



KEAN FEDERATION OF TEACHERS

An Association of Professors, Professional Staff and Librarians

Local 2187, American Federation of Teachers

Kean University, Union, N.J. 07083

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Letter of Agreement (LOA) # 168

**University Promotion Committee By-Laws
Revisions**

**Letter of Agreement
On
Faculty Promotion Procedures**

In order to promote amicable employer-employee relations, Kean University (the University), and the Kean Federation of Teachers, Local 2187 (“the KFT”) hereafter, “the parties”, hereby agree as follows:

Whereas, the parties recognize the need to create a more equitable and transparent faculty promotions policy, the parties agree to a revision of the faculty promotion bylaws attached to this agreement.

In WITNESS WHEREOF, the University, the Kean Federation of Teachers, Local 2187 have acknowledged their understanding of this Letter of Agreement and affix their signatures below.

For the University:

Zahire D. Estrella-Chambers
Zahire D. Estrella-Chambers (May 5, 2023 11:00 EDT)

Date:

For the KFT:

Frank Argote-Freyre
Frank Argote-Freyre (May 5, 2023 10:55 EDT)

Date: May 5, 2023

KEAN UNIVERSITY

University Promotion Committee (UPC) Bylaws

Revised May 2023

It should be understood that some provisions may be modified in the course of collective bargaining or contract administration.

ARTICLE I

Procedures for Submitting Applications for Promotion

A. Any full-time faculty member with academic rank may submit an application for promotion, together with written substantiation to the claim for promotion, on or before the date stipulated in the current Agreement Between the State of New Jersey and the Council of New Jersey State College Locals, AFT (hereafter called the Agreement) and no later than the date set in the calendar of promotion activities published for the current review year.

B. In all cases, applications must receive first consideration at the department level.

C. Each department ARTP committee or special promotion committee appointed by the College Dean shall submit its recommendations in writing to the University Promotion Committee. Barring extraordinary circumstances, any department's ARTP should consist of the same appointees throughout an academic year. The department ARTP committee or special committee shall, at its discretion, list the candidates in priority order or in unprioritized order, for each rank. Applications for promotion will be completed and submitted through the Interfolio platform and managed by the Office of Academic Affairs.

D. An individual not recommended by the department may submit an application directly to the University Promotion Committee. In such case, the applicant's department ARTP committee must forward intact the promotion portfolio which was used as the basis for its decision not to recommend, together with written reasons for the negative recommendation, to the University Promotion Committee in care of the Sr. VPAA's Office. The departmental written statement of non-recommendation must be approved by a majority vote of the ARTP committee. If the University Promotion Committee so decides, it may seek additional data. It may choose to consult the department chairperson and the department ARTP committee before making its own recommendation on the candidate's application.

E. In departments in which the chairperson is an Associate Professor and is a candidate for the rank of Full Professor, he or she shall not participate in deliberations and decisions concerning any applications for the rank of Full Professor.

1. If there are three or more tenured Full Professors in such a program/department, they shall elect a temporary chair and shall have jurisdiction over all applications for promotion to the rank of Full Professor. There shall be one student representative drawn from the department ARTP Committee.

2. If there are fewer than three tenured Full Professors in such a department, applications for the rank of Full Professor shall be forwarded to the Dean of the College. The

department shall submit the names of up to four (4) Full Professors from outside the department to the Dean, from which the Dean shall choose to fill out the special committee. The Dean shall appoint a committee of three tenured Full Professors and one student to form the special department ARTP committee. Any department member with tenure who holds the rank of Full Professor shall be included automatically. The committee shall elect one of its members as the temporary chairperson who shall be responsible to the Dean for the compilation by the committee of the promotion documents. The temporary chairperson shall chair the deliberations and shall forward the portfolios together with the committee's recommendations to the Dean. The Dean shall forward the portfolios together with the special committee's recommendations to the University Promotion Committee no later than the date stipulated in the timetable for promotion activities.

