II.D.2. Documentation of Promotion and Appointment Proposals

(Source: Office of the Provost, 1979)

Some of the components of current promotion or appointment proposals are:

A curriculum vitae of the candidate containing information on past educational and professional experience and a bibliography of published work.

Letters of evaluation from current University faculty familiar with the candidate and with his or her work.

Letters of evaluation from experts outside of the University.

Evaluations of the candidate's teaching. Some of these evaluations should be by students.

An affirmative action statement, indicating how the appropriate pools of potential minority and female candidates were reviewed.

An assessment by the department chair giving an evaluation of the research, teaching, and service of the candidate, and the academic purposes to be served by the appointment or promotion.

An evaluation by experts within the University who are familiar with the candidate's field.

A statement from the school personnel committee stating that the candidate meets high academic standards.

A statement from the dean summarizing his/her evaluation of the research, teaching, and service of the candidate, the academic purpose to be served by the appointment or promotion, and budgetary support for the proposal.

Proposals for tenure should be submitted to the Provost as early as possible in the academic year so that all aspects of the required review may be completed by the end of the spring term.

II.D.3. Appointment to More than One Department

(Source: 1969 Handbook for Faculty and Administration; revised, Office of the Provost, 1979; revised, Almanac, March 28, 2006)

Every faculty member has a single home department although cooperative undertakings by individual faculty members with other departments are encouraged. In some instances, formal appointments are made to second departments. The rank of this appointment to a second department will usually be the same as the rank of the faculty member in his/her home department. Except in the case of interdisciplinary appointments, such secondary appointments are never for an indefinite period. Unless specific arrangement is made to the contrary, no appointment at any rank in a second department shall be for a longer term than three years. In no case shall the term of the appointment extend beyond the terminating date of the existing appointment in the home department. Reappointments in second departments are generally made as long as the faculty member continues to participate significantly in the work, symposia, and other affairs of that department. Departments may as a collectivity set a general policy on secondary appointments. However, the specific recommendation as to whether an individual faculty member is to have voting rights in the second department should be made by faculty members in the second department having a rank equal to or higher than that of the individual being considered. At the time a chair of the second department recommends to his dean a secondary appointment or reappointment, the chair shall also state whether the action is expected to confer voting rights in the second department. The Provost's Staff Conference shall make the question of voting rights a matter of record whenever a secondary appointment or reappointment is approved.

In cases of interdisciplinary appointments, a faculty member may hold a tenured appointment, or a secondary appointment of longer than three years, in two or more schools in accordance with the policies of those schools. The responsibility for faculty holding joint appointments will be shared. The deans of the schools in which the faculty member will hold

tenure must reach agreement on how the responsibilities are to be shared. The deans should set down in writing the agreements that have been reached with regard to salary, research funding and research space, teaching obligations, committee service, and leave entitlements. One school should also be designated the administering school, indicating that it has primary responsibility for ensuring that administrative actions are taken. At the time of the initial appointment of a faculty member with tenure in more than one school, the formal appointment process should for the most part mirror the appointment process in each of the schools. The faculty of each school is expected to follow its own processes and to vote on whether the candidate should be offered an appointment in their school.

(Almanac, March 28, 2006)

II.D.4. Appointment of Non-U.S. Personnel

(Source: Office of International Programs, July 20, 1978; revised, Provost Memorandum, No.81-8, November 3, 1981; revised, Office of International Programs, 1983; revised, 2005)

The University community is enriched by the presence of scholars, short-term visitors, visiting professors and researchers, as well as longer-term and permanent appointees from other countries. In this regard, certain guidelines must be followed with respect to immigration regulations.

The hiring of foreign faculty members at Penn, while usually not difficult, requires careful advance planning. All departments contemplating the hiring of a foreign faculty member should work closely with the Office of International Programs (OIP), which is the officially designated signatory for the University in immigration matters. ***Please note that other University offices and departments may not authorize outside counsel to represent the University in immigration matters.*** Ideally, a foreign candidate being interviewed on campus should consult directly with an OIP staff member during the campus visit to explore the visa ramifications of the potential faculty appointment.

A determining factor in employability is the individual's immigration status, not citizenship. Various non-immigrant visas allow foreign nationals to work in the United States on a temporary basis. Non-immigrant visas (J-1's, H-1B's, or occasionally others, depending on circumstances) can also be used for faculty positions that are not tenured from the outset. With the University's support, the individual can be adjusted to permanent resident status at a later date. Faculty positions that are tenured from the outset require that the individual have permanent resident status prior to taking up the position. This status can take one or more years to obtain. ***Please note that tenure cannot be awarded to individuals until they have established citizenship or permanent residency.*** They can be appointed to a tenure-track position, but tenure may be granted by the Board of Trustees only to individuals who have been classified as citizens or permanent residents of the United States. No offer to a foreign national should be made without stating that the offer is contingent on that person's obtaining the appropriate visa.

Any department wishing to hire a faculty member from another nation should contact the Office of International Programs for assistance with the administrative aspects of the appointment. They can be reached at 3701 Chestnut Street, Suite 1W, Philadelphia, PA 19104-3199 .Telephone: (215) 898-4661. Their website is: <http://www.upenn.edu/oip/>