F. In other departments where there are fewer than three tenured members of rank equal to the rank under consideration, the program/department and the Dean shall observe the procedures outlined in E2 above, except that in cases involving promotion to the rank of Associate Professor, eligibility for committee membership shall include faculty members with tenure who hold the ranks of Full Professor and Associate Professor.

ARTICLE II

Access and Disposition of Portfolios, and Candidacy Withdrawal

A. A candidate for promotion may have access to his or her portfolio while it is in the possession of the University Promotion Committee providing that current University procedures governing personnel files are observed (ref. Agreement, Article XXIX). Request for portfolio access should be made through the Office of Academic Affairs.

B. A candidate or a department ARTP committee may not retrieve a candidate's portfolio after the University Promotion Committee has acted to determine his or her minimum eligibility for promotion.

ARTICLE III

Qualifications and Restrictions

A. The University Promotion Committee will consider only those applicants who have completed, by the initial application date, all requirements stated in Appendix IV of the Agreement governing "Qualifications for Rank and Criteria for Promotion" (section E).

B. Candidates for promotion who are not approved for reappointment shall be ineligible for further consideration by the University Promotion Committee.

C. All applications for promotion also must be accompanied by:

1. Three individual reports of classroom observations made by three different members of the committee developing the candidate's application (either the departmental ARTP committee or a special committee appointed by the College Dean in the case of I.E.2 or I.F above). The applicant's ARTP committee or special committee is responsible for assigning committee members to observe the candidate's classroom teaching ability; each observer must hold academic rank equal to or greater than that applied for.

In cases where the candidate teaches one or more courses outside her/his "home," or resident, program/department, written classroom observation(s) and/or student evaluation(s) of the "out-of-department" course(s) may be submitted as part of the application for promotion. Arrangements for completion of such material will be made between the chairperson of the candidate's "home" ARTP Committee or special committee appointed by the College Dean and the chairperson of the outside department in which the candidate is teaching. Guidelines on appropriate faculty rank for ARTP or special committee members writing classroom observations must be followed in all cases (i.e., the observer must hold rank equal to or greater than that being applied for).

In the case of application to the rank of full professor, the three written observations shall be by full professors on the ARTP Committee or special committee. In the case of application to the rank of associate professor or assistant professor, the three written observations shall be by full or associate professors on the ARTP or special committee. One observation must be made by the department chairperson except in cases where he or she does not participate (see I.E and F above), or chairperson of the special committee appointed by the College Dean.

Peer observations must be dated no earlier than two (2) years prior to the first day of the academic year (September 1) in which application for promotion is made. It is the responsibility of the ARTP Committee or special committee developing the candidate's application to compile this material for the candidate. The candidate will be responsible for uploading the peer observations into Interfolio.

2. All evaluations from each semester, for a three-year period, will be considered for the purposes of promotion. The faculty has access to this data through Campuslabs (Anthology).¹

In cases where the candidate teaches one or more courses outside the "home," or resident, program/department, written classroom observation(s) and/or student evaluation(s) of the outside course(s) may be submitted as part of the application for promotion. Arrangements for completion of such material will be made between the chairperson of the candidate's "home" ARTP Committee or special committee appointed by the College Dean and the chairperson of the department in which the candidate is teaching the "out-of-department" course(s).

3. A full-time faculty member who recently received a promotion or range adjustment award must complete four years in the rank or range before applying for another promotion.

¹ Campuslabs (Anthology) was implemented in Fall 2019. Therefore any candidate applying in 2021 can submit course evaluations starting from the implementation date of Fall 2019.

D. The following are minimum qualifications for academic rank, but are not to be considered to guarantee promotion to a particular rank (ref. Agreement, Appendix IV). The expectations and requirements for promotion should be made available to all faculty via a University website. The University agrees to provide annual workshops on the faculty promotion process. The Deans, Chairs or Coordinators should encourage faculty who will be applying for promotion to meet with them to review portfolios in advance to provide guidance on how to strengthen applications before they go forward. If the University decides to increase the number of Chairs, the University will notify the Union and enter negotiations to amend this paragraph.

The University Promotion Committee considers promotions to be a matter of fulfilling benchmarks instead of a competition among faculty applicants.

1. Assistant Professor. An earned doctorate or other appropriate Professor terminal degree* or its equivalent** from an accredited institution in an appropriate field of study*** The requirement of an earned doctorate or other appropriate terminal degree or its equivalent for promotion to the rank of Assistant Professor shall not apply to faculty members employed in the University prior to February 22, 1974. In circumstances where the University finds the candidate has extraordinary qualifications, the University will consider waiving degree requirements.

2. Associate Professor. An earned doctorate or other appropriate terminal degree* from an accredited institution in an appropriate field of study***, and five years of professional experience. The requirement of an earned doctorate or other appropriate terminal degree or its equivalent for promotion to the rank of Associate Professor shall not apply to faculty members employed in the University prior to September 1, 1968.

For Associate Professor, the expectation is that candidates will demonstrate a consistent record of scholarship and/or creative works, teaching and service to the University and community.

Starting in Fall 2023, Assistant Professors who are awarded tenure for the Fall 2024 semester will automatically be promoted to Associate Professor at the same time. If the applicant does not meet the standards for associate professor, that applicant will also not be awarded tenure.

3. Professor. An earned doctorate or other appropriate terminal degree* from an accredited institution in an appropriate field of study***, and eight years of professional experience. For full professors, the expectation is that candidates will demonstrate excellence across the criteria presented in section III.F below.

4. The State recognizes that individuals may present qualifications as to education and experience that their peers will recommend to be the equivalent* of the above qualifications although not corresponding to the letter.

* The University Promotion Committee recognizes that in some cases the doctorate is not the appropriate terminal degree for the candidate's field. The Committee regards as the appropriate terminal degree that recognized as such by the Board of Trustees of Kean University. That a degree other than the doctorate is the recognized terminal degree in a field must be validated by the candidate in writing. Possession of an appropriate terminal degree or its equivalent, however, does not assure promotion. Promotion is also based on the criteria as stated in section III.F below.

** "Equivalent" is interpreted by the University Promotion Committee to mean regional or national recognition of the talents and the performance of the candidate for promotion. This recognition must be fully documented. With respect to "regional", a region is defined as a section of the United States that includes more than one State.

*** "An appropriate field of study" is interpreted by the University Promotion Committee to mean a field of study closely related to the faculty member's main assignment at the University.

E. Special University Promotion Committee guidelines on equivalencies for professional experience

1. One year of previous experience as a graduate teaching assistant shall be deemed by the Committee to be the equivalent of one-third of one year of previous professional experience.

2. One year of previous experience as a part-time adjunct teacher or part-time lecturer shall be deemed by the Committee to be the equivalent of one-third of one year of previous professional experience, provided that this activity was not engaged in on an overload basis or in addition to the obligations of a graduate teaching assistantship.

3. No more than one year's equivalency of previous professional experience shall be established for any given year (i.e., professional activity engaged in on an overload basis shall not be credited toward the requirement for previous professional experience).

F. Decisions about promotion shall include consideration of several broad and interrelated factors (Faculty Senate Guidelines on Retention, Tenure, and Promotion, A3.3).

1. Mastery of subject matter --- as demonstrated by such criteria as advanced degrees, licenses, honors, continuing education credits, and general reputation in the academic field under consideration, etc.

2. Effectiveness of teaching --- as demonstrated by such criteria as evaluation by colleagues and students, development of new teaching materials and courses, etc.

Should include formal course evaluation data from designated instrument.

3. Scholarly abilities --- as demonstrated by such criteria as published research in the academic field, contribution to artistic creation, the prestige of publication venues, presentations at international, national, or regional conferences etc. To ensure that Kean scholars are performing at a level of achievement demanded by their disciplines

nationwide, a process of external peer review will be implemented beginning in the 2023-2024 Academic Year. The details to be negotiated in a subsequent agreement.

4. Effectiveness in University and community service --- as demonstrated by such criteria as participation in university governance, improvement of departmental, college, and all-University programs, service to students, service to the University community and to related professional organizations, etc.

5. Continuing growth --- as demonstrated in a consistently open and emerging pattern of research, continuing education courses and service that indicates a capacity for further professional development.

ARTICLE IV Committee Procedures

A. Members of the Committee must respect the confidentiality of all Committee discussions, formal and informal.

B. The President or President's designee will meet with the UPC prior to the committee beginning their review of applications. If the University establishes a number of promotions available at the various ranks, then the President or his/her designee shall inform the committee of those numbers.

C. Except as determined otherwise in the remaining paragraphs of this Article, Committee procedures shall be based on Robert's Rules of Order. The Committee may vote to suspend the use of Robert's Rules temporarily for purposes of informal discussion, but it may take no formal action during such periods.

D. Quorum: Two-thirds or the next highest fraction involving whole number of the voting membership of the Committee.

E. The chair, who is elected by the members, participates in all secret ballots. If a tie results, the Committee will vote again.

F. The committee has the right to consult with various representatives of the department and the University. It will not, however, evaluate applicants or their credentials while such persons are present in the committee room.

G. Procedures for the conduct of hearings. The Committee expects the bulk of the information on which it will make its recommendation to be in the applicant's portfolio. However, if for some special reason a candidate wishes to appear before UPC to provide additional materials for consideration that were not available when the portfolio was submitted, he or she may make an appointment at the designated time. The applicant cannot be represented by someone else and cannot be accompanied by legal counsel. The Committee shall adhere strictly to a schedule of ten-minute interviews. Although all candidates have the right to appear before the Committee, the following should be kept in mind:

1. The candidate should only appear because of some special reason, such as the addition of substantive new information not included in the current application. The interview is not intended to influence or lobby the review process.

2. If the candidate believes that a full account of accomplishments already has been documented in the initial application, there should be no interview.
3. If the Committee has questions requiring clarification of information included in the candidate's file, it will communicate with the applicant.
4. Appearance by the candidate before the University Committee is not in itself to be interpreted as a criterion for favorable evaluation.

H. Procedures for making promotion recommendations

1. Each Committee member will rank the candidates by secret ballot 1-2-3. . . with the low numbers being the best candidates and so on. This vote is tallied and the final ranking will be forwarded to the President. The Committee will rank two-thirds of the applicants.
2. The UPC chair will communicate the ranking in writing with each candidate and his/her chair and dean.
3. The UPC will meet with the President or the Provost after submitting rankings but before he/she has made a decision on promotions to share the committee's thinking and concerns. Should the President decide to make a recommendation for promotion to the Board of Trustees inconsistent with the recommendation of UPC, he or she shall provide the committee with the reasons for that action.
4. The University will provide the list of those promoted immediately after they are approved by the Kean University Board of Trustees.
5. Recommendations of the President to the Board of Trustees and the decisions of the Board shall be delivered in writing to the candidate.

I. Rules Governing Appeals

1. Candidates who are not promoted may file an appeal with the University President according to the established timeline to request a meeting and reevaluation. The University Promotion Committee is not involved in this appeal process.
2. Recommended priority order in rank assigned by the University Promotion Committee to candidates cannot be appealed to the Committee.
3. Any applicant for promotion who thinks that he or she has a grievance regarding application for promotion should follow the procedure set down in the Agreement. See the Agreement's articles on "Grievance Procedure" and "Promotional Procedure".

J. Transparency, Feedback and Public Recognition

1. Faculty that are not promoted should receive clear guidance from the President or Provost on areas for improvement and suggestions to improve the chances of promotion going forward. This feedback should cover teaching, research, and service. The President or designee will provide this feedback, with written assessment added to each candidate's file. Assessment will be shared with each candidate. Upon request of applicants who did not receive promotion, the UPC shall arrange for some Committee members to meet with the applicant and his/her departmental chairperson, if so desired, by the applicant.

2. As soon as promotions are formally approved by the Board of Trustees, the University will publish the names of those promoted as well as the number of applicants for each rank.
3. The University will hold an annual event celebrating the tenure and promotion of faculty members with an emphasis on highlighting faculty achievements. Additionally, this event will also at this time celebrate publications of and grants awarded to faculty from across the university.